

Chapter 7. A Comparative Analysis of Women's Mobilization

7.1 Introduction

This chapter compares the findings described in the previous chapters across issues (violence against women, domestic workers' labour rights, unpaid care work) and across governance levels (national, provincial and district). The following variables are compared:

- i. actors (leading actors and supporters), their claims and strategies;
- ii. opponents, their claims and strategies;
- iii. the state's response;
- iv. how the contextual features influenced women's mobilizations.

National and the subnational mobilizations for each policy issue are compared first; the second part considers similarities and differences across policy issues.

7.2 Ending violence against women: A comparison across national and subnational mobilizations

7.2.1 Who mobilizes for policy change to end violence against women?

Our findings confirm Mazur's (2009) argument that women's movements are the key political actor to initiate advocacy processes for gender equality policies. Indonesian women's organizations were crucial in triggering processes of policy change on violence against women at all governance levels. They led campaigns to criminalize domestic and sexual violence and to guarantee women's rights to bodily and sexual autonomy (see tables 7.1 and 7.2). The national movement to criminalize domestic violence was led and coordinated by a feminist legal aid organization that assists victims of violence, the Women's Association for Justice and Legal Aid (LBH APIK Jakarta). Activists working with LBH APIK Jakarta are mainly lawyers and paralegals, but also scholars. Local offices of LBH APIK in West Nusa Tenggara and East Lombok started the mobilization for subnational regulations to eradicate violence against women. Religious women's organizations played a crucial role in East Java and in Jember; although their scope is providing assistance to women in general, they made violence against women one of their priorities. In the district of Jember, apart from religious women's organizations, female students and scholars from local universities also coordinated mobilizations.

Once women's organizations started mobilizing on violence against women, they often expanded their base of consensus and support, and gained wider visibility by establishing networks with other women's organizations or other civil society organizations, such as human rights, child rights, etc. These broad alliances usually became the main actor driving change and were able to strengthen the visibility of the mobilization. For instance, the Advocacy Network to Eradicate Domestic Violence (JANGKA PKT) was the key actor in the mobilization against domestic violence and the first interlocutor of the national state during the entire policy process. This network expanded first to women's organizations, and second to religious and customary organizations, human rights organizations, political parties, etc. In East Lombok, LBH APIK coordinated a network of NGOs that are not specifically women's organizations, such as the Advocacy Organization for Indonesian Migrant Workers, the People's

Movement of Nature Lovers and the New Men's Alliance. Another powerful network of women's and child rights' organizations was crucial during the policy process in Jember.

In mobilizing around violence against women, national and subnational women's movements tended to be cohesive. For instance, no organization within the movement opposed the legislative proposal for a national law against domestic violence. Consensus on the contents of the draft Bill presented by LBH APIK Jakarta was built effectively through consultations over a few years. On domestic violence, what united women's organizations was that all women—irrespective of their religion, class, etc.—are affected by domestic violence as women, confirming Htun and Weldon's (2010) hypothesis on gender status as a policy issue. Further, women opposed the doctrinal take on domestic violence as a private issue and together sought to bring it into the public sphere, questioning intra-household gender relations that legitimize violence against women. However, the national movement split during the policy process for the Anti-Pornography Law, 2008, between the women's organizations that promoted the legal ban of pornography as a way to protect women and children from both sexual violence and moral decline, and those who saw the legislative proposal as a way to control women's bodies and sexuality, and therefore as regressive legal framing. Further, the NGOs networks in East Java and Jember were considerably weakened by internal conflicts among members in relation to which claims to prioritize and which advocacy strategies to use. On occasion, these conflicts resulted in some members withdrawing and forming new alliances. These examples from both national and subnational mobilizations confirm our hypothesis that the women's movement is diverse and heterogeneous (see chapter 2). Women have different understanding of gender equality and therefore have different claims and strategies (Blackburn 2004). Further, solidarity among women's organizations cannot be taken for granted as women's organizations have different interests and may be opponents during the policy process, instead of being supportive of each other (Fraser 1989). As mentioned in chapter 2, Indonesian women's movements can be distinguished by the ultimate goal of their mobilization: (i) challenging the patriarchal system, (ii) supporting the patriarchal system, (iii) or positioned somewhere in between these ideologies. This ideological distinction was particularly evident during the policy process for the Anti-Pornography Law, 2008.

In addition to women's organizations, national and subnational policy change to end violence against women was sometimes initiated by state actors, even if to a lesser extent compared to women's organizations. These state institutions have a specific mandate to work on violence against women or on women's rights. The National Commission for Women has the mandate to advise the state on how to address violence against women. In the early 2000s, its members, mainly coming from social movements, took advantage of their strategic position within the state to strongly advocate for a national law against domestic violence and worked closely with women's organizations. The Agencies for Women's Empowerment and Family Planning in East Lombok and West Sumatra initiated advocacy efforts for subnational regulations on violence against women. In the district of West Pasaman, the leading actors of the advocacy process were women police officers from the Women's and Children's Protection Unit, together with the local Agency for Women's Empowerment and Family Planning. These findings imply that the presence of women who advocate for women's rights within state institutions might have a crucial role in influencing processes of policy change.

Finally, at subnational level, other actors advocating for the elimination of violence against women are customary women leaders, as was found in West Pasaman, and activists from religious organizations and from universities, as in the case of Jember district and East Java province.

Advocacy at a national level encouraged movements at a subnational level. Some advocacy was initiated by local governments but only after prompting from the national level, as was the case in West Sumatra, or at the urging of local organizations, as was the case in East Lombok.

Table 7.1: Comparative analysis of the national mobilization around violence against women

Mobilization	Actors		Demands		Strategies		State's Response
	Supporters	Opponents	Supporters	Opponents	Supporters	Opponents	
<i>Domestic violence</i>	<p>Women's organizations</p> <p>Women's sections within religious organizations, political parties, judicial bodies and parliament</p> <p>Professional women such as journalists</p> <p>National Commission for Women</p> <p>Ministry of Women's Empowerment</p>	<p>Some members of parliament</p> <p>Some religious leaders (especially on criminalization of marital rape)</p>	<p>A national law against domestic violence</p>	<p>Refuse a national law on domestic violence</p> <p>Refuse the criminalization of marital rape</p>	<p>Gain support from religious and customary organizations</p> <p>Use specific cases of violence against women</p> <p>Use the momentum of direct elections</p> <p>Advocate within institutions and organizations</p>	<p>NA</p>	<p>Approved Anti-Domestic Violence Law No. 23/2004 including most of women's demands</p>
<i>Anti-Pornography</i>	<p>Muslim religious organizations</p> <p>Women's organizations</p> <p>Women's sections within religious organizations</p> <p>Children's organizations</p> <p>Ministry of Women's Empowerment</p> <p>Political parties and members of parliament</p> <p>Public figures</p>	<p>Islamic and Christian women's organizations</p> <p>LGBTI organizations</p> <p>Customary organizations</p> <p>Members of parliament</p> <p>National Commission for Women</p>	<p>A national law to ban pornography to protect future generations and women from moral decline</p>	<p>Reject the proposal as it criminalizes women and adopts a morality approach to address pornography</p>	<p>Lobby policy makers</p> <p>Campaigns</p> <p>Demonstrations</p>	<p>Lobby policy makers</p> <p>Campaigns</p> <p>Demon-strations</p>	<p>Approved Anti-Pornography Law No. 48/2008 including some demands from both supporters and opponents</p>
<i>Sexual violence</i>	<p>Women's organizations</p> <p>Academics</p> <p>Religious leaders</p>	<p>Public figures</p> <p>Government officials</p> <p>Parliament members</p>	<p>A national law against sexual violence</p> <p>Reforming the judicial procedure to guarantee victims' access to justice</p>	<p>Reject the proposals by blaming victims of sexual violence</p>	<p>Campaigns</p> <p>Demonstrations</p> <p>Publication of studies and researches on sexual violence</p>	<p>Publish statements through mass media</p>	<p>Discussion on how to address sexual violence against children</p>

Table 7.2 – Comparison among subnational mobilizations to end violence against women

	Province of West Nusa Tenggara	District of East Lombok	Province of East Java	District of Jember	Province of West Sumatra	District of West Pasaman
<i>Leading actors</i>	LBH APIK (feminist organization)	Agency for Women's Empowerment and Family Planning NGOs	NGOs Religious organizations students	Students and scholars Religious organizations	Governor Agency for Women's Empowerment and Child Protection	Police personnel Government Customary women leaders (<i>bundo kandung</i>)
<i>Supporters</i>	Women's NGO Network Customary leaders Agency for Women's Empowerment and Child Protection	Customary leaders Religious leaders	Government members Members of parliament	District mayor (2000–2005)	NGOs Customary leaders Members of parliament	none
<i>Opponents</i>	Some religious and customary leaders	Some religious and customary leaders	Some government members Members of parliament from Islamic parties	District mayor (2005–2010) Members of parliament	Some customary leaders	None

7.2.2 Mobilizing strategies used by women's organizations

Across governance levels, women's organizations used different strategies to mobilize and gain visibility and support (see table 7.3 for the strategies at subnational level). The choice of which strategy was used depends on the demands women raise. Four common strategies across the research sites have been identified.

Gaining support from religious and customary organizations

Religious and customary organizations and leaders play a crucial role in both political and everyday life in Indonesia; national and subnational women's organizations therefore strategically sought their support in order to advance their demands. As violence against women, especially domestic violence, is both a doctrinal and a gender status policy issue, its regulation through secular legislation can challenge religious and/or customary values and norms, including the religious interpretation of the relationships between husbands and wives. JANGKA PKTP included religious leaders—both Islamic and Christian—as a way to prevent their opposition during the policy process for the Anti-Domestic Violence Law, 2004. Gaining support from religious and customary organizations was even more important at subnational level, where these organizations are even more influential than the state. Therefore, in East Lombok and West Nusa Tenggara, women activists asked for support from the most influential Islamic organization, *Nahdatul Ulama*, and other religious leaders to lobby subnational assemblies for regulations to protect women and children from violence. In mobilizing against sexual violence against girls and women through the customary practice of elopement, *merariq*, women activists first started a dialogue with customary leaders to understand their opinions and eventually gain their support. The framing of claims through interpretations that suit religious and customary principles and norms was crucial in gaining support from religious and customary organizations. For instance, many Muslim activists use the concept of *sakinah* (harmonious) family from the Koran to justify the need to end domestic violence.

Using specific cases of violence against women

Another similarity between national and subnational mobilizations is the use of cases of violence against women to mobilize support. At national level, data collection and case examples were effective in drawing societal attention to domestic violence and provided powerful ammunition to influence policy makers. In East Lombok and West Nusa Tenggara, cases of violence against children, including cases of *merariq*, raised societal concern, and by using these facts the local movement for a subnational regulation to end violence was able to gain the support of religious and customary leaders. In West Sumatra, data on the incidence of violence against women was submitted to the provincial governor to raise awareness on this issue. In Jember, the mass incidents of rape during the May 1998 riots triggered activists to mobilize through networks, to assess the problem of domestic violence, to urge the government to establish Women's Crisis Centres and Centres for Protection of Women and Children, and to approve regulations to protect women and children.

Using the momentum of direct elections

The political momentum of elections was used by some leading actors at both national and subnational levels. The national movement against domestic violence urged President Megawati to authorize parliamentary discussions on the Anti-Domestic Violence Bill during the presidential election campaign in 2004. President Megawati conceded to this demand in order to retain the votes of women's organizations and of women more broadly. During the 2008 governor elections in West Nusa Tenggara the women's movement declared they would support the candidates who committed to

working with women's rights activists by signing a symbolic contract. Likewise in East Lombok, the collaboration between NGOs and the parliament facilitated the progress of the advocacy process. In the elections in East Java, the women's movement directly lobbied the candidates as member of parliament from the strongest party, the National Awakening Party.

Advocacy from within institutions and organizations

An important strategy was working with individuals that could champion women's demands within state institutions or other organizations. Women in the national parliament contributed to the success of the mobilization for a national law against domestic violence by lobbying other parliamentarians and their political parties. Women activists within national wide religious organizations such as the Council of Churches in Indonesia (*Persekutuan Gereja-Gereja di Indonesia*, PGI) and *Fatayat Nahdlatul Ulama* also influenced their respective organizations from within. As a result, the PGI reached out to people affiliated to their organization to gain their support and conducted internal seminars, inviting activists from LBH APIK Jakarta and the National Commission for Women. *Fatayat Nahdlatul Ulama* obtained the support of the overarching organization *Nahdlatul Ulama*. Advocacy from within was a strategy used in East Lombok, Jember and West Pasaman, where individuals within governments and parliaments lobbied and demanded subnational regulations for the protection of children from violence.

Apart from these four similar strategies, activists used strategies tailored for the specific context and issue they mobilized around. The national movement opted for effective strategies to raise societal awareness and to gain the attention of the mass media, such as the involvement of victims of violence who shared their stories. A widespread campaign to raise societal awareness was conducted simultaneously with lobbying activities toward key stakeholders. The advocacy network gradually expanded and consultations among civil society organizations were frequently held to discuss claims and plan campaigns together. Their mobilization was successful because of the wide scope and influence of the national advocacy network. In Jember, the women's movement was underpinned by personal links with the mayor, through the first lady. Similarly, in West Pasaman customary women leaders and individuals in government personally approached the mayor. Using personal connections is an effective strategy only when the presence and the capacities of the women's movement are strong. However these personal connections were not sustainable in terms of long-term impact. In Jember, the mayor strongly supported women's demands, but when a new mayor was elected, the women's movement was excluded from the policy process due to their personal connection with the previous mayor.

Table 7.3: Comparison among demands and strategies to end violence against women at subnational level

	Demands		Strategies	
	Supporters	Opponents	Supporters	Opponents
<i>Province of West Nusa Tenggara</i>	Protection of women and children against violence	Reject demands that challenge religious and/or customary practices (including ban of child marriage, equal intra-household gender roles)	Dialogue with religious and customary leaders Publish data and case studies Use the momentum of direct elections Create an advocacy network Adopt a wide definition of violence against women	Press release and use of the mass media Host seminars and meetings
<i>District of East Lombok</i>	Protection of women and children against violence protection of girls from <i>merariq</i> (elopement)	Reject demands that challenge religious and/or customary practices (including ban of child marriage, equal intra-household gender roles) Refuse to link the practice of <i>merariq</i> to violence against women and girls	Support policy makers in drafting the regulation to end violence against women Host meetings to dialogue with religious and customary leaders Refer to Anti-Domestic Violence Law No. 23/2004 and subnational state's obligation to implement such law Adopt a wide definition of violence against women	Statements against the mobilization
<i>Province of East Java</i>	Protection of women from domestic violence	Reject demands because of the lack of a national legal framework	Raise cases of violence against women Lobby the <i>Muslimat Nahdlatul Ulama</i> , one of the largest Islamic organizations Refer to Anti-Domestic Violence Law No. 23/2004 and subnational state's obligation to implement such law Support policy makers in drafting the regulation to end violence against women Adopt a wide definition of violence against women	Statements against the mobilization
<i>District of Jember</i>	Establish an Integrated Services Centre for victims of violence coordinated by NGOs and funded by the state Approve a subnational regulation on the protection of women and children	None	Publish data and case studies Lobbying the mayor through personal connections Refer to Anti-Domestic Violence Law No. 23/2004 and subnational state's obligation to implement such law Adopt a wide definition of violence against women	Exclusion of civil society from the policy process and from the management of the Integrated Services Centre

<i>Province of West Sumatra</i>	Protection of women and children against violence	Reject demands that challenge customary practices (including. equal intra-household gender roles)	Consult subnational parliament, national state actors (National Commission for Women) and civil society Refer to Anti-Domestic Violence Law No. 23/2004 and subnational state's obligation to implement such law	Statements against the initiative
<i>District of West Pasaman</i>	Approve a subnational regulation on the protection of women and children Free forensic medical services for victims of violence	None	Network with organizations working on women's rights Advocate from within state institutions	None

7.2.3 Opponents, claims and strategies

Advocacy is a political process and thus any mobilization is likely to cause a reaction from opponents (Fraser 1989). Violence against women can be considered as a doctrinal policy issue since its criminalization challenges entrenched cultural and religious values surrounding the issue. We observed that the degree of resistance to policy change to end violence against women varies across national and subnational levels because of the nature of the claims raised by advocates. During the policy process for the Anti-Domestic Violence Law No. 23/2004, criminalization of marital rape met with strong opposition from several stakeholders, including members of parliament and the Ministry of Religious Affairs. Opponents also lobbied individual members of parliament for adopting the definition of marriage as per the Marriage Law No. 1/1974, which only recognizes heterosexual marriages recorded with the state. The opposition—mainly religious leaders and policy makers affiliated to religious parties—to advocacy efforts for criminalization of sexual violence is more complex because women’s organizations adopted different strategies and articulated the issue in different ways. We observed that when the victims of sexual violence are children, there is generally less opposition from state actors compared to cases of sexual violence against adult women. Opponents associated sexual violence against women to discourses of morality and conduct of the victims, with arguments similar to those used for the anti-pornography proposal. According to these arguments, if a woman violates norms and decency as stipulated by religion and culture—such as the way she dresses or in her relations with men³⁰⁴—she deserves to be sexually abused or assaulted. This “victim-blaming” discourse is a challenge for the women’s movement, especially when it is used by state officers. During the research fieldwork, we did not identify whether there is opposition within the women’s movement because mobilization against sexual violence was at that time ongoing.

The anti-pornography legislative proposal met very strong opposition from feminist organizations as well as from other civil society organizations. The debate was centred on issues of women’s morality. Those who supported the legislative proposal linked pornography to women without morality who practice pornography, and with consumers who commit sexual violence. Opponents of this proposal instead framed pornography not as an issue of morality, but as a form of women’s exploitation and trafficking. In this policy process, both movements claimed to protect women and children, but they had different framings: supporters used arguments based on the protection of women’s morality, while opponents used arguments relating to the protection of women’s rights. Both movements employed similar strategies: lobbying policy makers, approaching mass media, and launching nationwide campaigns.

At subnational level, the strength of the opponents depended on whether local political leaders supported women’s movements. In West Sumatra, West Nusa Tenggara and Jember, governors and mayors supported women’s claims to end violence against women and children, therefore the resistance from government, parliament, religious and customary leaders was low. For instance, after the National Commission for Women informed the West Sumatra province of the high rate of violence against women, the governor and the Agency for Women’s and Children’s Empowerment found almost no opposition while drafting a subnational regulation to address the issue.

³⁰⁴ As per the case of the widow from Aceh who was accused of adultery because she invited a man into her house. Report by the National Commission for Women. (Komnas Perempuan 2015; chapter 4).

7.2.4 Response of the state

The state's response to women's claims varies because of two factors. First, the state is not a monolithic entity. The research findings reinforce Blackburn's (2004) argument that the Indonesian state consists of multiple institutions that are comprised of diverse actors and interests. For instance, in response to the movement for the Anti-Domestic Violence Law No. 23/2004, the government held conflicting views about whether to support or oppose the legislative proposal. The Ministry of Women's Empowerment supported it, yet the Department of Religion objected to the definitions of violence and family as proposed by advocates. In addition, the president did not consider the Bill as a priority initially. Similarly, the Ministry of Religious Affairs supported the anti-pornography legislative proposal, while President Megawati did not. However, diversity within government in subnational regions was not as significant as at the national level. Generally, in subnational areas policy makers tend to follow the local leadership (governor or mayor), as illustrated by the cases of West Sumatra, West Nusa Tenggara and Jember. Yet different opinions tend to emerge when the local political leader does not have a clear position in relation to the women's movement. In East Java, for example, the governor did not have a strong opinion on women's claims to end violence against women and thus local Islamic parties developed different arguments and opinions. Therefore, women's movements at the local level relied on a strategy of lobbying via personal connections.

Second, the degree of pressure from activists (either opponents or supporters) influences the state actors' response. The state tends to positively respond to women's claims when their advocacy is strong. For instance, the national movement against domestic violence was very strong and had almost no opposition. Despite the different opinions within parliament and the opposition from the Ministry of Religious Affairs, the societal push for the passage of the anti-domestic violence Bill was extremely strong. Thus, parliament and government accommodated most of the demands of the movement. Conversely, if advocates and opponents are equally strong, as in the case of the Anti-Pornography Law, the state tends to compromise between both sides by accommodating some demands and rejecting others.

7.3 Comparison of national and subnational advocacy processes for the protection of domestic workers

Mobilization for the protection of domestic workers is ongoing. Both at national and subnational levels, few organizations mobilize for domestic workers' labour rights; often, these organizations mobilize on behalf of domestic workers, where the process of unionization has been very slow. Moreover, neither the national state nor the provinces or districts have taken concrete action to address the demands raised by activists after more than 10 years of struggle. Mobilization was initiated by a national NGO network, the National Advocacy Network for the Protection of Domestic Workers (*Jaringan Nasional Advokasi Perlindungan Pekerja Rumah Tangga*, JALA-PRT) in 2004; this movement later spread to several subnational areas, particularly at provincial level. Yet national and subnational mobilizations have different features. The national mobilization is stronger, more intense and stable, largely due to the leadership of the JALA-PRT, which changed its strategies over time. Subnational mobilization has taken place mainly in the provinces of West Nusa Tenggara and East Java, while there has been virtually no action in the other subnational areas of the research. Moreover, even in these two provinces, the advocacy efforts have been less stable and irregular, and mobilization at provincial level did not extend down to district level. Furthermore,

subnational organizations have mostly reacted to specific cases as they appeared in the media, and mobilization efforts waned after these incidents left the spotlight.

7.3.1 *Leading actors, claims and strategies*

The leading actors advocating for the protection of domestic workers are relatively homogeneous as they predominantly originate from women's NGOs, confirming that the presence of women's organizations is crucial for mobilization. In East Java, the local ILO office also played a leading role in raising awareness around working conditions of domestic workers (see section 7.3.4), whereas state institutions have been slow to start any initiatives (see section 7.3.3). At the national level, JALA-PRT is comprised mainly of NGOs that provide legal aid and assistance to victims of domestic violence. Indeed, their mobilization started in response to the increasing rate of violence against domestic workers and also to the lack of research on these cases. This network then established contacts with subnational movements across the provinces, such as the People's Advocacy Institute for Democracy (*Lembaga Advokasi Rakyat untuk Demokrasi*, LARD), LBH APIK West Nusa Tenggara, Savvy Amira, and Women's Pro-Democracy Committee (*Komite Perempuan Pro Demokrasi*, KPPD). These connections were facilitated because of their previous collaboration during the policy process for the Anti-Domestic Violence Law No. 23/2004. In addition, subnational activists joined national mobilization efforts by addressing cases of violence against domestic workers.

The demands raised by national and subnational organizations are the same: regulation of domestic workers' labour rights and their recognition as workers. However the policies they advocate and the strategies they use are different. JALA-PRT urges the state to adopt a national law and to ratify ILO Convention No. 189/2011. The network demands a minimum wage standard, leave entitlements, limitation on working hours and the rights recognized for other workers. It mostly lobbies the parliament and the government. Strategies adopted so far include: demonstrations in Jakarta; a lawsuit against the Indonesian state for being unable to protect a specific group of citizens, the domestic workers; and using international normative frameworks to hold the state accountable. At subnational level, claims are the same (except for the ratification of the ILO Convention), but the strategies used to make sure that domestic workers' rights are included in the political agenda are different. For instance, advocates plugged their claims in other mobilization efforts such as the protection of informal workers in East Lombok, or protection of children from child labour and women from violence in East Java. However, even when claims on domestic workers' rights are adopted, the regulations on these other issues do not cover domestic workers adequately.

Table 7.4: Comparison of actors and their demands for domestic workers' protection across national and subnational levels

	At national level	Province of West Nusa Tenggara	District of East Lombok	Province of East Java	District of Jember	Province of West Sumatra	District of West Pasaman
Leading actors	National Advocacy Network for the Protection of Domestic Workers	People's Advocacy Institute for Democracy LBH APIK West Nusa Tenggara (feminist organization)	LBH APIK West Nusa Tenggara (feminist organization)	Samitra Abhaya (women's organization) Women's Pro-Democracy Group Solidarity Care for Domestic Workers (student activists) International Labour Organization	International Labour Office Samitra Abhaya (women's organization) Women's Pro-Democracy Group	Women of Conscience Women's Crisis Centre	None
Supporters	National Commission for Women International Labour Office Women's organizations Activists from trade unions and from migrant worker organizations Ministry of Women's Empowerment and Child Protection Ministry of Labour Ministry of Foreign Affairs	Indonesian Women's Coalition Indonesian Tunas Alam Foundation Institute for Children Panca Karsa Foundation	None	Agency for Women's and Children's Empowerment	Activists for women's and child rights	None	None
Opposition	Some NGO activists Members of parliament Public servants Labour rights activists	Governmental agencies Activists from NGOs and trade unions	None	Governor (2013–2017) Members of parliament	District parliament Various district agencies and departments (labour, social affairs, education, etc.) Public officials	None	None

7.3.2 *Resistance to recognition of domestic workers' labour rights*

Opposition toward the recognition of domestic workers' labour rights is similar at both national and subnational levels. It stems from the peculiarities of this policy issue that overlaps Htun and Weldon's (2010) categories of doctrinal/non-doctrinal and class-based (see chapter 2). As a class-based policy issue, the regulation and recognition of domestic workers' labour rights see a clash among women along the line of class. For instance, women workers who employ domestic workers oppose national and subnational mobilizations for the protection of domestic workers. These women workers usually argue that they would not be able to afford to hire domestic workers with a decent minimum wage as their own wages are too low in the first place. This resistance was evident within the trade unions, which inconsistently supported the national mobilization coordinated by JALA-PRT, which was due to internal disagreement. Similarly, many female parliamentarians who employ domestic workers disagreed with JALA-PRT's claims. Their opposition can in part explain why the policy process at national level has gone by fits and starts over a period of more than 10 years. The recognition of domestic workers as workers, and therefore having labour rights such as limited working hours and minimum wages, was strongly opposed by members of parliament. To justify their resistance, many parliamentarians, both women and men, argued that setting minimum working conditions would reduce job opportunities for domestic workers.³⁰⁵

Resistance from women workers makes domestic workers' protection also a doctrinal policy issue. Many women are able to join the labour market only by transferring their unpaid domestic and care work to domestic workers. Domestic work is seen as solely women's responsibility to either be performed by female household members on an unpaid basis, or to be transferred to other women. Further, claims made for domestic workers' protection is doctrinal because it challenges the societal attitudes toward domestic work, which is still undervalued. Both national and subnational activists found resistance from policy makers, civil society and sometimes from the domestic workers themselves to change these attitudes. At national level, JALA-PRT struggles to change the narratives associated with domestic workers and to bring domestic workers' labour rights into the public arena:

Their [members of parliaments'] actions demonstrate that they view this solely as an issue of the JALA-PRT, rather than as a fundamental human rights issue. Domestic workers are a group of citizens whose fundamental rights have been violated. But they [members of parliament] only see this as a private matter.³⁰⁶

Narratives of the relationship between domestic workers and employers as kinship or a private relationship still prevail over interpretations of the employer/domestic work relationship as a labour one: "Some [members of parliament] repeatedly expressed that the [Domestic Workers Protection] Bill should reduce families' dependence on domestic workers. When we defined domestic workers as workers, some of them still insisted on using the term 'helper' [...]. This is a huge challenge."³⁰⁷

7.3.3 *The response of the state*

The national state's response was stronger compared to the subnational response due to the higher intensity of national mobilization efforts. Nevertheless, both national and

³⁰⁵ Interview with Fitriasyah, technical staff at the Ministry for Labour and Transmigration.

³⁰⁶ Interview with Lita Anggraini, Coordinator of the National Advocacy Network for the Protection of Domestic Workers, 21 May 2015.

³⁰⁷ Interview with Yuni Asri, staff at the National Commission on Violence Against Women, 24 May 2015.

subnational states seem to be reluctant in addressing claims on domestic workers' protection. As mentioned in the previous section, this resistance at both national and subnational levels comes mostly from the policy makers within the government and in parliament who employ domestic workers and therefore have a personal interest in ensuring that paid domestic work is not regulated. Despite this general opposition, within the national state, the National Commission of Women, the Ministry of Women's Empowerment and Child Protection, the Ministry of Labour and the Ministry of Foreign Affairs partly responded to claims for domestic workers' protection. However their response wavered over time. During the early stages of the mobilization, the National Commission for Women collaborated with JALA-PRT on a scoping study on violence against domestic workers. Following 2012 the commission was not less proactive because of funding cuts; it was less supportive because the new commissioners did not agree on the proposal for a national law on domestic workers' protection as demanded by JALA-PRT. Only recently, toward the end of 2015, did the National Commission for Women agree to collaborate with JALA-PRT on advocating for the Protection of Domestic Workers Bill. The Ministry of Women's Empowerment and the Ministry of Labour had initially conducted discussions on the Bill, but, after identifying a number of issues that caused opposition from domestic workers' employers the discussions stalled. Over three electoral terms since 2004, the national parliament has only been attentive when widespread campaigns drew the attention of mass media; thus the policy process proceeds slowly. At subnational level, the executive and the legislative bodies in West Nusa Tenggara and East Java—the only two provinces where advocates have addressed their claims toward the state—did not consider the protection of domestic workers a legislative priority compared to other issues, such as out-migration.

Table 7.5: Comparison of national and subnational strategies and the state's responses on domestic workers' protection

	At national level	Province of West Nusa Tenggara	District of East Lombok	Province of East Java	District of Jember	Province of West Sumatra	District of West Pasaman
<i>Claims</i>	Recognition of domestic workers as other workers Labour rights for domestic workers	End violence against domestic workers Domestic work as decent work Approval of a subnational regulation for domestic workers	Recognition of domestic workers as other workers	End violence against domestic workers Domestic work as decent work	End child labour	End violence against domestic workers	None
<i>Strategies</i>	Lobby members of parliament and government Strengthen domestic workers' organizations Network with other civil society organizations Use international normative frameworks	Set up a domestic workers' union Provide legal aid to domestic workers Use of mass media to disseminate information on domestic workers' status	Join the mobilization for informal workers' rights Include domestic workers' protection into a subnational regulation on informal workers	Lobby the government and parliament Include the protection of domestic workers into the subnational regulation on the protection of women and children	Include the ban of child labour in domestic work in the Child-Friendly City initiative	Use mass media	None
<i>State's responses</i>	Opposition from members of parliament, including women Support from the National Commission for Women, but irregular over time Consultation for the ratification of ILO Convention No. 189/2011 within the 2009–2014 Ministry of Foreign Affairs	No response as the domestic workers' protection is not considered a legislative priority	Inclusion of domestic workers under the definition of informal workers, no specific mention to specific domestic workers' protection (including against violence)	Failed attempt by the government to amend the subnational regulation on the protection of women and children	No response as the domestic workers' protection is not considered a legislative priority	No response as the domestic workers' protection is not considered a legislative priority	None

7.3.4 Explaining the lack of mobilization at subnational level

As mentioned above, among the six subnational research sites, some degree of mobilization on domestic workers' protection was only found in the provinces of West Nusa Tenggara and East Java. In the other provinces and districts, the lack of mobilization can be explained by at least three factors. First, in some contexts, other policy issues are considered to have higher priority in the political agendas of women's movements. For instance, women's and migrants' organizations in East Lombok and Jember focus on migrant domestic workers abroad, rather than targeting domestic workers in the district. Second, in the areas of Jember, West Pasaman and East Lombok, sharing unpaid domestic and care work among the female members of the extended family is still the predominant model. This means less reliance on paid domestic workers. On the contrary, in Jakarta, where most of the organizations advocating the national state are based, the demand for domestic workers is high due to the lack of extended family networks and many migrant women reach the city and find employment in this sector. Third, in West Sumatra, West Pasaman and East Lombok, the practice of fostering children in exchange for their work in the household still exists. However, the domestic work undertaken by these children is not considered as work, but as a form of reciprocity as the family provides them with accommodation and education.

7.4 Initiatives on unpaid care work

Unpaid care work is seen as women's responsibility. Thus, women workers carry the double burden of paid and unpaid work and, when possible, tend to transfer unpaid care work to other female family members or paid women workers. In areas where the kinship system and ties among extended family members are strong, such as West Sumatra, West Pasaman and West Nusa Tenggara, unpaid care work is mostly transferred to sisters, sisters-in-law, mothers-in-law, mothers, etc. In urban areas, especially in Jakarta, where families tend to be nuclear and migrant, women tend to transfer unpaid work to women workers and childcare to private or public facilities.

Apart from private strategies to manage the double burden of paid and unpaid work, initiatives around unpaid care work are slowly emerging across governance levels in response to the entrance of women into the labour market. At the national level, we identified two advocacy initiatives around this policy issue.

First, since 1996, a group of women's organizations have been demanding the amendment of clauses of Marriage Law No. 1/1974 regarding women's and men's roles and responsibilities within the family. The Law is considered to discriminate against women by relegating them to the private space and by regarding them as the primary unpaid care giver. The demand to amend the Marriage Law is related to the growing demand for the equal sharing of unpaid domestic and care work within the household, using a women's rights-based approach and challenging patriarchal gender roles. Although women's organizations agree on this demand, their consensus fails when it comes to ban polygamy, which is currently regulated by Marriage Law No. 1/1974.

Second, State actors, NGOs and other grassroots organizations have taken action both in demanding and providing childcare facilities. The discourse behind these initiatives is that providing childcare services is a way to support women workers by enabling them to conduct productive work and provide for the materials needs of the family. However, these initiatives are scattered and not interconnected. Additionally, in spite of some

improvements (see chapter 6), the state still lags behind in acknowledging its responsibilities to provide childcare services.

At provincial and district level, there are few initiatives, but the most significant include:

- the New Men's Alliance in East Lombok through which advocates campaign for equal sharing of unpaid domestic and care work between husbands and wives;
- the after school care services for left-behind children run by grassroots groups and volunteers in Jember in response to the high rate of out-migration.

Although unpaid care work, especially childcare, is emerging as a policy issue and an increasing number of women's organizations are recognizing the importance of addressing women's double burden, mobilization efforts as well as the state's action around this issue are still limited. Women's organizations have found it difficult to reach consensus on this issue, which remains highly contested. As previously mentioned, the women's movement is divided between those organizations that provide care facilities without questioning the household division of labour and those who demand a radical change of gender roles in the home. Nevertheless, women's organizations see the state as responsible for supporting families in performing unpaid care work. Thus they progressively demand the provision of public services, especially childcare and services for left-behind children. From its side, the national state has ignored the demands to formally change discriminatory household gender roles as described in Marriage Law No. 1/1974. Finally, at all governance levels, policy makers tend to ignore the issue or propose policies that reinforce women as the sole unpaid care worker, such as the proposal to reduce working hours for women in order to allow them to take care of their children.

7.5 Comparing mobilization and advocacy across policy issues

This section compares the processes of mobilization, advocacy and policy change on three policy issues: violence against women, domestic workers' protection and unpaid care work.

First, all mobilization around these three policy issues clearly confirms that processes of advocacy and gender equality policy change are complex, as argued by Mazur (2009) and Fraser (1989). This process is not necessarily a linear process going from demands raised by civil society and other actors all the way through to policy making. Mobilizing support for women's claims requires time, funding and negotiation with many different actors in order to gain their support and to weaken opposition. In advocating for gender equality policy change, the advocates of the three issues hold the state responsible for guaranteeing gender equality; protecting women from violence, labour exploitation, and discrimination within the household; and tackling gender stereotypes.

Second, in terms of strength and influence, the mobilization to end violence against women is stronger both at national and subnational levels compared to mobilization efforts on domestic workers' protection and unpaid care work, which are emerging issues, especially across provinces and districts. The leading actors are mainly women's organizations or state actors that have a mandate to promote women's rights and gender equality.

The type and number of supporters from civil society and the state vary depending on the policy issue:

- violence against women: human rights organizations, men's organizations, child organizations, members of parliament, religious and customary leaders, and academics;
- domestic workers' protection: NGOs and migrant workers' organizations; and
- equal sharing of unpaid care work/equal intra-household gender roles: men's organizations.

The success of the mobilization on violence against women is due to the fact that diverse women's organizations collaborated and shared a common purpose. In this sense, violence against women is a gender-status policy issue that affects all women as women, and therefore facilitates collaboration. In contrast, Indonesian women's movements tend to split in the case of class-based policy issues—such as domestic workers' protection—and of doctrinal policy issues—like intra-household equal gender roles. Outside the women's movement, mobilizations on domestic workers' protection and equal gender roles within the household—including the equal sharing of unpaid care work—were less successful, not only because they are emerging issues in the public debate, but they also challenge the patriarchal system and religious and cultural traditions. Similarly, claims related to sexual and domestic violence that concern women's morality also led to a division between feminist and non-feminist women's organizations, and to stronger opposition from civil society and state actors (such as the issue of marital rape). Issues related to pornography, including beliefs around morality, split the women's movements into several groups: those who opposed the patriarchal system (feminist movements), those who supported the patriarchal system, and those who were somewhere in between these two positions. Thus, our analysis confirms that the success of gender equality policy change also depends on the type of policy issue as argued by Htun and Weldon (2010) where movements split and collaborate depending on the issue.³⁰⁸ It also agrees with Blackburn (2004) on the diversity and heterogeneity of Indonesian women's organizations.

The issues of violence against women and domestic workers both encompass doctrinal issues. The issue of women's care work and domestic workers are also doctrinal issues as they are based on fixed gender-based roles. The issue of women's care work affects many women, especially upper-middle-class women who work outside the home. In contrast, the issue of domestic workers is limited to a group of lower class women. Htun and Weldon (2010) consider that non-doctrinal issues that only affect certain groups of women are more difficult to advocate. From this perspective the issue of domestic workers combines doctrinal and class-based aspects and is hence more difficult to advocate than the issues of violence against women or women's care work. On the issue of domestic workers there is no agreement between the different women's movements to pursue the protection of domestic workers. There are conflicts of interest between women who employ domestic workers and rely upon access to affordable domestic workers.

Third, the core strategies used by national and subnational activists across the three issues are similar: (i) establishing alliances and advocacy networks (JANGKA PRT; JALA-PRT; the network for the amendment of Marriage Law No. 1/1974); (ii) use of mass media to drive the attention of society and state; and (iii) rallies, campaigns, and demonstrations. Building alliances proved to be more successful in the case of violence

³⁰⁸ However, our analysis categorized policy issues differently compared to Htun and Weldon (2010). For instance, they classify violence against women as a gender status and non-doctrinal policy issue, while, in the Indonesian context, violence against women is both gender status and doctrinal.

against women as most of the women's organizations, state actors and other civil society organizations were united in condemning it; whereas the issues of domestic workers' protection and equal gender roles within the household caused fragmentation and division among women's organizations and with other civil society organizations over controversial claims such as polygamy; minimum wages for domestic workers, etc. Apart from these three core strategies, activists for each mobilization developed different strategies according to the policy issue and to the socio-cultural context, especially at subnational level. For instance, in the case of domestic workers' protection, a specific strategy is facilitating domestic workers' unionizing, raising awareness on their rights and building their advocacy skills, while, activists for the eradication of violence against women widely used the political momentum of the elections, both at national and subnational levels.

Fourth, we observe linkages across policy issues and mobilizations that advocates sometimes used to make their mobilization stronger. For instance, the national movement against domestic violence incorporated to some extent claims on domestic workers' protection by including domestic workers as members of the household and therefore vulnerable to domestic violence. The issues of equal sharing of unpaid care work and domestic workers' protection are also connected as they both challenge unequal intra-household gender roles that excessively place unpaid work within the household on women. Indeed, unpaid care work is transferred from one woman to another by hiring domestic workers. However, because of fragmentation among women on these two policy issues, we observed that so far activists at any governance level have made no effort to link and mobilize together on these two issues. In the case of domestic workers' protection and unpaid care work, we found linkages across mobilizations at subnational level, especially in the areas of Jember, West Nusa Tenggara and East Java, where activists for the protection of domestic workers and childcare provision advocate themselves also on issues related to migration or collaborate with organizations advocating for migrants' and left-behind children.

Fifth, subnational and national advocacy and policy processes are often connected. Women's organizations usually have strong ties across governance levels. For instance, the actions and campaigns of national mobilization efforts against domestic violence and on the protection of domestic workers were carried out simultaneously in Jakarta and in several subnational regions. Further, to hold their governments accountable, subnational women's movements used national policies such as the 2000 National Action Plan on Violence Against Women (in East Java and Jember) and the national Anti-Domestic Violence Law No. 23/2004 (in West Nusa Tenggara and East Java). However, we found that these ties were not as strong in the case of unpaid care work and of equal intra-household gender roles. In terms of policy outcomes, we found that policies drafted at district and provincial levels are usually broad in scope. In the case of violence against women, the subnational regulations we analysed generally cover both women and children and include other issues such as human trafficking.

7.5.1 Impact of the four contextual factors on policy process

In chapter 3, four contextual factors that influence both women's mobilizations and the state's response were identified: (i) the process of democratization and decentralization, (ii) the strength of religious and cultural organizations, (iii) the presence of women's movements, and (iv) the presence/influence of international organizations. In this section, the impact of these factors on the national and subnational policy processes across the three policy issues is explored.

The process of democratization and decentralization

The democratic transition and decentralization provided an opportunity for women to voice their demands through a variety of ways at both national and subnational levels. With the onset of democracy, different interest groups emerged and the national state tended to accommodate demands without favouring a single interest group, by either compromising between groups, or supporting the strongest one as seen in the policy processes on domestic violence and on pornography (see section 7.4). With the introduction of the direct electoral system, candidates for political positions (namely, president, governor, mayor and member of national and subnational parliaments) have to strategically gain support from voters. The direct elections therefore are a window of opportunity for women's movements to influence the candidates' agendas in exchange for their support and for candidates to strategically calculate whether or not to support women's claims. However, momentum from political elections has also been used by opponents, for instance religious groups. So far women's organizations have used political momentum only for advocating on violence against women (see section 7.2), but less on the other two policy issues.

Decentralization plays a large role in all subnational research sites as it provides an opportunity to mobilize and participate in the policy process at local level, enabling stakeholders to raise specific claims related to a certain socio-cultural context (Robinson 2009). For instance, in East Lombok and West Nusa Tenggara, critical issues for the activists were the cases of sexual violence against girls under the guise of the customary practice of *merariq* and human trafficking, especially of women, due to the high rate of out-migration. In Jember, the provision of childcare tackles the specific problem of the left-behind children. Domestic workers' protection was advocated as part of other agendas, such as informal labour, in other regions. Further, subnational and national movements can pursue different goals, as in the case of the national movement on violence against women that mobilized separately for a law on domestic violence and one on sexual violence, while subnational activists tend to demand regulations to address violence in both public and private spheres, without distinction.

Due to the autonomy guaranteed to provinces and districts, this often results in a gap where national laws are not incorporated into subnational regulations. In each subnational region, the process of incorporation of the national Anti-Domestic Violence Law No. 23/2004 only began years later. In 2006, East Lombok had only a Mayoral Decree to establish the Integrated Service Centre for Women and Children Victims of Violence, while the subnational regulation was only passed in 2013. In West Nusa Tenggara, Anti-Domestic Violence Law No. 23/2004 was incorporated only in 2009 in Subnational Regulation No. 2/2009. In West Sumatra, the Subnational Regulation for the Protection of Women and Children was enacted in 2013, while the Jember district passed a regulation in 2014, 10 years after the approval of the national law. In West Pasaman, the debate on a subnational regulation on violence against women started in 2014. An MoU between the Ministry of Women's Empowerment and Child Protection, the Ministry of Interior Affairs and the subnational governments was fundamental in accelerating the approval of subnational regulations between 2009 and 2014, especially in West Sumatra, East Lombok and Jember. Only East Java province adopted a subnational regulation in 2005, soon after the approval of the national law, because subnational mobilization was strongly linked with national efforts. Subnational case studies show that the process of incorporating national legislation into subnational regulations is strongly influenced by the presence of subnational women's movements

and by pressure from the national state. In conclusion, democracy and decentralization do represent a crucial contextual factor that facilitates mobilization and advocacy for gender equality policy change. However, it requires women advocates to be able to strongly mobilize at all governance levels.

The strength of religious and cultural organizations

Another factor of the political context affecting women's movements and the state's response is the strength of religious and customary organizations. The national movement advocating for Anti-Domestic Violence Law No. 23/2004 targeted religious organizations and their leaders in order to gain their support from the early stages of mobilization. The absence of opposition from religious leaders was one reason why the state accommodated women's demands. Yet, the supporters of the Anti-Pornography Law No. 48/2008 utilized religious ideology to justify the proposal and gain support. Most of the supporters were indeed religious organizations and leaders. Religious and customary leaders have not influenced mobilization efforts for domestic workers' rights while, they have played a significant role in the controversial debate on equal intra-household gender roles. At subnational level, in the provinces and in the districts, the influence of religious and customary leaders in politics is very strong and visible. For this reason, activists to end violence against women from East Java, West Nusa Tenggara and East Lombok attempted to collaborate with religious leaders from the early stages of mobilization. In East Lombok and West Nusa Tenggara, during the mobilization against the practice of *merariq*, women's movements dialogued with both religious and customary leaders to obtain their support. In West Pasaman, women customary leaders called *bundo kanduang* were some of the leading activists demanding the approval of policies to eradicate violence against women and the provision of services for victims of violence. However, we found that to some extent policy makers' and activists' lack of understanding of customary practices contrasted with episodes of violence against women, especially domestic violence (see Appendix I). In other cases, customary leaders have been excluded from the policy process, resulting in an increase in political tensions between customary organizations, women's rights advocates and state actors. On domestic workers' protection, customary ideology by which being a domestic worker is equal to a low social status is a barrier to domestic workers' organizing and unionization as was the case in West Pasaman. In matrilineal communities such as those in West Pasaman, the idea of the equal sharing of unpaid care work is resisted because of the influence of the traditional system of the extended household. We can conclude that religious and customary organizations are crucially important, especially on doctrinal policy issues and particularly at the subnational level. Therefore women advocates can strategically collaborate with them from the beginning of the mobilization process.

The presence of women's movements

The presence of women's movements was a crucial factor at both national and subnational levels for all policy issues. Most of the mobilization efforts on violence against women and on domestic workers' protection were started and coordinated by women's organizations. The presence of activists within state institutions, such as the parliament, fundamentally bridges the movement and the state, and facilitates the adoption of certain claims into political agendas, as found for the national movement against domestic violence. Women's organizations, however, were more successful when they have technical knowledge on the processes of law making and when they can provide reliable evidence. This meant collaborating with lawyers, paralegals, politicians and scholars. Further, women's organizations are influential when they are properly funded and supported by international or national donors. Indeed, we observed that

many subnational mobilizations across the three policy issues are weakened by the lack of funding, in some cases caused by a change of priorities in the international donor community, as was the case of West Sumatra. Therefore, women's organizations are crucial and influential when they have capacities and knowledge, and when they are adequately funded.

Linkages between the Indonesian women's movement and the international level

The state's response to women's demands also depends on the impact of international influences on national and subnational contexts. Indonesian national women's organizations—but not the subnational organizations—have used international discourses as well as international human rights frameworks while advocating for the three policy issues. For instance, the Indonesian CEDAW Working Group extensively used the reporting mechanism under the CEDAW to make the Indonesian state accountable for both the eradication of violence against women and equal intra-household gender roles. JALA-PRT collaborated with the ILO during the consultation process for ILO Convention No. 189/2011, adopting the ILO framework for decent work. At both national and subnational levels, international organizations—usually development agencies and transnational organizations—have had considerable impact by providing both framing and funding. The mobilization of Indonesian organizations such as LBH APIK Jakarta and West Nusa Tenggara, and the Advocacy Organization for Indonesian Migrant Workers in Lombok was strongly facilitated by international donors; this is why funding cuts and delays have affected advocacy activities, especially of subnational NGOs as was the case in East Java. In West Sumatra, international donors shifted their focus from women's rights and violence against women to post-disaster relief and development after the 2004 earthquake. Consequently, local NGOs shifted their focus accordingly and only a few organizations continued to mobilize on the eradication of violence against women despite the lack of funding. The ILO office in East Java was crucial in the mobilization on domestic workers' protection. By contrast, in the case of unpaid care work, international discourses have been less influential on Indonesian women's organizations. To conclude, we argue that international normative frameworks remain a powerful tool for Indonesian women's organizations and that international organizations play a crucial role in supporting national and subnational organizations in their mobilization.