

This document is downloaded from DR-NTU, Nanyang Technological University Library, Singapore.

Title	Indonesia's direct local elections : background and institutional framework
Author(s)	Choi, Nankyung
Citation	Choi, Nankyung. (2007). Indonesia's direct local elections : background and institutional framework. (RSIS Working Paper, No. 137). Singapore: Nanyang Technological University.
Date	2007
URL	http://hdl.handle.net/10220/4393
Rights	Nanyang Technological University

No. 137

**INDONESIA'S DIRECT LOCAL ELECTIONS:
Background and Institutional Framework**

Nankyung Choi

**S. Rajaratnam School of International Studies
Singapore**

30 August 2007

With Compliments

This Working Paper series presents papers in a preliminary form and serves to stimulate comment and discussion. The views expressed are entirely the author's own and not that of the S. Rajaratnam School of International Studies

The S. Rajaratnam School of International Studies (RSIS) was established in January 2007 as an autonomous School within the Nanyang Technological University. RSIS's mission is to be a leading research and graduate teaching institution in strategic and international affairs in the Asia Pacific. To accomplish this mission, it will:

- Provide a rigorous professional graduate education in international affairs with a strong practical and area emphasis
- Conduct policy-relevant research in national security, defence and strategic studies, diplomacy and international relations
- Collaborate with like-minded schools of international affairs to form a global network of excellence

Graduate Training in International Affairs

RSIS offers an exacting graduate education in international affairs, taught by an international faculty of leading thinkers and practitioners. The Master of Science (MSc) degree programmes in Strategic Studies, International Relations, and International Political Economy are distinguished by their focus on the Asia Pacific, the professional practice of international affairs, and the cultivation of academic depth. Over 120 students, the majority from abroad, are enrolled in these programmes. A small, select Ph.D. programme caters to advanced students whose interests match those of specific faculty members. RSIS also runs a one-semester course on '*The International Relations of the Asia Pacific*' for undergraduates in NTU.

Research

RSIS research is conducted by five constituent Institutes and Centres: the Institute of Defence and Strategic Studies (IDSS, founded 1996), the International Centre for Political Violence and Terrorism Research (ICPVTR, 2002), the Centre of Excellence for National Security (CENS, 2006), the Centre for the Advanced Study of Regionalism and Multilateralism (CASRM, 2007); and the Consortium of Non-Traditional Security Studies in ASIA (NTS-Asia, 2007). The focus of research is on issues relating to the security and stability of the Asia-Pacific region and their implications for Singapore and other countries in the region. The S. Rajaratnam Professorship in Strategic Studies brings distinguished scholars and practitioners to participate in the work of the Institute. Previous holders of the Chair include Professors Stephen Walt, Jack Snyder, Wang Jisi, Alastair Iain Johnston, John Mearsheimer, Raja Mohan, and Rosemary Foot.

International Collaboration

Collaboration with other professional Schools of international affairs to form a global network of excellence is a RSIS priority. RSIS will initiate links with other like-minded schools so as to enrich its research and teaching activities as well as adopt the best practices of successful schools.

ABSTRACT

In June 2005, Indonesians held their first-ever direct gubernatorial, mayoral or regent elections across the country. Despite the historical meaning of such elections, experiences of holding direct local elections over the last two years suggest that systemic issues related to the elections' institutional framework have tarnished the electoral processes and outcomes in many cases. This essay examines Indonesia's historical background of decentralization and institutional framework for direct local elections. This essay also argues that the ultimate problem with Indonesia's direct local elections lies in its attempt to implement political decentralization, voluntarily or reluctantly, as a way of consolidating the country's new democracy at local levels. Indonesians have always responded to the idea of decentralization in an ambivalent way, which has in turn affected the path of decentralization that their political leaders have taken amid sweeping political change. While the resultant institutional arrangements for decentralization have indeed made local politics and governance more dynamic, they have not yet made local political process more responsive and participatory.

Dr. Nankyung Choi specializes in local politics in Indonesia. She has a PhD from the Department of Political and Social Change, Research School of Pacific and Asian Studies, Australian National University in 2004. She also has a M.A. in Political Science from Sung-Kyun-Kwan University, Seoul, Korea (1996) and a M.A. in Anthropology from Gadjah Mada University, Yogyakarta, Indonesia (1999).

She has lived in Yogyakarta in Central Java for four years. She has also made about many trips to Indonesia to conduct fieldwork on direct local elections and political change in Indonesia between June 2005 and November 2006. A fluent speaker of Bahasa Indonesia, she worked on several projects as an interpreter and a researcher both in Indonesia and in Korea.

Some of her publications are "Local Elections and Party Politics in Post-*Reformasi* Indonesia: A View from Yogyakarta" in *Contemporary Southeast Asia* (August 2004) and "Local Elections and Democracy in Indonesia: The Riau Archipelago," in *Journal of Contemporary Asia* (August 2007).

She is currently a research fellow with the Indonesia Programme of S. Rajaratnam School of International Studies, Nanyang Technological University, in Singapore.

INDONESIA'S DIRECT LOCAL ELECTIONS

Background and Institutional Framework

Introduction

After nine years of political change, Indonesia is now the third largest democracy in the world. The Indonesian people have successfully held two democratic general elections and their first-ever direct presidential election. The Indonesian government has also implemented an extensive decentralization scheme since 2001. A wide range of administrative, fiscal and political power have descended to district-level government units. The country took another significant step for political decentralization in June 2005, when tens of millions of Indonesians held their first-ever direct gubernatorial, mayoral or regent elections across the country. To date, 13 provinces and more than 250 districts and municipalities have held direct local executive elections.

Despite the historical meaning of these elections, experiences of holding direct local elections over the last two years suggest that systemic issues related to the elections' institutional framework have tarnished the electoral processes and outcomes in many cases. Even before holding the first round of elections, there were already widespread concerns over the capacity of the local election commissions in staging and governing elections without assistance and monitoring of their mother organization in Jakarta. Given the ambiguity of the related law and regulations, there were also worries about the possible intervention in the electoral processes by the central government or local assemblies.

Such concerns and worries have turned out to be legitimate, and many elections, including the 'success stories', have proved that the institutional framework governing Indonesia's first direct local elections is defective. In response to increasing discontent with the electoral system for direct local elections, the national assembly has discussed the possibility of holding direct local elections simultaneously nationwide under the charge of the national election commission. Such a move can be expected to improve the governance of direct local elections but it is yet unclear when and what kind of system will replace the current one.

Hence, both to understand Indonesia's recent political developments and to anticipate the impact of the possible electoral reform, it is necessary to grasp the process and outcomes of recent direct local elections. To do so requires us to familiarize with the rules of the game,

which in turn necessitates understanding the backgrounds of electoral reform for local government heads.

In this essay, I analyse the context, content and consequences of the institutions governing Indonesia's first-ever direct local executive elections. My premise is that the rules of the political game have a powerful, if not determinant, bearing on the outcomes of policy implementation. I argue that the rules matter as far as they give key players space for interpretation and manipulation, while constraints emanating from other players, like civil society, are typically limited. Although I pay close attention to the relationship between institutions and outcomes of decentralization, I also think that key players and their interests ultimately shape the dynamics of decentralization on the ground.

My analysis is organized in three sections. In the first section, I discuss Indonesia's new experiments with direct local elections in a broad context of the country's ongoing political change and decentralization. In the second section, I briefly review the historical background of the idea of decentralization in Indonesia and the path of decentralization that the country has taken since the fall of the New Order regime. I especially examine the process by which direct elections of local government heads were adopted. In the final section, I analyse the electoral system and the formal institutions governing direct elections of local government heads. I particularly focus on the new law on regional administration (Law No. 32 of 2004) and its supplementary regulations that have direct and indirect effect on local electoral and party politics.

My claims in this essay are twofold. First, rules and mechanisms matter as far as they influence the conduct and outcomes of elections. Second, Indonesia's national party leaders crafted the institutional framework of direct local elections and it is thus not surprising to observe that the process and outcomes of these elections reflect the political and economic interests of major parties, particularly their central boards. Overall, I argue that the ultimate problem with Indonesia's direct local elections lies in its attempt to implement political decentralization, voluntarily or reluctantly, as a way of consolidating the country's new democracy at local levels. Indonesians have always responded to the idea of decentralization in an ambivalent way, which has in turn affected the path of decentralization that their political leaders have taken amid sweeping political change. While the resultant institutional arrangements for decentralization have indeed made local governance and politics far more vibrant, they have not yet made local political process more responsive and participatory.

Political Change and Decentralization

The adoption of direct local executive elections is the latest step that the Indonesian government took in the country's ongoing process of political and administrative reform. As in many other late-democratising societies, Indonesia's political leaders have also crafted and implemented administrative and political decentralization as a way of consolidating their new democracy at local levels. Therefore, to examine the country's direct local executive elections requires us to grasp political change and decentralization in general terms, which is the aim of this section. Drawing on both international and Indonesia's recent experiences, I argue that practical outcomes of implementing political reform, such as holding direct local elections, are frequently different from what the political reform is meant to achieve mostly due to the interpretation and manipulation of agents, national and local.

Around the world, many central governments have been decentralizing their administrative, fiscal and political responsibilities to lower-level government units. Under the circumstance of political change, various forms of political decentralization have acquired greater significance compared to administrative or fiscal decentralization.¹ The rationale for decentralization varies across different social, economic and political settings. To many, decentralization promises to remedy the problems of an unresponsive central government by allowing more direct participation at local levels. A common assumption is that decentralization allows greater popular participation in public decision-making and undoubtedly enhances efficiency, responsiveness and accountability of the local government.

However, the outcomes of decentralization often turn out to be very different from those originally intended. To be certain, there is no standard model or path for successful decentralization. Nonetheless, there are at least two factors that generally affect the process and outcomes of decentralization. On the one hand, rules and enforcement mechanisms determine, if only partially, the actual implementation of decentralization. It is therefore important to examine "how the process of decentralization is structured and what the institutional framework looks like" (Lutz & Linder, 2002: 2). With regard to the institutional framework for decentralization, another significant question is related to the sustainability of decentralization reforms. The experiences of many countries have confirmed that central governments tend to retain control, even in the context of decentralization initiatives. If many

¹ Political decentralization is different from the transfer of administrative authority to local units of governance. Administrative decentralization, or de-concentration, refers to the transfer of power from the central government to lower-level authorities that are upwardly accountable to the central government. In contrast, political decentralization refers to the transfer of authority to actors or institutions that are accountable to the population under their jurisdiction.

powers are re-allocated via governmental regulations or ministerial decrees, for instance, those changes do not represent originally legislated reforms. As I shall show in the following section, Indonesia's decentralization, though ambitious and enthusiastic, has also been challenged by national agencies' reluctance to share power and authority with their local counterparts.

On the other hand, at local levels of governance, the outcomes of decentralization hinge heavily on how local actors (with varying interests and capacities) shape and respond to new opportunities. For this reason, the dynamics of decentralization only become more complicated when decentralization measures are adopted as a way of consolidating a new democracy. As Hans Antlöv points out, one of the main aims of decentralization is to deepen democracy "by bringing decision-making closer to the people and producing more 'rooted' public policies" (Antlöv, 2003: 84). Typically, elections are considered to be the mechanism that ensures downward, rather than upward, accountability in political decentralization. However, there is no inherent relation between political decentralization and democracy. Although political decentralization can enhance the responsiveness, accountability and transparency of local governments, both international and Indonesia's own recent experience warn us against unqualified optimism. Assessing the actual effects of political decentralization requires evidence and explanation going beyond the simplistic assumptions about the positive impact of formally democratic institutions and processes.² Whether, how, and with what consequences political decentralization affects local political institutions and governance in Indonesia is an open question and can be answered only by empirical analysis.

I limit the aim of this essay to examining how the institutional framework—the rules of the game, enforcement mechanisms, etc.—has shaped new opportunities in the arena of direct local executive elections (for an empirical analysis of how local players have actually responded to these new opportunities, see Choi, 2007). Let us now turn from the broad considerations about political change combined with decentralization back to the central thesis of this essay and consider the particular path of decentralization that Indonesia has taken since its independence.

² The experiences of many countries that have undergone political change and decentralization simultaneously tell us, however, that the positive impact of devolving power to local authorities in the process of political reform will only be felt if the decentralized power is exercised democratically (Crook & Manor, 1995; Kerkvliet & Mojares, 1991; Trocki, 1998; Arghiros, 2001; Swianiewicz, 2001). For instance, reforms in Thailand and the Philippines have revealed that competitive elections for local officials do not in themselves ensure that the devolved authority would be operated democratically (Kerkvliet, 1996; Sidel, 1999; McVey, 2000).

The Indonesian Path of Decentralization

Decentralization occurs in diverse political, economic and social settings that affect the aim, substance, conduct and outcomes of decentralization measures. It is thus very important to understand the circumstances under which decisions or policies regarding decentralization are made and implemented.

Right after the fall of the highly centralized authoritarian New Order regime, Indonesia's political leaders adopted, voluntarily or reluctantly, an extensive decentralization scheme as a way of consolidating its new democracy. However, the country's experience of the last six years confirms that the process and outcomes of decentralization ultimately hinge on the political and economic interests as well as capacities of those who design and carry out the reforms, on the one hand, and the interpretation and manipulation of local players, on the other.

In this section, I investigate the historical background of the idea of decentralization in Indonesia, and the content and effects of the implementation of regional autonomy outlined by Law No. 22 and No. 25 of 1999. After a brief historical review, I provide the backdrop for the adoption of a direct election system for local government heads by examining the path of decentralization that Indonesia has taken since May 1998. I show that, while the 1999 regional autonomy scheme certainly breathed dynamism into Indonesia's local politics, it was also accompanied by the prevailing of undemocratic practices, such as "vote-selling" by local assembly members in indirect local elections. Finally, I examine the birth of new regional autonomy laws, at the centre of which is Law No. 32 of 2004 on regional administration, as one of the efforts of national leaders to put back together the unintended effects of the implementation of the previous regional autonomy laws.

Historical background

Historically, the idea of decentralization has been at the top of Indonesia's political agenda since its independence. Law No. 1 of 1957 was designed to increase the power of elected legislative assemblies in the provinces, districts and municipalities, and provided for the gradual elimination of the authority of the traditional aristocratic-bureaucratic class (*pamong pradja*) (Feith, 1962: 552). According to this law, the regents or mayors (*bupati* or *walikota*) and governors—the executive heads in the district and provincial levels of governance—would be elected and, thus, be held by party politicians and no longer by the civil service corps (Amal, 1994: 215).

However, this devolution of power did not take place largely due to the regional rebellions in the late 1950s, which eventually paved the way for the development of a highly centralized government. In early 1959, Soekarno initiated moves to concentrate executive powers in the hands of the president and issued a decree dissolving the Constituent Assembly and reintroducing the 1945 Constitution on 5 July 1959. The decree also revoked the provisions of Law No. 1 of 1957, allowing for the election of governors, who now were to be again appointed by the central government (Kahin, 1994: 207–208; Amal, 1994).

The New Order regime, which succeeded in exerting political pressure at all levels of society through its hierarchical administrative system and the military's territorial structure, also applied some limited decentralization measures. Law No. 5 of 1974, the foundation of the New Order's regional government system, designated local legislative assemblies as a part of the provincial and district local government system. A local assembly, therefore, was chaired by a person elected from their own members, but indirectly under the supervision of the formally elected governor, regent or mayor.

The central government dominated most local affairs, from the nomination of local government heads to the budget, favouring the government bureaucracy in its power relations with local assemblies (Astuti, 1994: 149). As a result, as administrative and fiscal centralization escalated, there was a growing resistance in several regions outside Java to the consequent inefficiency stifling regional economic development. Meanwhile, some elements in the central government began considering the need for some degree of decentralization (Kahin, 1994: 211; Aini, 2002: 129–136). The New Order regime's collapse in May 1998 transformed not only the country's political system³ but also the central and local government relations.

Institutional rearrangements and local dynamics

B.J. Habibie's interregnum government surprised both domestic and international observers by adopting some basic, but significant, political reforms despite a high degree of continuity of personnel from the Soeharto era. These included reforms contained in the regional autonomy laws (Laws No. 22 and 25 of 1999), which some hailed as a "governance revolution", devolving authority over all fields except foreign affairs, defence and security, justice, monetary and fiscal policy, religion and a number of broad economic areas (Betts, 2003).

³ Whether the regime change brought about a new leadership and a new power configuration, nationally and/or at the local level, is still under debate. See, for example, Robison and Hadiz (2004), pp. 164–183.

Law No. 22 of 1999 on Local Governance transferred functions, personnel and assets from the central government to provincial as well as district and municipal governments.⁴ Law No. 25 of 1999 on Fiscal Balance between the Centre and the Regions aimed to empower and raise local economic capacities. While provincial governments had a dual status as autonomous regions and also as representatives of the central government, decentralization was focused on the district and municipal levels. It assigned most functions to the district level, including the devolution of expenditure responsibilities, public works, health, education and culture, agriculture, communications, industry and trade, capital investment, environment, land, cooperative, and manpower affairs.

The 1999 regional autonomy laws particularly enhanced the position of the local assemblies (Dewan Perwakilan Rakyat Daerah, DPRD) by giving them power to elect and hold local government heads accountable, to initiate and promulgate statutes and regulations, and to approve budgets (Rasyid, 2003: 64). This transfer of power marked the end of the central government's right to intervene in appointing local officials, allowing local assemblies to gain substantive responsibility for electing and dismissing local government heads.⁵ Local assemblies were now able to operate independent of checks. With the revitalized multi-party parliamentary politics and the substantially expanded power of the local assemblies as a result of decentralization, party representatives in local assemblies have emerged as the new local power-holders.

However significant, the implementation of regional autonomy laws created some problems of its own. Three points are worth addressing here. The first set of problems concerns budget. Decentralization in budgetary matters is largely limited to expenditure, with no new revenue-raising power transferred to local governments. Local governments responded by seeking out new sources of revenue through increasing local taxes and levies.⁶ This, in turn, generated growing concerns among business groups and civil society

⁴ Districts (*kabupaten*) and municipalities (*kotamadya*) are technically on the same level of government but distinguished on the basis of whether the administration is located in a rural area (district) or an urban area (municipality). Both administrative territories are divided into sub-districts (*kecamatan*), which are further divided into villages (*desa* in rural areas and *kelurahan* in urban areas).

⁵ Under the New Order regime, the local assemblies usually proposed three candidates for the position of head of local government, with the final selection from the three lying in the hands of the central government. The President decided who would become governors, while the Minister of Home Affairs selected the regents and mayors. Neither the President nor the Minister was bound to select candidates who got the most votes in the local assemblies. In some cases, the successful candidates were those with the least support at the local levels (Rasyid, 2003: 64–65).

⁶ This step had been based on Law No. 18 of 1997, which was revised later as Law No. 34 of 2000 concerning Local Taxes and Levies. Andi Mallarangeng, an expert on Indonesia's decentralization programmes, criticized that, without a stable tax base, district and municipal governments had to "make do with a budget subsidy determined by Jakarta plus whatever minor levies they could scrape up" (quoted in Betts, 2003).

organizations, which charge that the increased enthusiasm of local governments to raise revenue diverts them from the main aim of decentralization. The introduction of new taxes and levies is associated with such old practices as corruption and favouritism in local political institutions.⁷

A second source of problems can be attributed to the central government's inconsistency when it revoked several powers originally granted to the regions and the ambiguity concerning authority relations. A prime example of the former was the revocation of local responsibility for land management.⁸ The central government also had to clarify ambiguity regarding the transition of power and authority relations (Ahmad & Hofman, 2000: 6–7; Usman, 2002: 5–6; Rasyid, 2003: 67). For example, the central government issued a regulation concerning “Supervision and Control of the Performance of Local Governments”⁹ after the implementation process revealed conflicts arising from ambivalence regarding the division of power between provincial and district or municipal administrations.

With respect to authority relations, the 1999 regional autonomy scheme muddled the position of the provinces in relation to the districts and municipalities. Specifically, it confined provinces to the role of mediating disputes between districts and municipalities, facilitating cross-district or municipal development, and representing the central government within the region. For their part, many district and municipal governments tended to see themselves as subordinate to the central government rather than to the provincial government. Increasingly, provincial and district or municipal levels of governance tended to ignore each other.¹⁰ In fact, although the focus of autonomy was the district-level government units, the autonomous power of district or municipality was formally limited. Not only was the devolution of functions selectively based on regional “preparedness”, but also the criteria for assessing preparedness were far from clear. In response, many district and municipal governments were reported to “have promulgated their own regulations, based largely on

⁷ According to a survey, by 21 November 2005, 30 provinces and 370 districts and municipalities had issued 13,520 local regulations on taxes and levies (*Kompas*, 20 March 2006).

⁸ Presidential Regulation No. 10 of 2001.

⁹ Governmental Regulation No. 20 of 2001.

¹⁰ From this viewpoint, Widjajanti I. Suharyo pointed out that the inter-governmental arrangements in the division of authority and functions were too vague and oversimplified in Laws No. 22 and No. 25 (Suharyo, 2002: 13). Following this line of reasoning, Syamsuddin Haris recommended that the position and functions of the new Regional Representative Assembly (Dewan Perwakilan Daerah, DPD) should be strengthened as a bridging institution between the central and local governments (Haris, 2004 & 2005).

local interests or concerns rather than on national law or the broader public interest” (Rasyid, 2003: 67).¹¹

A third and most important set of problems centred on the substantially expanded power of the local assemblies in local politics. Although there have been some encouraging signs that “local assemblies are operating in a more accountable and more democratic fashion than ever before”, a number of “money politics” cases, in which local assembly members have been frequently involved, have required special investigations into the actual changing patterns of practices in local politics (Imawan, 2002). The position of local executive officials became weakened in relation to local assemblies and, in some instances, local assemblies rejected the responsibility reports submitted by governors, regents or mayors at the end of each fiscal year, which sometimes led to their dismissal. The strengthened local assemblies were supposed to revive and institutionalize responsive and efficient democratic institutions in the regions. In practice, however, under the changed power relationship, it was now local executive officials who had to use bribery or financial rewards as “the only effective means of maintaining power” (Mietzner, 2003: 245).

Alongside this, the new role of local assemblies in electing and requiring accountability from the local government heads also raised questions about whether the elections indeed benefited the majority of ordinary Indonesian people. From the outset, local assemblies’ choices were accompanied by allegations that local government leaders could win elections by buying votes from local assembly members and that many local government heads, no matter how they were elected, could secure their positions by bribing local assembly members (Rasyid, 2003: 66; Isra, 2005: 22). In many elections, local assemblies “inexplicably” elected unexpected or controversial figures as governors, regents or mayors. Assembly members frequently disregarded their own parties’ candidates and vote for rivals who had mostly won their support through bribery (Fealy, 2001: 102).

This frequent vote selling by local assembly members led to growing disillusionment and cynicism about political change and decentralization among the local populations. Accordingly, both international organizations and civil society activists began calling for a direct election system that they believed would make directly elected officials more responsive to local public interests (The Asia Foundation, 2002; Konrad-Adenauer-Stiftung & ADEKSI, 2003). Domestic and international critics alike voiced their concerns over the

¹¹ According to a research conducted by the Regional Autonomy Watch (Komite Pemantauan Pelaksanaan Otonomi Daerah) in 2005, only 311 out of 1,025 local regulations were adjudged right, and the other 714 local regulations were assessed to be problematic due to ambiguities in matters like time, cost, procedure, structure or tariffs (*Kompas*, 20 March 2006).

continuous, or even growing, distance between (indirectly) elected local officials and their constituencies.

Transition to a direct electoral system

A growing number of allegations of vote selling by local assembly members in local executive elections rationalized the transition from indirect to direct elections of local government heads. Additionally, there was pressure from international development organizations that promoted direct elections of local government heads as a crucial way of improving and strengthening local governance. Party leaders of major parties initially appeared intent on maintaining the indirect electoral system, which allowed only party representatives in local assemblies to vote. But they had to adopt the proposal for a direct election system to achieve consistency with the four amendment packages of the 1945 Constitution made during 1999–2002.

In late 2002, the People's Consultative Assembly (Majelis Permusyawaratan Rakyat, MPR) revised the laws on political parties, general elections, and the structure and composition of the national (DPR, DPD and MPR) and local assemblies (DPRD). In the revised election law, the national assembly adopted a direct election system for government heads at all levels of governance—from the president to mayors and regents. In 2004, according to a new law on presidential election legislated in July 2003, the first direct presidential election was held in July and the run-off in September.¹² In September 2004, with direct local elections scheduled to begin in less than a year (June 2005), the national assembly rushed to revise the two regional autonomy laws and legislated Law No. 32 of 2004 on Regional Administration and Law No. 33 of 2004 on Fiscal Balance between the Centre and the Regions. The new laws came into effect in October 2004.

Law No. 32 of 2004 is designated to provide general guidelines for regional administration and division of governmental affairs. However, the law is controversial and has invoked much protest. It is quite ambiguous and confusing, opening itself to different interpretations and thus necessitated supplementary explanations and regulations. For example, the law stipulates that regulations on its implementation should be stipulated within two years after the enactment of the law (Article 238). One of such regulations is

¹² To be elected in a presidential election, a team of candidates has to win an absolute majority of votes in the nation as a whole (50 per cent plus one) and 20 per cent or more in at least half the provinces. If no team meets the criteria, a second round of popular balloting is to be held between the top two pairs of candidates.

Governmental Regulation (Peraturan Pemerintah, PP) No. 6 of 2005 on the Election, Validation and Dismissal of Local Government Heads.

Even before its legislation, the law was already criticized and protested for its nuance of re-centralization. Critics argue that it regulates power sharing between Jakarta and the regions rather than regional autonomy *per se*, pointing out that it allows the central government to control some strategically important sectors, including development policies, of local government units (Sijabat, 2005; Haris, 2005; CETRO, 2004; LIPI, 2005). Some critics also point out that the new law on regional administration is contradictory in that, despite stronger legitimacy, directly elected local government heads have limited powers compared to those under Law No. 22 of 1999 (Haris, 2005: 17).¹³ In short, Law No. 32 of 2004, besides being ambiguous and confusing, signals re-centralization. In this essay, I discuss the law in relation only to direct local executive elections.

Direct Local Elections: Rules on the Paper and Twists in Practice

To understand the process and outcomes of Indonesia's first direct elections of local government heads requires an appreciation of the formal institutions and electoral framework governing such elections. Although the outcomes of elections ultimately hinge on how local actors respond to new opportunities, rules and enforcement mechanisms still matter as far as they shape the arena for the electoral contest. In fact, as this paper will show, the electoral system of Indonesia's direct local executive elections is quite problematic, with many ambiguous and confusing stipulations in the law and its supplementary regulations, and a lot of controversies over systemic issues.

Law No. 32 of 2004—specifically, Articles 56 to 119—provides the basic framework of direct local executive elections (*pemilihan kepala daerah, pilkada*). There are at least five issues that are essential to understanding the electoral system of *pilkada*. First, direct local executive elections are not categorized as, or at least differentiated from, general elections. As a consequence, it is each local branch of the Election Commission (Komisi Pemilihan

¹³ For example, Law No. 32 of 2004 authorizes the central government to rescind local regulations that violate the Constitution or higher laws (Article 145). Syamsuddin Haris actually warned that the effort of the central government to restrain local governments through the mechanism of surveillance could threaten the continuity of democratization and regional autonomy (Haris, 2005, 20). New regional autonomy laws aside, the central government's effort to coordinate, if not control, local governments and assemblies can be seen in its new governmental regulations as well as its direct contact with officials from the district and municipal level. In early 2006, for instance, the Yudhoyono government held meetings with local government heads and local assembly members from 33 provinces and 440 districts and municipalities, divided into three regional regions (East, Central and West). In previous years, the central government held half-yearly meetings only with governors.

Umum Daerah, KPUD) that is designated to organize and stage elections. Unlike in the general and presidential elections, KPUD does not receive any centrally coordinated assistance and monitoring from its parent organization, the Election Commission (Komisi Pemilihan Umum, KPU). This stipulation raised questions about the preparedness of KPUD in most regions. The law also stipulates that each KPUD has to be accountable to its respective local assembly (DPRD). This stipulation aroused concerns about the fairness and impartiality of the elections. Later, the Constitutional Court ruled that KPUD should be accountable to the public, not to local assemblies. Nonetheless, each KPUD still has to be accountable to its respective local assembly for the use of the budget for election, which is decided and monitored by the local assembly.¹⁴

A second issue regarding the electoral system of direct local executive elections is apparently designed to strengthen the oligarchy of political parties.¹⁵ Only political parties or party coalitions seizing at least 15 per cent of seats in local assemblies or having acquired at least 15 per cent of the valid vote in the parliamentary elections are eligible to nominate candidates for governors, mayors or regents (Article 59). The idea of allowing independent candidates to run for local government heads, suggested by the Ministry of Home Affairs and supported by diverse civil society organizations, was dropped during a discussion at the DPR.¹⁶ Therefore, the law credited political parties as a major mechanism for recruiting political leaders and officials.

It looks ironic now that political parties no longer seem to be an important element in most Indonesians' voting behaviour, especially in direct local executive elections. According to a survey conducted by *Kompas*, one of Indonesia's leading national dailies, for example, more than a quarter of the respondents (28 per cent) chose political parties as a factor that they would consider in casting their votes in the coming direct local elections (*Kompas*, 14

¹⁴ In late 2006, the national assembly indicated that *pilkada* would be integrated into general elections in the revised election law and KPU would centrally coordinate and monitor KPUD in organizing and staging *pilkada* in the regions (*Kompas*, 5 December 2006).

¹⁵ In a report, the oligarchy of political parties was cynically coined as "partycracy", with political processes and governance being under the control of political parties while party representatives at local assemblies tend to be more accountable to the party leaderships than to their local constituents. See Bappenas & Laboratorium Sosiologi FISIP UI, "*Penyusunan Indikator Demokrasi*" (10 February 2004).

¹⁶ To govern the gubernatorial and regent or mayoral elections of Aceh held in December 2006 following the historical signing of a Memorandum of Understanding between the Indonesian government and the Free Aceh Movement in 2005, the national assembly legislated a separate law (Law No. 11 of 2006) and allowed independent candidates to run for positions of local government heads. On 23 July 2007, the Constitutional Court ruled that independent candidates should be allowed to run for positions of governor, mayor and regent. Although most party leaders seem to accept the ruling, it is yet unclear if the ruling would immediately affect the rules of the game in the coming *pilkada* or there will be no change until the national assembly revises the existing laws on election regional administration to reflect the ruling (*The Jakarta Post*, 28 July 2007; "Independents' Day", *Tempo* No. 48/vii/31 July–6 August 2007)

February 2005). The continuous monopoly of political parties over selection and nomination of candidates in *pilkada* has also caused concerns that it would not reduce the instances of money politics, which was already embedded in local elections under the indirect electoral system. In another survey, the majority of respondents (81.9 per cent) cited political parties as one of the most corrupt political institutions, alongside the national and local assemblies (83.9 per cent) and the local governments (82.7 per cent) (*Kompas*, 9 January 2006). Therefore, it is an irony that political parties still play gatekeepers in direct local elections, while many Indonesian voters have lost their faith in political parties as a satisfactory vehicle for representing citizens.

A third issue concerning *pilkada*'s institutional framework is that Law No. 32 of 2004 opened the possibility for the government to get involved in the electoral processes by stipulating that detailed guidelines for the preparation and implementation of elections should be provided to KPUD through a governmental regulation.¹⁷ A number of civil society organizations and experts, including Ryaas Rasyid, former Director General of Regional Autonomy at the Ministry of Home Affairs (1999–2000), promptly criticized the law. They argued that the law contravened the amended 1945 Constitution because it allowed the government to intervene in the electoral process (*The Jakarta Post*, 17 February 2005; see also CETRO, 2004).¹⁸

Five civil society organizations,¹⁹ 16 provincial branches of the Election Commission (KPUD) and leaders of small parties in North Sulawesi took the law to the Constitutional Court for a judicial review (MK 072-073/PUU-II/2004 and 005/PUU-III/2005). In early 2005, however, while the court was still holding hearings, the Yudhoyono government announced PP No. 6 of 2005 on the Election, Validation and Dismissal of Local Government Heads. In March 2005, the Constitutional Court issued a ruling, bringing changes to some of the controversial stipulations. With the ruling, parties that do not even have any representatives at local assemblies can nominate candidates for governors, mayors and regents by forming a coalition with other parties in such a way that they garner 15 per cent of

¹⁷ Organizing and implementing direct local executive elections also requires the Ministry of Home Affairs to issue a series of regulations. For example, in March 2005, the Ministry of Home Affairs issued Ministerial Decree No. 12 of 2005 on "Guidelines for the Management and Responsibility of the Budget in Elections of Local Government Heads".

¹⁸ Syamsuddin Haris also argued that, compared to the parliamentary and presidential elections in which the KPU organizes and implements the elections as an independent institution, it is a regressive move that the government plays the role of regulator in direct local executive elections (Haris, 2005: 15).

¹⁹ The five civil society organizations are the Centre for Electoral Reform (Cetro), the People's Network for Elections Monitoring (Jaringan Masyarakat Pemantau Pemilu Indonesia, Jamppi), the People's Network for Voter Education (Jaringan Pendidikan Pemilih untuk Rakyat, JPPR), the Civil Society Alliance for Democracy (Yappika) and Indonesian Corruption Watch (ICW).

votes in the previous parliamentary elections. The court also ruled that KPUD should be responsible to the public rather than to local assemblies. In response to the ruling, the central government issued a new governmental regulation (PP No. 17 of 2005) in April 2005.

A fourth issue concerning *pilkada*'s legal framework is that Law No. 32 of 2004 only stipulates that, in case of conflict over the election results, the case should only concern the result of votes counting and ought to be brought to the Supreme Court, which may delegate the power to resolve the cases of regent or mayoral elections to the regional High Court. Concerned about the absence of an institutional conflict management mechanism, the Supreme Court issued a regulation with regard to conflicts over the election results (Perma No. 1/2005) in April 2005 (revised as Perma No. 2/2005 in May). The Supreme Court's regulation provides general guidelines on how to submit a court action over the results of direct local executive elections but fails to clarify the scope of authority that judges have in making their decisions.

Finally, Law No. 32 of 2004 has also invited criticism that it allows local assemblies to get involved in the electoral process. As stated earlier, with the Constitutional Court ruling, KPUD should be accountable to the public, not to local assemblies, but it still has to be accountable to its respective local assembly for the use of the budget for election, which is to be decided and monitored by the local assembly. The law also specifies that local branches of the Election Supervisory Committee (Panitia Pengawas, Panwas),²⁰ which is to supervise the entire electoral process, are formed by and report to local assemblies. This stipulation has aroused concerns about possible pressure from political parties (through intervention by their representatives at local assemblies) and thus, the impartiality of the elections.

Unsurprisingly, even before the first round of elections, controversies over systemic issues, concerns over possible intervention by national agencies or local assemblies, and the overall ambiguity about rules and mechanisms threatened to undermine the smooth conduct of elections. Table 1 summarizes major phases of Indonesia's direct local executive elections on the basis of Law No. 32 of 2004, Governmental Regulations No. 6 & 17 of 2005, the Constitutional Court's ruling and the Supreme Court's regulation.

²⁰ The provincial and district or municipal branches of Panwas are composed of five members, each representing the police, attorney, universities, mass media and informal leaders, respectively, while the sub-district branches are composed of three members representing three of the abovementioned five elements of the society (Article 57). The police and the attorney appoint their representatives, while the local assembly (DPRD) selects the other three members on the basis of recommendations. The institution is to be established 21 days before elections and dissolved a month after the inauguration of those elected. Its main tasks include monitoring the electoral process, handling reports on the violation of election law and coordinating with members of the sub-district level. Its administrative staff comprises civil servants transferred from the local government and its budget is provided by the DPRD.

Table 1

Electoral system of Indonesia's direct local executive elections

Phase of election	Major points
Nomination of candidates	<ul style="list-style-type: none"> • Parties or party coalitions that have acquired at least 15 per cent of the vote in previous parliamentary elections or won at least 15 per cent of seats in local assemblies are eligible to nominate candidates. • Minority parties that do not have any representatives in assemblies also can nominate candidates by forming a coalition with other parties.
Registration and validation of candidates, campaigns, voting and counting of the vote	<ul style="list-style-type: none"> • Basically, provincial and district branches of the Election Commission (KPUD) are responsible for the entire electoral process, without any centrally coordinated assistance and monitoring. • KPUD should be accountable to the public. • KPUD still has to be accountable to its respective local assembly for the use of the budget for elections, which is to be decided and monitored by the local assembly.
Validation of election results	<ul style="list-style-type: none"> • To win an election, a pair of candidates has to win the majority (more than 25 per cent) of the vote. • They are to be inaugurated by the Minister of Home Affairs on the basis of the President's agreement.
Supervision and conflict management	<ul style="list-style-type: none"> • Local branches of the Election Supervisory Committee (Panitia Pengawas, Panwas) are to supervise the entire electoral process. • Local branches of Panwas should be formed by and report to local assemblies. • Cases of conflict over the election results should be brought to the Supreme Court, which may delegate the power to resolve the cases of regent or mayoral elections to the regional High Court.

Conclusion

Political decentralization in the course of rapid political change is generally expected to reduce the power of the central government and improve accountability of local institutions and directly elected politicians. It is also assumed to be able to stimulate the reconstitution of political relations in the regions in terms of political participation. However, the practical effect of political decentralization has been different from the plan. Both international experience and Indonesia's recent experience have shown that it is quite unlikely that the designed rules and enforcement mechanisms will fully determine the actual implementation of decentralization. With its ambiguous and confusing rules and mechanisms, it is not surprising that the processes and outcomes of political decentralization will ultimately depend on the political aims of those who design the rules and enforcement mechanisms for political decentralization and the political and economic interests of local players interpreting and responding to the rules and mechanisms on the ground.

As I have shown in this essay, although the idea of holding direct elections of local government heads has received wide support from both international organizations and domestic politicians, the path of decentralization that Indonesia has taken since 1998 and the shortcomings of the institutional framework for elections have indicated impending controversies and conflicts over the processes and outcomes of elections at the grassroots.

With its vast size and social complexity, Indonesia's recent experiences of holding over 250 direct local executive elections have indeed been complex. Elections have gone smoothly in some areas but generated considerable controversy in many others. In some instances, election controversies have even drawn out large-scale public protests. There are a number of interesting cases that deserve close investigation for both diverse scholarly interests and practical efforts to improve the fairness and quality of future elections. As the groundwork for such empirical case studies, this essay provides important insights into the background and institutional framework of those elections.

The overall problem with Indonesia's direct local elections lies in its attempt to implement political decentralization as a way of consolidating the country's new democracy at local levels. Adopting direct local elections is just the beginning of a long journey towards practically realizing such intended outcomes as more responsive and participatory local governance. In between the two ends, there are historical reluctance to devolve power and authority, ambiguous and controversial rules and mechanisms, and politicians who are more interested in serving themselves.

References

- Ahmad, Ehtisham, & Hofman, Bert. "Indonesia: Decentralization – Opportunities and Risks." IMF and World Bank Resident Mission, 2000, downloaded from www.imf.org/external/pubs/ft/seminar/2000/idn/oprisk.pdf.
- Aini, Nurul. "Dewan Perwakilan Rakyat Daerah dan Demokratisasi Pemerintahan Daerah" in Syamsuddin Haris (Ed.), *Decentralisasi, Demokratisasi & Akuntabilitas Pemerintah Daerah* (pp. 128–141), Jakarta: AIPI (Asosiasi Ilmu Politik Indonesia), 2002.
- Amal, Ichlasul. "The Dilemmas of Decentralization and Democratization" in David Bourchier & John Legge (Eds.), *Democracy in Indonesia: 1950s and 1990s* (pp. 214–222). Clayton: Monash Papers on Southeast Asia No. 31, Centre of Southeast Asian Studies, Monash University, 1994.
- Antlöv, Hans. "Not Enough Politics! Power, Participation and the New Democratic Polity in Indonesia" in Edward Aspinall & Greg Fealy (Eds.), *Local Power and Politics in Indonesia: Decentralisation & Democratisation* (pp. 72–86). Singapore: Institute of Southeast Asian Studies, 2003.
- Arghiros, Daniel. *Democracy, Development and Decentralization in Provincial Thailand*. Richmond, Surrey: Curzon, Nordic Institute of Asian Studies Democracy in Asia series No. 8, 2001.
- Asia Foundation. "Indonesia's Rapid Decentralization Appraisal (IRDA): First Report". May 2002.
- Astuti, Christina. "Rekrutmen Elite Politik di Tingkat Lokal: Kasus Pemilihan Jabatan Gubernur di Propinsi Jawa Timur." M.A. thesis, Gadjah Mada University, Yogyakarta, 1994.
- Betts, Ian L. "Decentralisation in Indonesia: A Review of Decentralisation Policy and the Problems and Issues that have Faced Businesses and Investors since the Implementation of Regional Autonomy in Indonesia." *Harvest International's Journal For Decision Makers* (June–July 2003), downloaded on 6 February 2006 from www.harvest-international.com/perspec/Jun_Jul03/prints/special.htm.
- Centre for Electoral Reform (CETRO). "Urgensi Revisi UU No. 32/2004 Tentang Pemerintahan Daerah Sebelum Penyelenggaraan Pilkada", 2004, downloaded on 16 August 2005 from www.cetro.or.id.
- Choi, Nanyang. "Local Elections and Democracy in Indonesia: The Riau Archipelago." *Journal of Contemporary Asia* 37 (3), 326–345 (August 2007).

- Crook, Richard C., & Manor, James. "Democratic Decentralization and Institutional Performance: Four Asian and African Experiences Compared." *Journal of Commonwealth and Comparative Politics* 33, 309–334 (1995).
- Fealy, Greg. "Parties and Parliament: Serving Whose Interests?" in Grayson Lloyd & Shannon Smith (Eds.), *Indonesia Today: Challenges of History*. Singapore: Institute of Southeast Asian Studies, Indonesia Assessment Series, Research School of Pacific and Asian Studies, Australian National University, 97–111 (2001).
- Feith, Herbert. *The Decline of Constitutional Democracy in Indonesia*. Ithaca, NY: Cornell University Press, 1962.
- Hadiz, V. "Indonesian Local Party Politics: A Site of Resistance to Neo-Liberal Reform." *Critical Asian Studies* 36 (4), 615–636 (December 2004).
- Haris, Syamsuddin. "Fungsi DPD Mesti Diperkuat." *Otonomi*, August 2004.
- . "Pilkada Langsung dan Masa Depan Otonomi Daerah." *Jurnal Politika* 1 (1), 7–20 (May 2005).
- Imawan, Riswandha. "Desentralisasi, Demokratisasi dan Pembentukan Good Governance" in Syamsuddin Haris (Ed.), *Desentralisasi, Demokratisasi & Akuntabilitas Pemerintah Daerah* (pp. 43–54). Jakarta: AIPI (Asosiasi Ilmu Politik Indonesia), 2002.
- Isra, Saldi. "Pemilihan Kepala Daerah Langsung: Catatan Kritis atas Beberapa Isu Krusial dalam UU No. 32 Tahun 2004." *Jurnal Politika* 1 (1), 21–35 (May 2005).
- Kahin, Audrey R. "Regionalism and Decentralization" in David Bouchier & John Legge (Eds.), *Democracy in Indonesia: 1950s and 1990s* (pp. 204–213). Clayton: Monash Papers on Southeast Asia No. 31, Centre of Southeast Asian Studies, Monash University, 1994.
- Kerkevlit, Benedict J. "Contested Meanings of Elections in the Philippines" in R. H. Taylor (Ed.), *The Politics of Elections in Southeast Asia* (pp. 136–163). Cambridge: Cambridge University Press, 1996.
- Kerkvlit, Benedict J., & Mojares, Resil B. (Eds.), *From Marcos to Aquino: Local Perspectives on Political Transition in the Philippines*. Manila: Ateneo de Manila University Press, 1991.
- Konrad-Adenauer-Stiftung & ADEKSI (Asosiasi DPRD Kota Seluruh Indonesia). *Pemilihan Langsung Kepala Daerah: Transformasi Menuju Demokrasi Lokal*. 2003
- Lembaga Ilmu Pengetahuan Indonesia (LIPI), "Lembaga Mediasi Konflik Perlu Dibentuk", 17 June 2005, downloaded on 18 August 2005 from www.lipi.go.id.

- Lutz, Georg, & Linder, Wolf. "Democracy and Participation: Solutions for Improving Governance at the Local Level?" Paper for the World Bank Workshop on "Intergovernmental Fiscal Relations in East Asia", 10–11 January 2002, Bali.
- McVey, Ruth T. (Ed.) *Money and Power in Provincial Thailand*. Singapore: Institute Southeast Asian Studies, 2000.
- Mietzner, Marcus. "Business as Usual? The Indonesian Armed Forces and Local Politics in the Post-Soeharto Era" in Edward Aspinall & Greg Fealy (Eds.), *Local Power and Politics in Indonesia: Decentralization & Democratization* (pp. 245–258). Singapore: Institute of Southeast Asian Studies, 2003.
- Rasyid, Muhammad Ryaas. "Regional Autonomy and Local Politics in Indonesia" in Edward Aspinall & Greg Fealy (Eds.), *Local Power and Politics in Indonesia: Decentralisation & Democratization* (pp. 63–71). Singapore: Institute of Southeast Asian Studies, 2003.
- Sidel, John T. *Capital, Coercion, and Crime: Bossism in the Philippines*. Stanford: Stanford University Press, 1999.
- Sijabat, Ridwan Max. "Review 2004 – National: Regional Autonomy Makes Little Headway", *The Jakarta Post*, 17 August 2005.
- Swianiewicz, Pawel (Ed.). *Public Perception of Local Governments*. Budapest: Local Government and Public Service Reform Initiative, Open Society Institute, 2001.
- Trocki, Carl A. "Democracy and the State in Southeast Asia" in Carl A. Trocki (Ed.), *Gangsters, Democracy, and the State in Southeast Asia* (pp. 7–16). New York: Southeast Asia Program Publications, Cornell University, 1998.
- Usman, Syaiku. "Regional Autonomy in Indonesia: Field Experiences and Emerging Challenges." Paper prepared for the 7th PRSCO Summer Institute/The 4th IRSA International Conference: "Decentralization, Natural Resources, and Regional Development in the Pacific Rim", 20–21 June 2002, Bali.

IDSS Working Paper Series

1. Vietnam-China Relations Since The End of The Cold War (1998)
Ang Cheng Guan
2. Multilateral Security Cooperation in the Asia-Pacific Region: Prospects and Possibilities (1999)
Desmond Ball
3. Reordering Asia: "Cooperative Security" or Concert of Powers? (1999)
Amitav Acharya
4. The South China Sea Dispute re-visited (1999)
Ang Cheng Guan
5. Continuity and Change In Malaysian Politics: Assessing the Buildup to the 1999-2000 General Elections (1999)
Joseph Liow Chin Yong
6. 'Humanitarian Intervention in Kosovo' as Justified, Executed and Mediated by NATO: Strategic Lessons for Singapore (2000)
Kumar Ramakrishna
7. Taiwan's Future: Mongolia or Tibet? (2001)
Chien-peng (C.P.) Chung
8. Asia-Pacific Diplomacies: Reading Discontinuity in Late-Modern Diplomatic Practice (2001)
Tan See Seng
9. Framing "South Asia": Whose Imagined Region? (2001)
Sinderpal Singh
10. Explaining Indonesia's Relations with Singapore During the New Order Period: The Case of Regime Maintenance and Foreign Policy (2001)
Terence Lee Chek Liang
11. Human Security: Discourse, Statecraft, Emancipation (2001)
Tan See Seng
12. Globalization and its Implications for Southeast Asian Security: A Vietnamese Perspective (2001)
Nguyen Phuong Binh
13. Framework for Autonomy in Southeast Asia's Plural Societies (2001)
Miriam Coronel Ferrer
14. Burma: Protracted Conflict, Governance and Non-Traditional Security Issues (2001)
Ananda Rajah
15. Natural Resources Management and Environmental Security in Southeast Asia: Case Study of Clean Water Supplies in Singapore (2001)
Kog Yue Choong
16. Crisis and Transformation: ASEAN in the New Era (2001)
Etel Solingen
17. Human Security: East Versus West? (2001)
Amitav Acharya
18. Asian Developing Countries and the Next Round of WTO Negotiations (2001)
Barry Desker

19. Multilateralism, Neo-liberalism and Security in Asia: The Role of the Asia Pacific Economic Co-operation Forum (2001)
Ian Taylor
20. Humanitarian Intervention and Peacekeeping as Issues for Asia-Pacific Security (2001)
Derek McDougall
21. Comprehensive Security: The South Asian Case (2002)
S.D. Muni
22. The Evolution of China's Maritime Combat Doctrines and Models: 1949-2001 (2002)
You Ji
23. The Concept of Security Before and After September 11 (2002)
 - a. The Contested Concept of Security
Steve Smith
 - b. Security and Security Studies After September 11: Some Preliminary Reflections
Amitav Acharya
24. Democratisation In South Korea And Taiwan: The Effect Of Social Division On Inter-Korean and Cross-Strait Relations (2002)
Chien-peng (C.P.) Chung
25. Understanding Financial Globalisation (2002)
Andrew Walter
26. 911, American Praetorian Unilateralism and the Impact on State-Society Relations in Southeast Asia (2002)
Kumar Ramakrishna
27. Great Power Politics in Contemporary East Asia: Negotiating Multipolarity or Hegemony? (2002)
Tan See Seng
28. What Fear Hath Wrought: Missile Hysteria and The Writing of "America" (2002)
Tan See Seng
29. International Responses to Terrorism: The Limits and Possibilities of Legal Control of Terrorism by Regional Arrangement with Particular Reference to ASEAN (2002)
Ong Yen Nee
30. Reconceptualizing the PLA Navy in Post – Mao China: Functions, Warfare, Arms, and Organization (2002)
Nan Li
31. Attempting Developmental Regionalism Through AFTA: The Domestic Politics – Domestic Capital Nexus (2002)
Helen E S Nesadurai
32. 11 September and China: Opportunities, Challenges, and Warfighting (2002)
Nan Li
33. Islam and Society in Southeast Asia after September 11 (2002)
Barry Desker
34. Hegemonic Constraints: The Implications of September 11 For American Power (2002)
Evelyn Goh
35. Not Yet All Aboard...But Already All At Sea Over Container Security Initiative (2002)
Irvin Lim

36. Financial Liberalization and Prudential Regulation in East Asia: Still Perverse? (2002)
Andrew Walter
37. Indonesia and The Washington Consensus (2002)
Premjith Sadasivan
38. The Political Economy of FDI Location: Why Don't Political Checks and Balances and Treaty Constraints Matter? (2002)
Andrew Walter
39. The Securitization of Transnational Crime in ASEAN (2002)
Ralf Emmers
40. Liquidity Support and The Financial Crisis: The Indonesian Experience (2002)
J Soedradjad Djiwandono
41. A UK Perspective on Defence Equipment Acquisition (2003)
David Kirkpatrick
42. Regionalisation of Peace in Asia: Experiences and Prospects of ASEAN, ARF and UN Partnership (2003)
Mely C. Anthony
43. The WTO In 2003: Structural Shifts, State-Of-Play And Prospects For The Doha Round (2003)
Razeen Sally
44. Seeking Security In The Dragon's Shadow: China and Southeast Asia In The Emerging Asian Order (2003)
Amitav Acharya
45. Deconstructing Political Islam In Malaysia: UMNO'S Response To PAS' Religio-Political Dialectic (2003)
Joseph Liow
46. The War On Terror And The Future of Indonesian Democracy (2003)
Tatik S. Hafidz
47. Examining The Role of Foreign Assistance in Security Sector Reforms: The Indonesian Case (2003)
Eduardo Lachica
48. Sovereignty and The Politics of Identity in International Relations (2003)
Adrian Kuah
49. Deconstructing Jihad; Southeast Asia Contexts (2003)
Patricia Martinez
50. The Correlates of Nationalism in Beijing Public Opinion (2003)
Alastair Iain Johnston
51. In Search of Suitable Positions' in the Asia Pacific: Negotiating the US-China Relationship and Regional Security (2003)
Evelyn Goh
52. American Unilateralism, Foreign Economic Policy and the 'Securitisation' of Globalisation (2003)
Richard Higgott

53. Fireball on the Water: Naval Force Protection-Projection, Coast Guarding, Customs Border Security & Multilateral Cooperation in Rolling Back the Global Waves of Terror from the Sea (2003)
Irvin Lim
54. Revisiting Responses To Power Preponderance: Going Beyond The Balancing-Bandwagoning Dichotomy (2003)
Chong Ja Ian
55. Pre-emption and Prevention: An Ethical and Legal Critique of the Bush Doctrine and Anticipatory Use of Force In Defence of the State (2003)
Malcolm Brailey
56. The Indo-Chinese Enlargement of ASEAN: Implications for Regional Economic Integration (2003)
Helen E S Nesadurai
57. The Advent of a New Way of War: Theory and Practice of Effects Based Operation (2003)
Joshua Ho
58. Critical Mass: Weighing in on Force Transformation & Speed Kills Post-Operation Iraqi Freedom (2004)
Irvin Lim
59. Force Modernisation Trends in Southeast Asia (2004)
Andrew Tan
60. Testing Alternative Responses to Power Preponderance: Buffering, Binding, Bonding and Beleaguering in the Real World (2004)
Chong Ja Ian
61. Outlook on the Indonesian Parliamentary Election 2004 (2004)
Irman G. Lanti
62. Globalization and Non-Traditional Security Issues: A Study of Human and Drug Trafficking in East Asia (2004)
Ralf Emmers
63. Outlook for Malaysia's 11th General Election (2004)
Joseph Liow
64. Not Many Jobs Take a Whole Army: Special Operations Forces and The Revolution in Military Affairs. (2004)
Malcolm Brailey
65. Technological Globalisation and Regional Security in East Asia (2004)
J.D. Kenneth Boutin
66. UAVs/UCAVS – Missions, Challenges, and Strategic Implications for Small and Medium Powers (2004)
Manjeet Singh Pardesi
67. Singapore's Reaction to Rising China: Deep Engagement and Strategic Adjustment (2004)
Evelyn Goh
68. The Shifting Of Maritime Power And The Implications For Maritime Security In East Asia (2004)
Joshua Ho
69. China In The Mekong River Basin: The Regional Security Implications of Resource Development On The Lancang Jiang (2004)
Evelyn Goh

70. Examining the Defence Industrialization-Economic Growth Relationship: The Case of Singapore (2004)
Adrian Kuah and Bernard Loo
71. "Constructing" The Jemaah Islamiyah Terrorist: A Preliminary Inquiry (2004)
Kumar Ramakrishna
72. Malaysia and The United States: Rejecting Dominance, Embracing Engagement (2004)
Helen E S Nesadurai
73. The Indonesian Military as a Professional Organization: Criteria and Ramifications for Reform (2005)
John Bradford
74. Maritime Terrorism in Southeast Asia: A Risk Assessment (2005)
Catherine Zara Raymond
75. Southeast Asian Maritime Security In The Age Of Terror: Threats, Opportunity, And Charting The Course Forward (2005)
John Bradford
76. Deducing India's Grand Strategy of Regional Hegemony from Historical and Conceptual Perspectives (2005)
Manjeet Singh Pardesi
77. Towards Better Peace Processes: A Comparative Study of Attempts to Broker Peace with MNLF and GAM (2005)
S P Harish
78. Multilateralism, Sovereignty and Normative Change in World Politics (2005)
Amitav Acharya
79. The State and Religious Institutions in Muslim Societies (2005)
Riaz Hassan
80. On Being Religious: Patterns of Religious Commitment in Muslim Societies (2005)
Riaz Hassan
81. The Security of Regional Sea Lanes (2005)
Joshua Ho
82. Civil-Military Relationship and Reform in the Defence Industry (2005)
Arthur S Ding
83. How Bargaining Alters Outcomes: Bilateral Trade Negotiations and Bargaining Strategies (2005)
Deborah Elms
84. Great Powers and Southeast Asian Regional Security Strategies: Omni-enmeshment, Balancing and Hierarchical Order (2005)
Evelyn Goh
85. Global Jihad, Sectarianism and The Madrassahs in Pakistan (2005)
Ali Riaz
86. Autobiography, Politics and Ideology in Sayyid Qutb's Reading of the Qur'an (2005)
Umej Bhatia
87. Maritime Disputes in the South China Sea: Strategic and Diplomatic Status Quo (2005)
Ralf Emmers

88. China's Political Commissars and Commanders: Trends & Dynamics (2005)
Srikanth Kondapalli
89. Piracy in Southeast Asia New Trends, Issues and Responses (2005)
Catherine Zara Raymond
90. Geopolitics, Grand Strategy and the Bush Doctrine (2005)
Simon Dalby
91. Local Elections and Democracy in Indonesia: The Case of the Riau Archipelago (2005)
Nankyung Choi
92. The Impact of RMA on Conventional Deterrence: A Theoretical Analysis (2005)
Manjeet Singh Pardesi
93. Africa and the Challenge of Globalisation (2005)
Jeffrey Herbst
94. The East Asian Experience: The Poverty of 'Picking Winners' (2005)
Barry Desker and Deborah Elms
95. Bandung And The Political Economy Of North-South Relations: Sowing The Seeds For Revisioning International Society (2005)
Helen E S Nesadurai
96. Re-conceptualising the Military-Industrial Complex: A General Systems Theory Approach (2005)
Adrian Kuah
97. Food Security and the Threat From Within: Rice Policy Reforms in the Philippines (2006)
Bruce Tolentino
98. Non-Traditional Security Issues: Securitisation of Transnational Crime in Asia (2006)
James Laki
99. Securitizing/Desecuritizing the Filipinos' 'Outward Migration Issue' in the Philippines' Relations with Other Asian Governments (2006)
José N. Franco, Jr.
100. Securitization Of Illegal Migration of Bangladeshis To India (2006)
Josy Joseph
101. Environmental Management and Conflict in Southeast Asia – Land Reclamation and its Political Impact (2006)
Kog Yue-Choong
102. Securitizing border-crossing: The case of marginalized stateless minorities in the Thai-Burma Borderlands (2006)
Mika Toyota
103. The Incidence of Corruption in India: Is the Neglect of Governance Endangering Human Security in South Asia? (2006)
Shabnam Mallick and Rajarshi Sen
104. The LTTE's Online Network and its Implications for Regional Security (2006)
Shyam Tekwani
105. The Korean War June-October 1950: Inchon and Stalin In The "Trigger Vs Justification" Debate (2006)
Tan Kwoh Jack

- 106 International Regime Building in Southeast Asia: ASEAN Cooperation against the Illicit Trafficking and Abuse of Drugs (2006)
Ralf Emmers
- 107 Changing Conflict Identities: The case of the Southern Thailand Discord (2006)
S P Harish
- 108 Myanmar and the Argument for Engagement: *A Clash of Contending Moralities?* (2006)
Christopher B Roberts
- 109 TEMPORAL DOMINANCE (2006)
Military Transformation and the Time Dimension of Strategy
Edwin Seah
- 110 Globalization and Military-Industrial Transformation in South Asia: An Historical Perspective (2006)
Emrys Chew
- 111 UNCLOS and its Limitations as the Foundation for a Regional Maritime Security Regime (2006)
Sam Bateman
- 112 Freedom and Control Networks in Military Environments (2006)
Paul T Mitchell
- 113 Rewriting Indonesian History The Future in Indonesia's Past (2006)
Kwa Chong Guan
- 114 Twelver Shi'ite Islam: Conceptual and Practical Aspects (2006)
Christoph Marcinkowski
- 115 Islam, State and Modernity : Muslim Political Discourse in Late 19th and Early 20th century India (2006)
Iqbal Singh Sevea
- 116 'Voice of the Malayan Revolution': The Communist Party of Malaya's Struggle for Hearts and Minds in the 'Second Malayan Emergency' (1969-1975) (2006)
Ong Wei Chong
- 117 "From Counter-Society to Counter-State: Jemaah Islamiyah According to PUPJI" (2006)
Elena Pavlova
- 118 The Terrorist Threat to Singapore's Land Transportation Infrastructure: A Preliminary Enquiry (2006)
Adam Dolnik
- 119 The Many Faces of Political Islam (2006)
Mohammed Ayob
- 120 Facets of Shi'ite Islam in Contemporary Southeast Asia (I): Thailand and Indonesia (2006)
Christoph Marcinkowski
- 121 Facets of Shi'ite Islam in Contemporary Southeast Asia (II): Malaysia and Singapore (2006)
Christoph Marcinkowski
- 122 Towards a History of Malaysian Ulama (2007)
Mohamed Nawab
- 123 Islam and Violence in Malaysia (2007)
Ahmad Fauzi Abdul Hamid

- 124 Between Greater Iran and Shi'ite Crescent: Some Thoughts on the Nature of Iran's Ambitions in the Middle East (2007)
Christoph Marcinkowski
- 125 Thinking Ahead: Shi'ite Islam in Iraq and its Seminaries (*hawzah 'ilmiyyah*) (2007)
Christoph Marcinkowski
- 126 The China Syndrome: Chinese Military Modernization and the Rearming of Southeast Asia (2007)
Richard A. Bitzinger
- 127 Contested Capitalism: Financial Politics and Implications for China (2007)
Richard Carney
- 128 Sentinels of Afghan Democracy: The Afghan National Army (2007)
Samuel Chan
- 129 The De-escalation of the Spratly Dispute in Sino-Southeast Asian Relations (2007)
Ralf Emmers
- 130 War, Peace or Neutrality: An Overview of Islamic Polity's Basis of Inter-State Relations (2007)
Muhammad Haniff Hassan
- 131 Mission Not So Impossible: The AMM and the Transition from Conflict to Peace in Aceh, 2005–2006 (2007)
Kirsten E. Schulze
- 132 Comprehensive Security and Resilience in Southeast Asia: ASEAN's Approach to Terrorism and Sea Piracy (2007)
Ralf Emmers
- 133 The *Ulama* in Pakistani Politics (2007)
Mohamed Nawab
- 134 China's Proactive Engagement in Asia: Economics, Politics and Interactions (2007)
Li Mingjiang
- 135 The PLA's Role in China's Regional Security Strategy (2007)
Qi Dapeng
- 136 War As They Knew It: Revolutionary War and Counterinsurgency in Southeast Asia (2007)
Ong Wei Chong
- 137 Indonesia's Direct Local Elections: Background and Institutional Framework (2007)
Nanyung Choi