Invisible Children
A Field Study on the Hindrances to Obtain a Birth Certificate in Nusa Tenggara Timur, Indonesia

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Abstract
A birth certificate provides a child with a legal identity, nationality, is a vital action towards child protection and can help a child access social welfare. Worldwide, almost 230 million children under the age of five have not been registered. Other than the vast negative impacts on the child it creates a blind spot in population statistics. Indonesia is one of the countries where the problem is widespread - only 57 percent of the children under the age of five have a birth certificate. In December 2013 a law was ratified in Indonesia, imposing changes in the birth registration process. This paper seeks to explore how the target group of that law, i.e. parents, perceive their possibility to comply with the policy, that is, to obtain a birth certificate for their children.

Based on a field study in Nusa Tenggara Timur, Indonesia, conducting in-depth interviews with 58 parents as well as stakeholders such as policy implementers and NGOs, this thesis will propose that there is a variance in how the policy has been implemented in different regencies. The results indicate that the variance in the implementation, as well as the policy setting prior implementation in each regency, affects the parents’ perceived possibility to comply. In one of the studied regencies the implementation of the policy has affected the parents' possibility to comply in a critically negative way, increasing the hindrances to obtain a birth certificate. Further, the regency politicians have created forced incentives to comply by making birth certificate mandatory to register for school, creating a vast risk of removing childrens’ access to education.

Keywords: Policy; Policy Implementation; Birth Certificate; Compliance; Legal Identity; Indonesia; Nusa Tenggara Timur
List of Abbreviations

AIPJ. Australia Indonesia Partnership for Justice

NTT. Nusa Tenggara Timur (East Nusa Tenggara province)

NGO. Non-Governmental Organization

UNICEF. United Nations Children’s Fund

WHO. World Health Organization

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1. Introduction

The UN Convention on the Rights of the Child, Article 7, declares that a child has the right to be immediately registered after birth. The article further declares that the state is responsible for implementing this right into national laws. A birth certificate provides a child with a legal identity, nationality, is a vital action towards child protection and can help a child access social welfare – in short, it is a question of citizenship. Worldwide, almost 230 million children under the age of five have not been registered, and more than half of these are living in Asia. Other than the vast negative impacts on the child it creates a blind spot in population statistics for governments, NGOs and researchers (UNICEF 2014). UNICEF emphasize that several developing countries are in great need of legal civil registration reform, with the aim of creating functional registration systems and hence increase the birth registration rate (UNICEF 2013). One country that has done so is Indonesia, which signed the Convention on the Rights of the Child in 1990. Nevertheless only 57 percent of the children under the age of five have a birth certificate (UNICEF Indonesia: 1). In December 2013 a law was ratified in Indonesia, imposing changes in the birth registration process. This paper seeks to explore how the target group of that law, i.e. parents, perceive their possibility to comply with the policy, that is, to obtain a birth certificate for their children.

1.1 Background
The issue of low birth certificate rate is structural and widespread in Indonesia – the world’s fourth most populated country, comprised of 17,500 islands, and with one third of the population being under 18 years old. In 2002 the Indonesian government ratified the Law on Child Protection, which states that every child has the right to a birth certificate. The government of Indonesia had stated an ambition for all children in the country to be registered by 2011 (UNICEF Indonesia 2010). Even this being the case, 58 percent of children aged 1-17 in the poorest 30 percent of Indonesian households do not have a birth certificate. In rural areas the number of children without a certificate is the double of that in urban areas (AIPJ 2014:2).
Australia Indonesia Partnership for Justice’s (AIPJ) report on the issue in Indonesia finds a positive correlation between the possession of a birth certificate and several benign socio-economic variables such as access to education and health care (AIPJ 2014: 4-5). Children without a birth certificate experience a greater risk of trafficking, child labor and child marriage (UNICEF: 1). This indicates that the possession of a birth certificate has great impact for development both at individual and macro level. The Sustainable Development Goals contains the goal of providing a legal identity for all, including birth registration (ESCAP 2015).

Most of the existing research regarding low birth certificate rate has been carried out by NGOs and targets barriers to acquire a certificate. The research is highly context-specific, given the differences between, as well as within, countries’ civil registration systems, laws and norms regarding the issue (see e.g. Gambu & Latu 2009 – study in Vanuatu; Apland et al. 2014 – study in India, Kenya, Sierra Leone and Vietnam, UNICEF 2013). Nevertheless, some common barriers are usually highlighted – costs, distance, opportunity costs as well as lack of awareness of the importance of birth registration (World Bank, WHO 2014: 8). In Indonesia, cost has been perceived to be the main barrier to obtain a certificate (AIPJ 2014: 68). The foremost solution to overcome these barriers and thus increase the frequency of birth registration is the development and strengthening of civil registration systems that can enable birth registration (World Bank, WHO 2014: 1-10).

As a step in trying to increase the birth registration rate the Indonesian government ratified a law on population administration, including the process of birth registration in 2013, Law 24/2013. According to AIPJ (2014: 22) the issuance of a birth certificate shall after the implementation of the law be free of charge and it will be criminal for state officials and administrators to collect any kind of fees for population documents. However, Indonesia has gone through an immense decentralization, which has given local regency governments rife power over policy implementation and

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1 ‘Baseline Study on Legal Identity: Indonesia’s Missing Millions’
2 In September 2015, the 17 Sustainable Development Goals (SDGs) were adopted by world leaders at an UN Summit. “Over the next fifteen years, with these new Goals that universally apply to all, countries will mobilize efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind.” (UN).
3 Goal 16.9
4 Article 79A and the elucidation of Article 79A
5 Article 95B
responsibility of 40 percent of public spending (UNICEF Indonesia 2010: 1-2). It is likely that this could influence how the policy has been implemented in different regencies and thus affect any outcome of the policy.

1.1.2 Law number 24 Year 2013
For a better understanding of the purpose of the study I will here present the amendments, as well as part of the general elucidation, that concerns birth registration. A discussion of the understanding of these as well as actual implications of them will be carried out in the section of empirical findings and analysis.

General Elucidation
In the General Elucidation it reads that the Indonesian state is “(...) obligated to provide protection and recognition of legal status with respect to Population Related Events and Vital Events experienced by Residents.” Furthermore it states “As a system, Population Administration for Residents is expected to be able to fulfill Resident’s administrative rights in public services and to provide protection with respect to the issuance of Population Documents without any discriminatory treatment through active participation of the Government and regional governments.”

Amendments Concerning Birth Certificate:
Article 27 paragraph 1: “Every birth must be reported by Residents to the local Implementing Agency no later than 60 (sixty) days following the birth.”
Elucidation to Article 27, paragraph 1: “The reporting of birth by Residents shall be conducted at the implementing agency at which the Residents are domiciled. (…)”

Article 27 paragraph 2: “Based on the report as intended in paragraph (1), the Civil Registration Official shall make a record in the Registry of the Birth Certificates and shall issue an Excerpt from the Birth Certificate.”
Elucidation to Article 27, paragraph 2: “The issuance of an Excerpt from the Birth Certificate shall be free of charge as regulated by Laws and Regulations.”

Article 32, paragraph 1: “For the reporting of birth as intended by Article 27 paragraph (1) exceeding the time limit of 60 (sixty) days as from the date of birth, the recording and
issuance of the Birth Certificate shall be conducted after obtaining a decision of the Head of the local Implementation Agency.”

Article 79A: “The administration and issuance of Population Documents shall be free of charge.”

Article 95B: “Any official and officer in villages/sub-districts, districts, UPT\(^6\) of the Implementing Agency and the Implementing Agency ordering and/or facilitating and/or imposing any charge to the Population in the administration and issuance of Population Documents as intended by Article 79A shall be subject to a criminal sanction of imprisonment for a maximum period of 6 (six) years and/or a maximum fine of Rp75,000,000.00 (seventy-five million rupiah).”

Article 103, paragraph 2: “All implementing regulations of Law number 23 Year 2006 on Population Administration shall be adjusted to this Law by no later than 1 (one) year as from the enactment of this law.”

1.2 Purpose and Research Question
As discussed in the introduction and background sections, birth registration is of importance for states’ recognition of children’s citizenship and the benefits connected to it. Recognition of citizenship is arguably a corner stone of the modern state, and it is vital both for the child and for macro level development. Therefore I will devote this study to survey the situation regarding birth registration in the province of Nusa Tenggara Timur (NTT), Indonesia. The reason behind this case selection will be discussed at length in subsequent chapters but, in short, the reason is twofold. First off, the ratio of birth certificates in Indonesia in general and in the province of NTT in particular is low in an international comparison. In NTT, of all children 51 percent or more were found not to have a birth certificate in 2012(AIPJ 2014: 35). Second off, the Indonesian government has tried to solve this problem, ratifying Law 24/2013, which aims to erase the formal cost to acquire a birth certificate and thus targeting the main barrier perceived by parents (AIPJ 2014: 68). As emphasized by UNICEF and WHO, implementing a legal

\(^6\) UPT = the Technical Implementing Unit of the Implementing Agency
framework and infrastructure for civil registration systems is required if the problem of low birth registration is to be solved (UNICEF 2013; World Bank, WHO 2014: 1-10). Furthermore the law states that a birth must be registered no longer than 60 days after birth\(^7\), which puts enormous responsibility for the policy’s success on its target group’s behavior, the parents. This is a question of compliance with the policy. Weaver (2014: 243) defines compliance as when “(...) ordinary citizens, corporations, or others actors (...) behave in ways that are consistent with the enunciated objectives of the policy.” – in this case meaning that parents register their children within the time limit.

However, whether this policy change is sufficient is unclear, as is how the target population perceives the barriers post-implementation\(^8\). Given the vast decentralization and the power of policy implementation of the local regency governments, it is also unclear how the policy has been implemented. The study by AIPJ was conducted pre-implementation and up to date no study has been published regarding how the parents perceive their possibilities to obtain certificates for their children.

Drawing upon the theoretical framework for policy compliance and its barriers provided by Weaver (2014; 2015), and given the heterogeneity of the target population and the few barriers targeted in the policy, there is reason to question the adequacy of the policy. Since the ratio of birth certificates in Indonesia, and especially in NTT, historically have been very low it is likely that several barriers beside formal costs are at play. This creates an interesting and important case for an investigation regarding whether the policy and its implementation has been sufficient in erasing the barriers to obtain a birth certificate in NTT.

In short, the design of this study can be described as follows:
(1) We know that birth registration has been scarce in NTT historically; (2) Formal costs were generally identified as the main barrier faced by parents when seeking to obtain birth certificates for their children; (3) Law 24/2013 was implemented to erase the formal costs of obtaining a birth certificate; (4) Formal costs might only be one of several barriers the poorest individuals in the poorest areas face when they seek to obtain birth certificates. Hence, it is important to investigate whether this reform has been sufficient in creating perceived possibilities for parents to acquire birth certificates for their children.

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\(^7\) Article 27, paragraph 1
\(^8\) Law 24/2013 should have been implemented no later than December 2014, Article 103, paragraph 2.
The answer to this question lies within the target group, as it is their behavior that defines the outcome. However, my purpose is not to study if the reform has been successful at the aggregated level. Instead I am interested in whether the reform has been sufficient for individuals living in the most underdeveloped areas, individuals that are likely to face more barriers than formal costs if they would seek to obtain a birth certificate for their children. As an indicator of the suitableness of the policy I use the target group’s perception regarding their incentives and possibilities to comply with it, i.e. I will be observing their perceived possibility to acquire a birth certificate for their children after the implementation of the policy. My research question is thus as follows:

*How do individuals within the target population of Law 24/2013 perceive their motivation and possibility to comply with the policy?*

In order to answer this question I conducted a field study using in-depth interviews in NTT Indonesia with the aim of interviewing individuals within the target population of the policy. The purpose of going to one of the regions, as well as regencies and villages where the problem is rife, was to capture the perception of the people that potentially are worst off. Development should not necessarily be about the median or the typical individual, but about the individual worst off. They are likely to face more barriers if attempting to comply and can thus be seen as a least likely case.

In order to create a better knowledge of the problem situation, the study has a subordinate purpose which is to look at a possible discrepancy between ‘an official top-down view’ of the issue, that is, the policy makers’ and implementers’ view, and the actual target population’s view. This will be done by looking at how the policy has been implemented in the given regencies, as well as how officials express their perception of the problem.

When studying policy compliance the obvious starting point is a rational choice perspective. Nevertheless I do not believe this is fruitful or sensitive enough and will instead, following Ostrom (1990), have a context-specific focus, using theories that are open for contextual variations and interpretations throughout the paper.
2. Theoretical Framework

The following chapter seeks to review previous research regarding:
1) The nature of a policy, to help me understand how the implementation of Law 24/2013 has altered the policy setting regarding the process of birth registration.
2) Explanations to a target group’s perceived incentives and possibilities to comply with a policy.

I choose not to review empirical research concerning obstacles to acquire a birth certificate more than mentioned in the introduction and background since, as mentioned earlier and to my knowledge, it is highly contextual. Even though the problem of low birth registration rate is similar in different countries, the problem situation likely is not. I have already mentioned the important similarities, and a comparison between different countries will not be fruitful for this study given its purpose. Instead I will have full focus on my case by using theories that can be adapted to a certain context.

Policy is an attempt to regulate the behavior of a certain target group – it is an encouragement by the policy makers of either action or non-action regarding a certain issue. Compliance theory focuses on the target populations’ behavior in reference to the encouraged behavior. Etienne concludes that "Since regulation is meant to steer behaviour in particular directions, it always require some sort of answer to two basic and interrelated questions: 1) Why do people behave the way they do? 2) How can behaviour be influenced?" (2013: 38). I argue that one cannot answer the second question without knowing the answer to the first. Thus, if one wants to regulate the behavior of a group,
one needs to understand why they behave the way they do first. It is likely that the answer to the first question does not lie solely in a theoretical discussion regarding how the mind works in general, but in a context-specific analysis, closely tied to the issue and the target group of the policy. Therefore, my theoretical discussion and my empirical inquiry will have a bottom-up contextual approach. The theories and perspectives will not give me any hypotheses but instead I will use them for directions regarding focus for my study, to understand how the individuals’ perceive their situation. It is of importance because it puts the individuals and context at focus instead of a generalized theory or perspective, which could neglect answers and perspectives on the problem situation.

2.1 Policy Nature
Bacchi claims that "(...) because all policies make proposals for change, by their very nature they contain implicit representations of ‘problems.’" (2009: 1). By looking at a policy one can see how the problem is represented, how policymakers understand the problem. However, does not indicate that they have successfully apprehended the problem situation. This specific policy has been ratified centrally and there might be a discrepancy between their perceived view of the problem and the actual problem in the field, faced by the parents. This can reasonably have the result of persistent problems and even increasing frequency and intensity of problems. Bacchi emphasizes the importance of reflecting about what the problem is represented to be (2009: 1-10). Consequently, there is a need to look at what changes a policy aims to implement. Schneider and Ingram claim that "(...) the compliance and enforcement regimes are all socially and politically determined constructions that reflect social views on the target group.” (1993: 334-5). Since the attitudes and beliefs towards the regulatees and the issue at hand have implications on the policy design, a policy and its implementation design can be seen as a proxy for how policy makers and administrators views the target group.

May (2005: 32) discuss the differences in the nature of a policy, how it can have a mandatory (coercive) or a voluntary (non-coercive) approach. Normally, a policy lies somewhere in between these, as mandatory and voluntary can be seen as two ends on a continuum. The employment of behavior monitoring and enforcement of negative consequences, such as legal actions, fees and sanctions, following failure to comply with a policy, are factors that push a policy towards a coercive nature. May labels these
possible negative consequences ‘deterrence fears’. A non-coercive policy does not incline mandatory compliance but often uses positive incentives, such as financial and practical assistance, as well as information and education, to create behavioral change (ibid.).

2.2 Behavior Regulation
Etienne describes compliance as (2011: 307) “(...) behavior fitting expectations communicated to regulatees regarding how the former should or should not behave in a given situation or a range of situations.” Hence, compliance is successful behavior regulation of a certain target population. The literature on compliance spans over the disciplines of psychology, economics, law and political science (see e.g. Bergman 2009; Kahan 1997; Meier & Morgan 1982; Sunstein & Thaler 2008). It usually focuses on goal framing theories or pure psychological motivation to compliance or noncompliance. What has been lacking is a comprehensive approach, which also takes hindrances, other than low incentives, to compliance into account (Weaver 2014: 243-4). Weaver adds barriers to compliance to the compliance framework. He concludes that the underlying factor to severe compliance gaps is often not only one, but several barriers to compliance perceived by the policy’s target group. Since the target population rarely is homogenous, a comprehensive view on barriers to compliance is vital. A narrow view on possible hindrances might result in a dissonance with the problem situation, deficient policy design and implementation. The obstacles to comply can be different for different individuals, consequently it is important with knowledge of the variety of hindrances that regulatees in a given problem situation encounter.

Even though Ostrom (1990) mainly focused on problems for collective action regarding common pool resources, her general approach of contextual focus is highly valuable to other types of policy analysis regarding compliance. Especially when the individual compliance, from each citizen, is vital for the policy to be successful, just as Ostrom’s research concentrates on. Where collective action is needed as a solution, and the collective action is dependent on individual compliance, she argues for focus on individual level analysis. Institutional arrangements need to work in the field, where the compliance, or noncompliance, actually takes place. Hence, Ostrom argues for the importance of a bottom-up approach to institutional solutions. To find out how a problem, or a policy “solution”, affects the individual one must talk to the people
affected, the same people that a possible policy’s success is dependent on. Ostrom contends that to get the institutions right “is a process that requires reliable information about time and place variables” (1990: 14), best accumulated in the field setting. Looking at a situation from a top-down perspective, we might see one problem and one possible solution. But instead there are often several problems with several possible solutions (ibid.). For example, the problem of low birth certificate rate within a country may be due to different hindrances in different regions or villages in the country: hence, the solution might not be universal. Thus, a ‘catch them all’ solution may not actually catch them all. The understanding of an issue at a central level is maybe not the same as the understanding at different local levels. The complexity of the individual’s problem situation, the context-specific hurdles, norms, knowledge etcetera, must be understood to find solutions. Considering this, a policy needs to have context-specific focus to be in reference with the problem situation, if it truly wants to catch them all (ibid.).

2.2.1 Incentives to Comply
This chapter will review literature that can help me understand potential barriers parents in NTT face in regard to birth registration of their children. Given the focus of trying to understand an individual’s behavior, one natural starting point is a rational choice perspective. From this perspective individuals are seen as goal oriented, utility maximizing and self-interested agents. They are “(...) a calculating agent who anticipates accurately the material consequences of alternative courses of action and chooses the one with the best cost-benefit balance.” (Etienne 2013: 36-7). Etienne criticizes the rational choice perspective since explanations of regulated behavior relying on this perspective frequently fails to explain empirical variations in compliance (2013: 41). I do believe that the narrow understanding of rationality is too blunt and idealized to be a fruitful perspective if we are to understand how individuals behave in the complexity of everyday situations.

Ostrom provides a more nuanced and context sensitive take on rationality. She views individuals as broadly rational actors whose decisions are dependent on “(...) how the individual learns about, views, and weighs the benefits and costs of actions and their perceived linkage to outcomes that also involve a mixture of benefits and costs.” (Ostrom 1990: 33). Ostrom adopts what can be understood as a bonded rationality,
which opens up for the possibility that individuals interpret situations, and hence
motivations, differently.

This bonded rationality perspective is also embraced within behavioral
economics, a theoretical field that furthermore incorporates psychological explanations
of behavior. Within this field rational choice has been challenged, as various cognitive
limitations are argued to influence the behavior of individuals besides what could be
seen as strict cost-benefit evaluation. These limitations can come in the form of myopia
(discounting future benefits in favor of current payoffs), inertia (an inability to change
perceptions and habits) or procrastination. Limitations such as these may affect a
person’s willingness and possibility to comply with a policy even if compliance would
seem rational from the outside (see e.g. Banerjee & Duflo 2011; Sunstein & Thaler 2008;
Weaver 2015; Etienne 2012). Thaler and Sunstein claim that one of the problems of
thinking about people as always rational and calculating actors is that it “is about Econs,

One obvious barrier to a strict rational behavior is that the target group may not
have complete information. Barriers linked to information concern both information on
how to comply, information regarding the costs and benefits of compliance or
noncompliance, as well as the possibility to understand information presented.
Information deficit can mean that an individual does not know what the demanded
behavior is, or how to adapt to it. Information on advantages and disadvantages may
change the individual’s calculation on whether or not to comply. Information is more
likely to reach parts of the target population that lives in proximity to cities or larger
villages, have access to Internet and social networks. The possibilities to understand and
process the information increases if a person has attended school and can read (Weaver

Furthermore, beliefs can affect behavior in several ways. The target population
might hold beliefs that are in conflict with the asked behavior. Mistrust towards either
the policy or its execution or a general mistrust towards the government can also inhibit
compliance (May 2004: 47-8; Weaver 2014: 248). Peer effects can help regulate
behavior or inhibit compliance by creating a norm and a socially acceptable behavior.
Low rates of target compliance are likely “(…) when there is a conflict between injunctive
norms (what people generally see as the right thing to do) and descriptive norms (what
people usually do (…)” (Weaver 2015: 811).
People value possible benefits of actions not only for their apparent gain but also related to a time horizon, where distant future benefits often are valued less than payoffs expected in the proximity, according to Ostrom. Imminent profits that neither the individual nor the individual’s children can be certain to acquire, are likely to be discounted in favor for current returns. The individuals’ perceived economic and physical security will also affect the discount rates of possible future benefits and gains. If the individual experiences scarce resources in the immediate future, the discount rates of gains in the distant future will increase (1990: 33-8).

There is often an inconsistency in how we believe we should act in the future compared to how we act today, as well as in the future (Banerjee and Duflo, 2011: 194). This time inconsistency usually entails a desired future behavior that we hope, or even persuade ourselves to think, we will act like, just not today. Saving money is a typical issue of procrastination, rich or poor. We want something today so we persuade ourselves that the future self will save so that today's self can spend. Nevertheless, the future self becomes today's self and acts the same way over again, spending instead of saving. The short benefit usually wins over the long ones, even if the longer ones are more important. Especially if the shorter ones are cheaper, easy to access and the long ones are expensive and one must overcome obstacles to reach it (Banerjee and Duflo, 2011: 195-6).

Temptation goods – something that we enjoy in the moment but do not give us anticipatory pleasure – can be candy, alcohol or tea and sugar, which is common in poor homes in developing countries. The temptation goods can create a vicious circle, creates a good feeling for the moment but might create a bitter aftertaste since the future goal now seems further away, which might make you tempted by something that would make you feel better – the temptation goods. With this behavior one might create a habit and normalization of buying the temptation goods, which make it more difficult to question this prioritization. This is not an explicit behavior for poor people, but for many of us. The difference lies in that the less one has, the further away succeeding to save up to a certain goal might seem (Banerjee and Duflo, 2011: 195, 199-200).

If the perceived incentives for compliance are too low, noncompliance is likely to occur. For example, if a policy would states that citizens have to put their bicycles in a bicycle stand when parking them, but the only penalty for not doing so would be that the bicycle would be moved to a bicycle stand and the owner shamed with a note saying 'be
nice - park your bicycle in a bicycle stand’, the incentives to comply would be very low, especially if no one else would see the note, and noncompliance likely. Policy makers can try to affect this calculus by monitoring and enforcement, which usually are interlinked even though monitoring without enforcement can take place. They can increase positive incentives, such as tax deduction, access to public welfare, and decrease negative ones, such as penalties, increased fees, and cutting access to public welfare etcetera. If only monitoring occurs, without any enforcement, the incentives to comply decreases (Weaver 2014: 246-7; 2015: 807-10).

2.2.3 Resource Barriers
The issues reviewed up until now focus on explanations to noncompliance such as lack of knowledge, willingness or certain beliefs held by the individual. A substantial part of the literature that tries to explain compliance concentrates on just these things – problems of motivation or information – which indeed is of explanatory importance (see e.g. Etienne 2011; 2013; Lindenberg & Steg 2007; May 2004). Nonetheless, criticism put forth by Weaver (2014; 2015) concerns that incentives is usually far from the only barriers to compliance – an individual within the target group might want to comply but constraints of context-specific nature can make action too costly or difficult. Solely focusing on the analytical tools given by behavioral economics will not result in an effective analysis due to overlooking possible resource barriers. This third category of barriers specified by Weaver concerns things that affect a person’s capacity to comply, resource barriers.

Resources are given a wide contextual meaning by Weaver, not just indicating fiscal and tangible assets but context-specific resources, assets that simplifies the regulatee’s possibility to comply with a given policy. Resources can be financial assets but also access to public transport or other infrastructure such as access to computer, printer and internet, proximity to a city or larger village where a state office lies, social networks, health, as mentioned before, information and tools to understand it such as education, reading and writing skills. When the compliance costs are high, a higher rate of noncompliance is likely to occur. Costs are something that ought to be thought about broadly since it can encompass many different types of costs such as fees, time, lack of income etcetera (Weaver 2014: 247-9; 2015: 811).
Situational imperatives refer to “conditions that overwhelm any other considerations in a target groups’ decision on whether to comply with policy” (Weaver 2015: 812). For example, poor families in developing countries have been found to let the children help put with work instead of going to school, because the situational imperative was food before attaining human capital. Situational imperatives can be a robust barrier if it is in contrast with the policy’s desired behavior, and it can be costly, but nevertheless necessary, to overcome (ibid.).

Banerjee and Duflo find that in many developing countries, especially in rural areas, having a bank account is highly unlikely. Banks are often situated in cities, which would require good infrastructure as well as free time if they should be able to utilize an account. Additionally, a bank account was often perceived as too expensive, which would be self-defeating if the account would be used as a savings account. Instead, if they saved, they did so by expanding their house or being a member of a ‘savings-club’ (2011: 188-90). Considering that parents in Indonesia perceived costs as the main barrier to obtain a birth certificate, a potential inability to save money in any reliable way is problematic.

Individuals that lack several important resources for a given policy will have severe difficulties to adapt to it. These factors are situation-based and can therefore be very diverse; they can shift from policy to policy as well as within the target group (Weaver 2014: 249; 2015: 811-2). Consequently, just as Ostrom emphasized, the knowledge about the hurdles can only come from thorough local studies of what the individual’s within the target group perceive as obstacles to comply.

Outsiders, such as policy makers, might have problems of understanding the perceived opportunity costs of compliance, that is, what an individual within the target population loses by complying (Weaver 2015: 807-10). Policy makers and implementation administrators may have estimated the costs of compliance, but, given their top-down perspective, it is unlikely that they have comprehended it in a way that corresponds with the individuals’. To understand how individuals within the target population perceive the costs and the benefits of compliance, it is arguable necessary to speak with them.

This category of barriers is one that I find very interesting and important, since it has focus on the individuals affected. It shifts responsibility towards the policy makers instead of the individuals in the target group since one cannot comply if one does not
have the resources to do so. The policy makers and politicians should therefore think comprehensively about barriers and work to reduce them.

### 2.2.4 Multiple Barriers

When a policy addresses hindrances for compliance the policy makers usually have a simplified view on what the hurdles are or only tries to eradicate the obstacle perceived as the most common. This approach to reduce noncompliance is likely to fail due to the fact that the problem situation often is of complex nature. The policy makers might perceive barriers differently than the target population, and there can be underlying causes to the obstacles that the politicians do not apprehend. Target groups are often heterogeneous which produces a multitude of different potential reasons for noncompliance, different obstacles as well as the same hindrances but to a different degree. The consideration of multiple barriers is often overlooked, even though a high rate of noncompliance probably often has to do with multiple barriers to compliance faced by the target group (Weaver 2014: 250-2; 2015: 811-2).

Weaver stresses that policy makers have to think comprehensively about barriers, gather information about perceived obstacles from the target population, grasp the heterogeneity of the target population, anticipate the obstacles and possible solutions in advance and implement it in the policy design. If a policy is to be successful it is essential to facilitate the individual’s possibilities to comply – with information, infrastructure and lowering the compliance costs (Weaver 2015: 811-2).

### 4. Methods

The empirical findings in this study are based on interviews carried out in three different regencies in NTT, Indonesia. This chapter seeks to explain how the study was conducted, why this approach was chosen, the limitations of the chosen design and the challenges encountered.

#### 4.1 Selection of Cases and its Limitations

In case studies with the aim of observing a certain problem, it is often fruitful to select cases strategically instead of randomly (Eisenhardt 1989: 537). There is also the practical aspect, as provinces in developing countries do not have the registers
necessary for conducting a randomized sample. Therefore I selected my cases strategically, both at the country, province, regency and village level.

I wanted to select a case with low birth certificate rate, where the problem is vast. The reasons for choosing Indonesia were twofold:

1) In the poorest 30 percent of Indonesian households AIPJ found that 58 percent of children aged 1-17 years did not have a birth certificate, for children under the age of 1 year the number was 71 percent (AIPJ 2014: 2).

2) A new law had been implemented, Law 24/2013, that according to the study carried out by AIPJ 2013, targets the most common perceived barrier to obtain a birth certificate – namely the cost (AIPJ 2014: 68). AIPJ’s study was carried out before Law 24/2013 was implemented in December 2014, and as of today and to my knowledge, after the implementation there have been no other study conducted regarding the target population’s perceived hindrances to obtain a birth certificate.

Ideally, one would conduct a study of the total population, that is to visit every village and every parent with children born before and after the implementation of the policy, but obviously this was not possible. My cases, province, regencies and villages, were instead all selected from a principle of studying the worst off. My aim is to portray the individuals within the target population that likely encountered the most difficulties trying to obtain a birth certificate. I think development should not only be about lifting the median; in this case the median of the birth certificate rate, but focus ought to be on the ones that are worst off. The goal was to reach the people that are in the worst situation, regarding the issue, in a country that has been struggling with providing birth certificates historically.

After selecting case at the country level I chose, following the same principle as before, one of the most struggling provinces of Indonesia to study. In the province of NTT the percentage of children without birth certificate in rural households were 57 percent9 (AIPJ 2014: 36). The province of NTT is also among the poorest and least developed in the country (AIPJ 2014: 34). Considering the emphasis put on costs, infrastructure and information in Weaver’s framework, NTT can be seen as a least-likely case for a successful compliance rate of the policy. The merit of crucial cases, such as the least-likely case, is that they allow generalization even with a very small sample size.

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9 Only North Sumatra had a higher share with 61 percent (AIPJ 2014: 36). Because of safety concerns I chose not to go to Sumatra.
The least-likely case in particular seeks a situation in which variables, other than the one of interest (the policy) are as unfavorable as possible for the outcome of interest (a high compliance rate) (Gerring 2007: 115). If positive perceptions of possibility to comply are found in the province of NTT with its unfavorable circumstances, the policy is likely to be successful in other, less unfavorable, provinces as well.

The least-likely case design potentially gives the study a better generalizability. However, there is a caveat to this statement that is that if the target population in NTT is found to perceive their possibility to comply as negative. If this would be the case it is hard to say how individuals within the target group in other more favorable provinces perceive their possibility to comply. Perhaps removing the fee was enough to create positive perception of possibility to comply in these provinces. Nevertheless, as discussed, there is always a value in focusing on the people that are the worst off and thus; even if the least-likely design is “unsuccessful” the findings will be interesting if not possible to fully generalize.

Indonesia has numerous regencies, a sub-division to provinces, and has decentralized much of its administration, with different laws in different regencies as an effect (UNICEF Indonesia 2010: 1-2). Under ideal preconditions a pilot study preferably would have been carried out, with the purpose of finding the optimal regencies and villages for the study. The aim of such a selection procedure would be to find least likely cases at regency and village level before the main study was conducted. Furthermore, a pilot study could have helped me depict how the former policy framework, pre-implementation of Law 24/2013, was in the different regencies, and from that invoke the least-likely case design at regency and village level as well.

It was not achievable to select these statistically simply due to the lack of data at regency and village level regarding birth certificate rate. I strategically used information gathered from speaking to NGOs as a proxy for statistics, asking them about regencies and villages suitable for my study with requirements of low birth certificate rate.

Regencies were selected both due to available contacts and informants as well as from information that they historically experienced low birth certificate rate. The selection of regencies resulted in two focal ones, South Central Timor regency and Sikka regency, with Kupang regency as a starting point for the study, from where I made connections and planned the rest of the study.
As it were I had to select villages partly out of convenience, that is, location I could access with reasonable effort. This said, villages were still selected out of the least-likely rational as far as possible, in the sense that they suffered from low birth certificate rate in the past. They were all villages with less than 100 families\textsuperscript{10}, all but one village\textsuperscript{11} were located at least one hour away from its regency capital, scarcely accessible with barely functioning roads, and were predominately farming or fishing villages with low incomes. However, I was to access the villages, with local help, and hence, there are surely other more remote places that would fit my principle better and being more of least likely nature. Considering this, the villages selected can arguably be seen as typical cases of villages in the province of NTT. Typical cases, like crucial cases, enable generalization as they exemplify the population in a representative way (Gerring 2007: 91-2). Due to lacking official statistics of socio-economic variables I cannot conclude that they are in fact typical cases, but by speaking to local NGOs I did not get any reason to believe otherwise. One village, Wuring, deviates from the others by being a Muslim village, all other were Christian\textsuperscript{12}.

4.1 Regencies within the study: Kupang regency, Sikka regency with Maumere as capital and South Central Timor regency with Soe as capital (Soe is at the marker).

4.2 Unit of analysis
My unit of analysis was parents with children born after the policy implementation. I aimed to interview them to understand how their perceived possibility to obtain a birth certificate looked after the implementation. Furthermore I interviewed some parents that only had children born before the implementation, as they could become the target

\textsuperscript{10} Except Kupang and Soe.
\textsuperscript{11} Wuring village (and the regency capitals Kupang and Soe).
\textsuperscript{12} The dominate religion in NTT.
population\textsuperscript{13}. These were my main respondents and selected as they likely have the best understanding of encountered barriers. The lack of data made it impossible to make any random sample or to get a list of where the poorest parents were living in the villages, or the ones with children born before and after the implementation. Preferably I would have had register data on the families in each village, and used a randomization generator to obtain a randomized sample from that group. In Wolombue and Wuring, Sikka regency, any attempt to randomize my selection of respondents within the target population would likely have failed due to the fact that when I came to the villages everyone that was in the area gathered around me in a matter of minutes. The total lack of addresses would also have been an obstacle to any randomized sampling. Instead I asked around after parents that fit my sample frame and interviewed the ones available. This could of course bias my sample, but it was difficult to avoid due to practical circumstances. The exception is the village of Tubuhue, in which I spoke to one parent from each household that had a child born after the implementation of the law 24/2013.

<table>
<thead>
<tr>
<th>Regency</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kupang city/regency</td>
<td>4</td>
<td>7%</td>
</tr>
<tr>
<td>South Central Timor</td>
<td>26</td>
<td>45%</td>
</tr>
<tr>
<td>Sikka</td>
<td>28</td>
<td>48%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>58</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Table 4.2

4.3 Additional Sources of Information
Employees at local NGOs, principals at primary schools, birth registration administrators and a head of a midwife center were also interviewed. The reason was threefold:

1) To create a better understanding of the parents’ situation and the answers given by the parents. These respondents were not as bearing for the study as the parents but were interviewed with the intention to build a deeper knowledge about barriers mentioned by the parents. Relevant people, that are not the target group, but are in contact with them on everyday basis, can therefore serve as a proxy to mitigate the

\textsuperscript{13} 45 of the 58 parents interviewed had children born both before and after the implementation.
problem of my unrepresentative sample. This procedure does not increase my number of observations per se, but indirectly it gives me a greater coverage of the target population, as the NGOs and some of the civil servants’ experiences in dealing with the target population can be seen as a proxy source of information. The informants’ centrality to the target group was of importance as it affects how reliable the information is. This said, first-hand information from the original source is always more reliable and therefore the parents’ answers regarding the incentives and barriers were valued as more reliable than these proxy sources (Höglund & Öberg 2011: 189).

2) As well as a proxy for parents, it helped me understand the parents’ answers in a better way. Many answers during the interviews were short and when asked additional questions, regarding for example how school and birth certificate were related, the parents seemed confused as this was seen as general knowledge. Even though I tried to use follow-up questions to get a clear picture, I could not put too much time into this during the interviews, due to the risk of making the respondent tired. I used the additional sources for information gathering, particularly regarding how the policy setting was before and after the implementation of Law 24/2013.

3) Additionally, this triangulation had the intention to meet my second, subordinate purpose of the study. Some of the employees at NGOs and the civil servants were used as middle ground actors, with ties to and thus hopefully understanding of both the target population as well as the policy makers. I tried to grasp a possible discrepancy between ‘an official top-down view’ of the issue, that is, the policy makers view, and the actual target population’s view, where I used these actors as intermediate actors. They are all, in different ways, part of the administration as well as in contact with the parents. ‘Policy makers’ is not only referring to the individuals that wrote the policy, but also the local governments and administrators at the demographic offices in the regencies who all have some power over how the policy is implemented, due to the decentralization in Indonesia, and can therefore design the policy by implementing it in different ways. Because of this, some of my informants, the ones with power over the implementation, were seen as first-hand sources of this ‘top-down’ view on the issue. They are considered as a unit of analysis, and their own opinions are of valid interest.

All of these informants were selected strategically from their centrality regarding the issue as well as accessibility. Preferably I would have had an equal and more complete coverage of these different types of respondents in each regency, but it was
not possible. Since my connections in the area were few, I was forced to use a strategic snowballing method, asking my contacts for suitable informants. I tried to find gatekeepers in each regency, and to exhaust that person’s suitable connections, both officials and parents. The use of at least two gatekeepers in the different regencies was to decrease any possible bias that can appear if only using one gatekeeper (Höglund & Öberg 2011: 192). I had some general criteria that I wanted these informants to fulfill. One criterion was experience from their specific sector, a second criterion was proximity to the issue at hand, both so as they would have deeper knowledge about their sector as well as the issue of birth registration.

As mentioned before, Kupang regency was not one of the focal regencies for the study regarding the target population. Instead, it was used as a starting point for my snowballing method. The interviews conducted in Kupang regency that were 1) with parents, mainly used as pilot interviews 2) with NGOs and state officials that had information and experience from a larger catchment area than only Kupang regency.

<table>
<thead>
<tr>
<th>Regency/city/village</th>
<th>Parents</th>
<th>NGOs</th>
<th>Principals</th>
<th>Administrative officials</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kupang regency/capital</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>Head of family administration, Muslim community</td>
<td></td>
</tr>
<tr>
<td>South Central Timor Regency:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soe (capital)</td>
<td>7</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tubuhue</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sikka Regency:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maumere (capital)</td>
<td>1</td>
<td>2</td>
<td></td>
<td>Head of demographic office</td>
<td></td>
</tr>
<tr>
<td>Wolombue</td>
<td>18</td>
<td>1</td>
<td></td>
<td>Head of midwife center</td>
<td></td>
</tr>
<tr>
<td>Waiara</td>
<td>2</td>
<td></td>
<td></td>
<td>Administrative assistant</td>
<td></td>
</tr>
<tr>
<td>Wuring</td>
<td>8</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>58</td>
<td>3</td>
<td>7</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 4.3
4.4 Operationalization
My field study was conducted during an eight-week field study in the province of Nusa Tenggara Timur, Indonesia, divided in three different regencies within the province. My purpose is to obtain a deeper understanding of the problem situation, and thus getting indicators of how to diminish the problem.

As mentioned before, the focus of my study is the target population of the policy, the ones that actually experience possible barriers. To understand behavior regulation of a certain group, knowledge about this target group is vital. As Ostrom argues, a bottom-up approach is desirable if one wants to capture any context-specific factors experienced by the target group, thus one needs to talk to the individuals affected by the policy on the ground (1990: 14). Since every individual’s compliance is of importance and every barrier is important for reaching higher compliance rates, I am looking for types of context-specific incentives and hindrances more than frequency, that said, frequency is still of importance. The parents’ behavior is the target of regulation, thus it is important how they perceive incentives and barriers. An “objective” view of the infrastructure is not of importance for the study, which is why I do not intend to carry out any type of fact check of the respondents’ answers, such as how long time one has to wait when applying etcetera.

Due to the potentially sensitive nature of the subject, I chose to interview the parents individually instead of using focus groups. This was done to create a safe and relaxed interview environment as possible, with the purpose of getting accurate answers as well as not creating a negative experience for the respondent. If using focus groups there would be an increased risk of skewed answers due to possible peer effects and social desirability bias – the respondents could be affected by each other’s answers, and they could try to give the ‘socially acceptable’ answer.

4.4.1 The nature of the implementation of the policy
As a first step in my analysis I looked at the articles that concerns birth registration of the policy, analyzed what the policy was trying to change and hence what the issue of low birth certificate was portrayed as by the policy makers. However, due to local level differences regarding birth registration pre-implementation of Law 24/2013 as well as a general lack of publicly available information I did not have much detailed insight in neither the past or current policy setting in the different regencies before I was
physically there. Therefore, analysis of the nature of the policy, how it had been implemented and the level of coerciveness occurred mostly during the field study. My purpose was to understand how the Law 24/2013 altered the policy setting regarding birth registration in each regency studied. The analysis of the nature of the policy is not supposed to be any type of textual analysis but only to depict actual administrative changes in the process of birth registration and the coerciveness of it to understand the possible deterrence put on the target group. For the ‘top-down’ view on the issue I used interviews with officials that have power over the implementation, as mentioned earlier in the section ‘Additional Sources of Information’.

4.4.2 In-depth interviews
To answer my research question I conducted 58 in-depth interviews with parents that were or could become the target population of the policy. I used semi-structured interviews when interviewing the parents, which created a consistency between the different interviews as well as giving me flexibility during an interview. Although the interviews followed a questionnaire (see appendix) no interview was exactly like any other since I frequently used a lot of follow-up questions as well as customized the questions during an interview to fit that particular respondent. Four pilot interviews with individuals of the target population living in Kupang City were carried out in order to improve my questionnaire as well as to overcome language barriers with the first interpreter.

My questions were aimed to be as open as possible, without steering the respondent in any way. For every section or new topic I used a more closed question to highlight what I wanted to discuss, and then I followed up with open questions such as ‘Why?’; ‘In what way’?. The attempt was to get as true and spontaneous answers as possible. I did not aim to use the possible barriers mentioned in the theoretical framework to develop general questions, such as ‘How far is it for you to the Demographic Office?’, which would not tell me if that was actually a barrier for the individual. As Ostrom emphasizes, I wanted the parents to display what their problem situation looked like and hence, I aimed to use open questions about possible barriers without mentioning them myself. When conducting interviews with indirect, open questions, the issue of validity can shift – it is not only dependent on how well the questions corresponds with the theory but as well on how the respondent group
interpret the questions, how clear the questions are. Open questions may therefore lead to poor validity, since it creates a larger spectrum of possible interpretation of what the question is about (Högland & Öberg 2011: 185-6). Thus, it was an issue of balance between creating questions that would not steer the respondent but would still get answers connected to the theory and matter at hand. For the most part I did not perceive that my questions were too wide or being misunderstood by the respondents, in the few cases where it did happen I rephrased the questions until the respondent understood what I wanted to talk about. Open questions could also lead to different interpretations of the questions by different respondents, giving me low reliability. This said, I used follow-up questions so there would not be misunderstandings and hence, the reliability ought to be good.

So as not to miss out on any potential barriers, I had a list of general barriers from Weaver’s framework, such as distance and time. I intended to ask the respondent whether he or she perceived them as barriers if they were not mentioned, but this was seldom needed.

The questions during the interviews typically consisted of several interlinked questions, starting with questions of more narrow nature to make it clear what I wanted to discuss, followed by a number of open questions as ‘why?’, which was often repeated until I felt that I exhausted the specific topic. The questions could often capture not only one thing, but for example beliefs and incentives, or resource barriers and motivation, which can make it difficult to make a clear link between one part of the theory and a question since it often concerns several. Nevertheless, I will review some of the questions and its theoretical links below.

Beliefs can affect an individual’s willingness to comply both regarding attitudes towards the issue at hand in the policy as well as feelings such as trust towards the policy makers, according to May (2004) and Weaver (2014). To capture the respondents’ beliefs, regarding whether or not a birth certificate is necessary I posed the questions: ‘Do you think a child needs a birth certificate?’; ‘Why?’; ‘Why did you get a birth certificate for your child?’ This could also capture the parents’ incentives towards acquiring a certificate. Furthermore, to apprehend the attitudes and trust towards the policy makers I asked: ‘Do you think that the government and the local politicians are working for the wellbeing of the people? That they have the people’s best in mind.’; ‘Why/Why not?’; and more towards the process of birth registration: ‘Do you think that
the system of birth registration is working well?'; 'Why (/not)?'; 'What would you change, if anything, with the system if you could?'. As mentioned many of the questions targeted different theoretical explanations for compliance, just as the latter question which additionally could capture possible resource barriers. Another question aimed at beliefs and attitudes were: 'Do you think the process to get a birth certificate, the time and money you put in to the process, is ok for the possible advantages that the children get? Meaning that the efforts equals the advantages of a certificate.'; 'Why (/not)?'. This question was also used as an indicator of the incentives and barriers perception mentioned by Weaver (2014). Another question regarding incentives were: 'Do you think that you have had any advantages because of your birth certificate?/Do you think that you have encountered any disadvantages because of your lack of birth certificate?'.

Information deficit concerning the process of registration and the policy could affect compliance, thus, I wanted to capture the respondents knowledge about this, how the individual had acquired the information (to capture possible social networks as an explanation) and the literacy of the individual (which could result in difficulties to process the information as well as being able to comply) (Weaver 2014; 2015). An example of questions connected to these issues were: 'How would you do to get a birth certificate for your child?'; 'Do you know if there would be any costs to it?'; 'Do you know how much the fee is?'; 'How long did you attend school for?'; 'How well can you read and write?'. Additional questions concerning possible resource barriers were: Why have you not acquired a birth certificate for your younger child?'; 'Regarding time and resources such as fees and other costs, do you think you would be able to get a birth certificate for your child today?'; (If no) 'Why not today?'.

Some of the questions mentioned could capture myopia as well as barriers to saving (as mentioned by Ostrom 1990; Banerjee & Duflo 2011), but I had some additional and more specific questions: 'Do you have a bank account?'; 'Why not?'; 'Do you save money?'; 'Do you save money to be able to acquire a birth certificate for your child?'; 'Why not?'; 'Do you usually have tea and/or sugar at home?'.

Semi-structured interviews were also used when talking to the principals, although these interviews were a bit less structured than the ones with the parents. Some of them were on a tight time schedule, it was usually lots of kids as well as other employees trying to have a look at was going on, and some principals were less open in the beginning of the interviews. I started with lighter questions such as: *How does it
work to register a child to this school? Does a child need a birth certificate for anything regarding school? I asked more sensitive questions further in to the interviews, such as: Why do you have requirements of birth certificate for registration? - a sensitive topic due to requirements often comes from local politicians, something that was not always easy to talk about. Other sensitive questions were: Is there any children without birth certificate registered at your school? – which could be in contrary to laws and restrictions for schools. My aim was to understand if school was interlinked with birth certificate in any way, and thus, if it could create incentives for parents to obtain one. Furthermore, as mentioned before, to capture how the principals understood the parents’ perception about the issue, both incentives and barriers, as well as how the principals themselves thought about the same.

Validity will not be an issue since most of the variables I ask about are rather down-to-earth. However, the questions aimed at capturing myopia, inertia and procrastination as well as trust or mistrust towards the government are not ideal indicators for such complex mental dispositions.

4.5 Challenges
My aim was to get as unbiased answers as possible, which was contended due to different challenges. These will be discussed below together with my efforts to overcome them.

4.5.1 Language barriers
Conducting a field study in a country with a vast variety of languages constitutes a challenge. The interviews with NGOs were carried out in English, even though they were not always fluent in the language. To delimit misunderstandings I often recited the answers given to me. When interviewing other civil servants I used an interpreter translating from English to Bahasa Indonesian. When carrying out in-depth interviews with parents I chose to use two interpreters. The parents usually understood Bahasa Indonesia, although not to a great extent, which could affect both their and mine understanding of each other, and create an uncomfortable situation for the respondents, both possibly affect reliability of the answers. I did not find any interpreter that was able to translate directly from English to the local language of the particular villages. Consequently, I had to use a chain of interpreters with one interpreter translating from English to Bahasa Indonesia and vice-versa, and a second one interpreting from Bahasa
Indonesia to the local language. Since the local language diverges even between the villages I visited, I had to find a new local interpreter for every village, which was time consuming. Due to the use of a chain of interpreters, information could get lost when passed on and the time frame of the interviews could have increased. Although, it was still the safest way of delimiting misunderstandings and lost information. Regarding the time issue, it might have taken longer time if I only used an interpreter that translated from English to Bahasa Indonesian, due to the fact that the respondents were not fluent in Bahasa Indonesian. I used simple English words and terms and urged the translators to ask each other as well as me if there was something they did not understand.

4.5.2 Ethical dilemmas, Social Desirability Bias and Peer Effects
A number of different ethical dilemmas may arise during a field study, especially as a westerner in a post-colonial country, studying a sensitive topic. It is my responsibility to think about ethical issues in the design, data collection and analysis. I tried to be as aware as possible of any prejudices from my side so as to delimit any view of ‘the other’, the negative use of ‘otherness’, but instead encourage myself to have the willingness of understanding and observing (Mikkelsen 2005: 325-7). Before the interviews I had carried out a risk assessment to map the potential risks a respondent could get exposed to due to the interview. I used my local contacts, especially the NGOs that only had employees from the region, to gather knowledge about the culture and customs.

The interviews were about sensitive issues – financial resources and financial priorities, children’s rights, responsibility as a parent and possible failure to fulfill responsibilities, norms regarding compliance of a policy etcetera. This as well as me being a westerner, who was considered high status, could lead to social desirability bias, when the respondent tries to answer questions in a way they think is the socially favorable one. It can lead to exaggeration of positive behavior or values and downplaying what can be considered as bad behavior or values (Esaissason et al. 2007: 265-6). In this case it could influence the answers with both an underestimate by the respondents of their economic situation, due to shame, as well as an exaggeration, due thinking I may have money to give. Since none of the respondent had been interviewed for a study before, there was no risk of them being “over-researched” (Höglund & Öberg 2011: 194).
Before the interview started, the respondents were always informed about whom I was and that the interview was a part of the data gathering for my master thesis. I wanted to make my independence from any officials clear so as to delimit the risks of social desirability bias. When meeting parents I emphasized the confidentiality regarding their identities, explaining I would label every respondent’s interview with a number and the name of the village. Furthermore I asked for consent for this method and to start the interview. All respondents were told they could choose not to answer questions or to end the interview at any time.

When talking to parents, a secluded place was chosen as the interview spot, and other people than the interpreters and the specific respondent were asked to keep a suiting distance to make sure the interview could not be overheard. This had several purposes: 1) To ensure the respondent felt relaxed and secure which ought to delimit the risks of the answers being stressed or altered due to peer effects as well as being interviewed about the before mentioned sensitive issues; 2) To guarantee that other respondents did not hear the questions before their own interview, so that the answer would be as spontaneous as possible. If a group of respondents would hear the questions beforehand it could also lead to them to discussing answers, hence, affecting one another’s answers, both regarding knowledge questions as well as more morally based questions. I wanted the respondents to answer according to their own knowledge and values to secure the reliability of my study. Keeping the questions secret until every respondent’s own turn and creating a safe interview environment ought to increase the chance of spontaneous answers as well as answers isolated from group pressure and other respondent’s knowledge in the matter.

To limit the risk of social desirability bias I emphasized mine, and the study’s, independence from any NGOs, state officials or alike. I was clear that I conducted interviews for my master thesis and that I wanted the respondents’ view on the issues at hand, that there was no right or wrong answer. The use of open and indirect questions, which I used, can delimit social desirability bias since it does not hint that any answer is ‘correct’, but the focus is instead on the respondent (Fisher 1993).

Interviewing informants, such as NGOs, principals, state officials and midwives, I informed them that their name would not appear anywhere, although, their occupation, their role and the city’s or village’s name would be visible. Hence, there could be a chance of recognition of their identities. I then asked for consent for the procedure and
to start the interview. All respondents were told they could choose not to answer questions or to end the interview at any time. The interview was held in their office, without anyone other than the informant and interpreter being present. This due to the same argument as for parents: the informant ought to feel relaxed and not affected of other people’s presences. The presence of other people could have a somewhat different effect with this type of individual because of their employment. Being an official, either state employed or by a NGO, could imply that one ought to agree and defend the employer’s official stance in the issue. This different kind of group pressure has high stakes due to the risk of repercussions of the employer. Due to the feeling of not being totally anonymous, as well as the risk of repercussions, the answers of the officials could be altered to fit the employer’s official stance and thus impair the reliability.

The officials could also have incentives for misrepresenting the facts, both due the mentioned risks of repercussions as well as the need or want to put oneself or the employer in a more favorable position. This bias can make the respondent giving false information or leaving out information (Höglund & Öberg 2011: 189-190). For example, local politicians could have gone against the policy makers in how the policy was implemented, or wanting to downgrade the problem situation, whereas an employer at an NGO might want to exaggerate the problem since they are dependent on funding.

I felt as if all informants except one were relaxed and gave honest answers. My perception of the interview with the head of the Demographic Office in Maumere, Sikka regency, was that it suffered from a social desirability bias, as it seemed as he was given me the politically correct answers, answers expected from his profession. I crosschecked some of the information he gave me and it was not correct, he had given an overly positive picture of the issue of birth certificates in Sikka regency, which affected the reliability regarding the information gathered. Considering I am aware of this, the fact that it actually was skewed could be very interesting from an analysis perspective.
5. Empirical Findings and Analysis

The following chapter covers the empirical findings collected through interviews in NTT, Indonesia and by studying Law 24/2013. The findings will be analyzed by using the theoretical framework presented with the aim of answering my research question: ‘How do individuals within the target population of Law 24/2013 perceive their motivation and possibility to comply with the policy?’ The chapter is divided into two main sections. The first section will cover the nature of the policy to understand my subordinate purpose – to understand the alterations in the policy setting of birth registration in the regions visited. This section is mainly based on Law 24/2013 and interviews with relevant officials such as administrators employed by the regencies, NGOs and principals. The second, longer section will focus on my main purpose – to understand the target group’s perceived possibility to comply with the policy and is thus mainly based on the interviews with the parents.

5.1 The Nature of the Implementation of the Policy

As emphasized by Bacchi (2009), I looked at what the problem was represented to be in the regencies that I visited. I intended to depict how the policy was implemented, what changes were made in the local birth registration process, how officials expressed their view on the issue as to get a sense of the social views that has formed the construction of the implementation (Schneider & Ingram 1993). I will only focus on the regencies within my study and how it was implemented within these; it is also on the regency level where differences in implementation can be found.

Before any interviews were conducted, I studied Law 24/2013 and tried to depict what changes it could stipulate. I did not know how the process of birth registration was before the implementation in the different regions, hence, I only compared it with what AIPJ and the NGOs interviewed had found to be perceived hindrances before the implementation. AIPJ had, as mentioned in the section with Law 24/2013, concluded that the main alterations were that the law would make birth registration free of charge no matter at what age the person acquires one14 as well as making it criminal to collect any fees15. There is a dissonance between my perception of

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14 Referring to Article 79A and the elucidation of Article 79A
15 Referring to Article 95B
the implications of the amendments and how AIPJ interpreted it. As an anticipatory interpretation I did not conclude the changes regarding fee to be self-evident. Article 79A, “The administration and issuance of Population Documents shall be free of charge.”, is clear but I was thought it might come into contrast with Article 27, paragraph 1 “Every birth must be reported by Residents to the local Implementing Agency no later than 60 (sixty) days following the birth.” and Article 32, paragraph 1: “For the reporting of birth as intended by Article 27 paragraph (1) exceeding the time limit of 60 (sixty) days as from the date of birth, the recording and issuance of the Birth Certificate shall be conducted after obtaining a decision of the Head of the local Implementation Agency.”.

This was only an initial reflection after reading the policy, and I thought that AIPJ, being an NGO with close ties to key government institutions, civil society and local communities (AIPJb), probably had good knowledge regarding the policy’s implementation. Nevertheless, I found that in the regencies I visited, it had not been implemented in the way AIPJ had concluded. In Kupang regency, prior of Law 24/2013, obtaining a birth certificate always came with a fee. After the implementation it is now free, but only for the first 60 days after birth and the same is true in South Central Timor Agency. Sikka regency was very different, compared to the two other regencies I visited as well as all other regencies according to the NGOs I spoke to. Before the implementation birth registration was free of charge in Sikka, although, after the implementation of Law 24/2013 a fee was employed and is now charged for anyone who acquires a birth certificate after the first 60 days. According to the Head of the Demographic office, this is legitimate due to Article 32, paragraph 1, which means that the Head of the local Implementation Agency would have to conduct a decision to approve for birth registration if applying after 60 days. The Head of the Demographic office, which is the Head of the local Implementation agency in Sikka Regency, thus has to conduct some form of document, which the office wanted to get paid to do.

Other changes regarding the registration process was where to apply for a certificate and was explained to be enabled due to Article 27 paragraph 1: “Every birth must be reported by Residents to the local Implementing Agency no later than 60 (sixty) days following the birth.”, and Elucidation to Article 27, paragraph 1: “The reporting of birth by Residents shall be conducted at the implementing agency at which the Residents

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16 Interview with NGO 2015-09-25, Kupang
17 Interview conducted 2015-10-16, Maumere
are domiciled. (...)”. In Sikka Regency, pre-implementation, parents could apply for a certificate for their children through a midwife, which meant that they applied directly and they could do it from home or at a health center. Midwives are often in the villages, and would fill in the application after a child was born, bring it to the Demographic office where they would issue a certificate and then bring the issued certificates back to the village at the next visit, according to information from the Head of the Midwife center\textsuperscript{18} in Maumere as well as an NGO in Maumere\textsuperscript{19} and parents in Sikka regency. Article 27 paragraph 1 changed this, stating one has to apply at the implementation agency, which is the Demographic office. Thus, in Sikka, the implementation contained two negative changes: 1) A fee after 60 days 2) Not being able to apply through a midwife.

In some villages in South Central Timor Regency, where the birth certificate rate is low, NGOs together with Church representatives and administrators from the Demographic office go to the villages once a year to help them apply for different population documents. Hence, contrary to what Article 27 paragraph 1 states, the parents in these villages can actually apply in their home villages, although only once a year, instead of being forced to travel to the Demographic office in Soe. This started simultaneously as the implementation of Law 24/2013 and the aim is to reach the target population that would face most difficulties if forced to apply in Soe, the regency capital, according to NGOs\textsuperscript{20} working in the regency. This was not motivated through any policy but merely a way to reach a higher birth certificate rate, according to my informants.

Another change connected to the policy was an obligation set on schools, private as well as public, to make birth certificate a requirement for registration, hence, without a birth certificate a child would not be able to attend school. According to the principals interviewed\textsuperscript{21}, in the areas I visited, the obligation has been implemented the same year as the policy (2014) and the directive came from the different regency governments. The principals are required to decline any child that does not have a birth certificate, still, they all said they had made exceptions and registered children whose parents are not able to afford a birth certificate.

\textsuperscript{18} Interview conducted 2015-10-16, Maumere
\textsuperscript{19} Interview conducted 2015-10-15, Maumere
\textsuperscript{20} Interview conducted 2015-09-25, Kupang
\textsuperscript{21} Interviews conducted between 2015-09-30 – 2015-10-20, Kupang, Soe, Maumere, Wuring, Wolombue
Both the head of the Demographic office and two employees at a NGO in Sikka regency expressed a perception of parents not complying as being lazy individuals. The head of the Demographic office expressed a view about the parents as “They need to understand that there is a time limit, something that makes them understand a certificate is important. This will make them get one directly after birth. Otherwise they would never do it. They are lazy, they postpone it.” One of the employees at a NGO in Sikka regency expressed the view on parents as “They are only lazy and stupid because they don’t understand why their child should have a certificate. They don’t understand that it is a child’s right. They say they will get one next week but never do, they are just lazy.”

According to my informants, administrators and NGOs, one of the aims of the policy is to increase the birth certificate rate. Nevertheless, it only targets one barrier – the fee. Given the low birth certificate rate in NTT, it likely exists several hindrances to obtain a certificate in the region, just as Weaver argues (2014: 250-2; 2015: 811-2). He further emphasized that policy makers and administrators ought to think comprehensively about barriers, which from the look at how it was implemented they have not. The implementation in South Central Timor regency indicates a somewhat broader view on the issue than in Sikka regency, given the visits once a year in some villages to overcome a possible barrier based on distance and poor infrastructure. While in Sikka the implementation have created a deteriorated infrastructure (meaning the infrastructure of birth registration system), removing the possibility to apply through a midwife.

Furthermore, the local politicians have chosen to implement the policy in a way that probably is not how the policy makers intended. By imposing a fee after 60 days, they likely violate the aim of making all issuance of population documents free of charge. Given the comments from the officials mentioned above, and the head of the demographic office being responsible for the implementation of Law 24/2013 in Sikka regency, one can see how the design of the implementation reflects the views on the target group, as stated by Schneider and Ingram (1993: 334-5). They expressed a view on the target groups as lazy; the representation of the problem (Bacchi 2009) is thus low motivation. Increased motivation ought to be a suitable solution from their point of

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22 Interview conducted 2015-10-16, Maumere
23 Interview conducted 2015-10-15, Maumere
24 Article 79A
view. In South Central Timor regency, no comments like this were made, although I did not interview anyone at the Demographic office. Still, they implemented the fee in a similar manner, making it free the first 60 days. In both regencies this can be seen as a way of creating an incentive connected to a time limit – the parents ought to apply within 60 days otherwise they are forced to pay a fee.

The imposing of birth certificate as an obligation to register for school can also be seen as an attempt by the local politicians to create stronger incentives for parents to obtain birth certificates for their children. Although, this creates a risk of shutting out the most poor and vulnerable as they might not be able to acquire a birth certificate, thus possibly leading to increasing gaps between the worst off and the rest. Using such an important part of social services as education to increase motivation for acquiring a birth certificate is a high-risk game, which is not morally acceptable. One ought not to implement those types of obligations before barriers to obtaining a birth certificate are removed.

I see the nature of the implementation design of the policy as neither being fully coercive nor non-coercive but instead, as May (2005: 32) argued is common, somewhere on a scale between these two. No direct monitoring or enforcement takes place, although the fee after 60 days as well as the risk of the child not being able to attend school is used as deterrence fears. These are valid during different time periods, initially there is a deterrence fear during the first 60 days regarding the fee, but after that the fee is no longer deterrence since the parent lost the possibility to avoid it. In this time period being able to register the child for school is the only deterrence, and applying for a birth certificate can thus be postponed until school age (when the child is 7 years). Still, the way the policy has been implemented in these regencies has a voluntary approach – the target population does not risk any legal actions for noncompliance. Nevertheless, the deterrence fears, especially access to school can be rather severe.

To summarize, the implementation of the policy has been diverse in its nature and in conflict with the aim of making the formal cost of birth registration free of charge. There are two deterrent time limits, 60 days after birth and school age of the child, given that birth certificate is now obligatory when registering for school. Some officials expressed a view of the parents as lazy which, in Sikka, could be connected to

25 Article 79A
the implementation of a fee after 60 days. Below follows a summary of the key findings regarding the implementation of the policy in my main regencies.

<table>
<thead>
<tr>
<th>Sikka regency</th>
<th>South Central Timor regency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pre-implementation</strong></td>
<td><strong>Pre-implementation</strong></td>
</tr>
<tr>
<td>• No formal cost</td>
<td>• Formal cost from day of birth</td>
</tr>
<tr>
<td>• Registration through a midwife at home or at a health clinic</td>
<td>• Registration at the Demographic office in the capital, Soe.</td>
</tr>
<tr>
<td><strong>After implementation</strong></td>
<td><strong>After implementation</strong></td>
</tr>
<tr>
<td>• Deterrence fee (formal cost) after 60 days after birth</td>
<td>• Deterrence fee (formal cost) after 60 days of birth → now free the first 60 days</td>
</tr>
<tr>
<td>• Registration only at Demographic office in the capital, Maumere</td>
<td>• Possible to register once a year in some villages</td>
</tr>
<tr>
<td>• Obligatory with birth certificate when registering for school</td>
<td>• Obligatory with birth certificate when registering for school</td>
</tr>
</tbody>
</table>

Table 5.1 Summary of my key findings of policy implementation

5.2 Perceived Incentives and Resource Barriers
Other than the variance in how the regencies implemented the policy, I additionally found differences in how the parents’ perceived their incentives and hindrances to comply with the policy due to several factors. Nevertheless, a majority of the parents interviewed perceived that the implementation of the policy had made it more difficult to acquire a birth certificate. In line with Weaver (2014; 2015) it is likely that several barriers exists when compliance rates are low. This was also true in this case, as the parents often mentioned many different hindrances as to why their child did not have a birth certificate. 45 of the 58 parents interviewed had children born both before and after the implementation. 41 out of these 45 had not acquired a birth certificate for their child that was born after the implementation and all of those children were over 60 days old.

5.2.1 Incentives and Resource Barriers
All of my respondents expressed the opinion that birth certificates for their children are very important. When asked why they had acquired birth certificate(s) for their older child(ren) all of them said "It is important" or “It is very important”. However, the vast
majority of parents only perceived that this importance was due to the childrens’ possibility to attain schooling. When asked if a child needs a birth certificate, for what and why, all the parents said yes but at the same time a majority of the parents (45) said a child only needed it for school and nothing else. 11 parents said it was also important as a document of identity. Most of the respondents said that school was important for the child so that the child would not become a farmer like his or her parents. Nearly half of the respondents (24) thought it was a child’s right to have a birth certificate, the rest answered that did not know. A vast majority of the respondents claimed they would get a birth certificate within 60 days, or ‘Directly’ as many expressed it, if they would have another child in the future. When asked why they would apply directly after birth they explained it was to avoid paying the fee. None of the respondents perceived their lack of a birth certificate as linked to any disadvantages, and the few (five) that had one did not think it was connected to any advantages. 50 respondents believed it was the parents’ responsibility to acquire a birth certificate for their children. The motivation seems to be connected to the deterrent fears of access to school and the fee after 60 days, which shows that the signals used for creating incentives, imposed by the local politicians, have reached parts of the target group in these regencies.

There was a discrepancy between the Christian and Muslim respondents’ attitudes and beliefs towards the importance of birth certificate. In the Muslim village Wuring all respondents believed a child had a right to a birth certificate and that a certificate was important as a legal identity document. According to the parents and the principal in Wuring, officials from the mosque often speak about why birth certificate is important. This was also the case in several mosques on Timor Island according to the head of family administration for the Muslim community. The Christian communities on the other hand had a habit of using their baptism certificates, which almost all of them had even though they lacked a birth certificate. They got the baptism certificate from their church and their society was built up around using it as an identity document for the children. Previously the schools had only asked for a baptism certificate, and when making exceptions for children without a birth certificate they still asked for the baptism certificate for registration. The baptism certificate is not only seen as a proof of being baptized but as a proof of identity, which is what the birth certificate is supposed be. The Christian community had used the baptism certificate as, according to the NGOs interviewed, a way to work around the issue of low birth certificate rate. Hence, the
problem of low frequency created incentives for other solutions, developing a system that lowered the incentives for acquiring birth certificates – the problem reinforced itself.

The responses to the question ‘Do you think the process to get a birth certificate, the time and money you put in to the process, is ok for the possible advantages that the children get? Meaning that the efforts equal the advantages of a certificate.’ were mainly ‘Yes’ but with a disclaimer stating the process is too costly and complicated. The system of birth registration was not perceived to be working well (55 out of 58 respondents). When asked ‘Do you think that the government and the local politicians are working for the wellbeing of the people? That they have the people’s best in mind.’ 43 respondents answered ‘No’ and the rest said they did not know. The reason for the negative opinion was explained by one respondent as “They are never here. They never talk to us, never care how something affects us. They just want their money.”26, another one expressed it as “They are only after money.”27, and a third “They force us to apply for documents although they do not build working systems for it.”28 Discontent due to a feeling of being forced to apply through a system which is perceived as malfunctioning was something that quite a few mentioned. Among my respondents there was a feeling of discontent towards the system, the execution of the policy and the politicians, something that could inhibit compliance (May 2004: 47-8; Weaver 2014: 248). However, they still perceived that the effort of obtaining a birth certificate was worth the advantages of a certificate, which signals strong incentives, even if these are probably connected to access to school as mentioned. Cost was mentioned as a hindrance, a resource barrier that might undermine the strong incentives.

When asked ‘Do you think you would be able to get a birth certificate for your child today?’ I got negative answers from all parents with children without birth certificate. The parents mentioned several barriers as to why they had not acquired a birth certificate for their children born after the policy implementation. The main hindrance was that it was too expensive. Further, it was considered to be time consuming, which was connected to several costs such as loss of income, travel costs, costs for food during the time away from home as well as the fee if the child is over 60 days old. Additionally, the loss of time was a problem since the parents were not able to bring their children to

26 Interview conducted 2015-10-20, Wolombue
27 Interview conducted 2015-10-03, Tubuhue
28 Interview conducted 2015-10-03, Tubuhue
the capital of the regency, as well as the loss of time was perceived as irritating. Distance was one of the factors connected to costs, and was commonly mentioned as a barrier among the respondents in villages further away from the regency capital, and villages that lacked functioning roads to the regency capital. Still, in Wuring village, which was closer to its regency capital, time and distance was also mentioned by the respondents.

When withdrawing the possibility to apply through a midwife in Sikka regency, the distance arose as a barrier. Contrary, in Tubuhue, South Central Timor regency, the barrier of distance was overcome by letting officials reach out to the village once a year. The above-mentioned opportunity costs have not been tackled by the policy makers, especially not in Sikka regency. The two most commonly mentioned barriers in Sikka regency were the cost and that it was complicated, all parents interviewed in the regency (28) mentioned these hindrances. The cost was, as in the other regencies, all different types of costs connected to applying. When asked why it was complicated all respondents in the regency said it was due to the withdrawal of the possibility to apply through a midwife – ‘It was easier before’ was a common answer. After additional questions regarding this it became clear that the implementation of mandatory application at the Demographic office was time consuming, thus leading to increased costs for the parents, costs connected to travel, lack of income and food during the time away, furthermore it required a knowledge regarding how to apply.

In Tubuhue village, South Central Timor regency, the fee was removed for the first 60 days and the opportunity costs connected to travelling to the regency capital was somewhat tackled. The improvement of infrastructure in South Central Timor regency could affect the incentives since the visit only occurs once a year. Thus, the parents might postpone applying until the officials come to visit, which could leave a child without a birth certificate for up to a year. Some of the respondents in Tubuhue expressed this change in the motivation, stating they would wait to obtain a birth certificate until the officials would come to visit. Even though it would mean that they have to pay the fee, since they would postpone the application over 60 days after birth.

When asked why the system of birth registration did not work well and what the respondent would change with it if he or she could, several suggestions came up: Make the application process at the Demographic office more effective; Bring back the possibility to apply through a midwife; Make it possible to apply from your village; Erase the costs; Give people money to apply to cover their costs. As Weaver argues, policy
makers ought to think comprehensively about what constitutes costs, not only focusing on fees if one wants to remove factual barriers (2015: 811). The respondents evidently perceive different types of costs as barriers and in line with Weavers claim these costs are connected with noncompliance. In Sikka regency the policy makers had, instead of trying to find different barriers of costs and removing them, imposed hindrances of costs with fees when applying after 60 days and all the different costs that are connected to travelling.

Another commonly reported barrier was the lack of certain mandatory documents – if the parents lack a marriage certificate only the mother will be recognized as parent to the child on the birth certificate, if the child is over 60 days the parents need a decision of the head of the local implementation agency 29 which according to the parents came with a fee. Other, not so common documents, were a proof of migration from one regency to another (if the parents had moved from where they were formerly domiciled), which could only be issued in the former regency leading to high costs, or a record of birth from the hospital which came with a high fee for a mother in Kupang. Many of the ones who lacked a marriage certificate (19 parents) were still traditionally married, by a local, religious ceremony (15 parents). Those weddings are not recognized by the state if they lack an official marriage license, which they often do. In some of the villages in South Central Timor regency, people could apply for a marriage certificate once a year in their own village, when state officials and NGOs visited. Four of all the respondents were not married in any way, one was single and the other three said it was too expensive to get married as it was custom to have some sort of ceremony and celebration. The latter all lived in the Christian village Wolombue, Sikka regency. The lack of a marriage certificate does not mean that a parent cannot acquire a certificate for his or her child, which could mean that this barrier is easily overlooked. The motivation due to the deterrence of the fee after 60 days is given lower priority since the parents put great value into having both the parents name on the birth certificate. There is a risk that parents then postpone applying over 60 days, which could lead to diminishing incentives due to leaving the ‘fee-free’ time limit and keep postponing it until school age.

5.2.2 Peer effects, injunctive and descriptive norms
The setting in Sikka regency pre-implementation, when infrastructure of birth registration was better and costs lower, had created a habit and a norm of acquiring a

29 Article 32, paragraph 1
birth certificate for the child when it was newborn. When asked if it was common for children to have a certificate most of the respondents in Sikka regency said all children born before the change had certificates but almost no one that was born after. This was likely due to better infrastructure before the implementation, which created a habit of applying through a midwife and hence, happened when the child was newborn. As Weaver claims, peer effects can have both positive and negative effects on compliance (2015: 810-1). Although it was a habit in this region, not one of the respondents that had children born after the implementation had acquired a certificate for their child. One could assume that the habit would have created a norm that could have created stronger incentives to comply, helping in overcoming other barriers. Nevertheless, the respondents still expressed that children ought to have a birth certificate. The norm can still have a positive effect on motivation, but there might just be too many or strong barriers to inhibit compliance. There used to be a habit, likely due to the simplified application process, a process that was removed, which could have created a void regarding how to apply thus inhibiting compliance. The parents were used to get help, creating a habit of applying but still only applying in that particular simplified way. It seems as this new, deteriorated process, has created a conflict between injunctive and descriptive norms – acquiring a certificate is seen as the right thing to do in the respondents’ villages, although after the implementation no parents are actually applying, which lowers the incentive to do so (Weaver 2015: 810-1).

5.2.3 Information
The knowledge regarding how to apply for a birth certificate was good, a vast majority of the respondents knew where and how to apply as well as what documents were required. However, knowledge regarding the law was low, only five respondents said they knew that there is a law regulating birth registration, the rest did not know. Merely one respondent knew how much the fee was after 60 days, although 47 parents knew that a fee should be paid after 60 days and 44 parents answered ‘Expensive’ or ‘A lot’ when asked how much the fee is. 48 parents had not been in school for more than 6 years, nevertheless 50 people said they could read and write well. What was interesting was that the majority of my respondents had gotten information regarding the process and changes to it from their social networks and only four said they were informed by some sort of official (state official or NGO). Given the distance to larger villages or cities,
barely functioning roads, lack of internet, poor individuals which leaves little room for trips to the city, it was somewhat expected with an information deficit regarding the policy within my group of respondents. It was nevertheless positive to hear that they knew what behavior was asked of them and what type of enforcement was being used.

The social networks played a major part in information sharing, something the policy makers cannot take for granted. Given that information regarding how and why to comply is of great importance for compliance (Weaver 2014: 247-8; 2015: 810), it is not positive that there was almost no effort made by the policy makers or administrators to reach out with information to these villages. Maybe it is not in the interest of these policy makers and administrators that the target population knows why they comply, but only that they do comply. The respondents knew the important part of how to comply, but the part of why could affect their motivation. Even though nearly half of the respondent thought it was a child’s right to have a birth certificate, only three people thought it was regulated by law. According to the parents, the thought of birth certificate as a child’s right was strongly connected to the child’s right to go to school. It is important to know how to act, to change the behavior in the desired direction, but to know why could affect the legitimacy and motivation towards the policy or issue at hand.

5.2.4 Savings
None of the respondents had a bank account due to expensive bank fees and distance to a bank, which is in line with what Banerjee and Duflo have found in other rural areas in developing countries. This can make it more difficult for individuals to save money (2011: 184-98). 39 of the respondents said that they sometimes saved money, by themselves and not in a group of people, stressing that it was not a big amount. Only one of the parents said she saved money with the aim of acquiring a birth certificate for her child while the rest stated that they lacked the means to save money for a certificate and that they had other, more urgent expenses to attend to. Nevertheless, among the ones who did not save at all or saved for other things than a birth certificate, 48 respondents claimed that they planned to start saving for a birth certificate in the future. A vast majority of the respondents whose children lacked a birth certificate claimed they would get one for the child before it reached school age. All respondents said that they usually had tea and/or sugar at home.
There is no question of the poverty among my respondents; still there are signs of myopia, inertia and procrastination. This said, whether I managed to capture these concepts using the operationalizations is up for discussion. These signs can partly be due to the respondents’ scarce resources, which can increase the discount rates of possible future payoffs. Since they mostly connected birth certificate with access to school, the payoffs of a birth certificate is seen as possibly existing in the distant future (given the childrens’ low age), whereas other benefits connected to the savings they actually had as well as the temptation goods are something they get in the immediate future. Access to school was perceived as important because it could open up for better employment sectors than farming, thus, the payoffs of a certificate is highly connected to distant future possible benefits. The savings was said to be for urgent needs, which, given the scarce resources they had, can easily be understood to be prioritized over a birth certificate.

Temptation goods, sugar and tea, was a normalized habit among the respondents, even though they perceived to lack money for a birth certificate. Tea and sugar is easily accessible, and can create an instant good feeling, while birth certificate is, as understood, difficult to obtain and does not have an immediate payoff. There might have been an inconsistency between the respondent’s behavior at the time of the interviews and the way they believed they would act in the future – they believed they would start saving for a certificate, but they were still buying temptation goods even though they perceived to lack the possibility to save for a certificate, spending instead of saving. It is important to remember that temptation goods are common in all societies. But as Banerjee and Duflo argue, the less one has, the further away succeeding to save up to a certain goal might seem (2011: 194-204).

This said, the parents still perceived large and numerous resource barriers, barriers likely to affect anyone but especially the poorest. Some respondents said they had other urgent needs and some were not able to save at all. Given their economic status, food or other basic needs are likely situational imperatives for the parents. To obtain a birth certificate does not trump that, especially when the perceived incentive to acquire one is strongly connected to education, an uncertain future gain of human capital.
Below follows a summary of my key findings regarding the respondents’ perceived incentives and resource barriers.

<table>
<thead>
<tr>
<th>Incentives</th>
<th>Resource Barriers</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Deterrence fee after 60 days</td>
<td>• Costs connected to applying (travel expenses, loss of income, formal fees etc.)</td>
</tr>
<tr>
<td>• Obligatory when registering for school – important for education</td>
<td>• Lack of documents (especially marriage license)</td>
</tr>
<tr>
<td>• Muslim respondents: A child’s rights, it is a legal identity document</td>
<td>• Deficient infrastructure (non-functioning roads, lack of public transportation → time consuming and costs)</td>
</tr>
<tr>
<td>• Christian respondents: A child’s right, only for school</td>
<td>• Complicated application system (→ time consuming and lack of income)</td>
</tr>
<tr>
<td>• Possible perception of low legitimacy of politicians as well as towards the registration system and the changes in this</td>
<td>• Poor information on the importance of a birth certificate</td>
</tr>
<tr>
<td>• Possible myopia (buying temptation goods and not saving for a certificate) and procrastination (after 60 days procrastination likely until school age; in some villages in South Central Timor procrastination can also happen until the visits of officials once a year)</td>
<td>• No access to savings accounts</td>
</tr>
<tr>
<td>• Peer effects (no one else has applied after implementation – descriptive norm)</td>
<td></td>
</tr>
</tbody>
</table>

Table 5.2 Summary of Key Findings of Incentives and Resource Barriers

6. Concluding remarks

The purpose of this paper was to examine whether the reform, Law 24/2013, has been sufficient in creating perceived possibilities for parents to acquire birth certificates for their children.

My findings are that the parents within this study wanted to acquire birth certificates for their children, nevertheless a majority felt unable to do so. These findings are in line with Weaver’s criticism of a too narrow view on compliance. They expressed difficulties due to undeveloped infrastructure, travelling expenses, loss of income, lack of necessary documents and time consuming application process. There were also signs of
myopia and procrastination as most families spent money on temptation goods such as tea and sugar but did not save money to acquire a birth certificate. Furthermore, the way the policy has been implemented is probably not as intended by the central policy makers. A formal cost, a fee, has been implemented in Sikka regency and in the regency of South Central Timor the formal cost has been abolished for the first 60 days, but is still in place after this period. Ironically, formal costs are therefore still a real barrier experienced by the parents. The aim of the policy from a central level was likely the way AIPJ interpreted it – that it should be free of charge regardless of when one applies for a birth certificate in accordance with Article 79A. The alterations between the implementation of the policy in the different regencies indicate that the policy is not implemented in the same way throughout the country. This impedes the development of a standardized civil registration system, which in turn can inhibit high birth registration rates.

Even if local officials would have abolished fees altogether, the reform is probably still too narrow since it only targets one barrier, the formal cost, whereas the target group experiences several barriers. In other words, the parents in these regencies would probably still not acquire birth certificates for their children since they experience more barriers than what the policy targets. I think it is safe to say that the policy makers have had a too simplified understanding of the problem, and thus provided an insufficient solution.

The way the policy has been implemented in these two regencies creates incentives to apply within 60 days due to the fee and not because of any belief that a child ought to be registered directly after birth for its own good. There is an information deficit regarding the importance of a birth certificate, which, together with the fee, lowers the incentives to apply after the first 60 days. The motivation among the parents does not seem to increase again until the child is about to begin schooling, since the schools are being forced to make it mandatory for registration. This structure of incentive is likely to reinforce procrastination and myopia. The fact that the schools are making exceptions shows that acquiring a birth certificate actually is nigh impossible for some parents. It further shows that there is a risk of excluding children from education, which in turn risks to create a vicious circle. By giving proper information, as in the mosques, the information deficit could increase the incentives and understanding of why a child’s birth ought to be registered. As parts of the Christian community have built
up their own infrastructure, using baptism certificates instead, proper information is of even greater importance. Still, to increase incentives is far from the only solution as there are still several barriers that the respondents have to overcome.

The negative labeling of the target group by both employees at NGOs and by the Head of the demographic office signals a negative attitude towards the target group. This attitude in turn, could be an explanation to why the policy was implemented the way it was, especially in Sikka. The top-down perspective on the target group and the problem situation, as well as the implementation of fees in Sikka, indicates that officials think the problem of low birth registration is an issue of low motivation and not resource barriers. As Bacchi argues, a dissonance between a top-down perception of the problem situation and the actual barriers faced by the individuals affected can lead to increasing frequency of the problem. Furthermore the problem might persist in South Central Timor regency, as well as other regencies where the target group face similar barriers.

The study clearly shows the need for context-specific analysis, with focus on a given target population, in line with Ostrom’s and Weaver’s conclusions. As a way forward, greater knowledge regarding the target group’s perception of the given problem is needed. This is true both for policy makers and researchers. In order to mitigate the registration process and thus increase the registration rate the system should be adapted to local circumstances. To erase formal costs might be sufficient in some areas, but, as this study has showed, this is not enough in other. Additionally, a greater monitoring and enforcement of the local implementation agencies would be needed as the study found clear evidence of breaches in the implementation of the policy. A blueprint catch them all solution does probably not actually catch them all.
References


Bacchi, Carol. 2009. *Analysing Policy: What’s the problem represented to be?* Pearson Australia.


Appendix

Questionnaire – parents

Parent information
1. What’s your occupation?

1.2 What’s your civil status?

1.3 (If married) What’s your husband’s/wife’s occupation?

2. How old are you?

3.1 How long did you attend school for?

3.2 How well can you read and write?

4.1 Do you have a baptism certificate?

4.2 Do you have a birth certificate?

(If no birth certificate) Why not?

4.3 How old were you when you got your birth certificate?

(If not as a baby) Why did you get it at that age?

Children
5.1 How many children do you have?

5.2 How old are they?

5.3 Are they boys or girls?

6.1 Do they have baptism certificates?

6.2 Do they have birth certificates?

6.3 At what age did he/she get it?

7. Why did you get a birth certificate for your child?

(Follow up – why?)

8.1 How did you apply?

8.2 Did it cost anything?
8.3 Do you think it was easy or difficult to apply?

8.4 Why?

9.1 Why have you not acquired a birth certificate for your younger child?

(Follow up – why?)

System/process

9.2 How would you do to get a birth certificate for your child?

9.3 How do you know this?

9.4 Do you know if there would be any costs to it?

9.5 Do you know how much the fee is?

9.6 Do you think you would be able to get a birth certificate for your child today?

9.7 If no - Why not today?

9.8 Do you have all the documents that you need?

10.1 If you would have another child, at what age of the child do you think you would get a birth certificate?

10.2 Why at that certain age?

11.1 Do you know if there is any fee to get a birth certificate when the child is newborn?

11.2 At what age of the child do you think it starts cost?

11.3 How do you know that?

12.1 Do you think a child needs a birth certificate?

12.2 Why (/not)?

12.3 For anything else?

13.1 Is it more important for a boy or for a girl, or the same, to go school?

13.2 Is it more important for a boy or for a girl, or the same, to have a birth certificate?

13.3 Why is that?

14. Do you think that you have had any advantages because of your birth certificate? / Do you think that you have encountered any disadvantages because of your lack of birth certificate?
(Follow up)

15. Do you think it is common in this village for children to have a birth certificate?

16.1 Do you think the process to get a birth certificate, the time and money you put into the process, is ok for the possible advantages that the children get? Meaning that the efforts equal the advantages of a certificate.

16.2 Why (/not)?

17.1 Do you think that the system of birth registration is working well?

17.2 Why (/not)?

17.3 Would you change anything with the system if you could?

Law

18.1 Whose responsibility do you think it is that a child gets a birth certificate?

18.2 Why?

18.3 Do you think that the state has any responsibility in the matter?

18.4 What/Why not?

18.5 Do you know if the state has any responsibility regarding birth certificate according to the law?

19. Do you know if there is any law that regulates birth certificate, regarding the parents' and the state's responsibility, the costs etcetera?

20. Do you know if there is a law that states if a child has a legal right to a birth certificate?

Savings

21.1 Do you have a bank account?

21.2 Why not?

22.1 Do you save money?

22.2 Do you save money to be able to acquire a birth certificate for your child?

22.3 (Why not?)

23.1 Do you usually have tea and/or sugar at home?

23.2 Why? / Why not?
Trust/legitimacy
24.1 Do you think that the government and the local politicians are working for the wellbeing of the people? That they have the people's best in mind.

24.2 Why don't you think so?