

WORKING POLITICALLY

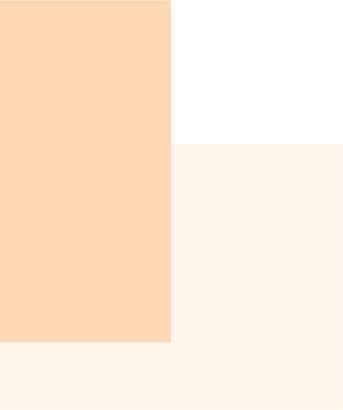
A Story of Change about
the contribution of research
evidence to the new
Village Law in Indonesia



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Revised Version



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Revised version includes minor corrections as well as an updated reference list.

Abstract

On 18 December 2013, the Indonesian House of Representatives passed the new *Village Law*, a vote that was the culmination of a journey that had started in 2007. This Story of Change takes the passing of the *Village Law* as its starting point and describes the relative influence that research-based evidence, produced by the Institute for Research and Empowerment (IRE), has had at critical junctions of the legislative process. This Story of Change concludes that good quality, research-based evidence is necessary but not sufficient to influence policy-making processes. Researchers and research organisations need to think and work politically to achieve their influencing goals and to adapt to changes in local circumstances.

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List of Abbreviations

ACCESS	The Australian Community Development and Civil Society Strengthening Scheme
ADD	<i>Alokasi Dana Desa</i> (Village Allocation Fund)
AMAN	<i>Aliansi Masyarakat Adat Nusantara</i> (Indigenous People Alliances of the Archipelago)
APBD	<i>Anggaran Pendapatan dan Belanja Daerah</i> (Regional State Budget)
APBN	<i>Anggaran Pendapatan dan Belanja Negara</i> (National State Budget)
Apdesi	Indonesia Village Officials Association
APMD	<i>Akademi Pembangunan Masyarakat Desa</i> (the Rural Community Development Academy)
BPD	<i>Badan Permusyawaratan Desa</i> (Village Consultative Council)
CSO	Civil Society Organisations
DFAT	Department for Foreign Affairs and Trade
DPR	<i>Dewan Perwakilan Rakyat</i> (Indonesian House of Representatives)
FPPD	<i>Forum Pengembangan Pembaharuan Desa</i> (Village Reform Development Forum)
IDR	Indonesian Rupiah
IPB	<i>Institut Pertanian Bogor</i>
IRE	Institute for Research and Empowerment
KARSA	<i>Lingkar Pembaruan Desa dan Agraria</i> (Circle for Agrarian and Rural Reforms)
KSI	Knowledge Sector Initiative
LP3ES	The Institute of Research, Education and Information of Social and Economic Affairs
MOHA	Ministry of Home Affairs
NGO	Nongovernmental Organisation

ODI	Overseas Development Institute
P3DI	Centre for Information and Data Processing and Analysis of the DPR
PAN	<i>Partai Amanat Nasional</i> (The National Mandate Party)
Pansus	<i>Panitia Khusus</i> (Special Multi-Party Committee of the DPR) Parade Nusantara United Village People
PDI-P	<i>Partai Demokrasi Indonesia – Perjuangan</i> (The Indonesian Democratic Party of Struggle)
PKB	<i>Partai Kebangkitan Bangsa</i> (The Nation Awakening Party)
PKK	Village Family Welfare Education Programme
PKS	<i>Partai Keadilan Sejahtera</i> (The Prosperous Justice Party)
PMD	<i>Direktorat Jenderal Pemberdayaan Masyarakat dan Desa</i> (Directorate General of Community and Village Empowerment)
PP	Government Regulation
PPDI	<i>Persatuan Perangkat Desa Indonesia</i> (Indonesian Village Officials Unity)
PPP	<i>Partai Persatuan Pembangunan</i> (The United Development Party)
UGM	<i>Universitas Gadjah Mada</i>
USAID	United States Agency for International Development
USD	United States dollar
WALHI	<i>Wahana Lingkungan Hidup Indonesia</i> (Indonesia Environmental Group)
YLBHI	<i>Yayasan Lembaga Bantuan Hukum Indonesia</i> (Indonesia Legal Aid Foundation)

Introduction

1

On 18 December 2013, the Indonesian House of Representatives (*Dewan Perwakilan Rakyat—DPR*) passed the new Village Law (Law No. 6/2014).¹ The new Village Law, which was supported by all political parties in the DPR,² has the potential to strengthen the delegation of authority and decision-making power to individual villages and improve the welfare of people living in the 73,000 villages across Indonesia. The Law strengthens, among other things, the financial autonomy of Indonesian villages. It prescribes greater budget transfers to villages and for 10% of the Annual National State Budget (*Anggaran Pendapatan dan Belanja Negara—APBN*) to be earmarked for regional administration.

The Village Law is the starting point of this Story of Change. The story then describes the relative influence that research-based evidence, produced by the Institute for Research and Empowerment (IRE), has

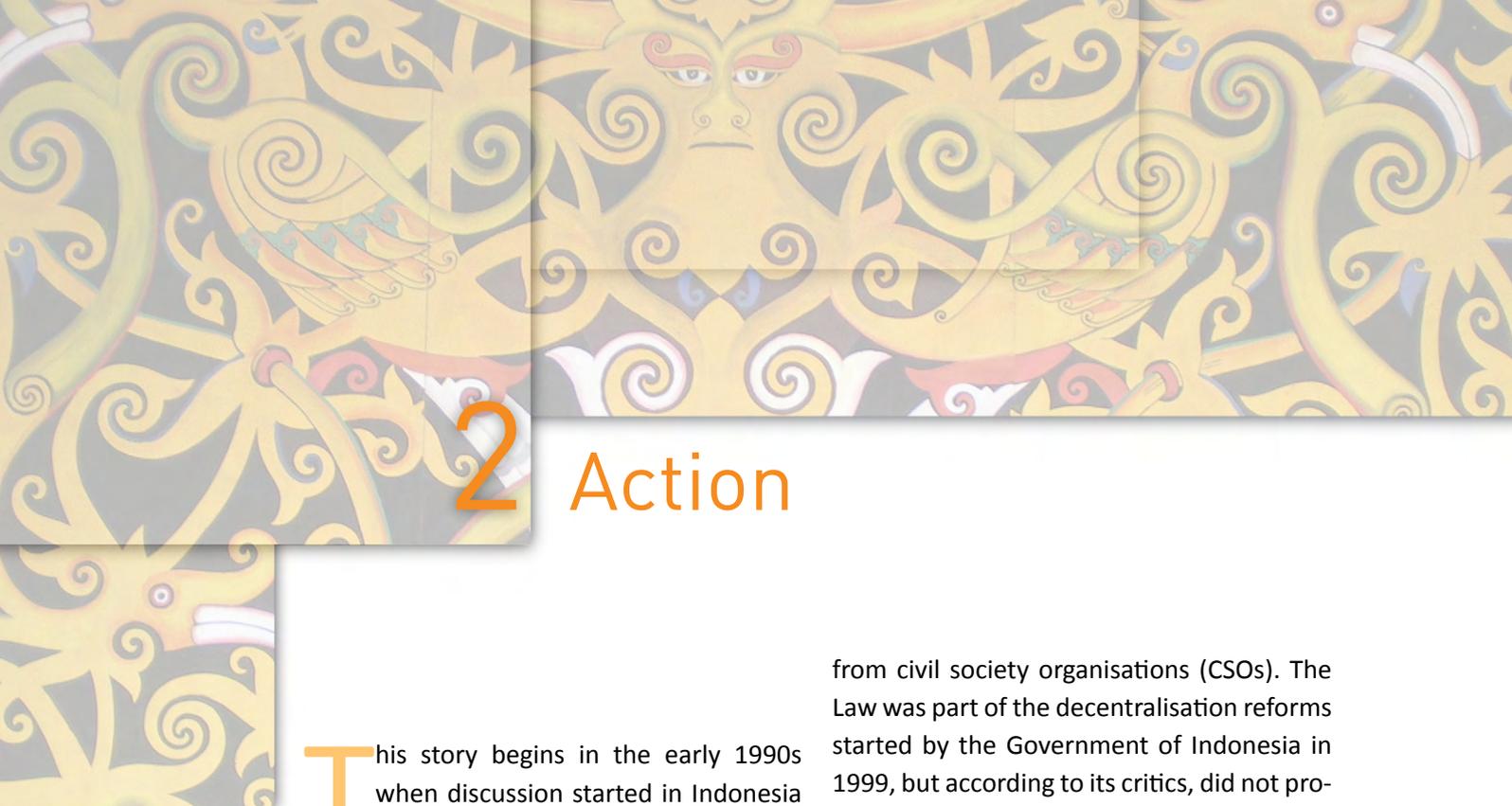
had at key moments during the legislative process. IRE is a not-for-profit research institute based in the city of Yogyakarta that, with support from the Australian Community Development and Civil Society Strengthening Scheme (ACCESS), was able to collect research evidence about participatory governance in four provinces. This evidence was then used to inform policy makers and influence the debate about the new Village Law.

Policy-making processes have been defined as multi-factorial and non-linear (Young, 2008). This Story of Change describes a policy influence process from the point of view of one actor (and their partners) and does not attempt to describe the influence that all actors have had on this complex process. The focus on a few actors helps to unfold the specific role played by research evidence.

The conclusion of this study indicates that good-quality, research-based evidence is necessary but not sufficient to influence policy-making processes. Researchers and research organisations also need to think and work politically to achieve their policy influencing goals by adapting to changes in local circumstances and taking advantage of the opportunities that arise (Booth, 2011; Green, 2013).

1 On 15 January 2014, the State Secretariat enacted the law and assigned the official name: Law No. 6/2014 on Villages.

2 There are nine political parties represented in the DPR: Partai Demokrat, Golkar, the Indonesian Democratic Party of Struggle (*Partai Demokrasi Indonesia—Perjuangan—PDI-P*), the Prosperous Justice Party (*Partai Keadilan Sejahtera—PKS*), the National Mandate Party (*Partai Amanat Nasional—PAN*), the United Development Party (*Partai Persatuan Pembangunan—PPP*), the National Awakening Party (*Partai Kebangkitan Bangsa—PKB*), Gerindra, and Hanura.



2

Action

This story begins in the early 1990s when discussion started in Indonesia around ‘village issues’. One discussion participant remembered that the initial issues under discussion related to exposure of communities to environmental risks and the rights of indigenous communities. Nongovernmental organisations (NGOs) such as the Indonesia Environmental Group (*Wahana Lingkungan Hidup Indonesia*—WALHI) and the Indonesia Legal Aid Foundation (*Yayasan Lembaga Bantuan Hukum Indonesia*—YLBHI) criticised Law No. 5/1979 on Village Governance, which was in place at that time, for not having adequate provisions for these issues. In 1999, after the fall of the former President Suharto, the Indonesian Parliament passed Law No. 22/1999 on Regional Government to replace Law No. 5/1979. Law No. 22/1999 included some provisions on village governance, but as soon as it was passed, NGOs and advocacy networks such as WALHI, YLBHI, the Indigenous People Alliances of the Archipelago (*Aliansi Masyarakat Adat Nusantara*—AMAN), the Circle for Agrarian and Rural Reforms (*Lingkar Pembaruan Desa dan Agraria*—KARSA), and IRE started to advocate for a new law. They perceived that Law No. 22/1999 did not sufficiently address the village issues highlighted above. A new law on Regional Government, Law No. 32/2004, again drew criticism

from civil society organisations (CSOs). The Law was part of the decentralisation reforms started by the Government of Indonesia in 1999, but according to its critics, did not provide enough clarity on the issue of village autonomy and the delegation of decision-making power from the central level to regencies and municipalities. In the Law, villages were considered as simple administrative units within regencies and/or municipalities, without a clear or sufficient decision-making power for village development issues.

The review process of Law No. 32/2004 started in 2007 and involved the DPR and the Directorate General of Community and Village Empowerment (*Direktorat Jenderal Pemberdayaan Masyarakat dan Desa*—PMD) at the Ministry of Home Affairs (MOHA). From the very beginning, DPR and PMD realised the need for in-depth research and analysis about the successes and shortcomings of the Law in terms of village development and people’s livelihoods.

The need for research evidence led to the involvement of the IRE, which at that time was also the lead research organisation in the Village Reform Development Forum (*Forum Pengembangan Pembaharuan Desa*—FPPD). The choice to involve IRE was based on the organisation’s reputation and experience as an independent policy research institute for issues related to

village governance. This is an area in which IRE has been involved through research and advocacy since early 2000 (Eko, 2008; Mariana, 2009).

The review process of Law No. 32/2004 highlighted the need for a new Village Law. IRE was tasked to prepare a *Naskah Akademik* (or Academic Paper/Concept Note) to inform the initial discussion on the

and as a result, PMD tasked IRE to conduct an assessment of the Village Allocation Fund (*Alokasi Dana Desa—ADD*)³ programme in six regencies.

While pursuing the collaboration with PMD, IRE engaged also with Commission II at the DPR. The DPR has 11 commissions that oversee the legislative process in key policy areas (Figure 1).

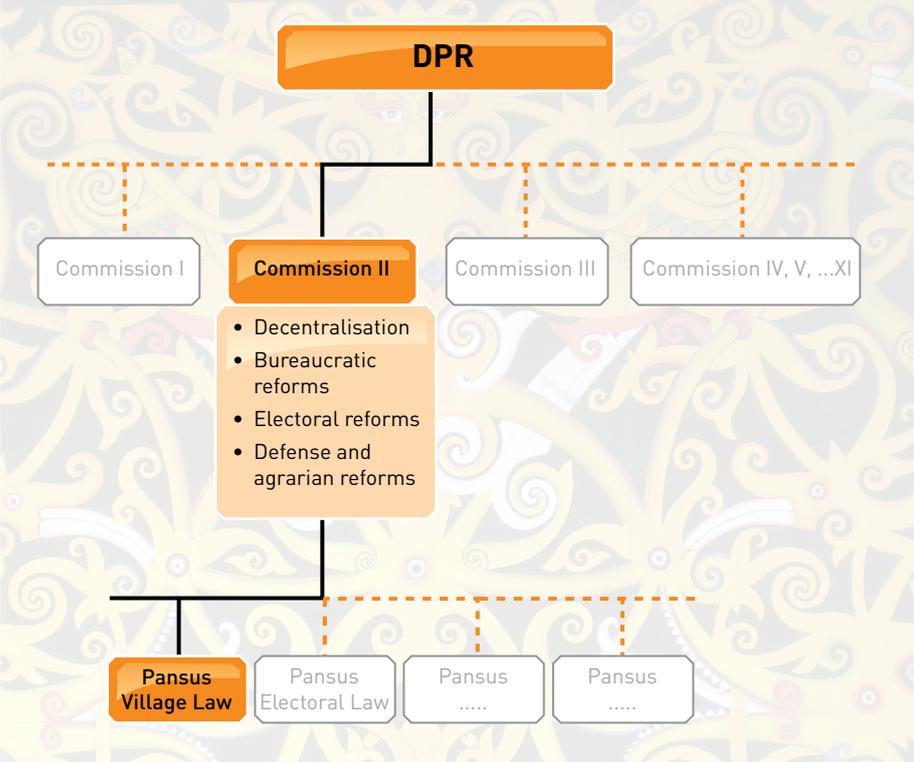


Figure 1 – DPR, Commission II, Pansus structure

bill. *Naskah Akademik* are required when the Parliament and/or Government plans a new legislation. These papers describe the background, rationale and justification for the planned legislation and are written by independent researchers. IRE presented the results of the study at the public consultations on the Village Bill that took place between February and May 2008, with support from the Democratic Reform Support Programme of the United States Agency for International Development (USAID). The *Naskah Akademik* helped to establish a dialogue between IRE and PMD,

Commission II has the responsibility to oversee any legislation about decentralisation, bureaucratic reforms, electoral reforms, defence and agrarian reforms. Commission II was, therefore, in charge of drafting the new Village Law. When

3 The Village Allocation Fund (*Alokasi Dana Desa—ADD*) is a funding allocation for the villages that comes from the state budget through the Financial Balance Fund between the central and the regional governments. As mandated in the Government Regulation No. 72/2005, this ADD is allocated by the regency/municipal government. It is, therefore, the obligation of the regency/municipal government to give this funding to villages.

a DPR Commission starts to work on a new piece of legislation, it establishes a *Pansus* (*Panitia Khusus*), an ad hoc multi-party committee in charge of a specific bill. Thus, IRE engaged with the *Pansus*, which was established in 2012 and that was assigned to the new Village Law. IRE's approach involved sharing knowledge and evidence derived from its policy research with these policy actors. As noted by one policy actor, 'it has been crucial [for IRE] to provide research results (including the one derived from the 16 districts in the four provinces where ACCESS works) and information to the members of the *Pansus*, to support policy recommendations during the deliberation process of the new Village Law'.

In sum, IRE's strategy involved building a good working relationship with DPR by communicating regularly with the *Pansus* chair; presenting IRE's research results and recommendations to the Centre for Information and Data Processing and Analysis (P3DI) of the DPR; and continuously developing and strengthening the informal linkages and network with political parties and related civil society organisations. This multi-track approach helped to increase the chances of including IRE research in the discussion and debate around the Village Bill. For example, one discussion participant noted that the collaboration with PMD was stalled at one point because a more conservative faction within PMD resisted including more progressive ideas into the Bill. The collaboration that IRE had established with Commission II and the *Pansus* proved to be very useful at this point, as these two bodies had the necessary authority to ask PMD to endorse a more progressive stance. This authority became evident when the Director General of PMD indicated that the Village Bill was going to include the necessary provisions to strengthen village governance, especially on the crucial issue

of greater budget allocation to villages (Suara Pembaruan, 2013).

Although the Village Bill was not particularly controversial, the legislative process still proceeded slowly.⁴ The Village Bill was not included in the list of the national legislative pipeline (*prolegnas*) until 2010. The endorsement of the bill into law itself was first scheduled for December 2012. The vote was postponed once to May 2013, then to July 2013, and then again to December 2013.

To accelerate the deliberation process, IRE started collaboration in 2010 with one of the activist-network organisations that was involved in discussion and debate around the Bill, *Parade Nusantara*.⁵ The involvement of *Parade Nusantara* was driven by the fact that it had a wide reach into civil society and that its leader, Budiman Sudjatmiko, was also the chair of the *Pansus* in the DPR that was assigned to the Village Bill, as well as a member of the Commission II. Other activist-network organisations were involved in the debate about the Village Bill, pushing for specific inclusions in the Bill. For example, the PPDI advocated for all village heads to be appointed as civil servants (Lensa Indonesia, 2013), and the AMAN pointed out that the Bill needed to strengthen the rights of indigenous communities (Chandra, Nugraha, & Doaly, 2014). However *Parade Nusantara* was the forum that provided the best communication and influencing channels for the research evidence produced by IRE.

4 According to one member of the team of experts advising *Pansus*, the deliberation process took time because of the number of agreements that had to be made during the deliberation process. The Village Law consists of 16 chapters and 122 articles.

5 *Parade Nusantara* is a national activist-based network formed by the current and former village heads, representatives of Village Consultative Councils, *Karang Taruna* (or Village Youth Group), and women's representatives involved in the PKK (or Village Family Welfare Education Programme).

One forum participant noted that from 2010 onwards, public pressure from CSOs, such as *Parade Nusantara*, has been very important in moving the deliberation on the Village Bill forward.

At the end of 2010, IRE started collaborating with the ACCESS programme. It conducted a stocktaking study on positive experiences with village development and community engagement in local governance, which had been facilitated by local CSOs, and with financial and technical support from ACCESS. ACCESS had been working on community empowerment in 20 regencies in Eastern Indonesia for about six years.⁶ Over the years, the programme has acquired a considerable stock of knowledge on community empowerment processes, which was made available to IRE. The stocktaking took place in 16 regencies and focused on lessons learned in the areas of planning and budgeting, public service delivery, natural resources management and local economic development. Through the stocktaking exercise, IRE also was in contact with local CSOs, CSO networks, forums and university research centres. All these activities helped to collect relevant empirical evidence to support the argument that villages are not simply administrative units, but have the necessary human, social, and physical capital to plan, manage, and pursue their own development, which should be reflected in the new law.⁷ The stocktaking exercise and

other independent research conducted by IRE have been collected and synthesized in an edited book, policy briefs, and working papers (IRE, 2012; Dwipayana, 2013).⁸

IRE's policy-influencing strategy also included media engagement. Newspapers such as *Kompas* and *Tempo* initially did not pay much attention to the discussion around the Village Bill. One member of the media mentioned that, initially, the debate about the Village Bill struggled to get traction compared to other attention-grabbing news, such as corruption scandals. However, this perception changed when public attention and activist organisations began to be drawn to the discussion. For example, the FPPD, in which IRE was the leading organisation, highlighted that the marginalisation of farmers and fishing communities from decision-making processes had created a moral obligation for the mass media to highlight the key issues of the debate to elicit public opinion.⁹

To ensure that the deliberation of the bill included different communities' point of view, in November 2012 and with support from ACCESS, IRE organised the *Festival Desa* (Village Festival) in Bantaeng District, South Sulawesi. From the 20 districts where ACCESS works, community representatives and local government officials met with the leaders of the *Pansus*, who are in charge of the new Village Law, on the progress of

6 ACCESS thematic areas are (1) participatory planning and budgeting, (2) improvement of public service, (3) local economic development, (4) natural resource management, and (5) social justice.

7 IRE linked up with United Village People (*Parade Nusantara*), the Indonesia Village Officials Association (*Apdesi*), Indonesia Village Officials Unity (PPDI), *Bina Desa*, the Institute of Research, Education and Information of Social and Economic Affairs (LP3ES), the Indonesian Forum for the Environment (WALHI), and national and regional universities such as *Universitas Gadjah Mada* (UGM), *Institut Pertanian Bogor* (IPB), and the Rural Community

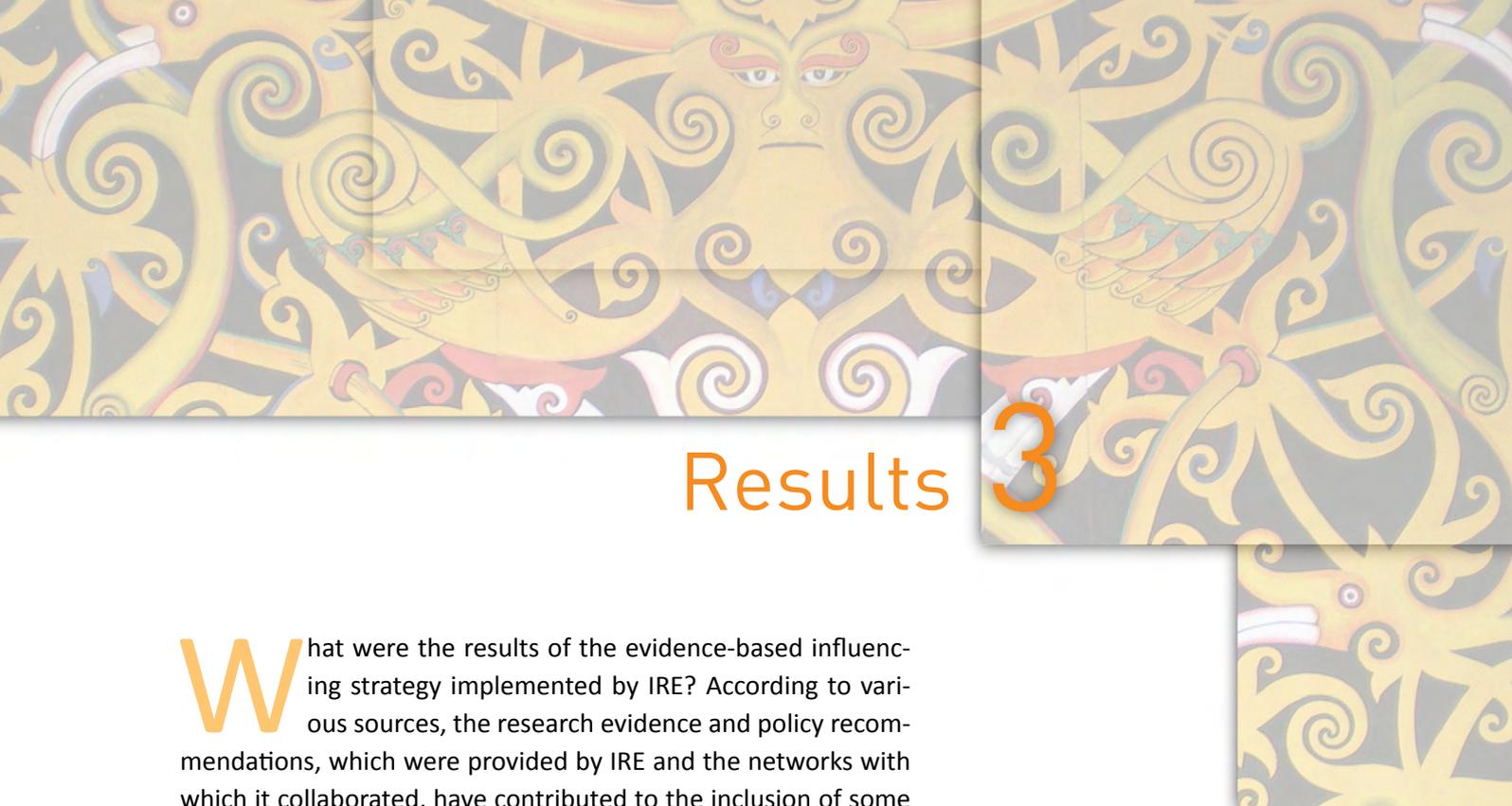
Development Academy (*Akademi Pembangunan Masyarakat Desa*—APMD).

8 See also the stocktaking study which has been compiled in a book (Dwipayana, 2013). Other related publications are available at <http://www.ireyogya.org/id/article/>.

9 Proceedings on the "Discussion on Welcoming the Village Bill," held by IRE/FPPD and *Kompas*, 5 May 2012. Coverage on the news can be seen at Nina Susilo, "Desa Ujung Tombak Identifikasi Masalah", 5 May 2012. Retrieved from <http://regional.kompas.com/read/2012/05/05/1433597/Desa.Ujung.Tombak.Identifikasi.Masalah>.

the legislation. They discussed its content, shared concerns and advocated for changes and inclusions in the bill. This and other events helped to attract the attention of local media as well as national newspapers such as *Kompas* and *Tempo*.

With the media on board, the discussion about the Village Bill got to the national stage. The next section describes the results that were achieved through the influencing strategy implemented by IRE.



Results 3

What were the results of the evidence-based influencing strategy implemented by IRE? According to various sources, the research evidence and policy recommendations, which were provided by IRE and the networks with which it collaborated, have contributed to the inclusion of some crucial issues in the new Village Law. In particular the following should be noted:

- **Plurality:** The new Village Law acknowledges the presence of ‘traditional villages’ in Indonesia. These villages are based on cultural ties rather than administrative and geographical boundaries. Indonesia has numerous special regions with distinctive characteristics, which also include a different definition of villages than the administrative units had previously used. The inclusion of ‘traditional villages’ in the Law, advocated by IRE, expands the type of villages that have a role and responsibilities in local-level governance.¹⁰
- **Recognition and subsidiarity:** The law grants more authority and autonomy to villages in terms of decisions taken for and with their citizens. The underlying principle is that villages have various types of assets (e.g., natural resources, community groups, social capital, human capital, etc.) that can contribute to local development. IRE’s research shows that decisions around the use of these assets can be taken by local actors, and only when decisions cannot be taken at the village level, do they require the intervention of district or regency authorities.
- **Participation in decision-making:** IRE advocated for the Village Law to strengthen the role of the Village Consultative Council (*Badan Permusyawaratan Desa*—BPD). BPDs are village-based organisations whose members are democratically elected representatives from among the village population or communities, based on the region. The new Village Law prescribes that the Village Head consults the BPD before making any decision.

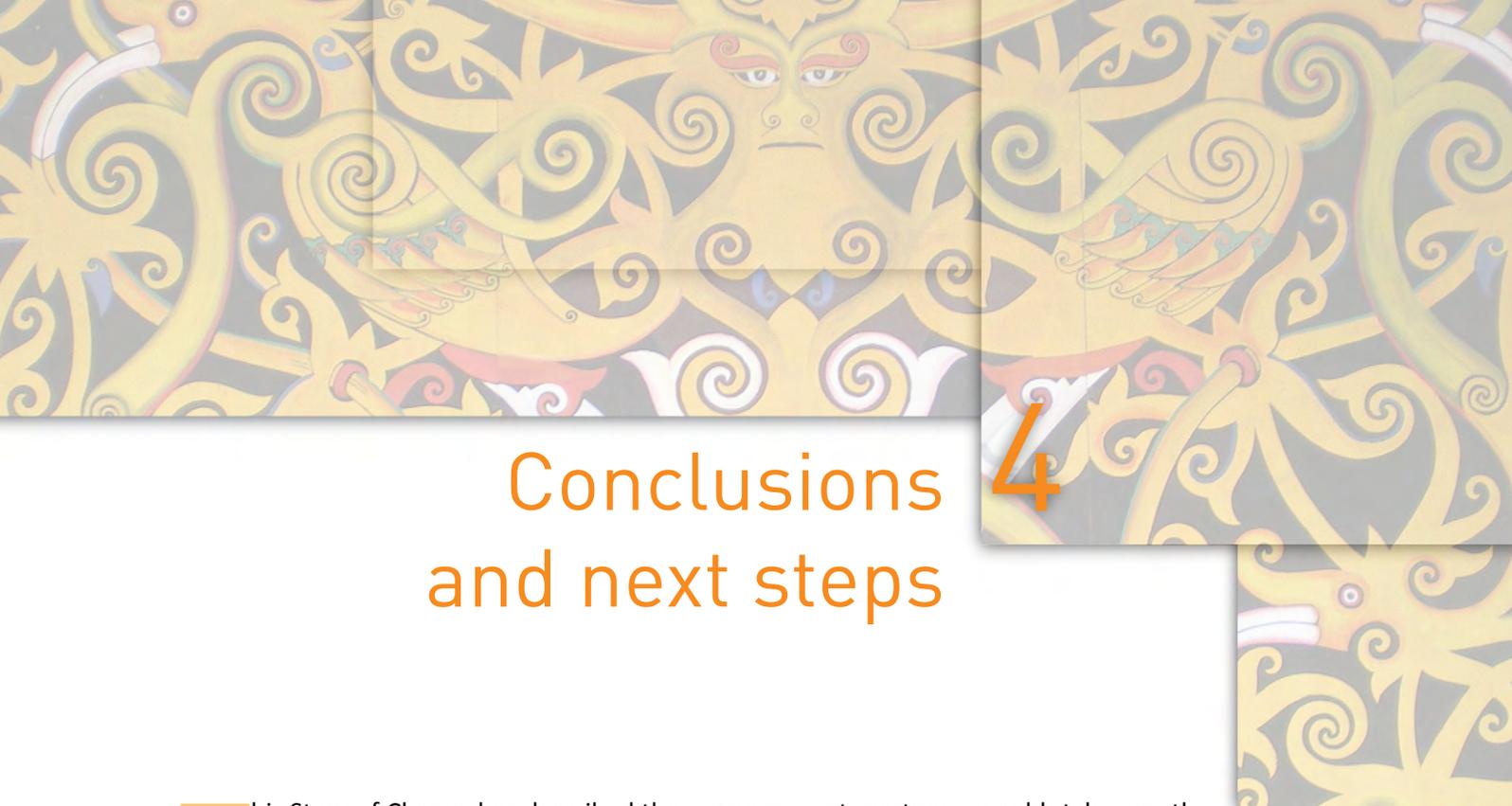
10 The Law describes two types of villages: official villages and traditional villages. Official villages are those villages that are established and based on geographical or demographical considerations. Traditional villages are more like a group of people from a similar cultural background, who are living in a certain area. Traditional villages have various names in Indonesia, including ‘*nagari*’ in West Sumatra, ‘*gampong*’ in Aceh, ‘*desa adat*’ in Bali or ‘*kampung*’ in East Kalimantan and Papua.

- **Longer terms for Village Heads:** Law No. 5/1979 prescribed an eight-year term for Village Heads that could be extended for one additional term. The Government Regulation (PP) No. 72/2005 reduced the term duration to six years, with the possibility of one additional term. PPDI (and subsequently IRE) suggested confirming the six-year term of Village Heads, with the possibility to extend it for a maximum of two additional terms. This recommendation, now included in the Law, is based on the rationale of having a longer term horizon for elected officials to address development problems in their communities.
- **Financing:** Funding allocation to villages has been one of the most debated issues during the deliberation between the

Government and DPR. The agreement included in the Law is that in the Annual National State Budget (APBN), there must be a 10% allocation to villages through the Regional Transfer Fund. This allocation is in addition to the regular 10% allocation from the annual Regional State Budget (APBD) through ADD. Each village will now receive, on average, around 850 million IDR (approximately 70,000 USD) per year (Parlina and Halim, 2013).¹¹

The next section reflects on what contributed to the uptake of IRE's research evidence into the drafting process of the new Village Law, and it draws some conclusions about what this means for policy research institutes such as IRE, as well as development partners supporting their policy influence efforts.

11 Before the Village Law was enacted, villages were already receiving ADD, but the amount varied, and it depended on the discretion of the regency/municipal government. One village could receive only 25 million IDR (approximately 2,000 USD), but the other villages, especially those in relatively more prosperous regencies, might receive up to 150 million IDR (approximately 12,500 USD).



Conclusions and next steps

4

This Story of Change has described the process that led to the passing of the new Village Law in December 2013, promising greater village autonomy in decision-making. The story is told from a particular angle: the contribution to this process of IRE's research evidence (and advocacy). What are the lessons learned?

First, **credibility matters**. IRE was part of the deliberation and discussion around the Village Bill because of the credibility and reputation coming from its strong research record, continuous involvement in the debate on 'village issues' and reforms, and strong network of personal linkages with policy makers and advocacy networks.

Second, **IRE worked politically to achieve its policy influencing objectives** (Green, 2013). Policy influence through research evidence requires an understanding of the context and actors and a strategy that pursues multiple directions: IRE did not rely on only one influencing approach. The minimum common denominator among these approaches was that they all had to be based on good-quality research evidence. That approach provided a strong foundation to undertake different influencing activities and increased the likelihood that

government partners would take up the research evidence.

The multiple approaches pursued by IRE involved collaboration and relationship-building with the PMD at the MOHA and with Commission II and *Pansus* in the DPR. These linkages were based on personal links between IRE staff and staff in the PMD and the DPR and made use of the research evidence from the stocktaking exercise conducted with ACCESS. IRE, and the CSOs' networks with whom IRE collaborated, found greater traction with the DPR, and in particular with the chair of the *Pansus*. IRE links to the chair of *Pansus* helped, as well as the access to network and links provided by ACCESS, both at the sub-national and national levels. ACCESS, for example, organised a meeting between Village Heads (from the project target regencies) and the DPR representatives, to share some of the success stories and initiatives from the villages. IRE and the networks also often invited members of *Pansus* to public discussions, seminars and other events concerning the village bill. As proof that the collaboration between IRE and DPR worked well, Sutoro Eko, a researcher from IRE, was appointed as Expert Staff to the *Pansus*. IRE's engagement with advocacy networks

helped also to attract the attention of the national media (i.e., *Kompas* and *Tempo*) and bring to national attention the concerns and suggestions about the content of the new law.

As a policy research organisation, IRE does not have the 'power' on its own to exert direct pressure to accelerate legislative processes, such as the deliberation of the Village Bill. To do that, it needed an active engagement with actors involved in drafting the Law (i.e., PMD, Commission II, *Pansus*), grass-roots CSOs such as *Parade Nusantara* and PPD1, as well as mass media such as *Kompas Daily* and *Tempo*. All these actors together contributed to provide 'political pressure' and push the legislative process forward.

The analysis of knowledge-to-policy processes, such as the one described in this Story of Change, only very rarely (or never) lead to a direct link between a specific piece of research or a specific actor and a change in policy or legislation (i.e., attribution). More often, due to the complexity and duration of policy-making and legislative processes, the relative contribution of research evidence can only be described. This is not a limitation, only a reality. IRE was not the only organisation influencing the deliberation of the new Village Law, but did it make an important contribution? Yes!

What does this Story of Change say in terms of donor-funded interventions? ACCESS was not only involved overtly in the actions described in this Story of Change, but acting in the background, it also supported IRE in two key areas. First, it provided access to the experience and knowledge from

its interventions in the regencies where the programme is working. This access helped IRE to build the evidence base that underlined IRE's influencing and advocacy strategy and communication. Second, it provided access in 16 regencies to networks of NGOs and local government leaders at the local level, as well as a direct link at the national level to DPR representatives. ACCESS provided funding to IRE's research work and acted as a facilitator, providing access to knowledge and networks. The roles of ACCESS in this story show that (1) community empowerment and local governance programmes have to invest in documenting and communicating the success (and failures) of their interventions through monitoring and analytical research; (2) programmes have to make that knowledge and those experiences available to researchers as well as government actors; and (3) programmes can help by creating collaborations, establishing networks and facilitating knowledge-sharing forums.

The passing of the Village Law in December 2013 led to a flurry of comments in social media. While tweets welcomed the new Law as a step forward in the decentralisation and democratisation process in Indonesia, they also warned that the Law is a milestone step in a much longer process. If the Law is not enacted and implemented, it will remain only a piece of legislation without impact on people's lives. Therefore, the work of IRE and the other CSOs involved in advocating for the Law does not end here. They will continue to produce research evidence that will help formulate regulations to implement the Law. Research evidence is needed now more than ever.

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