

Chapter 1. Background

1.1 Introduction

This study analyses gender equality policy change initiated by various women's movements in the context of Indonesia's democratization. It focuses on advocacy processes for the approval of laws and policies to address violence against women (VAW), the protection of domestic workers and unpaid care work. It explores how the state at various governance levels—national, provincial, and district—responds to these policy demands. The report also examines the conflicting interests of religion and customs, and how these factors influence the state's response to pressure for policy reform. Finally, it compares advocacy for gender equality policy change at national, provincial and district levels, and considers the similarities and differences.

With the transition from the New Order regime to the New Democratic Era in 1998, the social and political context in Indonesia experienced a dramatic shift, with a move toward a democratic and decentralized system of governance. The New Order regime, which ruled from 1966 to 1998, focused on social integration and economic stability under a centralized state. The regime tightly repressed and controlled the lives of Indonesian citizens under the rationale that this would lead to rapid economic growth (Robinson and Hadiz 2004). Following the demise of this regime, national women's movements, which were largely founded by non-governmental organizations (NGOs), advocated for policy change.¹

Women's movements with women's rights agendas emerged and strengthened their presence and voice during the New Democratic Era's climate of political change.² These agendas included: violence against women, both sexual and domestic; gender relations within marriage; women's autonomy over their bodies and sexuality; access to economic rights—including the right to work; reproductive health; political participation; and gender mainstreaming (Eddyono 2010b; Noerdin 2013). These claims were supported by a variety of actors, who often collaborated and networked with each other, including women's NGOs, human rights organizations, grassroots organizations, etc. A number of these demands have been broadly supported and successfully adopted by the state, representing significant wins for the Indonesian women's movement, including the establishment of the National Commission for Women in 1998³ and the approval of the Anti-Domestic Violence Law, 2004.⁴ Yet other claims made by women—such as increasing protection for domestic workers—faced opposition.

Various studies (Komnas Perempuan 2010; Eddyono 2010a) highlight that religious and customary ideologies, much as the women's movement, also tended to gain strength in the process of democratization and decentralization. For instance, the National Commission for Women identified at least 282 subnational policies with Islamic connotations that have an impact on women's lives (Komnas Perempuan 2010).

1.2 Research aims

This study is a part of the research project “When and Why do States Respond to Women's Claims? Understanding Gender-Egalitarian Policy Change in Asia”, coordinated by UNRISD. This project compares the processes of gender equality policy

¹ Anindhita and Aripurnami 2013; Blackburn 2004; Noerdin 2013.

² Anindhita and Aripurnami 2013; Blackburn 2004; Budianta 2006; Munti 2008a; Noerdin 2013; Robinson 2009.

³ The National Commission for Women was established on 15 October 1998 under Presidential Decree No.181/1998, updated by Presidential Regulation No.65 and 66 in 2005.

⁴ Budianta 2002; Chandrakirana et al. 2009; Komnas Perempuan 2008, 2010.

change in China, India and Indonesia, and focuses on the issues of violence against women, protection of domestic workers and unpaid care work. The research aims to provide insights on:

- i. the complex processes through which advocates for women's rights articulate their demands, and strategize with other actors both within and outside the state realm, and transnationally, to bring about policy change;
- ii. the "blind spots"—issues on which there has been little advocacy, or where advocacy does not enter policy debates, despite their centrality to women's lives and well-being; and
- iii. the proactive role of other actors, nationally and transnationally, in triggering policy change (UNRISD 2013:1).

In the Indonesian context, the country study focuses on the same three issues (violence against women, domestic work and unpaid care work) and proposes:

- i. analysing the dynamics of processes of gender equality policy change initiated by the women's movements at national level and at subnational level; and
- ii. exploring whether the state's response to women's demands is influenced by democratization and decentralization, the presence of religious and customary actors, and international organizations.

At national level, this research examined the mobilization of women's movements aimed at influencing the national government and thus based in the capital, Jakarta. At subnational level, the research was conducted in three provinces: West Sumatra, East Java and West Nusa Tenggara; and in three districts within these provinces: West Pasaman, Jember and East Lombok. These six geographic areas have different social, cultural and religious systems. In particular, the kinship system differs across these provinces. West Pasaman and West Sumatra have a matrilineal kinship system; East Lombok and West Nusa Tenggara have a patrilineal kinship system; and Jember and East Java have a parental kinship system.

The social, cultural, religious and political context in the six geographical regions was carefully examined in order to understand the impact of these factors on the agendas and strategies of women's movements. The study also explored whether the unique situation in each geographical area influenced the strategies women use to pursue their demands and the state's subsequent response.

1.3 Research questions

To meet the research aims, the Indonesian research team formulated research questions valid at both national and subnational levels, but specific to each issue.

Regarding violence against women, the team examined the advocacy process for the approval of the Anti-Domestic Violence Law, 2004, and mobilization against sexual violence. The research questions for this issue are:

- i. How and to what extent did women's movements demand the approval of the Anti-Domestic Violence Law, 2004, and of anti-sexual violence policies at national, provincial and district levels?
- ii. What are the factors that encouraged the state (at national, provincial and district levels) to accommodate the demands of women's movements in passing the Anti-Domestic Violence Law, 2004?
- iii. To what extent is the state influenced by religious and cultural ideologies in legislating on VAW?
- iv. What is the role of international and transnational organizations in the advocacy process at all governance levels?

Concerning the protection of domestic workers, the team focused on the advocacy for enacting the Protection of Domestic Workers Bill and ratifying ILO Convention No. 189, 2011, at national level, and on mobilization efforts for passing by-laws at subnational level. The research questions are:

- i. To what extent do women's movements mobilize to support domestic workers and voice their demands?
- ii. To what extent does the state at all governance levels accommodate women's demands related to domestic workers?
- iii. What are factors that influence the state to accommodate (or not) these demands?
- iv. What is the role of international movements?

Finally, the research team explored whether women's movements advocate around women's unpaid care work through the following questions:

- i. To what extent is unpaid care work included in the agendas of women's movements?
- ii. If yes, what are the factors that trigger women's mobilization on unpaid care work?

1.4 Importance of the research

This research contributes to filling the knowledge gap on women's movements in Indonesia and their mobilization for policy change during the New Democratic Era.

First, it provides valuable insights to inform future mobilization efforts by analysing the historical context, opportunities, discourses and strategies, as well as the actors of successful mobilizations, such as the one for the Anti-Domestic Violence Law, 2004.

Second, it contributes to understanding ongoing advocacy processes, including mobilization for national laws to criminalize sexual violence and to regulate domestic work. The research findings can be crucial for Indonesian advocates to understand the pitfalls and the potential of ongoing mobilization efforts and how to be more effective in mobilizing societal support and influencing the state.

Third, this research plays a role in strengthening the analysis on how democratization and decentralization affect women's movements. In the case of Indonesia, knowledge about the impact of women's movements on policy change and about the conflicts between religious and customary interests and women's interests can support women's movements in identifying effective approaches for advocacy at subnational level.

Fourth, this research identifies interrelations and the overlaps between mobilization efforts on violence against women, protection of domestic workers and women's unpaid care work, and makes an effort to identify whether these mobilizations follow similar patterns. For instance, mobilization against domestic violence is linked to the protection of domestic workers from violence. Domestic workers' protection is related to unpaid care work as both issues are underpinned by the gendered division of labour within households. Claims on both issues challenge the widely held belief that work within the domestic sphere is a woman's responsibility and lacks value.

1.5 Report structure

This report includes eight chapters. After this first introductory section, Chapter 2 discusses research methodology and methods. Chapter 3 outlines the political, social and economic context of the policy change process through the analysis of four factors: (i) democratization and decentralization, (ii) women's movements, (iii) religious and cultural agendas and ideologies, and (iv) the role of international movements. Chapters

4 to 6 analyse the advocacy processes on violence against women, protection of domestic workers and women's unpaid care work at national and subnational levels. Chapter 7 compares the findings across issues and across governance levels and answers the research questions. Chapter 8 provides conclusions and recommendations for relevant stakeholders.