

Indonesia Democracy Index (IDI): The Effort to Encourage Democratic Provincial Government

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Abstract—The crucial problem of results on IDI is the lack of present of Provincial Government to manage and to accommodate the public participation properly. The author underlines the challenging unfinished work of Provincial Government and criticizes the pattern of Indonesia Democracy Index (IDI). Besides, some of elements of IDI are inappropriate to complement the others. Actualizing welfare State perspective in these civil liberties and political rights, the author recommends several measures to be taken by Provincial Government.

Index Terms—Indonesia Democracy Index (IDI), provincial government.

I. INTRODUCTION

Respecting the different of “colors” in practices, the value of democracy is considered as the instrument to express government and society, including for Indonesia. The Government of Indonesia has designated Indonesia Democracy Index (next-IDI) as one of the sectored targets to be achieved in the National Medium-Term Development Plan (*Rencana Pembangunan Jangka Menengah Nasional, RPJMN*) 2010-2014. Armida Alisjahbana claims that IDI illustrates government’s high commitment in democracy as one of development priorities in the political sector [1]. Considering the process of democratization after more than ten years, this particular legal policy is reflected by using IDI to examine how it has developed in which the development of IDI in provincial level is quantified.

The achievement of IDI from 2009 to 2012 demonstrated a steady fluctuation in a whole. First examination in 2009 shows the achievement hit the 67.3 score. It declined in 2010 to score of 63.17. Eventually, IDI score crawled to 65.48. For this reflection, National Development Planning Agency (next: *Bappenas*) notified that it remains a hardworking effort to reach some targets [2].

Following up the scores, *Bappenas* has selected twenty provinces, gradually from 2010-2012, to be encouraged in IDI utilization as a particular IDI project [3], [4]. In 2011, the utilization is addressed to three Provinces as a pilot project: Aceh, Banten, and Gorontalo. Wide spreading to the other provinces, in 2012 there are three provinces selected: North Sulawesi, West Kalimantan (Borneo), and Bali. The last targets, Indonesian Government persuade and convince the fourteen provincial governments to utilize IDI as a main reference in arranging development programs, especially in politic sectors.

Although the making of IDI is realized as the important step for development in Indonesia, the measure of IDI does not become a macro instrument to indicate the successful of development in provincial level, rather than Human Development Index and Gender Index [5]. Dede Mariana emphasizes that at the moment, the measurement of IDI is still perceived as an affairs area of politics, governance, law, and human rights in local government organs. Meanwhile, the other organs such economy and social sectors is not understood as the relevant focus of IDI [6].

Speaking the discourse of Indonesia Democracy Index measurement across the provinces, the author addresses the questions: What is the crucial problem of results of IDI for democratic provincial government? And are the elements proper to complement one to another?

For the similarity of the perception, the author seeks to enhance clarity in the following discussion by defining a few terms used in Indonesian System. First, the Indonesia Democracy Index (next-IDI) quoted from UNDP-*Bappenas* is defined as “numerical indicators which measure aspects of democracy across the provinces of Indonesia. These include civil liberties, political rights, and institutions of democracy” [7]. Second, provincial government refers to a middle local entity (in two tier system) having an autonomy to manage and to regulate its own affairs in the framework of unitary State. As a notes, the element of provincial government consisted of local authority (ruled by governor) and Regional Houses of Representatives (*Dewan Perwakilan Rakyat Daerah – DPRD* as a local council). The addition of “democratic” terminology will be assumed as a dynamic condition in which the public participation can influence the provincial government process.

II. THEORETICAL AND CONSTITUTIONAL PERSPECTIVE

The main argument built under the Indonesia Democracy Index (IDI) begun with the consideration that democracy in the real sense of popular sovereignty never truly exists [8]. It is believed that “in practice, those who run the government are not the people, but are generally part of ruling elite” [9]. Maintaining the concept of “poliarchy” proposed by Dahl and terminology of “liberty”, not “democracy” used by Gastil, the conception of democracy is defined to justify the basic thought of IDI. Combining the two references, democracy, poliarchy, or freedom is delineated into two dimensions of aspect: “*political rights*” and “*civil liberties*” [10]. It would not be possible to actualize these two pillars without being supported by institution of democracy. UNDP and *Bappenas* underline that “civil liberties in the practice of democracy are carried out institutionally based on rules, norms, procedures, and

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collectively agreed institutional framework [11]. This argument remains two possible understanding of “democracy”: 1) democracy has transformed itself into different face; or 2) there is only terminology of democracy which is being popular in common imagination, in other word, the term of Indonesia “Democracy” Index is not appropriate.

However, to understand those theoretical justifications, the author approaches it with recall the role of government in development, democracy and decentralization, positive rights vs. negative rights, and constitutional mandates.

A. Role of Government in Development: Central to Local

The relationship between the role of state and development in welfare state paradigm emerges a steadily evolution. The classic literatures teach the readers that State only play its role to keep public order. After the Second World War, Richard Batley notices that whether in the form of socialist or of the advanced capitalist nations, many countries expressed the extensive state [12]. In this phase, the idea of state-led development was attractive. Although the State intervention is considered to confuse socialism, welfare state is believed as the way in which it develop as s system of massif State intervention, as “a web of bureaucratic control with strands clinging to every niche and corner of society and of private life, out of a society in which the dominant ideology was of individualism” [13]. Afterward, Batley and Larbi say that “The case for state-led development was not only imitative but also built on a response to local circumstances” [14]. The latter part of the twentieth century and early twenty-first century tagged the changed views of the role of government. Intervention of government is noticed to perform fewer functions on its own and build partnership with other actors [15].

Somehow the welfare State paradigm has evolved, as personification of powerful organization the role of government to provide public services is relevant. Bagir Manan reminds that in welfare state paradigm efficiency and affectivity centrals on public services, therefore it is known as the service state [16]. For that reason, vertical distribution of power is designed between central and local government to enhance affectivity, efficiency, and widespread democracy. However, according to the existence of local government is a subsystem of State, in Unitary State the authority hold by local government is not an original power, but derivative power.

B. Democracy and Decentralization

Why is democracy in the real sense of popular sovereignty considered never truly existed? The author tries to contradict the value of democracy and how it has developed. What can be approached from Michael L Mezey on description of democracy is inspiring. Mezey simplifies democracy, as “popular sovereignty”, by saying that “the people have the final say about the policies that govern their lives”. In short, in principles and character of democracy citizens, by majority vote, decide the public policies that will govern their behavior. The power of the majority is limited only by the requirement that the political right of the minority—rights such as freedom of speech and the press and the right to assemble—be protected. Mezey acknowledges that sort of direct democracy can live in small

local or private groups, or instance in the New England town meeting, or the Athenian city-state. He contradicts the value of democracy with characteristic of the politics of any modern nation-state. According to his opinion, what we refer to as democracies are more accurately described as republics. In republics, the people do not govern directly as they do in democracies.

Influenced by *trias politica* doctrine, almost common modern States has parliament to express representative systems. Mezey strictly comments that representative systems are not democratic because self-government, which is what democracy means, is not the same thing as government by someone else, even if you elect that someone to do the governing on your behalf. In spite of representation is believed as indirect democracy, some political theorists have argued that representation frustrates democracy by removing political decision-making from the hands of the people and giving it over to a select group of citizens who actually govern. From this perspective, the author agrees that “representation reduces democratic citizenship to the mere act of voting for one candidate or the other, thereby violating the democratic premise of popular sovereignty”. It is strengthen when Mezey reminds on the French theorist Jean-Jacques Rousseau who argued that the general will of the people “cannot be represented; it is either itself or something else; no middle ground is possible”. Emphasizing on the role of people in decision making, Mezey notes that citizens in a representative system have no direct role in the making of public policy.

What Michael L. Mezey explains leads the author to extract some of his democratic critics on representative in quotations. 1) “What representatives do diverges too frequently and too far from the attitudes and interest of the people whom they represent. 2) “Representatives institutions marginalize the political role of the average citizen”. Representatives’ government seems to create the common perception that citizens know too little and that public policy is too complicated to understand. 3) Continuing the previous critics, “most citizens know very little about their representative institutions, about how they operate, and in most instances about who their representatives are and what they are doing”. At the certain point, “many citizens seem to have concluded that their legislative institutions are not doing a very good job”.

Those critics clearly regards on to what extend the citizens can participate in decision making in government process. The more local level or small group leads the more public participation can be absorbed. Merilee S. Grindle is the one who agrees on what political scientists have found important reasons for citizen participation in local elections and government decision making as a palliative to over centralized and authoritarian governments. Grindle writes that more effective democratic states needed strongly participatory local democracy. In her observation, the political scientist argued:

“As citizens have opportunities to participate, they become more effective at rewarding and punishing the behavior of local officials. As a consequence, rational politicians have incentives to be responsive to local needs and local concerns. This kind of participation is

furthermore, an effective “school” for democracy, providing an arena for learning skills of deliberation and the rules that structure conflict resolution in democratic systems”.

Respecting that decentralization is a process that proceeds at different steps in different countries Merilee S. Grindle develops hypotheses to support decentralization in democratic local government. She focuses on political competition, state entrepreneurship, public sector modernization, and civil society activism. According to political competition perspective, Grindle believes that “as local elections are competitive, and opposition parties have real opportunities to win position of authority, incumbents will be motivated to prove their competence in the management of public affairs and will seek to find new ways of addressing important problems”. Those first hypotheses open the factors that encourage and discourage better governance practices in developing countries. Another factor to explain variations of local government in responding to the new mandates and relationship emphasizes on how the agents in public positions of authority develop ideas, organize the strategic choices, and advance the new policy agendas. For this State entrepreneurship, the innovative measure is necessary. Related to the strategic behavior, the public sector modernization is supposed to be encouraged the performance on which it can be expected “to reflect inputs for capacity building, organizational reengineering, and restructuring how public services are delivered”. The unattainable factor as the consequences of decentralization is the civil society activism. Grindle notes this factor as an extension to which local citizens are mobilized and demand accountability. It reflects the important of social group in local community to exert their opportunity to participate in decision making and to urge the public sector to provide better services.

C. Positive vs. Negative Rights to State Obligation

Describing the “political rights” and “civil liberties as two pillars of IDI reminds the author on the human rights category systemized by Karel Vasakh. In his classification in, such political rights and civil liberties are categorized in first generation of human rights: civil and political rights. At the beginning of this category, speaking on which actors’ plays the role on the enjoyment of the rights faced a distinction between the civil and political rights and economic, social, and cultural rights. The civil and political right was recognized as negative rights because it requires the minimum State intervention. In contrast, the economic, social, and cultural rights were recognized as positive rights as it requires the extensive State intervention for people to meet the enjoyment of the rights. Today, many scholars disagree on this dichotomy. Sevda Clark, for instance, clarified that in even in the area of civil and political rights; State is required to play the role. Clark mentioned the example, when a citizen is punished to be sent on jail, State is obliged to facilitate him in a proper prison as the consequences of the freedom deprivation. In democracy

context, the author would like to say that to actualize the “political rights” and “civil liberties”, the role of State (center and local level) to design an action plan, to empower the citizens, and to facilitate in decision making is necessary.

D. Constitutional Mandates: to Regulate and to Manage Principle

The fundamental law mandate for a process of local government expressed in Indonesia is Article 18 (2) of the Constitution of 1945, which stated as follows:

“The regional authorities of the provinces, regencies and municipalities shall regulate and manage their own affairs according to the principles of regional autonomy and the duty of assistance (*medebewind*)”.

This article governs the state’s role; in this case by local government as a sub-national entity, to pay attention on every effort to facilitate citizens’ prosperity, as committed in the Preamble: “to improve public welfare”. Despite, it is a constitutional mandate for Government to actualize that local government is an autonomous entity in unitary framework.

This principle to manage and to regulate has been committed since 1993 by International Union of Local Authority (IULA). This organization considers that local government is the best position to involve citizens in the making of decisions concerning their living condition.

However, the distribution of autonomy at the provinces level remains an obvious emphasis of democracy. As combined the Constitutions and IULA Declaration, the provincial government is not the level of government closest to the citizens. Therefore, it is not the best position to involve them in the making of decisions. What provincial government might conduct is using republic conception expressed in representatives. In the other word, the main actors who process a regional government are ruling elites and social elites.

III. INDONESIA DEMOCRACY INDEX (IDI): AN OVERVIEW

As introduced in the beginning of this paper, the Indonesia Democracy Index (IDI) is a measurement to examine how democracy has been developed across provincial government. In this part, the author would like to describe the analytical reports of IDI and elaborate the aspects, variable, and indicators of IDI related to the closest issues.

A. Reports of IDI

The Head of *Bappenas* reports that the three achievement of democracy index (2009, 2010, and 2011) is consistently situated in medium performance. Although the index survives from the regression in 2010, the achievement still remains challenges. In other words, the evaluation on 2009 is still relevant to represent the index qualitatively, reported as follows:

- 1) a high civil liberties index found across all of the provinces of Indonesia reflects a state in which people are “free to” rather than “free from”, and is important for decision makers and policy analyst to understand;
- 2) citizens face a challenge in exercising this participation due to the poor management of general elections;

- 3) Indonesia has been successful in the development of institutions of democracy, but is hampered by weaknesses in capacity.

TABLE I: ASPECTS, VARIABLES AND INDICATORS OF INDONESIA DEMOCRACY INDEX

Aspects, Variables and Indicators	Issues
I. CIVIL LIBERTIE	
1. Freedom of assembly and freedom of association	
1.1. Threats of violence or use of violence by government officers which curbs freedom of assembly and freedom of association	Human rights
1.2. Threats of violence or use of violence by people which curbs freedom of assembly and freedom of association	Human rights
2. Freedom of expression	
2.1. Threats of violence or use of violence by government officers which curbs freedom of expression	Human rights, democracy
2.2. Threats of violence or use of violence by people which curbs freedom of expression	Human rights, democracy
3. Freedom of belief/faith (freedom of religions)	
3.1. Written rules which restrict the freedom of people, or require people, to practice the teachings of their religions	Human rights
3.2. Actions taken by or statements made by government officers/officials which restrict the freedom of people, or require people, to practice the teachings of their religions	Human rights
3.3. Threats of violence or use of violence by a group of people against another group of people pertaining to religious teachings	Human rights
4. Freedom from discrimination	
4.1. Written rules that are discriminatory on the grounds of gender, ethnicity or against vulnerable groups	Human rights
4.2. Actions taken, or statements made, by regional government officers/officials which are discriminatory on the grounds of gender, ethnicity or against vulnerable groups	Human rights
4.3. Threats of violence or use of violence by people for reasons associated with the gender or ethnicity of the victim and/or vulnerable groups	Human rights
II. POLITICAL RIGHTS	
1.1. People's right to vote or get elected is not curbed	Democracy
1.2. Facilities for people with disabilities (diffable people) as a result of which they cannot exercise their rights to vote	Democracy, human rights
1.3 The quality of the permanent voter list (<i>Daftar Pemilih Tetap –DPT</i>)	Democracy
1.4. Voter turnout	Democracy
1.5. Percentage of women elected to as members of provincial parliament compared to the total members of provincial parliament	Representatives, gender
2. Political participation in decision making and watchdog	
2.1. Demonstrations/strikes	Democracy
2.2. Complaints on the running of government	Democracy
III. INSTITUTIONS OF DEMOCRACY	
1. Free and fair elections	
1.1. Impartiality of Regional General Elections Commissions (KPU) in organizing and administering general elections	Representatives
1.2. Fairness on counting of votes	Democracy, representatives
2. The role of regional parliament (DPRD)	
2.1. The amount of budget allocated for education and health per capita	Representatives
2.2. Regional regulations originating from the right to initiate the making of a regulation exercised by DPRD	Representatives
2.3. Recommendations put forward by DPRD to the executive	Representatives
3. The role of political parties	
3.1. Cadre formation activities carried out by political parties which participate in general elections	Representatives
3.2. Percentage of women in the stewardship of political parties at provincial level	Representatives, gender
4. The role of regional government bureaucracy	
4.1. Guarantee of un-using government facilities for the interests of certain nominees/candidates /political parties in legislative general elections	Representatives
4.2. Impartiality of civil servants in political activities of political parties in legislative general elections	Representatives
5. The role of an independent judiciary	
5.1. Uncontroversial rulings handed down by judges	<i>Trias politica</i> (unconscious)
5.2. Terminations of controversial investigations by prosecutors or police	<i>Trias politica</i> (unconscious)

Source: IDI report

Saying that the IDI walks in the medium performing democracy might be linear as it is related to the Index of Democracy in 2011 across the countries. Indonesia is situated in the rank of 60 from 167 countries, with the score of 6.53 consisted of category: electoral process and pluralism (6.92), functioning of government (7.500), political participation (5.56), political culture (5.63) and civil liberties (7.06).

This mapping urges *Bappenas* to identify the causing factors, mainly as follows:

- 1) The increasing of violence among the society and across the group as the effect of the politics of transactional-pragmatism on the elections, and the problem on political institution creates a political distrust;

- 2) Many chronicles remained in procedural election reflected in the lack of accuracy of the permanent voter list;
- 3) The low of number of cadres formation activities carried out by political parties;
- 4) The poor performance of Provincial Parliaments in taking initiative to produce a regional regulation

Those reports and evaluation emerge record that surprisingly in the Report of Freedom of the World 2012 Indonesia is classified as “free State” together with the advanced countries, for the capability to guarantee the political rights and civil liberties. Unfortunately, it is colored by the threats of violence. Therefore, the author agrees with a research notes that in spite of freedom to

assembly, the law enforcement institutions does not fully support democracy paradigm. It reminds the author on what Geoff Eley writes that “democracy is not “given” or “granted.” Ironically, He further frighten that democracy requires conflict, namely, courageous challenges to authority, risk-taking and reckless exemplary acts, ethical witnessing, violent confrontations, and general crises in which the given sociopolitical order breaks down. Inevitably, once a State decides a democracy system, the challenges of democracy consequently will appear.

As well as the threats of violence, the IDI so far is affected by the poor of governance. Particularly for Indonesia, Provincial Government’s absent are going too far. It is realized that the essence of democracy lies in the protection of human rights, particularly those related to civil liberties. Nonetheless, the State shall not be absent to control and to ensure that one’s liberty does not violate another’s. Therefore, the positive vs. negative rights are evolved into some State obligations: to respect, to protect, and to fulfill of human rights. Actualizing welfare State perspective in this civil liberties and political rights: State must restrain itself to interfere the enjoyment of the rights; State should not be absent to avoid and anticipate a party to violate, to disturb, or to deprive civil liberties and political rights another citizens; and State should not be absent to ensure the availability of policies, infrastructures, and system to facilitate the enjoyment of the rights.

B. Aspects, Variable, and Indicators of IDI

It has been mentioned that the IDI is based on three pillars: civil liberty, political rights, and democratic institutions. Those aspects will be related to the closest issues, in a table as follows: the Table I.

Regardless that the fixation on arranging the aspects, variable, and especially indicators had already passed in a distinguished board, academically to examine those elements will be relevant from time to time. For those reason, as seen on the table, not all of the indicators reflect the conscious conceptions of democracy, particularly at institutions of democracy. First, everything related to regional parliament reflects “representatives”, not “democracy”. It does not fit provincial government to absorb public participation, rather than municipalities as the closest level to citizens. Even though democracy today is almost impossible to be actualized; it is still realistic in the level-as local as possible or as smaller as possible group. Moderately, the term limitation seems to be helpful to eliminate the contradict terminology. Second, situating independent judiciary as particular indicator should be careful related to the nature of “independent” itself. There should be no other party intervention on the independent judiciary on which only on legal reason and decision making the judges shall not be influenced. In sum, the structure of IDI is subject to revision.

Djoko Suyanto, Minister of Coordination for Political, Legal and Security convinces that the indicators of IDI have been composited based on national character. It might be compared with the category of Index of Democracy released by The Economist Intelligence Units. This organization posited five categories to measure the development of

democracy: electoral process and pluralism, functioning of government, political participation, political culture, civil liberties. It is understood when Center for Democracy and Human Rights (DEMOS) criticize the IDI conception. Those three pillars are considered as a “thin” democracy conception, as there is no political culture reflected in IDI. Demos expect the proper composition of IDI elements to detect the crucial problem of democracy in Indonesia.

IV. TO WHAT EXTENT PROVINCIAL GOVERNMENTS WILL BE ENCOURAGED?

Provincial Government in Indonesia is such regional parliament in the middle level of government entities. As particular sub national, Constitution considers it as autonomous government. In the system of Indonesia, it consequently there must be a regional parliament to produce regional regulation together with the Head of Province (Governor). However, Provincial government is not the closest level government to the citizens, therefore representative is the proper term rather than democracy. Further, to what extent provincial governments will be encouraged for democracy actualization can be expressed in a partnership. The descend reasons will be classified in merits and demerits as follows:

A. Merits

- 1) IDI is an instrument of democracy reflecting Provincial Government process. Once the Province has a willingness to be measured is a sign to open the wider public participation. Therefore, the dynamic of IDI express a serious commitment.
- 2) Democracy today has evolved. Conceptually, democracy in a truly sense is a subject to discussion, whereas democracy in practical is most possible reflected in representatives. Therefore, it reminds the author on what Geoff Eley observed that In Europe, democracy did not result from natural evolution or economic prosperity. It certainly did not emerge as an inevitable byproduct of individualism or the market. It developed because masses of people organized collectively to demand it. The spread of democracy had a vital transnational dimension.

B. Demerits

- 3) Situating the independent judicial power in composition of indicator of democracy is a misplaced design. Only the superior court, not people, is legitimated to null the judge’s decision. For this reason, independent judiciary cannot represent to complement other indicators.
- 4) The structure of IDI leads toward a dichotomy between political and non-political area of government’s affairs.
- 5) Democracy is only an instrument, not a purpose. Extremely, Provincial Government might consider to focus on social prosperity and government fairness rather than to enrich conflict data.
- 6) Supposing the degree of democracy index increase, democratic governance potentially weakens economic performance, for democratic governance is frequently measured by the responsiveness of policy to the preferences of principals. Economically, it might contradict with the mission of welfare State. Dino Falaschetti concerns: “democracy,” is being wrenched

from their appropriate histories and translated out of all recognition, there for it probably deserves a more balanced evaluation”.

V. CONCLUSION

Actualizing welfare State perspective in this civil liberties and political rights, Provincial Government must restrain itself from intervention on the enjoyment of the civil liberties and political rights. To ensure the elimination of conflict caused of inappropriate civil liberties, Provincial Government must actively regulate the citizen's behavior, for instance how to use public facilities. Besides, Provincial Government must systematically avoid and anticipate a party to violate, to disturb, or to deprive civil liberties and political rights another citizens by evaluating their governance and enhance the partnership hand in hand with other institution, including social elites. The last but not least, Provincial Government is strongly recommended to ensure the availability of policies, infrastructures, and system to facilitate the enjoyment of the rights progressively with the innovative management.

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