

Chapter 3. Social and Political Context: Democratization, Decentralization and the Women's Movement in Indonesia

3.1 Introduction

This section discusses the political, social and cultural context that has influenced advocacy for gender equality policy change during the New Democratic Era in Indonesia. As explained in the previous chapter, we identify four contextual factors that influence policy change: (i) the process of democratization and decentralization, (ii) the presence of women's movements, (iii) religious and cultural ideologies, and (iv) the presence/influence of international organizations. This chapter analyses how these factors impact policy change at all governance levels and how the mutually combined effect of these factors influences the process and the success of women's advocacy.

3.2 Democratization, decentralization and women's issues

Since 1998, Indonesia started the transition to democracy through the formation of political parties and the introduction of direct elections. Through the adoption of a decentralized system, power—including legislative power—shifted away from the centre to provincial and district levels (Aspinall and Fealy 2003). The president, subnational leaders, and members of national and subnational legislative assemblies are all directly elected (Aspinall and Mietzner 2010). Democratization and decentralization offer both opportunities and challenges for women's movements (Komnas Perempuan 2008). Both processes provide open spaces to voice women's claims. While democratization brought a more transparent policy-making process (Aspinall and Mietzner 2010), the decentralized political system means that citizens can participate in the policy-making process at local level (Robinson 2009). The democratic system introduced channels that were previously closed, including freedom of the press, speech and association.¹⁰

During the New Democratic Era, the relationships between citizens and state changed as citizens have more opportunities to contribute to the policy-making process at all governance levels (Blackburn 2004; Noerdin 2013). Indeed, the Formulation of Laws and Regulations Bill No. 12/2001, subsequently confirmed by the Formulation of Laws and Regulations Act 12/2011, introduced new mechanisms for participation in the legislative process. According to Act 12/2011, proposals for new laws can originate with bills proposed by the parliament¹¹ and with bills proposed by the government. The bills proposed by the parliament can be an initiative by: (i) citizens, (ii) political parties or (iii) by legislative parliamentary commissions. At the beginning of the executive's and legislature's electoral terms, the national government proposes a five-year National Legislative Programme (*Prolegnas*) that lists the priority bills to be legislated. The national parliament in plenary session then approves the programme. Similarly, the subnational government presents a one-year legislative programme (*Prolegda*) listing the priority regulations and requests approval from subnational parliament. A mandatory academic study must accompany the bills and regulations included in the legislative programmes (Law No. 12/2011), which proves the importance of the legislative proposal. The matters excluded from the final legislative programmes are

¹⁰ Bessell 2010; Budianta 2006; Ratnawati 2006; Satrio 2010.

¹¹ The Indonesian Parliament, also known as the People's Consultative Assembly, is made up by the People's Representative Council and the Regional Representative Council. These two councils share legislative power.

unlikely to be included in the following years of the electoral term. Public consultations must occur, particularly with political parties.

Greater transparency, open debate and the emergence of new law-making mechanisms encouraged women's movements to strongly mobilize, to advocate their interests and to drive gender equality policy change in a more open manner (Munti 2008a; Noerdin 2013). As a result of women's advocacy, the National Commission for Women (Komnas Perempuan 2008) identifies at least 28 new national and subnational laws orientated toward women enacted between 2000–2004. The Commission also records that in the same period more than 60 new institutions were established by the state and NGOs to support women who had experienced violence.

However, decentralization also posed a number of challenges. First, as described in chapter 2, there is no longer a single state entity, but a diversity of state authorities, particularly at the subnational level (Blackburn 2004). Subnational autonomy brought with it context-specific understandings of rights, authorities and obligations on how to regulate local communities.¹² The issues considered as a priority by the national state might be considered less important by the subnational state, meaning there might be difficulties in regulating the issue or in implementing national law. Additionally, the subnational state's response to women's demands might be different from the response of the national state or from other subnational regions. Second, according to Robinson and Hadiz (2004), democracy and decentralization have increasingly strengthened the ethnic kinship systems in which power is held by an elite with family connections. Decentralization has reinforced new local political leaders that tend to strengthen their social and economic position through politics (Heryanto 2010; Heryanto and Hadiz 2007). Local direct elections set an arena for power struggles, political games, and vote buying (Irawaty 2010; Morrell et al. 2011). As respondents from each research site argued, the process of power struggles influences the policy outputs because policy makers focus more on election cycles. Meanwhile, gender equality policies are not prioritized and gender equality programmes are not adequately funded.

3.3 Religious and cultural politics

Indonesia has a pluralistic legal system, which consists of a national legal system based on the colonial Dutch legal system, customary laws and religious laws (Islam and Shari'a) (Lindsey and Santosa 2008; Lukito 2003).¹³ The co-existence of three legal systems adds complexity to the policy change process, especially in provinces and districts. At subnational level, policy makers often use customary and religious laws considered more appropriate for the local context—instead of using national legislation as the legal basis (Lukito 2003). The presence of customary and religious laws impacts women's lives and mobilization efforts. Customary law can become highly politicized when actors seek to further their own interests within the democratic system, with consequences for the policy-making process. The National Commission for Women (2013) found that in cases of sexual violence, customary laws are applied in some subnational regions with the tendency of further victimizing women survivors. Many married women in rural areas are in a vulnerable legal position since they do not have access to state offices to register their marriage, which remains registered only under customary law and not under State law (Wilujeng 2010; Zulminarni et al. 2014).

¹² See Section 1/5 of the Subnational Government Act 32/2004.

¹³ Customary and religious legal systems apply only to the citizens belonging to customary and/or religious groups, while the national legal system applies to all citizens. There is conflict between these systems that to the present day remains unsolved (Lukito 2003).

While knowledge of the impact of customary law on Indonesian politics is still limited, many studies show the increased influence of Islamic law.¹⁴ Since 1998, a number of subnational regulations embedded in the Shari'a were approved in some areas—including in the research sites—and has subsequently spread across the country. The enactment of the Anti-Pornography Bill is a strong indication of this phenomenon.¹⁵ The majority of these laws are centred on ideas of morality and typically seek to control women's sexuality.¹⁶ For instance, 14 regulations were found in West Sumatra,¹⁷ eight in East Java, one in Jember and one in West Nusa Tenggara. These regulations tend to control women's sexuality and to criminalize women under the guise of morality.

3.4 Women's movements in the New Democratic Era

This study builds on previous research on women's movements in Indonesia under the New Order regime and the New Democratic Era.¹⁸ Before analysing the women's movements in the New Democratic Era, we first outline the characteristics of women's movement under the New Order regime.

Women's movements under the New Order regime

The gender ideology of the New Order regime saw women mainly as wives serving their husbands and as mothers giving birth, raising children and managing households. The other role of wives was a public role, principally as members of the community that supported their husbands' role in the public sphere and maintained traditions and culture. The regime adopted the concept of *kodrat* or "natural law" to emphasize the "natural" and biological role of women (Blackburn 2004). Lately, scholars have renamed this ideology as state *ibuisme* or "motherism" (Robinson 2009; Suryakusuma 1996). To strengthen and solidify the idea of *kodrat*, the regime established organizations for civil servants' wives known as *Dharma Wanita* and women's membership-based organizations called Empowerment and Family Welfare Groups. The latter were active from the national level down to the village level.¹⁹ These two organizations were an attempt to control other women's organizations. For example, *Gerwani*, a progressive grassroots organization that had existed prior to the regime, was banned.²⁰

In facing a repressive situation, the feminist movement conducted a strategy of underground opposition to the state avoiding direct confrontation with the regime (Robinson 2009). Feminist activists tended to focus on the dissemination of feminist ideas and the values of gender equality (Aripurnami et al. 2013). In the late 1980s, a number of young feminists, particularly in Java, started to form NGOs to channel the emerging discourse on women's rights and feminism, conduct advocacy for women's rights, and support women who had experienced violence, either from their husbands, or abuse from the state (Suryochondro 2000). At that time, there were over 10 of these organizations. In addition, women's activists in academia or in the state attempted to influence the decision-making process covertly (Robinson 2009; Sadli 2002), although they did not call themselves feminists due to the political context (Sadli 2002).

¹⁴ Lindsey 2012; Lukito 2003; Salim and Azra 2003.

¹⁵ See chapter 4; Komnas Perempuan 2010; Lindsey 2012.

¹⁶ Brenner 2011; Komnas Perempuan 2008, 2010; Rinaldo 2011; Wichelen 2010.

¹⁷ For example, West Pasaman District approved a regulation on dress standards for Muslim students and government employees (No. 7/2007).

¹⁸ Bessell 2010; Blackburn 2004; Blackburn et al. 2008; Budianta 2006; Noerdin 2013; Nurmila 2009; Robinson, 2009; Satrio 2010; Wichelen 2010.

¹⁹ Blackburn 2004; Robinson 2009; Suryakusuma 1996.

²⁰ The regime banned *Gerwani* because of its connections with the Indonesian Communist Party and with socialist ideology. The leaders were imprisoned without trial (Wieringa 2002).

Feminists within NGOs and in academia attempted to use legal and gender equality discourses used in the international debate to support their activities (Robinson 2009; Sadli 2002). Finally, religious women activists undertook grassroots activities to further women's interests (Robinson 2009).

Women's movements mobilizing at national level during the New Democratic Era

With the fall of the New Order regime, there was a shift in the women's movement. Democracy gave a strong impetus to women's rights activist and their advocacy efforts. Advocacy processes on women's rights can be categorized in three types based on the actor who starts the process: (i) advocacy led by women's movements originating from women's NGOs, networks or state institutions that focus on women's agendas (including the National Commission for Women, LBH APIK Jakarta and the Ministry for Women's Empowerment and Child Protection); (ii) advocacy started by actors outside women's movements, but that was subsequently followed by initiatives from women's movements, which provided substantial support to the momentum (Munti 2008a) (an example is the attempt to integrate domestic violence into human rights legislation or criminal law); (iii) advocacy coordinated by a network in which women activists collaborate with other movements (for example, national networks against domestic violence or for the protection of domestic workers).

During the early stages of the democratic transition, discourses regarding the protection of women from violence and women's rights became more prevalent and were followed by a growing number of demands. For instance, there were at least nine demands driven by the women's movement in relation to violence against women: domestic violence, sexual violence, sexual trafficking and exploitation, pornography, discriminative subnational regulations, women's access to justice, human rights abuses under Suharto's regime, violence in conflict situations and sexual harassment in the workplace. Various strategies are used to advocate these issues, including raising public awareness via campaigns, supporting communities to address aspects of these issues (such as strengthening economies), supporting survivors and advocating policy change (Noerdin 2013). Legislative advocacy is predominantly undertaken by women's NGOs because of the increasingly close relationship with the national state, particularly in formulating laws and programmes (Blackburn 2004; Noerdin 2013).

At the beginning of the New Democratic Era, women's movements spoke up against the sexual violence that was experienced by women of Chinese ethnicity during the mass riots in May 1998 in Jakarta and in other cities (see table 3.1). As a result of this mobilization, President B.J. Habibie established the National Commission for Women in October 1998. Since then the issue of violence against women has been an long-standing issue on the agenda of women's movements. Following this, citizens (women's NGOs), the state (the Ministry for Women's Empowerment) and donor organizations collaborated for the first time since the end of the regime, mobilizing against violence and developing a no tolerance policy. The National Action Plan to Eradicate Violence Against Women was approved in 2000 (Nurdiana et al. 2000).²¹ The collaboration also led to the creation of women's police desks within police stations (Harsono 2004) and the Integrated Service Centres (ISC) within hospitals. Both services were requested by women's NGOs and were supported by state institutions. The establishment of the ISC was possible thanks to a Memorandum of Understanding (MoU) between three ministries

²¹ Prior to this collaboration, there were significant gaps between the assistance provided by the state and by NGOs to women survivors of violence.

(Ministry of Women's Empowerment, Ministry for Social Welfare and Ministry for Health) and the Indonesian police force (Komnas Perempuan 2008).

Therefore, in the early stage of democracy, women's movements and the state worked together to address the absence of adequate laws to protect women from violence (Harsono 2004; Komnas Perempuan 2008). Further, women's movements started to collaborate with activists from different backgrounds and organizations—NGOs, women's religious organizations, membership organizations and others. This synergy reached a peak during the advocacy for the Domestic Violence Eradication Bill in the early 2000s.²² At the beginning of the democratic transition, women's mobilizations were supported by significant funding that was available at that time because of the changing political climate.

National mobilization for gender equality policy change has been led by the Indonesian Women's Association for Justice and Legal Aid (*Lembaga Bantuan Hukum -Asosiasi Perempuan Indonesia untuk Keadilan*, LBH APIK), which is based in Jakarta and handles cases of violence against women since 1996, and the National Commission for Women. They both used the first and second style of advocacy, a collaborative approach between women's movements and human rights movements. An example of this collaboration was the advocacy for the Witness and Victim Protection Bill, conducted by a coalition of NGOs (Komnas Perempuan 2008).

A further example of collaboration among women's organizations is ongoing advocacy for amending the Marriage Law No. 1/1974. One women's organization, the Indonesian Women's Association for Justice and Legal Aid in Jakarta (Jakarta LBH APIK), was the first to mobilize (Katjasungkana and Hadiz 1999) and pays particular attention to the articles in the Law that reproduce gender stereotypes (women as wife and mother within the household, while men are the sole breadwinners in the labour market). One implication of this assumption is that domestic violence is legitimized by the state as husbands benefit from the family head position, while women refrain from reporting such instances of violence as they are afraid to lose family income (Hadiz and Eddyono 2005). Other civil society organizations demand the amendment of the Marriage Law. For instance, some advocates request the recognition of marriages between citizens of different religions.²³ Women's and children's movements lobby for the criminalization of child marriage as a form of sexual violence against girls.²⁴ These advocates are organized in two separate networks (one of women's NGOs and one of children's NGOs) that support each other and share the same agenda.²⁵ Yet this collaboration has sometimes been negatively affected by disagreement over controversial claims, such as recognition of same-sex marriages and the ban of polygamy.²⁶

Mobilization for the Legal Aid Law No. 16/2011 illustrates the third style of advocacy, where policy change was initiated by actors outside of the women's movement. The Law was advocated by a network of legal aid NGOs (Human Rights Network hereafter).²⁷ Women's movements together with the National Commission for Women

²² See chapter 4; Eddyono 2005; Munti 2008a.

²³ Interview with Supriyadi W. Eddyono, Institute for Criminal Justice Reform.

²⁴ Interview with Supriyadi W. Eddyono, Institute for Criminal Justice Reform..

²⁵ The two networks together raise amendments to the Marriage Law through the Indonesian Constitutional Court.

²⁶ Interview with KK, women's rights activist.

²⁷ An advocacy network was established by NGOs and Legal Aid Services that operate in the area of human rights, such as the Legal Aid Service Jakarta (*Lembaga Bantuan Hukum*, LBH), the Indonesian Legal Aid Foundation (*Yayasan Lembaga Bantuan Hukum Indonesia*, LBHI), the People's Organization for Study and Advocacy (*Human*

and legal aid organizations discussed the positive implications of this Law for women victims of violence and supported the initiative. Indeed, despite the Anti-Domestic Violence Law No. 23/2004 and the Law on the Protection for Witness and Victims No. 13/2006, women victims of violence still have limited access to justice.²⁸ In exchange for women's support to their legislative initiative, the Human Rights Network welcomed women's movements and their claims for improving access to justice.²⁹ While submitting their legislative proposal to the parliament, together they claimed that the provision of legal aid for victims and witnesses was a state obligation³⁰ and that legal aid must be provided to victims immediately after the violence in order to properly report it to the legal authority. Following the approval of the Law, the government provided funds to women victims of violence via women's NGOs who offered legal aid services (Tridewiyanti et al. 2013).³¹

Furthermore, women's NGOs and activists from universities demanded the adoption of quota systems in the national parliament in order to increase women's political participation (Budianta 2002, 2006; Satrio 2010). Women also advocated for the amendment of all regulations that prevent women from joining labour market (that is the Marriage Law) and for new laws and policies that can facilitate women's paid work. Apart from violence against women, women's right to work and political participation, a number of other issues figure on the agenda of women's rights advocates, but remains on the margins. Among these, the violation of human rights against women during the New Order regime, women's reproductive rights and education.³² Furthermore, the needs and claims of workers concealed from the public—for example domestic workers, migrant workers, farmers, and factory workers in industrial zones—lack widespread consideration in spite of their vulnerability. Eddyono (2010b) explains the marginalization of the labour rights of certain groups of women by pointing out the wide gap between middle-class women activists in Jakarta who predominate within women's movement and women from lower classes, who remain on the margins of the movement.

Rights Study and Advocacy Organization, ELSAM), the Indonesian Legal Research Centre, the Commission for Missing People and Victims of Violence, LBH APIK, etc.

²⁸ Some of the causes behind this include: the lack of access to justice caused by different strategies to eradicate domestic violence (Hayati 2009), victims' lack of awareness of their legal rights and procedures (Tridewiyanti et al. 2013), and the biases in the existing legal system that generally favour the rights of the accused over the rights of the victim. Some of these causes are rooted in the Indonesian Criminal Code; in order to address some of these issues, women's movement have demanded amendments and adoption of the Legal Aid Law (Tridewiyanti et al. 2013).

²⁹ Interview with Kunthi Tridewiyanti, commissioner in the National Commission for Women.

³⁰ Interview with Ninik Rahayu, currently commissioner at the National Commission for Women and former head of the Muhammadiyah Women's Studies Centre and of the Centre for Women's and Children's Services.

³¹ Prior to this Law, the state provided funding for legal aid to accused citizens, but not for the victims. The funding established by the Law includes (i) operational funds for victims for the duration of their legal proceedings and (ii) the legal expenses for lawyers.

³² The women's movement also advocated for a national law on health to decriminalize abortion in cases of rape, although abortion remains a controversial issue opposed by many actors, such as religious groups and medical professionals (Tempo 2014).

Table 3.1: Women's policy issues at a national level

Policy area	Women's claims	Result of the advocacy
<i>Women's rights within marriage</i>	<p>Guarantee women's rights within the marriage by:</p> <ul style="list-style-type: none"> –amending the Marriage Law No. 1/1974 to include equal rights and duties for both women and men and abolish polygamy –approving a national law to guarantee women's rights within transnational marriage 	<p>No progress in amending the Marriage Law No. 1/1974 and the Islamic Laws</p> <p>Inclusion of women's rights in transnational marriages in the Citizenship Law No. 12/2006</p>
<i>Violence against women/girls and women's autonomy over body and sexuality</i>	<p>Approve a national plan to eradicate violence against women</p> <p>Set up a national independent commission to investigate the mass violence against women during the May 1998 riots</p> <p>Protect women from domestic violence by adopting a national law to end domestic violence and regulations for its effective implementation</p> <p>Protect children from abuse, including sexual abuse, by adopting a national law to end violence against children</p> <p>Criminalize sexual violence against women by:</p> <ul style="list-style-type: none"> –approving a national law to protect women from sexual violence –amending the Indonesian Criminal Code <p>Approve a national law to protect women against human trafficking and sexual exploitation and guidelines for its effective implementation</p> <p>Guarantee women's autonomy over body and sexuality by:</p> <ul style="list-style-type: none"> –stopping the anti-pornography legislative initiative and excluding the clauses that limit women's autonomy over body and sexuality –abolishing subnational regulations that discriminate, restrict, and criminalize women's sexuality 	<p>Approval of the National Action Plan to Eradicate Violence Against Women—Zero Tolerance Policy in 1999</p> <p>Formation of the National Commission on Violence Against Women (National Commission for Women) in 1998</p> <p>Approval of the Anti-Domestic Violence Law No. 23/2004</p> <p>Approval of the Indonesian Government Regulation on the Implementation and Cooperation for the Assistance to Victims of Domestic Violence No. 4/2006</p> <p>Approval of the Child Protection Law No. 23/2002</p> <p>Inclusion of sexual violence in the 2016 parliamentary legislative agenda</p> <p>Approval of the Eradication of Human Trafficking Law No. 1/2007</p> <p>Approval of the Indonesian Government Regulation on the Procedures and Mechanisms for Integrated Support to Witnesses and/or Victims of Human Trafficking Crimes No. 9/2008</p> <p>Unsuccessful: approval of the Anti-Pornography Law 44/2008 with clauses that aim at limiting women's autonomy over body and sexuality and no action to stop the approval of discriminating subnational regulations</p>

	<p>Guarantee women victims' access to justice by:</p> <ul style="list-style-type: none"> –setting up Integrated Service Centres across the country to assist victims –reforming the judicial procedure for cases of violence against women –approving national laws to guarantee legal aid and protection to victims <p>Address the human rights violation, including sexual violence, of the New Order Regime by:</p> <ul style="list-style-type: none"> –investigating the cases of violence –publishing apologies from the State –abolishing discriminatory policies approved during the Regime –providing social security for victims <p>Address cases of violence against women in conflict contexts by setting up a national truth and reconciliation commission</p>	<p>Signing of an MoU between the Ministries of Social Welfare, Health and Women's Empowerment, and the National Police to facilitate the setup of Integrated Services Centres across the country in 2002</p> <p>Signing of an MoU on Legal Access for Women Victims in 2011</p> <p>Approval of the Legal Aid Law No.16/2011</p> <p>Approval of the Witness and Victims Protection Law No. 13/2006</p> <p>Discussion in the parliament on the reform of the judicial procedure for cases of violence against women</p> <p>No progress</p> <p>No progress</p>
<i>Women's economic rights</i>	<p>Protect migrant workers by ratifying the International Convention on the Protection of Rights for Migrant Workers and Members of their Families</p>	<p>Approval of the Law No. 6/2012 on the ratification of the International Convention on Protection of Rights for Migrant Workers and Members of their Families</p>
	<p>Protect domestic workers in Indonesia by approving a national law to regulate and recognize domestic work</p> <p>Guarantee women's reproductive health at work by including women's reproductive rights in the national labour law</p>	<p>Inclusion of the draft bill on domestic work in the 2016 parliamentary legislative agenda</p> <p>Inclusion of menstrual leave, maternity leave, and breastfeeding dispensation in the Labour Law No. 13/2003, Articles 81–83</p>
<i>Reproductive health</i>	<p>Abolish female circumcision and guarantee women-friendly abortion procedures in the national health law</p>	<p>Inclusion of claims related to reproductive health in clauses 71–77 of the Health Law No. 36/2009</p> <p>Publication of the Circular Letter 00.07.1.3.10.47a/2006 on the Prohibition of Female Circumcision from the Director General of Public Health to Health Workers</p>
<i>Women in politics</i>	<p>Guarantee women's representation and participation in parliament by approving a national law on gender quotas</p>	<p>Approval of the Members of Parliament Electoral Law No. 8/2012, but the Indonesian Constitutional Court declared the quota system as unconstitutional and in contradiction with the constitutional principle of equality</p>
<i>Gender mainstreaming</i>	<p>Mainstream gender in the state at all governance levels by approving a national law on gender equality</p>	<p>Approval of the Presidential Decree on Gender Mainstreaming in Development No. 9/2000</p> <p>Policies to strengthen this decree are under discussion in parliament</p>

Women's movements mobilizing at subnational level since 1998

During the New Order regime, women's NGOs were centralized in Jakarta and Yogyakarta; since the New Democratic Era, women's organizations have spread across the country, including to the provinces and districts examined in this study. In West Sumatra, the Institute for Women's and Community Empowerment (*Lembaga Pemberdayaan Perempuan dan Masyarakat*, LP2M) was established in 1995. In the 1990s, a number of other women's organizations emerged in this province such as the Indonesian Women's Coalition (*Koalisi Perempuan Indonesia*, KPI), the Women's Crisis Centre (WCC) of Women of Conscience, the Padang LBH APIK, and Women's Solidarity (*Solidaritas Perempuan*, SP).³³ In Padang city, the Women's Study Centres (*Pusat Studi Wanita*, PSW) within the local universities had existed since the New Order regime. Andalas University, IKIP (*Institut Keguruan dan Ilmu Pendidikan*) (Institute of Teacher Training and Pedagogy) and IAIN (State Institute of Islamic Studies) all have their Centres, where staff provide input based on their research to advise subnational policy makers.³⁴ The output of Women's Study Centres has fluctuated. For example the WSC at Andalas University has been largely inactive since 2012. Many of the staff at Women's Study Centres have pursued studies and other activities outside of the city causing the coordination of the centres and their activities to decline.³⁵ In the district of West Pasaman there is only one traditional women's organization called *Bundo Kanduang*, which has filled the gap caused by the absence of women's NGOs.

In West Nusa Tenggara, many organizations working with women were established in the 1990s toward the end of the New Order regime, including the Koslata Foundation,³⁶ the Panca Karsa Foundation³⁷ and the Mataram Legal Aid Foundation – Justice for Indonesian Women (*Yayasan Lembaga Bantuan Hukum Perempuan Indonesia untuk Keadilan*, YLBH PIK).³⁸ During the democratic transition, other organizations were created: the Indonesian Tunas Alam Foundation (*Yayasan Tunas Alam Indonesia*, SANTAI) with a focus both on women and children, the Indonesian Women's Coalition of West Nusa Tenggara working on women's leadership, and the Executive Board of the Mataram Women's Solidarity Community (*Badan Eksekutif Komunitas Solidaritas Perempuan Mataram*, BEK SP Mataram) that provides capacity building and community facilitation to migrant workers. The last two organizations are affiliated with national organizations.

In East Lombok, a gender equality movement emerged in early 2000s. Not all organizations under the umbrella of this movement work specifically on women. For example the People's Movement of Nature Lovers (*Gerakan Masyarakat Cinta Alam* or *Gema Alam*) focuses on environment,³⁹ the Indonesian Migrant Workers Advocacy (*Advokasi Buruh Migran Indonesia*, ADBMI) assists migrant workers, and the Partners' Resource Development Organization (*Lembaga Pengembangan Sumber Daya Mitra*, LPSDM) works on leadership and women's economic empowerment. These organizations promote the concept of “new men”—it means men who support gender equality—in collaboration with the local governmental Agency for Women's

³³ Other organizations were established to work with marginalized groups, and not limited to women (i.e. Legal Aid and Human Rights Association of Indonesia, Sumbar and Q Bar).

³⁴ Interview with Sjahridal Dahlan (academic, former head of the Women's Studies Centre at Andalas University).

³⁵ Interview with Henny Herwina (Secretary of the Women's Studies Centre Andalas University) 24 July 2014.

³⁶ See: <https://koslata.wordpress.com> (accessed on 22 April 2015).

³⁷ See: <http://pancakarsa.org> (accessed on 22 April 2015).

³⁸ See: www.apik-ntb.or.id (accessed on 22 April 2015).

³⁹ See: <https://gemaalam.wordpress.com> (accessed on 22 April 2015).

Empowerment and Family Planning (*Badan Pemberdayaan Perempuan dan Keluarga Berencana*, BPPKB).

In Jember, there were women's organizations prior to the New Democratic Era, but generally they were affiliated with universities and larger organizations led by men. The Indonesian Student Association—Women's Corps (*Korps Himpunan Mahasiswa Indonesia Wati*, KOHATI) was a part of the Indonesian Student Association, while the Indonesian Islamic Student Movement—Women's Corps (*Korps Pergerakan Mahasiswa Islam Indonesia Wati*, KOPRI) was affiliated to the Islamic Indonesian Student Movement. Local religious women's groups such as *Aisyah* (senior women) and *Nasyiatul Aisyah* (young women) were part of mass Islamic women's organizations, respectively the *Muhammadiyah* or *Muslimat* and *Fatayat Nahdatul Ulama*.⁴⁰ The 1998 mass rape of women of Chinese ethnicity triggered growth in Jember women's movements that was underpinned by critical and feminist perspectives. Since then, they have fought for gender equality, in particular against domestic violence and rape. In the early twenty-first century, the movement has flourished with new organizations like the Women's Care Movement (*Gerakan Peduli Perempuan*, GPP)⁴¹ and the Centre for Women's and Children's Protection (*Pusat Perlindungan Perempuan dan Anak*, P3A). Women's religious organizations started to develop networks with national and subnational feminist organizations. Jember women activists have raised awareness of feminist thought within their own organizations and within student organizations (Indonesian Islamic Student Movement, the Indonesian Student Association, the National Indonesian Student Movement and Presidential Instruction Schools (*Instruksi Presiden*, INPRES).

3.5 The influence of international organizations

Long before the democratic regime, Indonesia had strong relations with a number of international organizations in regard to women's issues and they influenced both state and women's movement (Robinson 2009). In 1975 Indonesia participated in consultations for the drafting of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) (Ahmad 2013). The Indonesian state ratified the Convention, encouraged by Indonesian women activists engaged in the international community. Following this, Indonesia sent an independent expert to sit on the CEDAW Committee. Since the late 1970s, the Broad Guidelines of State Policy—that underpin the government's five-year development plans—adopted discourses and concepts from international debates (Sabaniah et al. 2010). The 1973 Broad Guidelines adopted the concept of women belonging naturally to the domestic sphere; yet in the 1978 Broad Guidelines this view shifted to incorporate women in the public sphere as well. The 1978 and 1983 Broad Guidelines integrated an understanding of Women in Development (WID), while the 1988 Broad Guidelines incorporated an understanding of Women and Development (WAD). Finally, concepts of gender and development became the basis for development efforts during the last period of the New Order regime.

A number of feminist NGOs that were established during the New Order regime were supported by transnational feminist movements via networks and funding. An important regional network was the Asia Pacific Forum on Women, Law and Development (APWLD) which inspired many activists to campaign against violence against women.

⁴⁰ Interview with Sri Sulistiyani, head of the Women's Care Movement in Jember.

⁴¹ The Women's Care Movement advances environmental issues from women's perspective.

It also strengthened activists' capacity in legal analysis and advocacy for survivors.⁴² The Indonesian Women's Association for Justice and Legal Aid benefited from the participation in capacity-building training run by APWLD (LBH APIK Jakarta 2003). Thanks to this external support, the organization was then able to develop a legal analysis framework from a feminist perspective, to lead the national advocacy for gender equality policies (the Domestic Violence Eradication Bill) and for the inclusion of women's demands into National Legislatives Programmes. The association was also supported by the U.S. Agency for International Development (USAID) and Oxfam NOVIB.

In the New Democratic Era, the relationship between international women's movements and national and subnational women's movements in Indonesia grew even stronger via new discourses, funding and collaboration in advocacy processes. Indonesian NGO networks started using international normative frameworks to hold their state accountable to its obligations under international law. In 1998, the CEDAW Monitoring Network was created to collect evidence to inform the shadow reports for the CEDAW Committee. It was established by approximately 12 NGOs with the support of the International Women's Rights Action Watch—Asia Pacific (IWRAP-AP) (Katjasungkana and Hadiz 1999). Lately, the network changed its name to the CEDAW Indonesian Working Group (CWGI) and in 2012 was supported by 59 NGOs throughout Indonesia that provide data and information (CWGI 2012). Since 1995, the Beijing Platform for Action (BPfA) has influenced the development of women's rights discourse in Indonesia. The Platform raises issues that the Indonesian state had not considered before, such as state violence against women, the trafficking of women and the protection of girls (LBH APIK Jakarta 2000). During regional NGO forums in 2000, 2005 and 2010, Indonesian women's NGOs compiled shadow reports reviewing the implementation of the BPfA.

International organizations have put increasing pressure on the Indonesian state to reform gender-discriminative policies, thus reinforcing the internal advocacy (Noerdin 2013). Donors from other countries have supported the Indonesian state to act against violence, through the provision of technical assistance for policy makers, funding for workshops, and dissemination of materials and information at subnational level (Nurdiana et al. 2000). The Canadian International Development Agency (CIDA) and other donors supported the collaboration between women's organizations and the state to develop the Zero Tolerance Policy and the National Action Plan on Eradicating Violence Against Women in the early 2000s. The National Action Plan also refers to the Beijing Declaration and Platform for Action, and to CEDAW. In its first five years of operation, the National Commission for Women obtained funding from international donor organizations (Konmas Perempuan 2008).

The relationship between national and international movements has been mutually beneficial. In addition to supporting an emerging domestic movement, the international/transnational actors also pushed specific agendas in Indonesia. Gender mainstreaming was an agenda that the international community entrusted to the Indonesian government which included allocating a budget for women (gender budgeting) (Noerdin 2013; Robinson 2009). Gender mainstreaming was seen as allocating resources for women and was strongly advocated by government bodies,

⁴² Interview with Ita Fatia Nadia, women's rights activist since 1980, former member of *Kalyanamitra* and of the National Commission for Women, and currently officer at UN Women).

including the Ministry for National Development Planning, the Ministry for Women's and Children's Empowerment and the Department of Health. The Ministry for Women's and Children's Empowerment developed a Memoranda of Understanding (MoU) with subnational governments to implement gender mainstreaming programmes in 2000, which included the formation of a women's empowerment bureau under the Community Empowerment and Family Planning Agency, and the establishment of Integrated Service Centres for the Protection of Women and Children, both at district and provincial levels.

3.6 Conclusions

Four elements have influenced gender equality policy change in the New Democratic Era: (i) democratization and decentralization, (ii) the presence of women's movements, (iii) religious and cultural ideologies, and (iv) the presence/influence of international organizations. Democratization and decentralization have created significant opportunities for women's movements to advocate their agendas and to collaborate with the state, giving impetus to policy change. However, the politics of religion and culture have also strengthened, creating obstacles for gender equality policy change. The presence of national and subnational women's movements is crucial for incorporating women's rights into laws and policies. During the New Order regime, the feminist women's movements comprised only a few NGOs and academics in Jakarta and in the surrounding areas. It was only in the New Democratic Era that the movements have expanded across Indonesia. However, Indonesian women's movements are diverse (see chapter 2) and national organizations do not necessarily represent the subnational ones. In terms of areas in which women mobilize, violence against women has been the first priority, particularly at the national level. At the national level, advocacy for policy change has been very consistent, whereas at subnational level there have been ebbs and flows, which will be discussed in further detail in the following chapter. Finally, international and transnational organizations effectively supported the Indonesian state and women's movement to promote gender equality, especially during the early stages of the democratization and decentralization (2000s). They influenced the social and political context of Indonesia. On the other side, international laws such as CEDAW represent an opportunity for women's movements to hold the state accountable and to place pressure on it to promote gender equality.

The influence of these variables on mobilization to end violence against women, to regulate domestic work and to recognize unpaid care work will be analysed in detail in the next chapters.