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WOMEN IN INDONESIA .

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WOMEN
IN INDONESIA

Gender, Equity and Development

edited by

**Kathryn Robinson
Sharon Bessell**



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Professor Mayling Oey-Gardiner gave us her 'insider's view' of recent political events. We thank her also for facilitating the participation of Ms Lies Marcoes and Ms Carla Bienpoen from Insan Hitawasana Sejahtera, and of Ms Zohra Andi Baso from YLK Makassar. Non-government organisations were well represented, with Ms Yanti Muchtar, Ms Edriana Noerdin and Ms Luguna Setyawati from KaPAL Perempuan presenting papers on issues arising in the context of regional autonomy, and Dr Ria Gondowarsito speaking about the development experience of the Australian-based Nusa Tenggara Association. We thank our Australian Indonesianist colleagues who responded to our request to write about gender and equity in Indonesia's reform period: Dr Susan Blackburn, Dr Terence Hull, Professor Gavin Jones, Professor Graeme Hugo, Dr Lisa Cameron, Dr Barbara Hatley, Ms Nurul Ilmi Idrus and Dr Tom Boellstorff. Many thanks also to the colleagues who chaired sessions and facilitated such lively debate.

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Kathryn Robinson and Sharon Bessell
February 2002

GLOSSARY

ADB	Asian Development Bank
<i>adat</i>	custom, tradition
Aisyiyah	women's organisation associated with Muhammadiyah
ASEAN	Association of Southeast Asian Nations
AusAID	Australian Agency for International Development
BIKN	Badan Informasi dan Komunikasi Nasional (National Information and Communication Board)
BAKMP	Badan Administrasi Kependudukan dan Mobilitas Penduduk (Administration Board for Population and Population Mobility)
Baknas	Badan Kependudukan Nasional (National Population Board)
Bappenas	Badan Perencanaan Pembangunan Nasional (National Development Planning Board)
<i>belis</i>	bridewealth
Bhineka Tunggal Ika	Unity in Diversity (the national slogan under the New Order)
BKKBN	Badan Koordinasi Keluarga Berencana Nasional (National Family Planning Coordination Agency)
BKN	Badan Kepegawaian Negara (State Civil Service Board)
BKPM	Badan Koordinasi Penanaman Modal (Investment Coordinating Board)
BPD	Badan Perwakilan Desa (Village Representative Body)

BPS	Biro Pusat Statistik (Central Statistics Agency)
Bulog	national food logistics agency
BUMN	Badan Usaha Milik Negara (state-owned enterprise)
<i>camat</i>	<i>kecamatan</i> (subdistrict) officer
CETRO	Centre for Electoral Reform
CGI	Consultative Group on Indonesia
CIDA	Canadian International Development Agency
Dati I	Daerah Tingkat I (first-level region, that is, province)
Dati II	Daerah Tingkat II (second-level region, that is, <i>kabupaten/kotamadya</i>)
<i>desa</i>	village
Dharma Pertiwi	Armed Forces Wives Association
Dharma Wanita	Civil Service Wives Association (principal official women's organisation under the New Order)
DPA	Dewan Pertimbangan Agung (Supreme Advisory Council)
DPD	Dewan Perwakilan Daerah (Regional Representative Council)
DPR	Dewan Perwakilan Rakyat (People's Representative Council – Indonesia's parliament)
DPRD	Dewan Perwakilan Rakyat Daerah (provincial level of parliament)
<i>dwifungsi</i>	the army's 'dual function' (military and socio-economic) in New Order Indonesia
Fatayat	women's organisation associated with the NU
<i>fiqh</i>	(Islamic) jurisprudence and law
FN-P3M	Fiqh An-Nisa Perhimpunan Pengembangan Pesantren (Organisation for the Development of Pesantren and Society)
Forhati	Forum Alumni Kohati
FPMP	Forum Pemerhati Masalah Perempuan (Women's Forum)
FWPSS	Forum Wartawan Perempuan Sulawesi Selatan (Women Journalists Forum of South Sulawesi)
GAYa Nusantara	national network of <i>gay</i> and <i>lesbi</i> organisations
GBHN	Garis-garis Besar Haluan Negara (Broad Guidelines on State Policy)
GDP	gross domestic product

GEM	gender empowerment measure
Gerakan Sayang Ibu	Cherish Mothers' Movement
Gerwani	mass women's organisation affiliated to the PKI
GMIT	Gereja Majelis Injili Timur (the main Calvinist church in West Timor)
Golkar	Golongan Karya (Functional Groups), state political party under the New Order, and now second largest in parliament
<i>hadis</i>	reports of the words and actions of the Prophet, regarded as a second scripture in Islam, ancillary to the Qu'ran
Haj	pilgrimage to Mecca
Hari Ibu	Mothers' Day
Hari Kartini	Kartini Day
<i>harkat</i>	dignity
HMI	Himpunan Mahasiswa Islam (Islamic Students' Association)
IAIN	Institut Agama Islam Negeri (State Institute for Islamic Studies)
IBRA	Indonesian Banking Restructuring Agency
IPPSS	Ikatan Perupa Perempuan Sulawesi Selatan (South Sulawesi Women Artists Association)
IKJ	Institut Kesenian Jakarta (Jakarta Institute of Arts)
ILO	International Labour Organisation
IMF	International Monetary Fund
<i>Inheemsche</i>	native Indonesian
Inpres	Presidential Instruction
Inpres Desa Tertinggal	Special Presidential Program for poor villages
IPPS	Ikatan Perupa Perempuan Sulawesi Selatan (South Sulawesi Women Artists Association)
<i>jilbab</i>	head covering for Muslim women
<i>kabupaten</i>	district
Kajian Wanita	Graduate Women's Studies Program, University of Indonesia
<i>kampung</i>	hamlet
KB Mandiri	Keluarga Berencana Mandiri (Self-reliant Family Planning)
KDRT	<i>kekerasan dalam rumah tangga</i> (domestic violence)

<i>kecamatan</i>	subdistrict
Kejaksaan Agung	attorney-general's office
<i>kelurahan</i>	village administrative unit (below <i>kecamatan</i>)
<i>kepala desa</i>	village head (elected by the people)
Keppres	Keputusan Presiden (Presidential Decree)
<i>kesejahteraan</i>	welfare
KH	Kyai Haji, a religious leader (<i>kyai</i>) who has completed the pilgrimage to Mecca (Haj)
KKN	<i>korupsi, kolusi, nepotisme</i> (corruption, collusion and nepotism)
KNKWI	Komisi Nasional Kemajuan Wanita Indonesia (Indonesian National Commission on the Advancement of Women)
<i>kodrat</i>	biological determination, one's inherent nature
Kohati	Korps HMI Wati
Komisi Pemantau Pemilu	Commission of General Election Observers
Komnas HAM	National Human Rights Commission
Komnas Perempuan	National Commission on Violence against Women
Konstituante	Constituent Assembly (the body responsible for reviewing the constitution)
Kowani	Kongres Wanita Indonesia (Indonesia Women's Congress), federation of women's organisations
KPI	Koalisi Perempuan Indonesia (Indonesian Women's Coalition)
KPKPN	Komisi Pemeriksa Kekayaan Penyelenggara Negara (Audit Commission on Wealth of State Officials)
KPPT	Konsorsium Perempuan Peduli Toraja (Consortium of Concerned Torajan Women)
<i>krismon</i>	the Indonesian monetary crisis
<i>kyai</i>	Islamic scholar or community leader
LBH-P2I	Lembaga Bantuan Hukum Pemberdayaan Perempuan Indonesia (Law Service for Indonesian Women's Empowerment)
Lekmas	Lembaga Kajian Masyarakat (Centre for Community Research)
LIN	Lembaga Informasi Nasional (Institute of National Information)

LP3M	Lembaga Pengkajian Pedesaan Pantai dan Masyarakat (Institute for the Study of Coastal Communities)
LKP2	Lembaga Konsultasi dan Pemberdayaan Perempuan (Institute for Women's Consultation and Empowerment)
LPP	Lembaga Pemberdayaan Perempuan (Centre for Women's Empowerment)
<i>lurah</i>	village head (selected by the <i>camat</i> , or subdistrict officer)
Majlis Tarjih	Assembly for Decisions on Islamic Law
MPR	Majelis Permusyawaratan Rakyat (People's Consultative Assembly), Indonesia's supreme sovereign body
Muhammadiyah	modernist wing of Indonesian Islam
Muslimat	women's organisation associated with the NU
New Order	the Soeharto era, 1965 to 1998
NGO	non-government organisation
NU	Nahdlatul Ulama (Revival of the Religious Scholars), Indonesia's largest traditionalist Islamic organisation
OCW	overseas contract worker
<i>otonomi daerah</i>	regional autonomy
P3EL	Women's Empowerment through Local Economic Development
PAN	Partai Amanat Nasional (National Mandate Party)
Pancasila	the five guiding principles of the Indonesian state under the New Order
<i>pansus</i>	special committee
Paris Club	informal group of creditor countries whose role is to find solutions to the repayment difficulties of debtor nations
<i>pastor</i>	Roman Catholic priest
PDI	Partai Demokrasi Indonesia (Indonesian Democratic Party)
PDI-P	Partai Demokrasi Indonesia – Perjuangan (Indonesian Democratic Party of Struggle)
<i>pendamping suami</i>	companion to the husband
<i>pendeta</i>	Protestant minister
Pengadilan Agama	religious court

<i>peran ganda</i>	dual role
<i>pesantren</i>	traditional Islamic boarding school
PJTKI	Perusahaan Jasa Tenaga Kerja Indonesia (Indonesian Overseas and Domestic Employment Agency)
PK	Partai Keadilan (Justice Party)
PKB	Partai Kebangkitan Bangsa (National Awakening Party)
PKI	Partai Kommunis Indonesia (Communist Party of Indonesia)
PKK	Pembinaan Kesejahteraan Keluarga (Family Welfare Movement), now Pemberdayaan Kesejahteraan Keluarga (Family Welfare Empowerment Movement)
Posyandu	Pos Pelayanan Terpadu (Integrated Health Post)
PPI	Perikatan Perempuan Indonesia (Indonesian Women's Association)
PPII	Persatuan Perkumpulan Isteri Indonesia (Union of Indonesian 'Wives' Associations)
PPP	Partai Persatuan Perbangunan (United Development Party)
PRD	Partai Rakyat Demokratik (People's Democratic Party)
<i>preman</i>	stand-over boys, thugs
Propenas	Program Perencanaan Nasional (National Planning Program)
PT	Perseroan Terbatas (limited liability company)
Puskesmas	Pusat Kesehatan Masyarakat (Community Health Centre)
<i>reformasi</i>	reform
Repelita	Rencana Pembangunan Lima Tahun (Five-year Development Plan)
Rukun Tetangga	neighbourhood association
Sakernas	Survei Angkatan Kerja Nasional (National Labour Force Survey)
SBI	Sertifikat Bank Indonesia (Bank Indonesia Certificate)
Sekretaris Negara	Secretary of State
SIP	Suara Ibu Peduli (Voice of Concerned Mothers)
SPKAM	Solidaritas Perempuan Komunitas Anging Mammiri' (Anging Mammiri' Community for Women's Solidarity)

SPSI	Sarekat Pekerja Seluruh Indonesia (All Indonesia Workers' Union), the authorised workers' union under the New Order
Susenas	Survei Sosio-ekonomi Nasional (National Socio-economic Survey)
SVD	Societas Verbi Divini (Society of the Divine Word), Roman Catholic missionary organisation of priests and brothers
<i>syariah</i>	Islamic law
Tim P2W	Tim Peningkatan Peranan Wanita (Women in Development Management Team)
TNI	Tentara Nasional Indonesia (Indonesian National Army)
TVRI	Televisi Republic Indonesia (Indonesian Public Television)
<i>ulama</i>	Muslim religious scholar
<i>umma</i>	followers of the Muslim religion
UNDP	United Nations Development Program
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Fund
UU	Undang Undang (Law)
Walhi	Wahana Lingkungan Hidup (Environmental Forum)
<i>wali nagari</i>	regional representative
<i>waria</i>	male-to-female transvestite
<i>warung</i>	small store
<i>yayasan</i>	foundation
YLKI	Yayasan Lembaga Konsumen Indonesia (Indonesian Consumers' Association Foundation)

PROLOGUE

*H.E. Mr Sudjadnan Parnohadiningrat,
Ambassador of the Republic of Indonesia*

The role of Indonesian women in shaping the very fabric of our society is integral to the history of our nation. The struggle by Kartini to promote women's rights in education in the early 1900s and the holding of the first women's congress, Kongres Perempuan, in Yogyakarta on 22 December 1928, as well as many other women's activities in the following decades, have exemplified their contributions in building our society.

In 1952, shortly after independence, Indonesia ratified the UN Convention on Political Rights for Women through Law No. 68/1958. This law gives Indonesian women the right to vote and to be appointed to the legislature. It also assures women's right to assume any position in the government. The general election laws, No. 15/1969, No. 4/1975, No. 29/1980 and No. 3/1985, allow women to participate actively in the political arena and ensure women's right to participate in the decision-making process in Indonesia.

The ratification by the government of Indonesia of the Convention on the Elimination of All Forms of Discrimination against Women (the Women's Convention) by Law No. 7/1984, and of the Optional Protocol to the Convention in 1999, has added to the sanctity of the rights of Indonesian women to share in the development of the nation.

The ratification of these conventions obliges the government to adopt measures to eliminate all forms of discrimination against women. In keeping with both the letter and the spirit of the conventions, the government established a National Commission on Violence against Women on 15 July 1998, on the basis of Presidential Decree No. 181/1998 and with reference to the Women's Convention. The objectives of this commission include promoting public awareness of all forms of violence against women. It is also intended to create a conducive environment for the elimination of violence against women, to defend the human rights of women and to improve preventive measures pertaining to the elimina-

tion of violence against women. Its activities are directed towards empowering women and society in general, strengthening the capacity of organisations which defend women against violence, and influencing the government to take the necessary steps to ensure that all forms of violence against women are eliminated. The membership of the commission includes women's rights activists, academics, professionals and religious leaders.

Another important step taken by the government of Indonesia was the launching of the National Action Plan for the Elimination of Violence against Women. This establishes a policy of zero tolerance of violence against women. With the support of the Ministry for Women's Empowerment, the number of women's studies centres has grown in both public and private universities and institutes. Today there are more than 80 such centres conducting research on the situation of women, including topics such as traditional or local practices which hamper the implementation of the different women's conventions, traditional practices curtailing the advancement of women as well as many other issues related to Indonesian women. These centres also identify specific problems faced by women in particular provinces and propose recommendations to the provincial authorities on practical measures to address them.

Despite the various steps taken, and notwithstanding the active participation of women in the promotion of their rights, much remains to be done to improve the situation of women in Indonesia. In many respects Indonesian women are not treated as the equals of men, particularly in terms of rights and opportunities. Various traditional and cultural practices, as well as certain laws that are contrary to the principle of equality between men and women, remain to be dealt with by our society in order to rectify the situation.

By way of illustration, let me refer to the Marriage Law, which stipulates that the rights and position of the wife are equal to the rights and position of the husband, both in family and in society. However, by the same token, the roles of the husband and the wife are clearly delineated: the husband is the head of the family while the wife is responsible for the household. Therefore, by law, the husband becomes the master of the family while the wife's role is confined to the management of the family.

Let me in this connection offer you another example of flawed legislation which gives rise to concern. Domestic violence, which may involve a flagrant violation of the rights of women, is not specified distinctly under the Indonesian criminal code. This code sets forth the general crime of maltreatment and establishes penalties for it; cases of domestic violence could be, but rarely are, prosecuted under this legislation. Domestic violence is generally regarded by local police as a private matter. In most cases, law enforcement personnel are not responsive to the plight of women victims. In cases of rape and other forms of violence against women, unless there are witnesses the police generally refuse to bring the case to the court. The government is now planning to address this prob-

lem through both law reform and gender sensitisation training for the police in modern methods of dealing with incidents of violence against women.

As time goes on, the government of Indonesia, with the participation of women activists, is bringing domestic law into harmony with international norms governing the rights of women. In November 1998, the People's Consultative Assembly (MPR) passed several decrees pertaining to the promotion of the rights of women. They set out the principles to be observed by the government in undertaking legal reform, focusing on laws that are disadvantageous to the situation of women.

Reform has taken effect with regard to the following legislation:

- Manpower Law No. 25/1997 has been amended to eliminate discrimination in work promotion and training; provide equal payment for equal work; ensure social security rights and rights to occupational health and safety, non-discrimination on grounds of marital status or pregnancy, and menstruation and maternity leave.
- The following laws, while not specifically targeting gender equity, have been fundamental to the political reform process and have the potential to deliver benefits for women: the law governing freedom to express opinions in public has been replaced by Law No. 9/1998; a law on the freedom and independence of the press was adopted in 1998; the law on general elections has been replaced by Law No. 3/1999, which sets out both the right to vote and the right to be appointed, and states that women and men are equal in these matters; and the UN Convention on the Elimination of Racial Discrimination has been ratified by Law No. 29/1999.

To sum up, women in Indonesia have been actively promoting the rights of women, including gender equality, through their engagement in various political processes. Their actions have led to the adoption of a number of measures, and the promulgation of legislation by the Indonesian government. It cannot be denied, however, that women's struggle for gender equality faces cultural hurdles. Certain traditions, values and norms – such as the entrenched myth of the unequal relationship between men and women – are being upheld by many in opposition to the quest for gender equality. Today, when greater opportunities exist, I am convinced that Indonesian women can overcome these challenges through the application of long-term strategies and common endeavours involving different segments of society. The abolition of gender-biased myths that impede the promotion of the rights of women should be included in the national agenda, in order to encourage discourse, bring about greater gender awareness and eradicate gender bias. Only by words and deeds that are shared by all members of society can the rights of women be promoted. The contributors to this book will surely be able to register their accomplishments in this noble goal.