

The Indonesian Update

Monthly Review on Economic, Legal, Security, Political, and Social Affairs



Main Report:
Ahead of the 2017 Jakarta Election:
Campaign and Political Awareness

Law

Waiting for Jokowi's Legal Policy Package ■

Economics

Creating Innovations in Indonesia ■

Social

Happiness, Policy and Relations Among Them ■

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FOREWORD

The competition ahead of the local election (elections) in Jakarta in 2017 is gearing up. In a political contest like this election, a campaign aimed at reducing the political image of an opponent is prevalent, including a smear campaign. To respond the rampant attacking each other of the local elections in 2017, the author argues that this matter is not only harming the candidates, but also harming the people of Jakarta.

Campaigns that educate should put an emphasize on the ideas of the three pairs of candidates in the public arena. Debates over ideas in the public domain aim to generate public awareness in a democracy. It should be a campaign on political education community in order to establish a more democratic social order.

This October 2016 edition of the Indonesian Update will raise important themes on several fields. The main report for this edition is “Ahead of the 2017 Jakarta Election: Campaign and Political Awareness”. On law, it talks about “Waiting for Jokowi’s Legal Policy Package”. On economic affairs, it talks about “Creating Innovations in Indonesia”. On the social affairs, it will talk about “Happiness, Policy and Relations Among Them”.

The regular publication of the Indonesian Update with its actual themes is expected to help policy makers in government and business environment – as well as academics, think tanks, and other element of civil society, both within and outside the country, to get actual information and contextual analysis of economic, legal, political, cultural, and social developments in Indonesia, as well as to understand the public policy in Indonesia.

Happy Reading.

Ahead of the 2017 Jakarta Election: Campaign and Political Awareness

The competition ahead of the local election (elections) in Jakarta in 2017 is gearing up. The DKI election will be contested by three pairs of candidates; namely, the Basuki Tjahaja Purnama (Ahok) – Djarot Saiful Hidayat pair, the Anies Baswedan – Sandiaga Uno pair, and the Agus Harimurti Yudhoyono - Sylviana Murni pair.

The tensions can be seen from the recent case of with the case of the most Ahok quoting Verse 51 of Surah Al Maidah from the Koran. This incident occurred during Ahok's working visit to the Seribu Islands on September 27, 2016.

This video footage has gone viral on social media. It has received a huge public response, especially from Muslims in Indonesia. A number of parties (such as Angkatan Muda Muhammadiyah, the Indonesian Ulema Council (MUI), Islamic Defenders Front, Alliance 40) consider Ahok's speech in the video footage has insulted the religious teachings of Islam.

Political contestation and Black Campaign

Responding to the controversy over the edited video, Head of the Central Executive Board (DPP) of PDI-P Andreas Hugo Pareira said that editing and broadcasting the video of Jakarta Governor Basuki Tjahaja Purnama (Ahok) citing a verse in the Koran could be considered committing black campaign ([www, kompas.com](http://www.kompas.com), 7/10).

Article 69 Paragraph C of Law of the Republic of Indonesia Number 8 Year 2015 on the Amendment to Law No. 1/2015 on the Determination of Government Regulation in Lieu of Law No. 1 of 2014 on the Election of Governors, Regents and Mayors regulates that political campaign prohibits inciting, defamatory and pitting political parties, individual, and / or community groups.

In a political contest like this election, a campaign aimed at reducing the political image of an opponent is prevalent, including a smear campaign. Black campaign itself is information that is not based on facts and data, leading to slander and false news (Indonesian Survey Circle, 2008).

Black campaign, in an electoral arena, can be done in three ways: first, using public relations; that is, using a series of techniques and methods of public relations via the mass media industry, both print and electronic. Second, using personal contact through a number of personal interactions. One example is direct meetings with voters. Third, using ads (advertisements) via a number of political advertising campaigns in the mass media, both in print and electronic media advertising space (Gunter Schweiger and Michaela Adami, 1999).

Moreover, if we look at the developments of the Jakarta election news in the mass media, the news has caught the attention of the national audience, not just the Jakarta audience.

Campaign and Political Awareness

As we all know, a campaign is important activities that take place during political contestation. Citing Pfau and Parrot (in Gun Gun Heryanto, 2013) the purpose of a campaign is influencing audiences to choose certain candidates.

Choosing candidates is a form of public political participation. The political participation of a society is in itself a form of political consciousness of a soc

Meanwhile, according to Surbakti (2007), political awareness is the awareness of their rights and obligations as citizens. The level of political consciousness is interpreted as a sign that the citizens are concerned with the affairs of state and or development (Budiardjo, 1985).

Furthermore, Jeffry M. Paige in Surbakti (2007) mentions one of the important variables that affect the high and low levels of political participation of a person; that is, political consciousness.

Therefore, according to the author, first, it is important to recognize the the three candidate pairs' educational campaigns. Campaigns that educate should put an emphasize on the ideas of the three pairs of candidates in the public arena.

Debates over ideas in the public domain aim to generate public awareness in a democracy. It should be a campaign on political education community in order to establish a more democratic social order.

Second, the General Election Commission and the Election Supervisory Body in collaboration with the Indonesian National Police should be able to impose sanctions on a campaign team and a team of volunteers that support a smear campaign. Bawaslu is also expected to announce a campaign team / volunteers that carry out black campaign so that the public can judge and there would be public learning.

- Arfianto Purbolaksono -

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Waiting for Jokowi's Legal Policy Package

The problems of law enforcement in Indonesia should become our concerns, not only the government's but also the people's. This is because, currently our country is facing with an emergency situation in relation to law enforcement.

The emergency situation has something to do with the fact that almost all instruments related to the enforcement of law are currently in alarming conditions. Many judges, prosecutors, clerks, police, and law enforcement agencies have been involved in cases of bribery, corruption, trade disputes, and so forth.

If the conditions are not treated immediately, they will clearly threaten the identity of Indonesia as a legal state as it is expressly mandated in the Constitution.

The mandate as a legal state basically means that law should be the leader in the life of the nation, not politics or economics. But what is happening today is that sometimes the law at a given moment can be taken or become tools of certain political and economic interests.

This has been proven by the increasing number of cases of interfered by case brokers and judicial mafia. In the legislative drafting processes, we are also threatened by legal mafia. One example of legal mafia is M. Sofyan Lubis, a senior attorney and a founder of LHS & Partners law firm. Due to legal mafia, in deliberating legislations, law makers are more oriented towards the interests of certain groups.

These conditions make the quality of law enforcement in Indonesia is getting worse. Therefore, progressive efforts to encourage any forms of improvements toward law enforcement should be done. Because a good law enforcement, in favor of the truth, will positively correlate to justice. If law enforcement is bad, then justice for the public will be difficult to achieve.

The Idea of Jokowi's Legal Policy Package

It must be admitted that the current problems of law enforcement in Indonesia are our responsibility to solve. Rampant corruption, human rights violations, horizontal conflicts, the difficulties in licensing and legal uncertainty are some examples of problems that occur as results of the weakness of law enforcement.

Many efforts to resolve various legal issues have been made, such as forming the Corruption Eradication Commission (KPK) to combat corruption, the establishment of the Judicial Commission to oversee the conduct of judges, and others. But it seems that the efforts that have been made have not been optimal and the results are still far from expectations. Therefore President Joko Widodo (Jokowi President) plans to assemble a package of legal policy in response to the strong pressure to quickly resolve the problems of enforcement law in Indonesia.

On Tuesday, September 27, 2016, at the Presidential Palace Complex in Jakarta, the Coordinating Minister for Political, Legal and Security Affairs (Menkopolhukam), Army General (retired) Wiranto, stated that there would be a policy package in the field of law that was being prepared by the Government. Wiranto also explained that the legal policy package was away to elaborate *nawacita*, which was initiated by President Joko Widodo (Jokowi) (nasional.republika.co.id, 27/09/16).

The idea of the need for legal policy package becomes an important agenda in the third year of the administration of President Jokowi after in the previous years Jokowi has focused on economic sector. This was evidenced by the more or less there have been 12 packages of economic policies that have been issued by the Government today. Furthermore, in the field of law Jokowi will also issue a legal policy package, which will be announced by the President in October 2016 (Kompas.com, 28/09/16).

Initially, the idea of the need for legal policy package was proposed by the Association of Higher Education Law Leaders in Indonesia (APPTHI) in the meeting with President Jokowi at the Presidential Office, Jakarta, Tuesday, June 28, 2016. At that time APPTHI urged the President Jokowi to issue a legal policy package immediately. That's because the academics concerned with the conditions

of law enforcement in Indonesia so that reforming the law needs to be the major concerns of the Government.

Toward the plan of the issuance of a legal policy package, the people until now are still waiting and asking about what the directions and purposes that become the targets of Jokowi's legal policy packages, later.

So far, as developed in a variety of media, there is a five-point improvement in the legal sector covered by the Government, among others: (1) highlighting the public service; (2) cracking down on smuggling operations; (3) highlighting the penitentiary overcapacity; (4) the practice of extortion; (5) completion of a case such as the arrangement of regulation, improvement of case management, strengthening of law enforcement officials and human resources and also institutional capacity building and development of legal culture (new.okezone.com, 11/10/16).

Laws and Issues

Before drafting a legal policy package as one of the measures to reform law enforcement, the government needs to map out what the problems that are rooted in the legal sector, which have caused law enforcement to get worse.

The first one, the internal and external problems of law enforcement officers. Some examples of internal problems are almost all elements relating to law enforcement are precisely trade law and justice. The existence of the judicial mafia and case brokers inevitably involves an element, which is in addition to law enforcement agencies also involve legal counsels or lawyers. Meanwhile, one example of external problems is that the image of law enforcement agencies is increasingly bad in the eyes of the society.

The second one, the problems of the overlapping of legal instruments lead to the legal uncertainty for the public. In addition, we are also faced with the problems of the legal mafia in the processes of making legal instruments.

The third one, the lack of awareness and community support for law enforcement. In bribery cases, for example, in addition to law enforcement officers accepting the bribes, there are parts of the community that are involved in bribery. On the other hand, there are also parts of our society that do not understand their rights be-

fore the law, such as the right to legal assistance for those who cannot afford one.

The fourth one, the culture and the systemic nature of corruption have spread to all levels of bureaucracy and social stratification, including law enforcement officers. This culture of corruption will complicate law enforcement efforts in Indonesia.

The law and justice will become costly items because today they have become tradable commodities. Ironically, there are parts of our own society who are interested as buyers. In the end, justice and the rule of law cannot be given away for free to someone if at the same time there are others who bargain for it.

Conclusions and Recommendations

According to the author, the formulation of a legal policy package that is being discussed by the Government, at least, answers the four issues that the author has described above. For example, the first one, policies to improve the quality of human resources of law enforcement agencies, both in terms of morality, integrity, and intellectuality. Moreover, there is also encouragement of the optimization of legal aid to people who cannot afford.

The second one, to conduct legal reform, there are the synchronization and harmonization of laws that exist, for example, the law governing the code of conduct of judges, police, prosecutors and also lawyers. The third one, policies to improve the culture of critical thinking and public awareness. The fourth one, increasing the commitment to eradicate corruption by optimizing the role of the KPK, and still accompanied by the strengthening of other law enforcement agencies to work together to eradicate corruption.

On the other hand, the author honestly regrets that the legal policy package was not planned and created by Jokowi. So, we can continually assess and improve the achievements of the legal policy package. Jokowi plans to issue a legal policy package in the third year of his reign, making the author assess the lack of attention to the problem of the quality of law enforcement, compared with Jokowi's attention to the political and economic agendas. The legal issues are not deemed urgent to be resolved.

But the author still appreciates the Jokowi legal policy. The author

hopes that the package of legal policy is actually organized into a framework guaranteeing and protecting the interests of the people, not for the interests of rulers or even financiers. This legal policy should also be in favor of national interests and should not be a package of law that will only be friendly to foreign inventors and business interests.

Law must be placed higher than the interests of politicians. Laws should be made to guarantee and protect the people's interests, not the interests of the authorities or officials.

- Zihan Syahayani -

Creating Innovations in Indonesia

It cannot be denied that nowadays technology develops more rapidly. Industries develop faster and become more modern. This is happening not only in developed countries like the United States and Japan, as Indonesia is also experiencing similar developments due to globalisation.

Historically speaking, the world has now entered the fourth industrial revolution. The first industrial revolution happened around 178 years ago when people discovered steam engines and mechanical production tools. During the second revolution in 1870, the distribution of labor had been implemented. Also, the era of electrification as well as mass production has been started.

In the third industrial revolution (1969), electronics, information technology, and advanced tools of production started to enrich civilization. Now, in the fourth industrial revolution, human can use cyber digital that puts forward a hybrid between information technology and electronics.

Compared to the first three industrial revolutions, the fourth industrial revolution has been prioritizing discovery and the development of innovations. The urge for innovations in human life is reaffirmed with its existence as a determinant of the society's progress, in addition to the economy, demography, and other factors of social interactions.

The Innovation Climate in Indonesia

Discussing economic matters or people welfare, normatively it cannot be denied that the existence of innovations is the major prerequisite that needs to be concerned. Through innovations, the advancement of technology, industry, and communications will be easily achieved, and at the end people welfare will also improve. This statement is supported by the results of the study by Rosen-

berg from Stanford University (2004, published in OECD report) showing that innovations are the most important components of long-term economic growth.

Taking this into consideration, the government of Indonesia starts giving attention to the importance of innovations by giving innovations a strategic position in realizing the priority agenda of the President's visions (Nawa Cita) and other programs planned by the government. This is something that Indonesians should appreciate.

In the global context, Indonesia, in the Global Competitiveness Index released by the World Economic Forum, is ranked 37th out of 140 countries surveyed. This ranking is not totally bad. However, if we look at the rankings closely, Indonesia is still struggling in the matter of patents, as it is ranked 102nd of 140 countries surveyed. This is not good as patents are the measurements of innovations by nature.

To discuss this issue, Populi Center held a discussion forum in June 2016 on innovations in Indonesia. The forum has found some facts on why innovations are still hard to be developed here in Indonesia. First, the problem of regulation is still a classic point. Regulations that related to the creation of innovations needs to be rearranged, so they are not counter-productive to the spirit of innovations.

Second of all, the education system today does not really focus on the creation of innovations. An innovation-based education system, however, can generate innovations as early and as fast as possible. We need to go back to the fact that education is the foundation of any aspects, including innovations.

Other things that need to be concerned about are the infrastructure of innovations that is not yet adequate. Also, the investment or funding is not sufficient, so the innovations are still not sustainable.

The matter of sustainability is unique in Indonesia. Although there are lots of competitions in generating innovations, such as robotic contests or competitions on making appropriate technology, there are not many follow-ups. That is why the discovered technology and innovations mostly get stucked and do not go through more advanced levels like finishing and mass production.

Things to be Fixed

We all know that the problems of innovations in Indonesia are classic issues. The first one is regulations. Indonesia needs to have regulations that are clear and flexible, which can be a stimulus for innovators. Laws or related regulations that still do not have available technical issues also need to be made.

The government, private academics, as well as the people must have synergy in creating a productive climate on innovations. Besides, tolerance among other stakeholders is also important for the sake of the development of innovations. The principles and definition of innovations need to be translated together in order to achieve the objectives.

The government should also open wider access for all innovators to create appropriate innovations. The commitment of the government to follow up innovations until the stage of industrialisation needs to be monitored. We should not let competitions that foster innovations get stucked again. Also, we encourage local innovators to create more innovations via incentives.

Actually, Indonesia can follow the United States as the best example in developing industries. One of the best examples in the world in creating innovations is the Silicon Valley located in Northern California. There is much synergy between academics and industries. Besides, the government of the United States is also able to create room to develop innovations. Today, the United States is still the best place to generate innovations in the world.

- Muhammad Reza Hermanto -

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Happiness, Policy and Relations Among Them

World Smile Day (WSD) is celebrated every year on the first Friday in October. In 2016, WSD was celebrated on Friday 7th October. Celebrations have been initiated since 1999. This does not really resonate in Indonesia. But, we could see on various social media accounts in Indonesia posts saying 'Happy World Smile Day', 'Do not forget to smile, because today is World Smile Day', and many more.

The author will not discuss at length 'smile' or World Smile Day. Smile is believed as an expression or an expression of happiness and gratitude for something that he have received or had. In the context of a state, whether every citizen will be able to smile with happiness? What policies owned or taken by the government that can ensure every citizen can smile happily?

Next let us see what is the relationship between happiness and state policies. Happiness is widely regarded as something that cannot be measured; that is, something immaterial that can only be felt. Happiness is recognized as a difficult concept to translate.

Related to the concept of happiness, Dr. Tom G. Palmer (Executive Vice President for International Programs Atlas Network) states that often people interpret happiness as pleasure or satisfaction. However, if it is translated so, it is not a constant state in the sense that we could now be happy and satisfied, but not on the next day. The translation of happiness seems easier and so does satisfaction (life satisfaction).

Learning from the Happiness Index of Bhutan and the United Nations

We can draw a reflection from the state of Bhutan, a kingdom in South Asia. Bhutan introduced the concept of Gross National Happiness (GNH) in the 1970s and later issued GNH Index annually. This index has sparked a debate and especially raised a question, ‘what indicators are used?’, ‘How can we measure a person’s level of happiness?’

Some important note that we can draw from the 2015 GNH Index conducted by the Centre for Bhutan Studies and GNH Research (CBSGR) is that this index is the results of a survey of individual communities with various indicators that they refer to as the nine domains of GNH (nine domain GNH).

The nine domains are the psychological state, health, time use, education, cultural diversity, social life, good governance, the environment and living standards.

The United Nations (UN) has adopted the concept of Bhutan GNH. They added per capita income as an indicator of the UN version of the Happiness Index. This means that the economic factor is an important aspect to measure the level of happiness.

Of the indicators of these two different institutions, we can see how these indicators are highly correlated with the policies that are owned or taken by policy makers. The right policies and answering to the relevant issues in the society will make people happy. A sense of happiness experienced by the communities can be called the output of government policies.

Conclusions

Then, if the communities are happy, mentally they will be ready to contribute optimally to productive work in various sectors of the society. We can categorize this as the outcome of various government policies mentioned earlier.

If we want to see the success of government policies, whether they are appropriate, relevant, not sufficient, we can measure their level of happiness. However, it remains to be seen how much the contributions of every individual level of happiness to the state's level of happiness. How can the levels of happiness of these individuals move the economy in the region? how can they jointly preserve the environment? how can they empathize and assist minorities in the territory, and so forth?

Finally, in the context of state governance, the policies should not be stopped if the level of output is achieved but they also must be able to achieve the outcome amongst developed and developing countries.

- Lola Amelia -

*Relevant state policies
create happy citizens.
Citizens who are happy
will contribute optimally
in the development of
developing countries.*

**THE** **INDONESIAN INSTITUTE**
C E N T E R F O R P U B L I C P O L I C Y R E S E A R C H

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 centre 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 in the new era of democracy in Indonesia.

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, and political factors. The main activities have been conducted in order to achieve vision and mission based on research, surveys, training, public discussions, working group, weekly editorial articles ("Wacana TII"), monthly analysis ("Update Indonesia" and "The Indonesian Update"), annual analysis ("Indonesian Report"), and monthly discussion forum ("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. 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.

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. 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.

TII can offer and undertake normative and legal research related to harmonization and synchronization of laws and regulations, especially in making academic papers and bills. In addition, the research will be conducted with sociological, anthropological, and political approaches in order to produce a more comprehensive academic papers and bills. It is expected that with such a process, the laws and regulations will be produced through such a participatory process, which involves the making of academic papers and bills to also go through process, such as focus group discussion (FGD) which will involve stakeholders related to the laws and regulations that will be discussed.

RESEARCH ON THE SOCIAL AFFAIRS

Social Research

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. The Social Research Division is present to offer recommendations to produce efficient and effective policies, steps, and programs on education, health, population, environment, women and children.

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.**

POLITICAL SURVEY AND TRAINING

Direct General Election Survey

One of the activities that TII offers is the pre-direct election surveys. There are sundry reasons why these surveys are important (1) Regional direct elections are democratic processes that can be measured, calculated, and predicted. (2) Surveys are used to measure, calculate, and predict the processes and results of elections and the chances of candidates. (3) It is time to win the elections using strategies based on empirical data.

As one of the important aspects in the strategies to win the elections, surveys can be used to prepare political mapping. Therefore, campaign teams need to conduct surveys: (1) to map the popularity of candidates in the society (2) to map the voters' demands (3) to determine the most effective political machinery that will act as a vote getter; and (4) to find out about the most effective media to do the campaign.

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.

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).

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