



Gender Mainstreaming in the Decentralization's Regime of Indonesia ; A Theoretical Review

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ABSTRAK

Studi tentang gender di negara-negara maju telah berkembang sejak periode 1980'an. Perkembangan diskursus tentang gender berjalan sangat dinamis seiring dengan pesatnya perkembangan ilmu pengetahuan dan Teknologi, Di Indonesia sendiri, isu tentang gender telah muncul di awal 1990'an, yang dimulai dengan paradigma "Woman in Development, kemudian berkembang menuju Paradigma "Gender and Development". Memasuki awal 2000'an, tuntutan terhadap peran perempuan dalam berbagai sector, yakni politik, konomi dan sosial-budaya semakin menguat dan mendorong munculnya paradigma pengarusutamaan gender (*Gender Mainstreaming*). Seiring dengan kebijakan desentralisasi di Indonesia yang menguat di awal tahun 2000'an dengan diundangkannya UU Nomor 22 Tahun 1999 Tentang Pemerintahan daerah, pengarusutamaan gender harus diwadahi dalam Undang-Undang, untuk menjamin penyelenggaraan pemerintahan, Pembangunan dan Pelayanan Publik di Indonesia tidak terjadi bias gender. Hingga berlakunya UU 23Tahun 2014 Tentang Pemerintahan Daerah yang berlaku saat ini, pengarusutamaan gender menjadi bagian yang tidak terpisahkan dalam penyelenggaraan pemerintahan, dalam mewujudkan Good Governance.

Abstract

Studies on gender in developed countries have developed since the 1980s. The development of discourse on gender runs very dynamically along with the rapid development of science and technology. In Indonesia itself, the issue of gender emerged in the early 1990s, which began with the paradigm of "Woman in Development, then progressed towards the Paradigm of "Gender and Development". Entering the early 2000s, demands for the role of women in various sectors, namely politics, economics and socio-culture, grew stronger and prompted the emergence of a gender mainstreaming paradigm. Along with the decentralization policy in Indonesia which strengthened in the early 2000s with the promulgation of Law Number 22 of 1999 concerning Regional Government, gender mainstreaming must be contained in the law, to ensure that governance, development and public services in Indonesia do not occur gender bias. Until the enactment of Law 23 of 2014 concerning Regional Government which is currently in effect, gender mainstreaming has become an integral part of governance, in realizing good governance.

A. INTRODUCTION

This paper will be based on intensive literature review on gender and decentralization from various disciplines and relevant Indonesian laws. The literature review provides theoretical ground on gender and decentralization, relevant concepts and philosophy. It will start with the discussion on gender and gender needs. Although "gender" seems like a very simple concept, it has been used inappropriately, hence causing some confusion. Therefore gender, together with gender needs, and how they related to decentralization merit an exhaustive discussion. The following section will be on the theoretical overview of gender and decentralization. It outlines opportunities and peril that decentralization brings for

women.

The theoretical overview fit neatly with the next section, namely the sociopolitical context of decentralization in Indonesia. Women participation in political sphere remains a contested issue in Indonesia. It has a lot to do with the historical legacy of the New Order's policy that approached the role of men and women from the essentialist angle. The concept of genuine political participation of women based on merit will have to be followed by the learning and unlearning process of men as well as women. It will also outline Indonesian political legacy, institutions and policy that may, or may not, enhance the delivery of policies that will enhance gender equality. Furthermore, it will include

international experience and best practices on administrative decentralization with specific consideration on gender equality objectives. Other important factors of the sociopolitical context of gender and decentralization in Indonesia are institutions and policies for gender equality in Indonesia.

B. LITERATURE REVIEW

Gender, gender needs and decentralization

The enthusiasm for decentralization in development circles has continued unabated since the early 2000's although the understanding of what decentralization is supposed to achieve has changed over time. The rush to participate in decentralization process in many countries has brought gender issues to the forefront. Decentralization is sometimes perceived as a development strategy (Barzelay, 1992; Esman, 1991; Turner, 1997). Traditional methods of development planning tend to be based on efficiency and control and to be driven by a focus on growth. Many governments introduced development planning structures and systems as a means of ensuring that macroeconomic goals were attained. Infrastructural development and services within the development plan were driven by economic goals rather than the need to advance human development. In the process of attaining economic growth, the social development of people and particularly of women has often been neglected.

An understanding of the concept "gender" is useful for examining the disparities which exist between women and men. Gender should not be conflated with women, as is often the case. Gender is a sociocultural variable that refers to the comparative, relational, or differential roles, responsibilities, and activities assigned to females and males. Gender is relational in that it identifies the relationship between men and women. Gender refers to the social characteristics and culturally prescribed roles of men and women, but are not bound to either men or women. These roles vary among societies and over time. Gender roles are what a society or culture constructs and prescribes as proper roles, behavior and personal identities, wherein that which is associated with women is feminine, with men is masculine, with the latter given more hierarchical value (Adler, 1993; Spence et. al., 1978)

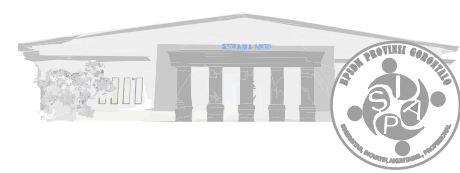
The definition of gender offered by Caribbean scholar Eudine Barriteau, is instructive. It expands the idea of prescribed roles to include "the access to and allocation of status, power and other related resources within society" (2001:26). The lives of men and

women, the work they do, the incomes they receive and the leisure activities they pursue all point to differential treatment. Such norms and traditions and the ideas that underpin them are also manifested in laws, public institutions, and economic and social institutions such as the family, the job market and indeed political participation vis-à-vis local government. Barriteau further points out that the recognition that power and domination are at the roots of inequality is essential to overcoming gender biases (2001: 27).

Contemporary gender analysis employs the notions of practical gender needs and strategic gender interests. Practical needs are defined in terms of day-to-day necessities stemming from women's specific gender roles, including items such as health care, child care, food security, and personal safety. Strategic interests, on the other hand, are longer term benefits that women need in order to change unequal and oppressive gender relations in society, and include items such as education, mobilization, legal rights, and political participation (Moser 1989; Parpart et. al. 2000). Women's experiences as "local citizens," engaged in struggles to advance both their practical needs and strategic interests, have immediate implications for the quality of their lives—and the quality of development more generally. Hence the relevance of understanding the concepts of gender, gender needs and how they relate to decentralization.

The shift from 'women in development' to 'gender and development' approaches embodied a shift towards a more overt focus on gender relations and the aim of creating structural changes in male-female power relations. While this continues (ideally) to address women's experiences and social situations, it also situates these in the context of the social and power relations between men and women (Chant and Guttman 2000: 2-10).

There is a tendency to use the term gender and women interchangeably. As a consequence, discussion on gender needs neglect to include those of men. It is not a coincidence that some men perceive development program as a zero sum game and therefore are hostile towards the idea of women's empowerment. Many men participate in sexist practices and the maintenance of unjust gender relations, men often play a crucial role as 'gatekeepers' of the current gender order and as decision makers and community leaders, and patterns of gender injustice are tied to social constructions of masculinity and male identity. Men and boys are unavoidably involved in gender issues (Connell 2003:3). Most immediately, men (or more accurately, specific groups of men) control the resources required to implement



women's claims for justice. But, more broadly, gender inequalities are based in gender relations, in the complex webs of relationships that exist at every level of human experience (Connell 2003: 3).

Including men in gender work is necessary because gender inequality is intimately tied to men's practices and identities, men's participation in complex and diverse gender relations, and masculine discourses and culture. Fostering gender equality requires change in these same arenas, of men's lives and relations.

There is a widespread tendency to see that the solution to women's problems is usually seen in isolation from all other processes that take place in society and is assumed to rest with women. This partially explains the lack of political will among male leaders to gender mainstreaming various changes, including decentralization. Decentralization brings a lot of hope for the inclusion of the voice of marginalized groups, including women. The locality of the political process makes the transition from private to public sphere easier for women. However, there are various obstacles that hamper the participation of women in the decentralization process. These obstacles include rigid gender roles that are firmly believed by some men and women.

This delineation of "proper" roles of men and women lead to the lack of mechanisms that allow women the opportunity to express their opinions and recommendations during the policy-making process. It should be noted that mere decentralization of decision making or political process without addressing the root causes of marginalization and inequality can be limiting. Furthermore women's representation in local government structures does not automatically result in their informed and effective participation in these structures (Taylor, 1996). For this to happen women and men require a critical gender analysis of the roots of women's oppression and the strategic interventions that are possible through their participation. This can only result from gender awareness, training and organizational change.

Decentralization should therefore include a restructuring of the system, devolving functions and powers from state/provincial governments and ensuring a sound resource base and resource allocations from central and state governments. Most importantly, it should lead to a planning process that promotes strategic gender goals from the bottom up through a coordinated system.

C. METHOD

To disclose facts, data, and information related to research objectives, field research was carried out using a qualitative approach and descriptive method. According Moleong (2009: 6) that qualitative research is research that aims to understand the phenomenon of what is experienced by the subjects holistically and by way of description in the form of words and language, in a konteks special natural and by using various scientific methods.

In this research, using qualitative description, which is an approach that aims to describe the phenomenon in truth occurred in the field and of what is experienced by research subjects. Descriptive method is a method of research that focuses on the problems or phenomena that exist at the time the research was conducted or problems that are real, then describe the facts of the matter being investigated as it is accompanied by rational and accurate interpretation. The data source of this research are primary and secondary data were collected through interviews and documents. Data analysis used the interactive model analysis Miles & Huberman.

D. RESULTS AND DISCUSSION

Gender and decentralization: a theoretical overview

From a gendered perspective, decentralization opens up new possibilities to stimulate women's participation in local decision making processes based on two factors. 1) it is usually easier to familiarize oneself with local issues, thus lowering the threshold for women to step forward and do something about it; 2) overhaul in standard administrative procedure opens up possibilities to integrate gender issues in the planning and implementation process.

Indonesia rapidly decentralized its government administrative, fiscal, and other responsibilities to local governments in 1999 by passing two sweeping decentralization laws. The laws were subsequently revised when Regional Administration Law 23/2014 replaced the original Law 32/2004 on Regional Autonomy. The process of decentralization deliberately established districts as opposed to provinces, as the new centers of decision making. The principal decentralized functions of district governments are public works, health, education and culture, agriculture, communication, industry and trade, capital investment, environment, cooperatives, and labor affairs.

Many of the important functions of government that affect people's lives as well as the course of economic

development are now in the hands of around 540 district leaders.

What is lacking from the discussion of decentralization in Indonesia in general is clear paradigm which forms the basis of decentralization. In the first discourse, associated with what may be called the mainstream development establishment, the primary reasons for supporting decentralization can be grouped under the rough heading of "efficiency." Decentralization is advocated on the grounds that lower tiers of the state (or, in the case of privatization, private firms) can administer services or engage in development efforts more effectively and efficiently than the central state because they are closer to the people who use and benefit from them. Proximity is supposed to allow for greater responsiveness as a result of better access to information about local preferences, needs, and conditions (Smith 1985: 28). While the emphasis during the first phase of market-oriented adjustment was on reducing the size and scope of the state, in the 1990s there was a recognition that, especially in developing countries, effective and capable states were a necessary ingredient in the development process. Market-based solutions to development, including extensive privatization, are important, but so is the need to develop strong state institutions capable of providing predictable and transparent rules-based regimes that would encourage private investment, provide social compensation, and generate political legitimacy and stability. Within this "establishment" discourse, the importance of empowerment is primarily instrumental. Empowerment is beneficial because it allows more accurate information about people's needs and preferences to be relayed more efficiently, facilitating resource allocations and service provision that deliver what individuals and groups of individuals need, want, and are willing to pay. Power inequality and inequity are important to the extent that they distort the capacity of decentralized systems to adequately reflect such preferences, thereby contributing to failures of efficiency. In this context gender issue becomes very crucial since the marginalization of women often leads to their disempowerment (UNIFEM/VADE, 2001). Human development cannot be equitable, sustainable or holistic unless it addresses gender inequalities and the needs of both women and men. The importance of human development for women is the recognition that "if it is not engendered it is endangered" (UNDP, 1995).

It also appears that little academic research has been framed under the heading of "gender and decentralization." Some exceptions include work on Senegal (Patterson 2002); in Uganda and Zimbabwe

(Dauda 2001); on Uganda (Saito 2002); and Nigeria (Okome 2000). The general literature on decentralization is largely devoid of significant gender analysis. For the most part, hypotheses about gender dimensions of decentralization must be formulated by extrapolating from how the literature deals with other issues. Only in a few cases (e.g. Crook and Manor 1998), is gender consistently integrated into the research and analysis. There is a clear need for high quality research work dealing specifically with gender dimensions of decentralization. Nevertheless, there is a growing awareness of the relevance of this topic in a wide range of institutions, from the international financial institutions to local NGOs.

One area in which substantial work has been carried out is women in local government, by international donors as well as international and local NGOs and CSOs. In the past, most of the work on "women in politics" focused on the national scene. But as political decentralization, in combination with administrative and sectoral decentralization, has placed more emphasis on the local level, attention to the issues of women's participation in local politics has grown. Many activists and policymakers have come to see the local level of government as a strategic site for advancing gender interests. Interest in women's local political participation often reflects a belief that it is easier for women to enter politics at the local level. New forms of direct participation in planning are also expected to provide opportunities for women in civil society to advance their interests and needs. The classical view that local politics is a training ground for politics at the national level supports the idea that women can use local politics as an entry point. In addition, local governments—especially in the era of sectoral decentralization—are often responsible for providing public goods and services of most immediate concern to women, such as health, water, child care centers, transportation and community infrastructure (Van Donk 2000). However, the results for women in politics at the local level are mixed (Baden 1999).

Meanwhile fair representation in gender has political significance as it is essential in the credibility and legitimacy of the democratic regime. Although women are never homogeneous in their attitudes and female politicians are a diverse lot, thus more female representatives in politics and bureaucracy by no means guarantee the protection of the interests of women. Nonetheless, since one of the responsibilities of the democratic government is to ensure the equal rights and opportunities of citizens, the fact that women present half of the population makes their under-representation



significant as a sign of discrimination, which decreases people's trust of the government and undermines the de facto legitimacy of the polity (Phillips 1995). The lack of female involvement and participation in the government agencies would also have serious administrative consequences. As Hale and Kelly (1989) point out, unelected government officials, "who are largely a technological elite group, are shaping and determining policy as well as implementing it". On one hand, the background, ideology, and experience of middle- and upper-level of officials can make differences in whether problems are defined, how the nature of interests and problems are defined and interpreted, and what decisions are made authoritatively. On the other hand, personal background and experience also affect how the lower-level civil servants serve their citizen clients. In order to avoid gender-biased service delivery, there should be enough women in the public administration, so that their specific preferences can be better comprehended and presented, and that their needs would not be overlooked or neglected. Women can also bring new insights and perspectives to the political process, which will enrich the focus and content of discourse in politics, thus making government more responsive to the needs of all people (Dolan & Ford 1995; Karl 1995).

State may protect and promote better female representation in three ways. First, the legislature may amend the existing constitutional articles or legal rules, or make new laws or regulations, to better incorporate women into public office. Second, the executive branch may guarantee principles of equal opportunity and even take affirmative action for hiring, training, and promoting women. Finally, the judiciary may also end gender imbalance in public sphere by interpreting the laws differently (e.g. justifying affirmative actions as necessary for attaining equality) (Hale & Kelly 1989: 7-9). Among various institutional settings, many scholars find that "electoral system" is the most powerful determinant of the level of female representation in democratic polities. In particular, three types of electoral systems have been found to contribute to achieving a higher level of female representation: (a) proportional representation (PR) system; (b) large multi-member districts; and (c) quota systems that ensure women a minimum level of representation (Rule 1987; Norris 1987; 1988; Lee 2000; Dahlerup 2002; Matland 2002; Htun 2004).

In general, there is a consensus that while quotas, women-friendly electoral rules, and other institutional arrangements designed to promote women's participation are helpful, they are not enough to ensure genuine, effective participation by women (Goetz 2002).

Training and other forms of support are also necessary, but more research is required to find out exactly what kinds of support work best, under what circumstances, learning from successful (and unsuccessful) experiments at the grassroots—especially experiments undertaken by grassroots women themselves (Jaeckel 2002).

Another relevant area is sector decentralization, including the gender dimensions of local service delivery, privatization, and local natural resource management. As we have seen, the main rationale for sector decentralization is improved responsiveness to local people's needs and local conditions, as well as greater cost-efficiency through a reduction in waste and greater ease in cost recovery. Since women make up half the population, the responsiveness argument should mean that women gain better access to more appropriate services or better managed resources once these become local responsibilities. However, there is only a minimal amount of research aimed specifically at the gender dimensions of sector decentralization and privatization, and gender equality concerns do not appear to be mainstreamed into existing initiatives and research in this area to any significant degree.

Intergovernmental relations are a key variable in decentralization. From a gender perspective, one important issue in this regard is the role of the so-called "national machineries for women" (Bell et. al. 2000). Despite facing many obstacles to effectiveness, these machineries are nevertheless critical advocates for gender concerns within government, and it is worth asking what becomes of these agencies, bureaus or ministries in decentralization processes. A related question is how national gender policies and programs for women fare in decentralized systems. While decentralization is expected to make government and services more responsive to local needs— including those of women—it may also dilute national commitments to gender equality and gender sensitive policies and programs. Yet, even under systems with minimal decentralization, national gender policies may not be implemented at the local level, and feminist organizations may be concentrated in capital cities and poorly linked to poor women in smaller centers or rural areas.

Gender and decentralization in Indonesia: a socio-political context

In Indonesia, decentralization offers opportunities for mainstreaming gender concerns in local legislation and policies, as well as program planning and implementation. Reports on problems associated with the implementation of decentralization, however, appear

regularly in local and national media and critics as well as supporters argue fiercely about whether the realized and potential benefits of the process outweigh the many problems associated with its implementation. One important element has, however, been missing in the debate, namely the effect of the regional autonomy program on women and particularly whether more recognition is being given to women as full citizens with the power and opportunity to realize their political aspirations.

Legally speaking, Indonesian women enjoy the same right as that of Indonesian men. The Constitution of the Republic of Indonesia, Undang-Undang Dasar 1945, upholds a commitment to the principle of equal rights between men and women. Paragraph 1 of Article 27 stipulates that: "every citizen enjoys equal status before the law and government, and is obliged to uphold this status without exception." Paragraph 2 of the same article states that: "every citizen shall have the right to employment and to conditions of life commensurate with human dignity." The democratic reforms of 1999 caused the Government to pay increased attention to issues of human rights and to refine the Constitution's basic definition of the subject. An amendment to the Constitution was, as a consequence, issued in 2000 which recognizes that "every person shall have the right to be free from discriminatory treatment based upon any ground whatsoever and shall have the right to protection from such discriminatory treatment." While the Constitution provides a sound foundation for the establishment of equal rights between men and women, much remains to be done in the passing of laws and regulations to put the principle into practice.

Historically Indonesian women have played an important role in the political arena. However their political role is severely curtailed during Suharto's new order. The New Order emphasizes the essentialist gender approach and relies on "proper" roles of men and women. The establishment of Dharma Wanita and other organizations for wives has weakened the women's struggle. Many women's organizations were set up for the purpose of strengthening the husband's position, to add votes to the male-controlled political parties, or even to strengthen what was considered women's predestined roles. A widely cited state directive that formed the ideological basis of state programs geared toward women delineated women's five major duties: to be a loyal supporter for her husband, caretaker of the household, to produce future generations, to raise her children properly, and to be a good citizen (Sen 1998:36). Suharto's state planners insisted that women's primary

contribution to the nation was as a wife and mother. Policies enforced this vision of womanhood through mass state programs, especially Dharma Wanita and the Family Welfare Movement (PKK). Both groups were strictly controlled by the state, and involved mainly in activities such as teaching rural women cooking, sewing, nutrition, and other 'feminine' skills (Blackwood 1995:13).

This New Order policy of domestication has been referred to as "state ibuism" (Suryakusumah, 1996). The discourses and practices of the New Order constructed women as biologically specific reproductive workers and their access to political and economic benefits from the state was almost exclusively as wives of men, and mothers of children. While women were not formally excluded from political life or parliamentary representation, the dominant ideology militated against it. Moreover, while the 1945 Constitution guarantees women's right to vote, it does not contain provisions on gender equality or non-discrimination in political representation (Katyasungkana 2000: 262). Indeed, it would have been somewhat extraordinary for a document adopted more than five decades ago - in Indonesia or anywhere else in the world - to have addressed such issues.

E. CONCLUSION

The concept of gender that should not be conflated with women. Gender here refers to the social, economic and political relations between male and female. Factors that influence the direction of the relations include, among other things, gender stereotypes, gender based division of labor, Indonesian political legacy that used gender essentialist approach, and conservative interpretation of Islam on female leadership. At the heart of the discussion on gender and decentralization is how the lower level of political decision making will close the gender gap in various social, economic and political aspects.

Gender, gender needs and the sociopolitical relations between men and women. The inclusion of women in the decision making process at all level is not a sufficient mechanism to address gender inequality. Addressing the root cause of marginality should be done hand in hand with women political participation. This means women's practical and strategic gender needs should be met. Since meeting women's strategic gender needs often shift the social equilibrium, it often ignites male hostility and resistance. Consciousness raising for both men and women through various means of education is imperative to pave the roads toward the

implementation of more equitable laws.

There is a lack of clear paradigm that underlines the implementation of decentralization in Indonesia. The literature review reveals that there is tension between two discourses, namely efficiency and empowerment. These two discourses are often constructed as mutually exclusive. Decentralization policy is generally regarded as critical for both efficiency and empowerment through participation. With regard to efficiency, decentralization contributes to identifying local priorities, potentialities and resources for the appropriate preparation, implementation and sustainable management of projects. With regard to participation, the identification and mobilization of all available resources and their deployment in accordance with popular needs requires direct participation.

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