

Chapter 8. Conclusions: Key Findings and Recommendations

In this chapter, the research arguments and methodology are briefly summarized followed by a summarization of key research findings. Finally, recommendations for policy makers, women's human rights advocates and women's organizations are provided.

8.1 Research objectives, background and methodology

This study explored when and why the Indonesian state responds to women's claims around policy change on the policy issues of violence against women, domestic workers' labour rights, and equal sharing of unpaid care work (see chapter 1). It proposes:

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

We argue that policy change is the result of a claims-making process, which requires continuous negotiations on the formulation of the problem and on articulation of the related demands (see chapter 2). These negotiations involve actors who start an advocacy process, their supporters, the opponents and policymakers (Fraser 1989; Htun and Weldon 2010; Mazur 2009). Diverse social and political contexts as well as culture and religion influence women's advocacy efforts. In addition, the type of policy issue negotiated in the policy process greatly impacts on the outcome of the process itself (Htun and Weldon 2010).

In 1998, Indonesia underwent a change from the repressive, undemocratic New Order regime of President Suharto (1966–1998) to the New Democratic Era. At the same time, provinces and districts gained greater autonomy because of decentralization, which triggered a process of democratization at the subnational level. This new scenario provided windows of opportunity for civil society, including women's organizations, to participate and influence policy making at both national and subnational levels. For this reason the study examined women's movements advocating the national state as well as those advocating at subnational level. We focused our research in three provinces (West Sumatra, East Java, West Nusa Tenggara) and three districts (West Pasaman, Jember, East Lombok). These areas were selected based on considerations of the existing advocacy initiatives, the different kinship systems—matrilineal, patrilineal and parental—and the specific cultural and religious contexts (see chapter 3).

To explore the processes of mobilization and policy change, we adopted a qualitative feminist methodology, using the following methods: interviews, observation, participant observation, focus group discussions, and review of academic and grey literature (see chapter 2). The research fieldwork was conducted between 2013 and 2014, and involved women activists with different backgrounds (NGOs, academics and religious organizations), members of government and parliament at national and subnational levels, and religious and customary leaders (see Appendix 2).

8.2 Key findings

Based on the analysis of the evidence collected during research, we can identify and summarize the six key findings based on the Indonesian national and subnational contexts.

First, *the process for policy change is political* and comprises negotiations among state actors, women's organizations and other civil society organizations, including religious and customary ones.

Second, *women's organizations* are crucial in order to initiate gender equality policy change processes. The presence of the women's movements and the strength of their mobilization lead to successful outcomes, as in case of the mobilizations to end violence against women. What makes women's organizations influential is (i) the creation of networks among women's organizations and with other civil society organizations; (ii) the development of a shared political agenda, (iii) the support from religious and customary leaders; (iv) the connections between national, subnational, and international movements. However, women's organizations are diverse in ideologies and interests, thus the degree of solidarity and cohesion varies according to the nature of the policy issue and how the claims are framed. A careful process is necessary to reach agreement within the women's movement. *Leadership and funding* are fundamental. The development of strong alliances requires strong leadership that is able to negotiate priorities among different organizations. Additionally, successful mobilizations require adequate and sustainable funding for women's organizations and specifically for political activities. The lack of funding causes a decline in and failure of advocacy efforts. Further, building consensus among women's organizations and gaining support from civil society also require good leadership and adequate funding.

Third, *the state is not a single entity*. State actors are very diverse in terms of interests and priorities, which differ across political parties, within political parties and across governance levels. This diversity influences the outcome of the policy-making process. Further, policy makers' response to women's demands vary according to the level of opposition encountered.

Fourth, within the state, *institutions with the mandate to promote women's rights and gender equality* (like the National Commission for Women, Ministry of Women's Empowerment and Child Protection and the local agencies for women's empowerment) play an important bridging role between policy makers and women's movements, as well as channelling women's movements' claims within the state. However, these institutions, despite their similar mandate, might disagree in pursuing certain women's demands.

Fifth, *the opposition* against women's advocacy efforts varies according to the nature of the policy issue and strongly affects women's movements' strategies and demands. At both national and subnational levels, much of the opposition relates to religion and morality. This resistance generally arises from religious organizations and leaders who benefit from a strong sense of legitimacy in the eyes of their followers. The state tries to use the power of religious social forces to its own ends, but often has to compromise with them. Class-based opposition is another type of resistance, especially in the case of domestic workers' labour rights. At national level, women's organizations pay close

attention to the constellation of potential opponents while preparing their advocacy strategies in order to weaken their resistance.

Sixth, the *nature of the policy issue* matters as it affects the degree of (i) solidarity among women's organizations and (ii) of the support/resistance from civil society and the state. While women's organizations tend to be united on policy issues that affect all women as women such as violence against women, they tend to be divided on those claims that are considered class-based, like domestic workers' protection, or doctrinal as they are linked with religious moral conducts, such as women's sexuality and autonomy over their own bodies. Currently, the division among women based on class is the main constraint toward moving forward in recognizing and protecting domestic workers' labour rights.

8.3 Recommendations

Based on the research, we provide recommendations to women's rights advocates, women's organizations, policy makers and customary leaders on how to foster and facilitate gender equality policy change.

8.3.1 Recommendations for women's rights advocates and women's organizations

- Strengthen Indonesian women's movements by:
 - increasing collaboration among women's organizations and advocates for gender equality, and with men's organizations like the New Men's Alliance;
 - building a shared political agenda across women's organizations;
 - developing strategies to weaken the opposition of religious leaders and organizations.
- Ongoing action for the eradication of all forms of violence against women by:
 - collaborating with state institutions, especially local agencies for women's empowerment, for enacting and/or amending regulations to end such violence;
 - monitoring the implementation of national and subnational laws and policies to end violence against women, in particular the functioning of the Integrated Service Centres;
 - advocating for the criminalization of all harmful practices and for using customary practices that respect women's and girls' rights.
- Mobilize for domestic workers' labour rights by:
 - supporting domestic workers' organizations and unions;
 - framing domestic workers' labour rights with a gender perspective to overcome class-based division among women;
 - collecting data on domestic workers and their working conditions at both national and subnational levels;
 - intensifying coordination between the National Advocacy Network for the Protection of Domestic Workers and the National Commission for Women;
 - developing strategies (such as public campaigns) to gain broader support from civil society;
 - linking domestic workers' labour rights with other policy issues such as child labour.
- Mobilize for redistribution of unpaid care work by:
 - continuing advocacy efforts for amendment of Marriage Law No. 1/1974 in order to establish equal responsibilities for husbands and wives;

- strengthening existing initiatives on equal sharing of unpaid care work within the household, including collaboration with men's organizations (such as the New Men's Alliance);
- strengthening existing childcare initiatives to support women workers and women migrants (such as Tanoker in Jember district) and replicating them in other provinces and districts.
- Hold the state accountable by:
 - requiring transparent policy-making processes;
 - using international human rights laws, such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

8.3.2 Recommendations for Indonesian policy makers at national and subnational levels

- Approve a national law and subnational regulations to recognize and protect domestic workers' labour rights, including the ban of child labour in the paid domestic work sector.
- Amend national Marriage Law No. 1/1974 to guarantee gender equality within the family.
- Harmonize national and subnational laws and policies in order to protect women's rights and to promote gender equality.
- Implement existing laws, policies and subnational regulations to end violence against women by:
 - collaborating with women's organizations;
 - improving coordination between local agencies for women's empowerment and other local agencies.
- Ensure the provision of childcare services, especially in areas highly affected by female out-migration (such as Jember district)

8.3.3 Recommendations for customary leaders

- Identify customary mechanisms to promote women's rights and gender equality.
- Be proactive in banning harmful customary practices.

8.3.4 Recommendations for international and national donors

- Provide long-term funding for political and advocacy activities (such as advocacy efforts for amending Marriage Law No. 1/1974, approving national laws on domestic workers' protection and against sexual violence).
- Support the mobilization for domestic workers' labour rights, especially at subnational level by:
 - supporting domestic worker training centres;
 - funding research to develop policy solutions to regulate contractual terms between employer and domestic workers.
- Support the emerging advocacy around unpaid care work by:
 - supporting childcare initiatives;
 - funding research on how to effectively advocate for equal sharing and redistribution of unpaid care work, and on developing adequate policies;
 - supporting collaboration between women's and men's organizations (such as the New Men's Alliance).