

INDONESIA



Still waiting for reform

Political structure

Power has historically been concentrated in the hands of the presidency, but recent constitutional amendments are leading to a greater role for the legislature. The presidency is the highest executive office, with direct legislative powers and authority to appoint the cabinet. Legislative power is held by the People's Consultative Assembly (MPR) which consists of the 550-member House of People's Representatives (DPR) plus 128 regional representatives (DPD). Starting 2004 all political representatives, including the president, are directly elected.

Local government system

Indonesia consists of 30 Provincial Regions and 416 Local Regions, which are divided into 92 Pemerintah Kota (City Governments) and 324 Pemerintah Kabupaten (District Governments). In principle, there are no hierarchical relationships among the different levels of government. However, there are multiple forms of coordination, cooperation and partnership between them. At every level of government a People's Representative Council serves as the legislative institution.

Local government reform and related issues

Indonesia's 1945 Constitution provides for local government administration. In 1999 two laws pertaining to decentralization were passed by the government. Law No. 22 and Law No. 25 give the local government authority over all development sectors in the regions, except international affairs, defence, the judiciary, monetary and fiscal policies, and other powers which reside in the central government by law.

In particular, Law No. 22 [article 4 (2)] provides for autonomous administration of the Provinces, Regencies and Cities. It

supposedly does away with the hierarchical relationship between the central and local government. Regencies and municipalities would become more self-governing, with little or no intervention from the central or provincial governments. Central government could intervene only where law enforcement demanded it. However, policies formulated by the local governments should not contradict existing policies at higher levels of government.

A number of challenges stand in the way of effective autonomous administration of local governments:

1. Local autonomy has created high expectations of the local governments, especially in policy-making, which the latter are unable to fulfill. Local governments lack the capacity to formulate local policies.
2. "Independence" tends to create "local egos", which make it difficult for the regions especially to work together. In the meantime, local problems call for inter-regional cooperation.
3. The local governments' increased responsibility is not matched by corresponding fund allocations from the central government. Local governments therefore have to redouble their efforts to raise revenues to cover the cost of development.
4. The improvement of the DPRD's (Local Parliament's) ability and performance is related to the empowerment of political parties and the professionalization of their ranks. Thus, the DPRD needs to be involved in capacity building programs.
5. The DPRD's, together with the Heads of the Regions, need to create a democratic governance climate. In performing its duties, the DPRD needs to be responsive

to the aspirations of the community and integrate these aspirations into regulation and monitoring processes. Another action that should be taken is to continue the conduct of forums to enable and increase the voice of the public.

Local participation

The shift to decentralization is not yet reflected in practice on the ground. Many regions are not yet ready to operate autonomously from the central government, and less so to involve the public in local governance. Many development programs are still planned solely by the local government, and thus do not reflect the real needs and problems of the people. Public participation, where it exists, has largely been token or a mere formality. Lack of funds to ensure public participation is generally the reason for this.

Nevertheless, some regions have tried to involve the public in the planning and implementation of policies. One such initiative has been the public forum or consultation forum for development and public service at the local level.

Public forums are usually organized by an alliance of various non-governmental organizations and community-based organizations, and provide a forum to discuss problems and come up with solutions. Aside from proposing recommendations to local government, the forums also function as a venue for conflict resolution at the local level.

However, the effectivity of such forums is constrained by their ad hoc nature and by their lack of resources. Efforts to promote increased public participation also face resistance from both the public and the local government. It will take time, for instance, for the public to take on their new role as an active partner in local governance, having been accustomed for many years to being mere recipients of government services. The public is also largely unprepared, in terms of skills, to participate thus. On the other hand, local governments regard public participation as time-consuming and more costly.

The participation of women in local governance is still limited but has improved in recent years. There are many women involved in NGO programs for instance. However, women's involvement in lawmaking remains disproportionately low. Based on a survey of 30 cities, the percentage of women in parliament ranges

from 0 to 16%, or an average of 6%. This is relatively higher than the national average of 2%. In order to improve women's role in politics, Law No. 22 of year 2003 on general elections stipulates that each political party should allocate about 30% of parliament seats for women at each level.

Sources

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