

The Indonesian Update

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



Main Report:

The Urgency of Resurrecting The State Policy

Economics

Talking about Debts ■

Law

The Integration of PDP Bill into the ITE Law Revision Draft ■

Assessing the KPK Leadership's Ethical Violations ■

Politics

A Look at the Polemics over the Three-Term Presidential Office ■

Social

Monitoring the Development of Child-Friendly Districts/Cities ■

The Pros and Cons of Face-to-Face Learning ■

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FOREWORD

The September 2021 edition of the Indonesian Update features a main report on the plan of the People’s Consultative Assembly (MPR) to revive the state policy, which is now known as the Principles of State Policy (PPHN). This would certainly be a setback, as in the past, Indonesia had implemented a future development pattern through the GBHN established by the MPR. Also, historically, the GBHN could be used as an excuse to impeach the President. In this way, there would be a high chance that history would repeat itself through the impeachment of the President.

In the economic field, the Indonesian Update discusses the budget deficit and the resulting swelling government debts. In this case, the stimulus that has been given and the payments of debts, as well as the additional burden for taxpayers are some of the consequences that must be borne. Countries must also be ready to patch up their spending budgets.

In the field of law, the Indonesian Update raises the issue of the Personal Data Protection Bill (PDP), which should be able to provide protection to the public’s personal data, and should not turn it into a means of imprisonment due to the multi-interpretations of articles in the ITE Law. Next, we discuss the ethical violation sanctions against the leadership of the Corruption Eradication Commission (KPK).

In the political field, the Indonesian Update discusses the discourse of changing the presidential term into three terms, even though Article 7 of the 1945 Constitution (UUD 1945) states that the President and Vice President can only serve a maximum of two terms. This has certainly been a hot public discussion.

In the social sector, the Indonesian Update addresses the fulfillment of children’s rights. One of the ways to do this is by creating a child-friendly environment. Next, we discuss the government’s decision to conduct Face-to-face Learning (PTM) during the pandemic, which has sparked various pros and cons in the community.

The monthly publication of the Indonesian Update with actual themes is expected to help policy makers in government and business institutions – as well as academics, think tanks, and elements of civil society, both at home

and abroad, to obtain actual information and contextual analysis of economic conditions, political, social, and legal issues in Indonesia, as well as an understanding of public policy in Indonesia.

Happy Reading.

The Urgency of Resurrecting The State Policy

The Speaker of the People's Consultative Assembly of the Republic of Indonesia (MPR RI), Bambang Soesatyo, has openly expressed his desire to revive the State Policy, which is now known as the Principles of State Policy (PPHN). Bambang Soesatyo has stated this in the MPR's annual session on August 16, 2021. According to Bambang Soesatyo, there is a need for limited amendments to the 1945 Constitution (UUD 1945), in particular the addition to the MPR's authority to stipulate PPHN (cnnindonesia.com, 23/08/2021).

Political parties in the House of Representatives of the Republic of Indonesia (DPR RI) have also highlighted the discourse of reviving the State Policy; for example, Partai Demokrasi Indonesia Perjuangan (PDIP), through its Faction Chair, Ahmad Basarah, has stated that the PDIP only would like to make a limited amendment to the 1945 Constitution; namely, to change the MPR's authority to determine the PPHN. The Gerindra Party, through Ahmad Muzani, has also agreed to revive the State's Direction. According to him, PPHN is a way for sustainable development from one government to another. In addition, Partai Persatuan Pembangunan (PPP) has also paved the way for the amendments to the 1945 Constitution. However, Arsul Sani who is Deputy Speaker of the MPR said that it was necessary to widen every process (Medcom.id, 28/08/2021).

In contrast to the attitude of the two parties that have approved the amendment to the 1945 Constitution, several political parties have actually rejected the discourse; for example, the Nasdem party, through its Faction Secretary Syarief Alkadrie, said that the PPHN should only be included in the law so that there is no need to amend the 1945 Constitution. The Democrat Party has also expressed the same attitude and statement through Deputy Speaker of the MPR Syarief Hassan. In addition, the Chair of the Partai Amanat Nasional (PAN), Saleh Partaonan Daulay, has asked

that the discourse on amendments to the 1945 Constitution should be postponed (Medcom.id, 28/08/2021)

There are also political parties that are still hesitant to act, such as the Golkar Party, which through its faction leader, Idris Leana, has stated that the Golkar Party was very careful in addressing the issue of amendments to the 1945 Constitution. Golkar views that this issue is very sensitive and can be infiltrated by the interests of certain groups. PKB also has the same view; namely it has not yet determined its position regarding the amendments to the 1945 Constitution (Medcom.id, 28/08/2021).

The prudence of political parties in acting is considered reasonable. Because, if you take a wrong step, it will certainly have a fatal impact, considering that political parties are currently starting to heat up their political engine ahead of the 2024 election. Moreover, amendments to the 1945 Constitution are often associated with the discourse of the three-period presidential term. For this reason, it is important to re-examine the urgency of making amendments to the 1945 Constitution as an effort to revive the State's Direction.

From GBHN to RPJPN

Before having the term PPHN, Indonesia was more familiar with the term GBHN. Historically, although Article 3 of the 1945 Constitution (before the amendment) explained the existence of the GBHN prepared by the MPR, in reality until 1960 the GBHN document had never been made because the MPR had not yet been formed. It was only in 1960 that the GBHN document was first stipulated by President Soekarno through Presidential Regulation Number 1/1960 concerning the Outlines of the State Policy. This Presidential Regulation was then strengthened again through MPRS Decree No. I/MPRS/1960 dated November 19, 1960 concerning "Political Manifesto of the Republic of Indonesia as Outlines of State Policy" (Subkhan, 2014).

During the fall of the old order led by President Soekarno, Indonesia was in a period of crisis. President Soeharto, assisted by a group of economists, began to formulate various strategic development plans to restore economic conditions. President Soeharto then issued Cabinet Presidium Instruction No. 15/EK/IN/1967, which assigned Bappenas to develop an economic recovery plan. The National Planning Agency (Bappenas) then produced a document called the Five-Year Development Plan I (Repelita I), for the period 1969 to 1973. The Repelita era had lasted until the VI Repelita, which ended in 1998. The planning process in the era of The Repelita was always

based on the GBHN produced by the MPR, which convened every five years (Subkhan, 2014).

After the fall of the New Order, there was a vacuum in the implementations of development due to the political transition process in 1998-1999. In the GBHN set by the MPR in 1998, Indonesia should have entered *Repelita VII* that year. However, economic crisis experienced by Indonesia made the development plans that had been prepared since the early days of the New Order stalled. President Habibie, who ruled for a short time, focused more on economic recovery by implementing the economic reform policy package required by the IMF. The MPR RI results from the 1999 elections still produced the GBHN document, which was the final GBHN in Indonesian history through MPR Decree Number IV/MPR/1999 concerning the Guidelines for the Republic of Indonesia's Outline of State Policy 1999 – 2004 (Subkhan, 2014).

Finally, GBHN was abolished in accordance with the third amendment in 2001. Throughout its history, the 1945 Constitution has been amended four times from 1999 to 2002. The first amendment to the 1945 Constitution was carried out in the general assembly of the MPR 14-21 October 1999, changing 9 articles. The Second Amendment to the 1945 Constitution was carried out at the MPR Annual Session on August 7-18, 2000, covering five chapters and 25 articles. The third amendment to the 1945 Constitution was carried out in the Annual Session of the MPR 1-9 November 2001, including several articles and chapters concerning the Form and Sovereignty of the State, the Authority of the MPR, the Presidency, Impeachment, State Finances, Judicial Power, and others. Finally, the fourth Amendment to the 1945 Constitution was carried out at the MPR Annual Session August 1-11, 2002 completed the adjustments for previous changes including the deletion or addition of articles or chapters (tirto.id, 1/12/2020).

Theo L. Sambuaga from Golkar at the MPR session on 5 July 2001 expressed his views regarding the need to abolish the GBHN. According to him, if the President is directly elected by the people, the promises, programs, and commitments of the President will become the government's program. Thus, the MPR no longer needs to make and stipulate GBHN (Subkhan, 2014). The reason for abolishing the GBHN has a correlation with changes in the provisions of the presidential election. Previously, the President and Vice President were originally elected by the MPR, but they are now directly elected by the people.

After the GBHN was abolished, the document that replaced the GBHN was the 2005-2025 National Long-Term Development

Plan (RPJPN), which was stipulated by Law Number 17/2007. The purpose of this document was to provide a direction as well as a reference for all components of the nation (government, the society and the private sector) in realizing national goals and objectives in accordance with the mutually agreed vision, mission, and development direction so that all efforts made are synergistic, coordinating and complementary to one another. The RPJPN is then translated into the Medium Term Development Plan (RPJM) and an annual development plan called the Government Work Plan (RKP). This document is the basis for determining the State Revenue and Expenditure Budget (APBN) (Subkhan, 2014).

Now, the MPR RI is discussing the idea of reviving the State Direction, which is named PPHN. According to Bambang Soesatyo, the Speaker of the MPR RI, that the PPHN will be the ideological and constitutional umbrella for the development of the country. The PPHN will be the direction of development in the next 25 to 50 years, while the RPJPN and RPJMN will answer what the State must do to achieve the national development goals (MPR.go.id, 20/01/2021).

Regarding the issue of reviving the State Direction, Saiful Mujani Research and Consulting (SMRC) has conducted a survey conducted on May 21-21 2021. The survey results said that 80% of respondents considered that the Indonesian state was now moving in the right direction, while 13% rate moves in the wrong direction and the rest answer did no know (SMRC, 2021)

In addition, the SMRC survey also showed the fact that the majority of respondents; namely 74.7%, agreed with the opinion that *“the President works in accordance with his promises to the people during the presidential election campaign, and he must be responsible for the people because the President is elected by the people. In the past, the President’s work was in line with the Outlines of State Policy (GBHN) set by the People’s Consultative Assembly (MPR), and therefore the president must be responsible to the MPR”* as many as 18.4% of respondents (SMRC, 2021).

From the two points of the SMRC survey results, it can be said that the majority of the public currently believes that it is not necessary to revive the State Direction. This is because the public considers that the country’s development is on the right track, and the public agrees more if the President works in accordance with his promises during the campaign period than the president who worked in accordance with the GBHN.

Confirming the New Capital

Currently, the assumption why it is necessary to revive the State Direction is due to the absence of clear guidelines in terms of development. However, this does not seem right. In the RPJPN, as in the GBHN, the directions and stages of development to be achieved in the long term or the next 20 years are explained, which are then detailed in the RPJMN for five years and the RKP for a period of one year. Each stage in the five years has its strategic objectives. From this it can be said that reviving the state's direction still needs to be studied more deeply. Because, if the argument is the sustainability of development, then it is irrelevant considering that Indonesia has a RPJPN.

However, the implementations of the RPJPN are not as effective as the implementations of the GBHN. This is due to changes in the political system in Indonesia, which is increasingly democratic and decentralized. Regional heads (Governors, Regents and Mayors) are currently directly elected by the people, and they have their own authority in managing their regions. In this management, it is often not in line with the central government. In addition, the central government also does not have strong control over local governments to carry out their policies. Even Local government policies often clash with central government policies (Subkhan, 2014).

According to the author, the urgency of reviving the State Direction is more inclined towards ensuring that the next government continues the process of moving the new capital city. Without the PPHN, there is no guarantee that the next government will continue the new capital city project. If this is not continued, the project will stall and be very detrimental.

The real problem is if the president does not follow the direction of the state. If the president is elected by the MPR, if the president does not implement the GBHN, then the president can be overthrown by the MPR. Meanwhile, currently, there are no clear rules if the president does not follow the direction of the State. The MPR does not have the legal power to take action against the president who is now directly elected by the people.

The Arguments of Rejection Regarding Reviving the State's Policy

Quoting from the Center for the Study of Indonesian Law and Policy (PSHK), there were at least five arguments against reviving the

state's direction through the amendments to the 1945 Constitution. First, damaging the presidential system in Indonesia. This relates to the authority of the MPR if the president does not carry out the State Direction (PSHK, 2019).

The second is against the flows of history. Indonesia has implemented a futures development pattern through the GBHN established by the MPR. Historically, the GBHN can be used as an excuse to impeach the President. That way, there is a high chance that history will repeat itself through the impeachment of the President. Under the GBHN model, the President is only positioned as the executor of tasks so that the essence of the President as the holder of development direction and command is lost (PSHK, 2019).

The third is the worsening performance of the Parliament. The amendments to the 1945 Constitution became the only effort to regenerate the State Direction. Amending the 1945 Constitution is a complex agenda that requires long and solid time. Thus, this will take up a lot of time for MPR members, which consist of a combination of members of the DPR and DPD for the 2019-2024 period. In fact, the role and existence of the DPR is needed to carry out its various functions; namely, legislation, supervision, and budgeting. The occupied working time has the potential to worsen the performance of the DPR, especially in the legislative function (PSHK, 2019).

The fourth is the effort against the commitment to the direction of development. Since the GBHN is no longer enforced, development planning in Indonesia is based on the RPJPN. The RPJPN is then supported by a series of RPJMN Plans. If the political elites are serious about improving the direction of national development, then there is no need to take the path of constitutional amendment by regenerating the State Direction. It is enough to seriously follow the process of preparing the RPJMN. Another effort that can be made to maximize the available energy and time is to evaluate the current RPJPN, and use the results of the evaluation to prepare the next stage of the RPJPN (PSHK, 2019).

The fifth is the principle of public participation in the government. The dynamics of regenerating the State Direction through the amendments to the 1945 Constitution, which are currently happening at the elite level and are not rooted in the needs of the community (PSHK, 2019).

The Importance of Creating a Clear Legal Framework and Rules

If indeed the State Direction is still revived, then there are several things that need to be done. First, it is important to reassess the impact of reviving the country's direction. This is considering that actually Indonesia already has a RPJPN. In addition, the data from SMRC also show that the majority of respondents said that Indonesia was on the right path and agreed that the President worked according to his promises during the campaign period compared to the president working according to the GBHN.

Second, it is important to create an effective legal framework. If you see that one of the problems of development in Indonesia is the discontinuity between the center and the regions, it is necessary to create a legal framework that synergizes the direction of the state with development in the regions.

Third, it is also important to make clear rules if the president does not follow the direction of the state. Because, during the new order, the MPR still had legal power over the President because the system used was semi-parliamentary. Meanwhile, the system used today is presidential. That way, the only way for the State Direction to be effective is to restore a system like the New Order.

Fourth, it is important for every candidate in the upcoming 2024 presidential election to make development issues a campaign issue, including the issue of the new capital city. That way, voters can determine which presidential candidates are pro and committed to continuing the construction of the new capital and which presidential candidates are against the construction of the new capital.

The problem is what if the president does not follow the direction of the state. For that, it is necessary to make clear rules regarding this matter.

- Ahmad Hidayah -

Talking about Debts

During the Coronavirus Disease 2019 (COVID-19) pandemic, many governments in various countries are being faced with a double burden of completing efforts to improve health conditions and to restore economic conditions. The topic of health is still revolving around the handling of the pandemic and the distribution of vaccines. Meanwhile, from an economic perspective, there is one topic of discussion that has never been discussed thoroughly; namely, the budget deficit and the concomitant swelling government debts. This paper will focus more on economic problems; especially, those are being experienced by the Indonesian government in relation to debts.

We need to understand that economic contraction due to the pandemic has resulted in a decrease in tax revenue by 16.88 per cent. Meanwhile, at the same time, the government's role through spending must be enlarged to prevent the economy from getting worse. As a result, the debt option is unavoidable to finance state spending. According to the records of the Ministry of Finance/Kemenkeu (2021), the position of government debts as of July 2021 was already at a level of IDR 6,570.17 trillion, with a ratio of government debt to Gross Domestic Product (GDP) of 40.51 per cent (Our Budget, 2021). In principle, this ratio can still be tolerated because it is still under the provisions of Law (UU) No. 17/2003 concerning State Finances, which regulates the nominal limit of total Government debts in one period, which cannot exceed 60 percent of GDP.

However, the Government must remain careful in managing its debts; especially, during a pandemic, which makes Indonesia's GDP growth can decline at any time. If GDP is smaller, then as a result, the debt-to-GDP ratio will jump sharply. In addition, the real consequence that must be faced is that the burden of paying debt interests will be very clearly felt for the next 10 years (Kuncoro, 2021). In addition, the International Monetary Fund/IMF (2021) has also noted that in the worst-case scenario, when the Rupiah exchange

rate against the US Dollar will decline, and the interest rates will rise, the debt-to-GDP ratio will rise to 48.4 percent.

The Consequences of Fiscal Expansion and the Swelling of Debts

I agree with the Kaleckian Model that the policy of expanding state spending can indeed stimulate the economy. However, there is also a price to bear. As stated by Basri (2021), the stimulus can be likened to Padang rice during the day that can fill a hungry stomach but will have bad implications if consumed continuously. Likewise, the expansion of state spending during a decline in state revenues can lead to a budget deficit, which must be patched up with debts.

In the final cycle, politically, debts will create the risks tied by their debtor countries. For example, Pakistan, by far the highest-risk country, is currently projecting an additional \$62 billion in debts, of which debts from China are reported to be 80 per cent of that amount. In addition, the large BRI projects and the relatively high interest rates imposed by China have also added to the risks of Pakistan's debt difficulties. Furthermore, one of Asia's poorest countries, Tajikistan, has been rated by the IMF and World Bank as being at "high risk" of debt distress. Even so, the country plans to increase its foreign debts to finance infrastructure investment in the electricity and transportation sectors. Debts from China, which is Tajikistan's largest single creditor, account for nearly 80 per cent of Tajikistan's total increase in foreign debts over the period 2007-2016 (IMF and World Bank, 2020).

For poor or developing countries, the current debt position has increased sharply, especially to deal with COVID-19. To deal with the problem of swelling debts, countries that are members of the G-20 offer substantial financial support by deferring debt payments. However, most of the new loan financing (albeit on concessional terms) will be added to the economic balance sheets of these developing countries in the medium term. Not only that, keep in mind that in the context of the COVID-19 pandemic, the debt relief package offered is a postponement, not a write-off. This means that the debt payments will continue, and the interest calculation will also continue to increase over time.

Therefore, many countries are predicted to face an economic crisis due to COVID-19, even with larger debts and deeper financial pressures. This will raise concerns about the ability of these countries to

properly repay external debts. Then, the risks of state default may not occur this year or the next 2-3 years, but it is likely to occur in the medium and long terms.

So, in the final round, countries are also required to look for income to pay off the debt burden. One of the shortcuts taken inevitably is to increase tax revenue. In Indonesia, the signal for an increase in taxes has already begun; for example, when the Minister of Finance has recently decided to re-discuss the imposition of excise on sugary drinks. In addition, there is also a proposal for excise on plastic bags that has been approved by the House of Representatives (DPR). Recently, the government has also rolled out regulations regarding Value Income Tax (PPN) and Income Tax (PPH) related to the sale of credit, starter packs, and electricity tokens.

Basri et al. (2019) shows the sensitivity of taxable income (PKP) to changes in Indonesia's taxable income (ETI) of 0.59. This means that there is indeed room for the government to increase tax revenues through increasing tax rates. However, this will have an impact on the additional burden for taxpayers. Still in the same study, every rupiah increase in tax revenue will cause an additional burden for taxpayers of 0.51 rupiah. This is the price that must be paid by the people after enjoying the stimulus provided by the government. The configuration of the things above seems to agree with the classic economic adage said by Adam Smith "there's no free lunch". This means that the stimulus, which is likened to a lunch, will have the consequences of the soaring debts that must be paid immediately. Either through tax increases or other debt repayments, countries will patch up their spending budgets.

Recommendations

In the context of Indonesia, there are several recommendations that can be made, including:

1. The Ministry of Finance needs to evaluate debt policies; for example the extent to which debts has been used for handling COVID-19 so far. The Ministry of Finance must prioritize expenditure items that are able to boost the economy quickly and sustainably.
2. Instead of choosing the option of increasing tax revenue, the Ministry of Finance in the medium term must continue to carry out tax administration reform policies; for example, by moving corporate tax services from the regular tax office to the Madya Tax Office (KPP Madya). With the existence of a larger num-

ber of staff in KPP Madya, the treatment of business entities will become more uniform. The tax burden is not only borne by several large companies, which have been focused on by the Regular Tax Office.

3. The Coordinating Ministry for Economic Affairs and the Ministry of Finance needs to think about alternative financing other than through debt posts that have been carried out so far. There needs to be a process of mapping the potential of other sources to be used as a source of financing.

- M. Rifki Fadilah -

During this pandemic, one of the topics of conversations that have never been long discussed is the budget deficit and the swelling government debts. In this case, the stimulus that has been given and the payments of debts, as well as the additional burden for taxpayers are some of the consequences that must be borne. Countries must also be ready to patch up their spending budgets.

The Integration of PDP Bill into the ITE Law Revision Draft

To this day, the deliberations of the Draft Law on Personal Data Protection or PDP Bill (*Rancangan Undang-Undang tentang Perlindungan Data Pribadi / RUU PDP*) have not been completed. One of the factors that hamper the passage of one of these crucial laws was the difference in perceptions about the personal data protection authority (*Otoritas Perlindungan Data Pribadi / OPDP*). The debate between the House of Representatives (*Dewan Perwakilan Rakyat / DPR*) and the Government has made the deliberations of the PDP Bill more protracted, not finding a positive development.

Related to the establishment of OPDP, the government would like the authority to establish OPDP to lie with the Ministry of Communication and Information (*Kementerian Komunikasi dan Informatika / Kemenkominfo*) or lie with the President. Meanwhile, the DPR has requested that the institution be independent in order to be free from the interventions of state institutions and other branches of power (hukumonline.com, 2/7/2021). This debate over OPDP can actually be resolved easily when the government is willing to be objective in looking at personal data issues that have occurred before. The government has recently experienced two leaks of people's personal data. The first one was the leak of the customer data of BRI Life's, which is an insurance company from a subsidiary of one of the State-Owned Enterprises (SOEs) in July 2021 (tempo.co, 29/7/2021). The second was the data of 1.3 million users of the Electronic Health Alert Card (eHAC) application from the Ministry of Health (*Kementerian Kesehatan / Kemenkes*) was allegedly leaked. From the initial investigation, the Ministry of Health said that the alleged leak occurred on the old eHAC that had been disabled since July 2, 2021 (tempo.co, 08/31/2021). Looking at the two cases of personal data leakage, then the government should first fix the management and protection of personal data of people who are in their control, instead of arguing to force the establishment of OPDP under one of the government agencies.

The establishment of OPDP as an independent institution is a logical choice for now so that the independent OPDP can work without interference from other institutions. OPDP should be able to act objectively when investigating a case, such as a leak of personal data. Thus, the provisions of the personal data protection law must expressly and explicitly formulate that the authority is an independent state institution and free from the interventions and interests of individuals, businesses, and other state institutions.

In addition to the deliberations of OPDP between the DPR and the government, there are actually more important issues to be discussed by the legislators. Harmonizing the PDP Bill and Law Number 11/2008 on Information and Electronic Transactions (ITE Law) is one of the things to talk about. The legal substances between the two digital legal regulations must be harmonized so that these two legal products can complement each other and do not conflict with each other.

Aligning the PDP Bill and the ITE Act

As long as the PDP bill is still deadlocked in the deliberation process, the regulation of community data protection law will still be spread in several different laws. For example, Law Number 23/2006 on Population Administration and Law Number 14/2008 on Public Information Disclosure provide protection of personal data in general. Meanwhile, the protection of data in an electronic form is regulated in the ITE Law. Similarities between these legal products are the lack of special arrangements on the protection of personal data, including the mechanisms of collection, control, and application and the sanctions when there is a violation of personal data.

In particular, the protection of public data in electronic form is regulated in Article 26 Paragraph (1) of the ITE Law, which explains that “the use of any information through electronic media concerning a person’s personal data must be done with the consent of the person concerned.”. Furthermore, when there is a violation, a lawsuit can be filed for losses incurred under this law. The ITE Act provides a civil lawsuit dispute resolution mechanism with the option of going through arbitration or other alternative dispute resolution agencies.

The mechanism provided by the ITE Act is not sufficient to provide complete protection of people’s personal data in the digital space. One of them is the lack of arrangements about the path that can be taken by the community when there is a violation of his personal data, because the only path that can be taken is within the civil

scope. Meanwhile, the institution or legal entity that stores the data that eventually suffers a leak does not get any sanctions.

The issue has been tried to be resolved by the PDP Bill which provides the threat of administrative sanctions when problems related to personal data occur, including in the event of a leak. The form of administrative sanctions contained in the PDP Bill in the form of written warnings; temporary termination of personal data processing activities; deletion or destruction of personal data; indemnity; and/or administrative fines. This means that the PDP Bill can provide a deterrent effect on perpetrators, both individuals and legal entities, and not just compensations in the context of civil justice.

It should be remembered that the draft law *a quo* not only provides protection for personal data in electronic systems, but also non-electronic data. However, because there are still arrangements related to personal data contained in the ITE Law, then this will be able to be an entrance in seeking revisions to the problems contained in the *a quo* law.

The harmonization of the PDP Bill and the revision of the ITE Law is an absolute thing to do. There are several contents that will overlap when the PDP Bill is passed without being accompanied by revisions to the ITE Law, as described in the previous section. The arrangements related to the protection of personal data in the digital space have been regulated in the ITE Act, although not comprehensive. This can cause confusion, such as threats and mechanisms for sanctions enforcement. Therefore, there are three things that must be done by the DPR together with the government as the law makers.

First, the revisions to the ITE Law are needed to maximize the function of the PDP Bill, which will become a special law related to the protection of personal data in electronic form. The ITE Act must be returned to its original purpose; namely, protection against electronic transactions. Through the integration step, not all problems in the digital space use the ITE Law as the only legal basis.

Second, the provisions related to the protection of personal data in the digital space are sufficiently regulated in the PDP Law when it is later passed; that is, the provisions on personal data in Article 26 of the ITE Law can be abolished. In addition to not providing clear arrangements and protection, Article *a quo* also has the potential to

cause confusion with the protection of electronic personal data so far contained in the PDP Bill. Integration can work well when the PDP Bill is accompanied by the revisions to the ITE Law.

Third, discussing the PDP Bill and revisions to the ITE Law within the framework of law changes through omnibus legislative techniques combined with the codification system can be used as an alternative option. The discussion of legislation in digital clumps can be used as a medium to remove and prevent the emergence of multi-interpretation articles in the ITE Law and pdp bill. This is to break the chain of imprisonment that has been one of the main problems in the ITE Law.

- Hemi Lavour Febrinandez -

The PDP Bill should be able to provide protection for the people's personal data, rather than acting as a means of imprisonment as occurs due to multi-interpretative articles in the ITE Law. The harmonization of all legal regulations in the digital clump becomes important to prevent ambiguity in interpreting and implementing them.

Assessing the KPK Leadership's Ethical Violations

The Supervisory Board of the Corruption Eradication Commission (*Dewan Pengawas Komisi Pemberantasan Korupsi / Dewas KPK*) ruled that KPK Deputy Chair Lili Pintauli Siregar was guilty in an ethics hearing in the case of the Mayor of Tanjungbalai. Dewas KPK issued a sanction to cut her basic salary by 40 percent for twelve months. As KPK head, Lili Pintauli has violated two things; namely, the abuse of influence for personal gain and dealing with someone who is being investigated by the KPK. Lili violated Article 4 Paragraph (2) Letters b and a of Supervisory Board Regulation Number 2/2020 concerning the Enforcement of the KPK Code of Ethics and Code of Conduct (kompas.com, 31/8/2021).

The article related to the code of conduct violated by Lili Patauli directly violates the value of integrity in the rules of the Supervisory Board *a quo*. In particular, the provisions prohibit any KPK official from having a direct or indirect relationship with a suspect, accused, convicted, or any party who is involved in a corruption handled by the KPK, except in the course of the implementations of duties and with the knowledge of the leaders or direct superiors. Then, there is also a prohibition to abuse the position and / or authority including abusing influence, both in the performance of duties and in personal interests.

The arrangements related to the code of ethics for every KPK person, be it the employees or the leadership, have become important to be implemented and enforced. This is necessary because anti-corruption agencies that work to eradicate corruption must be filled by people with integrity who are able to put aside personal interests in an effort to combat corruption. It is alarming when even the KPK leadership lacks the integrity of the institution.

The violations of the code of ethics committed by the KPK leadership for the period 2019-2023 have not occurred for the first time. In 2020, KPK Chair Firli Bahuri had violated the code of ethics in

relation to the luxury lifestyle. It was known that Firli Bahuri had used a helikopter owned by a private company on a private trip from Palembang to Baturaja. Dewas KPK assessed that Firli Bahuri was found to have violated the provisions of Article 4 Paragraph (1) Letter n and Article 8 Paragraph (1) Letter f of KPK Supervisory Board Regulation Number 2/2020 concerning the Enforcement of the KPK Code of Ethics and Code of Conduct. On the verdict, Firli Bahuri was lightly sanctioned in the form of a written reprimand II by Dewas KPK (kompas.com, 09/24/2021).

The ethical violations committed by Firli Bahuri and Lili Patauli have made the two KPK leaders no longer meet the requirements contained in Law Number 19/2019 concerning the Commission on the Eradication of Corruption (KPK Law). Article 29 of the law *a quo* states that in order to be appointed as Kpk leadership, someone must be capable, honest, has high moral integrity, has a good reputation, and has never committed despicable acts. Then, the KPK leadership can be dismissed if he or she commits a despicable act, as affirmed by Article 32 Paragraph (1) of the KPK Law.

The ethical violations by the two KPK leaders are actions that do not reflect integrity. These can even be categorized as corrupt acts. The action carried out by Lili Patauli to discuss the case with the Mayor of Tanjungbalai, M Syahrial was a corrupt act. In the developments, KPK named M Syahrial as a suspect in a corruption crime related to the transactions of jobs in Tanjung Balai City in 2019 (mediaindonesia.com, 08/27/2021).

The actions committed by the two KPK leaders are no longer considered as ordinary ethical violations but can be categorized as despicable acts that can be punished with the heaviest punishment; namely, dismissal sanctions. KPK, as an institution tasked with combating corruption, must set an example related to integrity and irreproachable personality to other state institutions. However, the two ethical violations undermined the KPK's institutional affairs in public.

The integrity of the KPK

The KPK leadership for the period 2019-2023 is indeed full of controversy, even since the beginning of its election. There are several issues that were revealed and discussed during the fit and proper test by the House of Representatives (*Dewan Perwakilan Rakyat / DPR*), such as alleged conflicts of interest committed by Firli Ba-

huri, while serving as Deputy Of KPK Enforcement in 2018, as he met with Tuanku Guru Bajang while serving as Governor of West Nusa Tenggara. At that time, the KPK was investigating the divestment case of PT Newmont Nusa Tenggara allegedly involving the governor (tirto.id, 09/13/2019). Another problem is the amount of Lili's treasure was highlighted because it amounted to Rp70 billion. Butz Lili said that the amount that had been written was wrong. It had been clarified to the KPK that the actual amount was Rp781 million (detik.com, 09/16/2019).

From the beginning, the KPK leadership had accumulated problems, which finally piled up during their time in the anti-corruption agency. The ethical violations committed by the KPK Leadership are completely insanctionable. As a pilot institution in the management of clean and integrity institutions, the KPK has failed in fulfilling the task. Supposedly, Dewas KPK is able to be a force used to maintain the anti-corruption agency.

As mandated by Article 37B Paragraph (1) of the KPK Law, Dewas KPK must conduct supervision on the implementation of duties and authorities and must enforce rules related to the code of ethics within the institution. Dewas KPK's verdicts on two ethical violations committed by the KPK Leadership seemed to protect and justify wrong deeds. In fact, the two leaders of ethical violators no longer meet the requirements contained in Article 29 of the KPK Law, because they do not have integrity and have committed despicable acts. On that basis, dismissal sanctions can be imposed.

The increasingly eroded KPK institution has become a danger sign for efforts to combat corruption in Indonesia. Therefore, there are two recommendations that can be done to restore the KPK as one of the main forces to cleanse Indonesia from corruption. *First*, the review of two ethical violations committed by the leadership by Dewas KPK. This is needed to save the KPK in public. When the integrity of the KPK is further eroded by the bad attitude of its leadership, then the ideal of Indonesia that is free from corruption will only end up being just a jargon.

Second, Dewas KPK can make changes to the regulation of ethical violation sanctions contained in Article 10 of KPK Supervisory Board Regulation Number 2/2020 concerning the Enforcement of the KPK Code of Ethics and Code of Conduct. Actually, salary cut sanctions are not needed if the Dewas KPK has proved that the

KPK leadership has committed severe ethical violations. These severe ethical violations should be sanctioned with a resignation submitted to the President to consider a dishonorable discharge.

- **Hemi Lavour Febrinandez** -

Creating a clean Indonesia from corruption will only end up being a jargon if it is not accompanied by honesty, integrity, and unblemished personality of KPK leaders as the face of the anti-corruption agency.

A Look at the Polemics over the Three-Term Presidential Office

The discourse of changing the presidential term into three terms has surfaced recently. The discourse was again voiced by a community called 2024 Jokowi-Prabowo (Jok-Pro) that would like to see President Joko Widodo (Jokowi) and Defense Minister Prabowo Subianto partner in the 2024 Presidential Election.

Article 7 of the 1945 Constitution (UUD 1945) actually states that the President and Vice President can only serve a maximum of two terms. This has certainly been a hot public discussion, especially amongst stakeholders such as political parties and civil society groups. This paper shall try to review the polemics over the views of these political actors circulating in the mass media for the past four months.

The Reasons for the Discourse of Three Periods

The 2024 Jok-Pro Community, which was initiated by Indo Barometer Executive Director Muhammad Qodari, has stated that most people would like Jokowi to run again in the 2024 Presidential Election (Pilpres), pairing with Prabowo. Qodari has claimed that this is based on the results of a number of surveys, which state that the public agrees with the promotion of the Jokowi and Prabowo pairing in the 2024 presidential election. One of the surveys that Qodari refers to is the results of the Saiful Munjani Research and Consulting (SMRC) survey, which show that 40 percent of the respondents agree with his proposal; that is, the Jokowi-Prabowo pair in the 2024 presidential election. Meanwhile, the previous survey was the Parameter survey, which showed that 27 percent of respondents agreed with the plan (bisnis.com, 27/6/2021).

Qodari also revealed several reasons behind the support for the Jokowi-Prabowo pair in the 2024 Presidential Election. According to him, the strongest reason is to reduce political tensions in the country, which have been heating up since the 2014 Presidential Election. (bisnis.com, 27/6/2021).

The Public Perception of the Three-Period Discourse

The heated discussion on the three-period presidential term has attracted public attention. However, according to a number of public perception survey results, most of the people refuse to extend the term of office of the President. The following are a number of survey results that confirm the rejection of the discourse. First, the results of the SMRC survey, stated that as many as 74 percent of respondents agreed that the presidential term of office was fixed for two terms. Meanwhile, 13 percent of the respondents stated that it must be changed (kompas.com, 22/6/2021).

Furthermore, the results of a survey by the Fixpoll agency found that the majority of Indonesians rejected the extension of the presidential term in terms of the number of terms of office and the duration per term of office. The results of the Fixpoll survey stated that 57.5 percent of the public did not agree if the presidential term was changed to more than two terms. However, there were 11.4 percent agreed. Meanwhile, 12.6 answered that they did not know (republika.co.id, 23/8/2021).

Then, the results of the Center for Indonesia Strategic Actions (CISA) survey showed that the majority of respondents also rejected the addition of the president's term of office and tenure. According to the results of the CISA survey, 58.25 percent of respondents said that they did not agree if the president's term of office became three terms. A total of 28.83 percent of respondents agreed with the three-term presidential discourse. Furthermore, 8.25 percent strongly disagreed, 2.58 percent did not know/No Answer, and 2.09 percent strongly disagreed (republika.co.id, 23/8/2021). According to the survey results, it could be said that the public refused to extend the term of office of the president to three terms. Then, what about the views of political parties? The following section reviews their views.

Political Party Responses

Political parties are the main actors in the contemporary political system. Various public positions, including the President and Vice President, are filled by people who come from or whom are recommended by a political party. Therefore, in the polemics over the presidential term of office, the views of political parties are important to be listened to.

The first view came from the parties in the governing coalition. The Indonesian Democratic Party of Struggle (PDIP), through Ahmad Basarah as the Chair of the PDIP Central Leadership Council (DPP), revealed that his party rejected the idea of a three-term presidential term. In fact, Basarah said, President Jokowi as a PDIP cadre never thought he could become president for three terms. Jokowi considers that the people who came up with the three-term idea are not sincere in their intention (tempo.co, 20/6/2021).

Furthermore, from the Golkar Party, according to the Deputy Chair of the Golkar Party, Ahmad Doli Kurnia Tanjung, the public does not want to go back to the era when the presidential term could be more than two terms (kompas.com, 21/6/2021).

In addition, not much different from PDIP and Golkar, the Gerindra Party, through Sufmi Dasco Ahmad as the Daily Chair, has stated that the discourse of a three-term presidential term is not an urgent matter to be discussed. According to Dasco, this issue can actually create a commotion, while currently all parties should actually focus on suppressing the rate of transmission of Covid-19, which has soared in recent times (kompas.com, 21/6/2021).

Meanwhile, parties outside the governing coalition, such as the Prosperous Justice Party (PKS), through Mardani Ali Sera as the Chair of the DPP, has argued that the extension to the third presidential term is a dangerous idea and is needed to be rejected. Mardani has considered that being in power for too long could open up potential deviations and could close the door for a change of power (tempo.co, 19/6/2021).

Meanwhile, the Head of the Strategic Communications Agency for the Democratic Party, Herzaky Mahendra Putra, has assessed that Indonesia has many figures who have the potential to become leaders in the future. The Democratic Party has also rejected the idea of pairing Jokowi and Prabowo Subianto as a pair of presidential and vice presidential candidates in the upcoming 2024 Presidential Election (kompas.com, 22/6/2021).

Interests Towards the 2024 Election

The polemics over the discussion of the three-term presidential term is due to the different interests of the actors described in the previous review.

This difference is of course crucial to be seen in the debate between actors who state whether or not the policy is necessary to change the presidential term of office to three terms. William Dunn (1988) explains that policy-making involves the interrelation of three elements; namely, public policy; actors or stakeholders, and the policy environment. These three things influence each other.

If the 'political resultant' of these actors is to accommodate a three-term term of office, then it can no longer be said to be a discourse.

According to Dunn's opinion above, the influential actors in this debate are political parties that have representatives in the government and DPR and of course the 2024 Jok-Pro community as part of community groups. Of course, these actors have various interests related to the three-term presidential term.

On the other hand, these stakeholders cannot immediately rule out environmental factors in the policy-making process. The reasons echoed by the 2024 Jok-Pro community; for example, with the sharp polarization in the society due to political competition in the 2014 and 2019 elections, are part of a reflection of the dynamics of the policy environment that is currently developing in Indonesia.

According to the opinions of political parties, both coalition and non-coalition parties reject the discourse of a three-term presidential term. This is also in line with public perception regarding this matter. However, looking at the discourse on the three-term presidential office over the past four months, it seems that these actors will try to continue to influence each other.

The attraction of the interests of the actors will certainly encourage a middle way to compromise and accommodate various interests until the 2024 election approaches. One of the issues that become a bargaining chip is the term of office of the President.

The current reasons of the actors for not extending the period may change if these actors find a middle ground that accommodates their interests. If the 'political resultant' of these actors is to accommodate a three-term presidential term, then it can no longer be said to be a discourse.

- **Arfianto Purbolaksono** -

Monitoring the Development of Child-Friendly Districts/Cities

The Indonesian government has ratified the Convention on the Rights of the Child (CRC) through Presidential Decree Number 36/1990. Therefore, the state is obliged to fulfill children's rights. One of the ways to do this is by creating a child-friendly environment. The government targets Indonesia to become a child-friendly country by 2030. This target is achieved by realizing child-friendly districts/cities. Therefore, this paper shall analyze how far the development of KLA in Indonesia is, as well as analyzing whether the districts/cities that have been included in the KLA category are suitable for child development.

KLA Progress and Its Indicators

A district/city can be referred to as KLA if all the sub-districts in it are child-friendly. Likewise, sub-districts and villages can be categorized as child-friendly if the smallest scope in them is also child-friendly. Thus, the family is the smallest sphere in society, which is the key to the realization of KLA.

KLA has been developed since 2006. In that year, KLA was piloted in five districts/cities and was increased to twenty districts/cities in 2010. In 2010, KLA also became one of the president's priority programs as stated in Presidential Instruction Number 1/2010, where the Ministry of Women's Empowerment and Child Protection (KPPPA) is the agency responsible for the implementations of KLA.

Now, there are 275 regencies/cities out of a total of 514 regencies/cities, which are classified as KLA (Kompas.com, 29/07/2021). In 2015, the number of KLAs in Indonesia was 264 districts/cities. The development of the number of KLAs from 2015 to 2021 is slow if compared to the development of previous years. In six years, the number of KLAs only increased by eleven to 11 districts/cities. Between 2012 and 2013, the number of KLAs increased to more than 100 districts/cities (KPPPA, 2015).

Of the 275 KLAs in 2021, four cities are included in the main category, 38 districts/cities are included in the *nindya* category; one hundred districts/cities are included in the *madya* category; and 133 districts are included in the *pratama* category. There are no districts/cities that are included in the highest KLA category; namely, the KLA category. The determination of the category is carried out through an assessment of the achievement of the KLA indicator in the district/city.

There are 25 indicators to determine whether a district/city can be categorized as KLA (Kemen PPPA, 2015). These indicators are then grouped into five child rights clusters, as shown in the table below.

Cluster	Indicator
Civil Rights and Liberties	1. Possession of a birth certificate
	2. Facilitate child-friendly information
	3. Children's groups/forums
	4. Capacity building for children's forums
Family Environment and Alternative Parenting	5. Decrease in age at first marriage
	6. Consultation institutions are available for parents/families regarding child care.
	7. Continuous parenting program
Basic Health and Welfare	8. Infant mortality rate
	9. The prevalence of malnutrition, undernutrition, stunting, overnutrition
	10. Exclusive breastfeeding

Cluster	Indicator
Basic Health and Welfare	11. Child-friendly services at the Puskesmas
	12. Complete basic immunization
	13. Youth Health Care Services, Drugs, HIV/AIDS, Health care, Disability
	14. Children from poor families who have access to improved welfare
	15. Households with access to clean water
	16. No smoking area
Education, Leisure and Cultural Activities	17. Integrative Holistic PAUD
	18. Compulsory Study 12 years
	19. Child-Friendly School
	20. Safe and secure route to/from school
	21. Facilities for child-friendly creative and recreational activities.
Special Protection	22. Children who need special protection receive services
	23. The Number of diversion processes for children in conflict with the law
	24. The existence of a disaster management mechanism by paying attention to children
	25. Withdrawal of child labor

From these indicators, we know that we still have a lot of homework to do; for example, the indicator of ownership of a birth certificate. In 2020, 11.89 percent of children did not have a birth certificate (BPS, 2021). Then on the indicator of the age of first marriage of children, in 2020 the number of child marriages would also increase. The National Commission On Violence Against Women's records (2021) show that the number of marriage dispensations in 2020 had tripled compared to the previous year. Likewise, other indicators also still needed to be improved.

Child-friendly Provinces

Of the 34 provinces in Indonesia, in 2021, only six provinces have been included in the child-friendly category (Kemen PPPA, 2021). The provinces include the Kepulauan Seribu Island, Banten, DKI Jakarta, DI Yogyakarta, Central Java, and East Java. All districts/cities in those provinces have been included in the KLA category. But, the categorization of KLA can be questioned and must continue to be monitored so that districts/cities in these provinces are truly suitable for children.

The data show that the majority of children in the Baduy Tribe in Banten do not yet have a birth certificate (01/07/2020). We know that a birth certificate is an indicator of KLA. Meanwhile, Banten is currently classified as a child-friendly province, even though there are still children who have not received civil rights (birth certificate) in the province.

Furthermore, in the provinces that are not yet classified as child-friendly, such as Papua and West Papua, there are no districts/cities there that have been classified as KLA. In the Provinces of East Nusa Tenggara (NTT), Central Sulawesi, and North Kalimantan, only one district/city in each province has been included in the KLA.

The Recommendations

KLA is a very important policy for a child-friendly development process. KLA is also one of the president's priority programs. Therefore, the KPPPA and all stakeholders related to KLA indicators must maximize the improvement of these policies. KPPPA must strengthen the synergy between various parties, such as the Ministry of Health, the Directorate General of Population and Civil Registration of the Ministry of Home Affairs, National Commission On Violence Against Women, the Ministry of Education, Culture, Research and Technology, and other parties related to KLA.

The KPPPA must provide special treatment for the acceleration of districts/cities in Papua and West Papua in achieving KLA. This special treatment is important considering that there are no districts/cities in these provinces that are included in the KLA category. KPPPA, Regional Governments in Papua and West Papua, as well as other stakeholders can work together to maximize the use of special autonomy funds owned by the province.

KPPPA must also be careful in determining whether a district/city can be categorized as KLA. Because the majority of children in the Baduy Tribe in Banten do not yet have a birth certificate, however, the province has been categorized as KLA. KPPPA and various interested parties must also continue to monitor and evaluate districts/cities, both those that have not yet been included in the KLA and those that have already been included in the KLA. This is important so that KLA is not just a title for a district/city, but the children in that district/city can get a proper environment for their development.

Finally, about the family as the smallest and closest scope of child development, the KPPPA, the Office of Women's Empowerment and Child Protection, and the Village Apparatus must work together to provide information dissemination about good parenting for parents, not only mothers but also fathers. This is important considering that the majority of parents in Indonesia do not yet know how to raise quality children. The KPPPA can also collaborate with influencers to campaign for good parenting practices through social media or mainstream media such as television and radio.

- Nisaaul Muthiah -

To realize a child-friendly Indonesia, the KPPPA and various stakeholders must strengthen synergies to improve KLA indicators. The KPPPA should also pay more attention to provinces that do not yet have a KLA.

The Pros and Cons of Face-to-Face Learning

In Instruction of the Minister of Home Affairs (*Inmendagri*) Number 34/2021 concerning the Implementations of Restrictions on Community Activities (PPKM) Level 4, Level 3, and Level 2 during the Corona Virus Disease 2019 (COVID-19) pandemic in the Java and Bali Regions, it is written that districts and cities in the Java and Bali regions with PPPKM Level 3 criteria can apply for the implementations of limited face-to-face learning (Pembelajaran Tatap Muka/PTM) or distance learning according to the arrangements in the Joint Decree of the Four Ministers (SKB) concerning the Guidelines for the Implementations of Learning in the Time of the COVID-19 Pandemic.

Following up on the *Inmendagri*, several provinces in the Java and Bali regions have decided to hold a limited PTM starting August 30, 2021. Among them are the Provinces of DKI Jakarta, Central Java, West Java, East Java, and Banten. Some regions outside Java and Bali have also done the same. In Papua; for example, the Acting Head of the Papua Province Education, Library and Archives Office, Protasius Loby, said that if districts/cities in the Papua Region had entered the green zone, schools could implement limited PTM. However, if the district/city is still in the red zone, learning is still carried out remotely (Pembelajaran Jaraj Jauh/PJJ).

The Government's decision to conduct PTM during the pandemic certainly has raised various pros and cons in the community. Therefore, this paper shall discuss further the pros and cons. This paper also shall offer further solutions to improve the quality of children's learning in the future.

The Pros and Cons

According to the Minister of Education, Culture, Research and

Technology (*Mendikbud-Ristek*), Nadiem Makarim in his interview with various media, limited PTM is currently important to minimize learning loss, mental health disorders, and the number of children dropping out of school, due to not being able to perform PJJ.

Gupta and Khairina (2020) found that there were difficulties experienced by parents in guiding their children when doing PJJ. One of the informants in the study, who are a farmer, admitted that she had difficulties in understanding the material her child was learning. In addition to the difficulties in understanding the material, the limited internet network is also an obstacle for PJJ. Currently, internet network limitations still occur in Java and outside Java.

Regarding children's mental health problems during PJJ, a survey conducted by the Ministry of Women's Empowerment and Child Protection (KPPPA) on more than 3,200 elementary to high school children in July 2020 showed that 13 percent of respondents experienced symptoms that lead to mild to severe depressive disorder during the new normal. The most common emotional symptoms felt by respondents were sadness and irritability.

The parent of a student in Masohi, Central Maluku, Desy Leka-hena (on [bbc.com](https://www.bbc.com), 18/02/2021), said that their children's emotions were unstable when doing PJJ. This is because of the pressure to learn and also the lack of socialization. The parents of students in East Jakarta, Ida Sulasti (in Narasi, 02/09/2021), also revealed that PJJ, which made children have to constantly stare at their smartphone screens, had a bad effect on their children's eye health.

The data from the Indonesian Child Protection Commission (KPAI, 2020) also noted an increase in complaints about problems in the education sector, which amounted to 1567 cases. Meanwhile, in 2019, the complaints about problems in the education sector only amounted to 321 cases. The situation of learning from home is one of the causes of the emergence of these problems.

On the other hand, some regret the government's decision to hold a limited PTM, because the number of children aged 12 to

17 years who have been vaccinated is still very minimal. In addition, there is no vaccine available for children under the age of 12. It is also feared that limited PTM will become a new cluster of COVID-19 transmissions.

Notes for the Learning Process

The application of limited PTM or PJJ cannot be generalized throughout Indonesia. In areas with low COVID-19 transmission rates and high vaccination rates, supporting limited PTM is the right thing to do.

Currently, all cities/regencies in DKI Jakarta have been included in the yellow zone, which means they have low risks of virus transmissions. The achievement of the first dose of vaccination in DKI Jakarta has also reached 115.97 percent, and the second dose has reached 68.87 percent (vaksin.kemkes.go.id, 31/8/2021). So, the limited PTM policy, which began to be implemented at the end of August 2021 in DKI Jakarta, was the right decision.

That action of course must be done with the consent of the parents and the children themselves. Parents and children are the actors of PJJ. They are the parties who know best about the obstacles and advantages experienced during PJJ.

Furthermore, in other provinces such as Central Java, which is also planning to conduct limited PTM, the vaccination process must be accelerated. Currently, the rate of the first dose of vaccination in Central Java is still at a level of 25.62 percent, and the second dose is still at a level of 14.81 percent. The province also still has several districts/cities that are still in the orange zone category (moderate risk of transmission) (covid19.go.id, 9/9/2021). The Education Office in the province should prioritize districts/cities that are included in the yellow zone to conduct limited PTM first.

For regions that have been included in the green zone, such as the Pegunungan Arfak Regency, it is better to start limited PTM in that region. However, the Health Office there also has to speed up the vaccination process, because the vaccination rate there is still low.

Furthermore, *Kemendikbud-Ristek*, Education Office, and teachers should encourage children who do not have the equipment and access to do PJJ. to do limited PTM. These children need to

receive special treatment so that they do not experience being left behind.

Kemendikbud-Ristek must also develop an integrated online learning system. This is important so that teachers and students in the future can be ready to do online learning. However, these learning methods will still be part of the learning process and should not be abandoned. Then, related to the internet network constraints experienced by teachers and children during PJJ, the Ministry of Communication and Information must immediately distribute the internet network.

Finally, whether it is in limited PTM, PJJ, or blended learning, the learning pedagogy in these processes must still be considered. Students should not only be consumers in the learning process. There must be an active dialogue between teachers and students during PTM, PJJ, and blended learning in the future. Thus, it is hoped that the quality of children's learning can increase.

- Nisaaul Muthiah -

Limited PTM is important to do, especially in districts/cities with low risks of COVID-19 transmissions and high vaccination rates, as well as for children who do not have the equipment and access to perform PJJ. In addition, during PTM, PJJ, or blended learning in the future, the applied learning pedagogy must prioritize an active dialogue between children and teachers.

**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

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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.

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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).

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