

Gender Equality, Revisited: A Case Study of Indonesia

Ms. Marisna YULIANTI (Indonesia)

Gender equality and feminism have not been popular and widely accepted terms in most part of the world. For many years, the terms have been intertwined, mis-interpreted and falsely construed as women's justified outlet to hate men, a means to make women the dominant sex, to freely wear tank-tops and short skirts in public places and to leave their husbands and abandon their children for a career outside home. From once being known as a big vessel to board people who are eager to fight for the rights of the oppressed, now the concept of gender equality and feminism have been curbed dramatically to an image of angry women seeking ways to get even with men.

In Indonesia, a country that houses 12.7% of the world's Muslim population, the notion of gender equality has also been seen as an obstruction of traditions and religious values that exist in the Indonesian society. According to a study conducted by Japan International Cooperation Agency (JICA) Research Institute in 4 countries (Indonesia, Malaysia, The Philippines, and Thailand) in 2010, Muslims have significantly



A woman working at a gasoline stand in West Sumatera, Indonesia. Despite the high number of women's labour participation rate, working women in Indonesia still face gender gaps in pay and employment.

less favorable attitude towards the concept of gender equality although the intensity may vary depending on the socio-demographic backgrounds. Generally gender equality is regarded as a concept that defies the very basic idea of men as the breadwinners and women as housewives who stay home and take care of the children. Many religious scholars and community leaders fear the concept of gender equality and feminism will bring damage to the traditional division of labour between men and women.

This same misleading interpretation and understanding is also said to be the underlying cause of the inability for the Gender Equality and Justice Bill to fly. Drafted

back in 2010, the bill is hoped to act as an anchor to achieve equality between men and women in, to name a few, politics, economy, education, employment, health and marriage. Despite the high hopes, the draft bill is now left with no clear future. Since the bill was proposed to the parliament in 2011, it has received resentment and strong objection from religious groups who claim that the bill is against Islamic teachings and Indonesian culture. Among others, the group argues that the bill has downgraded the roles of men and women as merely a product of culture while at the same time denying the significance of religion that has been and is expected to continue regulating men and women's roles and function in society. The bill's outline of marriage that gives freedom for people to choose their partners is also heavily criticized as it could be used as basis for same-sex marriage.

Despite the heated tension, still the good news is Indonesia is not a country without laws and regulations to protect women. Indonesia along with the Philippines were the first countries in South East Asia to become the signatory of the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW) in 1980. Years later, a Presidential Decree No. 9 of 2000 was passed to ensure gender mainstreaming efforts in the country. The government of Indonesia also passed a Law No. 23/2004 on the Elimination of Domestic Violence and Law No. 21/2007 on the Eradication of Human Trafficking. So far so good.

But why is it so difficult to push through gender equality?

Let us, for a while, take a journey back to see the reasoning behind the drafting of the bill. One logic being the most prominent one is the fact that, despite the above-mentioned existing laws and regulation, the battle against gender-based discrimination in Indonesia is still far from won. In employment sector for instance, there are still cases where female workers do not receive equal pay and allowance as their male counterparts because of the widely accepted view which is supported by Indonesia Marriage Law No.1/1974, that men are the main breadwinners in the family, not women and therefore it is justifiable to give more to men and cut down some of women's share. In fact, more and more women nowadays are joining work force to generate the main income for their family as single mothers or to replace their sick or unemployed husbands.

In the case of rape, many people including the law enforcers, still think it is normal to marry off their daughters to the perpetrators to avoid shame. Women are blamed for the way they are dressed that is said to have caused men to have bad intentions and in some cases, accused of enjoying the sexual intercourse because they simply do not scream for help. In fact, women are afraid to scream or to tell anyone because of the

social stigma that will entail later on if other people find out.

In marriage, many married women are denied their rights in family planning and property ownership. Indonesia is reported to experience an unmet need for spacing and limiting children among married women of 15-49 years of age which account for 11.4% in 2012. The use of contraception in family planning is also not without its challenges. The most common reason for not using contraception in countries in South East Asia including Indonesia, is associated with, among others, opposition to use from partners, religions, or culture and lack of knowledge and access to modern contraception. Women, especially in West Sumatra where matrilineal succession applies, often find it difficult to register their names in the property and land being inherited due to low position of women in the society. Men still have the loudest say in family and women acquire almost none.

The elimination of these forms of discrimination against women is therefore crucial. The enactment of relevant laws and regulations may not be the only way, but has been proven to be one of the most effective ones. However without a proper understanding of the society on what gender equality really is and what the underlying causes that highlight its necessity are, it would be difficult, if not impossible, to construct a new legal framework to tackle the issue. Gender equality is not merely about women; it is not at all a concept whereby women are encouraged to be the same as men, let alone to be more powerful than men. Gender equality strives for the availability of equal access and opportunity for both men and women to be involved and contribute in life in a way that fits their needs and choices. Gender equality, for instance, does not force women to take part in the politics but when there are women who wish to do so but cannot due to unavailability of systematic mechanism, this is when the notion of minimum 30% quota of women's political participation in legislation comes in handy. Gender equality does not encourage women to work outside their home and leave their children in the care of a nanny, rather it tries to do justice for women who wish to do so by creating more access and opportunity for them to generate income and at the same time provide more space for men to actively take part in child rearing.

First and foremost, there needs to be a constant dialogue and series of constructive discussions, especially among the conflicting groups, to correct the understanding of gender equality and feminism. Society needs to be awakened from their long sleep to see that discrimination against women, and in some cases against men, is real and happening before their eyes. From there, more substantial discussion on the content of the bill can continue accordingly.

Finally with the Presidential Election coming in July 2014, there is a great

optimism and at the same time growing concern on whether or not the draft Gender Equality and Justice Bill would actually be able to finally set its course. New people with fresh new ideas for the country may rise and continue the discussion to a whole new chapter. There may be adjustments, amendments or even another long haul. But to see the society's attitude on gender and feminism shift in the right direction would be the greatest achievement.