

## Chapter 6. Unpaid Care Work: Contesting Values

### 6.1 Introduction

In Indonesia, unpaid care work, which includes tasks associated with raising children, maintaining a household and caring for elderly parents, is considered to be work for women. It is not valued or given recognition by stakeholders, including policy makers and development experts (Eridani 2012). However, as a growing number of women joins the labour market, unpaid care work has been increasingly debated, especially in terms of childcare (Dewi 2012; Nugrohandhini 2014). Data from the Central Statistics Agency (*Badan Pusat Statistik*, BPS) show a fast-growing rate for women joining the labour markets; in Jakarta, for instance, the number of women outside the labour market decreased from 43.32 per cent in 2005 to 38.77 per cent in 2010.<sup>265</sup> In many migrant families, particularly in Jakarta, both the mother and father work outside home; they often experience difficulties in raising and nurturing their children. For them, childcare could be provided by domestic workers or childcare centres. However, these two options are not always affordable for these families (Nugrohandhini 2014). This chapter seeks to analyse whether unpaid care work, especially childcare, has been sufficiently debated in public and the factors that have influenced this debate. In addition to the national level, the chapter describes the mobilization efforts around unpaid care work in three districts—West Pasaman, Jember and East Lombok, and in three provinces—West Sumatra, East Java and West Nusa Tenggara.

### 6.2 Women's organizations' initiatives at national level

Initiatives on unpaid care work at national level can be divided in two categories: (i) the provision of childcare facilities to support women workers, mostly by NGOs and religious organizations, and (ii) mobilization to change intra-household gender roles in laws and policies. In line with Fraser (1989), these initiatives represent two approaches to unpaid care work. The former aims at meeting women's needs, while the latter goes beyond and aims at changing gender roles to realize women's rights.

#### 6.2.1 Supporting women workers

The issue of childcare is a concern among NGOs, especially those that support women's rights. By using a rights-based approach, activists argue that women have the right to choose between being a housewife or joining the labour market.<sup>266</sup> These organizations believe that in both cases women workers have to be supported in carrying out their care work. In addition, they acknowledge the unequal division of labour between men and women in Indonesian society,<sup>267</sup> which derives from Marriage Law No. 1/1974 (Hadiz and Eddyono 2005). This law positions men as the head of the family, responsible for financially providing for the household, while it positions women as responsible for managing household work. In the Marriage Law, Articles 31 and 34 state that the role of women is innate and limited to work within the house. On the one hand, this law guarantees the rights of women in the domestic sphere, including joint assets during the marriage, and the obligation of men to earn an income. On the other hand, it limits women's role in the public sphere and is considered out of line with the current scenario where more women are choosing to join the labour market. Because of the phrasing of the Marriage Law, women workers experience a dual workload. According to the

<sup>265</sup> Women tend to work in the informal sector more than men. In 2010 the percentage of women in urban areas working in the informal sector was 52.98 per cent, while for men it was 50.14 per cent.

<sup>266</sup> Interviews with Wawan Suwandi (New Men's Alliance), Lilis Listiyowati (*Kalyanamitra*) and Ratna Batara Munthi (LBH APIK Jakarta).

<sup>267</sup> Interviews with Wawan Suwandi (New Men's Alliance), Zainial Abidin (ELSAM), Lilis Listiyowati (*Kalyanamitra*), Ratna Batara Munthi (LBH APIK Jakarta), Lita Anggraini (JALA PRT), Ari Sunarijati (deceased, FSPSI Reformasi, *Federasi Serikat Pekerja Seluruh Indonesia Reformasi*).

respondents interviewed, these women should be supported by the state and by the rest of the household.<sup>268</sup>

This situation has led several NGOs to adopt internal policies for their women staff, who can therefore benefit from labour rights that are so far unrecognized by the state,<sup>269</sup> including LBH APIK Jakarta, *Kalyanamitra*, the Human Rights Study and Advocacy Organization (*Lembaga Studi dan Advokasi Masyarakat*, ELSAM), and Women's Solidarity (*Solidaritas Perempuan*). These policies can include creating family-friendly workplaces for women with children aged under five, breastfeeding facilities in the office,<sup>270</sup> telework, flexible working hours,<sup>271</sup> child-friendly facilities during training sessions and work trips, and additional per diem for child carers during work trips.<sup>272</sup> The Human Rights Study and Advocacy Organization also provides paid paternity leave for one month,<sup>273</sup> which outperforms the state's provision of two-days of paid paternity leave following the birth of a child as per Labour Law No. 13/2003.

Religious organizations also work to support women in performing unpaid care work and advocate for its equal sharing within the household. For instance, the religious women's organization *Aisyiyah* adopted the concept of *sakinah* (harmonious), by which a family is harmonious if all members are protected from violence, unpaid domestic and care work is fairly divided between all family members, and they mutually respect and value each other. In addition, to support women workers from low socio-economic backgrounds, *Aisyiyah* manages approximately 5,865 kindergartens and 86 early childhood education facilities (*Aisyiyah n.d.*). On the contrary, none of the Indonesian trade unions, even when their members are mostly women, have provided childcare facilities.

Apart from the facilities provided by civil society organizations, women workers also use childcare centres provided by the private sector, community childcare centres—which sometimes operate informally in townships and villages—or leave their children with neighbours.<sup>274</sup> The latter option usually costs 25–40 per cent of the mother's salary. In Rawa, an informal settlement in West Jakarta, leaving children with neighbours for extended periods of time is a common practice.<sup>275</sup> Parents usually provide a monthly stipend, rice, oil and pocket money for the child's needs. These children usually develop a family-like relationship with their carers.<sup>276</sup>

### 6.2.2 Mobilization for policy change on intra-household gender roles

In addition to efforts to provide short-term solutions to unpaid care work, some women's organizations have lobbied the state to revise policies and laws that establish unequal intra-household division of labour between men and women. Among these organizations, the National Advocacy Network for the Protection of Domestic Workers (*Jaringan Advokasi Nasional Perlindungan Pekerja Rumah Tangga*, JALA PRT) urges

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<sup>268</sup> Interview with Lilis Listyowati, *Kalyanamitra*.

<sup>269</sup> Interviews with Lilis Listyowati (*Kalyanamitra*), Zainal Abidin (ELSAM), and Wawan Suwandi (New Men's Alliance).

<sup>270</sup> Interview with Wawan Suwandi (New Men's Alliance).

<sup>271</sup> Interviews with Lilis Listyowati (*Kalyanamitra*) and with Dinda Nuurannisa Yura (Women's Solidarity).

<sup>272</sup> Interviews with Lilis Listyowati (*Kalyanamitra*), Zainal Abidin (ELSAM), Ratna Batara Munthi (LBH APIK Jakarta), and Dinda Nuurannisa Yura (Women's Solidarity/SP).

<sup>273</sup> Interview with Zainal Abidin, ELSAM. For information about ELSAM, see <http://elsam.or.id/> (accessed 1 March 2016).

<sup>274</sup> Interview with Ari Sunarijati, *FFPSI Reformasi*.

<sup>275</sup> Field observation on 8–9 July 2014.

<sup>276</sup> Interview with RO and RQ, residents of Rawa Village and carers for neighbour's children.

the state to protect domestic workers as a way of recognizing women who work in the household (see chapter 5). On the other hand, since the 1990s, women's organizations such as LBH APIK Jakarta, Indonesian Women's Coalition and KOWANI have mobilized to abolish discriminatory gender roles in Indonesian laws (LBH APIK Jakarta 1996; Hakim 2003). Their main focus has been Marriage Law No. 1/1974, which states that "the husband is the head of the family and the wife is the homemaker" (Article 31) and was therefore considered as discriminatory (Hakim 2003; M-22/MYS 2015).

In the 1990s, KOWANI prepared a draft amendment for Marriage Law No. 1/1974 to eliminate discriminatory gender roles, and submitted the draft to parliament in early 2003. In 1998, LBH APIK Jakarta researched whether Indonesian laws legitimize discriminatory gender roles and their impact on women.<sup>277</sup> LBH APIK Jakarta's studies found that discriminatory gender roles are legitimized by the Marriage Law and reported these findings to the CEDAW Committee through the Indonesian CEDAW Working Group (CWGI).<sup>278</sup> In response, in 1998, the CEDAW Committee recommended that the Indonesian state amend all discriminatory clauses within the Marriage Law (Katjasungkana and Hadiz 1999). In the late 1990s, LBH APIK Jakarta drew attention to the importance of amending the Marriage Law, including within the Indonesian women's movement, and created a network to mobilize around this issue. However, discussions within this advocacy network stalled because of the different opinions among its members. For instance, KOWANI proposed to keep polygamy in the Marriage Law only under certain conditions, while feminist organizations suggested to get rid of it completely. Some women's religious organizations disagreed with the proposed amendment as they considered it as a way to legitimize same sex marriage. From 2000, these organizations directed their attention toward the policy process for Anti-Domestic Violence Law No. 23/2004, which was considered more likely to have a successful outcome compared to advocacy efforts for amending the Marriage Law.

From 2005 and after the approval of Anti-Domestic Violence Law No. 23/2004, LBH APIK Jakarta continued the mobilization on the Marriage Law, but the divergent views and attitudes between feminist women's organizations and other women's organizations, such as the Indonesian Women's Congress, persisted and hampered the network's initiative. Nevertheless, in 2009 the CWGI conducted a legal review of the Marriage Law in accordance with CEDAW principles and standards, and flagged the articles regarding discriminatory gender roles for men and women within marriage (see box 6.1). In 2010–2011, it also conducted several workshops and thematic discussions regarding proposed amendments to the Marriage Law, including a national workshop on 23–24 August 2010. During this workshop, the advocacy network on the Marriage Law agreed to cautiously advocate for amending the Law and to work collaboratively to build consensus within the women's movement. However, controversial issues such as polygamy and same sex marriage resurfaced, making it very difficult to achieve consensus.<sup>279</sup>

## **6.3 The state's initiatives**

### *6.3.1 The state's support to women workers*

Even without women's advocacy efforts, the Indonesian state started to pay attention to childcare in 1963, during the New Order regime, and the first programme on childcare

<sup>277</sup> Saptaningrum 1999; Wilujeng et al. 2002; Eddyono and Hadiz 2005.

<sup>278</sup> This group was also established by LBH APIK Jakarta in order to monitor the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to prepare and submit shadow reports on Indonesia to the CEDAW Committee (Katjasungkana and Hadiz 1999).

<sup>279</sup> Personal communication of the author Estu Fanani, coordinator of the Indonesian CEDAW Working Group.

was coordinated by the National Social Welfare Department (Dewi 2012). During the democratic transition, national state officers also began to see the importance of childcare for women employees in the public sector. The Ministry of Forestry opened a childcare centre in its building in 1993, both for its staff and for non-staff citizens (Ang 2007). Dharma Wanita, an organization for wives of civil servants, was also instrumental in encouraging the Ministry to provide childcare centres for employees (Nugrohandhini 2014). In 2013, this Ministry issued a circular letter to allow children in the workplace during the first week after the Eid holidays (Nugrohandhini 2014). In 2000, the General Directorate of Early Childhood Education and of Informal Education at the Ministry of Education began to develop an Early Childhood Education Programme to provide mostly pre-school activities for a few hours a day. This programme provides funding for new materials and furniture to some women's and religious organizations for their existing childcare facilities (Aisyiyah n.d.). The Ministry of Education approved Regulations No. 22/2006 and No. 23/2006 on Early Childhood Education to promote the creation of childcare facilities to support child development. Childcare is also one component of the "Child-Friendly City" programme, launched by the Ministry of Women's Empowerment and Child Protection with Regulation No. 12/2011 (Dewi 2012). In 2008, the Minister of Women's Empowerment and Child Protection, the Minister for Labour and Transmigration, and the Minister for Health signed a joint Decree on the importance of breastfeeding, requesting state institutions to provide on-site breastfeeding and childcare facilities for staff.<sup>280</sup> In 2012 the Ministry of Maritime Affairs and Fisheries built a children's playground that also served as a childcare facility and breastfeeding room for nursing mothers of its staff (Amri 2012). Once again, Dharma Wanita played an instrumental role in furthering these initiatives. Finally, the Gatot Subroto Army Hospital in Jakarta, the Department of Social Welfare, and the Office of the State Secretariat provide internal childcare facilities (M Famili Journey 2011). Nevertheless, these initiatives are not sufficient in response to growing demand from women public servants in terms of space, staffing and quality (Dewi 2012; Nugrohandhini 2014). Further, they address only the demand within the public sector, and they are not extended to the whole of society.

In November 2014, after a meeting with the Union of Muslims (*Persatuan Ummat Islam*, PUI), the Vice-President of Indonesia, Jusuf Kalla, (2014–2019) published a statement calling for a reduction of women's working hours to allow them to have adequate time to educate their children, fulfilling their role as mothers (Rastika 2014). The statement caused controversy within the state and in civil society. The Minister of Empowerment for State Apparatus agreed on the proposal (Permana 2014). However, the deputy chairperson of one parliamentary house called for an assessment of this proposal to avoid discrimination against women (Permana 2014), while the deputy chairperson of the other parliamentary house rejected the proposal as it would further discriminate against women and reinforce discriminatory gender roles in which educating children is solely a woman's responsibility (Adv 2014). Among civil society, the New Men's Alliance (*Aliansi Laki-Laki Baru*, ALB) and others opposed the proposal, and women activists rejected the statement on the grounds that the proposed policy was extremely gender biased. The dynamics of this controversy illustrate the tensions around unpaid care work, especially childcare, and women's roles. This debate highlighted that policy makers can reinforce or eliminate gender discriminatory gender roles through policies and laws. For instance, the proposal to reduce women's working hours pictures women as the sole child carer. In contrast, the Child-Friendly City

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<sup>280</sup> See <http://www.depkes.go.id/resources/download/pusdatin/infodatin/infodatin-ASI.pdf> (accessed 2 March 2016).

programme emphasizes the responsibility and the duty of both parents, as well as society and the state, to provide a good environment for child development, without reinforcing the role of women as mothers.

### *6.3.2 Response to demands to eliminate discriminatory gender roles*

Although public provision of childcare contributes to shifting childcare from women to society, Indonesian legislation, especially the Marriage Law, has not been sufficiently amended to introduce equal responsibilities and duties between women and men, as demanded by women's organizations. In 2000, the Ministry of Women's Empowerment and Child Protection drafted an amendment to the Marriage Law in response to pressure from both Indonesian women's organizations and international organizations. Prior to that, the CEDAW Committee in 1998 recommended removing all laws and policies that entrenched discriminatory gender roles, responsibilities and attributes to men and women (Katjasungkana and Hadiz 1999). In 2003, parliament discussed amendment of the Marriage Law as recommended by KOWANI, LBH APIK Jakarta and the Ministry of Women's Empowerment and Child Protection. However, parliamentary deliberations came to a halt over controversial issues such as polygamy. Later, the CEDAW Committee once again called attention to the discriminatory language in the Marriage Law in its reports to the Indonesian state in 2007 (CEDAW Committee 2007) and 2012 (CEDAW Committee 2012), but without any positive influence.

## **6.4 Mobilization around unpaid care work at the provincial and district levels**

As women's organizations' advocacy efforts around unpaid care work took off at national level, some organizations also started to address the issue at subnational level. Among the research sites, we found initiatives around unpaid care work—either to support women workers to perform child and elderly care, or to promote the equal sharing of unpaid care work—in all the provinces and districts, except for the province of East Java. In Jember, a district with one of the highest rate of out-migration, we explored a childcare initiative for children of overseas migrants (see box 6.2).

### *6.4.1 “New Men” for unpaid care work: The case of East Lombok*

At the time of research, the district of East Lombok had no policies on unpaid care work. Research participants preferred not to use the term “care”, which they considered unfamiliar, and defined it as tasks related to childcare performed on an unpaid basis within the family. As discussed in chapters 4 and 5, policies in this area were usually adopted in response to events and specific cases that attracted the attention of the public and the state, and which proved women's demands on a certain issue to be right. This was valid for migrant workers, domestic violence and sexual assault. So far, however, the issue of unpaid care work remained out of the news and thus was not considered important. Generally, mothers manage childcare, and because of the high level of out-migration, fathers also care for children. When neither of the parents can undertake this work, it is outsourced to a childcare worker or to a member of the extended family (grandparent, aunt or uncle) with the aim of mutually supporting each other.

In this context, the People's Movement of Nature Lovers and the Advocacy Organization for Indonesian Migrant Workers work to raise awareness and foster understanding of intra-household equal gender roles. To some extent they were successful in encouraging the equal sharing of unpaid work between husbands and wives. The two organizations are not women's organizations per se, but they began to include women in their activities in 2009 after joining a programme on gender equality, and growing recognition of the importance of integrating women in activities related to migration and to natural resources

management run by the women's organization *Rifka Annisa*.<sup>281</sup> In 2012, the two organizations together with the New Men's Alliance promoted the programme "Men Care" (*Laki-Laki Peduli*) to involve men in the campaign for gender equality. The programme promotes the idea of a new masculinity identity that is different from the "traditional" one. The "new man" adheres to principles of gender equality and equity, non-discrimination and no violence.<sup>282</sup> Male community organizers were invited to join the programme and to create community forums to promote the "new men's" principles through formal and informal discussions and special events/campaigns, such as the 16 Days of Activism against Gender-Based Violence Campaign. Initially, the idea of "new men" was challenged by the general public, religious leaders, and community leaders as they saw it as a way to create men with no self-esteem, and to push both women and men to oppose religious teachings.<sup>283</sup> Over time, however, these challenges and opposition decreased. An increasing number of men currently support the Alliance, implementing the idea of "new men" in everyday family life, especially when women migrate.<sup>284</sup> Further, organizations providing childcare have also started to recruit men and have adopted internal policies to favour paternity and promote men's engagement in unpaid care work. For instance, the People's Movement of Nature Lovers has introduced a policy of two-week paternity leave.

During the research fieldwork, the East Lombok Agency of Women's Empowerment and Family Planning stated that the subnational government was planning to host a public consultation on unpaid care work.<sup>285</sup> In 2015, the Agency set up childcare facilities, special toilets and breastfeeding facilities in public markets after demands raised by some women activists to include these facilities in the Development Plan approved in 2014.<sup>286</sup> Prior to that, the subnational state opened in 2009 "breastfeeding corners" equipped with baby change facilities in public spaces, such as parks and in public hospitals.<sup>287</sup>

#### 6.4.2 Province of West Nusa Tenggara: Care as a new issue

As in East Lombok, "unpaid care work" was a new term among the research respondents in West Nusa Tenggara, although they have mobilized on childcare. Opinions from the respondents were diverse. Some questioned the term and the mobilization around it and whether it is a way to quantify or monetize the role of wives within the home, especially in regard to childcare. The idea to monetize women's unpaid care work was opposed by those sceptical about introducing monetary values within the scope of the family.<sup>288</sup> Most of the research participants agreed that women's dual burden of paid work and work in the house is an important issue to raise, although they do not use the term "unpaid care work". They see ways to mobilize around it through NGOs and other civil society organizations from a women's rights perspective and the equal sharing of domestic responsibilities.<sup>289</sup> On the contrary, the provincial

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<sup>281</sup> Interview with Muhammad Juani, Organization for Indonesian Migrant Workers.

<sup>282</sup> See <http://lakilakibaru.or.id/tentang-kami/prinsip-alb/> (accessed 6 March 2016).

<sup>283</sup> Interviews with Muhammad Juani and with Roma Hidayat, activists from the Organization for Indonesian Migrant Workers.

<sup>284</sup> Interviews with Muhammad Juani and with Roma Hidayat, activists from the Organization for Indonesian Migrant Workers.

<sup>285</sup> Interview with Hajah Sumantrial, staff from the East Lombok Agency for Women's Empowerment and Family Planning.

<sup>286</sup> Interview with Hajah Sumantrial, staff from the East Lombok Agency for Women's Empowerment and Family Planning.

<sup>287</sup> Interview with GQ, NGO activist.

<sup>288</sup> Interview with AY and RD, NGO activists.

<sup>289</sup> Interview with QG, KZ, ZC and JL, NGO activists.

state focuses only on women's economic contribution to the labour market, and therefore seeks to find ways to allow them to manage both paid and unpaid work. For instance, Governor Regulation No. 9/2012 establishes the responsibility of public and private companies to provide breastfeeding rooms to allow women to breastfeed their children up to six months, without interrupting their work.

#### 6.4.3 Caring for parents and children in West Sumatra province and in West Pasaman district

The issue of unpaid care work, especially care for children and the elderly, emerged during interviews with research participants from West Sumatra and West Pasaman. In West Sumatra, the state has set in place a programme for elderly people since 1980, which includes recreational activities and nursing homes.<sup>290</sup> From 2009 to 2010, the state conducted training sessions for in-home care workers to assist elderly people, however this initiative was not successful.<sup>291</sup> For childcare, the West Sumatra Islamic Court provided breastfeeding facilities on their premises, but it is the only example.<sup>292</sup>

In West Pasaman, particularly in urban areas, there are childcare centres but they are not widely used as families prefer leaving children with their relatives.<sup>293</sup> In the past, within Minangkabau families, children were left to the care of the women in a common house, and the uncle—mother's brother, *mamak*—provided for the needs of nieces and nephews, including their education (Abidin 2008). Women were also responsible for elderly care. In terms of the economic cost for elderly care, while many of the research participants stated that this was a shared responsibility, in reality female members of the extended family funded it.<sup>294</sup> Male members do not contribute, meaning that elderly care in Minangkabau society is entirely the burden of women members of the family (Indrizal 2005).<sup>295</sup> However, Minangkabau people have undergone a cultural shift and nowadays families tend to be nuclear, in which the husband is seen as the family head and is fully responsible for the wife and children. Several research participants affirmed that daughters and daughters-in-law are expected to care for the elderly<sup>296</sup> and this is currently justified by gender stereotypes such as the “natural” attitude women are supposed to have for caring: “There is the issue of patience, women have more patience [to care]. Well, in most cases, care of elderly parents in the [*Minangkabau*] society is undertaken by women, not men. However if they live with their son, it is their daughter-in-law who will care for them. It's usually so.”<sup>297</sup>

According to respondents, religious and customary norms influence and justify discourses about families' responsibility and in particular women's and girls' responsibility to care for the elderly.<sup>298</sup> In West Pasaman, women are seen as the first carer for their parents and their in-laws. Transferring this responsibility to other individuals is seen as acceptable only if she joins the labour market and any other female member of the extended family can care for them. In this case, siblings must

<sup>290</sup> Interview with Desi Mufianti, Director of Harmonia and NGO activist in West Sumatra, during a focus group discussion, 23 July 2014.

<sup>291</sup> Interview with Putri Yenfani, NGO activist.

<sup>292</sup> Interview with Rina Noverya, Padang Legal Aid Institute, during a focus group discussion, 23 July 2014.

<sup>293</sup> Interview with Rina Noverya, Padang Legal Aid Institute, during a focus group discussion, 23 July 2014.

<sup>294</sup> Women used inherited property and wealth to provide for elderly people. This inheritance was considered as a form of social security for the entire extended family. In case of elderly people without children, their nieces were responsible for their care.

<sup>295</sup> See [http://id.wikipedia.org/wiki/Orang\\_Minangkabau](http://id.wikipedia.org/wiki/Orang_Minangkabau) (accessed 1 March 2016).

<sup>296</sup> Interview with Rina Noverya, Padang Legal Aid Institute, during a focus group discussion, 23 July 2014.

<sup>297</sup> Firdaus, Head of the Indonesian Legal Aid Association of West Sumatra, during a focus group discussion, 23 July 2014.

<sup>298</sup> Interviews with Tanti Herida, NGO activist, and with Yeyen Kiram, staff of the Agency for Women's Empowerment and Family Planning at Limpapeh, West Sumatra.

bear the financial cost of paid care service.<sup>299</sup> Providing care for parents is seen as a religious and cultural obligation.<sup>300</sup> Because of these religious and customary perceptions, elderly nursing homes are rarely used by West Pasaman families as their use would be an insult to their parents.<sup>301</sup>

## 6.5 Conclusions

In Indonesia, unpaid care work emerged in public debate in the early 2000s, in parallel with the strengthening of the women's movement and a growing number of women entering the labour market. At national level, an increasing number of initiatives from the state assist women civil servants to perform unpaid childcare; concurrently, a growing movement advocates for the equal sharing of unpaid care work within the household, and the amendment of the Marriage Law that legitimizes discriminatory gender roles within the family. Men's organizations are involved in this mobilization supporting women's groups. At subnational level, we found similar initiatives, again based on the specific contextual features of each research site. For instance, in a village in Jember, an organization is mobilizing to assist left-behind children, because of the high rate of out-migration (see box 6.2); while in East Lombok, the New Men's Alliance works with men to promote different models of masculinity. Some of the initiatives addressing unpaid care work question the existing intra-household gender roles and promote a shift to see unpaid care work as both women's and men's responsibilities. However, these mobilizations remain weak and are contested.

### Box 6.1: Proposal for Amending Marriage Law No. 1/1974

In 2010, the advocacy network for the Marriage Law led by LBH APIK Jakarta and the CEDAW Indonesian Working Group proposed to amend Marriage Law No. 1/1974 to eliminate clauses that legitimize discriminatory gender roles. Below are their proposed amendments.

#### Marriage Law No. 1/1974

##### Chapter IX: Rights and Obligations of the Two Partners

##### Article 30

- (1) Each partner has the same rights and obligations within the household and in society.
  - (2) Each partner has equal roles and responsibilities within the household.
- Each partner, either individually or collaboratively, has the right to legal action.

##### Clarifying Clauses:

Public life includes participation in social, economic/labour, political and leisure activities.

##### Article 31

- (1) Each partner has the equal right and obligation to mutually respect, protect, value, support, and be faithful to the other.
- (2) Each partner has the equal right to work and participate in the society.
- (3) Each partner has the equal right and obligation to fulfil household duties in accordance with ability.
- (4) Each partner has the equal right and obligation to manage household tasks.

<sup>299</sup> Interviews with Tanti Herida, Indonesia Women's Coalition, and with Yeyen Kiram, staff of the Agency for Women's Empowerment and Family Planning at Limpapeh, West Sumatra.

<sup>300</sup> Interview with Yeyen Kiram, staff of the Agency for Women's Empowerment and Family Planning at Limpapeh, West Sumatra.

<sup>301</sup> Interview with Putri Yefani, NGO activist.



**Box 6.2: Providing community-based care for children of overseas workers: The case of Ledokombo, East Java**

Ledokombo is a village within the Regency of Jember, East Java, and its habitants are predominantly of Madurese ethnicity. The livelihood in this area is based on agriculture, informal small trade and the opportunities offered by the public sector. Because of the lack of employment, many residents have migrated, mainly to Bali, or overseas toward the Middle East, Malaysia, Singapore, Taiwan and Hong Kong. Most women who migrate are married and have children, who are left with their fathers. When both parents migrate, children are left with relatives—grandmothers, uncles or aunts, or rarely to neighbours. Parents send them remittances to provide for their children's needs. Often, the quality of care provided to these children depends on the amount of the remittances the carers receive.<sup>302</sup> It was found that if remittances are paid regularly, the children receives good care. On the other hand, if they decrease, children are often neglected. In some cases, remittances are spent on other uses rather than on children's needs, for instance for a second marriage (Velayanti 2014). Further, left-behind children have been found to run the risk of dropping out schools or becoming victims of abuse from adults or from their peers.<sup>303</sup>

In many cases, the state and institutions such as religious organizations do not consider these children as children in need of assistance. In this context, a group of volunteers made up of teachers, students and others created a recreational space—*Tanoker*—for left-behind children. They consider these children as social orphans, entitled to receive attention and benefits from the community, and strive to guarantee them their rights to education, play, leisure and childhood. *Tanoker* staff also collaborate with the NGO Migrant Care. Together, they advocate for policies at village level to address migration and left-behind children and raise awareness on these issues. Over time their advocacy has been successful. Village Law No. 6/2014 allocates a budget for educational and recreational services for left-behind children.

<sup>302</sup> Interview with Dr. Suporahardjo, head of Tanoker.

<sup>303</sup> See <http://id.Tanoker.org/index.php/profil.html> (accessed 1 March 2016).