

The Indonesian Update

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



Main Report:

The Evaluation of the Performance of the DKI Jakarta Provincial Government
during the Leadership of Anies Baswedan

The Economics

Observing the Trend on the Ease of Doing Business in Indonesia ■

Indonesia's Inflation Due to Fuel Price Dynamics ■

Law

Ensuring that the PDP Law Works ■

The Problem of the Substitution of Judges of the Constitutional Court by the The House of Representatives ■

Politics

Observing the Use of Identity Politics in the 2024 Elections ■

Social

Domestic Violence and its Handling Efforts ■

Indonesian Teachers' Problems according to the SDGs Indicators ■

CONTENTS

| | |
|---|-----------|
| FOREWORD | 1 |
| MAIN REPORT | |
| The Evaluation of the Performance of the DKI Jakarta Provincial Government during the Leadership of Anies Baswedan | 3 |
| THE ECONOMICS | |
| Observing the Trend on the Ease of Doing Business in Indonesia | 9 |
| Indonesia's Inflation Due to Fuel Price Dynamics | 13 |
| LAW | |
| Ensuring that the PDP Law Works | 16 |
| The Problem of the Substitution of Judges of the Constitutional Court by the The House of Representatives | 20 |
| POLITICS | |
| Observing the Use of Identity Politics in the 2024 Elections..... | 24 |
| SOCIAL | |
| Domestic Violence and its Handling Efforts..... | 29 |
| Indonesian Teachers' Problems according to the SDGs Indicators | 33 |
| INSTITUTIONAL PROFILE | 37 |
| RESEARCH PROGRAMS, SURVEY AND EVALUATION | 39 |
| PUBLIC DISCUSSION | 43 |
| TRAINING & WORKING GROUP FACILITATION ... | 44 |

FOREWORD

The October 2022 edition of the Indonesian Update features a main report on the performance evaluation of the DKI Jakarta Provincial government during the leadership of Anies Baswedan. Looking at the four variables used to measure the performance of the DKI Jakarta Provincial government during the leadership of Anies Baswedan, it can be said that there are no significant changes. However, one thing that has become Anies Baswedan's success is realizing political promises to create new jobs, even during the COVID-19 pandemic.

In the economic field, the Indonesian Update addresses the ease of doing business in Indonesia. This is important because the ease of doing business needs to be considered in order to support economic freedom, strengthen resilience in times of crisis, and improve welfare in Indonesia. Next, we discuss inflation in Indonesia due to the increase in the price of fuel oil (BBM). Therefore, to anticipate the economic slowdown in November, it is necessary to strengthen the coordination between the Central Government, Regional Governments, and the community.

In the field of law, the Indonesian Update raises the issue of the ratification of the Bill on Protection of Personal Data into Law at a Plenary Session of the House of Representatives of the Republic of Indonesia (DPR RI) in the First Session of the 2022-2023 Session Year. Next, we discuss the polemics over the decision of the House of Representatives of the Republic of Indonesia (DPR RI), which did not to extend the tenure of Constitutional Justice Aswanto who is also the current Deputy Chair of the Constitutional Court (MK).

In the political field, the Indonesian Update raises the possibility of the use of identity politics in the implementations of the 2024 Simultaneous General Elections and Regional Head Elections. This is important to be anticipated as early as possible by the relevant parties so that it does not happen again like in the 2019 Elections.

In the social sector, the Indonesian Update discusses violence against women, including domestic violence (KDRT), which is still one of the serious gender inequality problems in Indonesia. In addition, we also discuss the efforts to increase the capacity of teachers in Indonesia. The government needs to provide an effective and inclusive forum for professional capacity development. The

budget for the education function at the central and regional levels needs to be increased to become one of the solutions to the stagnation in the salaries of PPKK teachers. In addition, it is also necessary to regulate the salary standards for honorary teachers so that they can work optimally.

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.

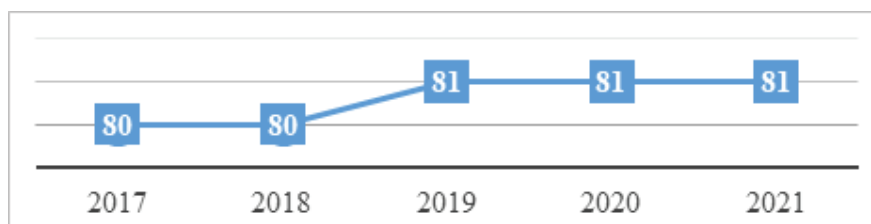
The Evaluation of the Performance of the DKI Jakarta Provincial Government during the Leadership of Anies Baswedan

On October 16, 2022, the Governor of DKI Jakarta, Anies Baswedan, had officially ended his term of office. This means that Anies Baswedan has served for five years as the Governor of DKI Jakarta. Therefore, this paper shall try to evaluate the performance of the DKI Jakarta Provincial government during the leadership of Anies Baswedan.

In evaluating the performance of the DKI Jakarta provincial government under the leadership of Anies Baswedan, this paper shall look at four indicators; namely, the Human Development Index (IPM), the Gender Development Index (IPG), the poverty rate and the open unemployment rate (TPT). In addition, this paper shall only use data until 2021, because the 2022 data is not yet available.

The first indicator to look at is HDI. This indicator is used to see the achievements of the development of the quality of human life. HDI is formed from the average achievement of three main dimensions of human development; namely, longevity and a healthy life, knowledge, and a decent standard of living. The dimensions of longevity and healthy life are measured by life expectancy at birth. The dimension of knowledge is measured by the average length of schooling for residents aged 25 years and over and the expected length of schooling for residents aged seven years. Meanwhile, the dimension of decent living standards is measured by the adjusted real per capita expenditure (BPS, 2020). The following is the HDI of DKI Jakarta province from 2017 to 2021:

Graph 1. HDI of DKI Jakarta Province from 2017 to 2021



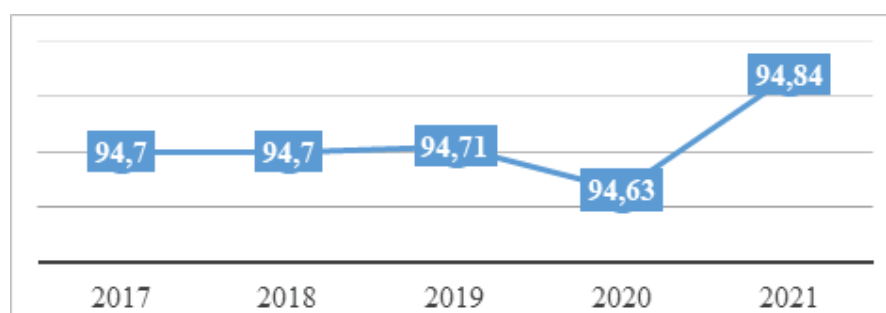
Source: Central Bureau of Statistics, 2022

Referring to Graph 1, the HDI of DKI Jakarta Province in 2017 was at a level of 80. In the first year of Anies Baswedan's administration, there was no increase in HDI, which remained at a level of 80. The HDI of DKI Jakarta Province only increased by one point in the second year of Anies Baswedan's administration in 2019 to a level of 81. Furthermore, the HDI of DKI Jakarta Province experienced stagnation until 2021.

The second indicator to look at is the GPI, which is an indicator that describes the ratio of achievements between the HDI for women and the HDI for men. The smaller the distance between the GPA and the value of 100, the more equal development is between women and men. However, the greater the distance between the GPA and the value of 100, the greater the difference in development achievement is between women and men. The number 100 is the standard for interpreting the GPA figure, because 100 represents the most perfect comparison ratio (BPS, 2022).

The GPA of DKI Jakarta Province when Anies Baswedan took office in 2017 was at a level of 94.7. This figure did not change in the first year of Anies Baswedan's reign, and only rose 0.01 to a level of 94.71 in the second year of Anies Baswedan's reign. In 2020, the GPI of DKI Jakarta Province experienced a drastic decline to a level of 94.63. However, the GPI of DKI Jakarta Province has increased significantly in 2021 to a level of 94.84. The following is the IPG of DKI Jakarta province from 2017 to 2021:

Graph 2. GPI of DKI Jakarta Province from 2017 to 2021

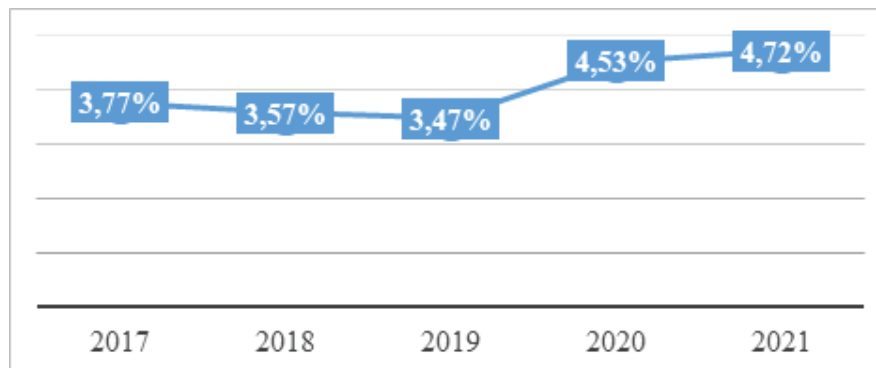


Source: Central Bureau of Statistics, 2022

The third indicator to look at is the poverty rate in DKI Jakarta. In 2017, 3.77 percent of the population of DKI Jakarta lived in poverty. After one year of Anies Baswedan's tenure, the poverty rate in DKI Jakarta decreased to 3.57 percent. This figure continued to decline

until 2019 to 3.47 percent. However, when the Coronavirus disease (COVID-19) pandemic occurred in 2020, the poverty rate in DKI Jakarta increased to 4.53 percent. The poverty rate will continue to increase until 2021 to 4.72 percent. The following graph describes the poverty rate in DKI Jakarta Province from 2017 to 2022:

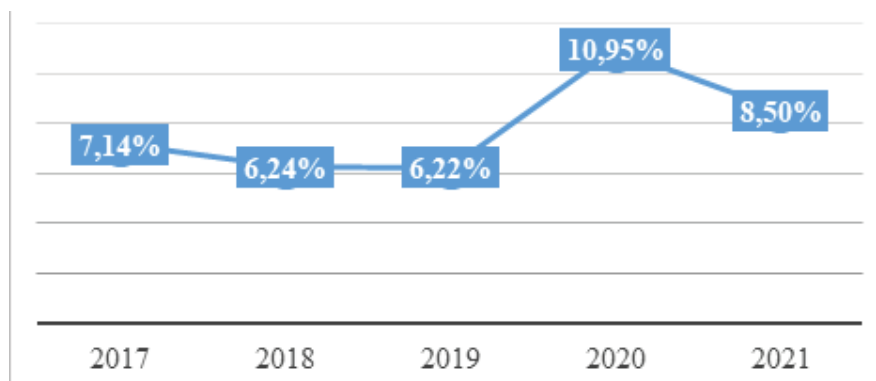
Graph 3. Poverty Rates in DKI Jakarta Province from 2017 to 2021



Source: Central Bureau of Statistics, 2022

The fourth indicator to look at is the Open Unemployment Rate (TPT), which is the percentage of the number of unemployed to the workforce. Similar to the poverty rate, at the beginning of his leadership, Anies Baswedan managed to reduce TPT from 7.14 percent in 2017 to 6.24 percent in 2018 and 6.22 percent in 2019. However, due to the COVID-19 pandemic, the number of unemployment in DKI Jakarta increased to 10.95 percent. However, the DKI Jakarta provincial government managed to reduce this figure in 2021 to 8.5 percent. The following is the description of TPT in DKI Jakarta Province from 2017 to 2022:

Graph 4. Open Unemployment Rate (TPT) in DKI Jakarta Province from 2017 to 2021



Source: Central Bureau of Statistics, 2022

Referring to the notes described above, the performance of the DKI Jakarta Provincial government can be said to be mediocre. There was no significant increase under the leadership of Anies Baswedan. For example, HDI did not increase significantly. Likewise, the GPI tended to stagnate, even declining in 2020. Although there was an increase in 2021, this figure only increased by 0.14 compared to 2017.

The poverty rate was also a problem in DKI Jakarta during the leadership of Anies Baswedan. Although the number of poor people in the two years of Anies Baswedan's administration was reduced slightly, during the COVID-19 pandemic, the poverty rate continued to soar until 2021. However, the performance of the DKI Jakarta government in opening up job opportunities was considered quite good during the COVID-19 pandemic. Although there was a significant increase in TPT in 2020, this figure was successfully reduced by 2.45 percent in 2021. This means that Anies Baswedan's political promises are to open 200 thousand new jobs, to build and activate 44 community entrepreneurship development posts and to produce 200 thousand new entrepreneurs are considered to have been fulfilled and need to be continued.

Anies Baswedan's Work during His Tenure as Governor Of DKI Jakarta

As described above, the performance of the DKI Jakarta Provincial government during the leadership of Anies Baswedan did not seem optimal. However, this does not mean that Anies Baswedan has not produced anything during his five years of leadership. There were several programs and policies that had been successfully realized. The first one was the construction of the Jakarta International Stadium (JIS). The stadium, which is expected to be the pride of the people of DKI Jakarta, was built with the DKI Jakarta Provincial Budget (APBD) of Rp 4.5 trillion. JIS is also claimed to be the largest full-roofed stadium in Asia Pacific, which can accommodate 82,000 spectators (Detik.com, 12/10/2022). The construction of JIS was a realization of Anies Baswedan's political promise in 2016 to build a stadium like "Old Trafford", a stadium located in the City of Manchester, England.

Anies Baswedan's second work was the holding of Formula E in DKI Jakarta. Although there were pros and cons, the electric car race was successfully held on June 3-4, 2022. Anies Baswedan also claimed, citing data from the Institute For Development of Economics and Finance (INDEF), that Formula E had a positive economic impact, reaching Rp. 2.6 trillion (Detik.com, 12/10/2022). However, the

Corruption Eradication Commission (KPK) is currently conducting an investigation into the indications of corruption in the car race event.

Anies' third work was JakLingko, a program of the DKI Jakarta Provincial Government that integrates public transportation in DKI Jakarta. Through this program, Anies Baswedan had been named by the DKI Jakarta Transportation Agency as the "Father of Jakarta Transportation Integration" (Detik.com, 12/10/2022).

Not only JIS, Anies Baswedan had also succeeded in realizing his political promise regarding the house procurement down-payment of Rp. 0, although there had been changes in the realization. The program, which was originally intended for the poor, had now been prepared for citizens with a minimum income of Rp. 15 million. Reported by detik.com, until September 2022, 2,332 residential units have been built with a Rp 0 DP scheme (Detik.com, 12/10/2022). The change in Anies Baswedan's political promise regarding the Rp 0 DP with its realization showed that often political promises were not the same as their realizations.

On the other hand, infrastructure development was indeed Anies Baswedan's priority program. He had also succeeded in realizing several development projects, such as the construction of apartment buildings, "instagrammable" People Crossing Bridges (JPO), as well as paths for cyclists.

However, there was Anies Baswedan's policy that had been successfully completed but has been considered not successful in solving the problem; namely, the construction of infiltration wells. Basically, infiltration wells were built so that water could enter the ground to overcome the flood problems in DKI Jakarta. However, in reality, not all types of soils in DKI Jakarta can absorb water (Detik.com, 12/10/2022). This means that this program needs to be re-evaluated in the next era of DKI Jakarta leadership.

Continuing the Unfinished Work

On October 7, 2022, the Head of the Presidential Secretariat, Heru Budi Hartono, was officially appointed as the Acting Governor of DKI Jakarta. This means that the provincial government of DKI Jakarta will be led by Heru Budi Hartono on October 17, 2022. The existence of the Acting Governor of DKI Jakarta is a consequence of the simultaneous general elections (Pemilu) in 2024. The main task of the acting regional head, in this case is Heru Budi Hartono as Anies Baswedan's replacement, is to keep the wheels of government in the DKI Jakarta Province running, until finally a regional head is

elected through the regional head election mechanism (Pilkada) in 2024. Therefore, Referring to the performance record of the DKI Jakarta Provincial Government until 2021, it is important for Heru Budi Hartono to continue what Anies Baswedan has not completed in DKI Jakarta.

As Acting Governor, of course Heru Budi Hartono has limitations, such as not having the authority to transfer employees, canceling permits that have previously been issued, making regional expansion policies, and making policies that are contrary to government administration and the previous government's development program. However, strategic policies and regional development can still run because acting regional heads have the authority like the definitive regional heads.

In addition, another important task that needs to be carried out by Heru Budi Hartono as Acting Governor of DKI Jakarta is to create political and security stability, which tends to be prone to turmoil when entering the election period. Therefore, the acting regional heads, including Heru Budi Hartono, must be free from political interests.

Furthermore, the Governor of DKI Jakarta elected in 2024 also needs to make many breakthroughs if he or she sees no significant improvements in the era of Anies Baswedan's leadership. In addition, some programs that are considered successful certainly need to be continued. On the other hand, programs that are considered unsuccessful, such as the construction of infiltration wells, need to be re-evaluated and find the best solution to overcome the problem of flooding that continues to occur in DKI Jakarta.

Therefore, ahead of the DKI Jakarta gubernatorial election, which will be held in 2024, it is important for the public to see and choose a candidate for Governor of DKI Jakarta who really understands the problems in DKI Jakarta, is able to make solutions to these problems, and is able to implement the programs and political promises. In addition, it is important for the public to see the track records of prospective leaders in DKI Jakarta who are clean and have integrity, not just popular.

- Ahmad Hidayah -

From the four variables to measure the performance of the DKI Jakarta Provincial government during the leadership of Anies Baswedan, it can be said that there were no significant changes. However, one thing that has become Anies Baswedan's success was realizing his political promise to create new jobs, even during the COVID-19 pandemic.

Observing the Trend on the Ease of Doing Business in Indonesia

One of the sectors supporting Indonesia's economic growth is the business world where money turnover occurs in every second. As per a press release given by the Coordinating Ministry for Economic Affairs last year on May 5, 2021, Micro, Small and Medium Enterprises (MSMEs) were an important pillar in the Indonesian economy in the defense against the coronavirus disease 2019 (Covid-19) pandemic (Kemenko Ekonomi, 5/5/2021). This is inseparable from the large contribution of entrepreneurship as the axis of Indonesia's economic revival.

The business world contributes more than 50 percent to the Indonesian economy. The data from the Ministry of Cooperatives and SMEs noted that the total number of MSMEs currently reached 64.2 million with a contribution to the Gross Domestic Product (GDP) of 61.07 percent of the total (BKPM, 2021). The contribution was also inseparable from the amount of ability to absorb up to 97 percent of the workforce, as well as collecting up to 60.4 of the total investment.

The achievement of the Indonesian business world is inseparable from the integration of the business climate that has been successfully created by policymakers through various challenges. The synchronization between the entrepreneurial spirit of the communities and the government policies needs to be supported by various measuring instruments, as the World Bank has measured the ease of doing business in 190 countries in the world through several criteria.

The World Bank has criteria to measure the ease of doing business (EoDB). According to the World Bank's EoDB in 2020, Indonesia ranked 73rd out of 190 countries surveyed (Ministry of Investment, 2021). Of the 11 indicators, there were five indicators that showed that Indonesia still had a large room to be able to make improvements, namely, starting a business; building permits; the registration of property; cross-border trade; and the enforcement of contract law.

However, according to a press release published by the World Bank on September 16, 2021 in Washington, the EoDB report was discontinued, and the World Bank is formulating a new approach to assessing the business and investment climate in a Business Enabling Environment (BEE). This is due to errors and irregularities in the EoDB measurements made by former Board officials and World Bank staff for the 2018 and 2020 reports.

However, information regarding indicators of measuring business and investment convenience is still important to use as a benchmark for the role of the private sector in contributing to the business world. This paper will discuss the five lowest indicators owned by Indonesia as mentioned in the previous paragraph.

Starting a business

According to the definition mentioned by the World Bank, starting a business includes the procedure, time, cost, and minimum paid-up capital to start a limited liability company. In Indonesia, licensing seeks to be issued by the Risk-Based Online Single Submission (OSS) system managed by the Ministry of Investment/Investment Coordinating Board (BKPM). This OSS system has been officially launched by President Joko Widodo on August 9, 2021. With this service, permits are sought to be recorded from the Regional Governments to the Central Government.

There are several conditions that must be met by business actors before starting and carrying out business activities. These requirements are to meet the basic requirements and/or Risk-Based Business Licensing. Risk-Based Business Licensing consists of a Business Identification Number (NIB), Standard Certificate, and Permit. In general, there is no information on how long the permits can be issued to start businesses.

Building permits

This aspect includes the procedures, time, and costs for completing all the formalities for building the warehouse and for quality control and safety. Building Permit (IMB) is a permit granted by the Local Governments to the building owners to build new, change, expand, and/or reduce the buildings in accordance with applicable administrative and technical requirements. Generally, the time required to get an IMB as a condition for providing business is 20-21 working days (rumah.com, 25/02/2022).

Property Registration

The registration of property in this case is judged by the procedure, time and costs for transferring property and the quality of the land administration system. Registering property in Jakarta in 2020 included 18 procedures, while in the Asia Pacific region the average was only 14.8 procedures.

Quoted from rumah.com, the government has a free land certificate program (PTSL) that minimizes land dispute cases. The regulation is regulated in Presidential Instruction (Inpres) Number 2 of 2018. The PTSL program is divided into six stages and direct registration through the office of the State Land Agency (BPN).

Cross-Border Trading

Cross-border trade indicators are viewed from the time and cost of exporting products of comparative advantage and importing auto parts. The time required for export in the Jakarta area takes 51 hours, while in high-income OECD countries it is only 12.7 hours. In line with exports, importing takes longer, which is 80 hours, while in OECD countries it takes 8.5 hours.

Contract Law Enforcement

The contract enforcement indicator measures the time and cost of resolving a commercial dispute through local courts and an index of the quality of the judicial process. It is used to evaluate whether any economic activity has adopted a set of good practices to promote quality and efficiency in the court system.

A World Bank report states that Indonesia has a high score in the time needed to resolve contract disputes, which is 390 days. On the other hand, Indonesia requires high costs for the resolution of contract conflicts, which is 74 percent of the claim value.

According to the five lowest indicators from the ease of doing business index released by the World Bank, there is still hope for the business climate in Indonesia to be addressed. Although the EoDB report was temporarily suspended by the World Bank, the indicators used can still be adopted as a reference literature review for improvement because there is a lot of useful information from all aspects.

Furthermore, the five undervalued indicators also do not fully indicate a bad thing. This is because there are six other indicators, such as getting electricity, getting credit, protecting minority investors, paying taxes, settling bankruptcy, and using labor, which are not assessed perfectly. Overall, all indicators require evaluation to add to the conduciveness of the domestic business climate.

Especially in terms of the procedure for starting a business, it is necessary to trim in the time of issuance of a business license. Even though it has gone through OSS and is digitized, the Ministry of Investment together with the Ministry of Communication and Informatics need to carry out regular maintenance to ensure good infrastructure for its people.

In general, the House of Representatives (DPR) must carry out comprehensive supervision related to laws and regulations and related policies in order to improve the entrepreneurial climate in Indonesia. In addition, the government and its staff, business actors, and other relevant stakeholders also need to ensure whether all indicators are covered by the applicable law or not, along with its implementations. This is important to increase the number of entrepreneurs and to expand the range of economic freedom in Indonesia.

- Nuri Resti Chayyani -

MSMEs are one of Indonesia's solutions to survive crises, such as the the Covid-19 pandemic. Therefore, the process of ease of doing business needs to be considered in order to support the space for economic freedom, strengthen resilience in times of crisis, and improve welfare in Indonesia

Indonesia's Inflation Due to Fuel Price Dynamics

Towards the end of 2022 where many government policies have been applied, the policies have certainly had an impact on people's lives. One of the policies that are considered quite detrimental to the communities is the reduction of fuel oil (BBM) subsidies, which has caused an increase in fuel prices.

As announced by the government on Saturday, September 3, 2022, the prices of Pertalite, Solar, and Pertamax fuel have been adjusted. The regulation is contained in the Decree of the Minister of Energy and Mineral Resources Number 218.K/MG.01/MEM.M/2022 concerning Retail Selling Price of Certain Types of Fuel Oil and Special Types of Fuel Oil Assignment.

In the regulation, it is stated that the price increase of Pertalite was 30.72 percent, Solar was 32.04 percent, and Pertamax was 16 percent (BPS, 2022). The impact of the increase in fuel prices due to global price adjustments is of course the increase in the Consumer Price Index (CPI), or inflation, which occurred in September and was the highest so far this year.

In the Official Statistics News report of the Central Statistics Agency (BPS) released on October 3, 2022, it is stated that inflation in September was at 5.95 percent year on year. This figure is the highest since 2015, which was at a level of 6.83 percent (BPS, 2022). If compared to the previous month of August, the CPI experienced an inflation of 1.17 percent month to month (mtm). Previously, in August the CPI experienced a deflation of 0.21 percent. The main cause of inflation in September was an increase in administered prices.

The inflation of administered prices is inflation caused by price policies regulated by the government, including the regulation of fuel price adjustment in September and of the price of cooking oil commodities in March.

Bank Indonesia (BI) said that inflation was primarily attributable to higher prices of administered prices (AP) amidst lower core inflation and deflation in volatile foods (BI, 2022). Therefore, CPI inflation in September 2022 was recorded at a level of 5.95 percent (yoy), higher than inflation in the previous month of 4.69 percent (yoy). Looking ahead, CPI inflationary pressures are expected to increase due to the second-round effect of subsidized fuel oil (BBM) price adjustments, the strengthening inflationary pressures on the demand side, and high global energy and food prices.

There were differences in CPI conditions in September in 90 cities. BPS said that 88 out of 90 cities experienced inflation, and 2 cities experienced deflation. The highest inflation was in Bukittinggi City (1.87 percent) and the lowest inflation was in Merauke City (0.07 percent). Meanwhile, the cities that experienced deflation were Manokwari (-0.64 percent) and Timika City (-0.59 percent). The differences in conditions experienced in various cities had been caused by various factors such as economic, social, cultural, and environmental conditions.

The inflation caused by increased fuel prices is supported by several expenditure groups, especially in the transportation sector. The transportation group had a share in inflation of 1.08 percent in September 2022 compared to the previous month, and had a share of 1.92 percent in the annual inflation.

Meanwhile, the dominant commodities contributing to inflation are gasoline, inner-city transportation, diesel, inter-city transportation, and online vehicle tariffs. Nonetheless, there were food, beverage and tobacco groups in September 2022 that contributed to deflation of 0.08 percent. The dominant commodities contributed to deflation included shallots, red chilies, cooking oil, tomatoes, cayenne pepper, and fresh fish.

The explanations of data from BPS show that the price component regulated by the government was the main driver of inflation. If this kind of policy continues, Indonesia's economic freedom index will fall even more. Furthermore, the government needs to make efforts to stabilize domestic prices by not interfering too much in pricing.

Such conditions are predicted to stimulate inflation in 2022 to exceed the upper limit of the 3.0 ± 1 percent target, and therefore stronger policy synergy between the central and regional govern-

ments and Bank Indonesia, both on the supply and demand sides is needed to ensure that inflation returns to its target corridor in the second half of 2023.

The strengthening is carried out by means of policy coordination amongst the Central Government, Regional Governments, and strategic partners in the Central and Regional Inflation Control Teams (TPIP and TPID) through increasing the effectiveness of the implementations of the National Movement for Food Inflation Control (GNPIP) in various regions to maintain price stability and food security. This is important, because not all regions have made price adjustments. So, it is very likely that inflation will still take place in November 2022.

- Nuri Resti Chayyani -

The Consumer Price Index (CPI) increased in September 2022 and inflation occurred. The main driver was the adjustment of fuel prices to the government-regulated price component. To anticipate economic slowdown in November, there needs to be a strengthening of coordination amongst the central government, regional governments, and the community.

Ensuring that the PDP Law Works

The Bill on the Protection of Personal Data had officially been ratified into law at a Plenary Meeting of the House of Representatives of the Republic of Indonesia for the First Session of the 2022-2023 Session Year. Deputy Chair of the Commission I of the Indonesian House of Representatives Abdul Kharis Almasyhari said that this law was expected to be a good start in solving the problem of personal data leakage in Indonesia (dpr.go.id, 20/9/2022). The Law on Personal Data Protection (PDP Law) is a legal product that has been expected to be present since the beginning of its deliberations in 2016. The case of burglary and theft of public personal data in the digital space is one of the problems that must be able to be resolved with the presence of the PDP Law.

After the PDP Bill has been passed into law by the House of Representatives in the Plenary Meeting, it does not automatically make the legal product take effect immediately. Referring to the provisions contained in Article 73 Paragraph (1) of Law Number 12/2011 concerning the Formation of Legislations, a draft Law is ratified by the President by giving his signature within a maximum period of thirty days from the date of mutual approval by the President and the House of Representatives. Then, Article 73 Paragraph (2) of the a quo law explains that in the event that a draft Law is not signed by the President within thirty days from the mutual approval of the draft law, then the legal product is valid to become Law and must be enacted.

Promulgation is a process of placing laws and regulations in the State Gazette of the Republic of Indonesia, the Supplement to the State Gazette of the Republic of Indonesia, the Regional Gazette, and the Supplement to the Regional Gazette. Therefore, it is necessary to wait for the enactment of the PDP Law before it can be implemented in providing protection for personal data belonging to the public.

Article 4 of the PDP Law provides specific arrangements related to the classification and types of personal data referred to by this law. The classification of the data can be seen through the following table.

| No. | General Personal Data | Specific Personal Data |
|-----|---|---|
| 1. | Full Name | Health data and Information |
| 2. | Gender | Biometric data |
| 3. | Religion | Genetic data |
| 4. | Marital Status | Crime record |
| 5. | Personal data combined to identify a person | Child data |
| 6. | | Personal financial data |
| | | Other data in accordance with statutory regulations |

The separation between general and specific personal data will later be related to the mechanism that will be used to collect, manage, and store data that are used by third parties, both by state institutions and the private sector. In the general personal data section, there is a setting regarding “*personal data combined to identify a person*”, which in the explanation section of the PDP Law states that this is a cellular phone number. This is important because each individual has a different phone number, and the number is often spread out to be used for criminal acts, such as fraud and phishing. This provision can actually be interpreted in several other forms, such as electronic mail addresses to social media accounts, because it fulfills the variables referred to in the *a quo* article.

There is an interesting point in personal data that is specific; namely, the provisions on criminal records. We can understand that this is one of the personal data that can only be stored by law enforcement officers in the integrated criminal justice system in Indonesia. The question is that is the criminal record of an individual submitted by the mass media included in the classification of the personal data? If so, it is possible that someone who has completed his sentence may ask for the deletion of the criminal records contained in the mass media with the excuse of wanting to clear his or her name.

This concern is justified because there is no implementing regulation of the PDP Law that provides further definitions related to specific data such as crime records. This will cause problems in the form of information disclosure for the public to know the actions of a participant in the general election contestation. This will lead to a confusion if the criminal record spread in the mass media can be requested to be deleted by the party concerned.

In relation to criminal records, the deletion of this data may occur because the PDP Law gives the owner of personal data the right to end processing, delete, and/or destroy his personal data. Therefore, in the law enforcement process against the PDP Law, there must be a clear definition of the criminal record.

In addition to being related to the separation of types of personal data in the *a quo* law, another interesting arrangement is the establishment of a personal data protection supervisory agency. After a fairly tough debate between the House of Representatives and the government that delayed the ratification of the PDP Law, in the end the institution remained part of the executive branch of power. Article 58 of the PDP Law states that the personal data monitoring agency is determined by the President and is directly responsible to the President.

The personal data protection supervisory agency will formulate and establish a personal data protection policy that serves as a guide for personal data subjects, personal data controllers, and personal data processors. This institution also has the task of supervising the administration of personal data and the enforcement of administrative law against violators of the PDP Law. However, the weakness of this institution's position can be found from its position directly under the President.

Throughout 2022, there have been several cases of personal data leaks, such as those that happened to Bank Indonesia, IndiHome (which is part of the Telkom Group, and the State Electricity Company (Perusahaan Listrik Negara / PLN) (Febrinandez, 2022). In addition to being vulnerable to intervention, this institution will also experience difficulties in imposing sanctions on state agencies or agencies that violate the provisions of the PDP Law.

There are three recommendations on the implementations and law enforcement efforts of the provisions contained in the PDP Law. First, there must be a linear understanding related to the classifi-

cation of general personal data and specific personal data amongst law enforcement officers (police, prosecutors, and judges). This is needed to prevent mistakes in understanding a case related to a violation of someone's personal data.

Second, the government must immediately issue implementing regulations in the form of government regulations so that later the parties who store and manage people's personal data understand the limits that they should not violate. This government regulation is also able to clarify the vague parts contained in the PDP Law, such as several explanations related to the types of personal data.

Third, the President must establish a personal data protection supervisory agency by prioritizing institutional independence. The first step that can be used is to select professional individuals who are free from conflicts of interest to be able to lead the institution. This is important because this institution will not only oversee the private sector but also state institutions and agencies.

Ensuring that the PDP Law works is a joint effort in overseeing the implementations of legal regulations that must be admittedly not perfect enough in terms of content.

- Hemi Lavour Febrinandez -

The Problem of the Substitution of Judges of the Constitutional Court by the The House of Representatives

The House of Representatives of the Republic of Indonesia had decided not to extend the term of office of Constitutional Justice Aswanto, who was also the current Vice Chief Justice of the Constitutional Court. The House of Representatives of the Republic of Indonesia had stated that it would not extend the term of office of Constitutional Justice Aswanto and proposed Guntur Hamzah as a Constitutional Justice in the 7th Plenary Meeting of the the House of Representatives for the first session of the 2022-2023 year (Kompas id, 29/9/2022). The replacement of Aswanto as a Constitutional Judge is now a constitutional issue in Indonesia.

The Constitutional Court as an institution that has the authority to conduct judicial review is very vulnerable to being a target to be weakened if it cancels laws that have been made jointly between the Indonesian Parliament and the President. This is inseparable from the process of filling the positions of nine constitutional judges, which has been predicted to cause problems related to the independence of this constitution-guarding institution.

Provisions related to filling the positions of constitutional judges are set out in Article 24C Paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which stipulates that:

“Mahkamah Konstitusi mempunyai sembilan orang anggota hakim konstitusi yang ditetapkan oleh Presiden, yang diajukan masing-masing tiga orang oleh Mahkamah Agung, tiga orang oleh Dewan Perwakilan Rakyat, dan tiga orang oleh Presiden.”

As the implementing rule of the provisions contained in the Constitution, Article 18 of Law Number 24/2003 concerning the Constitutional Court (Constitutional Court Law) explains that Constitutional Judges who have been proposed by each of these institutions

are then determined by a presidential decree, which must be determined within a certain period of time; that is, no later than seven working days after the nomination of candidates is received by the President. In its development, it appears that the process of proposing candidates for Constitutional Judges is vulnerable to being politicized, even from the provisions contained in the Constitutional Court Law.

The provisions contained in the Second Amendment to the Constitutional Court Law add conditions to the process of proposing constitutional judges. Article 18A Paragraph (1) of the *a quo* law orders that candidates for Constitutional Judges before being appointed by the President must first pass a fit and proper test conducted by the Expert Panel. In the process, the Supreme Court, the House of Representatives, and/or the President propose candidates for Constitutional Judges to the Expert Panel each at a maximum of three times the number of Constitutional Judges required for a fit and proper test. Then, the three institutions authorized to nominate candidates for Constitutional Judges will select the required number of names declared to have passed the fit and proper test by the Expert Panel and submit them to the President for determination.

Changes in the Constitutional Court Law have actually created gaps that will reduce the independence of Constitutional Judges. The proposal through the three institutions that represent the executive, legislative, and judicial branches of power is like a ticking time bomb that can explode and destroy the Constitutional Court at any time. The issue related to the replacement of Aswanto as a Constitutional Judge is a sign that there are problems related to the process of filling the position of a Constitutional Judge at this time. The replacement of Constitutional Judges carried out by the House of Representatives is more likely to use a political approach and will be greatly influenced by the composition of the factional coalition in the Parliament.

The consultation meeting in lieu of the Deliberative Body meeting had discussed the letter from Commission III of the House of Representatives. A total of five factions had agreed to bring the internal results of Commission III to a plenary meeting. One faction agreed with a note according to the mechanism. One faction refused. Two other factions were not present. However, when it was brought to the plenary session, the internal results of Commission III received approval (kompas.id, 29/9/2022). The process of changing Constitutional Judges proposed by the House of Representatives

should minimize the political discussion process because the three Constitutional Judges they will elect have a crucial task and function in maintaining the 1945 Constitution as a fundamental norm. Problems with the replacement of Aswanto were also caused by problems arising from the Third Amendment to the Constitutional Court Law.

Aswanto's replacement stems from the Constitutional Court's decision related to the formal and material review of the Third Amendment to the Constitutional Court Law. The *a quo* law changes the term of office of constitutional judges from a five-year periodic system to a pension system until the age of seventy, with a maximum term of fifteen years. In its decision, the Constitutional Court stated that there was a need for confirmation from the proposing institution regarding the continuation of the Constitutional Judges serving in accordance with the Third Amendment to the Constitutional Court Law. The confirmation is in the form of a notification letter from the Chief Justice of the Constitutional Court to the proposing institution regarding the willingness of certain Constitutional Judges to continue their positions. However, it is suspected that the letter from the Chair of the Constitutional Court was interpreted as a request for confirmation from the proposing institution regarding the status of the judge's sustainability (kompas.id, 29/9/2022).

Misunderstanding the provisions contained in the Third Amendment to the Constitutional Court Law can be an act that violates the provisions of the legislation. The new provisions extending the tenure of constitutional judges had resulted in a confusion and were misinterpreted by the three proposing institutions. They considered that the notification letter given to the Chief Justice of the Constitutional Court was an evaluation process of the proposed Judge. This had resulted in the proposal process that had previously been carried out to lose its direction and could result in the dismissal of a Constitutional Judge who was still serving as a result of an error in understanding the Third Amendment to the Constitutional Court Law. Therefore, this momentum can be used as a turning point in making changes to the mechanism for selecting Constitutional Judges in Indonesia.

The People's Consultative Assembly of the Republic of Indonesia may propose amendments to the 1945 Constitution, which are limited to only discussing the provisions for the selection of Constitutional Judges in Article 24C of the 1945 Constitution. The selection of Constitutional Court Judges can be carried out through a special independent committee consisting of representatives of for-

mer Constitutional Judges, academics of constitutional law, as well as from the President, the House of Representatives, and the Supreme Court. Through the renewal of the mechanism for the selection of the nine Constitutional Judges, it is hoped that the election process can be carried out with integrity, transparency, and without the intervention of political interests.

- Hemi Lavour Febrinandez -

It is necessary to reform the process and mechanism in the selection of Constitutional Judges to maintain the independence of the Constitutional Court as the Guardian of the Constitution.

Observing the Use of Identity Politics in the 2024 Elections

Conceptually, “identity politics” is different from political identity. Political identity is a construction that determines the position of the subject’s interests in a political community bond, while the notion of identity politics refers to the political mechanism of organizing identity (both political identity and social identity) as political resources and means (Setyaningrum, 2005).

Hungarian political scientist Agnes Heller (1996) defines identity politics as a political concept and movement whose focus is on difference as a major political category. After the failure of the grand narrative, the idea of difference has promised freedom, tolerance and free play, although then new threats emerge.

Meanwhile, according to Canadian scientist Cressida Heyes (2007), identity politics is a political act to promote the interests of members of a group because they have the same identity or characteristics, whether based on race, ethnicity, gender, or religion. Rather than organizing independently within the scope of ideology or party affiliation, identity politics is concerned with liberation from marginalized situations that specifically include constituencies (membership) of groups in a wider context. In this case, Cressida Heyes assumes that identity politics is more directed to the interests of marginalized individuals or groups.

Furthermore, Francis Fukuyama (2018) states that the issue of identity politics has dominated political discourse in recent years. Furthermore, Fukuyama said that identity politics was intertwined with populism, where populism is associated with dramatic polarization and political moralization.

In Indonesia, the use of identity politics in the General Elections (Pemilu) has occurred since the 2014 General Elections, with the practice of identity politics being very harsh and sharp. The politicization of ethnicity, religion, race, and inter-group (SARA) is one of

the political narratives played by political contestants. In fact, this phenomenon also continued in the implementations of the 2017 Pilkada, especially in DKI Jakarta. Identity politics also happened in the 2019 elections, where the practice of identity politics did not subside.

According to Puskapol UI research (2019), in the 2019 General Elections, first, the context of the contestation during the 2019 Presidential and Vice Presidential Elections (Pilpres) was a residue of sharp political polarization and the politicization of identity issues that occurred during the 2014 Presidential Elections and the Governor Elections (Pilgub) in DKI Jakarta in 2017. In other words, there are dynamics of contestation and polarization that continue to be maintained. Second, the electoral design that stipulates the presidential threshold also increases the intensity of political polarization, because politically it opens up opportunities for the emergence of only two candidates.

Third, the emergence of the phenomenon of the political consulting industry, influencers, and buzzers in the digital campaign of candidate pairs (Paslon). In addition to playing an important role in determining issue production and amplification of campaign content on digital platforms, their role also contributes to worsening political polarization and the politicization of identity issues. We can clearly see that every non-programmatic issue continues to be reproduced and glorified by the cyber army of each camp.

Fourth, the uniformity of the 2019 elections has led to more dominant issues in the presidential elections and marginalized attention to the Legislative Elections (Pileg), both at the level of the People's Representative Council (DPR), at the level of Regency/City Regional People's Representative Council (DPRD) and at the level of Regional Representative Council (DPD). Fifth, the media as a source of public information tends to have a preference for non-programmatic issues in their reporting.

Furthermore, according to a study by the Indonesian Institute, Center for Public Policy Research (TII) in 2019, the phenomenon of the widespread use of identity politics is also due to the orientation of political parties competing in the 2019 elections in the category of The Votes-Seeking Party. This means that parties are only oriented to win votes in order to win the elections or at least pass the 4 percent parliamentary threshold. This is due to the weak influence of

ideology in the direction of party movement, causing political parties to be more pragmatic. Political parties put forward the issue of identity politics in order to gain votes, rather than offering programs that are derivatives of the parties' ideologies.

The use of identity politics in the 2019 general elections led to sharp polarization in the society, which had led to riots on May 21-22 2019 in Jakarta. This incident indicated that certain parties had ridden the political situation after the 2019 presidential elections, which led to the polarization as a result of the excessive practice of identity politics. So, what about the 2024 elections? The following section will discuss the opportunities for the use of identity politics in the 2024 General Elections.

Identity Politics ahead of the 2024 Elections

Chair of the General Elections Supervisory Agency (Bawaslu) Rahmat Bagja predicts that identity politics can become a trend of violations that are increasingly being used in democratic parties. Bagja has noticed the factors causing identity politics; namely, the unfinished understanding of maintaining tolerance and the existence of each identity in the political space of the Republic of Indonesia. Then, he has said that there is carelessness or intentionality of certain individuals or politicians in communicating. This has also related to mass psychology and finally the media factor (mainstream and social media). Bawaslu predicts that identity politics will be used as attacks on political parties or certain political interests in the 2024 elections (bawaslu.go.id, 30/6/2022).

To suppress massive identity politics, Bawaslu is preparing several strategies. Among them, the community group approach is carried out by preparing lecture books on six religions related to elections and by rejecting the politicization of SARA, intelligence media management, and the Election Vulnerability Index (IKP) (bawaslu.go.id, 30/6/2022).

President Joko Widodo (Jokowi) responded to Bawaslu's prediction regarding the use of identity politics in the 2024 elections in his speech at an Annual Session of the MPR RI and the Joint Session of the DPR RI and DPD RI in 2022. Jokowi emphasized that there should be no more identity politics, politicization of religion, and social polarization in holding the elections. He said democracy in Indonesia must be more mature. In addition, he assessed that national consolidation also needed to be strengthened (republika.co.id, 16/8/2022).

Jokowi also appreciated the *ulama*, religious leaders, community leaders, as well as cultural figures who have contributed greatly in strengthening the foundation of nationality, as well as maintaining national unity and integrity. In addition, he also hoped for support from all state institutions to maintain and build democracy in Indonesia, as well as to strengthen the nation's ideology (republika.co.id, 16/8/2022).

However, the symptoms of the use of identity politics have emerged on social media, especially Twitter after the declaration of Anies Baswedan's nomination by the National Democratic Party (Nasdem). 'Nasdrun' has become a new term echoed by the anti-Anies Baswedan group buzzers.

This was later responded by politicians, such as Arsul Sani from the United Development Party (PPP) who expressed his concerns that it would trigger unhealthy identity politics. Furthermore, Nasdem Deputy General Chair (Waketum), Ahmad Ali considered that the title came from people on the other side who did not like NasDem and Anies. Ali did not bother with the emergence of the name Nasdrun emerging on social media (detik.com, 10/10/2022).

The symptoms of identity politics are also increasing, not only on social media. In September 2022, the public was enlivened by the spread of a tabloid called KBAnewspaper. A tabloid containing Anies' successes spread across the city of Malang. The tabloid was distributed to the congregation of Al Amin Mosque, Malang City during Friday prayers (cnnindonesia.com, 24/9/2022). Some of the events above serve as a warning to all of us that the use of identity politics will still occur in the 2024 Simultaneous General Elections and Regional Head Elections.

Recommendations

According to the explanations above, the opportunity for the use of identity politics could happen in the implementations of the 2024 Simultaneous General Elections and Regional Head Elections. This is important to be anticipated as early as possible by the relevant parties so that it does not happen again as in the 2019 Elections. Therefore, there are several steps that must be taken.

First, to encourage election organizers, both KPU and Bawaslu, to arrange campaign regulations both offline and online in order to strictly impose sanctions for election and regional head election participants who are proven to have used identity politics in their campaign contents.

Second, to encourage the Indonesian National Police to enforce the law on groups and individuals that spread identity politics-based hate speech and to carry out acts of intolerance during the 2024 Simultaneous General Elections and Pilkada campaign.

Third, to encourage election organizers to work together with civil society groups to provide digital literacy to the public so that they can sort out information related to the use of identity politics in the 2024 Simultaneous General Elections and Pilkada campaign.

- **Arfianto Purbolaksono** -

The opportunities for the use of identity politics could occur in the holding of the 2024 Simultaneous General Elections and Pilkada. This is important to be anticipated as early as possible by the relevant parties so that it does not happen again as in the 2019 Elections.

Domestic Violence and its Handling Efforts

Violence against women, including domestic violence (KDRT), is still a serious gender inequality problem in Indonesia. Domestic violence can be defined as an act that endangers the body, life, psychological condition, or freedom of a person in the family by force (Stewart & Robinson, 1998). In Law Number 23/2004 concerning the Elimination of Domestic Violence (UU PKDRT), domestic violence is defined as any action against a person, especially a woman, which results in physical, sexual, or psychological misery or suffering, and/or neglect of the household including threats to commit acts, coercion, or deprivation of liberty against the law within the scope of the household.

In the last decade, the number of reported cases of violence against women continues to increase, as well as cases of domestic violence. In 2021, the data from service institutions, the Religious Courts Agency (Badilag), and the National Commission on Violence against Women (Komnas Perempuan) showed that out of a total of 338,496 cases of violence against women, 99% of them occurred in the personal sphere (Komnas Perempuan, 2022). These conditions show that the personal sphere, which is expected to be a safe space for women, is the domain that has the most potential for violence.

Meanwhile, violence against women can be likened to an iceberg phenomenon. The recorded incidents of violence do not reflect the actual conditions on the ground. Many victims of violence have chosen not to report what happened to them due to various factors. This reality becomes a challenge in handling cases of violence against women, including domestic violence. In addition, the efforts to handle domestic violence in Indonesia are still faced with various challenges.

Types, Causes, and Effects

In Komnas Perempuan's Annual Notes, several types of violence against women that occur in the domestic sphere include violence against wives (KTI), violence against girls (KTAP), violence by

other actors in other personal relationships in the household sphere (other domestic violence-RP), and violence against domestic workers (PRT). Of the several types of domestic violence, based on complaints received by Komnas Perempuan, the most frequent violence in the household is KTI, followed by KTAP, other domestic violence-RP, and domestic workers. The violence can be in the forms of psychological, sexual, physical, and economic violence. But, many of the victims have experienced more than one form of violence.

According to Alimi and Nurwati (2021), domestic violence is caused by several factors. First, there is an unequal power relationship between husband and wife. Patriarchal culture places men or husbands in a higher level of power than women or wives. Thus, when a woman marries, she is considered the property of her husband. These conditions create inequality in the relationship because the husband considers himself to have more power over his wife.

Second, the wife's economic dependence on her husband is also one of the fruits of patriarchal culture. There are still many people who think that a wife should depend on her husband. This phenomenon makes many women or wives economically powerless. The existence of these conditions makes some women who experience domestic violence choose to remain silent because of their powerlessness.

Third, men or patriarchs often use violence as a tool to resolve conflicts. Patriarchal culture gives legitimacy to acts of violence committed by men. Violence is carried out with the aim that the wife can fulfill her husband's expectations without fighting because of his powerlessness.

Domestic violence causes various problems for victims and witnesses, such as the emergence of mental health disorders (depression, anxiety, stress), health, and decreased quality of life (Almis et al., 2020). Domestic violence can interfere with children's mental development in the long term. Children who witness incidents of domestic violence can suffer from several behavioral and emotional disorders. They also have the potential to become victims or become perpetrators of violence in the future.

A study conducted by Nugraha (2019) shows that past experiences related to developmental stages, sexual instincts, and psychological pressure have a positive impact on the development of negative be-

havior because someone has been a victim of violence. Therefore, if the victims and witnesses of domestic violence do not receive serious assistance, it is possible that in the future these parties may become perpetrators or victims of violence again.

Handling Efforts

The handling of cases of violence against women, including domestic violence, still faces various obstacles. Not all victims want to report domestic violence that has happened to them for various reasons such as personal, family, social, and cultural reasons. In Wakela et al., (2020) and Komnas Perempuan (2022) it is stated that one of the challenges in handling domestic violence cases is due to the limited perspective of law enforcement officers (APH) regarding gender equality. APH's perspective on gender equality relates to the quality of services provided to victims. Victims will be reluctant to report and process the violence that has happened to them if the services provided by APH are not optimal.

Another obstacle is the limited number of resources at service institutions, the lack of safe house facilities, the lack of budget, and the lack of access to technology and information (Komas Perempuan, 2022). In recent years, the number of complaints of cases of violence against women has continued to increase. However, the limited number of resources available in service institutions and the lack of budget means that cases have not been handled optimally. In addition, the lack of access to technology and information makes many victims not know/do not have access to report violence against them.

Due to these obstacles, of the total cases of violence against women that occurred, only 15% of cases had information related to their handling/solution. Of this 15% of cases, 12% were resolved legally and 3% were resolved by non-legal means. Meanwhile, most cases (85%) were not informed of how the case was resolved (Komnas Perempuan, 2022).

One of the rules that have been widely used to deal with domestic violence cases is the PKDRT Law. So far, the main obstacle to implementing the law is the victim's marital status (unregistered marriage). The high number of obstacles caused by unregistered marriages indicates that APH's interpretation of the scope of marriages is only within the scope of registered marriages. So, domestic violence that occurs in unregistered marriages cannot be handled. Even though, the PKDRT Law does not state that a marriage must be a registered marriage.

The good news is that in mid-April 2022, the House of Representatives (DPR) passed the Sexual Violence Act (UU TPKS) which can become one of the legal umbrellas for handling violence against women. According to Komnas Perempuan Commissioner Veryan-to Sitohang, the TPKS Law is one of the rules that can strengthen the PKDRT Law, because one form of domestic violence is sexual violence. The TPKS Law not only protects victims of sexual violence in the realm of domestic violence but also in the public sphere. One example of a case of violence that has been ensnared using the TPKS Law is one of the rape cases committed by a stepfather to his daughter, which occurred in Batu City.

No one deserves violence, including women. Legal, social, economic, and cultural effort must be enforced so that these actions can be prevented and eliminated.

Recommendations

Based on the analysis above, here are some things that stakeholders can do. First, it is necessary to strengthen the prevention of violence against women. The Ministry of Women's Empowerment and Child Protection (KPPPA) and the Office of Women's Empowerment and Child Protection (DP3A) need to work together with community organizations, the media, the Ministry of Education, Culture, Research, and Technology (Kemendikbudristek), and the Ministry of Religion (Kemenag) to instill values -the value of gender equality in society. With the internalization of these values, it is hoped that the root of the problem of violence against women, namely patriarchal culture, can slowly fade away.

Second, the Indonesian National Police (Polri) and other law enforcement officers need to prioritize the perspective of gender equality in taking action against cases of violence against women. Third, the Ministry of Finance and the Regional House of Representatives (DPRD) need to increase the budget for efforts to prevent and deal with acts of violence against women, including domestic violence. The number of reports of cases of violence at this time has not been matched by the adequacy of resources in service institutions, the number of safe houses, and the technological facilities that support the handling of cases. By increasing the budget for handling violence, it is hoped that these factors can be met.

Fourth, Komnas Perempuan, civil society organizations, think tanks, academics, and other relevant stakeholders need to continue to oversee efforts to eliminate violence against women as contained in various legal grounds, including the PKDRT Law and the TPKS Law.

- Nisaaul Muthiah -

Indonesian Teachers' Problems according to the SDGs Indicators

Teachers have a fundamental role in improving the quality of education (Stern, 1996). A study conducted by Goldhaber (2016) shows that teacher quality has a stronger influence on children's achievement than other factors, such as learning facilities and school curriculum. Unfortunately, most teachers in Indonesia still have low competence, both pedagogical and professional competencies (World Bank, 2020). Therefore, more efforts from various stakeholders are needed to improve the quality of teachers.

In addition to being a national focus, improving the quality of teachers is also a global concern. In the sustainable development goals (SDGs) Point 4C, it is written that by 2030 all countries must be able to increase the number of qualified teachers, including through international cooperation for teacher training in developing countries.

There are several indicators used to measure the success of the 4C SDGs target. The first indicator is the number of teachers with the required minimum qualifications (according to education level). The second indicator is the ratio between the number of students and the number of trained teachers based on education level. The third one is the percentage of qualified teachers based on national standards by level and type of education. The fourth one is the average salary of teachers compared to other professions with comparable qualifications. The fifth one is the reduction in the number of people who work as teachers according to education level. The sixth indicator is the percentage of teachers who received training in the last twelve months.

If these indicators are reflected in the conditions in Indonesia, in the first and third indicators, in Indonesia there are still teachers whose academic qualifications are below the minimum educa-

tional standards. In Article 9 of Law Number 14/2005 concerning Teachers and Lecturers (Teachers and Lecturers Law), it is mandated that every teacher is required to obtain a minimum academic qualification of a bachelor's or four diploma program. In Indonesia, in the 2020/2021 academic year, the number of teachers under the Ministry of Education, Culture, Research and Technology (Kemendikbudristek) who have not met these qualifications is still around 129,579 (4.3 percent) of the total number of teachers.

In the second indicator, in terms of the ratio of the number of teachers to students, this is still a serious problem in Indonesia. In Papua; for example, according to the University of Papua academic Agus Sumule, the number of teachers in Papua is still lacking, and their distribution is uneven. The availability of teachers in areas where the majority of the population is occupied by Orang Asli Papua (OAP) is much less than in areas where the majority of the population is not OAP. According to him, the shortage of teachers in Papua has reached 30,000 teachers (jubi.co.id, 31/12/2021).

In the fourth indicator, salary is also still a crucial problem faced by teachers in Indonesia, especially the teachers of Government Employees with Work Agreements (PPPK) and honorary teachers. In Bandar Lampung, at the end of September 2022, many PPPK teachers admitted that they had not received a salary for nine months since December 2021 (kompas.com, 27/09/2022). These conditions do not only occur in Lampung but also in various other areas. The lack of teacher salaries is due to limited education funds. Government administration problems are also one of the causes of this problem; for example, the discrepancy between the timing of the preparation of the regional revenue and expenditure budget (APBD) and the issuance of a decree (SK) for the appointment of PPPK teachers. Another reason is the absence of clear remuneration standards for honorary teachers.

Fifth, there is a decline in the number of teachers in Indonesia; for example, between the academic year 2014/2015 and 2018/2019, the number of teachers from 3,748,997 decreased to 2,936,893 (Kemendikbudristek in lokadata, 2019). One of the reasons for the decline in the number of teachers is the lack of support for career development for teachers.

The next indicator is related to the training received by teachers. The results of a study by Alifia and Pramana (2021) show that the forum for teacher capacity development in Indonesia is still very minimal. Teachers do not have the opportunity to discuss teaching problems to respond to the challenges that exist in the classroom. As a solution, teachers must take the initiative themselves to discuss with senior teachers or school principals.

The government has several programs to support the development of the teaching profession, such as the Teacher Working Group (KKG), Continuous Professional Development (PKB), certification, and the Teacher Mover Program (PGP). Unfortunately, these programs have not run effectively. The existence of the KKG is seen as too rigid and monotonous to meet the needs in the early days of a teacher's career (Alifia and Pramana, 2021). Meanwhile, PKB only functions as an administrative formality rather than being a learning space and increasing competence.

Furthermore, many parties have questioned the effectiveness of the implementation of the teacher certification program. In addition to the lack of clarity in the implementation process, post-certification teacher competencies are still considered less supportive of teacher performance in teaching (Indasari, 2013). Likewise, with PGP, a study conducted by Muthiah (2021) shows that PGP is still not inclusive for all teachers.

PGP still covers about one percent of the total number of teachers in Indonesia. The program does not cover teachers in all regions and seems biased by the city. The reason is that only teachers who pass the selection can take part in the program. PGP is also conducted online. This step tends not to affirm teachers who do not meet the qualifications to take PGP as well as teachers who have limited devices and the internet.

Recommendations

Based on the analysis above, here are some steps that can be taken. First, the Ministry of Education and Culture, the Ministry of Religion (Kemenag), and private educational institutions need to ensure that teachers meet the minimum qualifications required by the Law on Teachers and Lecturers.

Second, the Ministry of Education and Culture and the Education Office need to work together to meet the shortage of

teachers in several regions. Career development guarantees and adequate incentives are also needed to attract teachers to teach in remote areas.

Third, the Ministry of Finance (Kemenkeu), Kemendikbudristek, Kemenag, and related agencies need to coordinate to find a bright spot for the problem of slack in the salaries of first aid and honorary teachers. The Ministry of Finance needs to increase the budget for the education function at the central level. The Regional People's Representative Council (DPRD) in each region also needs to prioritize an increase in the budget for the education function of at least 20 percent following the constitutional mandate. In addition, the House of Representatives (DPR) together with the Ministry of Education and Culture and the Ministry of Religion need to discuss regulations governing wage standards for honorary teachers. Thus, it is hoped that the problem of stagnation in the salaries of first aid and honorary teachers can approach the bright spot.

Finally, Kemendikbudristek, MoRA, and other relevant stakeholders need to develop an inclusive capacity-building platform for all teachers. Several existing development containers need to be evaluated to function optimally. The provision of certification and teacher professional allowances should also be accompanied by an increase in teacher professionalism in teaching.

It would take harder efforts from all parties to increase the capacity of teachers. The government needs to provide an effective and inclusive professional capacity-building platform. The budgets for the education function at the central and regional levels need to be increased to become one of the solutions to the stagnation in the salaries of PPKK teachers. In addition, it is also necessary to regulate the salary standards for honorary teachers so that they can work optimally.

- Nisaaul Muthiah -



THE INDONESIAN INSTITUTE

CENTER FOR PUBLIC POLICY RESEARCH

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

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

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

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

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

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

Assessment”), annual policy analysis (“Indonesian Report”), and monthly discussion forum on policy issues (“The Indonesian Forum”).

Contact Details :

The Indonesian Institute, Center for Public Policy Research

Jl. HOS. Cokroaminoto No. 92,

Menteng, Jakarta Pusat - 10310

Ph. (021)315-8032

contact@theindonesianinstitute.com

www.theindonesianinstitute.com

RESEARCH ON ECONOMIC AFFAIRS

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

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

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

RESEARCH ON LEGAL AFFAIRS

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

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

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

RESEARCH ON THE POLITICAL AFFAIRS

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

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

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

RESEARCH ON THE SOCIAL AFFAIRS

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

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

PRE-ELECTION AND REGIONAL HEAD ELECTION

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

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

EVALUATION OF A PROJECT OR A PROGRAM

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

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

THE INDONESIAN FORUM

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

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

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

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

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

.

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).

Executive Director

Adinda Tenriangke Muchtar

Research and Program Manager

Arfianto Purbolaksono

Board of Advisors

Rizal Sukma

Jaleswari Pramodawardhani

Ninasapti Triaswati

Debra Yatim

Abd. Rohim Ghazali

Saiful Mujani

Clara Joewono

Researcher of Economy Affairs

Nuri Resti Chayyani

Researcher of Law Affairs

Hemi Lavour Febrinandez

Researcher of Political Affairs

Ahmad Hidayah

Researcher of Social Affairs

Nisaaul Muthiah

Program and Supporting Staff

Gunawan

Administration Officer

Maya Indrianti

Finance Officer: Rahmanita

IT Staff : Usman Effendy

Desain dan Layout

Siong Cen

Jl. HOS. Cokroaminoto No. 92,
Menteng, Jakarta Pusat - 10310
Ph. (021) 315-8032
contact@theindonesianinstitute.com
www.theindonesianinstitute.com

