

The Indonesian Update

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



Main Report:

The State of Protectionism Policies in the World and Indonesia

Law

- The Importance of Indigenous Peoples' Participation in the 2024 Regional Elections and for the Future of the Regions ■
- The Fight for the Rights of Marginalized Groups to Have the Freedom of Opinion and Expression ■

Politics

- Controversy over Mining Management Policies for Mass Organizations ■
- The Urgency of Police Reform of the Indonesian National Police ■
- Looking at the Discourse on Adding New Ministries to The Prabowo-Gibran Government ■

Social

- Weighing the Effectiveness of Social Punishment of Online Gamblers through Government Taxes ■
- Women and Widow Stigma in Indonesia ■

CONTENTS

FOREWORD	1
MAIN REPORT	
The State of Protectionism Policies in the World and Indonesia	3
LAW	
The Importance of Indigenous Peoples' Participation in the 2024 Regional Elections and for the Future of the Regions	9
The Fight for the Rights of Marginalized Groups to Have the Freedom of Opinion and Expression	15
POLITICS	
Controversy over Mining Management Policies for Mass Organizations	21
The Urgency of Police Reform of the Indonesian National Police Looking at the Discourse on Adding New Ministries to The Prabowo-Gibran Government	25
SOCIAL	
Weighing the Effectiveness of Social Punishment of Online Gamblers through Government Taxes	35
Women and Widow Stigma in Indonesia.....	41
INSTITUTIONAL PROFILE	47
RESEARCH PROGRAMS, SURVEY AND EVALUATION	49

PUBLIC DISCUSSION	53
TRAINING & WORKING GROUP FACILITATION ...	54

Contributors :

Arfianto Purbolaksono, Christina Clarissa Intania, Dewi Rahmawati Nur Aulia, Felia Primaresti, Putu Rusta Adijaya. Editor: Awan Wibowo Laksono Poesoro

FOREWORD

The July 2024 edition of the Indonesian Update features a main report regarding the conditions of protectionist policies in the world and Indonesia. Protectionism can be said to be on the rise and is threatening globalization and world trade. Protectionist policies; for example, trade barriers such as tariffs and quotas, are also some of the causes of deglobalization.

In the legal sector, the Indonesian Update highlights the importance of indigenous community participation in the upcoming 2024 regional head elections (Pilkada). The participation of indigenous peoples in political contestation in Indonesia still needs attention, and efforts need to be made to increase it. Furthermore, we also discuss the importance of facilitating freedom of opinion and expression for marginalized groups. Like citizens in general, marginalized groups have the same right to voice their opinions.

In the political field, the Indonesian Update discusses mining management policies for community organizations (ormas). After the Government passed Presidential Regulation Number 25/2024 concerning Mining Permits for Mass Organizations, there have been pros and cons among the public because it has been full of political interests. Next, we raise the topic on the urgency of reforming the Indonesian National Police from two main aspects. The first is the aspect of the human rights (HAM) perspective, considering the high number of cases of violence committed by the police. Second is the aspect of monitoring, supervision and internal accountability of the institution.

Still in the political field, the Indonesian Update also discusses plans to add state ministries in the State Ministries Bill. The increase in the number of ministries will of course have the consequence of increasing bureaucracy in the upcoming government. In fact, current world developments encourage bureaucracy to develop into modern organizations that work efficiently and effectively.

In the social sector, the Indonesian Update raises the issue of setting retribution rates for organizers and perpetrators of online gambling as an alternative option for social punishment. However, this is only temporary and cannot resolve people's addictive behavior towards this game. Furthermore, we also discuss that women with widow status who work as migrant workers are heroes not only for their families but also for the country. Therefore, the Government needs to increase synergy between ministries and institutions, as well as other

relevant stakeholders in disseminating information about social protection guarantees.

It is hoped that the monthly publication of the Indonesian Update with its current themes will help policy makers in government and business institutions - as well as academic circles, think tanks and elements of civil society, both at home and abroad, to obtain actual information and contextual analysis about economic conditions, politics, social and law in Indonesia, as well as an understanding of public policy in Indonesia.

Happy reading.

The State of Protectionism Policies in the World and Indonesia

Protectionism is arguably on the rise and threatening globalization and world trade. Protectionist policies; for example, trade barriers such as tariffs and quotas, are also the causes of de-globalization (spglobal.com, accessed July 7, 2024). Current protectionist policies are boosted further by the consequences of the COVID-19 pandemic, from which many countries are still in the process of recovering, and also by Russia's large-scale invasion of Ukraine, which is entering its second year in 2024 (spglobal.com, access July 7, 2024).

In the World Bank's latest report entitled "Unleashing Indonesia's Business Potential" (June 2024), the Indonesian economy is predicted to grow 5.1 percent annually from 2024-2026. However, slowing global trade recovery, financing pressures, and escalation of armed conflict or geopolitical uncertainty will result in widening current account deficits, low revenues, and a tight fiscal position, which will still be challenges endured by the Indonesian economy (World Bank, June 2024).

Therefore, this article shall discuss protectionist policies in a world dominated by the United States (US), the examples and conditions of Indonesian protectionist policies, as well as recommendations for the future Prabowo Subianto-Gibran Rakabuming Raka (Prabowo-Gibran) government to mitigate protectionist policies.

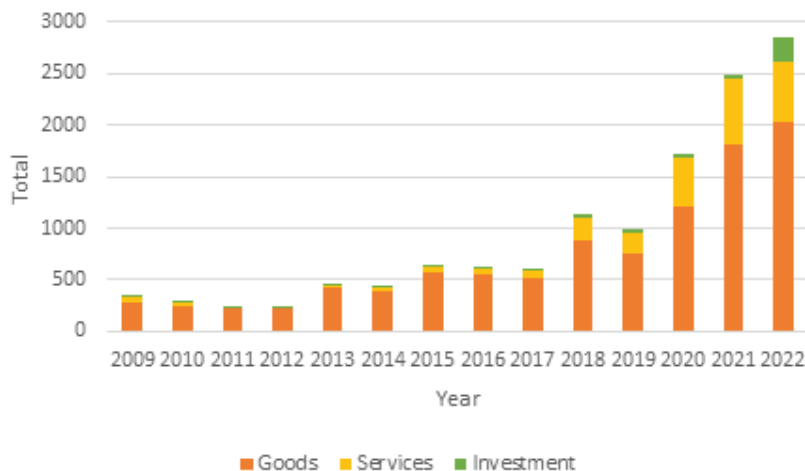
The State and Examples of Protectionist Policies in The World

In general, free trade has a positive impact on economic growth through market expansion, increasing efficiency and specialization, and providing affordable prices and a variety of goods or services for consumers. For example, according to World Bank (August 29, 2023), since 1990, 24 percent of income worldwide had increased due to global trade, and the income of the poorest 40 percent of the population had increased by 50 percent, or in other words, as many

as one billion people had escaped poverty. Global trade also had a significant role in shaping the economy and driving better socio-economic outcomes (World Bank, August 29, 2023).

Even though free trade was related to economic growth, protectionist policies had exhibited a rise during the 2009-2022 period, as shown in Graph 1.

Graph 1. Total of Trade Restrictions Imposed Worldwide During 2009-2022



Source: Bolhuis, Chen, & Kett, June 2023, International Monetary Fund.
Processed by the author.

According to Graph 1, in 2022, there were 2,845 trade restriction policies implemented across the world. These numbers risen by 14.21 percent compared to the previous year. If you look at the Compound Annual Growth Rate (CAGR), the total CAGR of trade restrictions imposed worldwide during 2009-2022 was 82.55 percent. The CAGR of trade restrictions imposed for goods, services, and investments, respectively, in the same period was 77.63 percent, 61.68 percent, and 52.04 percent.

Moreover, Graph 1 also displays that the policy of trade restrictions for goods from year to year appears to be higher than trade restrictions for services and investment. It was proven; for example, during the COVID-19 pandemic in 2020, according to the World Trade Organization (WTO) (2020) in Jean (2020), that at least 80 countries imposed trade restrictions on health and food goods. Furthermore, Bolhuis, Chen, and Kett (June 2023) also stated that protectionist policies in setting tariffs on commodities and industrial goods, such as semiconductors, also occurred in many countries.

During this unprecedented pandemic, trade restrictions imposed on goods, services, and investment also improved significantly; namely, by 61.7 percent, 126.31 percent, and 41.67 percent, respectively, compared to 2019.

Protectionist policies in the world are dominated by trade restriction policies by developed countries. According to data from Statista.com (4 July 2024), the G7 countries (seven large industrial economic countries consisting of the United States (US), Germany, Italy, Canada, France, England, and Japan) dominated the top 15 countries that had implemented trade restriction policies during the period 2009-September 2023.

The US is in first place with 9,849 policy interventions, followed by Germany (third place with 3,274 policy interventions), Italy (fourth place with 2,336 policy interventions), Canada (sixth place with 1,903 policy interventions), France (seventh place with 1,808 policy interventions), England (ninth place with 1,677 policy interventions), and Japan (thirteenth place with 1,194 policy interventions). China itself is in second place with 6,130 trade restriction policy interventions.

As a country with an immense number of trade restriction policy interventions, the policies implemented by the US strongly affect the policies that will be accommodated in other countries. For example, the Inflation Reduction Act (IRA) policy is considered by several researchers and think tanks to be a protectionist policy because it still contains elements of 'America First.' This law provides enormous incentives in the form of taxes, grants, and loans, the funds of which will later be applied to developing environmentally friendly sectors, such as energy, transportation, manufacturing, and others (Barr, October 13, 2023).

However, the impact of passing this policy was the response from the allied country to level the playing field regarding renewable energy (Citigroup.com, January 31, 2023), such as Japan, which was promoting the 'Green Transformation Act' to transform various sectors in achieving carbon neutrality and energy transition in Asia (influencemap.org, January 2023). However, this policy was criticized by energy and environmental experts in Japan because it protects greenhouse-emitting producers and businesses in the nuclear industry (Mainichi.jp, 18 April 2023). On the other hand, France offers green tax credits for environmentally friendly investments and cash incentives for those who buy new electric cars, provided the automobiles were produced in Europe (Reuters.com, May 11, 2023).

President Biden's administration has also just announced a protectionist policy to counter Chinese hegemony; namely, sharply boosting tariffs on imports of strategic goods from China, such as steel and aluminum (from 7.5 percent to 25 percent), semiconductors, and electric cars (from 25 percent to 100 percent), lithium batteries (from 7.5 percent to 25 percent), essential minerals, solar cells (from 25 percent to 50 percent), and medical products (Goujon & Vest, May 15 2024; Jackson, May 17 2024). It is no surprise that China said it would immediately respond firmly to US protectionist policies, potentially leading to a trade war between China and the US (Jackson, May 17, 2024).

Amid the interconnectedness in almost all countries due to globalization today, protectionist policies are performed by advanced economic countries, such as G7 member countries, the majority by the US, which will have a great prospect to escalate trade wars between the US, its allies, and China. The current trade war is also related to policy efforts to achieve net zero emissions described previously. As a result, the potential for accelerating climate change mitigation, knowledge transfer, and even the development of new technology and the aggregate welfare of society will be affected.

Interconnectedness and trade wars between the world's two largest economies, as described above, will influence the decline in economic growth; for example, through a reduction in the trade balance and the flow of foreign direct investment (FDI) in developing countries such as Indonesia, and underdeveloped countries on the African continent and other Latin American regions.

Moreover, interconnectedness also means that the policies implemented by Indonesia also influenced the policies of other countries. An example is nickel exports banned by Indonesia, where it is needed by several countries, such as China, Australia, and Singapore. These countries will diversify their trading partner countries for their imports and potentially leave Indonesia's nickel behind. This policy can also be stated to be a form of retaliation for Indonesia's nickel protectionism policy.

Furthermore, in general, the abovementioned trade war will also distort world and domestic market conditions and significantly harm economic agents (individuals, companies) in that country. For example, due to market distortion by a trade war, companies will pay expensive input costs for production due to the emergence of protectionist policies in a trade war, such as increasing import tariffs, which cause high costs in economic activities. This effect spreads to several things: the company reduces the quality of the goods produced, or it raises the price of goods due to high

production costs, which will extend to an increase in the price of goods consumers have to pay.

The State and Examples of Protectionist Policies in Indonesia

According to Patunru (2023), trade policy in Indonesia was still amid doubts around ambivalence, pragmatism, and nationalism, which still emerged today. Ambivalence, according to Merriam-Webster.com (accessed July 8, 2024), is “simultaneous and contradictory attitudes or feelings (such as attraction and rejection) towards an object, person, or action”, and is reflected in policy decision-making by the Indonesian Government. For example, trade cooperation to secure the lithium supply for batteries in developing the electric vehicle ecosystem in Indonesia; however, this coincided with a ban on exports of Indonesian nickel ore (Patunru, 2023).

Surianta and Patunru (2021) in Patunru (2023) said that the policy of Law Number 11/2020 concerning Job Creation, which was amended by Law Number 6/2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2/2022 concerning Job Creation became Law (UU CK or Omnibus Law) was pragmatism, one of the meanings of which according to the Great Dictionary of the Indonesian Language (KBBI) is “the belief that the truth or value of a teaching (understanding, doctrine, idea, statement, saying, etc.) depended on its application for human benefit”, Indonesian trade policy. The Omnibus Law aims to open employment opportunities, boost the workforce competitiveness, provide convenience for investment and trade, and so on.

Lastly, trade policies that were nationalistic in nature were related to loving the country and the Motherland. One example of this policy was the ban on nickel exports (Patunru, 2023), which was stated in the Minister of Energy and Mineral Resources Regulation (Permen ESDM) Number 11/2019 concerning the Second Amendment to the Regulation of the Minister of Energy and Mineral Resources Number 25/2018 concerning Mineral and Coal Mining Businesses.

It appears that the nationalistic aim of the nickel export ban policy has taken into consideration several things, such as efforts to boost the added value of natural resources such as nickel, supporting the mining industry ecosystem and national development through downstreaming, depleting nickel resource reserves because it is not a renewable resource. However, the impact of this protectionist-nationalist policy was retaliation from several developed countries, such as the US and the European Union. The export ban on crude

palm oil (CPO) by Indonesia had negative impacts, such as reducing the competitiveness of Indonesian CPO against Vietnam (Kontan.co.id, 28 May 2024) and disrupting the CPO supply chain, which potentially triggered a crisis, one of which experienced by Pakistan (sawitindonesia.com, January 23, 2024).

However, Patunru (2023) said that elements of ambivalence, pragmatism, and nationalism often appeared concurrently, and it was impossible to attribute one policy to just one characteristic. This is because these three components can be said to be influenced by global, regional, national, and local economic conditions with the interconnectedness explained previously. For example, Indonesia's ambivalence regarding cooperation in the lithium battery trade and the policy banning nickel exports for the domestic electric vehicle ecosystem. The Indonesian government is committed to reducing greenhouse gas (GHG) emissions in the transportation sector from internal combustion engine (ICE) vehicles to electric vehicles. This can be seen from the slightly greater Annual Average Growth Rate (AAGR) of electrical energy sources consumed compared to fuel oil (BBM) and gas; namely, 10.49 percent for electricity, 2.84 percent for BBM, and -13.15 percent for gas during the 2014-2022 period in the transportation sector (Adijaya, 2024).

This ambivalence arises because it is like two sides of a coin, on the head side, the Indonesian Government wants to pursue free trade for lithium batteries because Indonesia does not yet have sufficient technology, funds, and knowledge to make its lithium batteries. Even in developing electric vehicles, batteries are the main component to power electric vehicles. However, on the tail side, the Indonesian government wants to become the largest electric vehicle battery producer with available nickel resources. One type of battery with a nickel composition is a Nickel Manganese Cobalt (NMC) battery, such as NMC 622, with a nickel percentage of 60 percent, where manganese and cobalt are 20 percent each. It is no surprise that the Government is carrying out protectionism against nickel. However, this will backfire if no foreign companies are willing to invest capital in Indonesia to make this happen. Therefore, the Prabowo-Gibran government in the future must be careful and wise in 'tossing the coin' to see this policy.

Policy Recommendations for the Prabowo-Gibran Government

As elected President and Vice President in the 2024 General Election (Pemilu), Prabowo-and Gibran promised to resume

the programs and policies of President Joko Widodo's (Jokowi) government. Even though Prabowo is a nationalist, it is desired that the Prabowo-Gibran policy will not lead to protectionism and will still try to encourage free trade. It is because a country will not be able to provide for its own needs considering the limitations and scarcity of its production factors (land, labor, capital, entrepreneurship).

The recommendations for the future Prabowo-Gibran government are as follows. First, the Prabowo-Gibran government must be able to appoint ministers/ministerial level/heads of institutions who are able to oversee trade conditions, both international and domestic or related to foreign policy. The successive government must also encourage better synergy and strategic coordination between relevant ministries and institutions to optimize domestic and foreign policies. It is salient, considering that Indonesia is part of many bilateral, multilateral, and regional trade agreements that require substantial cooperation and integration.

Second, the Prabowo-Gibran government, through the Ministry of Trade and related ministries such as the Ministry of Industry, Ministry of State-Owned Enterprises (BUMN), Ministry of Cooperatives and Small and Medium Enterprises (UKM), Ministry of Manpower, and others must be able to increase the comparative advantage of other existing related sectors. For example, by strengthening digital infrastructure, increasing workforce capacity, increasing capacity building for Micro, Small, and Medium Enterprises (MSMEs) such as marketing, expanding sources of financing, and so on.

Third, the Prabowo-Gibran government must have the courage to carry out structural reforms of President Joko Widodo's policies, which have not been implemented properly and precisely. Strengthening comparative advantages previously explained is also an effort to strengthen Indonesia's position in international trade.

Free trade has been proven theoretically and empirically to improve individual welfare, encourage competitiveness, and increase economic growth. Therefore, the Prabowo-Gibran government in the future must be willing to examine more critically and strategically current economic policies, including policies related to trade and downstream, as well as related policies that tend towards inhibiting free trade, economic growth, and prosperity, so that these policies do not re-implemented.

- Putu Rusta Adijaya -

Protectionism can be said to be on the rise and is threatening globalization and world trade. As winners of the 2024 election, Prabowo-Gibran have promised to continue the programs and policies of President Jokowi's government. The Prabowo-Gibran government must be able to appoint ministers/ministerial level/heads of institutions who are able to control trade conditions, both international and domestic, or related matters such as foreign policy, increasing the comparative advantage of salient sectors, and carrying out structural reforms of President Jokowi's policies that have not been implemented properly and correctly.

The Importance of Indigenous Peoples' Participation in the 2024 Regional Elections and for the Future of the Regions

The 2024 Regional Head Election (Pilkada) will be held on November 27, 2024. In the election contestation, all levels of the society who meet the provisions in accordance with the General Election Commission Regulation of the Republic of Indonesia Number 8 of 2024 on Candidacy for the Elections of Governors and Deputy Governors, Regents and Deputy Regents, and/or Mayors and Deputy Mayors and its Amendments (PKPU Pilkada Candidacy), can run for local government candidates. This also applies to people who have the right to vote in the upcoming regional elections, as long as they have completed the requirements to become voters in accordance with PKPU Number 7 of 2024 on Compilation of Voter Lists in the Implementations of the Elections of Governors and Deputy Governors, Regents and Deputy Regents, and Mayors and Deputy Mayors (PKPU Pilkada Voter List).

Reflecting on the 2024 General Elections (Pemilu), indigenous peoples still experience various challenges in participating in elections. Indigenous voters experience obstacles related to voter data collection. One of them is that there were still many indigenous people who did not have Electronic Identity Cards (ID-el) ([kompas.id, 1/11/2023](https://kompas.id/1/11/2023)). After the 2024 elections, the National Commission on Human Rights (Komnas HAM) confirmed this with the case that there were around 600 indigenous people of outer Baduy who did not have ID-el ([antaranews.com, 21/2/2024](https://antaranews.com/21/2/2024)).

In the 2024 Pemilu, there were also indigenous people who were running to become election participants as legislative candidates. It is recorded that the Indigenous Peoples Alliance of the Archipelago (AMAN) sent 32 candidates spread across 12 provinces and 18 districts / cities for seats in the Regional People's Representative Council (DPRD), Regional Representative Council (DPD), to the House of Representatives (DPR). However, none of the candidates managed to secure a position at the national level ([kompas.id, 13/3/2024](https://kompas.id/13/3/2024)).

Therefore, it can be seen that the participation of indigenous peoples in political contestation in Indonesia still needs to be a concern and its improvement needs to be pursued. In this paper, we will discuss the importance of indigenous peoples' participation in the upcoming 2024 Pilkada.

The Political Rights of Indigenous Peoples and the Importance of Indigenous Peoples' Role as Policy Shapers

The existence of indigenous peoples is recognized and protected under Article 18B of the 1945 Constitution. This means that indigenous peoples are also included in the Indonesian population and have the same political rights to vote and be elected in general elections. The right to participate in national political life is also protected by international instruments; namely, Article 5 of the United Nations Declaration on the Rights of Indigenous Peoples.

In policy formation, it is important for indigenous peoples to be present and take a position as policy makers. From the national to the regional level, it is meaningful to be filled from the composition of indigenous peoples. This is because many policies have not paid attention to the survival of indigenous peoples, as well as the environment that is maintained by the indigenous peoples concerned.

First, the recognition of indigenous peoples, including their customary territories, still needs to be vigorously carried out by local district/city governments. By issuing a product in the form of a Regent/Mayor's Decree where indigenous peoples are domiciled, the Government has greatly impacted on indigenous peoples to be recognized for their place of residence and have the right to have a domicile of residence so that later they can be registered in the population.

The recognition of indigenous peoples by the regent/mayor can be done by any regent/mayor regardless of whether they are indigenous or not. However, the presence of indigenous peoples in these positions is expected to better understand the needs of indigenous peoples in their place. In addition, leadership held by indigenous peoples can be an example for other regions and future leaders regarding how important the recognition of indigenous peoples is for the fulfilment of citizen rights of local indigenous peoples and the creation of equality.

From the recognition, not only residence can be recognized and enjoyed, but also other population rights such as the making of ID-

el to enjoy a number of assistance from the state. The assistance in question is health, education, social assistance, and many more. This is a concrete form of practicing Article 18B of the 1945 Constitution.

Second, indigenous peoples who hold strategic positions such as regents/mayors are believed to be leaders who maintain the sustainability of their natural environment. Indigenous peoples have become pioneers in protecting the nature where they live and the world has named indigenous peoples as the best forest guardians in the world (Rainforest Alliance, 2023). In the midst of climate change and the green economy that the world is increasingly promoting, the perspective and approach of indigenous peoples as pioneers in protecting nature needs to be taken into consideration.

In the issuance of Environmental Impact Assessment (AMDAL) in accordance with Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation (Perppu on Job Creation), AMDAL no longer requires the participation of the public who are environmentalists and/or who are affected by any form of decision in the AMDAL process. In other words, indigenous peoples who are indirectly affected cannot be included in participation.

Reflecting on the case of PT Freeport, the Amugme, Kamoro and Sempan tribes were not included in the AMDAL process of PT Freeport's underground mine and tailings, the natural damage of which was also felt by the three tribes (betahita.id, 1/2/2024). With the presence of indigenous leaders in the region, decision-making in the AMDAL process can get the perspective of environmentally oriented indigenous peoples. Although the latest AMDAL regulation provides the option that the final AMDAL decision can be made by the central or local government, the voice of local governments will be important to voice their opinions.

Third, to achieve policy formation at the regional level that represents and includes indigenous peoples. Regional leaders at the regent/mayor level who are directly from indigenous groups will be able to create policies that facilitate the needs of the indigenous peoples concerned. These policies are not limited to development that can have an impact on the survival of indigenous peoples, but other policies such as education, health, and others that can have a good impact on the quality of life of indigenous peoples.

With regional policies that involve and have a good impact on indigenous peoples, the classification of marginalized and vulnerable groups attached to indigenous peoples will undoubtedly disappear. The same goes for discrimination and other forms of alienation generally practiced by the surrounding community. Hopefully, indigenous leaders will be able to create policies that provide opportunities for coexistence among all citizens.

The need for more Indigenous Voters to Participate

Not only indigenous peoples as candidates, of course, the participation of indigenous peoples as voters is also an important thing to be improved in the 2024 Pilkada. As explained earlier, indigenous peoples are part of Indonesian citizens who are also entitled to enjoy the political right to vote. Indigenous peoples who participate in the 2024 elections as voters are also expected to have an impact on the direction of the regional policies concerned in the future.

Indigenous voters can choose which leaders can represent indigenous peoples in the administration of their regions. This is important so that indigenous peoples can vote directly for regional head candidates who can voice the grievances of indigenous peoples, care about indigenous issues, and can create regional level policies that are inclusive of indigenous peoples as well.

The increased participation of indigenous peoples in the 2024 elections as voters is expected to be a reflection of the involvement of all levels of the society in the substantive democratic process. The voices of indigenous peoples as citizens are important to create a diverse Indonesia. Hopefully, the elected leaders can also carry the aspirations and respect the existence and survival of indigenous peoples.

Recommendations

In increasing the participation of indigenous peoples as voters and participants in the 2024 elections, here are some points of recommendations:

- a. The Population and Civil Registration Office in collaboration with the Voter Data Updating Officer needs to conduct population data collection for indigenous peoples that is affirmative to facilitate. This can be done by visiting local indigenous areas more directly to make it easier for indigenous peoples to be registered as residents and obtain ID-el cards;
- b. The KPU at the regional level needs to optimize the function of the Special Voters List for indigenous peoples who have qualified as voters but have not been registered in the Permanent

- Voters List to continue to provide opportunities for indigenous peoples with these conditions to participate in the 2024 Pilkada;
- c. All levels of the society and community organizations, especially those working for indigenous peoples, need to support indigenous cadres to become participants in the 2024 regional elections. Support can be done by providing knowledge related to the procedures for registering as participants or knowledge and other forms of support needed to enter the political contestation of the 2024 Pilkada; and
 - d. The KPU and the Election Supervisory Agency at the regional level need to conduct broader information dissemination of the elections in order to reach indigenous peoples who have not previously been reached by information related to the upcoming electoral activities.

The increased participation of indigenous peoples in the 2024 elections as voters is expected to be a reflection of the involvement of all levels of the society in the substantive democratic process. The voices of indigenous peoples as citizens are important to create a diverse Indonesia.

- Christina Clarissa Intania -

The Fight for the Rights of Marginalized Groups to Have the Freedom of Opinion and Expression

The National Commission on Human Rights (Komnas HAM) represented by Beka Ulung Hapsara as Commissioner for Education and Counselling of Komnas HAM (2021) explained that marginalized groups in Indonesia had been facing challenges such as discriminatory policies from ministries, state institutions, local governments, and law enforcement officials; repressive actions by security forces; and the existence of intolerant groups. These challenges are generally experienced by marginalized groups. However, not all points of issues that pose challenges to marginalized groups are known to the public. Therefore, the fulfilment of the rights of marginalized groups through the dissemination of the issues they face is important.

One of the important factors in voicing the rights of marginalized groups is the freedom of opinion and expression guaranteed by our Constitution. Reflecting on the 'All Eyes on Papua' campaign, social media plays an important role in raising the issue of what is happening to the land in Boven Digoel, South Papua and Sorong, Southeast Papua with an area of more than 36,000 hectares that will be turned into oil palm plantations (en.tempo.co, 24/6/2024). Seeing the significance achieved by the 'All Eyes on Papua' campaign, this paper shall further discuss other forms of freedom of expression practices and their role in improving the fulfilment of the rights of marginalized groups.

The Importance of Freedom of Opinion and Expression for Marginalized Groups

In social life, several groups tend to be excluded and do not get access to public services, as they experience discrimination due to gender, age, ethnicity, religion, health status, disability, sexual orientation, education, income, or geographical location (Foster Osei Baah, Anne M. Teitelman, and Barbara Riegel, 2019; United Nations Development Programme, 2022). In Indonesia, some examples of marginalized groups are transgender community, persons with disabilities, indigenous peoples, farmers community, and so on.

These groups still have their rights as citizens, especially the right to freedom of opinion and expression.

The right to freedom of opinion and expression has been protected in Article 21 Paragraph (3) of the Universal Declaration of Human Rights. Indonesia has also guaranteed the freedom of opinion and expression in Article 28 and Article 28E (3) of the 1945 Constitution of the Republic of Indonesia, Article 2 (1) of the *International Covenant on Civil and Political Rights* (KIHSP) as ratified in Law Number 12/2005 concerning *Ratification of the International Covenant on Civil and Political Rights*, and Article 23 (2) of Law Number 39 of 1999 regarding Human Rights.

The Standard Norms and Regulation No. 5 on the Right to Freedom of Opinion and Expression summarizes the scope of the right to freedom of opinion and expression. In practice, the following are examples of relevant applications in order to voice the fulfilment of the rights of marginalized groups:

The Scope of Freedom of Opinion and Expression	Practice Example
Speech and Political Expression	'Farmer Oration' by Akar Foundation (27/9/2021)
Religious Expression	Awyu and Moi Tribe ritual in front of the Supreme Court (27/5/2024)
Art Expression	Art Installation on the Institutionalization of Persons with Disabilities in Indonesia "Hidden Torture" (22/8/2023)
Symbolic Expression	Clothesline Installation Action by Domestic Worker Activists at the House of Representatives (DPR) Building (23/8/2023)
Freedom of the Press	Project Multatuli's reportage titled "The Winding Road of Transwomen in Bogor: Accused of Jin Possession, Difficult to Get a Job, Until Restricted by Regional Regulation" (1/3/2024)
Academic Freedom	International Conference and Consolidation for Ancestral Religions "Vulnerable Group Democracy" by Indonesian Consortium for Religious Studies (22/11/2023)

Sources: akar.or.id, 27/9/2021; kompas.id, 27/5/2024; Perhimpunan Jiwa Sehat Indonesia, 2023; news.detik.com, 23/8/2023; projectmultatuli.org, 1/3/2024; Indonesian Consortium for Religious Studies (20/11/2023).

Based on the research by Mounira M. Charrad, Amina Zarrugh, and Hyun Jeong Ha (2021), it was explained that the voice expressed directly by marginalized groups through the media of opinion and expression had its own value. This added value was the level of personalization of the message conveyed, which in turn allowed marginalized groups to convey their demands better. The lack of political experience for most marginalized groups also gave them greater credibility in expressing their aspirations because the problems expressed were based on their own impact, not because of certain political influences (Charrad, Zarrugh & Ha, 2021).

Reflecting on the examples given in the table above, the forms of opinions and expressions expressed come directly from marginalized groups. Farmers' Oration, Persons with Disability Art Installation, and Reportage directly conveyed the experiences experienced by the groups for the public to understand more closely. In the Farmers' Oration (27/7/2021), farmers conveyed an overview of the current situation of farmers, their hopes, and demands. Orations were delivered directly by farmers from various regions, both men and women. The description of the conditions that were spoken was very practical and detailed because it was experienced by the farmer group directly (akar.or.id, 27/9/2021).

Then, for the Art Installation on the Conditions of Institutionalization of Persons with Disabilities in Indonesia, the author attended this event herself (22/8/2023). The photos and artworks displayed provided assistance in depicting the direct experience of the relevant groups of persons with disabilities who had not been able to directly participate in voicing their opinions, as was done in the Farmer's Oration. Project Multatuli's Reportage, which depicted the lives of the transgender women who were the interviewees, also provided an opportunity for readers to understand the lives of the interviewees more closely with messages that were also personalized. These examples show how personalized messages can be given directly by groups of farmers, persons with disabilities, and transgender communities using the methods in the table above.

Then, if we look back at the Awyu and Moi Rituals in front of the Supreme Court in the table, rituals were personal practices conveyed by the Awyu and Moi. The channeling of this expression has been proven to have an impact on the issues of marginalized groups being heard. This expression not only brought a response of 1.5 million Instagram users sharing the 'All Eyes on Papua' campaign (thejakartapost.com, 4/6/2024), but also got the attention of Vice

President of the Republic of Indonesia Ma'aruf Amin (setneg.go.id, 6/6/2024) and Deputy Chairman of Commission IV of the House of Representatives of the Republic of Indonesia Budhy Setiawan (mediaindonesia.com, 14/6/2024) who voiced the need for communication between the local governments and traditional leaders and the communities to promote participation.

Personalized messages, clear demands, and the lack of political influence make the expressions of marginalized groups successfully heard by the public. Once the issue is recognized, it becomes one step closer to shaping policies that can accommodate the needs of marginalized groups. Agenda setting that includes the issue of marginalized groups will become more likely if the issue has become a public concern and has received the attention of policymakers.

If compared to other expressions, the character of expressing opinions in academic freedom in the form of conferences is quite different. For example, conferences can be attended by the wider community, not just by the marginalized groups concerned. However, if carried out by the spirit of the academic pulpit and scientific authority, the studies presented at the conference will reflect the true situation without carrying certain political interests. The results of these studies will generally serve as input for the evaluation of existing policies and recommendations for future improvements.

According to the explanations above, marginalized groups need to be protected and facilitated for their right to opinion and expression. Like citizens in general, marginalized groups have the same right to voice their opinions. Diana Voerman-Tam, Arthur Grimes, and Nicholas Watson (2023) concluded that the right to opinion and expression had an empowering effect on groups with limited resources. However, at the same time, the limitations experienced by marginalized groups in expressing their opinions need more attention.

The Challenges to Freedom of Opinion and Expression of Marginalized Groups

In enjoying the right to opinion and expression, there are several challenges faced by marginalized groups. *First*, rules that tend to be ambiguous, so they can criminalize the freedom of opinion and expression. An example is Article 27 (1) jo. Article 45 (2) of Law Number 11 of 2008 as amended in Law Number 1 of 2024 regarding Information and Electronic Transaction (IET Law), which can criminalize indecent content from victims of *online* gender-based

violence (GBV) shared due to persuasion, deception, and other coercive efforts. (Intania, 2024). Other problematic articles in the IET Law are Article 27A jo. Article 45 (7) related to the attacks on honor or good names; Article 28 (2) related to actions that cause hatred, incite, invite, or influence others; Article 28 (3) related to lies that can cause riots in the community; and Article 40 (2a) and (2b) related to termination of access by the Government.

However, there are still several policy discourses by the Government that can also threaten the right to opinion and expression of marginalized groups and society in general. The upcoming threats are Law Number 1 of 2023 on the Criminal Code to take effect in 2026, the discourse on the passing of the Broadcasting Bill that regulates many points of prohibition on broadcast content standards, and the Indonesian Police Bill that allows the Police to wiretap and block access to cyberspace.

Second, the intimidation experienced by marginalized groups. This is because often the demands of marginalized groups can conflict with the interests of other parties. An example is the movement of fishermen who are members of the Coalition to Save Jakarta Bay (KSTJ) who are fighting to cancel the reclamation project (Alamsyah & Samadhi, 2023). In voicing their demands, KSTJ experienced repressive actions from the police, criminalization, accusations of fishermen as communists, and violence through the eviction of fishing boats that were at sea (Andi, 2020; Alamsyah & Samadhi, 2023). The dissolution of the People's Water Forum Bali 2024 (PWF 2024) was also an example. This event was a moment to provide criticism of water policy management from related marginalized and vulnerable groups (thepeopleswaterforum.org, 2024). However, in its implementations, PWF 2024 was disbanded by the community organization called Patriot Garuda Nusantara on the grounds that the PWF 2024 event did not comply with a verbal appeal from the Bali Governor's Office (national.tempo.co, 23/5/2024).

Voicing opinions and expressions is an important skill if marginalized groups have limited resources to increase their bargaining power amidst issues that can threaten their survival. Therefore, it is important to maintain the ability of marginalized groups and all people in Indonesia to be able to voice their opinions and expressions.

Recommendations

According to the discussion in this paper, the following are recommended:

- a. All levels of society up to the government must not misuse the articles in the IET Law to criminalize the freedom of opinion and expression;
- b. The need for the House of Representatives (DPR) with relevant ministries and state institutions not to pass bills that have ambiguous provisions and can criminalize the freedom of opinion and expression;
- c. All levels of society, both individuals and communities, need to jointly monitor the living situation of their closest marginalized groups and report to the police, local government, or Komnas HAM if there are human rights violations that affect marginalized groups; and
- d. All levels of society can help share the voices and expressions of marginalized groups who need to express their issues and demands.

It is important to facilitate the freedom of opinion and expression of marginalized groups. Like any other citizens, marginalized groups have the same rights to voice their opinions.

- Christina Clarissa Intania -

Controversy over Mining Management Policies for Mass Organizations

When this article was written (3/7), Indonesia has entered one semester of state administration in 2024. During that time, there has been a lot of political momentum that has attracted the attention of many parties. One of the moments that are also receiving attention is the ratification of Presidential Regulation Number 25/2024 concerning Mining Permits for Mass Organizations. This regulation has raised pros and cons among the public because it is allegedly full of political interests. Apart from that, several experts also argue that this regulation is not in line with several existing regulations, such as the 1945 Constitution and the Mineral and Coal Law.

This article shall focus on the two points above by elaborating them further. First, what are the political dynamics and community response to the ratification of this regulation. Second, analysis from experts regarding the alignment of these rules with higher regulations. At the end of the article, it is hoped that readers will be able to understand more deeply the controversy and impact of this regulation, as well as what steps should be taken in the future to achieve a balance between political interests and the public interest.

Policy Aspects and Social Impact

In general, mining in Indonesia is regulated in Law Number 3/2020, which is an amendment to Law Number 4/2009 concerning Mineral and Coal Mining (UU Minerba). The Minerba Law itself has received lots of criticisms since it was passed in 2020. According to the official website of the Indonesian Forum for the Environment (WALHI), there are at least three main problems that will have an impact on the society. First, the public can no longer protest to the regional government based on the regulations in the Minerba Law. So, if the community wants to protest against detrimental mining activities, they must report it to the central government.

Second, there is a risk of being policed if a mining company refuses. This can be seen from Article 162 of the Mineral and Coal Law, that people who try to interfere with mining activities in any form can be reported back by the company and be subject to criminal penalties, even fines of up to 100 million rupiah.

Third, there is a possibility that mining companies can still operate even though they are proven to damage the environment. According to Law no. 4/2009 (the old Minerba Law), reclamation activities and post-mining activities must all be carried out at the same time as depositing guarantees for reclamation and post-mining activities. Meanwhile, in the new Minerba Law, these two activities are separate activities.

Furthermore, Article 83A in PP 25/2024 contradicts Article 75 paragraphs (2) and (3) of the Minerba Law, which gives priority to granting Special Mining Business Permits (IUPK) to State-Owned Enterprises (BUMN) and Regional-Owned Enterprises (BUMD). Apart from that, Article 74 Paragraph (1) of the Minerba Law also states that the granting of IUPK must take into account regional interests. This inconsistency also specifically contradicts the mandate of the 1945 Constitution which states that the use of natural resources must be for the common benefit.

Through the explanations above, it can be seen that PP 25/2024 is not in line with higher regulations; namely, the Mining and Coal Law and the 1945 Constitution. This suggests that PP 25/2024, which is hierarchically under the law, is also problematic. Apart from that, the conflict resolution mechanism in the Minerba Law shows that there are complicated standard operational procedures (SOP). By handing over the problem resolution mechanism to the central government, it will actually make things difficult for the reporter. According to Edward III's (1980) theory regarding policy implementations, procedures that are too complicated will complicate and hinder the policy implementation process itself.

This convoluted process can also be seen in the mechanisms that return problems to regional governments, and if they are not resolved, they are returned to ministers who are part of the central government. In this case, PP 25/2024, which is a derivative of the Minerba Law, also has great potential to implement a similar, complicated mechanisms. At the time this writing was being written (7/4/2024), there were no derivative technical regulations that regulate conflict resolution mechanisms in more detail.

Potential Conflict of Interest

Mining activities by mass organizations (ormas) have a significant impact on local communities, including economic, social and environmental aspects. Thus, the potential for horizontal friction between community-miners, community-government, and community-community is increasing. Especially in this context, conflicts between communities can arise even more because of differences in interests and views regarding mining activities, plus mass organization miners, who incidentally also come from fellow community entities.

The Mining Advocacy Network (Jatam) recorded at least 62 mining conflicts involving communities, miners, the government and fellow communities during the 2014-2019 period. In that five year period, 269 people became victims of criminalization as a result of the conflict. This situation will get worse if the government is unable to simplify standard operating procedures (SOP) for conflict resolution.

Apart from that, in 2018, Jatam also reported that there were 392 coal pits that had not been rehabilitated, which caused 140 people to drown due to these puddles.

On the other hand, the Jakarta Corruption Court (25/4/2024) recorded several corruption cases, such as that committed by the former Director General of Mineral and Coal at the Ministry of Energy and Mineral Resources, Ridwan Djamaluddin, who was sentenced to 3.5 years in prison in connection with an alleged illegal nickel mining case in North Konawe, Southeast Sulawesi. In addition, the Attorney General's Office (29/5/2024) named the former Director General of Mineral and Coal at the Ministry of Energy and Mineral Resources, Bambang Gatot Ariyono, as a suspect in connection with corruption in the PT Timah mining business permit area. There are at least 22 suspects suspected of being involved in this case.

In 2015, Customs and Excise was also successful in thwarting an attempt to smuggle 80 containers of mineral and coal worth 73 billion rupiah. The Corruption Eradication Commission (KPK) also estimated that from January 2020 to June 2022, there would be around 575 billion rupiah in state losses due to illegal exports of mining products.

The notes above show that the mining sector in Indonesia still has many problems. These problems cover various aspects such as environmental impacts, conflicts with local communities, as well as regulations that are less strict and often violated. With the addition of mining permits for community organizations (ormas), the potential for this problem is increasing. This can lead to uncontrolled exploitation of resources, exacerbate environmental damage, and increase social conflict. In addition, the lack of supervision and control from the authorities can trigger illegal mining practices to become increasingly widespread

It should be remembered that mining activities should be carried out by the state for the benefit of the society as a whole in accordance with the mandate of the 1945 Constitution. This mandate emphasizes that the management of natural resources must be in favor of the interests of the people, not the interests of certain groups or factions alone. The state has the responsibility to ensure that mining activities provide optimal benefits for community welfare, preserve the environment, and avoid damage that has long-term impacts.

Recommendations

In accordance to the explanations above, the following recommendations can be made:

1. Considering the vulnerability of conflicts that can occur, the Government must make SOPs for conflict resolution simpler, while still referring to applicable laws and regulations and implementing the principles of good governance. With simple SOPs, it is hoped that the conflict handling and resolution process can take place more quickly and effectively so that the various parties involved can immediately find a satisfactory solution without dragging on.
2. The Government must strengthen regulations and law enforcement in the mining sector. This includes providing strict sanctions for rule violators, as well as increasing the capacity and integrity of mine supervisory officials.
3. The active participation of local communities in the decision-making process must be increased. The Government and mining companies need to involve communities in planning, implementing and monitoring mining activities so that their interests can be protected.

- Felia Primaresti -

Indonesia has entered one semester of state administration in 2024. During this period, various political moments have become the focus of many parties. "One of the most striking is the ratification of Presidential Regulation Number 25/2024 concerning Mining Permits for Mass Organizations, which has sparked pros and cons among the public because it is thought to be full of political interests."

The Urgency of Police Reform of the Indonesian National Police

The results of the Charta Politika Indonesia survey (2022) released on Thursday, December 22 2022, noted that the level of public trust in the Indonesian National Police (Polri) reached 68.9 percent. This figure was the second lowest ranking where the institution received the title as the institution least trusted by the public after the DPR. This level of distrust was the highest compared to other high-ranking state institutions, such as the Attorney General's Office (Kejagung), the People's Consultative Assembly (MPR), and even the Supreme Court (MA), which was recently involved in a corruption case investigated by the Corruption Eradication Commission (KPK).

Interestingly, the data from Political Indicators as of January 2024 showed a significant increase in the level of public trust in the National Police, which rose to 75.3 percent. Meanwhile, the data from Kompas (2022) showed that the positive image trend of the National Police reached its lowest point of 48.5 percent in October 2022 and had risen again significantly to 71.3 percent as of January 2024.

The changes in numbers in the survey which tend to increase indicate that improvements are gradually being made within the National Police internally. Of course this should be appreciated as part of improvement efforts. However, the red note in this institution cannot simply be forgotten without a significant evaluation. According to the records from the Commission for Missing Persons and Victims of Violence (KontraS) in the last year, the Indonesian National Police (Polri) made ten wrongful arrests with 23 victims.

Apart from that, KontraS also noted that in at least the last year, there were 641 cases of violence involving police officers, of which the largest percentage was carried out by the Police; that is 424 cases. These also included major cases such as the Ferdy Sambo case, the Kanjuruhan tragedy, and more recently the Afif Maulana case in Padang. The data have been further exacerbated by the fact

that members of the Indonesian National Police still frequently carry out intimidation. KontraS records showed that from July 2023 to July 2024, there were 33 cases of intimidation of civilians and 36 cases of forced dispersal. These show that the police have not been able to practice freedom of expression, assembly and association.

This article shall examine the urgency of police reform from two main aspects. The first is the aspect of the human rights (HAM) perspective, considering the high number of cases of violence committed by the police. Second is the aspect of monitoring, supervision and internal accountability of the institution. This study is important to understand the steps that must be taken to improve police performance in the future.

The Importance of a Human Rights Perspective

The main problem in the National Police institution is the culture of violence and impunity, which is still rampant. This can be seen from the high rate of violence committed by members of these institutions. Referring to the KontraS study (2024), this culture has its roots in the New Order era, when the National Police, as part of ABRI, was often used as a tool to silence critical communities and violate human rights (HAM). At that time, security forces often acted violently without accountability, as seen in the Mysterious Murders, Tanjung Priok and Talangsari incidents. Thousands of civilians were victims of violence and enforced disappearances in the name of national “security”, and the authorities involved rarely face legal accountability.

Unfortunately, this culture of violence and impunity has become a legacy that is still felt today. Violence is often used by the National Police in law enforcement, sometimes excessively and without adequate sanctions for perpetrators. The principles of legality, necessity and proportionality are often ignored, which leads to repeated cases of torture. Even though all the standards and procedures are in place, their implementations are often poor.

In the research notes of the Indonesian Institute, Center for Public Policy Research (TII) from November 2023 to March 2024 regarding the evaluation of regulations for the construction of places of worship (PBM 2006), it was stated that the presence of authorities (including the police) often exacerbated the escalation of conflicts over the construction of places of worship by for example carried out forced evictions, which was later also confirmed by KontraS data. According to Adinda Tenriangke Muchtar (2024), the Execu-

tive Director of TII, there are still members of the police whose orientation is towards public order and securitization alone without considering human rights aspects.

This was later also agreed by Pramono Ubaid Tantowi, Commissioner of Komnas HAM, in an audience with TII regarding this research on 2 May 2024. He regretted that this still happened a lot in the internal environment of the National Police, considering that the educational curriculum within the National Police already included the importance of a human rights perspective. Rumadi Ahmad, the Head of Deputy V Office with the Indonesian Presidential Staff Office also conveyed the same thing in an audience with TII on 3 May 2024. He was of the opinion that although the human rights perspective had been included in the police school curriculum, this still applied in high level police schools such as Police Academy (Ak-pol). Meanwhile, there are no police schools at lower levels yet.

In fact, the National Police has National Police Chief Regulation Number 8 of 2009 concerning the Implementations of Human Rights Principles and Standards in Carrying out the Duties of the National Police of the Republic of Indonesia. In Article 5 Paragraph 2, it is explained that part of human rights which cannot be reduced by anyone is the right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to religion, the right not to be enslaved, the right to be recognized as a person in before the law, the right not to be prosecuted based on retroactive laws, and the right not to be imprisoned for failure to fulfill an agreement.

Furthermore, Article 13 regulates several prohibitions for National Police officers in carrying out investigative activities. Officers are prohibited from carrying out intimidation, threats and physical, psychological or sexual torture to obtain information, statements or confessions. They are also prohibited from ordering or inciting other people to commit acts of violence outside the legal process or arbitrarily.

Apart from that, National Police officers are not allowed to divulge the secrets of someone who is in a lawsuit, manipulate or lie in making or conveying a report on the results of an investigation, as well as manipulating a report that could obscure the investigation or distort the truth. Finally, officers are also prohibited from taking actions aimed at seeking compensation from the litigants.

According to the explanations above, the process of monitoring and evaluating policies within the National Police's internal environment needs serious attention. Even though policies and regulations already exist, there are still many violations committed by members of the National Police. Rigorous and systematic evaluation is needed to ensure that the policies that have been established are actually implemented well.

The Monitoring, Supervision and Internal Accountability of Institutions

Strong internal oversight will help prevent irregularities and ensure that human rights principles and professionalism standards are upheld in every action and decision taken by Polri officers. Without effective monitoring and evaluation, violations will continue to recur and damage the public's image and trust in the police institution.

KontraS (2024) said that one of the roots of the problems faced by the National Police was excessive authority and minimal supervision. Law Number 2/2002 concerning the Police of the Republic of Indonesia, gives broad authority to the Police, which should be balanced with good and strict supervision. A similar thing was also conveyed by Sandi Ebenezer Situngkir, who works as an advocate, and has proposed a review of the National Police Law in Article 15 paragraph (2) letter k, Article 16 paragraph (1) letter l, Article 18 paragraph (1), Article 38 paragraph (2), and Article 39 paragraph (2) of Law Number 2/2002 concerning the National Police of the Republic of Indonesia (Police Law) regarding the 1945 Constitution of the Republic of Indonesia (UUD 1945), on November 11 2022.

He believes that there is no checks and balances mechanism within the National Police. In his petition, Sandi stated that Article 15, Article 16 and Article 18 of the Police Law did not have clarity of purpose and legal certainty as intended in the Law on the Establishment of Legislation. He stated that the provisions in Article 15, Article 16 and Article 18 stated that members of the Indonesian National Police could take other actions according to their own interpretation, which could then potentially be misused.

Apart from having the authority to maintain order and security, law enforcement and community services as mentioned in the articles above, the National Police also has a legislative function. This function allows the National Police to formulate its own internal regulations, as well as the executive function to enforce these regulations, as well as the judicial function to enforce these regulations internally.

Ideally, with such extensive authority, supervision of the Police is carried out in layers. This can start from internal supervision to external supervision by other state institutions. However, in practice, internal supervision through the Professional and Security Division (Propam) and accountability mechanisms through the Police Code of Ethics Commission are often not effective. In fact, in the case of Ferdy Sambo; for example, he actually abused his position as Head of the Propam Division by killing his subordinate and was proven to have obstructed the legal process by manipulating the facts. This was actually the opposite of what a Propam Division Head should do.

On the other hand, in the context of external supervision, the supervisory relations between the National Police and external institutions have not gone well, as evidenced by various incidents of abuse of authority and human rights violations that still occur. For example, Brigadier General Prasetijo Utomo, Brigadier General Nugroho Slamet Wibowo and Inspector General Napoleon Bonaparte who were involved in the case of Djoko Tjandra, a convict in the Bank Bali cessie case in 2020, as well as AKBP Bambang Kayun who was named as a suspect in alleged bribery in the case of falsifying letters regarding the rights of heirs of PT Aria Citra Mulia (ACM) in 2023, and others (Suara.com, 3 May 2023).

Meanwhile, the role of institutions that should be supervisors, such as the National Police Commission (Kompolnas), KPK, Ministry of State Secretariat (Setneg), Financial and Development Supervisory Agency (BPKP), Kemenkopolkam, LKPP, BPK RI, Ombudsman RI, and Komnas HAM, often stop at providing recommendations without serious follow-up for thorough evaluation and improvement.

Recommendations

According to the explanations above, here are several recommendations that can be taken into consideration for improving the National Police institution:

1. The National Police must implement a curriculum that includes a comprehensive human rights perspective, not just at the Police Academy. This is important, especially for police officers in the field who directly interact with the community. Even though these efforts have been made, it is important not only to intensify and institutionalize the human rights perspective in the context of implementing the duties and functions of the National Police, such as the National Police Chief Regulation which underlies it, but also to improve and continue the existing steps.

2. Apart from that, the National Police must make improvements in the recruitment system, which is also crucial in efforts to improve the quality of Human Resources (HR). For example, providing scholarships to the best graduates from certain schools can be an effective mechanism.
3. The National Police must simplify bureaucracy by implementing the principles of good governance. It is hoped that this will simplify the process of handling reports from the public and increase public trust in law enforcement institutions and officials, so that they can be followed up more efficiently without facing excessive administrative obstacles.
4. Finally, the National Police must strengthen the supervision and monitoring system, especially in the context of internal supervision. This is important to ensure that every action and decision taken by Polri members is in accordance with human rights principles and established standards of professionalism, as well as to prevent abuse of authority and violations of internal regulations, as well as ensuring that the law enforcement process is carried out according to the rules.

Public trust in the National Police is a crucial aspect in evaluating the performance of this institution. The Charta Politika Indonesia survey (2022) showed complex dynamics between the increasing levels of trust and challenges in upholding human rights. "This article reviews the urgency of Polri reform, focusing on improving human rights aspects and strengthening internal supervision."

- Felia Primaresti -

Looking at the Discourse on Adding New Ministries to The Prabowo-Gibran Government

On May 16 2024, the Working Committee (Panja) of the Legislative Body (Baleg) of the House of Representatives (DPR) approved the revision of the Law on State Ministries as a DPR initiative proposal. In a plenary meeting to make the decision to draft the State Ministry Bill, all factions stated that they supported the bill being discussed at the next level. A number of discussion content items have been approved; namely, the deletion of Article 10 that contains the statement that “a deputy minister is a career official” in the explanations of the State Ministry Bill (Kompas.com, 16/5/2024).

Meanwhile, Article 15, which previously stated that the total number of ministries was a maximum of 34, was changed to state that the total number of ministries is determined according to the president’s needs by taking into account the effectiveness of government administration. The revision of the Law on State Ministries also accommodates additional provisions regarding the duties of monitoring and reviewing the Law on State Ministries (Kompas.com, 16/5/2024). The revision of the Ministry Law is in line with the discourse on changing the number of ministries in the government of the new president, Prabowo Subianto.

Responding to this, the Executive Director of Lingkar Civil for Indonesia (LIMA) Ray Rangkuti said that if the discourse on adding ministries was approved, then it would have an impact on the state budget that must be allocated and on the need to have additional human resources such as deputy ministers, ministerial staff and deputy ministers, security, accommodation and transportation (Kompas.com, 10/5/2024).

In line with Ray, an academic from Pancasila University, Wibisono Oedoyo, hopes that the DPR will again examine in depth the issue of additional ministries planned for the upcoming Prabowo-Gibran government. The reason is that he is worried that the addition of 40 new ministries will result in overlapping regulations and authorities (Hukumonline, 23/5/2024).

Discourse on Increasing the Number of Ministries vs Bureaucratic Simplification Program

Referring to the two opinions above, increasing the number of ministries will certainly have the consequence of increasing bureaucracy in the future government. In fact, current world developments encourage bureaucracy to develop into modern organizations that work efficiently and effectively. It is hoped that the bureaucracy will become resilient in facing various internal and external challenges.

The effectiveness of a government's bureaucracy can be seen by good public administration. The essence of public service is providing excellent service to the community, which is a manifestation of the obligations of government officials as public servants. The implementations of public services need to pay attention to and apply the principles, standards and the patterns of implementations so that excellent public services can be realized as a form of state presence.

The plan to add ministries is not in line with President Joko Widodo's (Jokowi) government's programs so far. President Jokowi has echoed the simplification of the bureaucracy to be able to provide good public services. In connection with this, the Minister of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia Regulation Number 7 of 2022 concerning Work Systems in Government Agencies for Simplification of Bureaucracy was stipulated on February 10 2022.

Article 2 of Ministerial Regulation 7/2022 states that bureaucratic simplification is implemented in central agencies and regional agencies. Apart from that, bureaucratic simplification is also carried out in agencies funded by the State Revenue and Expenditure Budget formed to carry out certain tasks in accordance with the 1945 State Constitution or other statutory regulations.

According to the data from the Ministry of State Apparatus Empowerment and Bureaucratic Reform (PANRB), during the period January 2023 to August 2023, the Ministry of PANRB had simplified the organizational structures of 99 ministries and institutions with a total of 48,168 simplified structures. Meanwhile, for Regional Government, there were 148,256 target positions that had been given approval to simplify the organizational structures.

However, the issue of bureaucratic simplification has not gone completely well, considering that bureaucratic culture in Indonesia falls

into the category of patrimonial bureaucracy. The characteristics of patrimonial bureaucracy are: (1) officials are screened on the basis of personal criteria; (2) positions are seen as sources of wealth and profits; (3) officials control both political and administrative functions, and (4) every action is directed by personal and political relationships (Romli, 2008).

The emergence of patrimonial bureaucracy in Indonesia is a continuation and legacy of the traditional value system that grew during kingdoms of the past and was mixed with colonial style bureaucracy. So, apart from the growth of modern bureaucracy, the legacy of traditional bureaucracy also influences the development of bureaucracy in Indonesia. Just like civil servants and priyayi who are also layered, civil servants also consist of various ranks, classes and echelons. The motto of civil servant that has an upward orientation is similar to the royal bureaucracy, *ambtenaar*. Bureaucracy places more emphasis on serving upwards rather than downwards as delivering services to the society (Romli, 2008).

In fact, Indonesia needs excellent bureaucratic performance in line with the quality of bureaucratic apparatus that has integrity and professionalism. It is not just because of closeness to political officials that will ultimately bring the bureaucracy back to the pre-Reform era.

The Addition of Ministries and Bureaucratic Politicization

The plan to add more ministries is the prerogative of the President-elect. However, it is also worth remembering that bureaucracy is always linked to or forced into political dynamics in Indonesia. Miftah Toha (2003) said that bureaucracy in Indonesia was often referred to as officialdom because it essentially displayed power that was structured hierarchically. This means that there is no other organization that can compete with the growing and expanding power of the Government. The growth and development of bureaucracy is influenced by national political conditions. Politics and government bureaucracy are both different, but cannot be separated and influence each other.

In almost every general election event, both at the national and regional levels, candidates try to attract the votes of bureaucrats. Even incumbents have the opportunity to use bureaucrats as a voice-seeking engine. As stated by Toha (2003) above, bureaucrats have power that is structured hierarchically down to the lowest levels of the society, so bureaucracy can be a tool in winning candidates competing in elections.

For bureaucratic officials, their participation in winning a candidate can be a stepping stone for them to move up in the bureaucratic structure if the candidate they are supporting wins the election. This opportunity to influence each other has been maintained to this day. Therefore, the discourse on additional ministries to be filled by bureaucrats certainly deserves monitoring and criticism.

Considering the experience that has occurred in Indonesia, in the future whether the bureaucracy will become a tool for the people to provide good public services or it will become tools for the authorities to gather votes in elections. Of course, the big hope is that this will not happen. Therefore, it is important to maintain bureaucratic reform. One of them is by simplifying bureaucracy.

Recommendations

According to the explanations above, it can be concluded that it is important to develop the bureaucracy into an organization that can provide excellent public services effectively and efficiently. Apart from that, it is important to maintain bureaucratic neutrality so that it is not influenced by practical political dynamics, which will later be detrimental to the wider community. Therefore, the following steps are needed:

First, to encourage President-elect Prabowo Subianto to optimize the bureaucracy effectively and efficiently, as well as to apply other principles of good governance, and to provide excellent public services without adding ministries and institutions. Second, to encourage the PANRB Ministry and the National Civil Service Agency (BKN) to continue implementing bureaucratic simplification programs at the central and regional levels.

Third, to encourage the PANRB Ministry to continue to carry out selection of bureaucratic apparatus by prioritizing meritocracy, inclusion, transparency and accountability. Fourth, encourage the General Election Supervisory Agency (Bawaslu), the Ministry of State Apparatus Empowerment and Bureaucratic Reform (Kemen PANRB), the Ministry of Home Affairs to increase outreach to bureaucratic officials about the importance of neutrality in elections and regional head elections (Pilkada).

- Arfianto Purbolaksono -

The plan to add more state ministries in the State Ministries Bill must be monitored and criticized. "It is important to encourage bureaucratic simplification and implement good governance to provide better, public-oriented and integrity public services."

Weighing the Effectiveness of Social Punishment of Online Gamblers through Government Taxes

The Financial Transaction Report and Analysis Center (PPATK) noted that during the first quarter of 2024, the value of online gambling transactions reached more than Rp600 trillion. However, PPATK's Public Relations Coordinator, Natsir, was reluctant to reveal the possible amount of online gambling transactions in the future. He said that the Government must be aware of new patterns used by the community (Kompas.com, 18/6/2024).

In addition, the Indonesian National Police (Polri) also said that the Government's plans to block 5,000 online gambling-related accounts and to put them into the state treasury are still being coordinated by a number of state institutions because there will be many institutions/agencies that have different interests (Kompas.com, 25/6/2024).

As previously reported, the Coordinating Minister for Political, Legal and Security Affairs, Hadi Tjahjanto, revealed that there were around 5,000 accounts related to online gambling that had been blocked. Hadi said that these accounts would be handed over to the National Police Criminal Investigation Unit for further investigations. The investigations will last for the next 30 days. Therefore, the accounts will be blocked, while Bareskrim Polri investigators call the account owners for investigations. If no one reports the freeze within 30 days, the funds in the accounts will be confiscated and handed over to the state. This is in accordance with the decision of the district court (Kompas.com, 25/6/2024).

The handling of online gambling cases by the community and the amount of financial transactions that revolve should consider many important aspects such as increasing public awareness of the impacts. Therefore, this paper shall discuss gambling as a product with cultural-sociological roots, including increasing the effectiveness of punishing online gambling offenders through retribution/tax rates in the entertainment sector.

Gambling as a Cultural Product

Gambling is not something new to human civilization. Gambling is one of the oldest activities of humankind. This is evidenced by gambling-related writings and equipment found in many tombs and other places (nationalgeographic.grid.id, 29/8/2022). The rules against gambling games have essentially spread into various teachings. The multiple teachings include ancient Chinese and Roman laws, the Jewish Talmud, Islam and Buddhism (national geographic.grid.id, 29/8/2022).

In ancient Egypt, gambling players could be sentenced to forced labor in the mines. In the Bible, gambling is closely related to a lottery to divide property as written in Britannica. One famous example was the drawing by Roman guards (which most likely meant that they threw knuckle bones) to determine Jesus' clothes during the crucifixion (national geographic.grid.id, 29/8/2022).

Anthropologist and Dean of the Faculty of Social and Political Sciences at the University of Indonesia, Prof. Dr. Semiarto Aji Purwanto, said that gambling games were part of a social system that had long been attached to the culture of the Indonesian society (Tempo.co.id, 29/6/2024). He explained that there were two different definitions related to gambling in anthropology. First, gambling. Second, betting. Betting is done in a soccer match between one friend and another only. Meanwhile, gambling games tend to be more organized and are usually very structured (Tempo.co.id, 29/6/2024).

Prof. Dr. Semiarto explained that as a social system, gambling could be completely removed from the culture of the Indonesian society. This is proven by one of the research results from the American anthropologist, Clifford Geertz, who researched many social systems in Java and Bali, including cockfighting. In Java, people recognize this activity as totohan or betting (Tempo.co.id, 29/6/2024).

Prof. Dr. Semiarto underlined two things related to gambling activities: solidarity and hope. These two things make gambling difficult to eradicate from the social order system. According to him, eliminating gambling, and cockfighting is the same as eliminating the ideas that exist in the community. In addition, in the cockfighting game, not only the players have hopes, but also the audience of the game (Tempo.co.id, 29/6/2024).

The Government of the Republic of Indonesia has actually banned gambling since the 1970s through Law Number 7/1974 concerning Gambling Control (historia.id, 11/6/2019). All gambling practices in Indonesia were removed because they were against the religion and morals of Pancasila. However, before this law was passed, this gambling game used to be something legal. In fact, the Government facilitated another type of gambling called lottery (historia.id, 11/6/2019).

Not only the Government's lottery, the public was also entertained by another type of gambling that was not licensed. Its name was "Lottery Buntut". The way to play it was only by mentioning the last two numbers of the lucky draw issued by the social rehabilitation foundation. This lottery spread widely. The target groups included the lower middle class groups such as farmers, laborers, and small traders. This type of gambling was played without the need for difficult rules where players could immediately place their bets (historia.id, 11/6/2019).

Another controversy carried out by the previous government regarding the legalization of gambling games had also occurred in DKI Jakarta. In the capital, Governor Ali Sadikin caused an uproar. He legalized a gambling game known as Nalo (national lottery). The legalization of the game was based on Law Number 11/1957 that regulated a local Government's responsibility in its own area. The policy was considered to be the basis for regional heads (especially the governor of DKI Jakarta) to develop areas that raised funds from the game. This created pros and cons that dragged Governor Ali Sadikin. However, Ali Sadikin was able to build Jakarta better. A lot of infrastructure was built, and the Government could meet the needs of the people at that time (historia.id, 11/6/2019).

The Legalization of Gambling Games as Part of Cultural Inclusiveness

Gambling games, both conventional and online-based, are seen by most people as having no value (non-beneficial). However, as a great nation and living in a pluralistic society, we cannot close our eyes that gambling games are also part of the culture of the community that needs to be considered for its existence.

Malaysia; for example, as a country with a Muslim-majority population, provides legal access to gambling in Genting Highlands. Genting Highlands is a tourist and entertainment area built by Lim Goh Tong, a Chinese gambling king. Lim Goh Tong himself built the

casino area to fulfill the desire of Chinese Malaysians to gamble. After Lim's death, the business was then continued by Lim Kok Thay, who was the second son of Lim Goh Tong (cnnindonesia.com, 7/11/2021).

Malaysia as one of the Southeast Asian countries is not only inhabited by Malays who are mostly Muslims. However, there are ethnic Chinese and ethnic Indians in a fairly large percentage. On the Government of Malaysia's Official Portal website, it is written that Orang Asli is the indigenous population in Peninsular Malaysia. They are divided into three major groups, namely Negrito, Senoi, and Proto-Malay (kompas.com, 1/8/2022).

Although gambling is legalized in the entertainment area of Genting Highland Malaysia, the application of the rules must meet several conditions. These conditions include that they are Malaysians (non-Malays) and non-Muslim / Muslim religions. Therefore, casinos are forbidden for Malays who are Muslims. However, Chinese and Indian citizens are free to enter and exit (newsdetik.com, 12/13/2011).

The legalization of gambling in Malaysia is a form of government control over community behavior, which is expected to be carried out transparently. This is supported by the laws applied, which are expected to be able to overcome the problem of illegal gambling.

Similarly, in Indonesia, the legalization of gambling practices, especially online gambling, can be an important discourse in building an inclusive policy discourse. The legalization of online gambling practices through the collection of retribution rates (taxes) in the entertainment sector, which are given both to the organizers and to the public as consumers, can be an alternative solution in overcoming the rampant community that conducts this game wildly and unregulated. Although some observers think that online gambling games can still be overcome by disconnecting the game access site network, this is not enough.

The Ministry of Communication and Information Technology (Kemenkominfo) explained that there were three challenges faced in eradicating online gambling. First, online gambling sites can always be reproduced, even though the site has been terminated, IT operators still easily give similar/same domain names or use IP addresses. Second, online gambling is difficult to eradicate because they offer services through private messages. This makes its activities unable to be monitored by the Ministry of Communication and Information. Third, there are jurisdictional issues in handling online gam-

bling outside Indonesia. Samuel Abrijani Pangerapan, the Director General of Informatics Applications of the Ministry of Communication and Information, emphasized that with these challenges, the eradication of online gambling needs to involve all parties such as the Government, the society and industry players (CNBC Indonesia.com, 24/9/2022).

Furthermore, the legalization of online gambling games through the collection of government levies/taxes imposed can be an alternative control over the implementations of games that are not transparent and tend to be brutal. By legalizing online gambling games through the collection of retribution rates in the entertainment sector, at least the Government can control and supervise three things. These three things are: the flows of financial transactions in the industry, the process of implementations, and the behavior of consumers as service recipients.

In addition, in terms of benefits, related to the context of supervision, the Government can obtain an accurate public data information system related to information on the organization and parties related to online gambling.

The Effectiveness of Social Punishment of Online Gambling Players through Government Taxes

The collection of retribution rates on online gambling games can be an effective social punishment, both to industry players and to the public as consumers. This can be done by increasing the retribution rate for game operation, including to the public as consumers.

The assumption so far is that the higher the public interest in engaging in online gambling games, the higher the flows of financial transaction turnover in it. The high flows of financial transaction turnover of the community to play online gambling may be due to the absence of restrictions imposed. Therefore, by setting retribution rates imposed on both parties, it is hoped that it will be able to reduce public interest in engaging in online gambling games.

Similarly, for the game industry players, the determination of retribution rates that must be submitted to the state can provide an overview of considerations for business players to develop or even stop the business by itself. The determination of retribution rates imposed on both parties is key to the sustainability of the organization and community involvement in this industry ecosystem.

Although the determination of the retribution rate imposed can be an alternative choice of social punishment, this is only temporary and cannot solve the behavior of community dependence on this game. The legalization of the online gambling industry still provides the possibility of criminal acts, such as extortion, robbery, debt bondage from illegal loans, and even murder.

Furthermore, increasing financial literacy can be an effort that must be taken seriously as one of the prevention efforts. Therefore, in raising awareness of the impacts, the Government needs to collaborate and cooperate with all parties, such as:

- To involve the role of community and religious leaders, as well as multi-stakeholder collaboration in raising public awareness of the law and the dangers of being trapped in gambling games.
- To increase awareness and improve the supervision system by involving educational institutions from the regional level to the central level.
- To involve law enforcement officials (APH) in disseminating information on the legal impact of gambling activities carried out illegally. People who are intentionally involved in the game can be subject to criminal sanctions, especially in Article 27 Paragraph (2) of Law Number 1/2024 concerning Information, Transactions and Electronics (ITE), including gambling articles in the old and new Criminal Code.

- Dewi Rahmawati Nur Aulia -

The imposition of retribution tariffs on online gambling organizers and players can be an alternative option for social punishment. However, this is only temporary and cannot solve the people's dependence on this game. Therefore, it is important to raise collective awareness of the impact of online gambling. One of them is through financial literacy programs carried out by the Government in collaboration with all related parties.

Women and Widow Stigma in Indonesia

Every June 23 is celebrated as International Widow Day. It was first proposed by the Loomba Foundation, an Indian organization founded in the UK in 1997 by Raj Loomba in memory of his deceased mother. Raj Loomba initiated the idea because he witnessed the struggle of his mother who struggled alone to meet the needs of the family after being left by his father (dunia.tempo.co, 23/6/2024).

The United Nations (UN) has officially recognized June 23 as International Widows' Day. The UN has taken this step to address the marginalization experienced by widows around the world. This recognition is expected to raise public awareness of the experiences and challenges faced by women as widows and to provide the necessary support so that their rights are fully recognized (dunia.tempo.co, 23/6/2024). Related to this, the community needs to support women with widow status as part of the social order who have a role and contribute to development.

This paper shall discuss the stigmatization of widows in Indonesia and the challenges faced by widowed women. On the other hand, this paper also provides some examples of their contribution to development in Indonesia, as well as arguments about the importance of encouraging the synergy of ministries and institutions in providing social security, including for widowed women.

Widow Stigmatization in Indonesia

Widows are defined as women who have been married but cannot maintain their status under state law. In addition, the term widow can also be interpreted as a woman who has been left by her partner due to death. In a patriarchal society, women are often the main reference point for the integrity of a marriage. If the marriage lasts for many years, then she will be considered a wife and mother who has successfully maintained her household.

In fact, to maintain the relationship, women must compromise on many things including their economic dependence on their spouses.

Conversely, wives who could not maintain their households were considered as failed women who could not be good wives and mothers. The integrity of the household is seen as an obligation that must be maintained by women alone and not by both parties.

Data from the Central Statistics Agency (BPS) showed that there were 463,654 divorce cases in Indonesia that occurred in 2023. This number decreased by 10.2% compared to that in the previous year of 516,344 cases. Divorces can be caused by various factors. According to the BPS report, disputes and quarrels became the biggest cause of divorce in Indonesia with a recorded number of 251,828 cases. In addition, divorces could also be caused by economic factors, as many as 108,488 cases and divorce caused by leaving one of the parties as many as 34,322 cases (DataIndonesia.id, 4/4/2024).

When it comes to women with widow status in Indonesia, widows have a negative stigma. One of them is the assumption of society that a bad woman tends to seduce and snatch husbands from their partners. However, this is a perception that is built by the community incorrectly. Research conducted by Yusran Suhan et al (2020) on “Rural Community Labeling of Young Widows in Sailong Village, Dua Boccoe Subdistrict, Bone Regency” concluded that the labeling that occurred towards the status of widows, especially young widows, wasn’t necessarily interpreted as women with negative (bad) connotations. About bad labeling, it does not mean that the woman is unable to prove that the label is wrong and only a stereotype, stigma, and prejudice that does not apply to everyone.

Such negative views make women with widow status need to maintain good attitudes and behavior toward the wider community because society in general will judge based on existing perceptions and experiences that they encounter. If we see or encounter a widow who is not behaving well, the impression and views that arise will seem bad, even though in reality it is not the case.

Furthermore, women with a widow status are the most vulnerable group in various situations, especially if these women are in a situation of poverty and ignorance. The Ministry of Women’s Empowerment and Child Protection (PPPA) said that 9.68 percent of Indonesian women lived below the poverty line. This figure was higher than the percentage of men who were 9.40 percent (Antaranews.com, 11/9/2023). In addition, the poverty situation experienced by women was intertwined with the lack of literacy. The

Central Bureau of Statistics in 2023 reported that 95 out of 100 female residents and 98 out of 100 male residents could read and write Latin/Alphabet, Arabic/Hijaiyah, and other letters. In both urban and rural areas, fewer women could read and write Latin/Alphabet, Arabic/Hijaiyah and other letters than men (Indonesian Migrant Workers/PMI) (BPS.go.id, 14/12/2023).

In general, women (including widows) contribute to development. Not a few women with widow status are forced to work as informal workers abroad (Indonesian migrant workers). Bank Indonesia (BI) stated that the foreign exchange contribution of Indonesian migrant workers reached 14.22 billion dollars. Thus, PMI contributed 10% to the country's foreign exchange reserves. In contributing to foreign exchange reserves, PMI is second only to oil and gas (Oil and Gas) (Antaranews.com, 31/5/2024).

According to data from Satu Data Indonesia, it is known that the total number of Indonesian migrant workers in 2023 who were female until December 2023 reached 167,861 people, while 107,103 of them were men. In addition, the status based on marital status that has separated is 35,507 people (catalog.data.go.id, 27/4/2024). Thus, from the data above, it can be said that women, including those with widow status, are greater in number in PMI, and have contributed significantly to the Indonesian economy.

Another example of women's role in development can be seen from Sudarti's efforts to improve the status of women. This Detik Jatim 2023 nominee in the field of empowerment managed to make a profit of IDR 10 million per month after participating in the Labor Intensive Program held by the Surabaya city government (detik.com, 23/11/2023). This program is one of the surefire measures to reduce unemployment and poverty and help drive the economy of low-income and unemployed residents (detik.com, 23/11/2023). Sudarti did not work alone in building her business. She employed women with widow status as part of her workers. Sudarti's efforts have succeeded in improving the lives of many people, especially women who are sole breadwinners and reflects women's support for other women.

With the role of women, including widows, as described above, it is important for them to obtain proper social protection guarantees as Indonesian citizens. The following is an overview of the participation of women workers in the social protection security system organized by the government.

The Participation of Women Migrant Workers in the Social Protection Security System

On February 26, 2024, the TNP2K Secretariat and the Coordinating Ministry for Human Development organized a Focus Group Discussion (FGD) to review the Indonesian Migrant Workers (PMI) group and follow up on field findings in Tulungagung, East Lombok, and Indramayu in December 2023 (tnp2k.go.id, 28/2/2024).

The FGD noted that the economic contribution of PMI through remittances reached 9.71 billion dollars in 2022. Remittance is a secure remittance transfer service process carried out by senders from within the country to recipients abroad (Outward Remittance) or vice versa from abroad to within the country (Inward Remittance), delivery can be in the form of transfers with the purpose of bank accounts or in cash collection (sikapiuangmu.ojk.go.id, 2019).

However, PMI's participation in labor social security is still low. Since 2018, Minister of Manpower Regulation No. 18/2018 on Social Security for Indonesian Migrant Workers has required every prospective PMI to be registered in the Work Accident Insurance (JKK) and Death Insurance (JKM) programs. However, the coverage of PMI membership in 2022 has only reached around 10% (tnp2k.go.id, 28/2/2024). This illustrates that there are still many PMIs who do not realize the importance of the safety net system that must be obtained to protect them from the unexpected.

Resmi Setia Milawati, Senior Specialist in Social Insurance Policy for Employment at TNP2K, explained that 77% of respondents were unaware of their obligation to participate in the employment social security program. When becoming a migrant worker, the majority of migrant workers are also not registered as participants in labor social security. In contrast, PMIs who are registered in other insurance programs in the placement country are higher than the insurance organized by the government/country itself. According to Resmi, this can occur due to the lack of involvement of PMI in the registration process, lack of understanding of the benefits of the program, and lack of information about PMI because registration is generally carried out by the placement company (tnp2k.go.id, 28/2/2024). The enrollment of migrant workers in insurance held by the placement country may be due to the transparency and accountability of financial reporting obtained by migrant workers as beneficiaries. With transparency, increases PMI's trust in the placement country's insurance institution.

On the other hand, the social security protection system provided to widows as one of the beneficiaries still leaves many notes for the Government. One of these notes is the accuracy of beneficiary data, which causes the distribution of social assistance to still be misdirected. In addition, although social assistance has been provided, this does not allow women with widow status to escape their economic problems.

The Importance of Involving All Parties in Improving the Quality of Life of Women with Widow Status

Widowed women who work as migrant workers are heroes not only for their families but also for the country. As foreign exchange heroes, they should receive social protection insurance systems (accident and death insurance) provided by the state. The low rate of migrant workers' participation in social security provided by the government/state itself may indicate a low level of trust among workers. In addition, the low coverage rate could be due to a lack of information dissemination on the benefits of such protection from government officials.

For this reason, the Government needs to improve synergies between ministries and institutions (Ministry of Foreign Affairs, Ministry of Manpower, BNP2TKI, BP2PMI), in disseminating information on the utilization of social protection guarantees. In addition, the Government needs to build a comprehensive data collection information system that can be used in monitoring the employment situation of migrant workers working abroad. This is important considering that there are still reported cases of migrant workers who are placed non-procedurally or illegally.

Similarly, the distribution of social assistance has been carried out so far. The Government through the Ministry of Social Affairs needs to consistently improve the Integrated Social Welfare Data (DTKS) system as a national data reference in controlling the poverty situation of the community. In addition, in an effort to improve the quality of life of women with widow status, the Government needs to do a number of things.

This can be done not only by encouraging the sustainability of empowerment activities through small household industries/MKM, but the Government needs to increase opportunities for women's business groups by increasing capacity, providing tax incentives, connecting with relevant stakeholders in strategic networks, pro-

viding convenience in business, including licensing and business capital, and supporting products that can compete both nationally and internationally.

- Dewi Rahmawati Nur Aulia -

Widowed women who work as migrant workers are heroes not only for their families but also for the country. Therefore, the Government needs to increase synergy between ministries and institutions, as well as other relevant stakeholders in disseminating information about social protection guarantees. Likewise, in efforts to distribute the distribution of social assistance, the government through the Ministry of Social Affairs also needs to consistently improve the Integrated Social Welfare Data system as a national data reference in controlling the poverty situation of the community, including those experienced by women with widow status.

 THE **INDONESIAN INSTITUTE**
CENTER FOR PUBLIC POLICY RESEARCH

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

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

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

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

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

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

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

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

Putu Rusta Adijaya

Researcher of Law Affairs

Christina Clarissa Intania

Researcher of Politics Affairs

Felia Primaresti

Researcher of Social Affairs

Dewi Rahmawati Nur Aulia

Program and Supporting Staff

Gunawan

Administration Officer

Nadine Ufaira

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

