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Main Report:
Preparing Energy Transition and Climate Policies in 2025 and Beyond for the Prabowo Administration

Law

- The Way Forward for Judicial Independence
- Indigenous Peoples' Challenges in Land Certificate Transition

Politics

- The Importance of Analyzing Bureaucratic Ethics in the Government
- Looking at the Role of the Military Today
- Looking at the Revision of the Election Law

Social

- Challenges for the Sustainability of Ministry of Women's Empowerment and Child Protection Programmes in the Prabowo-Gibran Era
- Considering the Importance of the Bill on the Elimination of Discrimination against Vulnerable Groups in Indonesia

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FOREWORD

The November-December 2024 edition of the Indonesian Update features a main report on President Prabowo's administration, which has serious concerns about energy transition and climate policy. This was stated in the G20 Summit and COP29. At least, there are three risks that President Prabowo's administration must mitigate in 2025 and beyond; namely, technological risk, social risk, and institutional framework risk.

In the legal field, Update Indonesia raises the topic of improving welfare and eradicating Corruption, Collusion, Nepotism (KKN) in the judicial environment must be carried out comprehensively and continuously to increase the independence of the judiciary. Furthermore, we also discuss the need for indigenous peoples to receive special affirmative treatment to be able to register their land and prevent more massive agrarian conflicts in the future.

In the political field, Update Indonesia discusses the current role of the military. In the Post-New Order regime, the efforts to strengthen civilian supremacy has included eliminating the TNI's "dual function" and purifying the military's role as the guardian of national defense. However, the legacy of authoritarian structures and loopholes in regulations still opens up space for military involvement in the civilian sphere, which has the potential to hinder democratic consolidation and give rise to the risk of new authoritarianism. Next, we discuss the ethical limits of the use of personal funds by public officials, as well as its impact on transparency and government integrity.

Still in the political field, Update Indonesia also discusses the plans to revise the Election Law. The Government and the DPR need to discuss issues that are not only the interests of political parties in the revision of the Election Law. For example, the issue of improving the political party recruitment process, the use of social media in campaigns, the affirmation of youth, women, and people with disabilities in elections, campaign costs, reports of campaign violations, participatory supervision, and others. The process of revising the Election Law must also be encouraged to be implemented in a participatory, inclusive, transparent, contextual, and accountable manner.

In the social field, the Indonesian Update discusses the Anti-Discrimination Bill against Vulnerable Groups as a solution to protect the rights of groups that often face stigma, marginalization, and injustice. This bill aims to strengthen legal protection, and strengthen the paradigm shift in policy-making towards

equal rights and respect for diversity. Furthermore, we also discuss the challenges of the sustainability of the KemenPPPA program in the Prabowo-Gibran Government era.

The monthly publication of Update Indonesia with current themes is expected to help policy makers in government and business institutions – as well as academics, think tanks, and civil society elements, both domestic and foreign, to obtain current information and contextual analysis of economic, political, social, and legal conditions in Indonesia, as well as an understanding of public policy in Indonesia.

Happy reading.

Preparing Energy Transition and Climate Policies in 2025 and Beyond for the Prabowo Administration

President Prabowo's administration inherited the economy of the previous government where Indonesia's economic foundation still has strong growth potential. According to data from the Central Statistics Agency (BPS) (November 5, 2024), Indonesia's economic growth in the third quarter of 2024 was 4.95 percent year-on-year and 1.50 percent quarterly (q-t-q). The World Bank in its report "Unleashing Indonesia's Business Potential" (2024) said that the Indonesian economy was predicted to grow by an average of 5.1 percent during 2024-2026, which was mainly driven by public consumption and investment.

However, the Indonesian economy will face major challenges during President Prabowo's administration in 2025-2029, such as climate change, trade requirement barriers, global economic barriers, regional economic dynamics, and domestic disparities, as well as structural vulnerabilities. This article aims to discuss a little about the preparations of Indonesia's energy transition and climate policy in 2025 and beyond during President Prabowo's administration because the energy and climate transition is one of the serious concerns of President Prabowo's administration that is also stated in Asta Cita.

The Prabowo Administration's Energy and Climate Transition Policies

President Prabowo emphasized that global collaboration to address the challenges of poverty, hunger, and climate change, as well as the Sustainable Development Goals (SDGs) and the green energy transition were important in the G20 Summit in Brazil as reported in presidenri.go.id (November 20, 2024). Collective action from G20 member countries is important to support sustainable development, especially in addressing the impacts of climate change. This is because Indonesia feels the direct impact of climate change, such as rising sea levels on the north coast of Java which has a significant

impact on hundreds of thousands of hectares of productive land.

From the same page, President Prabowo's vision to achieve net zero emissions before 2050 for Indonesia is driven by, for example, increasing the use of biodiesel and converting Steam Power Plants (PLTU) to new renewable energy. In addition, at the 29th United Nations Climate Change Conference/Conference of the Parties (COP), in Baku, Azerbaijan, the Indonesian Government emphasized that Indonesia's emission reduction steps would start by increasing power generation capacity by 75 percent from new renewable energy, as well as developing an environmentally friendly smart electricity grid, by adding 42 gigawatts of wind and solar power, doubling energy capacity, with a total of 75 gigawatts (ppid.menlhk.go.id, November 13, 2024).

It is no wonder that President Prabowo has serious ambitions in achieving climate change and energy transition policies. Adijaya (2024) in "Analysis of Energy Transition Policy and Energy Trilemma in Indonesia for the 2019-2024 Period" stated that in 2022, Indonesia contributed 2 percent of the world's carbon dioxide, with China being the largest carbon dioxide producer (30.7 percent), followed by the United States (13.6 percent), India (7.6 percent), Russia (4.4 percent), and Japan (2.8 percent). When compared to 10 other ASEAN countries, Indonesia was the highest producer of greenhouse gas (GHG) emissions and the difference with Vietnam was 1.1 percentage points or 0.9% based on data from Friedlingstein et al. (2023) in the same year. The use of coal was still the largest part of Indonesia's energy mix, from the extraction, transportation, processing to combustion stages, and was widely used in the industrial sector and other energy-intensive sub-sectors that drive the large amount of carbon dioxide emissions produced.

In addition, GHG emissions produced by Indonesia were caused by the large consumption of energy from fossil fuels, such as coal, oil, and gas. For example, Adijaya (2024) explained that the industrial sector had a high growth rate for coal consumption compared to other sectors both in the 2014-2022 period and the 2019-2022 period. This was because the industrial sector, which included sub-sectors such as iron and steel, machinery and equipment, and chemicals, was a sector that uses large amounts of energy or is energy-intensive. This very large energy needed could be met through coal which had characteristics with high energy density.

Indonesia also has a "Roadmap & National Action Plan for the Circular Economy of Indonesia 2025-2045" (2024) by the Ministry of National Development Planning (PPN)/National Development

Planning Agency (Bappenas) which can be one of the foundations for President Prabowo's government's climate policy. The report states that the circular economy will be implemented in five priority sectors, namely food, retail (focusing on plastic packaging), electronics, construction, and textiles which represent 33.33 percent or 1/3 of Indonesia's Gross Domestic Product (GDP) with a workforce of more than 43 million people in 2019. The implementations of this circular economy will open 4.4 million new jobs by 2030, reduce GHG emissions by 126 million tons of CO2, and reduce waste generation by 18-52% on Business as Usual in 2030.

The energy transition is important in Indonesia because Indonesia has a variety of energy potentials. The abundant amount of solar radiation makes Indonesia have great potential in utilizing solar energy. In fact, Indonesia will supply 1 gigawatt (GW) of solar photovoltaic (PV) power to Singapore, which has been approved to mark an important step to strengthen regional energy cooperation and advance renewable energy initiatives in Southeast Asia (antaranews.com, September 5, 2024). In addition to solar energy, Indonesia has the potential for wind energy, geothermal, and other new renewable energy.

The energy transition process to achieve the previously mentioned mix is indeed not easy. The dominance of fossil fuel energy sources still dominated from 2019 to 2023, which if we look at the average realization of the fossil energy source mix during 2019-2023, the average realization of the coal mix was 39.30 percent, petroleum was 32.54 percent, natural gas was 16.51%, and new renewable energy (EBT) was 11.65 percent (Adijaya, 2024). In addition, although in general the energy transition policy in Indonesia has met the context of energy security in order to maintain the availability of domestic supply, the elements of fulfilling energy justice and environmental sustainability have not been properly encouraged and fulfilled.

Many challenges and obstacles will be faced by President Prabowo's government in the energy and climate transition policy process in 2025 and beyond. First, the risk of sophisticated clean energy technology which is still very limited in Indonesia. The limited infrastructure for new renewable energy, such as smart grids, will hinder the acceleration of the integration of new renewable energy initiated by President Prabowo's government. Second, social risks related to public awareness of energy transition and climate policy. There are still people who can be said to be indifferent to

the impacts of climate change and there is still a lack of public understanding regarding the benefits of energy transition, as well as misinformation on climate change that can slow down the implementation of government policies.

Third, the risk of institutional framework. Adijaya (2024) in "Economic Freedom and the Environment in Indonesia" found that government integrity, which explained the dangers of corruption practices, such as bribery, extortion, nepotism, cronyism, patronage, embezzlement for individual economic freedom, where the lack of government integrity resulting from these practices reduced public trust and economic vitality by increasing the cost of economic activity, actually increased the ecological footprint where a 1 percent increase in government integrity increased the ecological footprint by 0.1129 percent holding constant other variables. The relationship between government integrity and ecological footprint was very complex. This showed that increasing government integrity in Indonesia could create a stable and efficient business environment, reduce corruption and increase public trust leading to higher levels of economic growth and development. Higher economic growth and development involve increased industrial production, energy consumption, and infrastructure development that can increase the ecological footprint. Therefore, the institutional framework based on sustainability, both related to energy and climate transitions, must be further strengthened throughout all institutions in Indonesia.

Policy Recommendations

In accordance with the above background, here are recommendations for President Prabowo's government. First, in order to mitigate the risks of clean energy technology that is still lacking, President Prabowo's government through the Ministry of Higher Education, Science, and Technology together with related ministries must collaborate in encouraging research and development of energy technology in Indonesia, through budget allocation policies, fiscal incentives for companies and individuals in technological innovation, and others. The Government through the Ministry of State-Owned Enterprises and related ministries can also encourage public-private synergy and cooperation by partnering with universities in developed countries for the development of clean energy education and technology, offer tax incentives and subsidies to encourage investment.

On the other hand, the Government must prioritize renewable energy based on energy justice. The Government can also implement environmentally friendly building regulations for urban development and offer tax relief incentives to industries that adopt low-carbon technology, develop eco-tourism projects to boost the local economy. The Indonesian government must also collaborate in strengthening Indonesia's carbon trading platform by increasing transparency and setting limits for high-emission industries to create a reliable investment environment for global stakeholders.

The Prabowo administration has serious concerns about the energy transition and climate policies expressed in the G20 Summit and COP29. At least, there are three risks that the Prabowo government must mitigate in 2025 and beyond; namely, technological risk, social risk, and institutional framework risk.

Second, in order to improve public understanding of the energy transition and reduce misinformation on climate change, the Government through the Ministry of Higher Education, Science, and Technology and the Ministry of Primary and Secondary Education can promote educational campaigns related to the energy transition, the negative impacts of fossil fuels in various media channels, both conventional and digital, by involving public figures who have concerns related to climate and energy.

Third, in order to improve the institutional framework based on sustainability, both in the energy transition and in climate, all elements of ministry/institutional leaders must be able to promote the capacity of their institutions related to the energy transition and climate change, and encourage the involvement of other stakeholders, such as affected communities, vulnerable communities, and others. In addition, all elements of ministries/institutions must improve transparency and accountability in energy projects that will be built supported by fair legal supremacy, as well as sustainable data collection, monitoring and evaluation.

- Putu Rusta Adijaya -

The Way Forward for Judicial Independence

Indonesia as a state of law relies heavily on the judiciary as a determinant of the cases of justice seekers. Thus, the quality of decisions that are not influenced by any influence is crucial. In the judiciary in Indonesia, the Judicial Commission (KY), represented by KY Commissioner Binziad Kadafi, stated that there were 118 cases recorded from 2015 to 2023 consisting of terror, violence against judges, and so on (hukumonline.com, 12/9/2023).

Judicial independence is one of the issues that continues to be echoed by the public, including experts, due to its level of urgency. This paper will further discuss the importance of judicial independence, obstacles still faced by the Indonesian judiciary, and steps to progress towards realizing judicial independence in the future.

Judicial Independence to Fight For

Alexander Hamilton (1788) emphasized that judicial independence is essential. Hamilton also argued that the independence of the judiciary is important to protect the constitution and individual rights from the influence of ill-intentioned parties, government intervention, and serious oppression of minority groups (Hamilton, 1788). Shimon Shetreet in his anthology (2014) also argues that the protection of judicial independence is essential for democratic government and to safeguard human rights, freedoms and *the rule of law*. Without an independent judiciary, favoritism will occur in the courts, in the form of reciprocity of services within the judiciary (Hatchard and Slinn, 1999).

So far, Indonesia has ensured the independence of the judiciary through several regulations. Article 24 paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that judicial power is an independent power to administer justice in order to uphold law and justice. The rest is also regulated in Law No. 48/2009 on Judicial Power (Judicial Power Law) which mentions judicial power as an independent state power in Article 1. Based on Article 3 of the

Judicial Power Law, judges and constitutional judges must maintain judicial independence. Any interference in judicial affairs by other parties outside the judicial power is prohibited.

In the global arena, judicial independence is championed through The United Nations Basic Principles on the Independence of the Judiciary, The Syracuse Draft Principle in Independence of the Judiciary, The International Bar Association Minimum Standards of Judicial Independence, Montreal Universal Declaration on the Independence of Justice, Singhvi Draft Universal Declaration of Justice, The Universal Charter of the Judge by the International Association of Judges, and Beijing Statements of the Independence of the judiciary (Sumadi, 2011: 635-636).

This shows that judicial independence is crucial to protect and uphold. The Constitution has mandated this, as well as a series of other laws and regulations both nationally and globally. Normatively, it is imperative for this country to maintain the dignity of the judiciary as an independent institution and realize a trustworthy judiciary.

Without it, the judicial branch will not have the public's trust to seek the justice they deserve. Decisions issued will not be of high quality and will not reflect justice for the people, both groups and individuals. The public will turn away from seeking justice through legal channels that should be trusted to provide certainty and reflect the presence of the state needed for its people. The image of the law being expensive and not in favor of the people will continue to flourish if this happens. Then in the long run, Indonesia will not be able to be called a country based on law.

The Road to Judicial Independence

Over time, many factors have affected the independence of the judiciary, including (Mawardi and Akhdloriy, 2024: 18-20; Purindrasari and Zain, 2024: 4):

a. the influence of political pressure on the judicial process;
b. rampant corruption, collusion and nepotism within the judiciary;
c. threats, intimidation, and pressure from litigants or other related parties, and
d. security threats influenced by technological advancements such as hacking, personal data security, and privacy.

The legal process is often politically intervened, especially in corruption cases, so that the resulting decisions tend to be of poor quality

and do not reflect true justice (Makmur, 2024). One of the many examples is the bribe received by a Judge (Non-Active) of the West Jakarta District Court with the initials DS who received Rp300 million while trying the case of former Kediri Mayor Samsul Ashar at the Surabaya District Court (Judicial Commission Press Release Number 20/SIARAN PERS/AL/LI.04.05/08/2023, 9/8/2023). The latest is the arrest of three judges who tried the case of Ronald Tannur, the son of former Member of Commission IV of the House of Representatives from the National Awakening Party faction Edward Tannur. Judges Erintuah Damanik, Heru Hanindyo, and Mangapul were bribed a total of 20 billion according to the Attorney General's Office (national.kompas.com, 24/10/2024; tempo.co, 31/7/2024).

The practice of corruption in the courts is closely related to the existence of the judicial mafia or legal mafia. The existence of the legal mafia has been entrenched for a long time, and during the administration of President Susilo Bambang Yudhoyono, a Legal Mafia Eradication Task Force was established. Based on the findings, the legal mafia is present to intervene in the legal process from investigation to conviction (Suparman, 2017: 63). To date, the legal mafia continues to parasitize the judiciary, creating a scourge for the judiciary itself. The existence of the legal mafia continues to weaken the level of public and law enforcement awareness of the substance, principles, and processes of law enforcement (Surohmat, 2023: 20).

Acts of threats, intimidation, and violence against judges are a form of *contempt of court*, which results in the trial process not running properly. These actions can occur inside or outside the courtroom (Darma, 2020: 195). An example is the beating of Chief Judge Sunarso and Member Judge Duta Baskara at the Central Jakarta District Court by lawyer Tomy Winata in 2019 (news.detik.com, 7/19/2019). Then, Bulukumba Religious Court Judge Indriyani Nasir was surrounded by a mob with machetes while conducting a local examination or descente in 2020 (tempo.co, 11/10/2024). In relation to threats, intimidation and violence, technological advances mean that these acts can take other forms. Hacking or data leakage of personal data security violations are actions that are possible for judges in this digital era.

The Next Step to Judicial Independence

In fulfilling the welfare aspect, judges represented by the Indonesian Judges Solidarity union demanded an increase in judges' salaries and a number of other employment rights through a joint leave action for judges throughout Indonesia on October 7-11, 2024. Ne-

gotiations ended with the enactment of Government Regulation No. 44 of 2024 on the Third Amendment to Government Regulation No. 94 of 2012 on Financial Rights and Facilities of Judges under the Supreme Court (GR on Financial Rights and Facilities of Judges). In this GR, an increase in basic salary and allowances is regulated. However, facilities such as health and safety insurance have not been fulfilled. Factors such as lack of time due to the transition of government are likely to affect the final outcome of these negotiations.

The arrest of the three judges who accepted bribes in the Ronald Tannur case was also an important step in exposing the cycle of corruption, collusion and that still flourishes in the judiciary. From this case, the wider public began to gain hope that more cases of corruption in the judiciary could be uncovered in the future. The discovery of money and gold amounting to around Rp1 trillion in the house of former Supreme Court official Zarof Ricar for brokering bribes for the conviction of Ronald Tannur (national.kompas.com, 6/11/2024) is also an important step to get closer to uncovering more actors who commit corruption in the judiciary. At the time of writing (15/11), Zarof had been arrested and was being questioned at the Attorney General's Office (suara.com, 14/11/2024; national.kompas.com, 14/11/2024).

This is just the first step. Improving welfare and eliminating corruption in the judiciary cannot be done alone to improve judicial independence. According to a study by Eman Suparman (2017), the increase in welfare efforts that had been carried out previously was not directly proportional to the decrease in unscrupulous judges. This is in line with the indicators presented by A. Ahsin Thohari (2004) that to achieve judicial reform, transparent supervision of the judicial process must be fulfilled, increased public participation in supervision and improvement of the management system and court administration, stricter recruitment and promotion systems, better supervision of recruitment and promotion, and improvement of judges' welfare through salaries and other benefits.

Recommendation

Judicial independence is a tough task to fight for in the future. However, that does not mean it is impossible to realize. Here are some points proposed by the author:

a. The Judicial Commission and law enforcement officials need to be more assertive and courageous in disciplining and prosecuting judges and court officials involved in corruption. The arrest

of Zarof Ricar, Erintuah Damanik, Heru Hanindyo, and Mangapul should be used as a momentum to arrest more people in the court;

b. All courts under the control of the Supreme Court must promote transparency and reform the administrative and management processes in the courts, so that there is no room for illegal fees by promoting the principles of open government and utilizing the internet of things; and
c. The government in collaboration with the Supreme Court and other relevant parties needs to update the Government Regulation on Financial Rights and Facilities for Judges to add more elaborate health and security guarantees in accordance with the needs of judges in the field.

Improving welfare and eliminating corruption in the judiciary must be done thoroughly and sustainably to improve judicial independence

- Christina Clarissa Intania -

Indigenous Peoples' Challenges in Land Certificate Transition

The news that letter C, pethok D, *landrete,* and girik (old model) land ownership certificates will be declared invalid in 2026 and must be switched to the form of a Certificate of Ownership (SHM) has been discussed again on social media. This was confirmed by the Head of the Rights Determination and Registration Section of the National Land Agency (BPN) of Depok City, Dindin Saripudin. The transition of the old-style certificate to SHM has been mandated to be completed by 2026 by Government Regulation Number 18/2021 concerning Management Rights, Land Rights, Flat Units, and Land Registration. According to Dindin, the immediate transition from old-style certificate to SHM is important because the SHM will be the legal proof of ownership. Meanwhile, the old-style certificate will only be used as a guide in the context of land registration (kompas.com, 24/10/2024).

However, the immediate transition from the old-style certificate to the SHM has been facing a number of challenges in its implementations. Therefore, this paper seeks to outline the points of difference between the old-style certificate and the SHM in accordance with the laws and regulations governing each model of certificate. It will also discuss the challenges that still prevent the general public and indigenous communities from making the transition from old-style certificates to SHM.

Certificate of Old Model and SHM

Old-style certificates consist of letter C, pethok D, *landrete* and girik, and SHM are regulated under different laws and regulations. Old-style certificates as proof of ownership were regulated under regulations prior to the regime of Law No. 5/1960 on Basic Agrarian Regulations (UUPA). The background to the application of this old-style certificate goes back to the Dutch colonialism era.

This old-style certificate was created as a concrete practice of legal dualism in the colonial era. For Westerners, land registration was

applied in line with the *Overschrijving Ordonnantie*. Meanwhile, those bound by customary law were registered im line with the *Eiskalkadaster*, which took the form of old-fashioned certificates such as girik, and so on. In these letters, the tax subject and the land taxpayer are attached (Ulfah, Gunawan, & Rohmah, 2019: 12-13). This system was implemented so that the Dutch colonial government could still access taxes without land and there was legal certainty for customary land by adjusting the existing legal dualism.

SHM is a certificate regulated by the UUPA. So SHM is not new. In its implementations, land registration is further regulated in:

a. Government Regulation (PP) No. 24/1997 on Land Registration as partially revoked by PP No. 18 /2021 (PP on Land Registration)
b. Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency (Permen ATR/BPN) No. 3 of 1997 concerning Provisions for the Implementation of Government Regulation No. 24/1997 as amended in Permen ATR/BPN No. 7/2019, Permen ATR/BPN No. 16/2021, partially revoked by Permen ATR/BPN No. 1/2021 and Permen ATR/BPN No. 16 of 2022 (Permen ATR/BPN Land Registration).
c. Government Regulation No. 128/2015 on Types and Rates of Non-Tax State Revenue Applicable to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (PP Tarif ATR/BPN).

The creation of SHM must go through a series of processes; namely, location determination; preparation; establishment of an Adjudication Committee and Task Force; settlement of existing applications at the time of the start of systematic land registration; counseling; collection of physical data; collection and research of juridical data; announcement of physical and juridical data and its validation; confirmation of conversion, recognition of rights, and granting of rights; bookkeeping of rights; issuance of certificates, and submission of activity results.

From the series of processes above, the duration of work regulated is the announcement of physical and juridical data for 30 (thirty) days and the determination of granting rights for 14 (fourteen) days for systematic data collection. As for sporadic data collection, written notification to the applicant and the adjacent right holder is carried out for 10 (ten) days, followed by the announcement of physical and juridical data, and the legalization for 30 (thirty) days. The

duration for other processes is not regulated in the above laws and regulations. The unregulated duration of work for the mapping process and others that are not regulated provides an opportunity for civil servants and related parties in the field to work freely. However, the absence of regulation also has an impact on the potential for delays and delays in processing due to the absence of standardized processing time.

Fees are regulated in the ATR/BPN Tariff Regulation. If summarized, it is noted that some services are priced within the following price ranges:

a. survey service: Rp450,000 - Rp600,000;
b. area boundary measurement service: Rp3,500,000;
c. mapping service: Rp5,000 - Rp75,000;
d. basic map making service: Rp50,000 - Rp200,000, and
e. land registration service for the first time: Rp50,000 - Rp100,000.

These fees are attached according to the type of service used, the size of the land, the initial status of the land, and the status of the applicant.

Challenges that Remain in the Transition to SHM

In the course of SHM procurement throughout Indonesia, there are still several obstacles faced by land offices in the regions. Several studies show a uniformity of challenges in SHM formation. *First*, is the length of the SHM process so that it is not completed on time according to the procedures stipulated in the laws and regulations. This challenge is faced in the Land Offices of Karawang District, Manado City, Ogan Komering Ulu District, and Jayapura District. This long duration is caused by various factors, such as the lack of land experts, other workloads in the land office, unskilled and undisciplined filing, incomplete required documents provided by the applicant himself so that they must be returned, and convoluted administration (Putra, 2019; Asfa, Rosalia, and Muflihah, 2018; Zubaidah, 2018; Sapioper, Flassy, Ilham, 2021). The processing time has been clearly regulated in the laws and regulations so that it is a must to be obeyed. The inaccuracy of workmanship should be a further evaluation for all regional land offices.

Second, facilities and infrastructure that do not support the performance of civil servants in regional land offices. From the case studies of Karawang Regency, Manado City, and Jayapura Regency, the file management used is generally still manual, relying on physical filing in cabinets and/or office safes (Putra, 2019; Asfa, Rosalia,

and Muflihah, 2018; Sapioper, Flassy, Ilham, 2021). This causes the search for initial evidence to be difficult because the items sought are not found for various reasons, from the land book being used or even lost (Putra, 2019). Management that still uses this manual method causes the potential for archiving to run poorly and has an impact on SHM work (Asfa, Rosalia, and Muflihah, 2018). In the digital era, of course, manual work is the biggest challenge.

The third is that there are still practices of illegal levies or processing by known people regardless of the cost of the process which already tends to be expensive. The registration fee for making a SHM is quite expensive when juxtaposed with the convoluted process. Not to mention other inherent costs from Law No. 21/2001 on Fees for Acquisition of Land and Building Rights and Law No. 12/1985 on Land and Building Taxes (Putra, 2019). Services tend to be different for those who do not go through intermediary channels, without facilitation payments, known connections, and so on as found in a study in Manado City (Asfa, Rosalia, and Muflihah, 2018). In a study in Ogan Komering Ulu District, extortion still occurs and cost transparency is also lacking (Zubaidah, 2018). The cost of SHM work has been clearly regulated in the legislation, therefore, the existence of illegal levies and work based on discrimination outside the regulated process cannot be allowed.

The fourth is the lack of understanding amongst the community regarding SHM management. In Karawang Regency, people do not fully understand the importance of transferring property rights to SHM (Putra, 2019). Next, there are still differences in perceptions between the community and civil servants at the land office regarding the requirements and service procedures, for example in Manado City (Asfa, Rosalia, and Muflihah, 2018). A study in Banjarmasin City found that socialization has not been intensively implemented to explain the making of SHM (Supiani, Normajatun, Malawat, 2024). Land management is complex and cannot be understood by all levels of society. This is a difficult task for civil servants in the field to communicate with the community.

Fifth, there is a lack of transparency regarding the SHM process and complaints. The study in Manado City found that there were limited employees who could intensively oversee applications and communicate with applicants. To obtain this information, applicants must go directly to the land office. Even when they arrived at the land office, the applicant was 'ping-ponged' by the civil servants on the spot to get an answer (Asfa, Rosalia, and Muflihah, 2018).

Studies in Jayapura District and Ogam Komering Ulu District also highlighted the absence of an optimally implemented complaints management mechanism.

The sixth interesting finding is the conflict of legal dualism between customary law and national agrarian law. The study in Jayapura Regency shows that the community upholds customary rights which are reflected in old-style certificate products such as girik. The transition to SHM is a challenge because adaptation tends to be more difficult to fully move to applying national agrarian law (Sapioper, Flassy, Ilham, 2021). This is where the existence of the state in providing special access for indigenous peoples is highlighted. The existence of customary law is guaranteed by the 1945 Constitution of the Republic of Indonesia, while the SHM policy provides a difficult transition for indigenous peoples.

If referring to other mechanisms to obtain SHM, indigenous peoples can take the path of registering their customary land rights. Based on Permen ATR/BPN Number 14 of 2024 concerning the Implementation of Land Administration and Land Registration of Customary Land Rights of Indigenous Peoples, to get customary land recognized as customary land, the process that must be passed is similar to land registration. Starting from submission, measurement, and bookkeeping.

If the land is successfully declared as customary land, it will be under the control of the indigenous community. However, according to the definition of customary land in the Permen ATR/BPN on Customary Land, customary land is not attached to any land rights. For this reason, communal land needs to go through a land registration process to obtain management or ownership rights, which are SHM for property rights. Indigenous peoples must go through a series of land registration stages again to obtain SHM.

Not only is legal dualism still prevalent in some areas such as Jayapura District, but limited access and distance to knowledge also affect it. A study in O'O Village and Dori Dungga Village, Donggo Sub-district, Bima Regency, West Nusa Tenggara, showed that the community lacked legal understanding, legal knowledge and legal attitudes regarding land registration. However, an understanding of the urgency of land registration is still understood although the process is not fully understood. Obstacles such as the lack of local government information dissemination and a misunderstanding of sporadic land registration show that indigenous people face multiple challenges in registering their land (Fahrurrahman, 2024).

In accordance with the challenges faced in the creation of SHM in general, as well as the array of regulations related to customary land and registration of property rights for customary land, it can be seen that this is even more challenging for indigenous peoples. Moreover, the gap in knowledge and understanding resulting from marginalization is an obstacle. This is exacerbated by a series of different rules that add layers of procedures that indigenous peoples must go through. Therefore, indigenous peoples need to receive special affirmative treatment to be able to register their land, fight for and utilize their ownership rights, and prevent more massive agrarian conflicts in the future.

Indigenous peoples need to receive special affirmative treatment to be able to register their land and prevent more massive agrarian conflicts in the future.

Recommendations

In accordance with the above analysis, the following recommendations can be made:

a. The Ministry of ATR/BPN under the Coordinating Ministry for Regional Development needs to commit to optimizing its human resources in regional land offices by increasing the number of civil servants personnel and improving HR expertise in the land sector;
b. Improvement of facilities and infrastructure must absolutely be carried out in the land office of each city and district to facilitate the performance of ATR/BPN civil servants in charge of the land office. Without good facilities and infrastructure, land registration work will be hampered and this will have an impact not only on indigenous peoples, but also on the wider community;
c. The need for special teams or personnel at the respective city and district land offices to provide rapid response and assistance to indigenous peoples going through the land registration process. This is necessary to provide better access for indigenous peoples amidst the barriers of lack of legal understanding and information;
d. Disciplining civil servants who still ask for extortion for land registrants. The practice of extortion that troubles the community and makes people distrustful of registering their land is fatal and must be eradicated. Internal supervision and monitoring from the central government to the regions within the Ministry of ATR/BPN must be firm in following up on this, and
e. Increased efforts to grant customary rights should be continued as a priority policy of the Ministry of ATR/BPN. The increase in the amount of land that have received recognition of customary rights is a good step that must be continued and improved.

- Christina Clarissa Intania -

The Importance of Analyzing Bureaucratic Ethics in the Government

K. Bertens, in his book Etika (1993), states that ethics is a collection of principles and values that serve as a guide for someone in living their life. Therefore, the discourse on ethics is important, considering that this concept is relevant in various aspects of life. Although there is no written prohibition on putting your feet on the table during a meeting, touching someone else's head without permission, laughing in the midst of a grieving family, or drinking alcohol in a place of worship, most people do not do these actions because of ethical awareness.

This principle should also apply in politics and government. Not all actions require written rules because there are ethical norms and moral awareness that are expected to be a guide in decision-making. Leaders and public officials are expected to understand the limits of propriety, and avoid behavior that, although not against the law, has the potential to damage public trust, create conflicts of interest, or disrupt the sense of justice. In this way, they can demonstrate political maturity, as well as respect for social norms that, although unwritten, are believed in and upheld together by the society.

In recent times, there have been examples of public officials' actions that raise questions about the boundaries between the public and private spheres. For example, Prabowo who stated that he used personal funds for a retreat at the Magelang Military Academy, as well as Prabowo's involvement in the regional elections by suggesting support for certain candidates. This paper shall look at the extent to which public officials can use personal funds in carrying out state duties, and evaluate the ethical and legal boundaries that must be considered. By considering the principles of transparency, accountability, and separation between the public and private spheres, this paper shall also identify the potential impacts of officials' use of personal funds on public perception and government integrity.

Legal Basis for the Ethics of Separation of Public and Private Spheres

Referring to Law Number 30/2014 concerning Government Administration (Law 30/2014), specifically Article 17 Paragraph (2), it is stated that government agencies or officials are prohibited from abusing their authority. This prohibition includes actions that exceed the limits of authority, mix up authority, and act arbitrarily.

In the case of Prabowo Subianto who gave support to one of the candidate pairs in the Pilkada, we can analyze it in accordance with Law 30/2014. The president's authority, according to the 1945 Constitution, does not include campaign activities. This means that if a president participates in a campaign, then the action fulfills the elements of abuse of authority as regulated in Article 17 Paragraph (2) because it is considered to exceed the limits of authority. In addition, the argument of the presidential team stating that Prabowo acted as party chair actually strengthens the existence of violations by mixing the roles and authorities between public office and position in a political party.

The main problem in the application of Article 17 Paragraph (2) of Law 30/2014 is its nature, which is considered "elastic", thus opening up the opportunity for various interpretations. Phrases such as "exceeding authority" or "mixing authority" do not have concrete definitions, which makes them dependent on the interpretation of the authorities or institutions that apply them. This can give rise to the potential for legal uncertainty, especially in cases involving high-ranking state officials.

In the context of *endorsements* by public officials, without a clear definition, it is difficult to determine specific boundaries between the official's role as a state figure and their personal or political role. This situation can create legal uncertainty, because some parties can argue that a public official has freedom of speech as an individual or as part of a party. On the other hand, parties who adhere to Article 17 paragraph (2) can claim that there is a violation because the official is supposed to maintain neutrality in his official capacity.

In addition, the issue of Prabowo's use of personal money for cabinet retreat activities at the Military Academy (Akmil) Magelang can also be seen as a potentially deviant and arbitrary action. Inviting public officials and involving state institutions such as the TNI/Polri in activities funded by personal money can raise serious questions about transparency and accountability, even though it is clear

that the retreat invitation is in relation to Prabowo's capacity as the President and the preparations of the Red and White Cabinet.

Activities involving cabinet ministers should be under the supervision and accountability of state finances, not funded personally without any clarity of audit and supervision. This opens up a grey area: where do the funds come from and the potential conflicts of interest (transactional) behind them, how are they reported, and is this process in accordance with the principles of good governance? If not strictly supervised, this action has the potential to create precedence for the use of state facilities and institutions for certain personal or political interests without public oversight.

How to Measure Good and Bad?

In the concept of utilitarianism, an action can be judged good or bad based on two perspectives. The consequentialist or teleological principle judges the morality of an action based on its consequences, where an action is considered moral if it helps achieve happiness. This principle is also related to the principle of utility or pleasure, which states that humans basically seek happiness, so an action is considered good if it increases the happiness of many people, and bad if it reduces it. Pleasure is considered the path to true freedom, as long as humans are free from hardship.

In this analysis, the consequentialist principle emphasizes that the morality of a public official's actions must be assessed from the consequences that arise for the wider community. An official's actions become problematic if their impact reduces public trust in the Government, creates confusion regarding the limits of authority, or even creates legal uncertainty. This principle can be applied to Prabowo's actions, who on the one hand, acts as a party leader by providing support to candidates in the Pilkada, and on the other hand is a public official with a responsibility to be neutral. If this support is seen as an attempt to use his public position for the political interests of his party, then this has the potential to exceed the limits of authority and mix the roles of state officials and politicians, something that is prohibited by Law Number 30/2014 concerning Government Administration.

Prabowo's actions can also be analyzed according to the benefits or harms they cause to the welfare of the society. The principle of utility suggests that the actions of a public official should be judged good or bad based on the extent to which they increase the happi-

ness or welfare of many people. In this case, the provision of such support can create a perception of injustice in the eyes of the public, especially if it is seen as a bias by a high-ranking state official, especially as the President, towards one of the candidates. Consequently, such actions can reduce public trust in the principles of neutrality and justice that should be upheld in elections. This is in line with political ethics, where public officials are expected to demonstrate maturity and a neutral attitude as a form of respect for democratic values.

Another issue is Prabowo's use of personal funds for a retreat at the Magelang Military Academy, which involved public officials, including the TNI/Polri. In principle, transparency and accountability are important elements in good governance. The use of personal funds for official activities can be seen as an act that is not transparent, obscures the origin of the funds, and raises questions about the accountability and conflict of interest (transactional) behind it. From a consequentialist perspective, this has the potential to have a negative impact on public perception, because the public can question the integrity of activities that should be the financial responsibility of the state, not individuals. If official cabinet activities are not properly supervised and are funded personally, this creates dangerous precedence that could encourage abuse of authority in the future.

Furthermore, the principle of utility highlights the potential reduction in public welfare due to these actions, because they blur the standards of propriety expected in government. Public happiness can be affected if they perceive that public officials do not adhere to the principles of transparency, accountability, and fairness. Furthermore, without adequate public oversight, the use of state facilities for personal or political interests becomes more difficult to detect. This reduces the integrity of government institutions. The principle of utility reminds us that the actions of public officials should be able to increase public trust and a sense of security in a just and responsible government.

Overall, the application of the consequentialist and utility principles to the actions of public officials such as in the case of Prabowo shows that transparency, neutrality, and accountability are ethical values that must be maintained. When an official's actions have the potential to reduce the happiness of many people—in this case, public trust in the neutrality and integrity of the government—these actions need to be evaluated and criticized in order to prevent wider negative impacts.

Recommendations

1. The DPR and the Government need to provide more specific guidelines regarding the limits of authority of public officials who hold concurrent roles in political parties. For example, Law Number 30/2014 concerning Government Administration can be revised to reduce "rubber articles" by defining more clearly terms such as "exceeding authority" or "mixing authority." This will provide legal clarity for officials and reduce the potential for unintentional abuse of power.
2. The Government needs to organize programs that teach ethical principles and the boundaries between the public and private spheres for public officials. This program can be part of competency development to ensure that officials are more sensitive to the impact of their actions on public trust and understand the importance of upholding ethics in carrying out state duties.
3. Encourage the people's representative institutions to be more critical in carrying out their role in supervising the executive and all its ranks. For example, by calling their partners in the executive or other public institutions, if proven to have committed ethical violations. This is important as part of the duties of council members in carrying out the aspirations of the people and carrying out checks and balances.

- Felia Primaresti -

Ethics, as a moral guide, is relevant in various aspects of life, including politics and government. Social norms and ethical awareness should be a guide for leaders in maintaining public trust and avoiding conflicts of interest. This paper discusses the ethical limits of the use of personal funds by public officials, as well as its impact on transparency and government integrity.

Looking at the Role of the Military Today

Schnabel (2014) in his writing explains that the end of the Cold War brought many implications and created a new reality in the international world. One significant impact is the emergence of hopes for political stability and sustainability of global security. The concept of "peace dividend" emerged, where the end of the ideological conflict was expected to reduce defense spending in countries around the world. Thus, the size and function of the armed forces in many countries began to change, reflecting efforts to adapt military power to new geopolitical conditions.

This shift is certainly not only related to the reduction of the military scale, but also includes the redefinition of the role of the armed forces. The increasingly complex and diverse security challenges after the Cold War have forced countries to reconsider the core tasks and functions of their military, and of course Indonesia is not free from these dynamics.

Anwar (2018) in his research also noted that the concept of the Dual Function of ABRI was introduced since the Guided Democracy era under President Soekarno. This step was a political response to the assumption that civilian politicians had failed to formulate a solid state ideology, thus creating a potential threat to national political stability and the integrity of the state. In this situation, the military was invited to take an active role, not only in the field of defense, but also in the management of social and political affairs, in order to ensure the continuity and stability of the government. Events such as the Malaysian Confrontation (1963–1966) and the Liberation of West Irian from the Netherlands are often used as concrete evidence of the need for the military to take a strategic role outside of defense, while also showing how the military is positioned as the main guardian of the state ideology.

However, the mindset that sees the military as a solution to the failure of civilian politicians has a fundamental weakness. This view assumes that the military is an entity that is always right and free

from error, which is a problematic assumption. Samuel Huntington (1993) in his theory asserts that the main purpose of the military is to fight in wars. The military is recruited, organized, trained, and armed to face the enemy, not to carry out social or political functions. When the military is empowered in non-military tasks, such as humanitarian operations or political management, it is often an anomaly. Huntington even emphasizes that the military is essentially anti-humanitarian, because its main purpose is to fight and, if necessary, eliminate the enemy through armed force.

Involving the military in civilian roles not only blurs the lines between military and civilian power, but also risks creating overlapping functions that can be detrimental to democracy. A military trained to operate with the logic of war is not always suited to political or social dynamics that require an inclusive and dialogical approach. The military with its logic of 'stability' will have difficulty reducing conflict while still paying attention to human rights and other social contexts, such as gender, race, religion and others. In the worst case, the military will do whatever it can to stabilize the situation, even through threats and intimidation.

Indonesia's experience shows that military involvement in politics not only damages democratic culture but also hinders the development of civil institutions that should be the main pillars in strategic decision-making. Under the New Order, the military was not only a security guard but also a tool of power used to perpetuate the authoritarian regime. The repressive approach to political and social threats has created a collective trauma whose impact is still felt today.

For example, events such as the Tanjung Priok Tragedy (1984), military operations in East Timor (1975–1999), and the Talangsari Massacre (1989), where a systematic pattern of violence was applied to civilians. On the other hand, the suppression of student and activist movements in the 1990s showed an attempt to silence critical voices fighting for democracy and human rights. These entire series not only eroded public trust in the military institution but also weakened the capacity of democratic institutions, such as parliament and the judiciary, to carry out their roles.

What is the Current Context?

The involvement of the military in politics leaves an authoritarian legacy that is difficult to erase. Although post-1998 political reforms

attempted to limit the role of the military by eliminating the TNI's "dual function" and strengthening civilian supremacy, traces of the power structure inherited from the New Order regime created resistance to change. This resistance is evident in how military elements continue to have significant influence in strategic sectors, including security, economy, and local politics.

Even during the Reform era, the existence of Law Number 34/2004 concerning the Indonesian Armed Forces (UU TNI) provids a loophole for the military to be involved in strategic civilian positions. Article 47 Paragraph 2 of the law allows the active military to fill positions, such as the President's Military Secretary, the State Intelligence Agency, the State Cryptography Agency, the National Resilience Institute, the National Defense Council, the National Search and Rescue Agency, the National Narcotics Agency, and the Supreme Court. This provision shows that reform efforts have not completely eliminated military involvement in the civilian sphere.

The names of retired military figures are clear evidence of the military's influence in Indonesia's political and governmental order. Doni Monardo, for example, served as Head of the National Disaster Management Agency (BNPB) in 2019–2021. Luhut Binsar Pandjaitan is also known for the various strategic positions he has held, from Coordinating Minister for Maritime Affairs to various cross-sectoral roles, even in the current government. Moeldoko, a former TNI Commander, once served as the Presidential Chief of Staff. Meanwhile, Andika Perkasa, who previously served as TNI Commander, is now running for the Governor of Central Java position.

The involvement of the military in politics in Indonesia reflects the dilemma of post-New Order reform. Despite progress such as the elimination of the TNI's "dual function" and the strengthening of civilian supremacy, the existence of legal loopholes such as Article 47 Paragraph 2 of the TNI Law shows that reform has not completely broken with the authoritarian legacy. The involvement of the military in strategic civilian positions shows institutional resistance to change, while also demonstrating the military's continued strong influence in the security, economic, and political spheres.

The prominent names of retired military personnel in various important positions also illustrate how the military continues to play a significant role, both directly and indirectly. This emphasizes the need for further, more assertive reforms to ensure a clear separation between military and civilian roles, and to strengthen civilian

supremacy for a more mature democracy. Without these improvements, the military's influence has the potential to hinder the consolidation of democracy and create vulnerability to new authoritarianism.

In fact, in the new government of Prabowo Subianto and Gibran Rakabuming Raka, their cabinet formation was highlighted regarding the appointment of Teddy Indra Wijaya as Cabinet Secretary. The decision sparked controversy because it was considered to violate the TNI Law, which, if we recall, stipulates that active military members may not hold civilian positions, except for several strategic positions mentioned therein. Several observers considered this step as "an early stain in TNI reform," which could harm efforts to maintain military neutrality in the civilian government. On the other hand, the Palace has provided clarification and tried to change the nomenclature to be more technical, and argued that Teddy's position in the civilian realm was not at the ministerial level and that he did not need to resign.

Nevertheless, the appointment of Teddy Indra Wijaya as Cabinet Secretary in the Prabowo Subianto and Gibran Rakabuming Raka administration and his dual position shows the complex dynamics between efforts to maintain TNI reform and political pragmatism. The move raises concerns that the reform efforts that have been carried out so far could be eroded, especially if similar practices are used as precedents.

The Palace's move to change the nomenclature of the position to a more technical one, such as "Military Secretary," can instead be seen as an attempt to manipulate the rules to maintain the role of the military in the circle of power. This reflects the challenges in ensuring civilian supremacy, especially when political compromise is prioritized over commitment to democratic principles and military reform.

If not seriously criticized, this decision has the potential to open up space for the normalization of military involvement in the civilian sphere. This not only hinders the consolidation of democracy but also strengthens resistance to structural reform within the military. The Government needs to realize that any steps that reduce TNI reform would have an impact on the credibility of Indonesian democracy in the future.

Recommendations

The DPR, DPD, together with the Government must be prompted to prioritize bills that are directly related to human rights to guarantee basic rights and individual freedoms.

Referring to the above explanations, here are some policy recommendations that can be conveyed:

1. The military must reaffirm its primary role as the guardian of national defense. Non-military tasks such as humanitarian operations or disaster management must be carried out with predominantly civilian coordination, such as through relevant ministries or institutions. In addition, the military must also raise awareness of human rights and humanitarian law through various trainings involving relevant parties. This is important to ensure that military personnel understand the limitations of the use of force.
2. The Government must increase the capacity of civil institutions such as strengthening ministries, government agencies, and civil organizations to handle strategic issues that have often been transferred to the military, such as disaster management and cybersecurity. The government must also involve civil society in monitoring and evaluating policies concerning military involvement in the civilian sphere.
3. The Government must increase its commitment to the mandate of Reformasi to return the military to its professional realm, as well as promote bureaucratic reform. This also includes ensuring that the military and civilians function properly and in accordance with their respective realms.
4. Legislative bodies and other oversight bodies must improve their role in monitoring military involvement in politics, both through regular audits and investigations into alleged violations. This also includes, for example, publishing information on the placement of military personnel in civilian positions to avoid the perception of manipulation of the rules.

- Felia Primaresti -

Looking at the Revision of the Election Law

The revision of Law Number 7/2017 concerning General Elections (Election Law) has been included in the Priority National Legislation Program (Prolegnas) for 2025. This was after the 8th Plenary Session of the People's Representative Council of the Republic of Indonesia (DPR RI) for Session Period I of Session Year 2024–2025 approved 176 draft laws to be included in the National Legislation Program (Prolegnas) for 2025–2029 and 41 bills to be included in the Priority Prolegnas for 2025. In addition to the revision of the Election Law, the DPR also plans to revise the Regional Election Law.

Deputy Chair of the Legislative Body (Baleg) of the Indonesian House of Representatives, Ahmad Doli Kurnia, suggested that the revision be carried out comprehensively for the sake of improving the complete election and regional election system. He also mentioned that the revision needed to be carried out in the near future and not close to the election time. It is likely that the two laws will be made in the form of an omnibus or will remain separate (kompas.com, 11/18).

In its development, the Chair of Commission II of the Indonesian House of Representatives, M Rifqinizamy Karsayuda, emphasized that the Election Law would be revised through an omnibus law. The revision of the Election Law will later be combined into one with the Regional Election Law, Political Party Law, MD3 Law, Regional Government Law, DPRD Law, Village Government Law, and Central and Regional Financial Relations Law (mediaindonesia, 11/25).

Learning from the Establishment of the Job Creation Law

The omnibus law method is defined as a method of forming laws that regulate major issues in a country, as well as revoking and changing several existing or previously applicable laws with one law. The law is a legal umbrella for themes, material substances, and subjects, each of which is different into a holistic whole (Fitriyanica

in Firdaus, 2023). The use of this method is usually carried out in countries that use the common law legal system.

Meanwhile, in Indonesia, the use of the omnibus law method was once carried out in the formation of Law (UU) Number 6/2023 concerning the Stipulation of Government Regulation in lieu of Law Number 2/2022 concerning Job Creation into Law. If explained, the Job Creation Law consists of 11 clusters. The eleven clusters cover several points, including: 1) simplification of business licensing; 2) investment requirements; 3) employment; 4) convenience and protection of MSMEs; 5) ease of doing business; 6) support for research and innovation; 7) government administration; 8) imposition of sanctions; 9) land acquisition; 10) government investment and projects, and 11) economic zones (antaranews.com, 1/11/2024).

Of the 11 clusters, there are 75 laws affected by the omnibus law Perppu, either by eliminating a number of articles, adding or changing the contents of the rules, starting from the Manpower Law, BPJS, Islamic banking, to investment regulations (Bisnis.com, 1/1/2023). In practice, the process of forming and enacting the Job Creation Law was not without problems. The main problem in the process of forming the Job Creation Law was the narrow space for public participation to provide input to the government and the DPR. In addition, the formation of the law was considered rushed, resulting in many errors in the substance of the writing.

This was what then made the Constitutional Court (MK) declared that the Job Creation Law was conditionally unconstitutional. In its legal considerations, the Constitutional Court stated that the procedures for the formation of the Job Creation Law were not based on definite, standard, and standard methods and methods, as well as the systematics of the formation of laws. Then, in the formation of the Job Creation Law, there were changes in the writing of several substances after the joint approval of the DPR and the President (www.mkri.id, 11/25/2021). Learning from the formation of the Job Creation Law, the DPR and the Government must be careful in using the omnibus law method, including in revising the Election Law.

The Constitutional Court itself, related to the Election Law, has asked the Government and the Indonesian House of Representatives to make revisions. In fact, Vice Chief Justice of the Constitutional Court Saldi Isra questioned the progress of the revision of Law Number 7/2017 concerning Elections to the DPR. This was

conveyed by Saldi during the hearing of Case Number 62/PUU-XXII/2024, 87/PUU-XXII/2024 and Case Number 101/PUU-XXII/2024, which questioned the constitutionality of Article 222 of the Election Law concerning the provisions on the presidential and vice presidential nomination threshold. Saldi hopes that all matters relating to election regulations have been discussed by the DPR before the election stages begin (forumkeadilan, 10/30).

Issues in the Revision of the Election Law

The revision of the Election Law often sparks pros and cons. This is because there is a debate on several issues regulated in the law. For example, first, the choice of users of an open, closed, or mixed election system. Second, the parliamentary threshold and the president (presidential threshold). Third, the system for converting vote counting into seats. Fourth, consideration of the number of seats per electoral district (district magnitude). Several of these issues are always hotly discussed by factions in the DPR, because revisions are usually carried out ahead of the election stages. In addition, these issues are issues related to the interests of each party in the election contest.

However, unlike before, the revision that is currently rolling was carried out before the election stage took place, so it is expected to be clearer in its discussion. A long enough time to discuss this revision is very necessary, especially if the revision plan uses the omnibus law method.

It should also be remembered that the Election Law is not only in the interests of political parties, but also organizers and the public as voters. The Government and the DPR also need to discuss issues that are not only in the interests of political parties. For example, the issue of improving the political party recruitment process, the use of social media in campaigns, affirmation of youth, women, and people with disabilities in elections, campaign costs, reports of campaign violations, participatory supervision and others. This needs to be discussed because the revision of the Election Law is expected to be an entry point to improve the quality of elections. This revision is also important to not repeat problems like in previous elections.

Recommendations

The revision of the Election Law is expected to strengthen democracy in Indonesia. Therefore, there are several things that can be carried out by the Government and the DPR regarding the revision of the Election Law. First, the Government and the DPR must

open up space for public participation openly to receive input from all parties in order to improve the Election Law, especially regarding issues that are of public concern during the implementations of elections in Indonesia.

Second, in order not to repeat the problem of the Job Creation Law in using the omnibus law method, the revision of the Election Law should not be carried out hastily by the DPR and the Government. Third, the Government and the DPR must prioritize policy formulation with an evidence-based policy approach so that policy formulation can produce quality and applicable policies for improving elections in Indonesia. The Government and the DPR need to increase cooperation with academics and civil society groups to produce research that can assist the process of revising the Election Law with an evidence-based policy approach.

- Arfianto Purbolaksono -

The Government and the DPR need to discuss issues that are not only the interests of political parties in the revision of the Election Law. For example, the issue of improving the political party recruitment process, the use of social media in campaigns, affirmation of youth, women, and people with disabilities in elections, campaign costs, reports of campaign violations, participatory supervision, and others. The process of revising the Election Law must also be encouraged to be implemented in a participatory, inclusive, transparent, contextual, and accountable manner.

Challenges for the Sustainability of Ministry of Women's Empowerment and Child Protection Programmes in the Prabowo-Gibran Era

President and Vice President Prabowo Subianto and Gibran Rakabuming Raka were inaugurated on 20 October 2024. Both took oath of office and signed the minutes of the inauguration to mark the start of their administration for the 2024-2029 period. In addition, the Red and White Cabinet has also been formed, including several changes and new ministries, including the Ministry of Women's Empowerment and Child Protection (KemenPPPA). The KemenPPPA, previously led by I Gusti Ayu Bintang Darmawati or Bintang Puspayoga, was now led by Hj Arifatul Choiri Fauzi, with Veronika Tan as Deputy Minister.

KemenPPPA as a government institution that has the authority to formulate and implement policies on the protection of women and children is predicted to have a new policy programme. During the Coordination Meeting of Ministers and Heads of Agencies under the Coordinating Ministry for Community Empowerment and Culture (Kemenko PMK), the Minister said that KemenPPPA had three priority programmes. The three programmes focus on Ruang Bersama Merah Putih, expanding the function of the call centre Sahabat Perempuan dan Anak (SAPA 129), and developing one gender and child data (paudpedia.kemdikbud.go.id, 8/11/2024).

The three new programmes should be appreciated and supported as a form of the Government's commitment to a comprehensive, responsive and data-driven women and child protection policy. However, efforts to implement KemenPPPA programmes are likely to face many challenges. For example, there are derivative regulations of the Law on Sexual Violence (UU TPKS) that need to be passed, the Law on Maternal and Child Health (UU KIA) that needs to be informed along with its derivative regulations, including alleviating the problem of child marriage. This paper shall elaborate on the challenges faced by KemenPPPA in its efforts to implement the policy programme.

Ministry of Women's Empowerment and Child Protection's Policy Programme during the Prabowo-Gibran Administration.

Amidst the Government's ambition to accelerate economic growth and infrastructure development, issues related to empowerment, protection of women and children face the risk of being displaced by other national agendas.

Meanwhile, KemenPPPA as part of the President's auxiliary institutions has a strategic role to promote gender equality, reduce gender-based violence, and strengthen the role of women and children in development. However, with the reshuffle and change of ministers, KemenPPPA faces challenges in continuing previous programmes during the new administration.

Ruang Bersama Merah Putih, for example. The programme, which will be developed in 114 villages and sub-districts across Indonesia, is designed to improve the quality of life and protection of women and children. Minister of PPPA Arifatul Fauzi also said that this programme was a continuation of women- and child-friendly villages and sub-districts (megapolitan.kompas.com, 8/11/2024). Thus, it can be said that the common room is a development of the women-friendly and child-caring village programme (DRPPA) that has been established previously by the Ministry of PPPA.

DRPPA was first initiated in November 2020, where 138 pilot villages (model villages) in 71 districts/cities were established. As of April 2024, 1,967 villages have committed and implemented DRPPA (kemenpppa.go.id, 5/8/2024). The DRPPA programme is a form of institutional support in encouraging the implementations of gender mainstreaming (PUG) in village areas. It has also been included in the National Medium-Term Development Plan (RPJMN) IV 2020-2024 (guidelines for facilitating women's empowerment in villages, 2020).

Although the Ruang Bersama Merah Putih programme is a development discourse of the DRPPA programme, in its implementations, the Ministry of Women's Empowerment and Child Protection (KemenPPPA) needs to evaluate the pilot villages that have been established. The reason is, to fulfil the category of the pilot village model, both the provincial and district governments need to ensure the 10 indicators of DRPPA are fulfilled (kemenpppa.go.id, 14/11/2024).

One of the indicators that must be met is the absence of violence against women and children (KTPA) and victims of trafficking in persons (TPPO). Based on the 2023 Annual Record (CATAHU), Komnas Perempuan recorded 713 cases, or 34% of violence committed against ex-boyfriends (KMP), followed by violence against wives (KTI) with 622 cases or 30%, and violence in dating (KDP) totalling 422 cases or 20% (National Commission on Violence Against Women, 2024). Komnas Perempuan's complaint data also shows that violence in the public sphere is still high, at 1,276 cases. In the context of types of violence in the public sphere, sexual harassment and rape were the first and second highest numbers, followed by maltreatment, trafficking, sexual violence, and sexual abuse (National Commission on Violence Against Women, 2024).

Although the number of complaints decreased in 2022 from the previous year, 459,094 to 457,895 (National Commission on Violence Against Women, 2024), this figure still showed the high number of cases of violence against women that require serious attention from various parties. The decline in numbers does not necessarily reflect a significant reduction in violence, but may reflect other factors. For example, the courage of victims to report or the effectiveness of available reporting systems.

The Importance of Sustainability of the Law's Derivative Regulations

KemenPPPA has an important role in creating policies that support the protection of women and children from various acts of violence. Regarding derivative regulations of the TPKS Law; for example. Derivative regulations from the TPKS Law are very important to be implemented so that the objectives of this law can be effective in providing optimal protection for victims of sexual violence and preventing sexual violence more broadly. Without derivative regulations, the TPKS Law will risk being difficult to implement due to the absence of comprehensive technical guidelines.

During Joko Widodo's administration, the Ministry of Women's Empowerment and Child Protection (KemenPPPA) and the Ministry of Law and Human Rights (Kemenkumham) drafted seven derivative regulations of the TPKS Law. However, of the seven regulations, three have been ratified and the rest are still in process. Both KemenPPPA and Kemenkumham under the Prabowo-Gibran administration need to make this an important agenda to follow up. This is because to make a village a pilot of the Women-Friendly and Child-Caring Village Programme (DRPPA), regulations are also needed to support the overall implementation of the programme.

In addition, the Women-Friendly and Child-Caring Village Programme (DRPPA), which is also part of the Ruang Bersama Merah Putih programme, also requires clear regulations so that each village has guidelines in creating an environment that is safe, inclusive, and supports the fulfilment of the rights of women and children.

With a complete set of regulations derived from the TPKS Law, efforts to empower women and protect children in the pilot villages can be implemented more effectively, consistently, and sustainably.

Synchronisation and Collaboration: Key to Programme Success

In an effort to improve the quality of the pilot villages of the DRPPA programme, and develop them in the Ruang Bersama Merah Putih programme, KemenPPPA needs to encourage the derivative regulations of the TPKS Law that are being processed to be ratified and implemented immediately. This is important to do so that the objectives of the DRPPA programme can be achieved. The implementation of regulations derived from the TPKS Law does not merely meet programme indicators, but is the basic basis for creating a safe environment for women and children from violence, as well as strengthening gender mainstreaming. Therefore, synchronisation between regulations and programmes is important to be carried out by relevant institutions and parties.

Synchronisation includes not only the harmonisation of regulations but also the integration of cross-sectoral programmes involving various parties, including local governments, non-governmental organisations, and village communities themselves. With strong synergy and joint commitment, the implementations of the Ruang Bersama Merah Putih programme, including the development of the DRPPA programme, can run as a whole. Starting from women's empowerment, child protection, to education on basic rights and prevention of sexual violence.

In addition, strengthening the capacity of village officials and providing training to local cadres are strategic steps in ensuring that regulations that have been passed can be translated into real action at the community level. This can be done through collaboration and cooperation with relevant ministries and agencies and across sectors, as well as with non-governmental organisations and individuals working at the grassroots. Ultimately, the success of this programme is not only measured by the number of indicators achieved but can also be derived from real changes in the lives of women

and children in the pilot villages. It is hoped that the success of this programme, including DRPPA, can contribute widely to increasing gender awareness and strengthening gender mainstreaming nationally and in various sectors, institutions, and levels.

- Dewi Rahmawati Nur Aulia -

With strong synergy and joint commitment, the implementations of the Ruang Bersama Merah Putih programme, including the development of the DRPPA programme, can run thoroughly and starting from women's empowerment, child protection, to education on basic rights and prevention of sexual violence. Strengthening the capacity of village officials and providing training to local cadres are also important to translate existing policies into concrete actions at the community level. It is hoped that the success of this programme can contribute widely to increasing gender awareness and strengthening gender mainstreaming nationally and in various sectors, institutions, and levels.

Considering the Importance of the Bill on the Elimination of Discrimination against Vulnerable Groups in Indonesia

World AIDS Day (Acquired Immune Deficiency Syndrome), which fell on 1 December 2024, presented a momentum for the importance of equality for vulnerable groups, especially for AIDS survivors, to obtain their rights properly. Antonio Guterres, the Secretary-General of the United Nations (UN), in his speech said that of the quarter of people living with HIV (Human Immunodeficiency Virus), more than nine million people did not have access to life-saving treatment. This is due to discriminatory laws and policies that punish and stigmatise vulnerable groups such as women, girls and minority groups, preventing them from gaining access to prevention, testing, treatment and care (indonesia.un.org, accessed on 20/11/2024).

Although the Constitution has guaranteed the equality of its citizens, it is considered insufficient to accommodate the needs of HIV/AIDS survivors. In this paper, the author shall outline an analysis of the importance of pushing for a bill to eliminate discrimination, especially for vulnerable groups of HIV/AIDS survivors, in obtaining their rights as civil society.

The situation of discriminatory policies on vulnerable groups of HIV/AIDS survivors in Indonesia.

HIV/AIDS survivors in Indonesia have long faced various forms of discrimination in obtaining proper rights and services. In fact, Indonesia has targeted to become an HIV/AIDS-free country by 2030. However, it still faces challenges, especially stigma and discrimination against survivors that continue to occur.

One of the discriminatory policies highlighted by civil society groups is the Bogor City Regional Regulation Number 10/2021 on Prevention and Countermeasures of Sexual Deviant Behaviour (P4S). This regulation is considered controversial, especially in the context of the substance of the regulation and its impact on certain community groups. In addition, this policy tends to limit matters of personal interest, whose domain is part of human rights (HAM). This

will certainly have an impact on the emergence of various conflicts, both with the Government as a policy maker, as well as among fellow communities, especially against conservative groups.

Perda No. 10/2021 has controversies related to its substance. According to the Bogor City Government, the increase in sexual deviant behaviour is a social disease that damages the values and norms of the society, and threatens the social institution of the family to fulfil its purpose in reproduction. Some conservative communities believe that the social deviance that occurs is due to individual religiosity.

In fact, not all of these deviations come from that. There are many factors that cause this to happen. One of them can come from the experience of sexual violence experienced by individuals. Therefore, the Bogor City Government needs to look at this community problem holistically and comprehensively.

Article 6 mentions several forms of sexual deviant behaviour, among others: homosexuality (both male, and female), bisexuality, child sex lovers (paedophilia), transgender/waria (transvestism), exhibition of vital organs (exhibitionism), voyeurism, incestuous intercourse, violent sex (sadism), attraction to inanimate objects/sexual objects (sexual fetishism), lover of corpses (necrophilia), having sex with more than 1 (one) person simultaneously, satisfaction when seeing a partner having sex with another person (triolism), sex with animals (bestiality), and any sexual behaviour or activity that is religiously, culturally, socially, psychologically and/or medically declared as sexual deviant behaviour.

Although the behaviour mentioned is considered by the Bogor District government as a social disease, it is not necessarily the root source of the spread of HIV/AIDS. The Bogor District Government should be able to objectively separate between personal interests, whose domain is part of human rights, and the roots of the spread of HIV/AIDS, which are not only derived from risky sexual behaviour.

HIV/AIDS can be transmitted through risky sexual behaviour such as always changing partners. This behaviour can occur in both hetero and homosexual sexual preferences. In addition, the virus is transmitted when sexual behaviour is carried out through vaginal or anal sex. Intimate relationship partners who have this behaviour are vulnerable to potentially increasing the transmission of HIV/

AIDS. Not a few, women as legal partners become victims of this risky sexual behaviour. Even for pregnant women, the transmission of HIV/AIDS to the baby occurs through the placenta. The spread of the disease through risky sexual behaviour clearly has multiple impacts, both economically and psychosocially, especially on women and children.

Apart from risky sexual behaviour, the spread and transmission of HIV/AIDS can be through the use of unsterile needles and blood transfusions. HIV/AIDS transmission through the use of needles can generally occur among injecting drug users and tattooists. The higher the intensity of the use of one syringe used in a group, the higher the vulnerability of the users to contract HIV/AIDS. The same applies to blood transfusions. Although relatively rare, this can be a medium of transmission due to medical negligence. From the description that has been explained, the Bogor Regency government in the polemic should understand the transmission and spread of HIV/AIDS comprehensively.

The Importance of the Bill on the Elimination of Discrimination against Vulnerable Groups

Bogor City Regional Regulation Number 10 of 2021 on Prevention and Countermeasures of Sexual Deviant Behaviour (P4S) should not be a tool to stigmatise and discriminate against minority groups among the entrenched beliefs of heteronormativity in society. Instead, the regulation should be designed to promote inclusivity, providing education based on scientific understanding and universal values. It is important that the policies implemented do not only focus on the norms believed by the majority community, but also protect the dignity and rights of all individuals, including minority groups. In essence, Perda No. 10/2021 should provide a more inclusive spirit of HIV/AIDS prevention and eradication.

On the other hand, the drafting of the bill on elimination of discrimination is motivated by the need for a legal umbrella that can accommodate and provide protection to vulnerable groups. Research by Crisis Response Mechanism (CRM) and the Centre for Law and Policy Studies (PSHK) noted that there are 63 policies in Indonesia on vulnerable groups. However, these policies are still general and ineffective. In existing policies, there are still several vulnerable groups that are not considered, one of which is the group of people living with HIV (ODHIV) (solidernews.com, 6/10/2023).

The National Coalition of Vulnerable Groups against Discrimination (KAIN) as the initiator of the bill on the elimination of discrimination consists of groups with disabilities, religious minorities, women's groups, groups of people with HIV and key populations (female sex workers (FSWs) and transgender), men who have sex with the same sex, and injecting drug users (IDUs) (voaindonesia.com, 25/8/2023).

In the context of discrimination, cases experienced by people living with HIV (ODHIV) are often layered. Pram Rachmono from Yayasan Berkebaya Yogyakarta said that there were still many workplaces that dismissed workers if they were found to be HIV positive. In addition, there are still some schools that refuse HIV-positive children to study, including the unavailability of ARV (Anti-Retroviral) drugs, which are comprehensive to all remote areas of the country is still a problem (voaindonesia.com, 25/8/2023). Therefore, a policy that embraces all parties (especially people living with HIV/AIDS and key populations) in gaining access to community services is needed.

Furthermore, although the Government had previously drafted Law No. 40/2008 on the Elimination of Racial and Ethnic Discrimination, it was considered insufficient to accommodate other vulnerable groups. Law No. 40/2008 is considered to still focus on discrimination based on race and ethnicity. Both ethnic groups and vulnerable groups each face cross-dimensional discrimination. Therefore, Law No. 40/2008 requires improvement through the Vulnerable Groups Anti-Discrimination Bill.

Building Inclusive Policies through the Vulnerable Groups Anti-Discrimination Bill

Perda No. 10/2021 is just one of many discriminatory government policies. There are still many local regulations that are not friendly to vulnerable groups, even eliminating them in various policies.

The importance of the anti-discrimination bill has become even more urgent considering the absence of legal protection that protects vulnerable groups from unfair treatment and structural inequality. Vulnerable groups, such as PLHIV and key populations, are often subjected to discrimination that prevents them from accessing education, health, employment, and social life services. Without clear legal protection, there will be more violations of their rights.

The Draft Law against Discrimination against Vulnerable Groups has come as a solution to protect the rights of groups that often face stigma, marginalisation and injustice. In addition, this bill not only aims to strengthen legal protection, but also encourage a paradigm shift in policy-making towards equal rights and respect for diversity.

The Anti-Discrimination against Vulnerable Groups Bill has come as a solution to protect the rights of groups that often face stigma, marginalisation and injustice. The bill aims to strengthen legal protection, and reinforce a paradigm shift in policy-making towards equal rights and respect for diversity

Through inclusive policies, the Government can create social justice where every individual has the same opportunity to develop without feeling marginalised. Therefore, although this bill has not been included in the pro national legislation (Prolegnas) for 2025-2029, to increase the acceleration of the discussion of the importance of this bill, a number of parties can do many things such as:

1. The Government needs to collaborate with various parties, including civil society groups, to massively raise public awareness about the importance of public understanding of the protection of vulnerable groups through various media such as mass media, social media, seminars, and public discussions. Civil society groups have an important role in disseminating information about the benefits of this bill, as well as its expected impact on creating a more just and inclusive society.
2. Encourage the strengthening of support from various stakeholders by involving various parties, including academics, community leaders, civil society organisations, and vulnerable group communities, in the advocacy and policy-making process. Support from these groups can provide stronger political pressure to the Government and parliament to accelerate the legislative process.

- Dewi Rahmawati Nur Aulia -

THE INDONESIAN INSTITUTE
CENTER FOR PUBLIC POLICY RESEARCH

The Indonesian Institute (TII) is a Center for Public Policy Research that was established on 21 October 2004 by a group of young, dynamic activists and intellectuals. TII is an independent, non-partisan, non-profit institution, whose main funding stems from grants and contributions from foundations, companies, and individuals.

TII has the aim of becoming a main research center in Indonesia for public policy matters and has committed to giving contribution to the debates over public policies and to improving the quality of the planning and results of public policy by promoting good governance principles and public participation in the policy processes in Indonesia.

TII's visions are public policies in Indonesia which highly uphold human rights and rule of law, as well as involve participation of various stakeholders and practice democratic good governance principles.

TII's missions are to conduct reliable research that is independent and non-partisan and to channel the research to the policy-makers, the private sector, and academia in order to improve the quality of Indonesian policy-makers.

TII also assumes the role of disseminating ideas to the society so that they are well informed about the policies that will have a good impact on the people's lives. In other words, TII has a position to support the democratization process and the public policy reform, as it will be involved in the process.

The scope of the research and review on public policies undertaken by TII includes economic, social, political, and legal affairs. The main activities which have been conducted by **TII** in order to achieve our vision and mission, are: research, surveys, facilitation and advocacy through training and working groups, public discussions, public education, weekly editorial articles ("Wacana" or Discourses), Instagram Live Series and Space Twitter (Policy Talks and Initiative!), monthly analysis ("Update Indonesia" in Indonesian and "The

Indonesian Update" in English), mid-year policy analysis ("Policy Assessment"), annual policy analysis ("Indonesian Report"), and monthly discussion forum on policy issues ("The Indonesian Forum").

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RESEARCH ON ECONOMIC AFFAIRS

The economy tends to be used as an indicator of the success of the government as a policy-maker. Economy plays an important role as one of the fundamentals of national development. Limited resources have often caused the government to face obstacles in implementing economic policies that will optimally benefit the people. The increase in the quality of the people's critical thinking has forced the government to conduct comprehensive studies in every decision-making process. In fact, the studies will not be stopped when the policy is already in place. Studies will be continued until the policy evaluation process.

TII focus on economic issues, such as monetary policy and fiscal policy, as well as issues on sustainable development by using analysis which refer to economic freedom principles. Monetary issues will focus on the Indonesian Central Bank to maintain economic stability, both regarding inflation and exchange rate. Meanwhile, fiscal policy will focus on the discussions over the National Budget and infrastructure development both in the regions and in the cities. In relation to sustainable development, TII research is focusing on productivity, competitiveness, infrastructure development, and development gap. In addition, TII also upholds economic freedom principles in highlighting the importance of individual freedom and involvement of private sectors in increasing development and improving welfare in Indonesia.

The TII Economic Research Division is present for those who are interested in the conditions of the economy. The results of the research are intended to assist policy-makers, regulators, and donor agencies in making decisions. The research that TII offers: **(1) Economic Policy Analysis; (2) Regional and Sectoral Prospects; and (3) Program Evaluation.**

RESEARCH ON LEGAL AFFAIRS

According to stipulations in Law No. 12 Year 2011 on the Formulation of Laws and Regulations, every bill which will be discussed by the legislative and the executive must be complemented with academic paper. This stipulation is also confirmed in Law No. 15 Year 2019 on the Amendment of Law No. 12 Year 2011 regarding the Formulation of Laws and Regulations.

Therefore, comprehensive research is very important and needed in making a qualified academic paper. With qualified academic papers, the bills will have strong academic foundation both from academic and content aspects. Furthermore, academic paper also functions as an early tracking over possibilities of overlapping laws and regulations, so that revocation of local regulations or other related issues which can be caused by legal, economic, or political aspects in the future, can be minimized as soon as possible.

TII offers normative and legal research related to harmonization and synchronization of laws and regulations, especially in making academic papers, legal opinion on harmonization and synchronization of laws and regulations, and legislative drafting for the formulation of local regulations bill drafts or other laws and regulations. In addition, TII also offers openly research on other legal issues related to Constitutional Law and Public Administration, Human Rights, and Political Corruption.

RESEARCH ON THE POLITICAL AFFAIRS

The enactment of Law No. 23 Year 2014 on the latest regulation on the Local Government, has created different relations between the Central Government and the Local Government. Entering the era of Bureaucracy Reform, specification of division of affairs of the Central Government and the Local Government has increasingly demanded the implementation of good governance principles. The government is demanded to be adaptive and responsive towards public aspiration and services. Therefore, public policy research become more important for both the Central Government and the Local Government to analyse context and current issues in the regions. The government must also consider various actors whether political actors or bureaucrats, as well as public's aspiration and other non-state actor in policy processes.

In order to respond those needs, TII research in political affairs offer policy assessment on various policies which were already applied or will be implemented. TII will look at socio-cultural, economy, legal, and political aspects in assessing public policies. Our research will be useful to assist government in formulating policies which are in line with context, priorities, and people's aspiration. TII also offers various breakthrough of transformative policies according to existing contexts in particular and Open Government principles' implementation in general, in order to increase public participation in policy processes, particularly in the era of the openness of public information.

Political Research Division of TII provide analysis and policy recommendations in order to generate strategic policy in the strengthening of democracy and the establishment of good governance both at the national and local levels. Political research forms are offered by TII **(1) Public Policy Analysis, (2) Media Monitoring, (3) Mapping & Positioning Research, (4) Need Assessment Research, (5) Survey Indicator.**

RESEARCH ON THE SOCIAL AFFAIRS

Social development needs policy foundations that come from independent and accurate research. Social analysis is a need for the government, the businesspeople, academia, professionals, NGOs, and civil society to improve social development. Social analysis is important to identify strategic issues which are developing and to make the right stakeholders' mapping to promote significant change in the context of development, public policy, and democracy in Indonesia.

The Social Research Division is present to offer strong and valid recommendations to produce strategic, relevant, efficient and effective, and impactful policies, in addressing to existing various issues. For example, issues related to education, health, population, environment, women, children, and elderly. Social research that TII offers: **(1) Social Policy Analysis; (2) Explorative Research; (3) Mapping & Positioning Research; (4) Need Assessment Research; (5) Program Evaluation Research; and (5) Indicator Survey.**

PRE-ELECTION AND REGIONAL HEAD ELECTION

One of the activities carried out and offered by TII is a pre-election survey as well as a pre-election and regional head election. The reasons underlying the implementation of pre-election and regional head election surveys, namely: (1) A good election is a democratic process that can be arranged, calculated, and predicted in the resulting process; (2) Survey is one of the important and common discussions to measure, calculate, and predict how the process and results of the General Election and the Regional Head Election will take place, in accordance to the expectations of the candidates; (3) It is very important to win in the General Election and the Regional Head Election based on empirical, scientific, measurable and supportable data.

As one of the important aspects of a strategic candidate's election, the survey is useful for monitoring political power. In this case, the success team needs to conduct a survey for: **(1) mapping the candidate's position in public perception; (2) mapping voters' desires; (3) publishing the most effective political machinery used as voters; and (4) Looking for the most effective medium for the campaign.**

EVALUATION OF A PROJECT OR A PROGRAM

One of the activities that have been performed and experienced offered by TII is a qualitative evaluation of the projects and programs of non-governmental organizations and government. Evaluation activities are offered TII stages of mid-term evaluation of the project/program (mid-term evaluation) and also the final evaluation at the end of the project/program (final evaluation).

As we know, the evaluation is an important step in the implementation of a project or program. Mid-Term Evaluation of the project or program is intended to look at and analyze the challenges, the overall learning takes place during the project or program, and make recommendations for the continuity of the project or program. Meanwhile, the final evaluation allows us to view and analyze the outcomes and the lessons learned to ensure the achievement of all the objectives of the project or program at the end of the project or program.

THE INDONESIAN FORUM

The Indonesian Forum is a monthly discussion activity on actual issues in the political, economic, social, legal, cultural, defense, and environmental fields. TII organizes these forums as media for competent resource persons, stakeholders, policymakers, civil society activists, academicians, and the media to meet and have discussion.

Themes that have been raised were the ones that have caught public attention, such as migrant workers, social conflicts, domestic politics, and local direct elections. The main consideration in picking a theme is sociological and political reality and the context of the relevant public policy at the time that the Indonesian Forum is delivered.

It is expected that the public can get the big picture of a particular event as the Indonesian Forum also presents relevant resource persons.

Since its inception, the Indonesian Institute is very aware of the passion of the public to get discussions that are not only rich in substance but also well formatted, which support balanced ideas exchanges ideas and the equal involvement of the different elements of the society.

The discussions, which are designed to only invite a limited number of participants, do not only feature idea exchanges but also regularly offer policy briefs (policy recommendations) to relevant policymakers and also summaries to the participants, especially the media people and the resource persons at the end of each discussion. Therefore, the discussions will not end without solutions.

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LOCAL COUNCIL TRAINING

The roles and functions of local councils in monitoring local governments are very important. They need to ensure that participative and democratic policies will be espoused. Members of provincial and regent local councils are required to have strong capacity to understand democratization matters, regional autonomy, legislative techniques, budgeting, local Politics, and political marketing. Thus, it is important to empower members of local councils.

In order for local councils to be able to response every problem that will come out as a result of any policy implemented by the central government or local governments, the Indonesian Institute invites the leaderships and members of local councils to undergo training to improve their capacity.

WORKING GROUP

The Indonesian Institute believes that a good public policy process can be held with some engagement and empowerment of the stakeholders. The Indonesian Institute takes a role as one of mediator agencies to facilitate some forums in which the Government, Council Members, Private Sectors, NGOs and Academicians can meet in interactive forums. The Indonesian Institute provides facilitation on working groups and public advocacy.

The Indonesian Institute takes the role of mediator and facilitator in order to encourage the synergy of public policy work between the stakeholders and policy makers and also to have a synergy with funding agencies (donors).

THE INDONESIAN INSTITUTE
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