

Decentralization as a Narrative of Opportunity for Women in Indonesia



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edited by
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**Decentralization as a Narrative
of Opportunity
for Women in Indonesia**

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Women Research Institute
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Acknowledgements

Women Research Institute (WRI), since its established in 2002 had conducts various studies in the fields of politics and social as well as cultural issues by using gender analysis in Indonesia. WRI undertakes studies in the context of re-arranging the concept of governance so that it becomes more sensitive to gender relations that are still unequal, individually as well as in the family and community setting. WRI also finds the importance of the representation of the voice and interests of women in the structure, culture and policies issued as a political, social and cultural product. Yet, this valuable information on current situation of gender relation in Indonesia is still limited to find, especially information written in English language.

It is for this reason, WRI publish a book entitle “Decentralization as a Narrative of Opportunity for Women in Indonesia”. The publication of this book would be impossible without the support from number of people

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Jakarta, medio of July 2007

Women Research Institute

The Two Faces of Decentralization: Marginalizing but Providing Space for Women in Local Politics

Women Research Institute

Introduction

In 2005, Women Research Institute (WRI) conducted a research on “the Impact of Regional Autonomy on Women Political Participation in Decision Making at the Local Level”. The research was conducted in two phases. In the first phase, WRI analyzed local regulations in nine districts/cities by using feminist research methodology. It was an initial step to see how women’s public space and political roles are being perceived, represented and regulated within the context of regional autonomy. The nine districts/cities were spread in seven provinces, namely West Java (Sukabumi and Tasikmalaya), West Sumatra (Solok), West Nusa Tenggara (Mataram), Nanggroe Aceh Darussalam (Banda Aceh), Bali (Gianyar), East Nusa Tenggara (Kupang), and East Kalimantan (Samarinda, West Kutai). The diverse character of the selected districts/cities allows WRI to look at the general trend of women participation in regional autonomy across the multicultural landscape of the contemporary

Indonesian society.

In the second phase, WRI evaluated the impact of local regulations on the society through in-depth interviews in five out of the nine districts/cities, namely Solok, Mataram, Banda Aceh, Gianyar and Kupang. Due to lack of qualified and committed researchers, WRI was forced to drop Sukabumi, Tasikmalaya, Samarinda and West Kutai. WRI then, based on similar criteria applied in the first research phase, selected the district of Kebumen (Central Java), the city of Manado (North Sulawesi), and the city of Pontianak (West Kalimantan) as replacement. The results of the first and second phase of WRI's research reveal the two faces of decentralization concerning the plight of women in local governance.

Finding of the First Phase

WRI's selection of the nine districts/cities is based on three considerations. First, the selected districts/cities should include locations in Java and non-Java to capture uneven economic development and social and cultural differences across regions. Second, the selected districts/cities should include both regions that are revitalising Islamic values such as West Java (Sukabumi and Tasikmalaya), West Sumatra (Solok), West Nusa Tenggara (Mataram) and Nanggroe Aceh Darussalam, and non-Muslim regions such as Bali (Gianyar) and East Nusa Tenggara (Kupang). Third, conflict regions such as Nanggroe Aceh Darussalam (Banda Aceh) and Kalimantan (Samarinda and West Kutai) should also be represented in the selected districts/cities.

The goal of the textual reading of local regulations was twofold in character. First, WRI wanted to reveal how the regional governments regulated women's involvement in local decision making. Second, WRI would like to investigate how women were represented in local regulations. Findings of the first phase research represents one face of decentralization that marginalizes women.

No Laws Stipulating Women Participation in Local Decision Making

Although regions such as Nanggroe Aceh Darussalam (NAD) and Gianyar have acknowledged the problem of gender inequality and discrimination, and responded with a formulation of policies to act upon, no specific laws have been made to stipulate women's participation in local decision making. The percentage of women in legislative body in the nine districts/cities ranges from 0 – 12 percent, a far cry from the 30 percent requirement set by the Election Law 1999.

Due to the non-existence of laws that stipulate women participation in local politics, certain interpretation of Islam could easily be used to limit women's access to participate in local decision making. Although the text of regional regulation (Perda) is gender-neutral, the cultural context of its application could be used to hinder women's participation. In Tasikmalaya for example, five women were appointed to become heads of sub-district (*Camat*). But some members of the Local House of Representative (DPRD) challenged the appointments by arguing that Islam preferred male to female leaders, prompting women activists and women politicians in the DPRD to counter the objection. The case illustrates that gender-neutral regulations open opportunity for gender-based discrimination action, and that an explicit regulation stipulating women's participation in local decision making is a must.

Local Regulations Marginalize Women

New local policies concerning women that are issued under regional autonomy have focused on providing training, supporting equipments, for women to conduct household activities such as cooking, sewing, and other domestic activities. Crucial issues in motherhood and household such as reproductive health and domestic violence are left untouched. Women do not receive support to take part in public activities to pursue

their interests either. For example, although women have been active in local economy, the present local regulations fail to acknowledge their activity and provide proper access to capital, market, and skill.

a. Denying the Role of Women in Public Space

Women's roles in public sphere are not being acknowledged in local regulations. The exclusion of women from decision making in the exploration of natural resources in West Kutai has resulted in the loss of women's sources of income. In Gianyar, spouse of a woman employee is not entitled to receive benefits and support if the employee is ill or deceased since women are not considered as breadwinners.

In Tasikmalaya and NAD, women are obliged to wear headscarf. Women's fashion and public appearance is used as superficial indicators of the new Islamic identity of the regions. New laws were made to make women dress in certain ways (Tasikmalaya and NAD) and to put a curfew for women (Solok), and the regulations became a ground for violent attacks against women who are considered violating the new norms.

b. Very Low Budget Allocation for Women

Local government with minimum funding sources are scrambling to collect various taxes and retributions to meet targeted regional revenues, and it turns out hurting women economically. In Tasikmalaya, the local government imposed taxes on services and trades that mostly serves women consumers or employ women workers such as market vendors. In Sukabumi, the local government imposed taxes on small beauty parlours and restaurants. In Kupang, the municipality decided to establish a special place for sex workers, and then tax them to increase the city's revenues.

After being taxed, do the women get better public services from the local government? The answer is no. Budget allocation

for women only ranged from less than 1% to almost 3% of the total regional development budget. The miniscule budget allocation was also integrated with programs for children and adolescents, as well as for health and social welfare, thus strengthening the stereotypical representation of women as caretakers of the family. There is no particular budget allocation for programs to eliminate discrimination against women such as special scholarship for women to enter public schools, training on community leadership, or capital for small businesses.

c. Reproductive Rights are Neglected

Women are seen more as consumers of contraceptives marketed through family planning programs. Urgent needs of women for the improvement of reproductive health itself does not receive adequate attention despite the fact that almost every region shows high maternal mortality rates.

d. Taxed but Left Unprotected

Mataram is one of the main sending areas of migrant workers in Indonesia, and the city imposes service tax on migrant worker agencies, reaping a fortune from migrant workers. However, the city hardly allocates budget or develop laws to protect the rights of migrant workers.

Findings of the Second Phase

Data gathered during the second phase of the research is currently being analysed and written up. The second phase of research is designed to identify views from different stakeholders (ranging from the government to grassroots actors) regarding women's roles as well as to identify potential ideas and working partners in advancing women's position in local societies.

Result of the first phase of the research shows that local regulations marginalize women's role in the public sphere and in decision making. Result of the second phase of the research is more optimistic, showing that regional autonomy has also created space for women to redefine their role in local governance. Although varying in degrees, local women's organizations (especially NGOs) have started to consider a new role as critical working partners for the local governments.

Women Rising up to Make Regulation Against Trafficking

Women and children in north Sulawesi are vulnerable to trafficking, and the history goes back to the Japanese occupation period in early 1940s. Nowadays, many women and young girls from the area are trafficked to Papua to work as bar hostesses or sex workers. They are vulnerable to HIV/AIDS infection and might spread the disease when they return to their hometowns or villages. The local government of North Sulawesi passed an anti-trafficking Local Regulation in January 2004, the first multistakeholders initiative local regulation ever made in Indonesia under the regional autonomy. Local women NGOs and activists participated in the drafting and advocacy of the anti-trafficking Perda. This regulation imposes administrative sanctions (demotion, dismissal) on local government officers that are involved in trafficking. The Perda shows a new perception in looking at local authority and the role of stakeholders in solving common problems, as well as a new value that it is an offence when public officers fail to prevent a potential criminal act in trafficking.

Carving Women's Public Role in Syariah Islam

Nanggroe Aceh Darussalam was granted special status in regional autonomy since 1999 and the implementation of Syariah Law has been a prominent issue in Banda Aceh. The Syariah Law itself was made by the regional government with only limited participation of local religious leaders. Other stakeholders, especially women, were marginalized. The Law obliges Muslim women to cover their body when they appear in public

places and exercise some punitive measures (i.e. fine). Many interviewees show their concern and disagreement with the application of Syariah Law. However, there has been no open resistance in the public since syariah is considered as the most important aspects of local culture, and that historically as well as at present, Syariah implementation is seen as a way to appease local powers in the context of armed conflict in Aceh.

However, women NGOs and activists in Aceh have been strategizing to influence the implementation of the Syariah Law. They are in agreement that if the implementation continues to be executed in the present way, women in Aceh will be further confined to domestic sphere and lacking access to participation public life. Such condition would definitely hinder gender-mainstreaming agenda, as women are not given proper channels to express their aspiration.

Redefining Customary Law and Identity

Most of the time, customary values and religion are inseparable. In Solok, for instance, customs are perceived as anchored in Syariah, which in turn is rooted in Al-Qur'an. Based on that perception, the local government of Solok issued regulations on dress-code for women and requirement to be Al-Qur'an literate for public officers, students, and people who want to get married. Women NGOs and activists in Solok have been conducting advocacy to change the regulations.

The women NGOs and activists are also making their ways to participate in the revitalization of the customary law that regulates land ownership. Under the custom of Minangkabau's *Bundo Kanduang*, women have the rights to inheritance. However, the custom does not bestow the women the rights regarding what to do with the inheritance. Decision making is in the hands of the *mamak* (men). Many women do not even know the function of Bundo Kanduang, neither do the *mamak* and the community in general. The issue of the rights to a customary land emerged when it became public knowledge that the local government had sold

many parts of the customary land to individuals/investors. The sale is considered violating the customary law that bestows land ownership to the Bundo Kandung. Women NGOs and activists are now participating in the advocacy to return the rights to regulate customary land to the Nagari authority. The women and NGO activists want the government to put the revitalized customary law into a regional regulation (Perda).

Women Leaders Do Make a Difference

The appointment of Rustriningsih as the regent of Kebumen (Central Java) opened wider access for women to decision making in the district. Although Rustriningsih's administration has not specifically produced gender sensitive policies or programs, it has done a lot to encourage women participation in decision-making process. As a result of political leadership education programmes conducted by the local executive (Pemda) and the Independent Election Monitoring Committee (KPPI), the number of women in local legislative body (DPRD) rose from 3 to 8, an increase of almost 300%. Women also occupy more decision making positions in the bureaucracy as *Camat* (Head of sub-district), *Kepala Dinas* (Head of Department), and school directors. The local government has also tried to use participatory decision making approach and made participation of women conditional. The Indonesian Women Coalition (Koalisi Perempuan Indonesia, KPI) and KPPI are in the forefront in the advocacy to enhance women's participation in local politics in Kebumen.

Socializing Gender Budgeting and Planning to Multi-stakeholders in The Region

WRI conducted a preliminary research on women and budget allocation in 2001-2002. The research reveals that budget allocation in Indonesia is gender neutral. It is still assumed that by using a general language, public

budgeting has already addressed the interests of both men and women. The fact is that men and women benefit differently from the current budget allocation since budget allocation for women is always related to the stereotyped roles of women in the domestic sphere.

Gender Budgeting socialization in the district/city is needed to explore and identified specific local problems concerning the understanding of gender and gender injustice because each district/city has unique problems in understanding gender and gender budgeting.

In Banda Aceh, Syariah Law has become the stumbling block of budget allocation specifically directed for women empowerment and other gender sensitive programs. Religious leaders in Aceh, most of them are men, tend to think in a patriarchal ways, proclaiming that Islam does not tolerate women to become leaders. In addition, Law No.3/2003 or *Qanun* No. 3/2003 states that any act of ratification by the authority as well as by parliament members should be discussed with the religious leaders.

In Solok, custom law prevents budget allocation for the revitalization of Nagari authority to regulate the sale of inheritance land. Women inherit the land, but in practice there has been many cases where uncles sell the inherited land without the consent of their sisters. It is also hard to imagine that the government would allocate budget for reforming land certification that protects the rights of women to inherit and decide the use of land.

In Kupang, it is the structure of the local government that prevents budget allocation for women. The body that has the authority to handle women problems is the bureau of women empowerment that does not have decision making authority to allocate budget.

In Gianyar, the male dominated custom prevents budget allocation for women. Customs are proposed by *praremen*, the majority of which are men, and women are not involved. The prevalence of customs has prevented women to occupy decision making positions and act accordingly to allocate budget to fulfill women's needs.

In Mataram, it is the domination of men with religious vision in the executive and legislative that prevents budget reallocation for women. The vision of the city of Mataram to become a developed and religious

city is manifested more in the development mosques. Meanwhile, women traders actually want the government to lessen the number and amount of retribution that they have to pay.

In Kebumen, although the regent is a woman, there are still policies that discriminate women. For example, women cannot withdraw their money from the bank without the husband's consent. The challenge in Kebumen is to put more women with gender perspective in decision making positions.

In Manado, there is already regional budget allocation for women empowerment. The problem is that the programs did not reach the targeted beneficiaries. The reason of mis-targeting is because most of the projects are carried out by the *PKK* that direct the funding for comparative studies rather than to improve women's capacity and quality of life.

In Pontianak, the understanding of gender budgeting among local executives has not been translated into gender sensitive budget allocation. The challenge is to increase the number of women in the local legislative.

Training of Gender Budgeting to Multi-stakeholders

The aim of the training is to improve the capability of civil society organizations and the decision makers in the local executive and legislative offices to develop budget reallocation that is sensitive to the poor and marginalized communities, including women. The training is aimed at capacity enhancement in three areas:

- a. Identifying problems that occur due to budget allocation that is not gender sensitive;
- b. Analyzing the implementation of budget allocation that is not gender sensitive;
- c. Identifying counterparts in local executive and legislative offices to promote the implementation of regional gender budgeting.

Participants of the training are more specific compared to participants in the gender budgeting socialization workshop. From the local executive and legislative bodies such as Budgeting Commission were invited along with women local parliament members, if any, and head of section or sub head of section of Education, Health, Women Empowerment, and Labor Department. The parties invited were related to the issues that WRI wanted to address. Second, those parties had access to or were involved in budget decision making. Third, the program should reach its objective effectively. The gender budgeting training itself went through five steps.

- Step 1: identifying participants' level of understanding of gender budgeting concept, gender perspective, and gender method of analysis.
- Step 2: using group discussion and plenary to identify and map gender issues in the respective districts/cities.
- Step 3: discussing the need to develop gender budgeting for the respective districts/cities.
- Step 4: studying budget allocation by using the city of Bandung's budget in group discussion and plenary session.
- Step 5: designing performance based and gender budgeting through group discussion and plenary.

Conducting Policy Advocacy on Gender Budgeting

Policy advocacy on planning and budgeting in the districts/cities in form of public dialogues and seminars is a must. It was at the same time gender budgeting and pro-poor budget advocacy. The advocacy was done by actively involving multi stakeholders in each of the regencies/municipalities.

The Next Agenda: Mainstreaming Women's Needs into Democratization Agenda at the Local Level

We need to capture women's voices at the local level to identify gender problems that are related to democratization agenda at the local level. The capturing should be done both at the social and conceptual level.

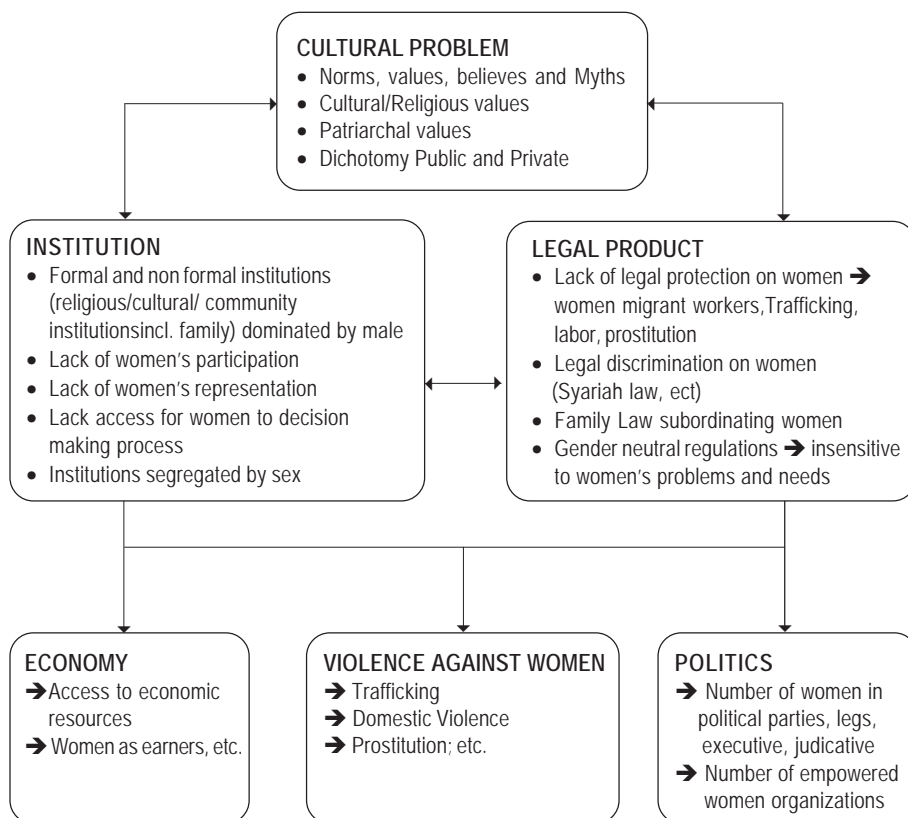
At the social level, we need to capture local women's perspective on culture, structure and regulation. Culture refers to values, norms, and beliefs in the society that relate to power and gender relations. Structure refers to institutions and organizations, both formal and informal, in the society that deal with decision making processes. Meanwhile, regulation refers to policy and legal products that manage or mismanage gender relations

Culture, structure, and regulation are related to each other. For example, the value that a man is the household head and a woman is the homemaker has contributed to the limited/lack of access of women in the process of decision making in the family (domestic sphere), the legislative and executive bodies, and in the cultural/religious institutions (public sphere). Consequently, the content of regulations (public and domestic), policy, or other legal products do not represent women's voices, needs and interests.

At the conceptual level, we need to capture the distinction between public and domestic spheres that has become a conceptual base for discrimination against women. Currently, the public sphere is considered to be the area for activities that are impersonal in character. Meanwhile, domestic sphere is the area where people conduct their personal activities.

In examining the separation of domestic and public spheres, we can clearly see that issues that are perceived as 'personal' are not considered as important problems just because they take place in the domestic area. The current discourse of democracy still misses gender issues because it only covers activities that take place in the public arena. Since the dichotomy of the domestic and public area puts women in domestic area, women's needs and interests are not accounted for in this discourse.

Scheme of Gender Problems and Strategic Issues



Decentralization has two faces. It marginalizes women but at the same time also provides space for women to redefine their role in local governance.

1

Making Decentralization Meaningful for Women

Edriana Noerdin
Sita Aripurnami

Introduction

“Decentralization..., is said, will potentially lead to greater prioritization of local needs in development policy, as it encourages greater accountability of those who govern local communities” (Hadiz 2004: 700).

By bringing decision making closer to the constituents, it is expected that decentralization would make the government more responsive to the needs of the people, especially for women that constitute almost 52% of the Indonesian population. As of now, regional autonomy has been implemented for six years in Indonesia. However, the question remains whether women have actually enjoyed better public services in the past six years. The answer is more complicated than just a yes or no. If decentralization is not automatically sensitive to gender equity as coined by Goetz and Jenkins (1999: 4), the question is how to make it so. What

matter are not just decentralization policies themselves, but also the wider political, social, and cultural context faced by women in Indonesia.

Decentralization in Indonesia has so far shown mixed and uncertain results regarding its impact on women. On the one hand, it has made the district government of Bantul, in the drive to increase local revenues, increase the fee to visit Community health centers (*Puskesmas*) from Rp. 700 to Rp. 3,500, an increase of 500%. Similarly, the city of Yogyakarta has followed suit, increasing the *Puskesmas* fee from Rp. 600 to Rp. 4,000, an increase of 700%. In the district of Subang (2003), Gunung Kidul (2003), and Bantul (2004) retribution from health services ranked first in the local revenue generation. In Kebumen (2003) and the city of Yogyakarta (2004), retribution from health services ranked second and third respectively. (Fatimah 2004: 4-6) Women are hurt the most by the meteoric increase of health services fee. Instead of using regional budget to provide better and cheaper public services to marginalized groups, including women, the regional governments used them as a revenue generating machine to extract money from the people they were supposed to serve.

Decentralization has also increased the death risk of pregnant women since the central government decided to stop providing salaries for midwives nation wide. The responsibility to provide support for midwives was transferred to local governments. And since decision making at the local level is not gender sensitive, many district/city governments have decided to cut down or even stop funding for midwives. This is happening amidst the fact that Indonesia's maternal mortality rate has been among the highest in Southeast Asia, reaching to 310/100,000 birth in the period of 1990-2005, lagging far behind the Philippines and Vietnam (170), Malaysia (30), and Thailand (24) (www.unicef.org). On top of that, decentralization has also put women in a disadvantage position politically and socially since in many cases it goes go hand in hand with the strengthening of patriarchal culture at the local level. Decentralization allows local governments to implement syariah law at the district/city level. So far, 13 districtscities have implemented various moral regulations

influenced by syariah law that discriminate against women, e.g. women are not allowed to go out after six o'clock in the evening without being accompanied by male relatives, women have to wear *jilbab* (headscarf), etc. (See annex list of the districts and cities that implemented local ordinance influenced by syariah law)

On the other hand, decentralization has allowed Jembrana district, a poor district in Bali, to conduct budget efficiency and cut down on corruption in order to free education and health care. Women, who suffer discrimination within the household in regard of education and health, gain the most advantage from the freeing of the two public services. And the district of Jembrana is not alone. In Bantul and Kulon Progo, two districts in Yogyakarta, for example, there is an increasing subsidy for basic health services (Posyandu) for poor women to receive reproductive health services. Although retribution from health services ranked first in the local revenue generation in the district of Bantul, apparently the local government utilized some of the revenues to improve reproductive health services for poor women.

Table 1: Increasing Subsidy for Reproductive Health Service

Budget allocation	2004 (Rp)	2006 (Rp)
Bantul	0	1,400,000,000
Kulon Progo	4,000,000	646,000,000
Banaran village, Kulon Progo	10,000 per posyandu per month	25,000 per posyandu permonth

Source: Rinto Andriano, p. 17, April 14, 2007

Other than benefits from budget allocation, decentralization has also produced regulations that open up room for women to participate in public decision making. The National Planning Agency (Bappenas) and the Ministry of Home Affairs issued Joint Decision Letter No. 0259/M.PPN/I/2005-050/166/SJ in 2005 that allows citizens to participate in

development planning and budgeting through the bottom up *Musrenbang* process. The regulation required that planning and budgeting be carried out in a participative manner, involving representatives from the people and civil society organizations at the village, sub-district, and district/city level. This bottom up mechanism provides an opportunity for women to influence development planning and budgeting. At the regional level, the district of Mataram, Lombok, for example issued Regional Regulation No. 27/2001 regarding participatory development planning called *Musyawarah Pembangunan Bermitra Masyarakat* (MPBM), which also gives the opportunity for women to shape policies and budget allocation.

How far have women been able to make use of the opening up of participation spaces depends on the wider political, social, and cultural context faced by women and the capacity of women to make the system of representative democracy more representative for women. Let's deal with it one by one. First, context does matter. Policies are products of how the society perceives women. In Indonesia, women are defined as mothers or caretakers of the family. The cultural construction of the Indonesian society assumes that the political arena belongs only to men. The dichotomization of gender roles has put women in the reproductive side of the equation, confining them in the domestic domain and marginalizing them from the public domain that includes the political arena. This social discursive context explains the question why has women's political participation in formal institutions been extremely low. The reason why political parties have low awareness of the importance of providing women with wider opportunities has its roots in the fact that the society marginalizes women from the public arena.

The discursive context of keeping women from the public domain has, for example, made Law No. 22/1999 on Regional Government and Law No. 25/1999 regarding the fiscal balance between Central and Regional Government unresponsive to gender issues. The two regulations actually give more authority to district/city governments to develop regional regulations, including regulating the allocation of regional budget. However, since the decentralization of power is not accompanied with a

gender perspective both at the civil society organization (CSO) and local government level, the decentralization process tends to go hand in hand with the strengthening of patriarchal culture at the local level. This is reflected in the regional budget allocation that does not prioritize the welfare of marginalized groups, including women. In general, 89% of local budget in most districts/cities is allocated for routine administrative expenditure and only 11% is allocated for budget development spending. Out of the 11%, only a miniscule amount is allocated for the interests of women.

However, there are actually some indications that the perspective of women as household caretakers has started to experience significant change. President Abdurrahman Wahid, for example, issued Presidential Instruction (*Inpres*) No. 9/2000 on gender mainstreaming. Three years later, Election Law No. 12/2003 was issued, which provided affirmative action for women's participation in politics by ruling that 30 percent out of the total number of every political party's candidates for the parliament should be women. The regulations indicate that there has been significant progress of gender mainstreaming efforts into public policies. But much more things still need to be done to change the context further if we want to make decentralization meaningful for women.

Second, the ability of women to increase women representatives in the political system also matters. What should be done if the system of representative democracy, where the executives and legislatives are directly elected by the people, and women consists of more than 50% of voters, turn out to be unresponsive to the needs of women? One important solution is to increase the number of women representatives. Currently, despite the fact that 52 percent of Indonesian voters are women, the existing 48 political parties failed to include a significant number of women on their electoral lists. This led to a decline in the presence of women in the national legislature from 12 percent in 1997 to 9 percent in 1999. In 2004 the number increased to 11.27%, still a far cry from the targeted 30%. Actually in 2004 the number of women candidates for the national legislature came to around 32.3%. Indeed, the significant number of

Table 2
National Legislature Members, 2004

No.	POLITICAL PARTY	WOMEN	PERCENTAGE	MEN	PERCENTAGE	TOTAL
1.	PARTAI GOLKAR	18	14	110	86	128
2.	PDIP	12	11	97	89	109
3.	PPP	3	5.17	55	94.82	58
4.	PARTAI DEMOKRAT	6	10.52	49	89.47	55
5.	PARTAI KEBANGKITAN BANGSA	7	13.46	45	86.53	52
6.	PARTAI AMANAT NASIONAL	7	13.46	46	86.53	53
7.	PARTAI Keadilan Sejahtera	3	6.66	42	93.33	45
8.	PARTAI BINTANG REFORMASI	2	15.38	12	84.61	14
9.	PARTAI BULAN BINTANG	0	0	11	100	11
10.	PARTAI DAMAI SEJAHTERA	3	25	9	75	13
11.	PARTAI PERSATUAN DEMOKRASI KEBANGSAAN	0	0	4	100	4
12.	PARTAI Keadilan	0	0	2	100	2
13.	PARTAI PELOPOR	1	33	2	66	3
14.	PARTAI Keadilan dan Parsatuan Indonesia	0	0	1	100	1
15.	PNI MARHAENIS	0	0	1	100	1
16.	PARTAI PENEGAK DEMOKRASI INDONESIA	0	0	1	100	1
	TOTAL	62	11.27	487		550

Sources: Website KPU (Komite Pemilihan Umum è The National Commission on Election)

candidates was a product of the Law on Election No. 12/2003 that regulates the 30 percent quota (Ani Soetjipto, 268, 2005). Table 2 shows the number of women representatives by political parties.

Moreover, in 2004 the number of women representatives at the provincial level was 10% (Ani Soetjipto, p. 269, 2005). While, in some local parliaments, such as in the city of Pontianak, in 2005, all members of the local parliament were men.

The implementation of the policy of affirmative action, the 30 percent quota, for women is quite a significant achievement. The quota system originated from the basic idea of putting women in public decision making positions, ensuring that women are not excluded from the political domain. The question is whether the policy has shown positive results in term of a significant increase of the number of women in parliament. There are two answers, *yes* if we refer to the increasing number of women in the national and local parliaments. But *no* if we see that since women consist of more than 50% of the population, the current percentage of women parliament members is way too low.

The problem is that the 30 percent quota for women (General Election Law No. 12 year 2003 article 65 clause 1) only applies to the time of legislative member's nomination. Decision regarding what candidates should win the seats is in the hands of political parties and it is not regulated by the 30 percent quota. The quota only applies to the gender composition of candidates nominated to become parliament members, but not to the actual number of representatives that get elected into the national and local parliaments. On top of that, the article regulating the 30 percent quota does not have any resolute sanction for the violation of this stipulation. Consequently, many political parties place their legislative women candidates in the bottom of the list, allowing male candidates to get elected. Another important factor to be considered is the mechanism of nomination where women are required to be a member of a political party, mass organization, or certain communities like *Nabdatul Ulama*, *Muhammadiyah*, *PKK* or *Bundo Kanduang*. In other words, without their involvement in a formal organization, among others, women will find it difficult to enter the arena of formal politics.

Indonesia is known as one of the developing countries that were successful in carrying out its general election, like the one held in 2004. One of its measuring poles is the high turn out of people in the election of representatives in the legislative body and the presidential election. This condition may be seen as an indication of the government's good will in improving the climate of democracy by opening room for political

participation for all its citizens, men and women, without discrimination. However, if we look more closely, women's involvement in formal politics is still limited to voting or *being represented*, but their interests are actually not represented. The composition of women in public institutions, both in the legislative and executive bodies, is still insignificant compared to the number of men. Table 2 shows that the number of women representatives in all formal institutions is very low. Table 3 shows that even for the capital city of Jakarta, in 2003 women representatives in the parliament only consisted of less than 9% of the total number of representatives. In West Kalimantan, the percentage of women representatives in the parliament at the provincial level only came to 3.6 percent. (UNDP & Biro Pusat Statistik 2004) In the city of Pontianak (West Kalimantan province), all of the representatives were men. In West Sumatera, as shown in Table 4, out of the 55 members of the Local House of Representatives (*DPRD*) of the West Sumatra Province, only four of them were women.

In total, the representation of women in local parliaments comes to only 8 percent. This figure is far lower compared to figures in the fifties. According to Gusti Asnan in the beginning of the 1950s¹ there were seven organization representatives from West Sumatra that became members of the *DPRD*.² As cited from an article in *Haluan* local daily, Asnan described that the respond of the West Sumatra people to the roles of women in politics at that time was favorable. This means that the 30 percent quota policy needs to be improved to allow a more gender-balanced representation.

As stated above, the women candidates for the Election 2004 was 32.3%. However, paragraph 65, article 1 of Law No. 12/2003 specifically

¹ During the 1950s a number of researches were conducted by historians of West Sumatra.

² These women were representing religious organizations (*Aisyiyah* and *Muslimat*) or the Islamic Political Parties. The power of Islamic political parties during the colonial era, in the beginning of independence in West Sumatra, was dominant because it was the center of resistance against the Dutch colonialism (Asnan tahun?- harus dimasukin juga ke Daftar Pustaka).

Table 3

Women Legislature at the Provincial and Districts/City Level, 1999 - 2004

Position	Women	Men	Total
Head of Legislative at the Provincial Level	1 (3.7%)	26	27
Deputy of Legislative at the Provincial Level	1 (1.42%)	69	70
Head of Legislative at the District/City Level	6 (2.44%)	239	245
Deputy of Legislative at the District/City Level	10 (1.52%)	647	657

Data is taken from various sources, quoted from Soetjipto (2005).

Table 4

Representation of Women and Men in Formal Political Institutions, 2001

Institution	Women	Men	Percentage of Women
MPR	18	177	9,2%
DPR	45	455	9%
MA	7	40	14,8%
BPK	0	7	0%
DPA	2	43	4,4%
KPU	2	9	18,1%
Governors (DATI I)	0	30	0%
Chief of Districts (<i>Bupati</i>) (DATI II)	5	331	1,5%

Data is taken from various sources, quoted from Soetjipto (2005).

Table 5
The Composition of *DPRD* Representatives in the Province of DKI Jakarta
Based on Political Party and Sex, 2003

Political Party	Sex		Total
	Male	Female	
PPP	12	1	13
PDI-P	29	1	30
PAN	11	2	13
PBB	2	-	2
PK	4	-	4
GOLKAR	6	2	8
PPP	1	-	1
PKB	2	1	3
PKP	1	-	1
PBTI	1	-	1
TNI-POLRI	9	-	9
Total	78	7	85

Source: Last Update : 04 August 2003 & Source: dkiweb@dki.go.id

Table 6
Composition of Provincial *DPRD* Members of West Sumatra
Province 1999-2004, based on Political Faction and Sex

Political Party	Sex		Total
	Male	Female	
1. Partai Kebangkitan Muslim Indonesia (KAMI)	1	0	1
2. Partai Umat Islam (OUI)	1	0	1
3. Partai Persatuan Pembangunan (PPP)	10	0	10
4. Partai Demokrasi Indonesia Perjuangan (PDIP)	5	0	5
5. Partai Amanat Nasional (PAN)	11	0	11
6. Partai Bulan Bintang (PBB)	3	0	3
7. Partai Keadilan (PK)	2	0	2
8. Partai Golongan Karya (P. Golkar)	9	3	12
9. Partai Persatuan (PP)	1	0	1
10. Partai Kebangkitan Bangsa (PKB)	1	0	1
11. Partai Keadilan dan Persatuan (PKP)	1	0	1
12. Partai Islam Indonesia Masyumi (PIIM)	0	1	1
13. TNI/Polri	6	0	6
Jumlah	51	4	55

Source: Sumatera Barat Dalam Angka 2003 (BPS Sumatera Barat, 2003).

explained that the 30% quota is an option and political parties are not bound by legal sanctions to comply with the Law. The lack of sanction has made political parties reluctant to adopt the quota fully, and in the end the law actually failed to push them to nominate women candidates and put them in the upper rank of their candidate list in order to get elected (Ani Soetjipto, p. 271, 2005).

The question then, why did political parties put their women candidates in the bottom rank of their candidate list? Is this merely attributed to the political parties' low awareness of the importance of providing women with wider political opportunities or is women's political awareness also low? The likely answer is both of them, and the issue comes back to the earlier point that context matters. Thus, due to the low awareness of political actors in general and women in particular, serious efforts are required to increase public awareness of women's role in the political domain. Women should not be formally elected to merely represent their gender, but they should have the capacity to articulate women's interest in their participation in the making of public policies at various levels.

The result of research on "The Representation of Women in Public Policy in the Regional Autonomy" (2002) conducted by Women Research Institute (WRI) showed that the capacity of women to exert political pressure at the local level determines their ability to promote political change (further discussion of women's participation in local politics will be discussed in Chapter III). The research used qualitative method by conducting in-depth interviews of various respondents that consisted of executive and legislative members of the government; academicians; NGO activists; leaders of social organizations; grassroots, community, and religious figures; traditional leaders (*ketua adat*); and business people. Eight areas were selected to capture the dynamics of women's role in local politics in the regional autonomy era, namely the city of Banda Aceh (Aceh), the district of Solok (West Sumatra), the district of Kebumen (Central Java), the city of Pontianak (East Kalimantan), the city of Mataram (West Nusa Tenggara), the city of Kupang (East Nusa Tenggara),

the city of Manado (North Sulawesi), and the district of Gianyar (Bali). Besides the eight districts/cities, the research also included information regarding political participation in the city of Jakarta.

The research result shows evidence of women participation in policy making in Java, Sumatra, and Kalimantan. The extent of women's public participation is closely related to the dynamics of local community. The aforementioned regions demonstrate that the high involvement of civil society, including women, at the local level is related to the presence of a number of active NGOs and local media. In contrast to the first three regions, in the eastern part of Indonesia there have not been any significant improvements in women's public participation. The research showed that in some districts in the eastern part of Indonesia, women's involvement in policy making at the local level is still low. In the districts of Belu and Ende for example, the public hearing for policy formulation did not involve the public, let alone women. In other parts of the country, for example in East Kalimantan, efforts to involve the public have been made since three years ago. For instance, policy drafts were socialized beforehand to the public through local media. This process of socialization is regarded by the local government as providing an opportunity for the public to express their opinion and articulate their interest concerning a certain policy. Thus, the legislative and executive bodies consider that the process of formulating policy has already engaged the people.

The capacity of women and women groups is crucial in determining their ability to participate in decision making. And the challenge is tremendous. In the case of *Musrenbang*³ for example, the bottom up planning mechanism has the potential to shift the general rule of budget allocation from 89 percent for routine expenditure and 11 percent for development spending to a balanced 50:50 budget allocation. A more balanced budget allocation would allow women to get a bigger share from the local budget allocation. However, to facilitate the process of *Musrenbang* involves

³ *Musrenbang* or *Musyawahat Perencanaan Pembangunan* is a process designed by the government to gauge all stakeholders interest on development programs and budget.

enormous work since it has to be done in more than 450 districts/cities, and it has to be conducted at the village, sub-district, and district/city level. In many areas the capacity of women organizations is not able to measure up to the challenge. Due to the lack of capacity of CSOs, including women organizations, in the regions, the *Musrenbang* participatory planning and budgeting was only facilitated adequately in a few districts/cities.

Women's Efforts to Enter the Public Domain

Let's go back to discussing context and women's effort to change it. The public domain is always considered as the primary domain because it has more economic value. Women whose roles are in the private domain are not valued, so they are motivated to enter the public domain, which is dominated by men. However, it is not easy for women to participate in the public domain due to their limited access to education, economic resources, and political parties. This raises the question of who has the rights to divide gender roles into two distinct limited spaces and at the same time gives more meaning to one domain. What interests are hidden behind this?

The public domain is an arena where various discourses on gender, culture, language, and religion struggle to compete. Because men have more power than women in the community, men are more dominant in interpreting the culture of the community and thus dominate public discourse. The public domain becomes an arena where discourses are contested for the interest of one sex, and the domination is translated through culture, class, language, and religion.

Feminist scholars pay special attention to the reinterpretation of culture that subordinates women and marginalizes them in the public domain and civil society. In their view, regardless of her/his self-identity, a person should have equal access to the public domain. Therefore, there should be no cultural interpretation that prevents a woman to participate

in the public domain. Furthermore, because there are many public spaces within the public domain, a person can play different roles in several public spaces in at the same time. Meanwhile, the private and public domains should not be rigidly separated because there should be no firm definition of the two domains.

Advocacy of cases of domestic violence (also found in all WRI research locations) demonstrate efforts to reinterpret the position of domestic violence in the private domain. Advocacy efforts carried out by women's organizations are accompanied by media coverage, turning domestic violence into a discourse that raises public debate and concern. The success of this advocacy effort is the adoption of Law No. 23 Year 2004 on the Elimination of Domestic Violence. The positive implication of the adoption of this law is that it promotes the understanding of domestic violence at the individual level and thus raises the awareness that domestic violence is not only a private matter but is a problem that is inseparable from the public domain. This is reflected in the opinion of the following informant:

...the government hardly pays attention to domestic matters. They are not the concern of the government, because such problems are regarded as personal problems. But, as a woman, I think the government should give more attention to women issues, especially to the issue of domestic violence. So that women's safety is guaranteed. Now that we have regional autonomy, there should be a law to ensure that if it [domestic violence] happens, it is not just a personal problem. But it is the concern of the government.

There is a law against it, so just report it to the police, so that if necessary and if there is violence committed extraordinarily and on purpose by men, it needs to be followed up. If necessary the man should be given sanction. (Interview with Elvie M. Watuseke, Manado, Monday, 1 November 2004).

It is important for women to be actively involved in articulating their interests and in pressuring the political system to include their interests in the public policy agenda. In the longer term the efforts would bring change in women's position in public policy.

If we relate this matter to the context of women's participation discussed in the beginning of this chapter, we can see that the public and private dichotomy is one of the obstacles to women's public participation because it keeps women in a marginal position, confining women to roles similar to those in the private domain. However, if we examine this further, the problem of women's participation is not only a matter of domain, but also a matter of how women participate and to what extent they are able to articulate their concerns.

Serious and ongoing efforts are needed to build the discourse concerning the importance of women's equal participation in every decision-making processes. This also includes the efforts to reconstruct the definition of gender. This new definition should be fairer for both men and women and bear a more contextual religious interpretation in order to end further discrimination of women. Hence, women will be able to fully participate and articulate their concerns in various sectors of life.

Gender Ideology and Local Values and Culture

As discussed in the beginning of this chapter, women's participation in formal political institutions is very low. The social context still presents many obstacles to women political participation. The result of WRI's research indicates that women's efforts to overcome gender inequality in political participation is intertwined with the context of ethnicity, local politics, and local culture (including religious pluralism).

As it has been explained previously, through the selection of research locations, we have tried to capture Indonesia's diversity in terms of natural resources, ethnic groups, religion, and conflicts. Banda Aceh Municipality

was chosen to represent the domination of Islamic influence; Pontianak Municipality was chosen for its rich multi-ethnicity and natural resources; and Manado Municipality, Kupang and Gianyar District were selected to represent non-Muslim regions. Every region has its own cultural uniqueness and special local values that influence the life styles and ideas of the people, as well as influencing local public decision making. Local cultures and values become part of the context that influences the practice of gender ideology in the community.

Banda Aceh, for example, is a special region known as “the Veranda of Mecca” that implements *syariat*-based (Islamic law-based) public policies. Obviously, women have become victims of these local policies. For example, the policy that obligates Muslim women to wear *jilbab* (Muslim female headscarf) positions women as objects, turning women into a symbol of morality and local identity. Below is an account of an informant on the implementation of this policy on women in Aceh:

The government regards that the Islamic law should be implemented in a visible manner. People will see the implementation of Islamic law when women wear the *jilbab*. Yes, it means seeing something... tangible, something that can be seen directly. But in fact there are many unseen intangible things. For example, the attitude of women and their obedience to the law. (Interview with an Acehnese male academician, 2005)

Meanwhile in Kebumen the mix of Javanese tradition and Islamic values has put women in a second-class position, or “*konco wingking*” (or the companion) of men. The impact of this perception is that women are less motivated to step forward to occupy strategic positions, especially leadership positions. Textual religious interpretations worsen the position of women. Below is an informant’s account:

...The understanding of religion in Kebumen is rather textual. When people talk about *arrijal qovamuuna ‘ala nisa’*, ... they put

women in second place. Some will literally understand the textual meaning as being the true reality of life. (Male member of the House of Representatives of the District of Kebumen)

Similar to Aceh and Kebumen, Mataram also has strong cultural values influenced by Islamic teachings, which is translated into gender roles by its followers. One of the values can be seen from how decision-making in the family is carried out. Decision-making is in the hands of the husband, which is a manifestation of the understanding and interpretation of one of the Koranic (*qur'an*) verses that a man is the leader of a woman, so he is the head of the family, and a woman's duty is to take care of the household. This is expressed by one of our grassroots informants:

..Allah created man as leader, therefore it is man who primarily has to earn a living..., it is man who has to do all of that .., nothing is said in the Koran., that it is a woman who has to earn a living.... (Male, grassroots informant)

... The Koran also explained that man is the leader of the family.... (Male academician)

...a woman takes care of the household, so in my words, a man is the prime minister, while the woman is the minister of internal affairs. (Male member of the Regional House of Representatives)

From the interview quotes above it is evident that the understanding of gender is strongly influenced by religious values. The value is that a man is responsible for earning a living (public domain) and a woman is responsible for taking care of the children and the household (private domain). Even though a woman works, she still has to be responsible for household affairs. Some even think that a woman should not leave the

house, except when she is accompanied by a male relative. Therefore, women's freedom in public space is severely restricted.

Does Solok present a different picture since it has a matrilineal culture that places women in a respectable position? The answer is no. Indeed, at first glance women in the Minangkabau community occupies a respectable position. This is reflected in the expression of "*limpapeh rumah gadang, Bundo Kanduang*" literally means women as butterfly of the house. As woman, she has to follow the norms set up by the society. By doing so, she will be considered as good woman, like butterfly who looks pretty just like a beautiful decoration of the house. It is women who maintain inheritance and determine the preparation and carrying out of traditional ceremonies. In many cases, everything is negotiated first in a women's forum, such as marriage proposals or marriage date, and the protocols. Once everything is fixed, the plan is brought to the male forum of the *ninik mamaks*. *Siriab* and *Carano* which are the main prerequisites in opening a conversation or any ceremony, is presented by a mother as symbol. Nothing is carried out without the knowledge of the *Bundo Kanduang* (Boestami et 1993). Through the role of the *Bundo Kanduang*, women have full rights to the ownership of property and inheritance.

In reality, however, although it is women who have the right to ownership, it is men who enjoy the results and manage it. Moreover, if inheritance is certified, it will be under the name of a man, in this case the *mamak* (uncle from the mother side) who is head of the heir. In the case of expressing opinions, the role of the *Bundo Kanduang* is nothing more than just a formality. *Bundo Kanduang* only needs to be informed, but is not really involved in the decision-making process. This is influenced by religious teachings on attitude and nature addressed to Minangkabau women. For example, a woman should be patient and should obey the order and advice of her husband, her parents, and *ninik –mamak* and his siblings. The basic idea of this teaching is that women are not positioned equally to men in decision-making processes, both in the public and private domains.

From the discussion above we see how different local values (includ-

ing religion) are part of gender ideology that positions women as second-class citizens. The gender ideology of the community influences women's decision in choosing their roles and in participating in the community. Women are marginalized because they are confined to domestic roles that are considered as "female work". These roles are assumed as something natural and women have to accept them. This in turn has resulted in the very low participation of women in public institutions. This is reflected by the following interview with a respondent in Pontianak:

... The cultural values containing patrilineal elements are still strong; women always accept things unconditionally (which is influenced by education and socialization). Women are always given domestic roles so they find it difficult to access the outside world. Cultural values also tend to differentiate the roles between men and women. While speaking of religious values, currently there are misperceptions of religious teachings, and women's understanding of religious teaching is low. Consequently, they misinterpret the teachings. The religious interpretations have been translated by men, so, well, they are produced according to male perceptions. Even to this moment there is no local regulation especially made for women. (A female academician from Pontianak)

Women who are active in the public sector will bear double responsibilities because they still have to be responsible for the tasks of taking care of their children, as also reflected in the following quotation:

The common practice as what I have said,... in the community is that women are responsible for domestic work and work in the public domain, especially earning money, is a husband's duty. It is not right if a wife is forced to make a living, while the husband does not work.... (Interview with Susiana Candarwati, a business woman from Kebumen, 2005).

Women can be active outside the house, but should not forget their natural role as mothers for their children and as partners for their husbands. Husbands and wives should care for each other in order to avoid conflict due to work. (Interview with Ir. M.A. Dwi Astuti, *Bappeda*/Agency for the Regional Development of Pontianak Municipality).

.... There is improvement now. In Manado, in the service sector, women and men have equal positions. But women still bear the burden of being housewives. Some men do not work, but their wives do and the wives still have to do housework. (Interview with Rudi Mulyadi, Direktor of Yayasan Dian Rakyat Indonesia, Manado, 2005)

Local values based on ethnic groups, culture, and religions are intertwined with gender ideology that puts women in a disadvantage position. It has prevented women from occupying strategic positions in the community, especially in public offices.

Closing Remarks: Targeting Discriminative Policies

The fundamental problem that hinders women's political participation is the existing dichotomy of the public and private domain that intertwined with local values and cultures. It is based on this dichotomy that the gender stereotyping of the role of men and women is reproduced. But actually elements of a more democratic political atmosphere can be found in the current political context in Indonesia, and they should be used to further women's movement in Indonesia.

Various women's organizations have flourished in Indonesia, ranging from religious-based and development-oriented organizations to those that have critical and transformative approaches. Women organizations also take the form mass organizations, NGOs, unions, associations, and

federations, and the formal form of commissions such as the state-established National Commission on Violence against Women (Komnas Perempuan). Concerns and issues taken up by women's organizations have also been more diverse, such as violence against women, poverty, voters education, migrant workers, domestic helpers (*pekerja rumah tangga*), trafficking, and women's reproductive health.

.... gradually, then, the regime changed and the situation was quite conducive. During the Gus Dur (the third president of Indonesia, Abdurrahman Wahid) era, freedom was found in all aspects of social life: intellectual rights, critical books, T-shirts that had words criticizing [the government] or pictures/photos of the person criticized were freely sold; also the media was more unrestrained in publishing news. At the moment, transparency is perceived as the democratic way. Due to the democratic atmosphere that appeared after the reformation, people also freely talked about the condition of women domestic helpers (*PRT- Pekerja Rumah Tangga*). It was then considered as a women's issue. It has recognized as less political characteristics (Rumpun Gema Perempuan)

Transparency in the political field and freedom of expression are indeed quite conducive for the rise of new ideas as well as criticism of public policies. It also provides the opportunity for community involvement in policymaking. This democratic environment affected organizational life, such as in the choices of programs, organizational strategies, and networking in policy advocacy. However, freedom of expression and of organizing the movement will not result in a significant impact on women's life if there is no change in how gender relations are perceived.

.... In my opinion, in fact, the condition has been changed, but the government's perspective has not been different from that in the past. Patriarchy still exists. During the reformation, we can

discuss more openly about social problems with policymakers in this country; however, observing the recent situation, of course, we do not only have to deal with state, but also with conservative elements of the community, e.g. religious fundamentalists. (Member of Koalisi Perempuan Indonesia, 2005.

There are still numerous public policies that represent the dichotomy between the public and the private and reproduce the political context that discriminates women. Women movements should work for the amendment of those discriminative policies. For instance, the Marriage Law acknowledges men as family heads, and therefore not recognizing women as head of the household. The Health Law prohibits abortion, causing women to seek help from illegal practices which can jeopardize their lives. At the local level, various regulations that are inspired by the shariah perspective, which symbolizes the perspective that women should remain in the private domain, definitely need to be amended.

It is the responsibilities of government and civil society organizations, including women organizations to carefully examine the impact of gender inequality on women's lives, due to cultural and social construct and various regulations and public policies. Obviously there are public policies that clearly discriminate women, and women should concentrate on changing those policies as a symbol of resistance towards the public-private dichotomy. There are two things that should be done. First, women and women organizations should continue their efforts to challenge the context of the marginalization of women from the public domain. Second, women and women organizations should continue to improve their capacity to participate in the public participation spaces. The efforts of women's movements to change the discriminative laws should take into account the diversity of values at the local level and the participation spaces that have been opened up by decentralization. Women should develop their capacity to make decentralization more meaningful to them.

Decentralization and the Subversion of Women Domestication

Introduction

This chapter aims to propose another way of seeing women's role in local politics in the context of the implementation of regional autonomy in Indonesia. As we have stated before, regional autonomy allows for the exposure of various articulations of concerns and for the development of new definitions of identity and role. In the era of regional autonomy, women articulate their interests by utilizing various structures in local politics. Therefore it is crucial to take a look at the role of women agencies in various sectors such as bureaucracy or state structure, civil society organizations (CSOs), and community. The role of women agencies is used to indicate the different forms of agencies in various discursive domains that will allow women to have political roles in the local state structure.

The role of women agencies in state structure, civil society organizations, and community will be addressed within the context of

the implementation of decentralization in three districts, namely Manado, Kebumen, and Solok. Efforts to subvert women domestication within the government, CSO, and community in the three districts will be viewed within the framework of the impact of decentralization on women.

Historical Legacy of Women Subordination

Promoting women agencies within the context of decentralization do not take place in a vacuum, but it is part of the continuation of an ongoing historical process. Looking back at the political history of women's movement in Indonesia, there are various forms of feminism articulated by different women groups. Saskia Wieringa (1999) has discussed how women in the New Order "did not have political voice and were secluded in various homo-social women's organizations, and were allowed only to materialize programs that strengthen what society considered as their nature." Women organizations in this era, among others, took the form of wives organizations which structures were adjusted to the structure of their husbands' positions. For example, organizations such as Dharma Wanita and Dharma Pertiwi reflected the image of middle-class Indonesian women who were regarded as their husband's companion (thus they have to support their husbands' carrier) and as earners of additional income for the family.

Wieringa's study (1999) showed that the domestication and restriction of women's role in the social sector during the New Order were a continuation of the same ideology that was developed in the political world of the early days of Indonesia's independence. It is true that women's political rights are not discriminated against in the text of the constitution (*Undang-Undang Dasar 1945*), however, if we look back at the active involvement of Indonesian women in the struggle for independence, the definition of women's primary role which was framed by the New Order State as being in the domestic sphere, was quite a setback. Three decades of New Order rule had solidified women's role in subordinated positions.

Women were definitely marginalized from decision making positions. Their participation in public offices was limited to occupations that were perceived as corresponding to women's role as housewives and the caretaker of the family.

Almost one decade after the end of the New Order era, women are still marginalized from decision making positions. Table 1-4 below show women's representation in the legislative bodies of the six locations of WRI's research is still far from 30%. The lowest percentage of women in the Local House of Representatives is found in Gianyar and Pontianak, which is 0.0%. Whereas, the percentage of women in the Local House of Representatives in Mataram is 5.7%, Solok 8.6%, Manado 11.1% , and Kebumen 17.8%.

While marginalized from local parliaments, women actually occupy positions in the executive governing bodies. However, it turned out that women are dominant only in positions that are associated to the role of

Table 1.
Membership of the Local House of Representatives
in Kebumen
District Based on Political Parties and Sex

Name of Party/Fraction	1999-2004			2004 - 2009		
	M	F	Total	M	F	Total
1. PDI Perjuangan (PDIP)	16	0	16	15	4	19
2. Partai Kebangkitan Bangsa (PKB)	8	1	9	6	1	7
3. Partai Golkar	4	1	5	5	2	7
4. Partai Persatuan Pembangunan (PPP)	5	0	5	5	0	5
5. Partai Amanah Nasional (PAN)	2	0	2	4	0	4
6. Partai Keadilan dan Persatuan (PKPB)	1	0	1	-	-	-
7. Partai Bulan Bintang (PBB)	0	1	1			
8. Fraksi TNI/POLRI	5	0	5	-	-	
9. Partai Nahdhotul Ummah	1	0	1	-	-	-
10. Partai Demokrat	-	-	-	2	1	3
Total	42	3	45	37	8	45

Source: Women Research Institute, 2004

Table 2.
Total Member of the Local House of Representatives of
Mataram Municipality for the Period of 2004-2009
Based on Parties and Sex

No.	Name of Party	Total	
		Male	Female
1	PDIP	5	0
2	PPP	3	0
3	Partai Golkar	10	0
4	PKS	3	0
5	Partai Demokrat	3	0
6	PAN	3	0
7	PKB	2	1
8	PBR	2	0
9	PBB	1	1
10	PNBK	1	0
11	PKPB	1	0
12	PKPI	1	0
	Total	33	2

Source: Women Research Institute 2004

Table 3.
Total Member of the Local House of Representatives of
Manado Municipality for the Period of 2004-2009
Based on Parties and Sex

No.	Name of Party	Total	
		Male	Female
1	PDIP	8	2
2	Partai Golkar	9	0
3	Partai Demokrat	5	1
4	Partai Damai sejahtera	4	1
5	PPIB	1	0
6	PKPB	3	0
7	PPP	4	0
8	Partai Pelopor	0	1
9	Partai Keadilan Sejahtera	2	0
10	PKPI	1	0
	Total	40	5

Source: Women Research Institute 2004

Table 4.
Total Member of the Local House of Representatives of
Solok District for the Period of 2004-2009
Based on Parties and Sex

No.	Name of Party	Total	
		Male	Female
1	PBB	5	0
2	Partai Golkar	10	2
3	Partai Demokrat	0	1
4	Partai Amanat Nasional	6	0
5	PKPB	2	0
6	PPP	5	0
7	Partai Keadilan Sejahtera	4	0
	Total	32	3

Source: Women Research Institute 2004

women as family caretakers that provide support to their husband. The table below (table 5 and 6) show that women in the administration of Kupang Municipality clustered in the Health Agency (Dinas Kesehatan) and Population Agency (Dinas Kependudukan). In Pontianak, more women than men work in the Health Agency and Local Archive Office. Those sectors are closely related to public service, data collection, and administration—sectors that are often regarded as appropriate to be handled by women because women are considered to be more patient and careful compared to men. While in Kupang Municipality, in the Transportation Agency (Dinas Perhubungan) and Administration of Traffic and Transportation (LLAJ)—sectors that are often considered as ‘masculine’ in nature—no women are to be found. In Pontianak, only few women are found in the two “masculine” sectors. These situation shows that the division of gender roles put women in positions which are identical to their reproductive roles, while men hold positions in sectors that match their roles in the public sphere.

Table 5
Comparison between Female and Male Representation
in the Administration of Kupang Municipality (%)

Office/Agency	Female	Male
Health Agency (Dinkes)	77.40	22.60
Population Agency (Dispenduk)	56.25	43.75
Disparsenibud	38.10	61.90
Education Agency (Diknas)	33.85	66.15
Cooperative Agency (Dinkop)	33.33	66.67
Labor and Transmigration Agency (Disnakertans)	33.33	66.67
Industry and Trade Agency (Disperindag)	31.43	68.57
Diskan	30.43	69.57
Family Planning and Welfare Family (KB & KS)	30.37	69.63
Urban Planning (Tata Kota)	29.73	70.27
Dinsus	28.00	72.00
Distanhut	27.02	72.98
Kimpraswil	25.00	75.00
Distamben	18.75	81.25
Dispenda	17.72	82.28
Information and Communication Agency (Infokom)	14.28	85.72
Transportation Agency (Dishub)	0.00	100.00

Table 6
Comparison between Female and Male Representation
in the Department of Internal Affairs of Pontianak, Year 2001 (%)

Office/Agency	Female	Male
Mayor of Pontianak	36,2	63,8
Secretary of Local House of Representatives	45,8	54,2
Regional Development Body	21,6	78,4
Town Organizer Agency	29	71
Urban People Empowerment Agency	31,4	68,6
Socio-political Body	13,3	86,7
Demography and Vital Statistics Agency	42,6	57,4
Neighborhood Security Body	14,3	85,7
Urban Infrastructure Agency	15	85
Fire Agency	12	88
Health Agency	72,4	27,6
Market Agency	29,4	70,6
Animal Husbandry Agency	39	61
Local Income Agency	21,7	78,3
Cleaning and Park Affairs Agency	26,3	73,7
Space Structuring and Settlement Agency	21,4	78,6
Food Agriculture Agency	21,4	78,6
Education Agency	39,6	60,4
Fishery Agency	11	89
Transportation Agency	6,9	93,1
Local Archives Office	58,3	41,7
Tourism Agency	12,5	87,5
South Pontianak District	38,1	61,9
East Pontianak District	35	65
West Pontianak District	30,4	69,6
North Pontianak District	40	60

Source: processed from Pontianak Statistics, 2001

Seeds of Change: Increasing Demand for Women's Leadership

The inherited structure that prevents women from occupying decision making positions makes it difficult for women to develop leadership. Based on interviews with respondents in WRI's research locations, opinions about women's leadership can be grouped into three categories, i.e. pro (supporting), contra (opposing), and neutral. The latter position is not rigid in establishing the requirements of leadership, especially requirements based on gender differences. Following are the arguments put forward by each position:

- Pro (supporting): this group argues that women leaders will be more attentive, more sensitive (responsive) to problems, and they are expected to work for the fulfillment of women's interests.
- Contra (opposing): those who support this position based their arguments on the interpretation of religious values which oppose the idea that women could be leaders. The respondents believed that according to Islamic law, the top leaders should be men, since men are superior to women. Some even believed that as long as men are available to be leaders, there is no need for women to be leaders. Many respondents quoted verses from the Koran to justify their views. Furthermore, it is said that women's leadership is limited and that women are only allowed to be leaders of organizations and companies, but not of a country. Besides religious interpretation, the demand for women to play domestic roles is also one of the main reasons expressed by the respondents for objecting women's leadership. Following is the quotation from an interview with a female informer who is a member the executive body in Solok.

A: If we look at the Minangkabau culture, it gives great respect to women, for example women are entitled to the most

valuable inheritance.

...So from the cultural point of view, I think that there is no obstacle for women to have a career. But religious teachings might not be able to accept the view of women having a career. Since one can say that the citizens of Solok District in general or 100% embrace Islam, therefore they have not yet accepted the view that a woman can be a leader.

Q: Why can't decision makers give their full trust to women?

A: As I have said before, it is the family [that creates the] obstacles, women have more responsibilities in the family. Meanwhile men face no obstacles to have a career. This might be the reason why decision makers object to putting women in [leadership] positions.

- Neutral: this group views that there is no difference between men and women. They base their argument on the notion that a female leader will not necessarily issue policies that are in favor of women. This will depend on the person and whether she is gender aware (her gender sensitivity). Some respondents referred to Megawati's leadership as not being pro-women.

In fact, even if women are accepted as leaders, people still doubt their ability to lead men, and they doubt their ability to fulfill women's interests. We see that there is a double standard imposed on female leaders. On one hand, she has to have the masculine characters that are required in politics, and on the other hand, she has to show her feminine nature and pay attention to issues relating to women's role as mother and caretaker of the family and community. However, seeds of change have been confirmed.

In the eight locations of WRI's research, we found out that there is a demand for women to represent women's interests in the public domain. There is a sense of a spirit to break out from political and cultural obstacles that have prevented women from occupying decision making positions. WRI's research shows the existence of strong demands for women leadership at the local level.

1. Women are expected to take the lead in issuing gendered policies, such as demanding for childcare, birthing, breast-feeding, and reproductive health facilities. Two respondents from Manado shared their opinion with us:

Ideally, she would know the problem. She is gender sensitive and has the ability, so that she will know exactly what she is demanding for (a female NGO activist in Manado).

When we say ideal, she should first have a perception. She should be critical about situations and problems regarding women in the field of education, health, reproduction, and politics. She should also be knowledgeable about technology development (a female NGO activist in Manado).

2. Women are expected to take the lead in issuing gender-neutral policies that have an impact on women. For example, public service facilities which attend to problems such as shortage of clean water, high electricity cost and high cost of health care. These policies affect women's lives because women are the ones responsible for meeting their obligations as managers of the family economy.

When they [women] hold political positions they should no longer talk about problems pertaining to women's issues. For example, job opportunities [for women], children, etc. They have to talk about something broader, for example about poverty,

work availability. We have not seen any public oriented policy so far. Ideally, they [women decision-makers] are expected to do all this. (Male respondent, Academician, Manado)

However, caution should be taken since women who enter the public arena and occupy a position in a public institution do not automatically articulate women's interests. This is in line with our findings in Kebumen, where a female *bupati* (district chief) does not automatically issue policies in favor of women. This is reflected in her budget policy which is considered gender-neutral. A female respondent who is a member of a mass organization from Kebumen expressed her view regarding this budgetary impact on women.

... because of her nature women are inclined to health problems, especially related to reproductive health. And budget for women should be directed to meet these needs. There is some portions of the budget that allocated for health and education but there is nothing specifically allocated for women's health.

Women's presence in the decision-making structure is expected to change the masculine characteristics of the structure. Concerning budget, it is expected that women presence in decision making positions would lead to pro-women budget reallocation. In the discussion in the previous section, we find that most respondents consider female leaders as basically "just the same" (both in terms of access and image as leaders), as male leaders. However, we will see the inconsistency of this view when respondents reveal their opinions on the performance of female leaders. In fact, almost half of the total female respondents and almost one-third of the male respondents assessed women's leadership based on women's sensitivity and concern of women's issues.

The respondents' view on feminist leadership reflects the general assumptions that underlie the notion of the masculine decision-making structure in politics, which makes a female leader seems out of place and

inapt in that structure. If a female leader does not have a different perspective, she will adopt the characteristics of that structure.

...it is difficult for women to become leaders with a feminist perspective, ...it is not possible because they are in a patriarchal system... So the difficulty is to work in the patriarchal environment. As a consequence, gradually the people who enter the environment will be influenced [by that structure]...
(Respondent, religious figure of Kupang Municipality)

An indicator used by the respondents to assess the feminine quality in decision-making is the leaders' knowledge of women's issues as well as the benefit of her leadership for female constituents. The respondents' opinions on female leaders indicate that there is a demand to see the femininity of female leaders.

...what a female leader needs to do is be a good example for other women and she will make other women imitate her and try to be as good as the leader. (Grass-root respondent from Banda Aceh Municipality)

Most of the respondents interviewed agreed to and accepted the idea of women being leaders. The performance of a female leader is measured by the extent she is concerned with and willing to handle women's issues. There are two things that influence an institution's capacity in responding to women's interest. *Firstly*, the sensitivity of women involved in the institution. Since women are also affected by the existing gender construction, sensitivity to women's issues is not something given for women. Gender sensitivity is developed through awareness which is the base to questioning the gender ideology that marginalizes women. *Secondly*, the decision to address women's interest also depends on the institution's political decision to provide adequate resources in order to support programs or decisions made to address women's interest. Women who are

involved in a decision-making institutions in most cases are elected based on their sex and not on their knowledge and experiences in addressing women's issues.

The involvement of women in certain decision-making positions is based on Presidential Instruction No. 9 of Year 2002 (for instance the formation of the Women's Empowerment Bureau, District/Municipal Women's Empowerment Office), and was made to fulfill targeted bureaucratic positions. Because of that, the qualities of women holding the positions varied. As the community lacks reference on what women or gender issues are, the quality of women leadership is measured from how she actively (frequently) facilitates practical gender needs.¹ The respondents' expectation of female leaders' "struggle for women's interest" also vary, from providing breast-feeding facilities to educating female legislative candidates.

Decentralization and the Subversion of Women Subordination

The demand for women to capture decision making positions is supported by the implementation of regional autonomy that opens up some rooms for women's participation and involvement in political processes at the local level. Below are examples of local regulations (Perda) that could be used by women to pursue political participation at the local level.

- a. Mataram: *Perda* No. 27/2001 on Development Planning with the Community as Partner (*Musyawarah Pembangunan Bermitra*)

¹ The grouping of female gender needs into practical and strategic needs was proposed by Maxine Molyneux in the 1980s (Waylen 1996). These two needs are proposed to help understand what needs are already being fulfilled. The practical gender needs help us to see whether the condition of the community based on gender has been improved, e.g. men and women have the same access and ability to participate in education, so for example, women can read and write. Whereas, the strategic gender needs help us to see whether the position of the community based on gender has been fulfilled, e.g. women through its literacy program has gained confidence and are able to negotiate their interest.

Masyarakat). This is one of the *Perdas* that regulate community participation in development planning.

- b. Kebumen: *Perda* No. 17/2002 on Local Development Program (*Program Pembangunan Daerah/Propeda*) of Kebumen District for year 2002-2005. This *perda* is derived from *Perda* No. 13/2001 on Patterns of Development (*Pola Dasar Pembangunan*) of Kebumen District that is related to political development, and one of its policies is the implementation of local government through the method mentioned in part *d* of the *perda*, that is “to raise community participation and empowerment.”
- c. Solok: *Perda* No. 5/2004 on Transparency of Government Implementation and Community Participation (*Transparansi Penyelenggaraan Pemerintahan dan Partisipasi Masyarakat*).
Article 3: Duties and Rights of the Community.
Article 11 (2): Participation as defined by clause (1) is realized through the deliberation of thoughts and opinions or audience, through letters, petitions, hearings, and individuals, social organizations, NGOs, traditional meetings, and the *Bundo Kanduang*.
- d. Gianyar: *Perda* No. 6/2002 on the procedure of nominating, electing, inaugurating, and dismissing a *perbekel* (village chief); No. 12 on the procedure of electing and nominating village authorities; No.14 on the formation of the Village Representative Body, which gives every village residents the right to elect and to be elected. However, it does not mean that this *perda* will make it possible for a woman to become village chief. So far no woman has held the position of traditional authority and *kelihan* in Gianyar. Before the *perda* was in effect there were only one woman village chief (*lurah*) and two women members of BPD (Village Representative Body) in Gianyar.

Result of WRI's research in Manado, Kebumen, and Solok shows that actually women have been able to carve their role in decision making structures at the local level. Their degree of success in exercising authority and utilizing local resources to change the existing gender ideology varies. The three cases reveal the variety of agent interaction with the structure and whether or not the interaction results in an effective change of power relations. WRI chose the three cases based on the kind of gender issues that frequently came up in conversation with respondents.

Women in decision-making structures are important issues in feminism. Among women movements there are different attitudes toward decision-making structure and its relation to patriarchal institutions. The first group views that women have to struggle for their involvement in the decision-making structure in order to change the ideology of the structure. The second group does not agree that women should be involved in the decision-making structure because it perceives the structure as a patriarchal manifestation and the only way of changing it is by creating a new structure that does not reproduce patriarchal values.²

Apart from which view we agree with, it cannot be denied that women's position in political institutions reflects the tension between the awareness or agenda of the individual and the space available in the local decision making structure. Some Scandinavian feminist thinkers such as Siim, as quoted in Stetson and Mazur (1995: 10), created the term *state feminism* to call *both feminists employed as administrators and bureaucrats in positions of power and for women politicians advocating gender equality policies*. Stetson and Mazur show various forms of relationships between the decision-making structure and women as agents. In this relationship, there are four different characteristics of interactions between agents (individuals) and the structure (policymakers),³ seen from two indicators (Stetson and Mazur,

² This debate can be seen in almost every feminist reference on politics and power. To mention some examples of publications in the Indonesian language, are Wieringa (1999), for a more political side, or Arivia (2003), for a more philosophical side.

³ In this book the term *agent* and *structure* are not used. These terms are used when referring to feminist individuals in the decision-making structure as defined in this research report.

1995: 274-276):

- a. *Policy influence*: the role of a position filled by women in forming feminist policies that promote women's status and/or weakens the pattern of gender hierarchy.
- b. *Policy access*: the level of capacity of women machineries in developing opportunities for community-based actors, such as feminist organizations and women advocates—to incorporate feminist policies into the existing structure.

Policies focusing on women's position may promote feminist political agenda by supporting the advocacy conducted by women's organizations to gain access to the state policy making arena. This can be realized by directly involving leaders of organizations in policy making networks or by building alliances with influential actors and organizations in the community. The combination between "insiders" and "outsiders" is believed to increase the possibility of a feminist political agenda to be implemented formally by state institutions.

Policy access may increase the number of women who hold positions in the local political structure, which in the end may also influence policies promoting women's interest. In addition, positions in the local decision-making structure combined with the support from civil society organizations, particularly women's organizations, may strongly influence policy.

When studying the three cases, it is obvious that regional autonomy brings opportunity for women to participate in local decision making processes, and it is the women leadership at the local level that seizes the opportunity and acts as an agency to influence public decision making. The first case concerns the passing of a regional regulation on preventing human trafficking, especially women and children, in Manado. After collecting information on trafficking of women and children, Hetty Geru, the Head of the Women's Empowerment Bureau of North Sulawesi,

showed her leadership in initiating the drafting of Anti-Trafficking Regional Regulation. For this purpose, she contacted lawyers at Sam Ratulangi University, asked for data and assistance from NGOs, and consulted with national institutions. She then approached legislators and the Governor of North Sulawesi to convince them regarding the importance of the regulation.

The drafting the regional regulation was a multi-stakeholders effort that involved government officials, academicians, and CSOs, especially women's organizations. These agents realize that the era of regional autonomy opens opportunities for women to articulate their interests. The Province of North Sulawesi is the first province to have an anti-trafficking regulation. Such a regulation does not even exist at the national level. The drafting of the Anti-Trafficking Regional Regulation is an interesting example of the result of interaction between structure and various agents involved in it, including women's organizations. The success indicates that a woman having a decision-making position has the capacity to identify local gender issues and mobilize multistakeholders support around them.

The second case concerns the leadership of Rustriningsih, a woman regent from Kebumen (Central Java). Having a woman at the top of leadership position is special in Kebumen. It incited long debates about Javanese and Islamic traditions. This is reflected in the view of a religious figure that was a respondent, and also in the majority of opinions expressed by grassroots elements. They argued that *Surah An-Nisa* verse 34, in the Koran, says that male leadership is not limited only to the level of the family, but also extends to the social level. Where ever there are qualified males available, leadership positions should be assigned to them.

Rustriningsih was elected as district chief just about the same time as the implementation of the Regional Autonomy and Gender Mainstreaming Policy. She seized the opportunity to increase the number of women in bureaucracy to increase women's access to decision-making process. The number of women in decision-making positions has significantly increased in Kebumen. The respondents interviewed stated

that women began to be involved in various meetings of development planning from the village level (*Musbangdes*) up to the district level (*Rakorbang/Musrenbang*). It is said that Rustriningsih has planned to call for and issue a circular appealing that coordination meetings pay attention to the gender balance in every forum.⁴

However, Rustriningsih faces many obstacles. Unlike the North Sulawesi Bureau of Women's Empowerment, the Kebumen District Chief is able to influence high-level policy because of her position, but she lacks access to external institutions. She tries to improve women's participation in decision-making and promotes the increase of local female leaders. However, her efforts have not gained support from women's organizations. The number of civil society organizations dealing with gender issues in Kebumen is very small and the District Chief's interaction with women's decision-makers is very low. Therefore, the efforts to produce local policies that have an impact on women's interest have not been very successful. Once she proposed the idea of giving scholarships to village nurses so that every village would have a professional midwife. However, her proposal was rejected by the Local House of Representatives because it was not considered as a priority. She also did not gain support from local women organizations. Women organizations in Kebumen in general are women sections of (mostly) Islamic mass organizations, such as Muhammadiyah and NU, which have clear affiliation to certain political parties. Rustriningsih, who is a member of the PDIP, is often not accepted by the local women's organizations affiliated to Moslem political parties. In implementing her policy, Rustriningsih fully depends on the people in her bureaucracy as she is not supported by civil society organizations or academicians.

While the first case presents the success of women to seize the opportunity to influence decision making at the local level, and second

⁴ As stated by WRI's respondent from the executive body of Kebumen District.

one presents a partial success, the third case concerns more on the failure of women in Solok to use the return of the traditional *nagari* system to influence local decision making. The regional regulation changes the responsibility line of local authorities. *Nagari* head of village (similar to village chief) is responsible directly to the district chief, without needing to consult to the sub-district office. Basically, all community elements as well as the government support the idea of returning to the *nagari* governmental system because the reactivation of traditional institutions is considered as promoting self-reliance.

The *nagari* system involves the *Bundo Kanduang* in the structure of local decision-making. *Bundo Kanduang* was previously a representation of female elements in the matrilineal Minangkabau community, representing clan ownership. *Bundo Kanduang*'s role in community decision-making in regard to land ownership was eliminated by the domination of the *ninik-mamak*, i.e. the male element in a clan. The identity of *Bundo Kanduang*, which during era of the New Order was as housewives and mothers (Wieringa 1999), was attempted to be changed by involving these women in the structure of local decision-making. However, due to the lack of women leadership to seize the opportunity, the *Bundo Kanduang* appears only to be a complementary element to the existing structure. The *Bundo Kanduang* in Solok District merely functions to maintain the existing structure rather than changing it. It means that *Bundo Kanduang* does not have an agenda of its own. Instead, it becomes an agent that strengthens the dominant discourse on Minangkabau women, that is, unassertive, obedient, and religious, as well as acting as the gate keepers of their family's and community's reputation.

The *Bundo Kanduang* institution in Solok District has low influence of policy as well as low policy access. The role played by *Bundo Kanduang* in identifying local women's issues and in decision-making related to women's interest is very small. The reestablishment of the *Bundo Kanduang* institution is a good opportunity for promoting women's interests. However, the women involved in the institution have not shown the leadership to seize the opportunity and mobilize multi-stakeholders support

around it. Furthermore, the access of *Bundo Kanduang* to institutions working on gender equality is also very low, not to mention that such organizations are hard to find in Solok.

A leadership is required to fulfill the varied expectations concerning women needs and in order for these needs to be formulated in the local government's agenda. The Anti-Trafficking Regional Regulation produced in Manado is a good example of how local women leadership seized the opportunity presented by decentralization to engage multi-stakeholders in the advocacy to pass the regulation. In the three cases above we can see that women's access to decision-making institutions and their leadership do determine the success of the efforts to influence decision making at the local level. (see Table 7).

The agenda to improve gender relationship in the region cannot be realized only by putting women in decision-making positions. The efforts to put women in these positions must take place alongside with the development of women's capacity and leadership to take the initiative and mobilize multi-stakeholders support. Another important prerequisite of success is the greater role of civil society in decision-making and the identification of organizations outside the decision-making institutions that can support policy advocacy. It is to the issue of women CSOs that we now turn to.

Table 7
Mapping of Women's Institutions Based on Their Access and Influence in Decision-making

	Influence on high-level policies	Influence on low-level policies
Access to high-level policies	Women's Empowerment Bureau of North Sulawesi	
Access to low-level policies	Kebumen District Chief	<i>Bundo Kanduang</i> in Solok District

Source: Women Research Institute 2004

Reorienting State-led Mass Women Organizations

In the period of the New Order Government in Indonesia, women organizations were systematically domesticated. Women's image in the discourse of the Soeharto regime was submissive and obedient. Women's organizations that were facilitated by the government during this era, such as Dharma Wanita, Dharma Pertiwi, and PKK, were all created to support government's policies. In the 1980's, after the women's decade was launched by the UN, signaling greater international attention to women's issues, a number of new non-governmental organizations (NGOs) were born, such as *Kalyanamitra*, which was set up as a center of information and communication for women. During the same period, academic groups in several universities established the Center for Women's Studies, which conducted scientific studies on women's issues. The first Center for Women's Studies was established in 1979 in the Faculty of Social and Political Sciences of the University of Indonesia (Suryochondro in Oey-Gardiner et al. 1996: 302-304).

Local women organizations flourished after the fall of Suharto in 1998. A respondent from an NGO in Mataram shared his observation of the development of local women's organizations:

... after the reformation women's discussion groups started to emerge. It was quite difficult in the past...

...It is not a matter of [regional] autonomy, but the awareness resulting from the reformation. ...Women's issues are now raised. ...in 1999 there were efforts to form a media for women's communication. ...there are many issues that can not be captured through discussion. ...Mobilizations is also lacking, fortunately there are many communal groups, although they are sporadic. It is already a good start. Actually [regional] autonomy does not have an influence.

Other than women CSOs, we also need to pay a close attention to mass women organizations that were formally set up by the Indonesian government during the Suharto era such as PKK, Dharma Wanita, and Dharma Pertiwi. PKK which can be translated as The Family Welfare Program enacted at all levels of the bureaucracy operates to install state notions of womanhood and the family⁵. PKK, indeed was an organization directed at women for village development.⁶ Whereas Dharma Wanita the same as PKK which is a state-run women's organization member by wives of civil servants. While Dharma Pertiwi created to target the same intention as Dharma Wanita, but members are wives of the military. By means of these organizations' households in the village, of civil servants and the military are reached. The ability of the government to control and provide resources to those mass women organizations has greatly diminished after the collapse of Suharto's authoritarian government. PKK, for instance, is now a women organization that has the potential to turn into a very important institution to promote women's interests at the local level. However, while WRI's respondents from the executive body had a positive perception about PKK, NGOs had a negative perception. The NGOs perceived PKK as being passive and observed that it did not have any mechanism for the formulation of its policy agenda. It merely functioned as field executor for government programs related to practical gender needs. PKK became a mere implementer of immunization programs and health services for mothers and children. Activities carried out by PKK, such as culinary trainings or floral arrangement competition, tended to strengthen women's domestic roles.

⁵ See p. 18, Saptari, Women, Family and Household. Tensions in Culture and Practice in "Women and Households in Indonesia. Cultural Notions and Social Practices", ed. Koning, Nolten, Rodenburg and Saptari, Nordic Institute of Asian Studies, Curzon Press, Richmond, Surrey, 2000.

⁶ Scholten, pp. 28-29, Colonial Ambivalencies. European Attitudes towards the Javanese Household (1900-1942) in "Women and Households in Indonesia. Cultural Notions and Social Practices", ed. Koning, Nolten, Rodenburg and Saptari, Nordic Institute of Asian Studies, Curzon Press, Richmond, Surrey, 2000.

The problem is how to change its character from a passive agent into a more active one. PKK has the potential to become an organization that teaches women how to organize as an interest group under the regional autonomy, and contributes to the process of policy formulation related to women's interests at the local level. Thus, is it possible for an organization such as PKK to transform into a community organization that is partly subsidized by the state, but is relatively more independent than Dharma Wanita or Dharma Pertiwi? Reorienting PKK would require strong leadership and a feminist agenda. Fortunately, we have a success story regarding the reorientation of PKK in Mataram. It became a central and important channel for women's interests because it participated in the MPBM or *Musyawarah Perencanaan Berbasis Masyarakat* (the stakeholder's forum to plan development programs). The PKK in Mataram for instance had become more active in the local development planning process. According to the PKK in Mataram, women's group such as PKK should presence in such activities. By attends the local development planning process, women can participate and involve in the process. In Manado, PKK tried to change the direction of its activities by disseminating information on violence against women. What happened in Manado was one interesting example. The PKK in Manado took initiative to start working on the Legal Draft of the local regulation on Trafficking in collaboration with the Faculty of Law of *Sam Ratulangi* University. It was the PKK who actively conducts meetings and discussion on the draft regulation and involving other stakeholders, i.e. NGOs, academicians and civil servants (*Tim Penggerak PKK Sulawesi Utara et. al.* 2004: 7-13). The works from 2002 gain its result as the local parliament pass on the regulation in January 6, 2004.

To make decentralization support the subversion of women domestication requires a combination of the windows of opportunity for women participation in decision making provided by decentralization, women leadership at the local level to seize the opportunity, and the existence of a mass organization like PKK that has been reoriented to represent women's interests.

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2

Promoting Gender Budget in the Decentralization Era¹

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Introduction

Gender Mainstreaming and Gender Budgeting Regulations in Indonesia

The Indonesian government through Presidential Instruction (*Inpres*) Number 9, 2000 has laid the legal foundation for Gender Mainstreaming in all aspects of national development. The government has also taken a strategic step to socialize gender perspective. In this case, the Indonesian 1998 post-reformation government has shown the willingness to implement Gender Mainstreaming strategy, in both development programs

¹ This article is a summary of research findings of WRI titled “the Study of Impact of Gender Budget Advocacy” done in six WRI research areas namely Surabaya (including Lamongan) Surakarta, Gunung Kidul, Mataram, Kupang and Makassar (including Gowa).

and policies as well as in regulations issued as the legal foundations for government activities. Three years after the Presidential Instruction was issued, the Minister of Home Affairs issued circular letter Number 132, 2003 on the General Instruction for the Implementation of Gender Mainstreaming in Regional Development. This regulation adds to the previous regulations on gender relations, for example, Law No. 7, 1984 on the ratification of Convention to Eliminate All Forms of Discrimination against Women (CEDAW).

In relation to the government's effort to implement Gender Mainstreaming strategy, there are several Laws like Law No. 25, 2004 on National Development Planning System, especially in Chapter 12 on the quality improvement of women's welfare and child's protection. Besides, in the same Law, gender is also mainstreamed in thirteen other Chapters, as the basis for the implementation of Gender Mainstreaming strategies in each aspect of development. That Law was then transformed into Presidential Regulation No. 7, 2005 on the Middle-term National Development Planning (*RPJMN*), 2004-2009.

In addition, the government issued annual work plan, for example, Government Work Plan, 2005, under Law No. 36, 2004. This Law mentions the need of gender analysis for policies on development. At the same time, President Regulation No. 39, 2005, as the basis for the Government Work Plan, 2006, emphasis that Gender Mainstreaming is one of the strategies that needs to be implemented in all aspects of development so that policies and programs or development activities would be responsive towards gender issues.

However, we often find that there is discrepancy between programs and policies on one side and the actual budget allocation for the planned programs. There is also inconsistency between the government willingness to be more transparent and participative in the planning process to the actual process of planning and budgeting. Currently, local government budgets in Indonesia do not have gender perspective. Those budgets are just an aggregate of local financial allocations. The government tends to ignore that human factors are socially and culturally differentiated. This

eventually creates biased policies. As a result, the impact does not bring equal benefits for both women and men. In this case, development is not primarily aimed at promoting the welfare by paying attention to gender disparity that exists in society.

Since the government policy on Gender Mainstreaming was announced in 2000, the issue of gender and development started to obtain attention. The policy does not only encourage the bureaucracies to adopt gender perspective, but also trigger international donors to support the involvement of civil society organizations in their gender-based advocacy programs. In the last five years, advocacy for gender budget has become the focus of many NGOs activities in Indonesia.

Advocacy for gender budget was started by several NGOs, members of Gender Budget Analysis forum, which worked at national level and developed networks at the local levels. At the national level, this forum conducted gender budget advocacy activities by pressuring the People's Consultative Assembly (*MPR*) to allocate 30% of the national budget for education, 15% for health, and 5% for women empowerment. (Decree of *MPR* No. 6, 2002). At the local level, this forum encouraged district/city governments of Surakarta, Yogyakarta, Surabaya, Sulawesi Selatan, Mataram, and Kupang to develop gender sensitive budget. Although at the beginning this advocacy did not start with budget as an issue—like in Sulawesi, Surabaya, Mataram, and Kupang that started with voter education—there was, in the end, an initiative from the regional governments in-collaboration with regional parliaments to formulate gender responsive budget in accordance to the results of the *Musrenbang* bottom up planning mechanism.

Although government regulations have opened up space for public participation in budgeting, those regulations have not been able to improve the welfare of marginal groups in general and women in particular. There are many indicators that show social injustices suffered by women in Indonesia. For example, maternal mortality rate in Indonesia has been among the highest in Southeast Asia. In 2002, the ratio of maternal mortality rate was 380/100,000 (*BPS* et al, 2004). Data from *BPS* (Centre

of Statistic Bureau) reveal that the number of illiterate women over the age of ten is 16 percent, whereas the number of illiterate men is 7 percent. In urban areas, women's illiteracy rate is 8 percent whereas the rate for men is 3 percent. Data from the United Nations Population Fund (UNFPA) show that women's illiteracy over the age of 15 is 45 percent whereas the rate for men "only" 23 percent. The data was mentioned by Dr. Meiwata Budiharsana, Ford Foundation Representative in Indonesia. (*Kompas*, September 24, 2005).

Initial Steps Towards Gender Budget

The issuance of the Presidential Instruction Number 9, 2000 on Gender Mainstreaming in National Development has made the notion of gender more popular. The Presidential Instruction Number 9, 2000 has opened the door that later influenced the successive governments to pay more attention to policies related to gender justice and equality. The Presidential Instruction on Gender Mainstreaming was issued in order to promote the socialization of women empowerment programs in all aspects of local governance, including making local budget allocation gender responsive.

Three years after the Presidential Instruction Number 9, 2000 on Gender Mainstreaming became a policy; the government issued a decree on the implementation of Gender Mainstreaming in various aspects of regional governance. That decree was later known as the decree of the Minister of Home Affairs Number 132, 2003. One of the realizations of that policy is the allocation of budget for women in every government agency at the regional level, and also the institutionalization of women empowerment program in all government bodies. It is expected that gender perspective can penetrate into the system of all government agencies that are more sensitive towards gender issues.

The Indonesian government's decision to promote gender perspective regulations were warmly welcomed by many NGOs in Indonesia. This move shows that the process of democracy, concerning basic participation,

should not only concern with the technicalities of participation, but also with the substance of how to facilitate women to participate in budget reallocation.

The process of advocacy for gender budget that in Surakarta, Yogyakarta, Makassar, Mataram, Kupang and Surabaya in 2000 is currently still at the conceptual level. The socialization of gender budget concept has been conducted to the civil society, executives, and legislatives. However, the socialization has been done only by few NGOs that have different understandings and approaches to gender budget. The differing understandings have created different directions and targets of gender budget advocacy. Most NGOs conduct lobbying through grassroots groups. They focus on the process of involving women in various forums at the regional level. Those forums are used to discuss women's needs, such as women and children's health problems, education and small-scale businesses that are managed by women. In addition, assistance for women's groups to get involved in the *Musrenbang* has also become the focus of NGOs' attention.

Only few NGOs are interested in providing technical assistance to the executive and legislative members in the regions. It means that there are only few NGOs that deal with more substantial issues in how to fulfil the basic rights of women and men through the formal mechanisms of planning and budgeting. The fulfilment of rights includes social protection—through providing job opportunity, education, and affordable quality health services—and the rights to organize. All the rights mentioned should be fulfilled by the government. The fulfilment of rights should also be seen in the context of increasing community's assets. Efforts to provide access to productive resources include asset development in form of property, human resources, and natural and social resources that can be attained, developed, renewed, and handed down to the next generation. Gender budget advocacy carried out by NGOs, so far, has not touched the fundamental issues of the improvement of community welfare.

Community welfare itself is related to the revenues side of the budget, which has not overlooked by most NGOs. Most NGOs are more

concerned with the expenditure side of the budget. In fact, budget revenues play an important role in the promotion of community welfare, especially the welfare of women communities. Revenues do not only come from the public and private sectors, but also from communities. Women who run small-scale businesses and dominate traditional markets for example, give substantial contribution to the state's revenues. Therefore the communities of women petty traders have the rights to demand that parts of the revenues should be used to increase their welfare.

In 2006, Women Research Institute carried out research on the "Impact of Gender Budget Advocacy in Six Areas in Indonesia." The research reveals that cooperation has developed between CSOs and the regional governments. CSOs even helped to improve the government's performance by encouraging communities to take part in the process of formulating development priorities. This shows that community has access to and takes part in the process of formulating their needs, especially the needs of women. On the one hand, the increase of women participation in the access, presence, and influence is still limited, especially in the making of policies, planning, and budgeting. On the other hand, there are several community organizations that can influence local governments to pay more attention to the problems and needs of women, especially budget allocation for health and education.

In the last five years, gender budget advocacy has been facing social, cultural, political hindrances. All those hindrances determine the performance of NGOs in the process of advocacy. To reduce social and cultural problems in order to make NGOs work to the maximum level, advocacy in the six research areas was carried out by involving communities through the formation of community forums and multi-stakeholders forums. NGOs, which focus on women and democratization issues, strengthen civil society to be more participative in every process of development so that their political needs and rights can be expressed and met. In every meeting, they always educated the communities about gender budget and their rights to participate in the planning and formulating of budget allocation.

The strategy to facilitate communities was used to counter perception among communities that planning and budgeting were the domain of the government and that the elite did not have to ask for the participation of communities. The denial of the rights of communities to participate in all aspects of development, especially in planning and budgeting, makes it necessary to also conduct gender budget at the grassroots level, and not just at the executive and legislative level. The facilitation at the community level was directed to change the culture of communities that deny women to participate in public matters.

Political hindrance in form of resistance from executive bodies and cultural obstacle has encouraged the NGOs to develop a pragmatic gender budget advocacy strategy, adjusting it to conditions in the field. Women's civil community organizations, for example, always encouraged women to identify and formulate their needs by themselves. The government, on the other hand, was expected to respond, so that they could make programs and policies that met the needs of women. In the meantime, CSOs that worked on democratization issues tended to encourage public participation including that of women in development plan discussions. However, their advocacy could not influence the process of budgeting at the executive level because there was no access to voicing public interests. To solve the problem, several NGOs lobbied legislative members personally to influence the bill of budget policies. However the strategy had some weaknesses. Since the lobbying was informal or personal, there was no guarantee that it would be sustainable. When the contact persons in the legislative body or in the NGO itself were replaced, the process of advocacy would have to start from the beginning again.

Political and cultural hindrances could also be seen in the attitude of the government bodies to disregard gender perspective in budgeting since budget was intended to serve the people in general. Many government officials still considered gender budget as a budget that was specifically designed for women. According to them, budget should be general in character, and there should not be specific allocation for men or women. For example, there should not be a priority in budget allocation for women's

health and reproduction. In reality, discrimination suffered by women necessitated specific budget allocation to address the specific needs of women. Women petty traders, for example, were ignored since their earning was not considered as a household asset. The same case applied to education in poor families. Women access to education in poor families was limited due to several factors such as early marriage, economic hardships, and family priority to provide education to boys who would become the bread winner of the family. Since budget for scholarship was not based on gender based data of educational level, it failed to significantly reduce the illiteracy rate among women and the number of drop out among school girls. This shows that advocacy for gender budget has not reached the maximum target due to political factor in the executive level.

Political related budget problems cannot be automatically solved only through the improvement of women's participation. Women's participation in *Musrenbang*, which process is dominated by male bureaucrats, for example, is based only on their physical presence, not on their ability to formulate program priorities. As consequence, budget for women legislative members is only around 0.2-0.5 percent from the total of budget for all legislative members. Therefore, in conducting their gender budget advocacy NGOs tend to develop networks with male legislative members who, in fact, are not sensitive towards women's needs. Those structural problems become the obstacles of gender budget advocacy. As a result, most of CSOs that are active in the grassroots level have not been able to influence the executive or legislative policies. As a matter of fact, based on the standard operating procedure the executives in the six WRI's research areas considered budgeting as their sole rights. This is the reason why the executives do not have the courage to do a breakthrough in gender budgeting. As a result, the involvement of community is only limited in the *Musrenbang*, and does not touch budget related problems at all. Budgeting process in post-*Musrenbang* becomes something that can hardly be influenced by parties outside the executive circles, especially by civil communities and NGOs.

Different kinds of advocacy have to be carried out to make the

executives adopt gender perspective. Individually, there are a number of government officials who have understood gender perspective. Besides several obstacles, in each research area there is already regulations that could be used to help the advocacy. Each of the six districts has institutionalized women empowerment into the structure of bureaucracy differently. For example, women empowerment bureau in Surakarta has the status of “sector”, whereas in other research districts it occupies the position of sub-sector, unit, or section. The inclusion of Women Empowerment into the structure of bureaucracy is an affirmative action. In practice, this institution has helped the process of advocacy considerably, although not yet maximally due to the culture in bureaucracy which sees women empowerment as an unimportant issue.

Another important supporting factor that helps the process of advocacy is personal relation between NGO activists and legislative members. Having personal relation would allow CSOs to invite legislative members at any time to have hearing on the needs of women. The presence of legislative members who have commitment and understand the importance of gender budget helps NGOs to socialize the concept. To some extent, they have the possibility to push legislative members to implement gender budget when deciding Work Unit Budget Document (*DASK*). However, that type of informal relation is not sustainable. The relation will break when those legislative members do not get re-elected, or when the NGO members move to another job.

The Various Understandings about Gender Budget

WRI’s research reveals that the understanding about gender budget varies among NGOs, legislatives, executives, as well as grassroots communities. Those understandings can be categorized into three groups: *budget that does not separate men and women*, *women budget*, and *pro-poor budget*. The three perceptions influence the formulation of budget advocacy programs, influencing the strategy of the organizations to respond to various

constraints, program implementation, strategy selection, and to select appropriate strategies.

In East Java region, especially among the executives and legislatives, gender budget is seen as budget that does not separate the interests of men and women. This is based on the notion that government budget should be allocated fairly for all people without differentiating their sexes. Differentiation would be considered as leading to discrimination. Gender is often understood as women's (housewives') problem, so that when the concept of gender budget comes up it is understood as budget allocation for women's needs. Consequently, the implementation of budget policy is aimed at specific women's needs like community health centres, vocational training, and programs for the eradication of women sex workers (PSK) in Surabaya.²

Meanwhile, among the NGOs, there are also various understandings about gender budget. Women-based NGOs have the tendency to see gender budget as women budget, whereas democracy empowerment-based NGOs like *LBH* (Legal Aid Institute) in Surabaya perceives gender budget as pro-poor budget,³ which is budget for the poor and women are included in the category of the poor. Budget should be allocated to address the needs of the poor, and should recognize the equality of rights between men and women. Therefore, women as members of community should automatically receive equal benefit. The perceptions of *Lembaga Mitra Lingkungan (LML)*, which is environmental organization, and *Forum Pemerhati Masalah Perempuan (FPMP)* which is a women's organization, represent the differences in seeing gender budget. At the strategy level, activities carried out by *LML* are similar to activities carried out by *FPMP*. Both of them treat the grassroots as the basis of their activities, and design their activities around them, for example by organizing village discussions. The discussions at the community level recommended Focus Group Discussions (FGDs), Gender Budget workshops, and hearing with

² Interview with Chairman of Regional Parliament, Surabaya, May 1, 2006.

³ Interview with men staff members of Legal Aid Institute (*LBH*), Surabaya, April 29, 2006.

regional parliament members to express women's needs.

Gender budget often receives harsh resistance because the Indonesian public views gender as associated with Western ideas concerning the relations between men and women. According to one of the coordinators of *Koordinasi Aliansi Masyarakat Peduli Rakyat Miskin (AMPRM)* interviewed on February 18, 2006, Moslem people in West Nusa Tenggara that formed the majority of the population, and their respected religious leaders (*Tuan Guru*) rejected anything that was related to the West. The situation makes the implementation of gender budget programs in West Nusa Tenggara very difficult. One of the coordinators of *Transformasi Perempuan untuk Keadilan (TRAPK)* interviewed on February 16, 2006, admitted that Gender Budget is a new concept that is not yet understood by some NGOs in West Nusa Tenggara. According to her, NGO activists do not have a clear idea regarding gender budget. The contradiction in the implementation of gender budget in the area is that NGO activists see the purpose of gender budget is to increase budget for women, which is associated to the Ministry of Women Empowerment. Officials of the Ministry of Social Affairs, for example, have not seen the difference between the benefits or needs of women and those of men. She said that all government sectors should understand that Gender Budget should be mainstreamed to all sectors.

In Kupang gender budget is also understood with different perceptions, almost in every organization and institution. Different perceptions also exist even within an organization or institution. There are target groups that understand Gender Budget as a manifestation of the equality of rights between men and women. It is based on the fact that women have freedom of speech, have the rights to express themselves, and have the rights to have any job. Gender budget takes the side with women, and the most important interests of women are in the budget allocation for health and education.⁴ Another target group member in

⁴ Interviews with the Chairperson of *Jaringan Perempuan Usaba Kecil (JARPUK)* and the Chairperson of *Aliansi Masyarakat untuk Transparansi Anggaran*, Kupang, February, 2006.

Kupang understands gender budget as a government program to improve the community, especially the improvement of household economy.⁵

The executives also understand gender budget differently. A government official in Kupang considered gender budget as a planning tool for the government to improve women's status, education, and health. Gender budget is viewed as budget allocation to improve the quality of life of women.⁶ Another government official in Kupang viewed the purpose of gender budget was to create job opportunities for women such as sewing job.⁷

Chairman of the Budget Committee of Regional Parliament in East Nusa Tenggara thought that gender budget concerns the allocation of the whole budget, and that it should be implemented in all sectors. According to him, gender issues are not just limited to women issues. All government sectors should question why there is only limited budget allocation for health. In his view, there are more serious problems than the need of the government to buy cars or build offices. There are more pressing problems in form of malnutrition, the health of pregnant women, and the economic welfare of the people.⁸ An NGO activist from Kupang said that gender budget is about getting a balanced budget allocation that benefits all men and women⁹

The above opinions show that understanding about gender budget is still "inappropriate." Some people even understand gender budget as budget allocation only for women, therefore it is associated just with budget allocation for women empowerment agencies and not related to budget

⁵ Interview with Camplong II village Head, Kupang Regency, February 24, 2006

⁶ Interview with Head of Manpower Sub-agency, Regional Development Planning Board (*Bappeda*), Kupang Province, February 21, 2006.

⁷ Interview with Head of RPK POLD NTT, April 17, 2006.

⁸ The result of interview with Chairman of Budget Committee of Regional Parliament, East Nusa Tenggara (NTT) Province, April 19, 2006

⁹ Interview with Program Coordinator of *Yayasan Panggilan Pertivi untuk Keadilan (Yaprita)*, 20 April, 2006.

allocation in other government units and sectors. A provincial government officer in East Nusa Tenggara said that the government had done gender budget because it had allocated budget for the setting up of Women Empowerment Agency.¹⁰ However, some of the above statements address the right understanding of gender budget.

The background of NGOs does not only determine their various understandings about gender budget, but also influence their strategies in carrying out their advocacy. NGOs that conduct advocacy at the government and grassroots levels use various gender budget concepts and implementation strategies. This variety is due to the different backgrounds of NGOs as the agents of advocacy. Based on the findings in the field, the variety of backgrounds can be categorized into three groups: NGOs who work for women's issues, NGOs who focus on pro democracy issues, and NGOs who try to combine women's issues with democracy issues. NGOs with women's issues as their focus normally prioritize issues of gender equality. For them, women are the group or individuals who experience problems of gender inequality. For that reason, women should participate both in program planning and gender budget allocation processes. Based on the concept and experience, they emphasize on conducting advocacy to promote budget allocation for women's needs, especially for reproductive health and education. They use the strategy of improving women's participation in every process of *Musrenbang*, both in term of women's presence and voice.

In the meantime, NGOs with pro democracy as their work focus prioritize the development of democracy mechanism and principles like participation, transparency, and accountability, in every process of budget compilation, formulation, and implementation. They do not specialize in handling women's issues. In general, those NGOs compare budget allocation for government offices with that allocated for public interest programs that directly benefit communities, such as budget for health,

¹⁰ The result of interview with a male staff member of *Bappeda*, NTT Province, April 21, 2006

education and social affairs.¹¹ These kinds of NGOs believe that public issues automatically address both women and men. With that concept in mind, their advocacy stresses more on problems that are related to democracy technicalities, transparency, participation, and accountability in the process of planning, ratification, and implementation, both in programs and budgeting. To maximize efforts of advocacy, some NGOs have formed alliances or associations. That alliances contribute to the work of advocacy for gender budget, especially in West Nusa Tenggara, Surakarta, and Yogyakarta.

The Politics of Budget¹²: Challenges Against Gender Budget Advocacy

Gender budget advocacy that has been socialized since 2001 faces bureaucratic and cultural challenges. Bureaucratic challenges come from the executives and legislatives, while cultural challenges come from the society at large. The culture of bureaucracy for example hinders government officials who have gender awareness from introducing innovation in budget allocation since innovation is considered disturbing the patterns of budget politics among the executive and legislative members. In addition, gender budget is actually a relatively new concept, which is not yet known to budget practitioners who have been involved in formulating budget technicalities. In practice, the public, especially women, experience both bureaucratic and cultural challenges in getting involved in discussions on development planning. Communities see development planning as the domain of the elite, and at the village level

¹¹ Interview with Deputy Head of *Solidaritas Masyarakat untuk Transparansi* (Somasi), Mataram, February 16, 2006

¹² Names of activity stages and documents which are done in the process budgeting included in this article refers to research carried out by WRI in 2006. Names of that activity stages and budgeting document have changed since 2007.

planning is handled by government officials from neighbourhood head, head of village, and sub-district head. Women's participation at civil community level is also low. They are not involved in the process of planning at every stage of Musrenbang. Women at the community level often ask the committee members of PKK to represent them to participate in the process of development planning.

In Mataram city, women were represented by PKK members, cadres of the Posyandu community clinic, and wives of neighbourhood heads. Not only that they might not represent the interests of women, but the participation will be only come up to the *Musrenbang* at the sub-district level. *Musrenbang* at the district or city level hardly involve those *posyandu* cadres and wives of neighbourhood heads. The weak participation of women in every *Musrenbang* triggers the NGOs to encourage women to get more actively involved in planning and budgeting both in terms of their presence and ideas. In the case of Mataram City, some NGOs even formed alliance with City Council Forum (*Forum Dewan Kota*). This forum consists of NGOs, executives, and other civil society components. This forum facilitates all community aspiration in the neighbourhoods, villages, sub-districts, and regencies as well as in the cities to actively take part in community-based discussions (*MBM*).

Another bureaucratic challenge faced by the NGOs is the difficulty of obtaining planning and budgeting documents. Documents on Budget Planning for Work Unit (*RASK*) and Budget Document for Work Unit (*DASK*) are relatively difficult to obtain. In some cases, NGO members who have personal relation with city mayor, deputy city mayor, regional speaker or legislative members can use this relation to obtain such documents. For example, in East Nusa Tenggara, some NGO activists used their personal network with government officials to get some budget documents from legislative members. It would be difficult for NGO members who do not have the right connection to get the public documents.

The politics of budget is a tug of war among various parties. In the meantime, political changes towards more democratic state have produced

several laws which accommodate community participation in budgeting. The enactment of Law No. 22/1999 on Local Government replacing Law No. 5/1974 has changed the perception on the power relation between the state and community. Decentralization and democracy require community involvement in the process of development. Their needs are met by the government through various facilities given and provided for community welfare. The paradigm to involve community participation is a requirement for democracy practices, although in reality not all public decision making processes can be accessed by communities.

NGOs have facilitate communities to get involved and even influence planning and budgeting through the *Musrenbang*. The result of *Musrenbang* stated in the Priority Scales (*DSP*) is used as inputs to formulate the General Directions of Policy (*AKU*), which is now referred to as General Directions of Budget (*KUA*). This eventually influences the structure of the local budget (*APBD*) when it is used to formulate the strategy and priority of Budget for Work Unit. This formulation is later used to formulate *RASK*. The result of *Musrenbang* which is the result of community aspiration from all frontiers is later compiled and synchronized with programs of Work Units of Local Government (*SKPD*) which is now called Work Unit of City and District Bodies (*SKPK*). The compilation and synchronization are done by Materials Team which categorizes and combines all proposals based on their types. The next step is to synchronize the results from all sub-districts to be discussed in pre-city discussions on development planning together with 96 programs which have been formulated in the Strategic Planning, *AKU*, and Medium-term Development Planning (*RPJM*) and Long-term Development Planning (*RPJP*) in *RASK* document. That document becomes the document of executive budget proposal to be approved by the Regional Parliament Budget Committee. When approved, that document will be endorsed to become *DASK*. At this point, NGOs and community are not involved. Executive budget team and legislative budget committee assume that community aspiration has been expressed through the *Musrenbang*.

The process of formulating development priority involving

community still triggers some questions. Community, for example, views the *Musrenbang* proposal as an empty promise that generates disappointment. They think that the legislative body scraps development programs that have been proposed by communities. This problem appears during interaction between legislative members and their constituents. An NGO in Surakarta called *Pusat Telaah dan Informasi Regional (Pattiro)* which has assisted communities and whose members have personal relation with some legislative members, later pushed the city administration to publish leaflets so that communities would know the amount of budget allocated for them, and the types of programs that are approved by executive and legislative bodies. The leaflets were then distributed to the villages. This program was realized in 2005, allowing community members to have access to information regarding planning and budgeting.

Musrenbang at the village level is actually an opportunity to gather community aspirations. At this stage, there is no contradiction with government's sectoral interests and it has not reached the stage of budget formulation. This is different from *Musrenbang* at the sub-district level where community aspiration starts to clash with sectoral interests. According to one of village heads in Pangkep, *Musrenbang* at sub-district level often becomes an event to socialize programs that will be carried out, and community were asked to only sign the document.¹³ Names of activity stages and documents which are done in the process budgeting included in this article refers to research carried out by WRI in 2006. Names of that activity stages and budgeting document have changed since 2007.

In addition to the problems of participation and the empty promises of programs that are planned by communities, there is another problem related to the separation of the process of planning and budget allocation. The involvement of community is limited to the planning process. Communities do not have the chance to get involved in allocating budget

¹³ Interview with woman facilitator of *Forum Pemerhati masalah Perempuan (FPMP)* in Pangkep, February 25, 2006

for proposed programs. After *Musrenbang* at regional level is done, the document is in the hand of the executive budget team to be formulated into *RASK*, which will be later discussed in the regional parliament to make it into *DASK*. There is no community participation that can influence budget allocation.

Structural and Cultural Constraints in Implementing Gender Budget Advocacy

Advocacy efforts made by NGOs to promote gender budget could face structural and cultural constraints at the same time at the bureaucracy and community level. At least there are two problems which are faced during the advocacy. First, at the bureaucracy level, structural constraints tend to come from the executives office, government departments, and the Regional Development Planning Board (*Bappeda*). The Bappeda forms budget team to formulate *RASK*, and the legislative forms budget committee to approve the *RASK* and turn it into *DASK*. Second, at the community level, the cultural obstacle is in form of community's perception that budgeting is not their business. Such perception makes communities hesitant to participate in planning and budgeting. In return, the perception of community strengthens government officials' perception that budgeting is indeed the rights of the government.

Structural Hindrances in Bureaucracy

There is tendency that the process of expressing public aspiration through *Musrenbangkel* (village/kelurahan level), *Musrenbangcam* (sub-district level), and *Musrenbangkot* (city level) always faces structural and cultural hindrances. The *Musrenbang* mechanism actually gives a space to a bottom-up process where proposals from communities are put forward to policy makers at the district/city level. However, in reality, communities

tend to define development as the development of physical infrastructure. This is due to the fact that community do not have paradigm on how to formulate their needs.

What has been done by some NGOs in the six research areas varies. NGOs that are active in Surakarta, Yogyakarta, South Sulawesi, and Mataram have passed the phase of socializing gender budget and have started assisting communities to participate in *Musrenbang*. *Yayasan Swadaya Mitra Bangsa (Yasmib)* in South Sulawesi, for example, empowers women groups and facilitates them to participate in *Musrenbang*. The NGO strengthens *PKK* (Family Welfare Program) members since they will always be invited to attend the *Musrenbang*. *Yasmib* trained *PKK* members and other community members in the techniques of planning and explained to them that development was not just limited to the development physical infrastructure but also included welfare issues related to health, education, reproduction, and domestic violence.¹⁴

Women who were supervised by NGOs were expected to be able to give significant contribution in the process of formulating their needs, so that in the *Musrenbang* they could argue against the domination of physical infrastructure development proposed by men. This activity was initiated by NGOs in Surakarta, West Nusa Tenggara, and South Sulawesi which pushed regional governments and encourage communities to propose not only physical development. This should become a good precedent. Meanwhile, NGOs in Surabaya and East Nusa Tenggara are still in the phase of socializing gender budget at the grassroots level.

Besides strengthening and escorting women's groups' participation in *Musrenbang*, *Yasmib* also promotes dialog with multi-stakeholders and develops network with executives. Owing to the network, *Yasmib* could obtain *RASK*, and was asked by several government bodies to provide inputs. Like *FPMP*, *Yasmib* pays more attention to participation in the process of development planning and budgeting. Through lobbying

¹⁴ Interview with *Yasmib* coordinator, Makassar, March, 2006.

government and legislative bodies, budget allocation for poor people was increased.

Advocacy for budgeting was also done in Yogyakarta. NGOs in Yogyakarta that focus on gender budget agreed to form a network called *Koalisi Masyarakat untuk Transparansi Anggaran Yogyakarta (Kamta Yogyakarta)*. They fought for gender equality in government budget of the Special District of Yogyakarta. This advocacy was done after they found out that budget for women's welfare in that region was zero. On the contrary, budget for government officials is much bigger than that for public. Budget allocation for the welfare of the population was actually less than 1 percent of the total budget proposed.

The climax was when the coalition network "occupied" the parliament office during the approval of *RAPBD*, 2003. They demanded revision on the budget proposal being put forward. However, due to the limited number of members and because the activity was not socialized to parliament members, they went home empty handed. As time passes, that network got dissolved because each member had different activity. They decided to go on with advocacy activities in line with each organization's interest and focusing on their work and avoiding overlapping in order to gain optimum result. Those NGOs then promoted gender equality in budget in line with the interests of their respective organization. Some of them concentrate on budget allocation for child care and education, while others focus on budget for the rehabilitation of women victims of violence, and budget for women and children's health, and others.

Another hindrance come from the community level in relation to the process of *Musrenbangkel*, *Musrenbangcam*, and *Musrenbangkot*, which are based on needs prioritizing. Program proposals that come up in *Musrenbangkel*, *Musrenbangcam*, and *Musrenbangkot* are not in line with programs formulation of government sectors at the district/city level.¹⁵ However, the fault also comes from the district/city level. Executives tend to have pragmatic view in formulating, planning, and applying the

¹⁵ Interview with Director of Program Advokasi LPTP, Surakarta, March 2, 2006.

programs. Many government agencies make slight adjustments or even just copy *RASK* and *DASK* of previous administration as they are. *RASK* and *DASK* are often copied by Local Government Working Unit (*SKPD*) with only little revision here and there to adjust to the formula of the following year budget. It means that planning and budgeting is not guided by certain perspective. In addition, since each department does not give access to community to evaluate *RASK* and *DASK* (the two documents are considered as restricted), communities do not have the ability to formulate gender budget proposals.

Besides the above problems, there are other constraints that come from the budget committee. Those constraints are especially related to the tendency among the executives as budget committee members who tend to be pragmatic and who do not want to go beyond their comfort zone. Another one is that there is no coordination. The presence of finance agency as leading sector, and not *BAPPEDA*, shows that the reality of public policy is still dominated by the way of thinking of budget-based policy formulation pattern. This means that programs priority to be carried out is determined by whether there is budget portion or not, not by programs priority which is based on certain public policy paradigm like gender budget.

Another problem is the fact that budget committee has standardized budget format from year to year, and the format hardly follows the paradigm of gender mainstreaming. The presence of budget committee in local parliament that cannot function properly is also a problem in itself, especially concerning the understanding and knowledge of each member regarding the pattern of budget formulation project and program's feasibility measures proposed by each department. Often, the budget committee do not use *DASK* and *RASK*, which have become a standard reference for program's feasibility measures, to develop budget draft. One of the basic problems is the political proximity of the executive party to budget committee members to have access to *DASK* and *RASK* of each agency. The implication is that controlling and budgeting capabilities of local parliament members become weak. Local Parliament members do

not know which programs would come up, which programs would be proposed, which programs would be cancelled by the executive budget team. This is made worse by the fact that budget committee does not have *DASK* when doing control function.

Bappeda (Local Government Development Planning Board) also presents structural constraints. First, the low quality of human resources in *Bappeda* prevents it to become the leading sector in the budget team. They do not understand gender perspective in formulating development programs. Practices that are going on in the six research areas show that the leading sector of the budget team that consists of *Bappeda*, finance sub-agency and related agencies completely do not have gender perspective. Data from Human Development Index (HDI), Human Poverty Index (HPI), Gender Development Index (GDI), and Gender Empowerment Measures (GEM) have never been used as references in programs and budget formulation. Second, there is no political will from *Bappeda* to make the result of Musrenbangkot into first priority program in each related agency. Such phenomena show that *Bappeda* as a planning apparatus is not capable of guiding the priority of each program to be accepted by Program Coordinating Sub-Agency (the body that makes program proposal) and Budget Team (the body that determines and decides the types of program). Third, *Bappeda* seems unable to give recommendation on the importance of program sustainability to the Budget Team, so that the sustainability of a program becomes unimportant. Those programs are not clearly targeted at improving “welfare and equality” based on the instrument possessed by each region like HPI, HDI, GDI, and GEM. This condition eventually makes the implementation of budgeting follow the blue print that has been used for 30 years monotonously and has been resistant to change. Even though changes happen, it is usually done to the existing budgeting pattern.

The same case also happens at legislative level. Parliament members understand gender budget as budget especially for women. Budgeting is not considered as the main legislative authority, so they do not seem to be concerned with budget formulation. In Kidul district, for example,

parliament members received *RASK* from the previous year. In the past, they also received a collection of programs which was difficult to understand because there was no clear budget clarification for each program. The understanding of gender budget among legislative members that is dominated by men has been low. There is only one women parliament member, and she is incapable of representing women's interests. The awareness of how important gender budget is in fact comes from men members who received input from NGOs and academicians, who in turn educated budget committee members about gender budget.

Another constraint is the tug of war among legislative members themselves. NGOs can only draw support from small parties, because these parties also need supports from NGOs. However, it is difficult to promote significant changes through alliance with smaller fries. It is difficult for big political parties to commit themselves to social justice issues such as gender budget since they tend to allocate resources to benefit their supporters. Big political parties tend to support large infrastructure development that gives bigger benefits to men. Another constraint in gender budget advocacy is that the high frequency of staff changes in the executive and legislative. Since new executive and legislative are not yet familiar with gender budget, the advocacy has to start all over again.

NGOs that conduct gender budget advocacy in East Nusa Tenggara also experienced similar hindrances such as regular employee rotation, gender bias among government officials, and the limited domain of Women Empowerment Bureau in province. Some executive and legislative bodies think that gender budget is budget for women that have been allocated to the Women Empowerment Bureau. That understanding makes most bureaucrats think that budget allocation in departments/offices/units has gone as expected because they do not differentiate between men and women. The bureaucrats who do not quite understand gender perspective ignore the presence of gender inequality in society all together. In fact, there are few bureaucrats in the area who still think gender is not at all important, so whenever there is a gender related activity, they sent a woman employee to represent them.

The inaccuracy of data on gender disparity in that particular region and the low understanding about gender budget within the Women Empowerment Bureau also hinders the process of gender budget implementation. Women Empowerment Bureau cannot even convince the budget team and budget committee about gender disparity in their respective region. In addition, the skills of NGOs in the area to argue for gender budgeting is very low. On the other hand, if Women Empowerment Bureau staff members do not have those skills, gender budget agenda which is proposed and fought for will be hardly accepted by each inter sector agency.¹⁶

The next constraint is the limited position of the Women Empowerment Bureau, which only has a coordinative role and function just as information provider. Since the Bureau does not have the function of controlling or the authority to instruct other government agencies, it is usually ignored by other government agencies.

In all of the six research areas, but especially in East Nusa Tenggara, structural constraints also exist at the implementation of advocacy at the village community level. The constraint takes the form of inadequate support from village officials for the implementation of gender budget. The limited support can be seen from the frequent absence of the village head (*lurah*) in various advocacy events. The village head often asks other officials to represent him. Insufficient support from village officials is caused by limited understanding about gender inequality and gender budget.

¹⁶ Interview with Head of Women Empowerment Bureau of East Nusa Tenggara, Kupang, February 22, 2006.

Cultural Constraints

Cultural constraints could come from community, executives, legislatives, and NGOs. Cultural constraints at the community level is reflected in the low attendance of women in the *Musrenbangkel*, *Musrenbangcam*, and *Musrenbangkot* meetings. Due to the dominant patriachal culture, invitation to attend Musrenbang is always sent to the head of the family. Structurally, heads of families are men because public domain is considered to be the domain of men. Besides, *Musrenbang* is often held in the evening, and this makes the presence of women even lower. Another cultural hindrance at the community level is the inability of most women to identify and formulate their needs.

Strategies and Impacts of Gender Budget

Gender Budget Programs

Gender budget advocacy carried out by women's organizations-based NGOs in the six research areas had shown some positive results. There is actually an increase of budget allocation to reduce maternal and child mortality rates as well as budget allocation for scholarships for nurses in the villages. In West Lombok, Mataram as well as West Lombok Legislative members allocated funding from the local budgets to reactivate Pustu and Polindes community clinics since it is difficult for women in the rural areas to reach the Puskesmas community health center. In several *Posyandus* in Yogyakarta, Surakarta, Lamongan, and Mataram there is an increase of awareness regarding the needs of women and children. In addition, women become more confident to express their opinions in formulating their needs.

In West Lombok, legislative and executive bodies now pay more attention to budget allocation in the health sector. The budget allocation for that sector is in form of incentive for *Posyandu* cadres per month in

order to reactivate *Posyandu* and *Polindes* as well as for building renovation. In addition, *Aliansi Masyarakat Peduli Rakyat Miskin* (AMPRM) is now doing policy advocacy on regional regulation for poor people. In addition, respected teachers (Tuan Guru) who used to be very resistant to the term “gender” have now shown support to the program of increasing budget allocation for poor women.

Public Policy Advocacy Programs

Advocacy conducted by gender budget advocacy NGOs is somewhat different compared to the advocacy of pro-democracy NGOs. For the pro-democracy NGOs, gender budget is just part of a wider concern on participation, transparency, and accountability. They focus their advocacy programs on the promotion of all encompassing democratic values without differentiating gender and social economic status. One impact of their advocacy is in form of increasing public accountability, for example by exposing corruption committed by regional executive and legislative members. *Forum Peduli Anggaran Kota Surakarta*, for example, succeeded in prosecuting the previous city mayor. Corruption eradication actually makes more funding available to be allocated to address the interests of women.

Some NGOs are actually able to integrate pro-democracy and gender budget advocacy. These NGOs develop capability to be involved in the various process of planning, ratification, implementation, monitoring, and budgeting evaluation. Result of this combined effort can be seen in the increase of public policy advocacy to secure women’s interests. Efforts are no longer limited to just budget advocacy to fulfill women’s interests.

Impacts of Advocacy on Budget Allocation

Based on the above explanation, impacts of those three programs—

program for women's participation in politics, gender budget, and public policy advocacy—can be seen in the increased understanding of gender budget among the NGOs and assisted communities. Impact in form of actual budget reallocation to serve women's interests is still very little. Public expenditure in the APBD in South Sulawesi in 2005 only came to 36.8 percent¹⁷, and in Lamongan and Gowa the budget allocation for public expenditure in 2006 was even lower, only reaching 24.05 percent and 30.91 percent respectively.

Mataram City and West Lombok Regency registered similar cases. The total amount of Mataram City APBD in 2006 was Rp 348,261,724,761.06, and the total amount of West Lombok Regency APBD was Rp 330,206,243,870.89. Table 1 shows that the percentage of budget allocation for public services in Mataram City (60,30%) was larger compared to expenditures for state's apparatus. However, just like APBD of South Sulawesi Province and the district of Lamongan and Mataram, the public expenditure budget includes expenditure for some government apparatus and personnel expenditures allocation items like daily and monthly honorarium and incentives. If expenditures for government employees were taken out from the public expenditure budget, the total amount of expenditure allocation for government apparatuses became 47.68%. Expenditures allocation for public services is not really geared for public needs and interests.

Since expenditure on government apparatuses is also included in public expenditure, official figures of government and public expenditure should always be treated with caution. For example, the more balanced official figure of government and public expenditure of the province of East Nusa Tenggara as shown in Table 1, 50.46 percent and 49.54 percent respectively, in actual term it is still skewed more towards government expenditure. The same also goes for the government and public expenditure

¹⁷ Acquired from the total of public budget percentage deducted by officials/personnel expenditures plus the percentage of expenditure for financial aid.

Table 1.
The Percentage of Expenditures Types of APBD and RAPBD in Two Provinces and Five Regencies/Cities

City/Regency/Province	The Amount of APBD/ RAPBD	State's Apparatus %	Public %	Profit Sharing Financial Aid %	Unexpected %
Surakarta City	351.660.987.442	17,05	82,95	0,82	0,85
Lamongan Regency	628.766.154.900,00	21,24	63,99	14,66	0,11
Mataram City 2006*	348.261.724.761,06	33,64	60,30	5,35	0,72
West Lombok Regency	330.206.243.870,89	55,69	41,61	2,56	0,12
Sulawesi Selatan Province	1.006.646.065.670,00	39,51	32,19	26,87	1,43
Gowa Regency	459.397.731.083	28,47	68,3	2,51	0,7
East Nusa Tenggara Provinsi	664.798.239.000	38,66	66,13	18,46	3,31

RAPBD of Mataram City in 2006, when analyzed by the researcher.

in West Lombok regency. In general, the real budget allocation for government apparatuses ranges between 60 to 70 percent of the total local budget. Expenditure for women is just a small fraction from the 30 to 40 percent budget allocation for public expenditure.

Gender-Specific Expenditures Allocation

Women Empowerment Item

According to Budlender (1998), gender budget has three components: (1) Gender-specific Expenditures Allocation, (2) Expenditures Allocation for the Improvement of Women's Capacity at Government Level, (3) and General Expenditures Allocation for Gender Mainstreaming. Budlender adds that to understand gender budget in various regions, we need to analyze three sectors that are strategic to women such as Women Empowerment, Health and Education Agencies, as well as Social Affairs Agency. However, WRI's research found out that expenditures for women

Tabel 2.
Programs for Women's Needs in the Items of Financial Aid
and Women Empowerment

Programs for Women's Needs	Budget	Percentage		
		Regional Secretariat	Public Expenditures	Total of APBD
APBD Sulsel 2005	250,000,000	0.15	0.04	0.02
1. Aids for Family Welfare (PKK)	350,000,000	0.20	0.06	0.03
2. Aids for women empowerment	275,000,000	0.16	0.05	0.03
3. Aids for women empowerment organizations				
4. Aids for Perwosi	150,000,000	0.09	0.03	0.01
5. Aids for women's participation and roles strengthening team	175,000,000	0.10	0.03	0.02
6. Aids for child's welfare and protection	125,000,000	0.07	0.02	0.01
7. Aids for the commemoration of Mother's day	50,000,000	0.03	0.01	0.005
8. Aids for the best building implementation of <i>Gerakan Sayang Ibu</i>	50,000,000	0.03	0.01	0.005
9. Building and managing food processing as home industry	100,000,000	0.06	0.02	0.01
10. Aids for women Catholics RI in South Sulawesi	50,000,000	0.03	0.01	0.005
11. Aids for BKOW	50,000,000	0.03	0.01	0.005
TOTAL	1,625,000,000	0.95	0.29	0.15
APBD of NTT 2006				
1. KIE improvement of life quality and protection of women	788,769,000	0.41	0.25	0.12
2. Inter-sector socialization team for Coordinating Programs for Women Empowerment	64,689,900	0.03	0.02	0.01
3. Promoting Network Organization capacity for women empowerment and children	50,964,000	0.03	0.02	0.01
4. Socialization of law on child's protection	348,172,200	0.18	0.11	0.05
5. Aids for conceiving mother and KEK	67,500,000	0.35	0.21	0.1
6. Aids for women who are fulnerable socially and economically	180,000,000	0.09	0.06	0.03
7. Aids for network development for centers of handwoven entrepreneurship	25,000,000	0.01	0.01	0.004
8. Financial aid for PKK	200,000,000	0.16	0.10	0.05

9. Financial aid for organizations observers of women in NTT	500,000,000	0.26	0.16	0.08
10. Financial aid for Dharma Wanita	50,000,000	0.03	0.02	0.01
11. Financial aid for assistancy activities for health decentralization	180,000,000	0.09	0.06	0.03
12. Scholarships for 3 women for PPDSNR	143,495,000	0.08	0.05	0.02
13. Aids for drinking water	500,000,000	0.26	0.16	0.08
TOTAL	3,098,590,100	1.98	1.23	0.59
APBD Lamongan 2006				
1. Building the role of Women towards Healthy and Happy Family (P2WKSS)	120,000,000	0.14	0.28	0.02
2. PKK	110,500,000	0.13	0.25	0.02
3. UP2K-PKK	2,500,000	0.00	0.01	0.00
TOTAL	233.000.000	0,27	0,54	0,04
APBD Gowa 2006				
1. Promoting Women's Economic Productivity	450,000,000	1.00	0.14	0.10
2. Promoting the Quality and Involvement of Women	150,000,000	0,33	0,05	0.03
3. Aids for nurses association	18,450,000	0,04	0.006	0.004
TOTAL	618.450.000	1,37	0,196	0,13
RAPBD Kota Mataram 2006				
1. Financil aid for Women Empowerment	38,683,000	4.17	1.3	0.78
TOTAL	38,683,000	4.17	1.3	0.78

empowerment is allocated under the Regional Sekretariat item and not under Gender-specific Category items as expected by Budlender (1998). Following Budlender, Table 2 shows expenditures for women's needs that are put under the item of financial aid and women empowerment.

Table 2 above shows that while budget allocation for women empowerment in general is put under budget allocation item of Sekda, various government agencies have actually allocated budget for women.

However, not all regions have allocated adequate budget to address women's needs. In general, we can say that budget allocation for women's needs is still very low compared to the total amount of APBD. The lowest percentage of budget for women is in Lamongan, that is only 0.04 percent. Lamongan also registers a low position in Gender Development Index and Gender Empowerment Index. Low percentage of APBD for women empowerment item is also seen in Gowa and South Sulawesi which is 0.13 percent and 0.156 percent respectively. Among the six research areas, Gowa occupies the worst GDI position.

The province of East Nusa Tenggara, which occupies the lowest position in the two gender indexes, registered the biggest budget allocation for women (0.59 percent) compared to the other regions in this research. The provincial also has more women programs compared to the other regions. Some of the programs for women are improvement of network capacity of NGOs that conduct empowerment for women and children, assistance for socially and economically vulnerable women, assistance for the development of center for handwoven entrepreneurship, assistance for NGOs that monitor women in NTT, and scholarship for women. Those programs directly address the diverse needs of women, compared to other regions that allocated budget just for PKK and other programs that do not generate concrete results.

In the case of Mataram City, the percentage of budget allocation for women empowerment is 0.78 percent of the total budget. GDI in Mataram City in 2002 was 58.2, occupying rank 102, was the highest among other regions. The budget allocation has a concrete impact on the effort to promote a more equal development between women and men. Actually, the gender budget percentage of 0.78 percent is still a far cry from the target. Chapter 7, Kepmendagri No. 132/2003 on Standard Procedure on gender budget in regional governments states that budget allocation for women empowerment should be at least 5 percent of the total local budget.

Expenditures Allocation for the Promotion of Women's Capacity at Government Level

The result of the analysis on RAPBD and APBD in those research areas reveals that most of expenditures allocation for the promotion of women's capacity is meant for both men and women. However, the Chairperson of Gender Budget in West Nusa Tenggara Province said that women who worked in the government offices had difficulty in attending capacity building programs. Besides cultural factors, the minimum access to information on capacity building programs, women are still considered as domestic workers.

General Expenditure Allocation for Gender Mainstreaming

In Indonesia, general expenditures allocation for gender mainstreaming is ratified through Presidential Instruction Number 9, 2003 on Gender Mainstreaming in National Development. All government departments have to allocate general expenditures for gender mainstreaming. However, Health, Education, and Social Affairs Department are in the forefront of gender mainstreaming program, and they follow the rule set by Budlender (1998). Budget allocation for gender mainstreaming by the three departments determines the rate of HDI, GDI, GEM, and HPI of a region. Specific for Mataram City, general expenditures allocation for gender mainstreaming is allocated under Sekda item.

This paper emphasizes general expenditures allocation for gender budget that is used for women-specific needs. Analyzing expenditures allocation that is responsive to gender is actually complicated since many expenditures allocation are meant for both men and women, and RASK does not give adequate information on the number of men and women beneficiaries. In Mataram City, besides budget allocation for women-specific needs, budget to address the need of women are also allocated under financial aid, transportation, and incentive for Posyandu cadres.

**Tabel 3. Programs of Health Agency for Women-Specific Expenditures
Allocation Programs for Women's Needs in APBD
in Four Regencies Unit/Work Unit: Health Agency**

Programs for Women's Needs	Amount	Percentage		
		Total of Pos	Total of Expenditure	Total of APBD
APBD of South Sulawesi 2005				
1. Subsidy for RS (Hospital) Ibu dan Anak	7,753,462,000	2.39	2.39	0.77
Subsidy for Rumah Bersalin	3,683,968,751	3.83	1.14	0.366
2. (Mternity Hospital) Pertiwi				
TOTAL	11,437,430,751	6.22	3.53	1.136
APBD of NTT 2006				
1. Improvement for basic health services covering at least health promotion, health for mother and child, family planning and basic treatment	1,057,207,600	5.42	0.39	0.16
2. Revitalization of Posyandu	314,604,100	1.61	0.12	0.05
3. Monitoring for food, food additional substances (BTM), drugs, cosmetics, and health instruments including promotion/ advertisement of drugs and food	302,533,100	1.55	0.11	0.05
4. Handling mulnutrition and under nutrition of children under five, and also handling KEK for women in productivity period and conceiving mothers	293,606,000	1.5	0.11	0.04
TOTAL	1,967,950,800	10.08	0.73	0.30
APBD of Lamongan 2006				
1. Improvement of nutrition for families	47,086,000	0.11	0.012	0.01
2. Quality improvement of services for mother and child	30,711,500	0.07	0.08	0.004
3. Health improvement for reproduction and elderly	6,593,000	0.02	0.02	0.001
4. Competition and building Posyandu	18,831,000	0.04	0.05	0.003
TOTAL	103,221,500	0.24	0.162	0.018

On top of that, it is actually difficult to get access to RASK and DASK documents.

APBD of Gowa 2006				
1. Improvement of facilities and infrastructure: Pustu, Posyandu, and hospital	8,290,627,750	19.29	0.03	0.02
2. Subsidy for RSUD (Regional General Hospital) Syekh Yusuf	1,760,965,173	4.10	0.56	0.38
3. Subsidy for BKKBN (Family Planning Agency) provision of contraception for poor families, PKK, Family Planning, reproduction health	1,136,032,500	2.64	0.36	0.25
TOTAL	11,187,625,423	26.03	0.95	0.65
RAPBD of Mataram City 2006				
1. Implementation of inoculation for babies, school age children, and productive women Improvement and promotion of health of mother and child and children under five	81,430,000	0.44	0.04	0.02
2. Presentation of PWS KIA at sub-district and Mataram City	76,579,500	0.42	0.04	0.02
3. Audit Meeting for Maternal Perinatal at sub-district and Mataram City	10,467,000	0.06	0.005	0.003
4. Workshop on MNH Up date (Practical Manuals for Maternal Neonatal Health)	11,235,000	0.005	0.005	0.003
5. Training on APN (Normal Delivery Treatment)	4,172,500	0.02	0.002	0.001
6. Training on Juvenile	25,190,000	0.14	0.012	0.007
7. Reproduction Health	8,050,000	0.04	0.004	0.002
8. Socialization on Violence against Women	8,285,000	0.045	0.004	0.002
TOTAL	225,409,000	1.215	0.112	0.0058
APBD Kabupaten Lombok Barat 2005**				
1. Pelayanan Kesehatan Ibu	450,000	0.0011	0.000	0.000
TOTAL	450,000	0.0011	0.000	0.000

Health Department

The Health Department in Mataram City has a higher public services expenditures allocation for women-specific needs compared to expenditures allocation in Sekda. The allocation came to 1.215% of the total expenditures of Health Department, 0.1215% of the total of expenditures for public services, and 0.0058% of the total APBD. Compared to other regions, Gowa Recency has the highest women's health-specific expenditures allocation. Meanwhile, the lowest women's health-specific expenditures allocation is found in West Lombok Regency. The allocated expenditure is 0.000.

The low amount of health expenditures allocation in Mataram City and West Lombok Regency, which is around 0 – 1 percent, indicates that RAPBD of Mataram City in 2006 and APBD of West Lombok Regency are not gender responsive yet. Lamongan Regency also suffers a similar

Tabel 4. Programs for Women-specific Needs in Education Agency
Programs for Women-specific Needs in Education Agency,
Gowa Regency Unit/Work Unit: Education Agency

Women's Specific Needs	Amount	Percentage		
		Total of Pos	Total of Expenditure	Total of APBD
APBD of NTT 2006				
1. Training for tutors of KF, TLD, and development of Package A and Package B and teaching modules	325,886,800	0.73	0.12	0.05
2. Training for gender perspective education	234,327,800	0.52	0.09	0.04
TOTAL	560,214,600	1.25	0.21	0.09
APBD of Gowa 2006				
1. Socialization of gender in education	2,500,000	0.04	0.001	0.0005
2. Research and writing about the struggle of Fatima Dg Takonto	2,486,100	0.04	0.001	0.001
TOTAL	4,986,100	0.08	0.002	0.0015

fate since it only allocated 0.162 percent of the total public expenditures.

Public expenditures in all Health Departments in the seven regions above seem to be very large. But if the types of use of the public expenditures are analyzed carefully, only a small fraction of the budgets that actually gives benefits to women. Most if the budget allocation is to cover operational expenditures like honorarium, expenses for stationery, transportation and documentation, decoration, publication, rent for venues, food and refreshment, business trips, and other operational expenses.

Education Department

Women-specific programs in the Education Department are found in all seven research areas. Only 2006 APBD of East Nusa Tenggara and Gowa Regency have programs for the fulfillment of women's rights. In 2006 APBD of East Nusa Tenggara has two programs to fulfill women's rights. Those two programs are related to non-formal education and gender perspective education. Non-formal education is targeted at eradicating illiteracy among women. Gender perspective education is meant to promote equality for women.

Tabel 4 shows that specific programs for the fulfillment of women's rights in APBD of East Nusa Tenggara Province is Rp 560,214,600. Compared to the total amount of APBD, it is only 0.09 percent. Specific programs for the fulfillment of women's rights in that region is only 1.25 percent of the total expenditures of the Education Department. This small percentage shows the low concern for the fulfillment of women's rights. The percentage of programs for the fulfillment of women's rights in APBD of East Nusa Tenggara 2006 is different from APBD of Gowa Regency 2006. The percentage for the programs for the fulfillment of women's rights in the Education Department in East Nusa Tenggara Province is bigger than the percentage allocated by Gowa Regency. Specific programs for the fulfillment of women's rights in Gowa Regency is only 0.001 percent of the total APBD.

Women-specific programs in the Education Department are only 0.002 percent of the total public service expenditure, and only 0.08 percent of the total expenditure of the Department. Specifically for Gowa, it is ironic that the GDI rate of Gowa is poor and budget allocation for women is low since the district is actually a model for gender mainstreaming program, coordinated by Women Empowerment Ministry in cooperation with UNDP. Programs that exist in the regional Education Department are gender based expenditures allocation. There is no expenditure allocation for the improvement of women's capacity!

Meanwhile, expenditure allocation for specific public services for women's needs is not found in the Education Department of Mataram City, Lombok Regency, Lamongan Regency, and South Sulawesi Province. In those province/district/city, allocation of public services expenditure in Education Department are intended both for men and women, making it impossible to identify expenditure allocation for gender mainstreaming. Not mentioning that it is difficult to get DASK, especially in Surabaya City and Gunung Kidul Regency.

Social Affairs Department

Social Affairs Department also have some women programs. However not all Social Affairs Department units in the research areas have specific programs for the fulfillment of women's rights. APBD of South Sulawesi, for example, does not mention programs that are intended to fulfill women's needs. For 2006, the Social Affairs Department of Gowa Regency does not allocate budget for women either. The budget is still intended for both men and women. However, the Social Affairs Department of East Nusa Tenggara, Mataram City and Lamongan Regency have several specific programs to fulfill the rights of women. In APBD of East Nusa Tenggara 2006, there were two programs that are directed for the fulfillment of women's rights. Whereas in APBD of Lamongan Regency 2006, there were six programs that were intended for the fulfillment of women's rights.

Tabel 5. Programs for Women's Specific Needs in Several Research Areas

Women's Specific Needs	Amount	Percentage		
		Total of Pos	Total of Public Expenditure	Total of APBD
APBD of NTT 2006				
1. Handling deportation and deserted people	200,000,000	1.32	0.07	0.03
2. PRS Karya Wanita	540,595,000	3.58	0.2	0.08
TOTAL	740,595,000	4.9	0.27	0.11
APBD of Lamongan 2006				
1. Sending home/sending to Social rehabilitation Center of sex workers, homeless people and beggars as a result sweeping	20,000,000	0.22	1.34	0.003
2. Reinforcement of advocacy operations and counseling for Family Planning (KB) coordinators in the field and dissemination of family planning information	22,656,000	0.24	1.51	0.01
3. Improvement of services for KB acceptors for poor families (Gakin) and the availability of data on KB in stages for PMKS and PSKS	46,437,000	0.5	3.11	0.003
4. Formation Information Center and KRR consultation, program socialization PMS orientation and formation referral center for violation of reproduction rights and KRR program orientation	25,035,000	0.27	1.67	0.004
5. Services for new KB acceptors	20,040,000	0.22	1.34	0.003
6. Improvement of facilities and infrastructure for KB services and contraceptive	911,232,000	9.84	60.93	0.14
TOTAL	1,045,400,000	11.29	69.9	0.163
RAPBD of Mataram City 2006				
1. Improvement of women empowerment especially for women who are socially and economically vulnerable and Social Assistance and Package assistance for ex sex workers	40,375,500	3.02	0.019	0.012
TOTAL	40,375,500	3.02	0.019	0.012

Social Affairs Department of Mataram City in 2006 offered two programs that were related to public services expenditure allocation for women's needs. One was women empowerment for socially and economically vulnerable women and the other one was social assistance and aid package for former sex workers. In general, programs that aimed at fulfilling women's needs included activities which were related to care centers for women and sex workers. However, in Lamongan APBD 2006, several programs which were related to family planning were listed under Social Affairs Department. Programs that were intended to address women's needs in the APBD of East Nusa Tenggara 2006, RAPBD of Mataram City, and APBD of Lamongan Regency 2006 can be seen in Table 5.

Table 5 shows that programs to address women's needs in East Nusa Tenggara is only 0.11 percent of the total of APBD, and only 4.9 percent of the total budget of the Social Affairs Department. Those programs were only 0.27 percent of the total amount of expenditure for public services. Meanwhile, for programs for the fulfillment of women's rights in Lamongan, the amount was 0.16 percent of the total of APBD. That amount came to 11.29 percent of the total Social Affairs Department budget of the Lamongan Regency in 2006. However, the amount of the programs is 69.9 percent of the total of public services expenditure.

Table 6. Percentage of expenditures of Health Agency, Education Agency, and Women Empowerment in various research Areas

City/Regency/Province	Health		Education		Women Empowerment	
	% of Public Expenditure	% of Total APBD	% of Public Expenditure	% of Total APBD	% of Public Expenditure	% of Total APBD
Surakarta City	0.28	0.23	0	0	0.24	0.2
Lamongan Regency	0.162	0.018	0	0	0.54	0.04
Mataram City 2006	0.065	0.11	0	0	1.3	0.78
Sulawesi Selatan Province	3.53	1.136	0	0	0.29	0.15
Gowa Regency	0.95	0.65	0.002	0.0015	0.196	0.13
East Nusa Tenggara Province	0.73	0.30	0.21	0.09	0.46	0.19

Expenditure allocation for women's needs in Social Affairs Department of Mataram City in 2006 was Rp 40,375,500 (3.02% of the total of expenditure allocation in Social Affairs Department, 0.019% of the total expenditure for Public Services, and 0.012% of the total RAPBD).

In general, the ratio of government expenditure against public expenditure is around 70:30 per cent. Programs for women consist only a small portion of the 30% public expenditure. In strategic sectors for women, the biggest program allocation is 20 percent of the unit of the total expenditure. If seen from the total expenditures in APBD, the biggest percentage is only 1 percent. That small allocation is made worse by the programs that do not address women's needs. There is no program that is really meant to improve women's living condition, to eradicate illiteracy and under nutrition among women, and to improve public sanitary and health services. The following is the analysis of APBD in various regions based on expenditure category of research areas in education, health, and women empowerment.

Other Budget Allocations in Comparison to Health Budget:

Budget Expenditures Allocation of Local Parliament (DPRD) of West Lombok Regency

Budget expenditures of DPRD of Lombok Regency in 2005 was Rp 3,282,381,300, a little bit lower compared to the previous year which came to Rp 5,597,422,720. In 2004, there were 16 budget units, but in the following year the number was reduced to eight, which was a 50% reduction. Eventhough the number of unit was reduced to a half, the budget allocation for the units was very big because it was meant to "support" 45 members of local parliament (DPRD) of West Lombok Regency. However, the reduction of units could be seen as a willingness of local legislative members to save the expenditures of APBD 2005 (AMPRM, 2005).

The following is the units in the budget in 2004:

1. Representative money
2. Package money
3. Office allowance
4. Commission allowance
5. Specific allowance
6. Committee allowance
7. Health and welfare allowance
8. Allowance to support parliament members activities
9. Family allowance
10. Rice allowance
11. Allowance for the improvement of income
12. Daily expense for civil uniform
13. Expense for formal civil uniform
14. Expense for sports outfit
15. Expense for formal uniform
16. Expense for emblems

Units for budget in 2005:

1. Representative money
2. Package money
3. Office allowance
4. Commission allowance
5. Specific allowance
6. Committee allowance
7. Family allowance
8. Rice allowance

Source: AMPRM, 2005

Budget for Regent and Vice Regent of West Lombok Regency

Expenditure budget for Regent and Vice Regent in 2005 was Rp 1,363,366,180, or Rp 40,000,000 lower than the budget in 2004. The Rp. 40 million retrenchment came from the cutting down of budget for the unit of official resident inventory. Eventhough it had been reduced by Rp. 40 million, the budget allocation for Regent and Vice Regent was still 4.8 percent of the total of public expenditure of the Health Department in West Lombok. There was indeed some budget reduction in several units in the budget of West Lombok APBD, but West Lombok administration still does not show its responsiveness to the needs of communities in general. The amount allocated for direct health expenditure for the people of West Lombok was the same, 4.9 percent, and expenditure for Regent and Vice Regent of West Lombok Regency still stood at 4.8 percent.

Health Budget Allocation of West Lombok for Community Health Centers (Puskesmas) in 2005

Local Regulation on Fee in Community Health Centers (Puskesmas) in West Lombok

There are three aspects of Puskesmas: services, promotion and preventive actions which are not maximally done due to the limited operational budget received from West Lombok administration. Of the need for the procurement of medicine which is 100 million rupiah, only 30 percent can be realized—not to mention after 46 percent reduction of budget allocated for the development of a hospital West Lombok. Real budget that goes to Puskesmas in West Lombok in a year is Rp 12 million for ordinary Puskesmas, and Rp 24 million for three inpatient Puskesmas (in Kediri, Narmada, and Pemenang). That amount is of course insufficient although patients from poor families are already under the rprogram of JPKM (Safety Net for Poor Families)

Askes (Health Insurance). The Rp 3000 fee is returned to PAD (70%) and for Puskesmas operational cost (30%). The limited budget for Puskesmas in West Lombok administration and the high percentage that is sent back to PAD influence the services and community health condition because of the limited role and function of Puskesmas as a health institution in the villages. Local policy to build a hospital is not relevant to the condition of community, especially those who are in remote areas. Puskesmas does not get enough attention, and it has impact on the condition of community as a whole. Various program proposals from Puskesmas which are given through Renstra (Strategic Planning) never become priority and relality. The inflexibility of budget allocation influences the performance of Puskesmas especially on dissemination program and help for poor families.

Puskesmas has done various efforts so that related institutions will fight for a bigger budget for Puskesmas especially for integreated services in Posyandu as a forefront of health institution but, this has never get any response. As a result, the optimism in community participative efforts become low because the stages of proposals of Puskesmas, which actually understands the day-to-day problems of the community, have never been followed up optimally.

Of the amount of 40.63 billion rupiah budget allocation for health sector, around 28.54 billion rupiah is allocated by Health Agency most of which (19.90 billion rupiah) is spent for building a hospitals, in fact, the budget (15.25 billion rupiah) has been allocated in 2004, the rest (3.14 billion rupiah) is for personnel expenditure, 1.53 billion rupiah for office facilities expenses, and 980.85 million rupiah for medicine supply.

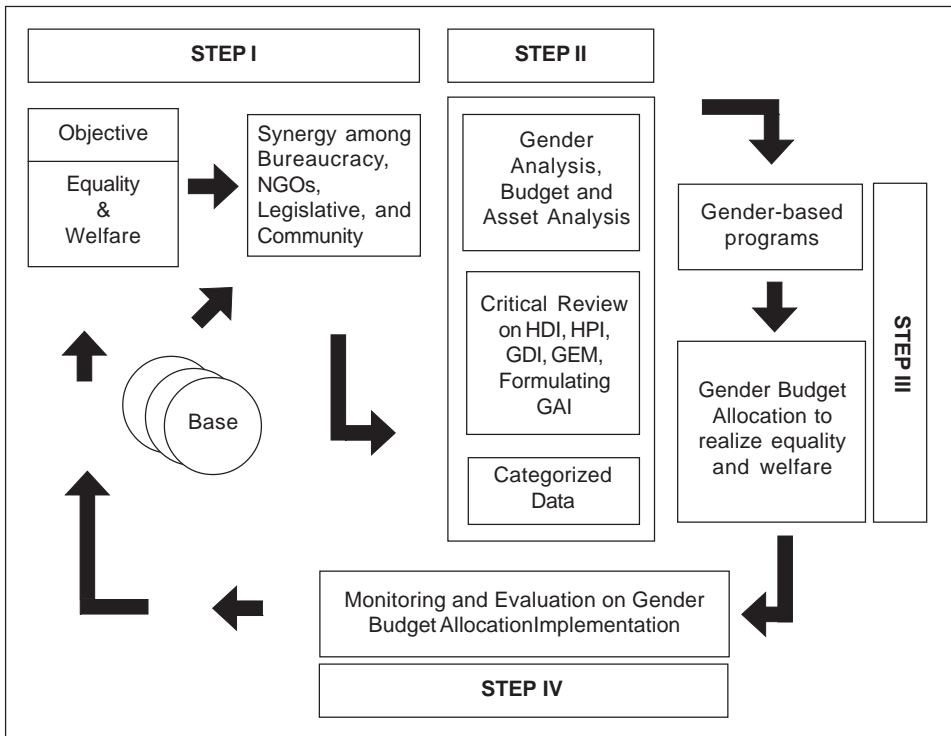
Puskesmas unit finance 19 puskesmas ,one in each sub-district, and the amount of 12.08 billion rupiah is allocated for Polindes (village clinic). The biggest amount (11.29 billion rupiah) is used only for personnel expenses, whereas the expense for Puskesmas operational services is very limited (Rp 362.88 million); this is given as incentive for services.

Source: AMPRM, 2005.

Conclusion

Based on the analysis of RAPBD and APBD in the research areas, it could be concluded that expenditure allocations are not based on the premises of gender equality. Budget allocation for public services is still much lower than the amount allocated for government expenditure. It should be noted that HDI, HPI, GDI, and GEM that measure women conditions have not been used by the regional governments to develop policies, programs, and budget allocations. As a matter of fact, HDI, HPI, GDI, and GEM have not been used by the regional government to guide their local budget allocation.

Advocacy Model for Gender Budget



From the study carried out by WRI in the six regions, some conclusions could be drawn for the improvement of the substance of gender budget programs. First, there is a need to educate public officials that are involved in planning and budgeting regarding the importance of gender equality. It is mandated in Presidential Instruction No. 9, 2000 on Gender Mainstreaming (PUG) that the public officials should have the capacity to conduct gender planning and budgeting. Second, there is a need to develop a set of indicators for gender budget that is agreed upon by the executive, legislative and NGOs. Third, there is a need to provide technical assistance in gender planning and budgeting for the Budget Team from the executive office and Budget Committee from the legislative. Fourth, there is a need to run pilot project of gender budget in several districts/cities with the aim to reduce poverty among women.

There are actually more works that are still on the list. There is a need to develop a classified demographic and asset data system covering economic, human, natural, and organizational resources. There is a need to develop an instrument to measure the achievement of gender budget targets. Efforts should be employed to maximize the use of Human Development Index (HDI), Human Poverty Index (HPI), Gender Development Index (GDI), and Gender Empowerment Measures (GEM) as guides for gender budgeting. Gender Asset Index (GAI) needs to be formulated to help decision makers to formulate gender-based budget allocation priority. There is also a need to formulate gender equality and gender-based welfare indicators.

The above diagram shows the ideal steps to promote gender budget. It requires a synergy among bureaucracy, NGOs, legislative, executive, and communities. Advocacy should be done in conjunction with the provision of technical assistance for the executive and legislative.

There is also a need to revise regulations on budgeting in order to enable bureaucracy to do budget innovation along the line of the promotion of gender budget. Therefore, there is a need for a joint circular letter issued by the Ministry of Home Affairs, Ministry of Women Empowerment, Ministry of National Development Planning/Bappenas,

and the Ministry of Finance to become the basis for the implementation of gender budget. Information transparency should also become a national policy so that budget documents such as RASK and DASK become accessible to the public. The availability of those documents is crucial because they should be used to measure, evaluate, and monitor the implementation of gender budget.

Last but not least, there is a need to continue socializing and implementing the policy in Joint Circular of the State Minister for National Development Planning/Kepala Bappenas and Minister of Home Affairs No. 111354/M.PPN/3/2004 on the implementation public participation in development planning (Musrenbang). The regulations state that, for example, Musrenbang should be attended by at least five women who represent the interests of poor women groups.

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Do Women Have Access to NGOs' Programs in Local Governance?¹

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Introduction

This study is a result of a review of selected 13 NGOs that were grantees of the Governance and Civil Society (GCS) portfolio of the Jakarta Ford Foundation office. The GCS portfolio in Indonesia started in 1998 and focused on “Participatory Local Governance” within the context of decentralization. The study started from Local Governance Learning Group’s (LOGO)² concept that “the support for such work has had behind it an implicit hypothesis: that democratic decentralization – and with it greater opportunities of citizen engagement – could lead to broader social

¹ This article is based on an assessment done in 2005 to several Ford Foundation partners in Solo, Bandung and Mataram. This assessment was supported by the Ford Foundation, Jakarta office.

² P.2, “Assesing the Social Justice Outcomes of Participatory Local Governance. A Project of the Ford Foundation, Local Governance Learning Group (LOGO), Concept note and guidelines, draft only, March 15, 2005.

justice and poverty alleviation outcomes”. But is it true that democratic decentralization in Indonesia has promoted gender equity?

This study conducted field research to find out whether the promotion of inclusive local governance and citizen engagement had increased women’s welfare. The study aimed at socializing gender perspective on decentralization to NGOs and other civil society organizations (CSOs), other donor organizations, as well as the Indonesian government. Accordingly, this study did not only serve the purpose of internal learning within the Ford Foundation, but it also aimed at contributing to the broader academic and policy debates about the links between participation, democracy and gender justice.

Country Context of the Work on Participatory Local Governance, Social Justice and Gender

“Governance is about taking sides with the interests of the public and marginal groups, including women”. That was the conclusion of the Participative Governance Assessment conducted by the Partnership for Governance Reform in 2002-2003 in 8 districts/cities, namely Banda Aceh, Cirebon, Denpasar, Lombok Barat, Flores Timur, Maluku Utara, Samarinda, and Kendari. The study was conducted in a participative manner through multi-stakeholders workshops, where at least 30% of the participants were women.

The above conclusion by local stakeholders stated that governance is actually a perspective that takes side with the interests of the public and marginal groups, including women, came out from the context of severe social injustice and inequality in Indonesia. Decentralization process that started since 2001 has indeed produced various regulations that open up rooms for the public in general, and women in particular, to participate in public decision making such as in planning and budgeting. However, the fact shows that there is a disjuncture between regulations and the welfare of the marginalized groups, including women. There is yet a

positive correlation between the regulations and the increasing welfare of marginalized groups.

Regulations on direct elections of parliament members, president and vice president, and regents/majors, for example, have not succeeded in making the government responsive to the people. As of now, the executives and legislatives do not represent the interests of the people that have elected them. Instead, they represent the interests of their respective political parties, if not their own political and economic interests.

Law No. 22/1999³ regarding Regional Government and Law No. 25/ 1999 regarding the Balance of Finance between Central and Regional Government also suffer similar faith. The two regulations actually give more authority to district/city governments to develop regional regulations, including regulation on the allocation of regional budget. However, since the decentralization of power is not accompanied by the spread of gender perspective among CSOs and local governments, the decentralization process tends to go hand in hand with the strengthening of patriarchy at the local level, and it shows in the regional budget allocation. Budget allocation shows whether a local government has an intention to increase the welfare of marginalized people, including women, or not.

Reality in the field shows that regional budget allocation actually reflects existing social injustice. A research by IPGI Solo shows that 89% of the 2005 regional budget of the city of Solo was allocated for Routine Budget, as opposed to Development Budget that only consisted of 11% of the total budget. The ratio between Routine and Development Budget allocation in Solo reflects the general rule of budget allocation in most regions. So far, there is only one district, a poor District of Jembrana in Bali, which has totally restructured its budget allocation. The pro-poor budget best practice sets the example of allocating 46% of the regional

³ Currently the Regional Autonomy Law become number 32 of 2004, says that the provincial and regency governments have been taken initiatives in managing their own development planning and budgeting and designing their own regional regulations.

budget for Development Budget and only 54% for Routine Budget. (Source: *Laporan Akuntabilitas Kinerja Instansi Pemerintah Tahun 2003, Sekda Jembrana, 2004*) As of 2005, it was probably the only innovative local budget reallocation, and it was a product of a combination of bureaucratic restructuring and corruption eradication.

The disjunction can also be seen in the fact that towards the end of 2005, there were hardly any districts/cities that had replicated Jembrana's budget allocation to provide free primary to high school schooling, free health services, and revolving funds for small businesses. Free schooling, health care, and revolving funds had benefited marginal groups in general and women in particular in Jembrana. The district of Sleman, Bantul, Kulonprogo, and Gunung Kidul, for example, went the other around by increasing health retribution, making people in general and women in particular pay more to get health services. And it had been done in the name of increasing *Pendapatan Asli Daerah* (Regional Revenue).

Research by IDEA (*Yang Terlupakan: Menyoal Perempuan dan Anggaran, Dati Fatimah, 2004, p. 4-6*) shows the district government of Bantul increased the tariff of visiting community health center Puskesmas from Rp. 700 to Rp. 3,500, an increase of around 500%. The district of Sleman followed suit by increasing the Purkesmas tariff to Rp. 3,000. Meanwhile, the city of Yogyakarta was planning to increase the tariff of Puskesmas from Rp. 600 to Rp. 4,000 (700%). As a consequence, in the district of Subang (2003), Gunung Kidul (2003) and Bantul (2004), retribution from health services ranked first in the Regional Revenue. In Kebumen (2003) and the City of Yogya (2004), retribution from health services ranked second and third respectively. Instead of using regional budget to provide public services to the marginal people, including women, the regional governments used the provision of public services to squeeze money from the marginal people that they were supposed to serve.

In addition to policies on direct election, Law No. 22/1999 regarding Regional Government, and Law No. 25/ 1999 regarding the Balance of Finance between Central and Regional Government, the government also introduced several other policies that open up space for women

participation. In 2000, the government issued a Presidential Instruction (*Inpres*) No. 9/2000 on gender mainstreaming, creating a momentum for the advocacy of gender budgeting. The regulation opened up wider opportunity for women to influence budget allocation. In 2003, the government introduced Election Law No.12/2003 that provides affirmative action for women in politics by ruling that 30% out of the total number of every political party's candidates for the parliament should be women. The affirmative action for women is definitely a result of gender mainstreaming into public policies. In addition, in 2005 the National Planning Agency *Bappenas* and the Ministry of Domestic Affairs issued a Joint Decision Letter No. 0259/M.PPN/I/2005-050/166/SJ in 2005 that opened up room for citizens to participate in development planning and budgeting through the bottom up *Musrenbang* process. The regulation necessitates that planning and budgeting should be carried out in a participative manner, involving representatives from the people and civil society organization at the village, subdistrict, and district/city level. This bottom up mechanism opens room for women to influence development planning dan budgeting. At the local level, the district of Mataram, Lombok, for example, issued a Regional Regulation No. 27/2001 regarding participatory development planning called *Musyawarah Pembangunan Bermitra Masyarakat* (MPBM), which also opens up room for women to shape policies and budget allocation in accordance to their interests.

However, the above regulations which open up rooms for women to participate in planning and budgeting have yet to show a positive correlation with the welfare of marginal groups in general and the welfare of women in particular. A closer look shows that actually the regulations have many weaknesses. Has there been an increase of women participation in politics after the implementation of the 30% quota for women? The answer is ambiguous. The answer could be yes because in reality there are more women that occupy seats in the DPR/DPRD compared to the previous period. However, the answer could also be no since the number of parliament members that are men are still overwhelming, while actually women consist of more than 50% of the population in Indonesia. The

problem is that the 30% quota only applies to the candidates of parliament members, but not on the actual number of representatives that get elected into the DPR/DPRD. Political parties tend to place women candidates in the lower ranks, giving more chances for men candidates to get elected. On top of that, there is no clear sanction against political parties that violate the 30% quota.

The *Musrenbang* bottom up planning mechanism has also been unable to push a large number of districts and cities to restructure their respective budget to move away from the general rule of 89% for Routine Budget and 11% for Development Budget to a 50:50 regional budget allocation. The reason is that after the implementation of decentralization, budget advocacy cannot be done just at the national level. The advocacy should be done in each of the 461 districts/cities. Due to the lack of capacity of CSOs in the regions, the *Musrenbang* participatory planning and budgeting can only be facilitated adequately in some districts/cities. The burden to facilitate and monitor the process of *Musrenbang* is quite enormous since it has to be done at the village, subdistrict, and district/city level. Regional Regulations on participatory planning and budgeting also suffer from similar weaknesses. The lack of capacity of CSOs in the regions makes it very difficult to push for the effective implementation of the participatory regulations.

The above description shows that there is still a disjuncture between regulations on participatory planning and budgeting and the increasing welfare of people in general and women in particular. Therefore, it is not surprising that there are indicators showing a high degree of social injustice faced by women in Indonesia. The maternal mortality rate in Indonesia has been among the highest in the world, coming to 380/100.000 birth in 2002 (Human Development Index 2004). Data from the central bureau of statistics BPS show that illiteracy among women of 10 years and older in the rural areas came to 16%, while illiteracy rate for men in the rural areas of the same age period was only 7%. In the urban areas, the disparity of illiteracy rate was equally glaring, 8% for women and 3% for men. Data from UNFPA reveals a similar condition, showing that illiteracy

among women with the age of 15 years and older was 45%, while for men in the same age group the percentage was only 23%. The data were presented by Dr. Meiwita Budiharsana, Representative NGOs in a gender budgeting discussion, and they were quoted by Kompas daily , 23 September 2005.

There is an urgent need to do an impact evaluation regarding the disjuncture between regulations and social justice outcomes. We need to know exactly why opportunities for inclusive local governance and citizen engagement have been unable to deliver increasing welfare to marginal groups, including women.

Assessment of GCS Grantees to Promote Participatory Local Governance in Indonesia

The NGOs strategy to promote participatory local governance was organization-centered⁴ in character. The strategy puts organization as partners who have their own initiatives to choose strategies and activities, and avoids providing donor driven designs and achievement indicators. Thus, it defines the organization-grantor relationship as partnership to learn together toward shared goals, rather than a contractual arrangement that requires performance targets. There was an equal relationship between donor and grantees. Golub (2004) stated that this strategy offered an alternative to excessive reliance on government initiatives and technical assistance provided by bilateral development agencies. The Governance Civil Society (GCS) program placed a premium on supporting ideas and initiatives from NGOs and their partner groups.

The NGOs themselves focused their work on supporting the work of civil society to restructure the government without attributing any

⁴ The information for this section mainly taken from “Strengthening Local Governance by Strengthening Civil Society: A Review of the Ford Foundation Governance and Civil Society Program in Indonesia”, p. 10-22, Stephen Golub, October 2004

donation to local governments themselves. The programs supported civil society to conduct monitoring of the implementation of government programs, to suggest the introduction and amendment of government regulations, and to evaluate and propose government budget allocation. In conclusion, the aim of GCS' grantees was to improve local governance by supporting civil society initiatives.

The GCS portfolio had three different initiatives, namely (1) Citizen Participation in Local Governance, (2) Improving Public Service, (3) Promoting Responsive Village Institutions.

- (1) ***Citizen Participation in Local Governance.*** This initiative provided support to CSOs to enhance public participation in planning and budgeting and to demand the government at the village, district, and national level to be more accountable, transparent, and responsive to citizens' concerns.
- (2) ***Improving Public Services.*** Under this initiative, the grantees supported diverse efforts to make public services responsive to the need of the people. The aim was to promote a mechanism that would allow the public to participate in the public service delivery planning and to evaluate the delivery of public services.
- (3) ***Promoting Responsive Village Institutions.*** In addition to working at the district and sub-district levels, GCS used this initiative to promote democratization at the village level. In the past, village governments and the village head were accountable to higher government officials and not to the villagers. The aim was to make Village Representatives Board (BPD) become more democratic, and to make the district government provide more block grants to the villages. The use of the block grant should then be determined by the villagers in a participatory manner. Included in the initiative was support for researches to assess the present dynamics of villages in Indonesia.

GCS and its grantees promoted governance at the local level through the empowerment of civil society. Result of interviews with the thirteen NGOs in Bandung, Solo, and Mataram showed that the NGOs used four empowerment strategies, namely increasing citizen's skill to participate in public decision making, generating organizational skills of the civil society, building cooperation between social groups (developing social capital), and identifying allies in government institutions to promote reform.

But unfortunately, the empowerment of civil society was focused more on the technical skills to exercise democracy. Golub said that the exercise (2004) "still exists more in form than substance in many areas". The empowerment efforts still put too much emphasis on increasing the skill of CSOs to gather people's participation in planning and budgeting process, but not on how to facilitate women to represent their interests. Confronted by local elites, women face serious difficulties to represent their interests in public meeting. As Golub (2004) said "in the future a greater focus on women and other disadvantaged populations would enable the Local Governance program to ... advance the human rights of those populations".

Selection of Cases and Methodology used for the Study

The study was conducted in three different cities in and outside of Java, namely Bandung (West Java), Solo (Central Java), and Mataram (West Nusa Tenggara). The locations in Java were selected to see whether the NGOs, provided that they were located closer to the center of power, had the ability to influence the formation of discourses at the national level. The location outside of Java was selected to see whether the NGOs actually had the capacity to conduct facilitation for poverty reduction. The selection of the thirteen NGOs was based on the consideration that they had adequate capacity to improve public participation in decision making in their respective region. Data collection was conducted by the

Women Research Institute (WRI) through interviews with the director of each selected institutions and through focus group discussions with the NGOs staff and partners.

The study conducted an assessment whether the selected grantees in the three cities implemented gender perspectives in their programs or not. WRI applied the theory of gender analysis to find out whether women had the same access as men in the NGO's programs, and whether the programs were designed to enhance women presence or not. In the higher level of analysis, WRI analyzed whether women's access and women's representation influenced their political agenda to promote gender equity. WRI applied the theories of Access, Presence, and Influence proposed by Anne-Marie Goetz from IDS, Sussex. In addition to the use of gender perspective, WRI also assessed whether the programs brought the same impacts on the welfare of men and women.

To assess the ability of the NGOs from the three cities to implement gender perspective in their work, WRI classified them into three different categories:

1. Organizations that had women as their target groups
2. Organizations that were concerned with women issues
3. Organizations that were not concerned with women issues.

Could Women Access the Local Governance Programs?

According to Goetz (2005), "The impact of interventions designed to build voice of women or other socially excluded groups in civil society would first depend on whether there are any associations composed by these groups and advocating for them in existence, if so, how is the 'embeddedness' (acceptability, endurance) and how is their social 'breadth'?" Question of access was crucial for the assessment of the capacity of NGOs to empower civil society.

1. Organizations that had Women as Target Groups

Among the thirteen NGOs in the three cities, only one had implemented gender perspective from the very beginning and had women as a target group. This particular NGO started to realize the importance of women's rights, came from the reality that even for women who have got access to credit, they still find many hardships to fight for their rights. Moreover, this NGO also see that regional regulations and bureaucracy influence the condition and position of women. Therefore, this organization then together with an NGO in Klaten and in Purwokerto started to implement a joined program to establish a network of women petty traders called *Jaker-Permas*. The objective was to increase women's critical awareness as well as develop a strategic alliance with other civil societies. This network of women petty traders has been working to strengthen the capacity of women in formulating, executing, and monitoring public policy as an effort to bring governance accountability to reality.

The program was designed specifically to enhance the position of women petty traders. The aim of this program was to provide education to the women in general and women petty traders in particular regarding their political rights. The implementation of the program had encouraged dialogue between the Association, or *Aliansi*, of women petty traders, academicians, women local activists, local government, and political parties. For example, the *Aliansi* succeeded to strike a political agreement with the candidates to the local parliament and the local authorities to make them pay more attention to women issues. In the district of Wonogiri (central java), the *Wonogiri Women Association* or *Aliansi Perempuan Wonogiri*, had a bargaining position to take part in the monitoring, evaluation, and discussion of the local budget organized by the local parliament.

In Klaten, the *Aliansi* participated in discussions with parliament members and the district Local Authorities on how to make local budgeting responsive to women's needs. The effort had yielded some

concrete results. For example, *Jaringan Perempuan Usaha Kecil* (Women Petty Traders Network, Jar-PUK) in Klaten was able to secure Rp. 10 millions in form of soft loan from the local budget through the Ministry of Trade and Industry (*Depperindag-kep*). The Jar-PUK Kartini, Sukoharjo, and the Association of the Concern of the Welfare of Women or *Aliansi Peduli Perempuan Makmur* (APPM) succeeded to get local budget allocation in 2003 in the amount of Rp. 2.5 millions and Rp. 6 millions, while the Jar-PUK Boyolali received Rp. 6 millions from the local budget through the head of the region.

The program had indeed registered concrete gains in term of promoting the rise of *Aliansi* of women groups in each district. However, the focus of the program was actually not on the improvement of women's businesses since it was a program that promoted women's political rights. There was a mismatch between the goal of the program to promote women's political rights with the goal of JAR-PUK to promote the immediate need of women petty traders for immediate economic improvement. In addition to the gap between the goal of the program and the goal of JAR-PUK, there was also another gap between the *Aliansi* and the individual women petty traders. Members of the *Aliansi* came from different organizations such as academic institutions, women organizations, political parties, and the *Jar-PUKs*, who all had the same goal to promote women participation in decision making. The *Jar-PUKs*, which consisted of individual women petty traders, were the weakest members of the *Aliansi*. According to them, the *Aliansi* often talked more about gender issues in general such as violence against women, patriarchal values that influenced political values and practices that were not related to concrete issues for women petty traders such as availability of loan and product marketing. Since there were only two representatives of women petty traders in the *Aliansi*, they could not effectively shape decision making in the organization. Indeed, the issues presented by the *Aliansi* and the *Jar-PUKs* were often different. The *Aliansi* discussed general issues while the *Jar-PUKs*

talked about strategies to enhance the economic conditions of women petty traders. *Jar-PUKs* expected the *Aliansi* to have done much more to help them access the regional budget. Therefore, they did not consider the program as providing adequate benefits to their needs for resources to develop their small scale businesses. The two elements needed to develop a synergy to influence public policies.

Regardless of the mismatches of goal between the NGO and members of the *Aliansi*, this program has succeeded in opening up decision making accesses to women. The district governments had started to pay more attention to women issues. This program had enabled women to raise the issues about women abuse, 30% quota of women in the parliament, and the importance of allocating budget with gender perspectives. Women petty traders had started to get involved in program planning with the local government.

At the individual level, the program had succeeded in raising gender awareness among women petty traders. They started questioning the tradition of saying the name of their husband when they spoke in the meeting. They used to say, "My name is Mrs. Joko". In Karanganyar, the women introduced themselves by their own names. In the Focus Group Discussion, they were proud to say that from now on they would use their own name and not the name of their husband. It was an initial step towards changing gender-based identity its' related to gender based power relation in the public sphere. At the district level, however, the program had not increased the number of women that occupy public decision making positions in the executive and legislative.

2. Organizations that were Concerned with Women Issues

Five out of the thirteen NGOs worked to facilitate the development of multi-stakeholders Citizen Forums. It is also pursuing other initiatives to devolve some planning, budgetary, and other authority from the districts to the village level. The rationale is that the district

government is distant from many villagers' life. Therefore, strengthening village government capacities to take on new authority and responsibility become this organization *forum warga* endeavor. This organization also organizes and facilitates citizen forums. In their own words, *forum warga* describes as a "space" for people to bargain with local government. The objective of this organization is to strengthen institutions at the village level and it supports the extension of public participation space to be part of the planning and budgeting process.

Citizen Forum is a relatively new organization formed at the community level to develop participation of citizen in local decision making, including monitoring the implementation of development programs. The five NGOs that worked on facilitating Citizen Forums admitted that they did not use gender perspective from the beginning of their program. However some of them used gender perspectives when they worked with other organizations. The NGOs realized the importance of including gender perspectives in the participation of citizen in the formal planning and budgeting processes. They used quantitative indicators regarding the involvement of women in their program. One NGO from Solo, for example, stated that 60% of the participants in their Citizen Forum should be women. In reality, however, there were only 3 to 5 women participants in each of the Citizen Forum (while citizen forum consists of around 30 – 40 people). They argued that the low rate of women participation was caused by the unwillingness of women to participate in the Citizen Forums. They said, "We provide opportunities for women to participate in Citizen Forum. It is their fault that they do not take the chance to participate!" In another occasion they said that, "In fact, no women were interested in the planning and budgeting process. Therefore, they did not come to participate!" The NGO from Solo, and another NGO from Bandung said that they involved women in their Citizen Forum. However, they did not provide specific space and facilitation for women to enable them to speak out their interests.

Another NGOs from Bandung, Solo and Mataram that involved in participatory Budget and planning advocacy stated their mission as 'Transparent, participatory, and accountable governance will become a tool for people's struggle in order to achieve democratic governance which give more equal access to economy, political, and social justice. This NGO's functions include analyzing budgets and publicizing misuse of funds (whether illegal or technically legal) by local governments and parliaments. It grasped the fact that the basic problem is not only in human resources, but also in the allocation and lack of citizen's participation in human resources management.

Politically, democratic means that the people have strong bargaining power to determine the structure of government and the policies that it produces were more advanced in their commitment to promote gender perspective. They adopted gender analysis into their framework of local budget analysis. They discussed about the need of women to get involved in planning and budgeting at the local level. The framework of gender perspective in their budget advocacy had led them to promote gender budgeting to the bureaucracy. However, their gender perspective was still limited at the discursive level. Similar to the two NGOs, the leaders and staffs of a network of NGOs that worked to promote public participation were all aware that they paid attention to the involvement of women in their program. Gender issues and problems were discussed in their program. However, when it formulated its program priorities, gender issues and problems suddenly disappeared from the screen. The network had not included gender issues in their programs and advocacies.

3. Organizations that were not Concerned with Women Issues

The rest of the NGOs, which focused their work on political education for urban poor, did not see the importance of including gender perspectives in their Citizen Forum programs. Mainly they

involved marginalized groups such as pedicab drivers, street vendors, and other impoverished groups in the urban areas. According to them, poverty and powerlessness were the main causes of the marginalization, which had nothing to do with gender. The NGOs did not consider the importance of providing access to women in their policy and budget advocacy programs. They were not interested in asking questions regarding women's participation in their programs. They did not care whether women participated in their program or not, and why did they participate or did not participate in their program. They were not concerned about the representation of women in public decision making either.

One example is a consortium of NGOs in Solo. This consortium was formed as *Forum Warga Tiga Kota* that consists of *Forum Rakyat Boyolali*, *Solidaritas Masyarakat Pinggiran Surakarta (Sompis)* and *Forum Masyarakat Sragen (Formas)*. The forming of this forum is triggered by a statement of a local government official that accused street vendors or *Pedagang Kaki Lima (PKL)* as the cause of the failure of Solo to win the *Adipura* trophy (annual award for the cleanest city in Indonesia). This consortium is concerned about the life of street vendors and it works to strengthen the urban poor in Solo (*kaum miskin kota*) to have access toward development. The consortium provides technical assistance on drafting pro poor by laws (*Perda*).

The consortium disagreed to integrate gender perspectives in their activities. According to them, gender perspective is not only unimportant but it is used as a commodity by donors. The main principle for them is to strengthen the marginalize groups (street vendors, pedicab drivers, etc) to have access and control over resources.

There is an interesting experience of this consortium in strengthening the capacity of pedicab drivers in Solo that can be mentioned here. The pedicab drivers' knowledge on participation and democracy are increased. But, the ability in claiming their rights and formulating by laws (*Perda*) is not correlated to their ability to

provide income for their family. Their wives feel that their husbands' activities decrease the income for their basic needs such as education fee for their children. The wives then complain by saying, "Eat that word of participation! How should we feed ourselves or get our children to school if our husbands are too busy to participate in making by laws?"

That is an interesting example to show what will happen if the civil society empowerment program does not allow women to participate.

Concluding Remarks

It seems that the NGOs supported by GCS have succeeded in increasing citizen participation in decision making, particularly in improving their knowledge and making them involved in planning and budgeting. The level of citizens' knowledge on budgeting, particularly the excluded groups such as pedicab drivers and street vendors, has indeed improved. They have become more aware of the possibility of influencing the making of by laws in order to make them responsive to the needs of marginalized groups.

However, when it comes to the integration of gender perspective, the NGOs are still weak in character. Indeed, some of the NGOs are quite aware about the need to integrate gender perspective into their programs. However, they still put too much emphasize on quantitative indicators such as the minimum quota (30 %) of women's participation in citizen forums. When in reality only less than three women were involved in the citizen forums, the NGOs did not come up with a strategy to increase the number of women participation. Only one of the selected 13 NGOs has included gender perspective in its activities. This organization believes that increasing political awareness would enable women to demand for the recognition and fulfillment of their interests.

NGO's decision to strengthen civil society is an important step in

improving the quality of local governance in Indonesia. This is based on the assumption that social justice will be promoted through capacity building of the citizens. This strategy has been translated into the development of many Citizen Forums and the strengthening of their capacity in communicating with other social groups (i.e. decision makers) to participate in the planning and budgeting at the local level. However, it is important to always ask whether those Citizen Forums have treated men and women equally. Not all CSOs are aware about biases concerning gender. Many NGOs actually did nothing when they were only a few women participated in the Citizen Forums that they facilitated. How far have women interests been actually included in the planning and budgeting advocacy of the Citizen Forums? Have the NGOs developed a system to guarantee that the interests of women would not be swept aside during their program prioritizing? Women participation in form of physical attendance is very much tied to cultural practices. Even if women members of the Citizen Forums spoke out their concerns, they were rarely heard by other stakeholders.

Just like what Goetz (2005) said, "...it is seen that obstacles to women's equal participation in public participation are often so high, and gender-based discrimination planning often prevents their needs from being addressed in local development planning...". Therefore, strengthening civil society does not only mean increasing NGOs decision making capacity and then respecting their rights to decide, but also increasing their capacity to use their decision making to promote and protect the interests of marginalized groups, especially women. Participation should always be linked with representation of women. Otherwise, participation of women in the Citizen Forum would remain at the level of physical attendance, hence only fulfilling the technical aspect of democratization. If that were the case, it would be difficult for Citizen Forums to enhance the capacity of women to realize social justice.

Other interventions within the local governance work are designed to provoke new ways in organizing planning, resource allocation and new ways of collecting information that links to public decision. These new

ways often known as: consultation and dialogue with citizens; participatory local planning and budgeting, including rights to information, such as local government's development planning and budgeting. It is assumed that building the capacity of the people or citizens may provide greater space for them to participate. This in the end will provide social justice outcomes to the society.

Let's go back to the success story of an NGO Solo to adopt gender perspective from the very start and then mainstream it into its programs. Within the context of decentralization, facilitation, advocacy, capacity building, and partnership cannot be done only at the national level. They have to be carried out also at the local level. The question is how to replicate the success story at the district level if currently the total number of districts/cities in Indonesia is around 460. Therefore, it is timely to move away from a sporadic strategy. Now, it is time to promote well designed efforts to develop more sustained capacity building. A capacity building that empowers both men and women to promote social justice.

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Regional Autonomy and its Impact to the Exclusion of Women in the Decision Making Process¹

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The regional autonomy that has been implemented since 2001 opens an opportunity for the people to participate in the development of their region. Potentially, it opens wider rooms for democracy. The problem is that the room for democracy is still very much defined by men and it does not accommodate women's interests, while women actually number more than 50% of the Indonesian population. Therefore, the room for democracy should be reconstructed to have a gender perspective. (Women Research Institute, 2003)

The question here that has Indonesia's regional autonomy influenced the political agendas of the Indonesian women's movement which aims to create a society with a clear perspective on social and gender justice?

¹ The authors presented their work as separate papers at the seminar on Regional Autonomy in National University of Singapore May 13-15, 2002. The editors were merged the separate papers to form one paper.

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This is the question we address in this paper. Research has shown that regional autonomy not only has driven the revitalization of local identity based on ethnicity and religion but also has brought about corruption and the rise of 'local authoritarian governments'. These have led to rise of fragmented societies, local authoritarian governments, a chauvinistic syndrome in local societies and anti-pluralism in the regions. These developments have resulted in local women suffering substantial setbacks, and have forced the Indonesian women's movement to strengthen its political agendas for women in the regions. This has been done mainly by influencing decision-making processes at the district level, which is the significant level in the context of regional autonomy.

Regional Autonomy and Women's Issues

The transition towards democracy following the fall of Soeharto has been [so far] difficult and painful. The transition period has been marked with a tremendous increase in violent conflicts in the regions, such as inter religious and inter-ethnic conflicts. During this period a proposal for regional autonomy was made, along with attempts of the Indonesian central government to reduce potential conflicts in the regions.

The regional autonomy program was introduced by Indonesian policy-makers who believed that regional disappointments, triggered mainly by the lack of economic development, had underlined the causes for conflicts in the regions. Mallarangeng, one of regional autonomy's architects, stated:

Many people in Indonesia feel that the root of our problem lies in the 32 years of authoritarian government and centralisation of power. We are trying to find a solution for that problem by going into democratisation and decentralisation of power. When people talk about their sovereignty as the basic foundation of democracy in this country, sometimes we are talking about the working people. We in the State Ministry of Regional Autonomy

believe that the “people” are those people who are of the local level and who make up the communities all over Indonesia. That they need to have sovereignty and not only people around Jakarta or people in the Central Government. This solution of democratisation and decentralisation is something very logical for Indonesia because under the previous authoritarian government, what we had was a sense of powerlessness felt by almost everybody (Mallarangeng, 2001:235).

To implement this program, the Indonesian government introduced two laws in May 1999 on regional autonomy. The first of these laws, Law 22/1999, gives broad autonomy to the local governments (City and Regency) to manage their own affairs, except in the fields of foreign policy, defence, fiscal and monetary policies, religious affairs, and the judiciary. Local governments have autonomy over most of the public sectors, including urban services, primary and secondary education, public and basic health services, environmental management, planning and local economic development. Under this law, parliaments at the regency and city levels (DPRD) will have much greater power and authority than the provincial parliaments. These parliaments have rights to elect and remove regency and city heads (*Bupati* and *Walikota*), deputies and members of MPR; and to draft and pass regency laws and budgets. They also have the necessary authority to control regency executives, to give their views to the central government on international agreements that might affect regional interests, and to articulate the aspirations of the people in the regions. Having all these rights, undeniably, the local parliament will influence the Indonesian political and economic dynamics in the future both at local and national levels (Sukma, 2001). For the executive branch itself, even though its position is now weaker than the legislature, however its power and authority is also strengthened, particularly in implementing development programs in the sectors described above.

The second decentralisation law, Law 25/1999, engages the financial relationship between the central government and the regions. Under this

law, local governments will not receive grants from the central government anymore. However, they will receive 25% of revenues from oil exploitation carried out within their borders and 30% of revenues from natural gas exploitation. Regions will have 80% of the government revenues gathering from mining other than oil and gas. Furthermore, the local governments with the justification of the regional parliament could borrow domestically to finance a part of the budget whereas foreign borrowing is also permitted, but it should be done through the central government.

Indonesia's regional autonomy, equipped with the two laws described above, has been implicitly introduced as a means to prevent potential conflicts. Regional autonomy aims to boost the economic performance of the regions so local communities can feel and enjoy better the fruits of economic development. It is hoped that this process will removed or at least reduce significantly the sources of regional conflicts. However, the results appear so far to be the other way around. It is interesting to see how the regional autonomy program has in fact mainly increased conflict potential, rather than the other way around as was hoped by its designers. The program, unfortunately, has brought about a number of serious problems that have the potential to create new conflicts or intensify the old ones.

Four significant problems have emerged since the regional autonomy was launched in 1999. The first problem relates to the absence of guidelines on autonomy laws in order to avoid confusion in its implementation. The second problem deals with the lack of regional capacity and competence in carrying out development programs. Corruption, nepotism and collusion in local governments have limited the capacity to build good and democratic governance. The third problem is the regional revitalization of local identity based on ethnicity and religion. In this respect, there has been a growing tendency among local people to distinguish between *orang asli* (native people) and *orang pendatang* (non native people). This, of course, increases ethnic tensions in the regions. The last problem is the lack of a strong civil society in the regions that brings about corruption and the rise of 'local authoritarian

governments'. In short, these problems have brought about fragmentation, a chauvinistic tendency in local societies, corruption and anti-pluralism in the regions.

To deal with these problems, strong civil societies, able to be involved in the process of creating public policy are needed. However, Indonesian social indicators data on women (BPS, 1999) show that women, as a part of civil societies in the regions, are still a vulnerable group and are excluded from the process of decision-making. More than eighty percent of women over the age of 10 years have only graduated from elementary school. The majority of them are absorbed by the informal sectors (such as domestic workers, migrant workers, vendors and sex workers), home industries, and the lowest rank of formal sectors as unskilled labour. Low income, violence and no protection characterize these jobs. In the health sector, data show that the mortality rate in Indonesia is the highest among ASEAN countries, that is 300 out of 100,000 women. Even worse, the rate in East Nusa Tenggara is the highest in Asia, which reaches 700 for every 100,000 women. In the political arena, despite the fact that 52 percent of Indonesian voters are women, the 48 political parties failed to include a significant number of women on their electoral lists. This led to a decline in the presence of women in the legislature from 12 percent in 1997 to 9 percent in 1999, out of a total of 500 members in parliament. This number is even lower at the provincial and regency levels. In some regency parliaments, such as in the regency of South Bengkulu, women are totally absent. In conclusion, these data demonstrate that Indonesian women, the majority of whom live in the regions, are still marginalized in social, economic and political spheres.

Preliminary research done by Women Research Institute to analyze the impact of regional autonomy to women's political participation and rights in the local politics has shown that the local regulations produced by the local government in the era of regional autonomy very much neglected women's needs and interests. The research was conducted in the nine areas, those are: Sukabumi (West Java), Tasikmalaya (West Java), Gianyar (Bali), Nangroe Aceh Darussalam (Sumatera), Mataram (West

Nusa Tenggara), Samarinda and West Kutai (Kalimantan), Kendari (South East Sulawesi), Kupang (East Nusa Tenggara) (*loc.cit*, 2003).

The research findings show that there are contradictions in the regional autonomy policies in relation to the public roles of women, so that it does not accommodate women's interests. Besides, there is no serious political will of the local governments to put the public roles of women in front as a consideration, so that it reflects in the local regulations which pay almost no attention to the women's needs.

In general, the findings indicate that for the sake of increasing the Local Original Income (*Pendapatan Asli Daerah*), the local governments have produced some regulations which give burden to women. For instance, the regulation for retribution of chicken and beef cattle butchering has burdened women as the managers of household; the regulation for retribution of public transportation has burdened women as the most users of public transportation services; the regulation for retribution of the small sellers in traditional markets has burdened women since most of the small sellers in the traditional markets are women. Even the poor and marginal women like women workers and prostitutes, in some areas, have been burdened with some retribution for the sake of increasing the Local Original Income (*Pendapatan Asli Daerah*).

Despite the role of women in increasing the Local Original Income in each area, the local budget allocation (APBD) of each area seems not to put the needs and welfare of women into priority. It is proven in the regulations of budget allocation of some areas. The budget allocation for women empowerment is still in one sector with the others like the sectors of social welfare, health, children and adolescent roles. Consequently, the amount of budget allocation for women empowerment sector is very small, like the budget allocation for women empowerment in Mataram – West Nusa Tenggara (0.03% of the total amount of budget allocation of 2002), in Sukabumi – West Java (0.00027% of the total amount of budget allocation of 2001), in Tasikmalaya – West Java (0.0005% of the total amount of budget allocation of 2003), and in Samarinda – Kalimantan (0.00043% of the total amount of budget allocation of 2002). Even in

Gianyar – Bali, the budget allocation for women empowerment is not increased but decreased, from 2.53% to 2.45%.

Moreover, the program activities of women empowerment sector almost in all areas seem to be directed to the stereotype of women, that is, domestic sector. As in Samarinda, the budget is for the building of 10 Main Programs of Family Welfare Education (PKK); and in Aceh – North Sumatera, the budget is for buying the skill-equipments for women and the Islamic praying outfit (*sholat*).

The limit of local budget allocation only in the domestic sectors shows that there is a gap between the arrangement of local budget allocation (APBD) and the Strategic Planning of Local Development (*Rencana Strategis Pembangunan Daerah*) which consists of the planning of the development program activities of women empowerment for 5 years. As in Qanun (regulation) No.3 about the Strategic Planning of Local Development of Nanggroe Aceh Darussalam, there are 19 main activities in the policy direction of Social Culture, however, in the budget allocation (APBD), as stated above, the budget is for buying the skill-equipments for women and the Islamic praying outfit (*sholat*). The gap indicates that the arrangement of one regulation does not refer to the others, even though they have correlation, like the local budget allocation (APBD) and the regulation on Strategic Planning of Local Development (*Rencana Strategis Pembangunan Daerah*). Besides, the programs of women empowerment are not implemented yet in the field, therefore the budget in Aceh, for instance, is only for buying the skill-equipments for women and the Islamic praying outfit (*sholat*).

The disobedience on the women's interests by the local government is also shown in the increase of mother mortality rate (*angka kematian ibu*) in some areas and the delayed rape-cases in era of the Military Operation Area in Aceh. Besides, it is shown also in the birth control and its management which is stereotyped as the responsibility of women only. The regulations which have relations with the reproductive rights of women, such as the regulation which manages the Family Planning Services, seems to become a tool to control the rights and the reproductive

organs of women without further consideration about the services and the guarantees of reproductive health of women itself. (*loc.cit.*2003)

In addition to the reality above, the come out of the regulations above have brought also an impact on the limitation to the women's living space and even stigmatized them with a marginal label. The implementation of *Syariah Law* in the 4 (four) areas has been a consequence of the implementation of regional autonomy (or special autonomy in Aceh) for the society or the groups of society. By referring to the *Syariah Law*, people are legal to question the leadership of women, like has happened in Tasikmalaya – West Java, with the 5 (five) woman sub district heads (*Camat*) and in Sukabumi – West Java, with a woman mayor (*walikota*). Besides, explicitly in the teaching of Islam, it is said that the leaders should be men. This value has been a tool to control the customs and manners in designation, election and appointment of the local leaders called *Geuchik* in Aceh, so that there would be no women *Geuchik* there. Based also on those values, the roles of women are dragged back to the domestic sectors and social services. Even the control comes also to the private things like the right in wearing clothes and the right in behaving.

Stigmatization on women as the cause of sin is also clear in the regulation of Anti Sexually Immoral Action which is implemented almost in the nine research areas. Moreover, the expropriation to women's right of living is reflected also through the implementation of regulations which manage the permit on the natural resources management. The regulations seem to be so bias that it seizes the right of the local women in managing the natural resources. The concrete examples were the women's experiences when working in the mining areas and a woman in West Kutai who finally lost her life for defending her own garden.

Even though the role of customary institutional is still highly influenced in society's life, there is no regulation yet which manage and revitalize the role of that institutional so that it will support each other with the local government. As a consequence, the vital values of culture have not been accommodated yet in the local government administration. In relation with the roles of women, those values which honor women

seem not to be able to penetrate the system of local government administration with the result that there is a gap of women's roles in the two systems. For instance, in Solok – West Sumatera, Minangkabau women have got roles and honor position based on the *matrilineal system*, as *the limpapeh rumah gadang and bundo kanduang*, however, in the General Election 1999, the representation of West Sumatera women in the political field was less than 10% out of the amount of 41.7 million people compared to the amount of women 51% and the representative of women in the DPRD I was only four. (*loc.cit.2003*)

This gloomy picture of women in the regions has given rise to gender issues under regional autonomy. The first issue is dealing with the prospect of women participating in the process of decision making and public policy creation. Taking into consideration the low level of women's political participation in the regions as shown by the data above, questioning how and by whom the gender interests and women's agendas under regional autonomy will be pursued is a crucial issue. Women's political participation must be addressed seriously in order to create societies that have a clear perspective on social and gender justice.

The issue of women's political participation has brought up discussion about the implementation of a quota of seats reserved for women in parliaments. As we will discuss later, this issue has become extremely controversial. However, without a quota system as is currently the case, women will obviously remain under-represented in parliaments. The second issue refers to the increased tendency of local governments to impose gender politics that aim to send women back to home and family. To some extent, these political agendas have used Islamic laws or variations of customary laws that benefit male leadership. The manifestation of these politics can be seen in a variety of local regulation proposals that aim to control women and curb prostitution in their respective regions. Such is the case in Aceh, West Sumatera, Bengkulu (South Sumatera), Karimun (Riau Islands), Ternate (North Maluku), Banten, Bengkulu, Cianjur (West Java) and Bone (South Celebes).

The objectives of these regulation proposals are not only to dictate

the way women must dress and behave, but also to bring them back home and thus confine them to the domestic realm. For example, under the draft of a local regulation in West Sumatera called the “Banning and Eradication of Amoral Behaviour” (*Pelarangan dan Pemberantasan Maksiat*), women would be barred from leaving their homes between the hours of 10 p.m. and 6 a.m., unless accompanied by a *mubrim* – a Koranic term for husband or male relative. If a woman leaves her home after 10 p.m., she could be arrested as a sex worker.

Without their active involvement in the process of public policy making, which has the potential to affect their lives dramatically, women in the regions will suffer substantial setbacks. By limiting women’s access to the public spheres, these regulations have closed the doors for women to participate in the process of decision-making. This means women not only need the revitalization of these religious and local traditions but also democratization. However, the issue of gender politics based on religious and customary laws is very sensitive. People who criticize these regulations are often labelled as being anti-Islamic or Westernized. This, undeniably, has limited the attempts to criticize or revise these regulations.

The Rise and Development of New Women’s Movement since the New Order

When the New Order regime came to power, it restrained all forms of mass organisation, and existing political parties were either demolished or rendered powerless (Wieringa, 1995:275). Consequently, people’s movements, including women’s movements, which were quite large and politically influential in the pre New Order period, were to a great extent destroyed.

At the national level, gender politics became a significant instrument for the New Order regime to sustain its power, along with the use of military might and the maintenance of the fear of “communism.” By defining women according to the *Ibuism* ideology – as mother and wives

and not endorsing women's access to political power – the New Order has domesticated, segregated and depoliticized women. Changes in economic and political dynamics during 1980s and 1990s provided material bases for the genesis of autonomous women's organizations in most parts of Indonesia since 1982. The process of democratization, the feminization of poverty due to the development process, and a development in discourses on women, have influenced women's activists to set up women's organizations that criticized the gender politics of the New Order State.

Seventy one independent and autonomous women's groups and coalitions were formed throughout Java, Sumatera, West Nusa Tenggara, East Nusa Tenggara, East Timor, Celebes, and Papua during the period 1982-1998. Twenty-one of these were formed during the 1980s and fifty five during the 1990s. The proliferation of women's organizations increased after Soeharto stepped down in 1998, especially in the regions. The political situation, which is relatively more open, has influenced women's activists to set up women's organizations in all parts of Indonesia. This marked the rise of a new women's movement after 1965.

The development of the women's movement follows an evolutionary line. Initially, in the 1980s, the movement was dominated by women's organizations which were hegemonized by the "Women in Development" approach and the New Order gender politics. In this period, the women's movement could be characterized as an a-political movement centering around community development. It pursued developmentalist interests by conducting income generating programs.

However, as the democratization process got underway in the late 1980s women's organizations that challenged this gender politics began to emerge, affecting dramatically the nature of the women's movement. Through a variety of means and actions, these organizations revitalized the political character of the women's movement. Firstly, they promoted the use of *Perempuan*, as a word for women, instead of *Wanita*, to declare their struggle against the New Order gender politics. In subsequent years, the word *Perempuan* has become an identity symbol for women's struggle

against and outside the reach of the state. Secondly, they introduced new strategies for expressing the demands through campaigns, advocacy, and demonstrations. By using these strategies the women's movement organizations opened themselves up to the public and became a part of the opposition. Since this time, the movement has moved beyond the bounds of New Order gender politics by pursuing a variety of women's and human rights issues that it was not possible even to discuss in the early years of the New Order.

In the 1990s the women's movement has grown stronger in conjunction with the acceleration of democratization, intensification of problems for women, stemming from the economic and political situation, combined with an increasing feminist consciousness. The phenomenon of the feminization of poverty, indicated by the increase in the number of poor women every year, has pushed the movement to become more active. The "green revolution", which refers to the mechanization of agriculture across Indonesia since the 1970s, has replaced women's work in agricultural activities by machines and men (see Stoler, 1977). This has forced village women to find alternative forms of work. Because of their lower educational level, these women have to a large extent only been able to obtain work in the informal sector –domestic service, sex work, international domestic helper work, or petty trade. They have been marginalized and impoverished by the process of development under the New Order regime. This situation drove the women's movement in the 1990s to pursue the interests of poor and working class women.

A changing political conjuncture and increasing feminist consciousness among women activists led to new interests being pursued by the women's movement in the 1990s. Influenced by the feminist notion of politicising the personal, many women's organizations, especially the ones which challenged the New Order gender politics, focused on domestic violence, rape, marital rape and the exploitation of women, initiating collective action on these issues and bringing them into public debate. This has not been an easy struggle.

Changes in political and economic dynamics since the fall of Soeharto,

undeniably, have influenced the Indonesian women's movement in terms of its gender interests, political agendas, and strategies. The movement has developed its strength and influences by becoming actively involved in pro-democracy activities and opening doors to allow women across classes and regions to join the movement. Issues of state and military violence became more prominent after Soeharto stepped down. A more open political environment provided increased opportunities for women's organizations to campaign on the crucial and pressing issues of freedom from state violence. This issue has become the main agenda of a number of women's organizations. This has been motivated particularly by occurrences of state violence in *Daerah Operasi Militer* (military Operation Areas) such as Aceh, East Timor, and West Papua. By taking a bold and clear stance on military violence, the women's movement has taken a clear political position toward the State.

The efforts of the movement, to some extent, gained significant results when Habibie, as the Indonesian President after Soeharto, endorsed the decree for setting up a National Commission on Violence Against Women (*Komisi Nasional Anti Kekerasan terhadap Perempuan*) after the May riot in 1998. The publicization of the rape of Chinese women during the riots of mid-May 1998 was the first time the women's movement successfully brought violence against women into public awareness and onto a State political agenda (Blackburn, 1999:1). By having this commission, at last women's issues, which had hitherto been ignored, have a good chance to be campaigned nationally and widely.

Another gain can also be seen from the adoption of the word *Perempuan*, which has been used by the movement as its symbol struggle in challenging the New Order gender politics since the late of 1980s, to be a formal word in the Wahid regime. Wahid, elected president after Habibie, renamed *Menteri Negara Urusan Wanita* (the Ministry for Women's Affairs) to be *Menteri Negara Pemberdayaan Perempuan* (the Ministry for the Empowerment of Women). This indicated, to some extent, the Indonesian women's movement has been acknowledged by the State.

Along with its strength and influence, the movement has also driven

women across classes and regions to join the movement. This is indicated by a growing number of new women's organizations in the regions after Soeharto stepped down. Undeniably, the increasing acceptance of women's issues by the pro-democracy movement and the public has influenced local women's activists to form women's organizations or coalitions on women's issues. However, undeniably, to some extent the women's congress, which was initiated by the Indonesian Women's Coalition for Justice and Democracy in Yogyakarta on December 1998, has also driven the proliferation of women's organizations in parts of Indonesia during the reformation period.

The main issue of concern is still consistently focusing on issues of violence against women. However, Indonesia's regional autonomy policy, which has led to a far more decentralized and autonomous system of local government has, as mentioned earlier, challenged the women's movement's prospect for social transformation, especially in strengthening women's rights in the regions.

The Political Agendas and Strategies of Women's Movement under Regional Autonomy

In engaging with the issues of women's political participation and the gender politics of the local governments, the movement has chosen as its political agenda, a quota system for women to have at least 30% of the seats in parliaments at the district, regency, provincial and national levels. The movement believes that a quota system is badly needed by Indonesian women who are still left behind in social, political and economic life. The system would assure the views of women are heard in decision-making. By having at least 30% women in the parliament at every level, women would be more actively involved in the process of creating public policies, mainly policies aimed at women.

Placing a quota system for women on the agendas of the pro-democracy movement and political parties has not been easy for the

women's movement. A quota system itself is a controversial issue, not only in the pro-democracy movement but also in the public, political parties and government. The argument is that women must compete fairly with men for seats in parliament. A quota system, in the opinion of some, will make women weaker since women would then receive a "present" without struggling at all.

To fight for this agenda, the women's movement has two strategies. The first strategy is aimed at the public and decision-makers. The movement campaigns to raise public awareness about the importance of the quota system under regional autonomy, especially for parliaments in the regency and district levels⁴. Besides that, the movement also gives gender awareness training for parliament members, mainly at the regency level. It is hoped that by having a gender justice perspective, the parliament will not endorse regulations which violate women's rights, such as the regulations for banning sex workers.

Along with this strategy, the movement also tries to empower women, especially at the grass roots level, so they will be able to pursue their interests and fight for them. Developing a variation of education for women to raise their critical thinking, such as political education, is becoming important in the context of regional autonomy. The movement believes that by having knowledge of politics, women would be able to increase their involvement in the process of the policy-making. Through education, the process of organizing women to set up associations or federations will be easier. By having organizations, women will have a bargaining position in their society.

However, the women's movement faces some difficulties in including gender interests into every single public policy, especially in regulations which aim to control women and bring them back to home and family, such as the draft regulation "Banning and Eradication of Amoral Behaviour" in West Sumatra. Several strategies have been taken by the movement, such as public dialogues, lobbying, and demonstrations to

⁴ At the district level, the parliament is called *Badan Perwakilan Desa (BPD)*

address this issue, however the attempts of local governments to use religion and a variation of customary laws are getting stronger. This is indicated by a growing number of provinces and regencies which advocate the imposition of the Syariat law. For example, recently the local government in Bengkulu has made public a policy proposal which includes making mandatory the wearing of the “*jilbab*”⁵ for women and the cutting of hands for thieves.

Undeniably gender politics, in fact, is a part of the revitalization of local identity as described above. However, it is surprising that the will to impose the Syariat law comes not only from local governments but also from the public. The findings of research on good governance, conducted by PPIM, a research institute under IAIN Jakarta, shows that 60.8 percent of respondents from 16 provinces agree that the state must implement the Syariat law. Furthermore, the research also indicates that the ideas that women must be brought back to home and do domestic work, ideas which are compatible with Syariat Islam, are quite dominant in the public (see table 1). The data tells us that the attempts of the women’s movement to criticize this gender politics are not easy since the opposition comes not only from the local governments but also from the public itself.

The significant label used against the women’s movement is “anti Islam”. By criticizing certain measures, the movement would easily get stigmatized as being anti Islam or Pro Western. The stigma is frightening because of the phenomenon of *Pasukan Jihad*, or Islamic brigades, which attack people or groups that they claim are anti Islamic. Without the supremacy of law and openness, the stigma would be a critical obstacle for the movement in standing for women’s rights at national and local levels.

In conclusion, the women’s movement has utilised the acceleration of democratisation and became actively involved in pro-democracy activities in the post Soeharto regimes. However, the process of

⁵ *Jilbab* is the Muslim dress for women. Women are required to cover all parts of their body, except the face and fingers.

Table 1. The Opinion on Women under Syariat Law

Opinion on	Agree (%)	Disagree (%)	No opinion
1. State must obligate women to dress <i>jilbab</i>	43.6	38.5	17.9
2. Women can't leave their home without <i>muhrim</i>	44.7	49.9	5.4
3. Adult women can sit down side by side with adult men	40.3	41.2	18.5
4. Men are better than women in all aspects of life	47.5	43.5	9.0
5. Boys must be prioritized than girls	43.9	40.4	15.7
6. Women must stay at home for taking care children	43.8	45.0	11.2

Source: A compilation of data of research on good governance, PPIM, Jakarta, 2001

decentralisation, which has brought about violent conflicts in the regions, corruption and revitalisation of Islamic law and customary tradition, which favours male leadership, have challenged the prospect of the women's movement for instigating social transformation, especially in strengthening women's rights. Women's political participation has become the main focus through putting the quota system as the women's movement's main political agenda, to ensure that women get involved in the process of decision-making and the process of policy implementation in the regions mainly at the regency and district levels.

The Politics of Syariat Islam and Customary Institutions Revitalization

During the more than thirty years of Suharto's rule, from 1967 to 1998, the government and the military used violence to subjugate the diverse political, economic, and social groups in Indonesia to the state's ideology *Pancasila* (The Five Principles). The New Order state used the concept of "*Bhineka Tunggal Ika*" (Unity in Diversity) to treat plurality as differences

that should be merged into a single unity. In order to promote uniformity, village governments that were based on customary institutions, were replaced with a centralized and uniform bureaucratic structure of government in the forms of RT (neighborhood associations), RW (citizen associations), and village/kelurahan. At the time it was not realized that the customary institutions were actually equipped with local conflict resolution mechanisms based on local wisdom.

Research has shown that the lack of gender perspective in the democratization process is clearly reflected in the revitalization of customary institution in some regions in Indonesia. Revitalization customary institution without democratizing it at the same time will marginalize women's needs and interests from the decision making process at the local politics. (Women Research Institute, 2003)

As the experience of the former Republic of Yugoslavia and the Soviet Union shows, the use of violence to repress plurality does not eradicate differences. It was not plurality that got eliminated, but the ability of people to tolerate differences, the ability of people to have empathy with other people that were different from them in terms of ethnicity, faith, class, and gender. Efforts to force uniformity transformed people to become egotistic and fanatical, easily blaming others for their own problems. As a consequence, revitalizing suppressed identity was done aggressively, projecting their own dissatisfactions and frustrations violently on others.

As mentioned above, in order to prevent further dissatisfaction of people from the regions in general, the Indonesian government started to implement a process of decentralization in 2001. Earlier in Aceh, the Indonesian government in 1999 had instituted the policy to let Acehese draft and then issue a regulation on customs, education, and the implementation of *Syariat* Islam in order to reduce their demand for independence. The Indonesian central government does not want to grant the independence of Aceh for two reasons. First, the independence of Aceh might produce a domino effect, encouraging other conflict areas in Indonesia to also demand independence from the country. Second, the

independence of Aceh would take a vast amount of economic surplus generated from the exploitation of abundant natural resources (especially oil and gas) in Aceh away from the hands of the central government.

While the implementation of *Syariat* Islam in Aceh has led to the development of Islamic laws and institutions, the Decentralization Law No. 22/1999 has allowed people in many regions to pursue their customary identity by revitalizing their respective customary institutions. Chapter 1, point O of the Law No. 22/1999 stipulates that

“Village or a similarly called entity, is a legal society that has the rights to regulate and manage the interests of the local society based on the local origins and customs that are recognized by the national government system at the district level.”

Article 104 of the Regional Autonomy Law No. 22/99 spells out the details of how people can revitalise their customary institutions. Article 104 says that “the Village Representative Body (BPD), or named differently in different regions, should work to safeguard customary relations, formulate village regulations, channel people’s aspirations and monitor the running of the village government”. The law allows people either to form a new BPD or to revitalise customary institutions to carry out the role of a BPD.

By providing opportunities for people in the regions to revitalize their customary institutions, the government is hoping that the restoration of traditional conflict resolution mechanisms will be able to prevent further outbreaks of communal violence that has (repeatedly) erupted in areas such as Ambon and North Maluku (Maluku), Poso (South Sulawesi), and Sampit (West Kalimantan).

The problem is that both the introduction of *Syariat* Islam in Aceh, and the Regional Autonomy Law ignores the interests of women, which consists of more than 51% of the Indonesian population. Up to now most attention has been focused on the political and economic relations between the central and regional government, and the relations between

the regional government on one side and communities and businesses on the other side. The impact of regional autonomy in general, and the implementation of *Syariat* Islam in Aceh in particular, on the rights of women in Indonesia have been ignored. Therefore, the process of decentralisation in general and the implementation of *Syariat* Islam in Aceh particular, should be reconstructed to have a gender perspective. Gendering both the decentralisation process and the interpretation of Islam should be pursued. Otherwise, Indonesian women will remain as a marginalized majority.

The lack of a gender perspective in the decentralisation process is clearly reflected in the fact that Article 104 is not accompanied by a regulation to prevent the revitalisation of feudal and patriarchal values embedded in customary and religious institutions. In many places, such as in West Sumatera and West Lombok (the revitalization of customary institutions is taking the form of *Majelis Krama Desa* and *Majelis Krama Gubuk*), customary institutions are dominated by men and they are intertwined with Islamic values. While in East Flores, the revitalisation is closely related to Catholic values and is producing the same impact of marginalizing women from decision making processes. Apparently the marginalization of women in the revitalisation of customary institutions has been closely related to the institution of religion that promotes patriarchy. Revitalisation of customary institutions without, at the same time, democratising them, will further marginalize women's needs and interests from the decision making process at the local level.

The draft of the regulation on the "Banning and Eradication of Amoral Behaviour", which was recently issued by the regional legislature of West Sumatera, is an example of how the revitalisation of the customary *nagari* institution in the region has gone against women's interests. Unlike in Aceh, the draft does not use the term *Syariat* Law, but the essence is actually the same. Among other things, the draft also strictly regulates how women should dress and bans them from going out after 10 PM without being accompanied by her *muhrim*, which is her husband, brother, father, grandfather, or uncle. In addition, the regional regulation

also bans women from wearing mini skirts, sleeveless shirts, and tight clothing that show body lines that could sexually arouse men.

Following the example of Aceh and West Sumatera, the local legislature in the district of Karimun (Riau) is currently preparing a similar regulation without calling it *Syariat* Law in order to avoid controversies. Meanwhile, the district of Cianjur (West Java) and Surabaya (East Java) have passed regional regulations regarding the prevention of amoral activities. The victims of the regulations are always women. In Karimun, in the Riau archipelago, the police arrested women that were on their way to the market or bank on the grounds that they wore clothing that did not fit the criteria of the regulation. Both in Cianjur and Karimun, and in many other places in Indonesia such as in Yogyakarta and Jakarta, some Islamic groups have taken the law into their own hands. They have intimidated and burned down entertainment and prostitution areas, and their acts have been copied in an increasing number of districts. In more and more districts women are banned from going out after 8 PM in order to prevent them from “conducting amoral activities”. (*Kompas*, August 13, 2001, p. 34; *Kompas*, September 5, 2001, p. 26)

Overall, the development of regional autonomy policies shows that to some extent the policy has opened up the hidden potential problems in the regions. The corrupted and authoritarian local governments on the one hand and the revitalization of local identity based on ethnicity and religion, on the other, combine to bring about fragmented societies, chauvinistic tendencies of local societies, and corruption and anti-pluralism in the regions. Having a low level of political participation, women in the regions have two main issues that they must address. These are women’s political participation in the public political affairs and the gender politics of local governments, which try to bring women back to home and family. These have shaped the political agendas and strategies of the women’s movement and have led the movement to address seriously the issues of women’s political participation and various gender politics of local governments.

What is also very disturbing is that many Muslim men have acted in

a chauvinistic way, ignoring the legal process of the implementation of *Syariat* Law in the regions. In order to be legally effective, the regional regulations that have been approved by regional legislature need the endorsement of the DPR. However, many men did not even bother to wait for the endorsement from the DPR. Such as in Aceh, the regulation itself actually grants authority not just to the police but also to community members at large to implement the regulation, allowing civilians (meaning men) to take the law into their own hands, including arresting, harassing, assaulting, and publicly humiliating suspected violators. And they have gone unpunished because punishing them would be considered as going against Islam.

In Cianjur regency of West Java, for example, while there was a continuing debate regarding how to implement *Syariat* Law in the region, whether it needed an endorsement of the DPR or not, the Regent of Cianjur issued a circular letter to implement the *Syariat* Law. The circular letter was sent to all government offices in the region. At present, all Muslim women working in the government offices in Cianjur have to wear *jilbab* to cover their hair. Even women working in private banks such as Bank BCA also wear *jilbab* (*Kompas*, August 30, 2001, p. 21) It is not easy to oppose such illegal moves since opposition to the subjugation of women could easily be branded as against Islam, hence it becomes a target of intimidation and even violence. The illegal implementation of the *Syariat* law has also been ignored by political parties and the parliament for the reason that they don't want to lose votes from Islamic communities in the coming 2004 election.

By allowing the development of BPD, where members are directly elected by the people, regional autonomy provides opportunities for the people to develop a balance of power at the village level. The village head is now controlled by a legislative counterpart (BPD) that has the authority to formulate and issue 'village regulations' (*Peraturan Desa*). In addition, since BPD can take the form of a revitalised customary institution, the people

get another benefit in the form of the revitalization of traditional conflict resolution mechanisms that could work to prevent outbreaks of communal violence. However, since women do not have accesses to the planning and drafting of local regulations, including the formulation of *Syariat* law, in general the revitalization of customary institutions and the implementation of *Syariat* Islam in Aceh have gone against the interests of women.

The Exclusion of Women from Decision Making Process

The exclusion of a gender perspective from regional autonomy regulations and the implementation of *Syariat* Islam is not accidental but it is a product of discursive processes. In her discussion on nationalism, Yuval-Davis (1997, pp. 1-3) argues that the influence of western social and political perspectives in dividing the sphere of civil society into public and private domains is responsible for locating women in the private domain and making them politically irrelevant. Walby (1990, p. 174-175) also argues that the confinement of women to the private sphere of the family itself is due to the patriarchal view that assigns women to the position of bearing and rearing children.

Dean (1996) presents a more systematic view regarding the exclusion of women. According to her, there are two types of exclusion, namely “constitutive exclusion” and “practical exclusion”. Constitutive exclusion takes place at the conceptual-theoretical level, meaning that “there is something inherent within the categories of civil society themselves that prevents full inclusion” (1996:79). Practical exclusion involves “restriction from the public and official economic institutions of civil society imposed by particular sorts of situational obstacles” (ibid). The conceptual division of society into public and private spheres, for example, belongs to the “constitutive exclusion” that takes place at the level of language. Meanwhile, the marginalization of women from the revitalization of

customary institutions is a form of “practical exclusion”.

Dean’s constitutive exclusion and practical exclusion can be used as tools to help us think systematically about the different strategies to resist exclusion both at the level of language and social institutions. Although it is true that strategies to overcome exclusion at the conceptual-theoretical level are linked to the strategies to overcome exclusion within public institutions and official regulations, the two should be analytically differentiated.

Dean provides an example of resisting the “constitutive exclusion” at the level of language by deconstructing the binary opposition between the public and private spheres. For Dean, deconstruction of the conceptual binary division of public and private spheres is needed in order to include/integrate women into the “notions of civil society” (1996:75). Dean suggests replacing binary oppositions between men and women, and between the public and the private spheres, with “the thematization of a variety of ever-changing opponents and alliances” (1996:101) that promotes differentiation. “Opponents and alliances” are no longer boxed within the boundaries of binary predetermined divisions. What has been neatly boxed into the binary concept of the public and the private is now differentiated. Women are no longer conceptually boxed into the private sphere and banned from the public sphere.

The exclusion of women from the conceptual domain of regional autonomy and *Syariat* Islam obviously belongs to “constitutive exclusion”. Strategies to resist this exclusion should be taken at the level of language, involving the deconstruction of the dominant notions of civil society, customary institutions, and Islam that discriminate against women. However, it is not enough just to resist “constitutive exclusion” since discriminative discourses also operate at the level of social processes, institutions, and regulations. In her argument to resist legal and economic barriers to inclusion, Dean suggests that resisting practical exclusion should be done through the struggle to achieve universal or juridical recognition. “Extending universal recognition to women in the form of rights, then, will permit their inclusion into civil society” (1996: 80).

We can see then that the conceptual division of society into the public and private sphere at the language level is materialized into social institutions and regulations that discriminate against women. Thus, for example, the Regional Regulation No. 5/2000 of the Special Region of Jakarta (and a similar regional regulation in the district of Kendal, Central Java) states that only the head of the family can become a member of BPD, while at the same time the marital law Marital Law explicitly mentions men are the family head (*Kompas*, June 14, 2001). Since women are excluded from the process of planning and drafting of local regulations (*Perda*), it is no wonder that their interests are missing from the regulations.

In looking at the issue of the marginalization of women in the revitalization of customary institutions in general and in the implementation of *Syariat* Islam in particular, this paper looks at the level of language (constitutive exclusion) and at the level of institutions (practical exclusion), which includes regulations. The solution for the discrimination against women should be pursued at the two levels of exclusion concurrently.

In terms of regulations, many Indonesian women supported the *Syariat* without really knowing its legal codes and sanctions. At the level of regulations, the struggle is about the recognition of human rights as women's rights. For example, according to Katjasungkana (1998, p. 18), the Indonesian government had ratified the CEDAW convention on the elimination of all discriminations against women in 1984. However, changes in the domestic legal system according to the ratified convention is legally impossible because in the note of Law No. 7, 1984 it is stated that "the content of the convention should be adjusted to the Indonesian society's ways of life, which includes cultural values, customs, and religious norms that are widely followed by the Indonesian society." The struggle for gender equality in Indonesia still has a long way to go. However, persistent struggles to contest dominant meanings at the level of language and social institutions will open more room for Indonesian women to develop their own discourses.

Exclusion at the Social Institution Level: Revitalization of the Nagari System in West Sumatera

At the level of social institutions, the complexity of the relations between regional autonomy, the revitalization of customary institutions, and religion, in this case Islam, is exemplified in the case the revitalization of customary institutions in West Sumatra. It is obvious that the Minangkabau people of West Sumatra want to pursue their identity to be able to freely express their cultural specificity. In West Sumatera, customary institutions are closely intertwined with the male-dominated Islamic values. From a women's perspective, revitalisation of customary institutions without democratising them would put women in a disadvantaged position. In terms of the implementation of *Syariat* Islam, what has happened in Aceh and West Sumatra is currently being replicated in five other provinces (see Noerdin in Kathryn Robinson and Sharon Bessell, eds., 2002, p.182).

The revitalisation of customary institutions in West Sumatra is currently being carried out through the revitalisation of the *nagari* system and the “back to the surau (small mosque) movement”. The draft of the regional regulation of West Sumatra on the “Banning and Eradication of Amoral Behaviour” is part of it, and it shows the close relation between the revitalization of customary institutions and the male-dominated Islamic values.

What is a *nagari*? Territorially, a *nagari* is the same as a village. When Indonesia was still under Soeharto, the *nagari* government was replaced by a village government, making the *nagari* system unable to carry out decision making processes in order to solve community problems. Customary relations were considered just as ceremonies. A *nagari* consists of several sub-villages called *orong*. A *orong* is occupied by different clans of the same West Sumatra ethnic group. The governing structure within a *nagari* is directly related to the residing clans, which interact equally in the *ninik mamak* forum.

The regional autonomy has changed the system of local government from a village into a *nagari*, which now becomes the smallest unit of the

regional government.

“Nagari is a society based on customary law in the Province of West Sumatra. It is an aggregation of several clans, and each clan has its own areas and properties, and it has the rights to manage its own affairs, including electing its own government.”
(Zukri Saad et al)

According to Afrizal, “the components of a *nagari* consist of *ninik mamak* (uncles), *ullamas*, intellectuals, youths, and *bundo kandung*. Except *bundo kandung* (meaning biological mother), all of the other components are dominated by men.” (Afrizal, 2002, p. 9)

At present it is not clear whether the elite that is currently running the revitalized *nagari* system is more or less the same as the elite that dominated the village system under the New Order government. After being subjugated for more than thirty years, it is unlikely that the revitalization of the *nagari* system has succeeded in reinventing tradition. However, there has been no research that documents the struggle for power between the village bureaucrats and the customary social figures in the revitalization of the *nagari* system in the past two years. To make things more complicated, it is possible that some village bureaucrats were also prominent customary figures. Although it definitely needs more research to understand the political dynamics of the revitalization of the *nagari* system, it is clear that the revitalization of the *nagari* system has not been done in accordance to gender lines.

It is true that the Minangkabau people follow a matrilineal tradition, meaning that children follow the clan and ethnicity of their mother. However, it does not mean that Minang women are the decision makers in the family. In real life, it is the *Mamak*, the mother’s brothers, that manage the daily life of their nieces and nephews. Due to the growing population of a clan, clan members then elected one of them to become a *Ninik Mamak* chief, which is a respectable position that dominates the power to make decisions. (*Kompas*, September 2, 2001, p. 30).

“The matrilineal character of the Nagari system, traditionally followed by the Minangkabau ethnic group in West Sumatra, does not guarantee women’s participation in decision-making, which is dominated by the *ninik mamak* (male elders)”, (Noerdin, in Kathryn Robinson and Sharon Bessell, eds, ` 2002, p.182).

In the nagari system, the formal leaders are all men, consisting of *ninik mamak*, *cerdik pandai dan alim ullaama* (the elders—uncles—, intellectuals, and religious leaders). The matrilineal kinship in West Sumatra, which is often described as *matriarchy*, in fact gives Minangkabau women little control over their lives.

Wieringa (1995) points out that if, for instance, a *mamak* (uncle) were to register a piece of clan land under his own name and then sell it – which is illegal according to the customary law – his niece and or his sister would have no legal way to retrieve the land. This is because the inheritance rights of West Sumatran women under customary law have not been translated into the national code of law. Along with the erosion of their communal rights, Minangkabau women are hardly represented in the regional parliament and local councils, and they have no access to state courts. Thus a woman whose communal land rights had been violated by her brother would not be able to take him to court (Wieringa 1995: 257).

The male dominated decision making in the *nagari* system goes something like this. Decision making on development and conflict resolution is conducted in *Kerapatan Adat Nagari* (Nagari Customary Meeting) that is called *Badan Perwakilan Anak Nagari/Rakyat Nagari* (Nagari Representative Body) in other places in West Sumatra. Decision making is conducted through a process of discussion to come to a certain agreement (*musyawarah mufakat*). The discussion is attended by *ninik mamak*, intellectuals, and *ullamas*, all of whom are men. The discussion forum is called the *Majelis Tigo Tunggu Sajaringan*.

The above accounts show that the euphoric movements to revitalize customary relations have excluded women from any decision making

position in the *nagari* system. All of the men (*ninik-mamak*, intellectuals, and *ullamas*) do not represent the interests of women. Although we have to be careful when we talk about women's interests because of the plurality of women, in this case we could draw a generalization since there are no woman at all represented in the decision making process of the *nagari* system. It is all run by men, by *ninik-mamak* or the council of *Tigo Tunggu Sajarangan*

Meanwhile, the institution of *Bundo Kandung* has been reduced to just a bunch of women taking care of customary ceremonies, including weddings and burials. The concept of *Bundo Kandung* has become a tool to help domesticate women. Afrizal argues that the concept of *Bundo Kandung* has been reduced to just one meaning, which is a wise mother that does not participate in the *nagari* decision making, and hardly has any political power. In addition, since the law on regional autonomy and other laws are interpreted in certain ways, women in West Sumatra are also excluded from sitting in the BPD.

“The lack of women's participation in the revitalization of customary institutions and formulation of *Syariat* law is a reflection of the wider problem of the exclusion of women from the political process. NGOs and other organs of civil society have shown a lack of interest in including women in their efforts to facilitate citizens' participation in the implementation of decentralization and regional autonomy, and local government is still very much perceived as the domain of men. (Noerdin, in Kathryn Robinson and Sharon Bessell, eds., 2002, p.185)

Gardiner's remark regarding the marginalization of women by the existing political system at the national level also rings true for the condition at the local level in West Sumatra.

“Too many women remain ignorant of their rights, while men

remain unaware of the importance of women's equal participation in power and decision-making, and of the extent of their exclusion. The sociocultural environment is not conducive to women's full participation in the politics of national decision-making, and institutional obstacles continue to restrict their access to power." (Gardiner, in Kathryn Robinson and Sharon Bessell, eds., 2002, p.106).

The revitalization of *nagari* is currently going hand in hand with the religious "back to the *surau*" movement, signifying the relation between customary institutions and the male-dominated Islamic values. The *surau* itself is a small community mosque in West Sumatra. The back to the *surau* movement is intended to preserve and promote Islam as the special character of the Minangkabau society. The back to the *surau* movement is actually related to the wider goal of implementing *Syariat* law in West Sumatra, which discriminates against women.

According to Zukri Saad et al, in the past the *surau* was a place to raise boys according to Islamic values.

"As early as 6 years old, *nagari* boys did not live at home anymore. They lived together in a *surau*, learning from their brothers and uncles. They learned how to recite Al Qur'an and to communicate and behave according to Islam and customary laws. They also learned martial arts, which was supposed to increase their self confidence. (Zukri Saad et al)

It is understandable that the back to the *surau* movement only involves men. The *surau* has been designed for boys, while girls stay back home to take care of domestic work. For girls, learning was always related to their task to carry out domestic work, for example learning how to sew clothes.

Since education in the *surau* was meant only for boys, the *tigo tunggu sajarangan* institution was occupied by men only. Although at present there are Minangkabau women that have graduated from universities, only men

are considered as the intellectual element in the customary institution. The intertwining between customary tradition and the Islamic education system in West Sumatra has marginalized women not just from decision making but also from access to education. Women do not occupy decision making positions in the organization structure of customary institutions in West Sumatra at all. There has been a strong division between the public (for boys and men) and the private (for girls and women) sphere. The segregation has made West Sumatran women second class citizens.

Epilogue

The marginalization of Minangkabau women in particular and Indonesian women in general from decision making has prevented them from gaining access to resources offered by regional autonomy. Minangkabau women, for example, do not have access to the decision making to distribute the regional state budget in general and the budget controlled by *nagari* in particular. Minang women do not have any say in determining how much money should be spent to increase the welfare of the *nagari* society in general and *nagari* women and children in particular. At the district/city level, both Minang and women do not have access to institutions that determine spending in sectors that are closely related to women's welfare such as health, education, the management of the environment.

The problem of representativeness is actually not only true for Minang women. The marginalization of women is a national issue. At the national level, for example, women are under-represented in decision making positions in the executive, legislative, and judicative. Gardiner says that

The local legislature is not women-friendly either. In April 2000 (when not all local legislatures had selected their chairs), at the provincial (DPRD tingkat I) level, only one of 27 parliaments was chaired by a woman. Of the 70 posts for deputy chair, again only one woman was selected. At the Kabupaten or regency

(DPRD tingkat II) level, just 6 of 245 chairs, and 10 of 657 deputy chairs, were women. (Gardiner, in *Women in Indonesia*, ed. Kathryn Robinson and Sharon Bessell, 2002, p.107).

While struggling for better representation at the national level, women should also pay serious attention to the representation of women at the local level. The revitalization of customary institution (such as the *nagari* system) and the implementation of *Syariat* Islam should be viewed critically as a politically driven social construction. It is important to understand the character of the institutions in the past in relation to the position of women, and how have they been reconstructed to become institutions that restrict women from decision making and alienate them from the control of resources.

There is an increasing awareness that women's movements in Indonesia should learn from the success of women's movements in India, where a place for women in local decision making bodies was secured by amending the 1992 Constitution. The Women Reservation Bill guarantees that at least 33% of the total seats in local decision making bodies are reserved for women. A similar situation also took place in Uganda where the new 1987 Constitution reserves 30% of the local council seats for women. In Tanzania, 25% of elected councillors at the district level should be women. Meanwhile, The Local Government Code 1991 in the Philippines provides a legal base for the participation of people from the lowest income level in the planning and implementation of development programs in their own community. (Kaukus Ornop 17, 2001) Such legislation would provide women with decision making power since, as we all know, a high percentage of women occupy the category of the poorest of the poor. Women's movements in Indonesia should focus their advocacy on the revision of the Regional Autonomy Law No.22/99 so that it would provide women at the local level with decision making power. To participate in decision making, Minangkabau and Acehese women should fight against their exclusion both at the language level and the level of social institution.

It appears that New Order gender politics, which was designed to domesticate, segregate and depoliticize Indonesian women, was not entirely successful. Changes in economic and political dynamics during 1980s and 1990s provided material bases for the genesis of autonomous women's organizations in most parts of Indonesia since 1982. This marked the rise of a new women's movement after 1965.

The acceleration of the democratisation process after Soeharto stepped down has provided more room for the movement to participate in pro-democracy activities and develop a popular movement. Indonesia's regional autonomy, which has brought about fragmented societies, chauvinistic tendencies of local societies and anti-pluralism in the regions, has framed the agendas and strategies of women's movement in recent times.

Two women's issues have come to the fore, women's political participation and gender politics of local governments that define women as mother and wife only. To address these issues, the movement has chosen the quota system as its political agenda. It asks for 30 percent of parliament members to be women so as to assure that women's interests are heard and in turn good governance can be achieved. This agenda is, however, still controversial, since many members of the public see the quota as representing women's weakness, and not wanting to compete in a fair ways. At the same time, addressing the gender politics of local governments is also not easy. The stigma "anti Islam" or "Pro Western" is easily attached to people or groups that criticize the politics which use religious or customary laws as its basis.

The movement, in attempting to pursue its political agendas, has followed two strategies. The first strategy is aimed at decision-makers and the public by conducting advocacy such as campaigns to raise public awareness of the importance of the quota system. At the same time, the movement also empowers women through education, for example, so they would be able to pursue their interests and fight for them. However, the movement must engage with obstacles seriously, such as the stigma of anti Islam, otherwise Indonesian women will end up the losers in the

process of regional autonomy. Sensitive issues, such as abortion, marital rape, political participation, reproductive health, or women's worker's rights, which have been increasingly accepted by the public, would not be able to be discussed openly again, and in turn this would result in Indonesian women suffering a setback.

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5

Women in the Decentralized Aceh

Edriana Noerdin

Introduction

Eighty eight percent of Indonesia's population of more than 206 million people are Muslim (International IDEA, 2000, p. 241), making it a country with the largest moslem population in the world. However, since its independence in 1945, secular governments have ruled the country. While the first President, Sukarno, led a left-leaning government up to 1967, Suharto installed and ran a right wing authoritarian military government until he was forced to step down in May 1998. When the country was ruled by an *ullama*, President Abdurrachman Wahid, he did not implement *syariat Islam* (the canon law of Islam) either.

The Indonesian central government, however, agreed to implement *syariat law* in Aceh. The government took this position in order to reduce the demand of the Acehnese people for independence, which was associated with the demand to implement *syariat Islam*. The demand to implement *syariat Islam* in Aceh itself started before Indonesia gained its

independence in 1945.

Since 1980s, the Free Aceh Movement (GAM) started to gain strength again because of three reasons. First, there was an increasing economic inequality within Aceh. Second, the government used political pressures and persuasion to make the state party Golkar win the election in the region. Third, profit sharing between the central and regional government in the exploitation of the rich oil and gas reserves was considered unfair. In order to suppress the revitalization of GAM, the Indonesian government declared and treated Aceh as a Military Operation Region (*Daerah Operasi Militer – DOM*), which was only revoked in 1998, after Suharto fell from power. (Syah and Hakiem, 2000, p. 47) Under the DOM period, the Indonesian military launched the most repressive and gruel some military operations that claimed a large numbers of casualties in Aceh. A good number of Acehnese women became direct and indirect casualties of war.

In the 1990s and early 2000s, Acehnese *ullamas* were reconstructing Acehnese nationalism that was based on *syariat* Islam. Similar to political leaders in the past, *ullamas* considered Islam as the most effective tool to develop unity among Acehnese population to struggle for independence against the Indonesian central government. GAM also took the same position as *ullamas* regarding the centrality of Islam in the efforts to mobilize popular support. As argued by Norbu (1992, p. 65), religion is a great unifying force because it creates a strong sense of cultural identity across society, regardless of social distinctions. One central difference between *ullamas* and GAM was that while the power of *ullamas* was focussed on the interpretation of Islamic teachings, GAM had a structured power apparatus that was capable to enforce rules through violence.

The Indonesian central government, however, did not want to see the independence of Aceh for two reasons. First, the independence of Aceh might produce a domino effect, encouraging other conflict areas in Indonesia to also demand independence from the country. Second, the independence of Aceh would take a vast amount of economic surplus generated from the exploitation of abundant natural resources (especially

oil and gas) in Aceh away from the hands of the central government.

My involvement in women's movement in Indonesia guided me to look at how Acehese women at the same time confront the Indonesian military on one side and Acehese *ullamas* and GAM on the other side. Acehese women faced three subjugating powers: the Indonesian military, GAM, and the patriarchal *ullamas*. On the one hand, *ullamas* and GAM viewed Acehese women as what Yuval-Davis (1997, p. 45) called "the symbolic bearers of the collectivity's identity and honour", in this case the collectivity of Acehese Muslim population. On the other hand, the Indonesian military sees Acehese women as a symbol of the honour of the Acehese people. From the point of view of the Indonesian military, conducting violence against Acehese women was a means to launch terror and humiliation to break the resistance of the Acehese. Estimates on the number of Acehese women that were raped by the Indonesian military during the implementation of the DOM in 1989-1998 ranged from a low 40 women (the Advisory Team for the President) to a high number of more than 625 women (Save Aceh Foundation). Personal accounts of the experience of some Acehese women who experienced (sexual) violence during the DOM period had been documented and published. (Sukanta, 1999)

Ullamas and GAM worked together to construct Islam-based nationalism in order to gain popular support, and use Acehese women as the symbol of the strength of Islam in Aceh. The symbol was needed to promote stronger unity around Islam in order to fight the Indonesian central government and the military. As McClintock (1993, p. 62) says, women are typically construed as the symbolic bearers of the nation, but are denied any direct relation to national agency. *Syariat* Islam was used as the rule of law that directs Acehese women to dress and behave in certain ways. Acehese women are required to wear dresses and shirts with long sleeves that cover their legs and arms, they are required to cover their hair with *jilbab*, and they are prohibited to wear pants similar to trousers commonly used by men. Those who refuse would be disciplined, violently if necessary.

“In Langsa Aceh Timur, on October 2, 1999 a group of unidentified masked men stopped a bus that carried women workers of PT Wira Lanao. All of the women were forced to get off the bus, and the men cut off their hair by force. The seven Acehnese women workers were Rungun Silitonga Sri (27), Herawati (29), Nova (25), Ida (24), Afnidar (26), Ita Simanjuntak (27), and Ida (26).” (*Serambi Indonesia*, October 5, 1999)

According to the perpetrators, the women workers made a mistake of going out without covering their hair. The hair hunting was actually a new phenomenon in Aceh, starting no later than 1999. The interests of Acehnese *ullamas* to turn Acehnese women into a symbol of Islam had led them to believe that Acehnese women did not know what was actually best for them, hence denying their subjectivity. They needed to be forced for their own good. Ameer Hamzah, a well-known male Acehnese *ullama* and columnist expressed support for the use of violence against Acehnese women.

“It is necessary that we all support the success of making women cover their hair. At first, women would feel obligated to do it. But after they realized the benefits of it, they would feel happy and get used to it. The hair that was cut off would grow back. Miniskirts that were cut off did not cost much. What’s important is that now women dress up in Islamic clothes, practicing *syariat* Islam. Say goodbye to the decadence way of clothing. (*Serambi Indonesia*, Nov, 3, 1999)

An interview with a woman activist Rina revealed that in Banda Aceh it was SIRA (*Sentral Informasi Referendum Aceh* – Center of Information for the Aceh Referendum), an organisation affiliated to pro referendum movement, that started the campaign to harass women who did not wear *jilbab*. According to her, in the rural areas it was GAM people that intimidated women to wearing *jilbab*. The campaign was actually not just

conducted in Aceh, but also conducted by Acehnese male leaders or activists in other parts of Indonesia, for example in discussion forums held by civil society organisations or government offices.

The triple subjugation by the Indonesian central government, GAM, and *ullamas* put Acehnese women into a dilemma. A research shows that among 909 respondents, a lot more women than men demanded a straight out independence from Indonesia (Akatiga et al, 2000, pp. 18-19). They wanted to get rid of the violence practiced by the Indonesian military and central government that penetrated down to the civilian household level. In addition, the Indonesian government had also practiced an ethnocentric attitude against Acehnese women in education. Acehnese heroines were excluded from history schoolbooks, and they did not appear in educational posters that showed Indonesian heroes and heroines. History schoolbooks were Java-centric in character. In their account regarding the struggle against Dutch colonization, they usually started with movements against the Dutch in Java by Javanese. There were only two heroines that are included in the history: Kartini from Central Java, and Dewi Sartika from West Java. By getting independence from Indonesia, the ethnocentric male gaze in education practiced by the Indonesian government would be able to be deconstructed.

But the violence practiced by the Indonesian central government and military was just one source of violence. By resisting the Indonesian central government, Acehnese women actually increased the power of Acehnese *ullamas* and GAM, which had been practicing another kind of violence against them in the process of turning them into a symbol of Islam-based nationalism. Examples of severe discrimination against women practiced by Muslim countries that implemented *syariat* were abound. An interview with Wati, the coordinator of a women's organization, revealed that some GAM leaders themselves showed a masculine sexual politics of leadership by having more than one wife and treated them badly. Their sexual politics of leadership showed that they did not have the leadership quality to protect women from discrimination. In the mean time, the Governor of Aceh assembled a team, all of the six team members were

men, to draft the Regional Regulation Regarding the Implementation of Syariat Islam in Aceh. The completed draft would have to be endorsed by the Regional Parliament.

The dilemma faced by Acehnese women was that the struggle against the Indonesian military actually increased the power of the *ullamas* to further subjugate them. As a feminist, I have a deep concern regarding the dilemma faced by Acehnese women in their struggle for gender equity. The dilemma itself indicated that Acehnese women should be critical to the side of the Indonesian central government and the side of GAM and *ullamas*. Acehnese women should develop alternative discourses to resist the efforts of the Indonesian government, GAM, and *ullamas* to keep treating them as a symbol of power relations, and to maintain discriminatory policies that discriminate against women. Contestation of meaning in the interpretation and reinterpretation of Qur'an and other Islamic teachings was a central element in the alternative discourse. So was the struggle to change policies that discriminated against women, and the taking over of social, cultural, and political symbols that were previously controlled by men.

Hikayat Perang Sabi: Gender Relations and the Construction of Islam-based Nationalism in Aceh

Sporadic evidence indicated that before the end of the 19th century, Acehnese women played important roles in decision making (as queen, prime minister, and chief of autonomous region called *ullebalang*) and in wars against the Europeans (as admiral, general, and soldier). The wars itself started first against the Portuguese in the 16th century and then against the Dutch. Table 1 summarises findings of several historical studies regarding the role of Acehnese women in decision making in the past. It shows that a good number of Acehnese women held decision making positions through an extended period of time, making it unlikely that their active roles in politics were just coincidental or a result of political

Table 1.
List of Acehnese women with decision making role
before and after the start of the war against the Dutch in 1873

Name	Position	Period	Place
Putri Lindung Bulan Nihrasiyah	Prime Minister	1353-1398	Sultanate of Perlak
Rawangsa Khadiyu Malahayati *	Queen	1400-1428	Sultanate of Samudera Pasai
Meurah Ganti *	Admiral	1589–1604	Sultanate of Aceh Darussalam
Cut Meurah Inseuen *	Admiral	1604–1607	Sultanate of Aceh Darussalam
Taj'Al Alam	Junior admiral	1604–1607	Sultanate of Aceh Darussalam
Cut Nyak Keureuto *	Queen	1641-1675	Sultanate of Aceh Darussalam
Cut Nyak Fatimah *	Chief of autonomous region (<i>Uleebalang</i>)	Between 1641–1675	Sultanate of Aceh Darussalam
Seri Ratu Nurul Alam Nakiatu'ddin Sjah	Chief of autonomous region (<i>Uleebalang</i>)	Between 1641–1675	Sultanate of Aceh Darussalam
Sultan Inayat	Queen	1675-1678	Sultanate of Aceh Darussalam
Zakiatuddin Sjah	Queen	1678-1688	Sultanate of Aceh Darussalam
Seri Ratu Kamalat Syah	Queen	1688-1699	Sultanate of Aceh Darussalam
Pocut Meuligo	<i>Uleebalang</i> , war advisor and General in Samalanga	End of 18 th century (1857)	During the early war against the Dutch colonization
Tengku Fakinah	General and ulla ^m a, owned a <i>dayah</i> **	1856-1933	During the war against the Dutch colonization
Cut Nyak Dien	General in West Aceh	Died on Nov. 8, 1908 in exile	During the war against the Dutch colonization
Cut Meutia	General in North Aceh	Died on Oct. 25, 1910	During the war against the Dutch colonization
Pocut Baren Biheue	General in West Aceh	Early 19 th century	During the war against the Dutch colonization

* Appointed by (male) Sultan.

** *Dayah* is an Islamic education center.

Source: Alfian (1999), Hardi (1993), Hasjmy (1974), Jakobi (1998), and Said (1961).

manipulation by noblemen. Another historical record shows that:

“Many Dutch officers talked about Acehese women in full admiration of their courage. Without any grudges, Acehese women sacrificed their personal stakes to defend what they considered as religious and national interests. They were directly involved in the 80 years battle against the Dutch. As a token for their respect, the Dutch officers called Acehese women as “*de groote Dames*”, “the great women”, who played significant role in the war and politics in Aceh.” (Jakobi, 1998, p.35)

Off course sporadic evidence regarding the role of Acehese women in decision making above should be followed by further analysis regarding gender relations, Islam, and feudalism in Aceh. However, it could be argued that even if the roles of Acehese women in political decision making were a result of political manipulation by men, the Acehese women were able to make use of the political situation to help them exert their power in a surprisingly long period of time. Acehese women held the highest power as queen in the early 15th century, and from mid to the end of the 17th century.

The recognition of women’s rights to participate in the highest political decision making in the past, in the active construction of nationalism against the European colonisers, became a discursive weapon in the hand of the Acehese women in the 1990s and early 2000s. Acehese *ullamas* found themselves unable to use the past in order to legitimise their political interests to make Acehese women dress and behave according to the *ullamas*’ interpretation of *syariat* Islam. They could not tell Acehese women to shy away from the “decadent” modern ways of dressing and to go back to the ways their female predecessors dressed. An interview with Rina, the chief of a women organisation in Aceh, revealed that Acehese women simply did not have the culture and habit of wearing *jilbab*. Many family pictures showed parents and grand parents wearing no head scarfs. On the contrary, many of them wore shirt with short or no sleeves at all.

Many of them wore loose pants, which symbolised the dynamism of Acehnese women. On the Rp. 10,000 bill, the famous Acehnese heroine Cuk Nyak Dien (died in exile in Serang, West Java, in 1910) stares proudly with her hair combed neatly to the back. Cut Nyak Meutia arranged her hair differently. She went to war against the Dutch with her long hair left untied. (Alibasjah, 1982, p. 141.)

By referring to history, Acehnese women could also argue that their current 'human rights as women's rights' struggle was not a product of 'secular' and 'decadent' westernised ways of thinking, but was legitimately rooted in the history of the Acehnese society itself. Comparison of two different clusters of *Hikayat Perang Sabi*, one constructed in the 17th century and the other one in the end of the 19th century, shows that women were included as agencies in the construction of Acehnese nationalism in the 17th century but excluded in the construction of Acehnese nationalism in the end of the 19th century. This analysis of the two versions of *Hikayat Perang Sabi* is to understand how discourses operate at the level of language.

Towards the end of 2000, the text of *Hikayat Perang Sabi* started to circulate and being discussed again among the Acehnese in Banda Aceh. Women were not included at all in the text. As is, the text indicates that women were considered irrelevant in the struggle against the Dutch infidels. However, the text was not the only text of *Hikayat Perang Sabi*. It was a text created in the end of 1870s or in the 1890s, after Aceh Darussalam Sultanate collapsed under the heavy military pressures from the Dutch. According to Fachry Ali, in the end of 1890s the Dutch launched massive attacks to various parts of Aceh, making the leadership of Sultan and *uleebalang* collapse once and for all. Out of the defeat, emerged the leadership of *ullamas* in politics. It was *ullamas* that reconstructed the ideology of war against the Dutch infidels. The war against the Dutch itself continued until Japanese troops came into the area in the early 1940s. *Hikayat Perang Sabi*, which promised heaven for every body that got killed in the holy war against the Dutch, and hell for those who refused to go to war, was constructed by *ullamas*. The Islam-based war ideology was meant to boost up the spirit of the Acehnese that had suffered heavy casualties

during the wars in 1879 and 1890s. (Ali, 1998, pp. 130-131)

The use of the term *bidadari* in a religious society like Aceh (which advocated heterosexuality) indicated that the text was written specifically for Acehnese men. Conceptually, *bidarari* is equivalent to beautiful female angels. Legends say that only a few lucky men could see, meet, and marry a *bidadari*. The text says that when Acehnese men died in war, one of the rewards was that they would be met by beautiful *bidadaries* who then took them to God in heaven.

“Be happy for those who died in the war
 God sends his *bidadaris* to them
 When they died in happiness
Bidadaris hurriedly came to them and took them to heaven

Bidadaris look and see
 They see the brothers get hurt in the *Sabi* war
 When it’s time to die in a victorious war
Bidadari hurriedly came and took them to heaven”
 (Quoted from *Hikayat Perang Sabi*)

The term *bidadari* indicates that in the mind of the *ullamas* only men should go to war, and only men took command in the battlefield. The text of 1870s *Hikayat Perang Sabi* only mentions the participation of Acehnese brothers in the war.

Another version of the 1870s *Hikayat Perang Sabi*, the text can be found in Leiden University, the Netherlands, clearly lists seven benefits that would be granted to men who died in the holy war. (Alfian, 1999, p. 169) Again, women are not mentioned in this text as well. The benefits are:

1. God will absolve all their sins
2. A place in heaven with all of its pleasures is secured
3. Their grave will become spacious and they will feel prosperous in it

4. They will escape the danger of doomsday
5. They will be given beautiful clothes and diamonds
6. They will marry 72 *bidadaris*
7. God will absolve the sin of their 70 relatives

According to Alfian (1999, p. 174), there is another version of *Hikayat Perang Sabi* that was written in 1834, that was more than fifty years before the collapse of the Aceh Darussalam Sultanate, and women were already missing from the text. The compiler of this *Hikayat Perang Sabi* wrote that he drew from the writings of a well-known *ullama* Syaikh 'Abd Al-Samad al-Falimbani. At that time, sporadic battles against the Dutch had been going on. In 1824, Britain and Holland signed the London Treaty, which ruled Holland to respect the sovereignty of Aceh Darussalam Sultanate. However, the Dutch broke the agreement and launched sporadic attacks that forced Britain to return to the negotiating table in 1871. Under the Sumatera Treaty, the Dutch got its freedom to expand its territory to cover the whole Sumatera. (Alfian, 1999, pp. 73-81)

The first question that emerged was that given the role of Acehnese women in decision making and in war in the past, why didn't women get represented at all in the text of *Hikayat Perang Sabi*? It turned out that actually the many versions of the 1870s text of *Hikayat Perang Sabi* were reconstructed from an older text of *Hikayat Perang Sabi* that was produced by Acehnese *ullamas* in the 17th century. The older *Hikayat Perang Sabi* was used to motivate Acehnese men and women to fight against the Portuguese infidels, and surprisingly women were included to play a central role in it.

There is a significant difference between the two clusters of *Hikayat Perang Sabi* in term of the representation of women. While the older cluster of *Hikayat Perang Sabi* recognizes the role of women in decision making and in war, which is consistent with the sporadic indications presented in Table 2 above, the more recent text of *Hikayat Perang Sabi* eliminates women altogether from the text. The role of women was not just marginalized by wiped out completely from the more recent text.

Alfian (1999, p. 173) argues that the 17th century *Hikayat Perang Sabi* was published on October 5, 1710. That is according to a text of *Hikayat Perang Sabi* available in the library of Leiden University in the Netherlands. The text is currently considered as the oldest text of *Hikayat Perang Sabi*, and it does not mention the name of the writer. However, the compiler explained that the text was constructed based on *Mukhtasar* book that was probably written by an *ullama* called Syaikh Ahmad Ibn Musa. Below are some passages quoted from the 1710 *Hikayat Perang Sabi* that recognizes the equality of rights and duties between women and men in defending Aceh from Western infidels.

“When the infidels occupied the country,
 We all have the duty to go to war,
 Do not just stay silence,
 And just enjoying yourselves,
 It is like the law of *fardhu’ ain*,
 It has to be done confidently like praying,
 It’s got to be done all the time,
 It’s a sin if you do not do it brother

Praying and fasting are not perfect,
 If they do not come with waging war,
 The poor, small and big, old, young, men and women,
 Who ever is capable of fighting the infidels,
 Even though they are slaves. (Alfian, 1999, p. 171)

Below is a passage from another version of the 17th century *Hikayat Perang Sabi* that consistently promotes the same opportunity for both men and women to defend the country.

“Women and men, all of the youngs and olds,
 Grown ups and children, according to *ijmak* they all have to
 participate,

The pious and the evil ones, they all have to participate,
Kings, people, *uleebalangs*, they all have to go to war.
The infidels that are attacking our country, it is a must to be
resisted soon,
It is prohibited to run away, it is obligated to fight, *Fardhu ain*
on us.” (Alfian, 1999, p. 171)

The older texts of *Hikayat Perang Sabi* actually present another indication that from the 17th century to before the end of the 19th century Acehese women indeed played important roles in decision making and in battle fields. Prof. A. Hasjmy, a historian and the Chief of the *Ullama* Board of the Special Province of Aceh, provided confirmation by saying that

“... in the past, Islam sultanates in Aceh treated men and women equally. The rights of women to hold royal posts in the palace were fully recognized. By the law of the Sultanate of Aceh Darussalam the rights of men and women were the same. So was their duty to defend and develop the sultanate ... Those rights and duties provided opportunity for Acehese women since the Perlak, Samudera Pasai, and Aceh Darussalam Sultanate to participate actively in government and the military.” (A quote from Prof. A. Hasjmy’s paper entitled “The Role of Acehese Women in Government and Battle”, presented in 1988 in a forum organized by Yayasan Pencinta Sejarah. See Hardi, 1993, p. 52)

The quote above reveals the progressive attitude of the Chief of *Ullama* Board towards the role of women in decision making. His attitude was extraordinary considering that it came from a chief of *ullamas*. However, his statement was issued in the early 1990s under a very different circumstance. Under the current strong waves of Islamic conservatism we do not know whether Prof. Hasjmy would still hold the same view or whether he would rather adopt the argument that the more equal gender

relations in the past was due to the lack of the implementation of the true *syariat* Islam.

The comparison of the two clusters of *Hikayat Perang Sabi* provokes the emergence of a question regarding the relation between women and *ullamas* in Aceh in the different periods of time, and its impact on the construction of meanings around nationalism, gender relations, and Islam. Even in the 17th century, *ullamas* had already played a very important role in the Islamic sultanate of Aceh. We should remember that the first Islam sultanate in Southeast Asia, Perlak Sultanate, was established in Bandar Perlak, in the coastal area in North Sumatera, as early as 840. And only *ullamas* had the legitimacy to develop an Islam-based war ideology such as *Hikayat Perang Sabi*. At that time, in the 17th century, *syariat* had been closed to interpretation and reinterpretation for more or less five centuries. (Engineer, 1992, pp. 6-9) How could then Acehnese women play a central role in the construction of Acehnese nationalism when *ullamas* ruled the interpretation of *syariat* Islam that had become an immutable law?

It needs a specific and detailed historical investigation to understand the relation of the different Acehnese sultanates and *ullamas*. There must be some check and balances played between the two powerful political and social groups in the interpretation of religious teachings. Otherwise, women would also be excluded in the 17th century texts of *Hikayat Perang Sabi*. Could it be that the feudal Acehnese sultanates were more progressive in terms of gender relations compared to the present day independence movement of Aceh? Is it true that Acehnese customary laws do not discriminate against women? And the most important question is what kind of discourses Acehnese women employed at that time that allowed them to compete with *ullamas* in the construction of nationalism? However, the needed historical and discursive investigation is obviously beyond the scope of this paper.

The question how women got excluded in the construction of Acehnese nationalism in the end of the 19th century is easier to answer than the question how did women get included in the construction of Acehnese nationalism in the 17th century. In the end of the 19th century,

the collapse of Aceh Darusalam Sultanate made it impossible to develop a national unity against foreigners by using state apparatuses. Islam was left as the only political mobilisation tool. It was just one step away from transforming the role of women from agencies in the construction of Acehese nationalism into a mere symbol of the collectivity of Islam in Aceh. By looking at the two clusters of *Hikayat Perang Sabi*, we can see that both nationalism in the 17th and in the 19th century were constructed in a gendered way. Inclusion and exclusion of women were an important element in the construction of nationalism in Aceh in the 17th and 19th century.

There is a similarity between the conditions faced by present day Acehese and the condition in the end of the 19th century. Instead of facing the Dutch, Acehese in the end of this 20th century waged war against the Indonesian military. In order to develop a sense of unity among the Acehese, once again the *ullamas* use religion as a tool to unite and mobilize spirited resistance. It is no wonder that in the end of 1990s and early 2000s the text of the 19th century *Hikayat Perang Sabi* started to circulate and was discussed again among the Acehese. It is not coincidental that the 17th century *Hikayat Perang Sabi* is not the one that is currently being popularized by *ullamas* and their supporters.

The analysis of the two clusters of *Hikayat Perang Sabi* above leads to a hypothesis that the balancing power that feudal sultanates played against the power of the *ullamas* helped to prevent the emergence of discriminatory measures against women in Aceh before the 19th century. After the independence of Indonesia, the government of Sukarno and then Suharto played the balancing role against Acehese *ullamas*, just like what the sultanates did in the past. In today's Aceh there had been no strong enough political force that could play the balancing political role, neither the governor nor civil society organizations have strong enough political legitimacy to play the balancing role. Recently, however, as discussed in the Introduction, it was the central government of Abdurrahman Wahid that suggested the regional government of Aceh to draft and then issue a regulation on customs, education, and the

implementation of *syariat* Islam. The move was to reduce the demand of the Acehnese people for independence that was associated with the demand to implement *syariat* Islam in Aceh.

We get back to discussing the dilemma faced by Acehnese women, and the need to construct their own discourses. The discourses should be able to contest the subjugation of women into a symbol of the collectivity of Islam that is practiced by the three dominant actors. It should also be able to reconstruct Islam-based Acehnese nationalism to make it stop subjugating women. Last but not least, the alternative discourse should also challenge the masculine interpretation of Islamic teachings. Hence, historical and textual reinterpretation of *syariat* Islam should be done continuously in order to articulate 'human rights as women's rights' in Islam. Every construction that affirmed Acehnese women as a symbol of the collectivity of Islam should be challenged. The draft of the Regional Regulation Regarding the Implementation of Syariat Islam in Aceh that was produced by the all-men-team formed by the Governor of Aceh, for example, had to be rejected and reconstructed according to an interpretation of Islam that promoted gender equity. The vulnerability of dominant meaning (Weedon, 1987, 107-108) depends on the ability and persistence of Acehnese women to question and challenge the efforts to domesticate them.

Oral Tradition as Subversive Resistance of Acehnese Women

Another way to look at how discourses operate at the level of language is by looking at the oral tradition practiced by Acehnese women. In the end of 1990s and early 2000s the field of oral tradition had become a contested terrain between the efforts to exclude and include women, a contested terrain between the efforts of different parties to marginalize or empower Acehnese women. Interview with several Acehnese women activists revealed that historically and at present, Acehnese women used oral tradition within the family to pass information and values to their children

and grand children. Children and grand children receive details accounts about Acehnese history in general and Acehnese heroes and heroines in particular from their parents and grand parents in form of stories, poems, and songs. Those were lessons that they did not receive from the classrooms and schoolbooks. The content of the oral tradition had become a contested terrain between the proponents of Acehnese nationalism that turned women to become symbol of Islam, and women activists who struggled for gender equity based on the recognition of women's rights as human rights.

Fachry Ali, an Acehnese Muslim intellectual who lived in Jakarta, for example, represented the promotion of gender inequality under Islam. He quoted a song sang by Acehnese women regarding war for independence against the infidels when they rocked their baby in their arms.

“Do kudaidang
 Look at a loose kite flying
 Grow big soon my dear
 To help in war to defend your country

Do Kudaidang
 Grow big soon my dear
 Let's do *jihad* to defend our religion” (Ali, 1999, p.xviii)

Ali added confidently that Acehnese mothers only sing the song to their son, and not to their daughters.

Although not directly responding to Ali's work, in the beginning of her paper an Acehnese women activist Suraiya Kamaruzzaman tells a completely different story regarding the oral tradition of Acehnese women. According to her, those kinds of story, poem, and song are not just passed by Acehnese mothers to their sons and grandsons, but also to their daughters and granddaughters. The song quoted by Ali is actually genderless. Unlike the text of 19th century *Hikayat Perang Sabi* that clearly excluded women, the song did not use the word son to refer to a child.

Instead, it used a general term “my dear”, which refers both to boys and girls. In this case, the gender bias was not printed in the text, but it was a political agenda to strengthen the dominant meaning that denied Acehese women decision making roles. In her paper, Suraiya quotes a centuries old poem that is currently still used by Acehese mothers when they put their daughter to sleep.

“My dear love
Lettuce seed in the mirror
Grow quick my dear daughter
Replace your father to fight the Dutch”

So, although the role of Acehese women in decision making got lost in the text of 19th century *Hikayat Perang Sabi*, and probably in other political texts based on Islamic teachings due to the rise of *ullamas* to political leadership, Acehese women kept their history of decision making alive through oral tradition. The Acehese women’s strategy to socialize their feminist values through oral tradition falls into Wieringa’s category of an act of resistance, a self-affirmation, that is subversive to the existing power relations based on the interpretation of Islamic teachings that promoted gender inequity. The resistance was a discursive process that contested the dominant meaning. It was about women actively fighting gender subordination by “subverting representations of gender and re-creating new representations of gender, womanhood, identity and the collective self”. (Wieringa, 1995b, p. 2, 5) Of course it needs a lot more documentation to show the contestation of meanings through oral tradition. However, for the time being this paper dares to argue that the two examples of oral tradition above are indicators that contestation of meanings through oral tradition in order to include women as agencies in the construction of Acehese nationalism should be pursued further.

The subversive character of Acehese women’s oral tradition is in contrast to the hegemonized movement of Muhammadiyah women in the 1910s, for example. The Aisjah women organization had the goal of

spreading Islam and cleansing it from the taints of pre-Islamic influences. Its twelve rules that should be followed by women are littered with values that domesticate women, such as, among many other points, that women should take care of the household of the husband, make the husband happy, follow the orders of the husband, cover the body well, don't mix with men that are not close relatives, stay home and if you have to leave the house don't behave as a woman who doesn't know the teaching of Islam." (Wieringa, 1995a, fn. 30, p. 68) The comparison is just to highlight the agency role that Acehese women played in their efforts to reconstruct the dominant meaning.

A joint research between AKATIGA (a research institute in Bandung, West Java), Yappika (an NGO), and Forum LSM Aceh (a network of NGOs) presents some findings that might be an indicator of the ability of Acehese women to pass the spirit of resistance to their children and grandchildren. The recently conducted joint research interviewed 909 respondents consisting of 33% male adults, 20% boys, 31.8% female adults, and 14.6% girls. They were categorized into a matrix that grouped them according to their status as victims and non-victims of direct violence, and according to their residence in old conflict areas, new conflict areas, and non-conflict areas. Unfortunately, the intelligent research design was marred by a mistake in processing the collected information.

The goal of the research was to map the priority needs of the Acehese within the context of the "independence" struggle against the Indonesian government. Results of interviews were grouped according to the similarities of their topic. However, the topics were just lumped together, without differentiating them into "needs" and "political means to achieve the needs". Within the context of the struggle against the Indonesian central government, the choice of political means to achieve needs was a very important variable. "Security, peace, and order", which ranked first in the needs of the Acehese should not be lumped together with "independence", "autonomy", "military reform", and "referendum", which identify the means to achieve the needs. The mixed up between needs and means to achieve needs is actually recognized as a problem by the

Table 2.
Priority Needs of the Acehnese, 2000

Rank	Needs	%
1.	Security, peace, and order	57.0
2.	Education	14.6
3.	Economy	6.7
4.	Independence *	6.3
5.	Infrastructure development	3.2
6.	Autonomy *	2.9
7.	Military reform, including pulling the military out of Aceh *	2.8
8.	Justice and human rights	2.1
9.	Religion, including reinforcement of Islamic (moral) teachings	1.2
10.	Referendum *	0.4
11.	Others	2.8

* Political means to achieve needs (added).

Source: Akatiga, Yappika, Forum LSM Aceh, 2000, p. 13.

researchers themselves (Akatiga et al, 2000, p. 28). Apparently, the concern was not strong enough to make them change the way they analyzed the data. The mistake of mixing needs and political means to achieve needs skewed the data analysis. As it stood, the research results showed that a vast majority of the respondents just wanted to have “security, peace, and order” and better “education”, and they did not care much about pushing through political solutions such as getting “independence” from Indonesia, struggling for an extended “autonomy”, or simply having a “referendum” to determine the will of the majority of Acehnese people. However, when the collected data were regrouped according to “needs” and “political solutions as means to achieve the needs”, it becomes obvious that independence from Indonesia becomes the first priority, as can be seen in Table 2 above. 6.3% of the total respondents opted for independence, and autonomy, meaning remaining as a part of Indonesia but with an extended autonomy, trailing far behind in second place at a mere 2.9%. Because I did not have access to the raw data of the research, the percentages of the four political means from the skewed data analysis

were maintained. If calculated separately, the percentage of respondents that wanted “independence” as the political solution would be more than 50%, while autonomy was voted just by around 23% of the respondents.

What is interesting is that Table 3 below shows that more women than men demanded a straight out independence from Indonesia. Only a small fraction of women wanted to have a referendum first to find out what the Acehnese people wanted for political solutions. While a lot more Acehnese men wanted to have a referendum first, Acehnese women considered referendum not as an important political solution all. The subversive role of Acehnese women in fighting gender subordination within Islam through oral tradition had probably succeeded in transmitting the tradition and spirit of resistance from older female generations to the younger ones. Table 3 below also shows that the number of children demanding independence as a political solution is more than twice as much as the number of adults. It could be an indication that the tradition and spirit of resistance passed by women to their children and grandchildren

Table 3. Political means to achieve needs *

Rank	Political Means	Respondents (%)			
		Sex		Age	
		Women	Men	Adults	Children
1.	Independence	6.9	5.9	4.6	9.3
2.	Autonomy	3.1	2.8	3.7	1.5
3.	Military reform	0.2	0.6	4.1	0.6
4.	Referendum	0.7	4.6	0.7	0.0

* Reformulated from Table 2.

through oral tradition has shown some positive results. Before gaining the ability to comprehend the political considerations regarding “autonomy”, “military reform”, and “referendum” from the mass media, including communication through internet, the children first internalized the spirit of resistance through oral tradition. Especially when their family directly

experienced the violence conducted by the Indonesian military, such the killing, kidnapping, or torture of their fathers or other members of the family. It is too bad that the research report does not differentiate between male and female children. Otherwise, we would be able to differentiate the effect of oral tradition on boys and girls.

The high percentage of women that opted for independence in the research has probably been pushed by the fact that many women have suffered physically and psychologically because of the violence practised by the Indonesian military. Many women suffered direct physical assault such as rape, and indirect violence in form of losing husband, brother, child, and other relatives. It is understandable that the political violence they suffered had made them use oral tradition more to pass their resistance to their children. In turn, the spirit of resistance and subversion passed through oral tradition help explain the very high percentage of Acehnese children opting for independence.

Obviously, there was a gap between oral tradition that contested meanings at the level of language with efforts to deconstruct dominant meaning at the level of social institutions. More women indeed demanded political independence from Indonesia, but when it came to gender relations under Islam, Acehnese women were not persistent enough to keep challenging the Islam-based domestication that kept their existence just as a symbol of Islam-based collectivity. A strong political platform against the harassment of women that did not wear *jilbab* had not yet emerged either. The drafting of the Regional Regulation Regarding the Implementation of Syariat Islam in Aceh by the Governor of Aceh, done by a team of six men, also went unchallenged. Also, there had been no significant contestation regarding the masculine sexual politics of leadership conducted by some GAM leaders who had more than one wives and treating them badly. One reason was that women activists did not want to be considered as going against Islam, especially since GAM had the capability to take violent measures to maintain women as a symbol of collectivity of Islam.

We now turn to discussing the process of women domestication

carried out by the Indonesian governments in order to see how the discourses of exclusion actually operated at the level of social institutions. Programs of the Indonesian government under Sukarno and then under Suharto that were intended to domesticate women will be discussed.

Domestication of Indonesian Women as ‘Practical Exclusion’

4.1. Before Independence until Sukarno’s Era (Old Order)

Obstacles to the efforts of Acehnese women to deconstruct the dominant meaning that turned them into symbol did not only come from the interpretation of Islam by *ullamas* and GAM. Since declaring its independence in 1945, the successive governments of Indonesia have implemented ‘practical exclusion’ (Dean, 1996, p. 79) of women by developing institutional arrangements that domesticate women. The domestication of women in Indonesia in the post-independence era did not start under Suharto’s New Order government. It was started by Sukarno within a few years after the country declared its independence.

Just as argued by MacFarland (1994, h.192), patriarchy played a central role in the gendered construction of colonialism and nationalism in Indonesia, and it motivated zealous participation by women in the movement for Indonesian independence. In Indonesia, the construction of nationalism was actually inseparable with the history of women’s movement in the country. Under the Dutch colonization, every political party and other political organizations that had a nationalist agenda tried to set up their own women organization. Among them were nationalist, Muslim, and socialist/leftist organizations. (Wieringa, 1988, h. 74; Jayawardena, 1986, h. 146) The first women organization in Indonesia, *Puteri Mardika* (Independent Women), founded in 1912, was closely related to the nationalist organization Boedi Oetomo.

Way before the establishment of the nationalist organization Boedi Oetomo, Kartini (1879-1904), a fervent advocate of women’s rights who was later crowned as the mother of women’s emancipation in Indonesia, had

expressed her ideas regarding the relation between nationalism and women's movement. For example, she argued that education of women was central to the efforts to improve the honor of Indonesian nation because educated mothers would be able to raise their children appropriately. (Wieringa, 1988, p.72-73) Kartini's ideas, that were later compiled into a book and published posthumously, were actually critical towards Javanese tradition, Islamic laws, and the practices of Dutch colonialism, and they became sources of inspiration for Indonesian revolutionaries. According to MacFarland (1994, p. 194), Kartini's letters contained nationalist expression that were for the first time expressed by an Indonesian individual.

According to Jayawardena (1986, pp. 149-150) and Wieringa (1988, h.73-75), in the 1920s the number of Indonesian women activists experienced a drastic increase. Women from all over Indonesia started to organize themselves along religious, regional, and nationalist lines. There were women organizations that were based on Islam, Catholicism, and Protestantism. Women from Maluku, Minangkabau, and Minahasa jumped into the bandwagon. In December 1928, the first Indonesian women congress was held in Jakarta, attended by around 30 Indonesian women organizations. The congress discussed education and marital law, and in the third congress the issue of nationalism came into the agenda. In 1930 Istri Sedar was established in Bandung as a women organization with a specific agenda to participate actively in political struggle.

After independence, male Indonesian leaders followed the general pattern of putting women back into the household so that they would not compete against men in the management of public affairs. According to Wieringa (1995, pp. 136-138, 172), women's organizations started to experience a decline with the defeat of marriage law, which was advocated to protect women from patriarchy, as early as in the 1950s. Indonesian women's movement received another blow when President Sukarno, who encouraged the participation of women in the national revolution to achieve socialism, married for the second time, betraying a central interest of the struggle to empower women against patriarchy. All of those took place just around five years after Indonesia became independent. The decline of women's movements in

Indonesia was sealed with the destruction of the militant women organization Gerwani in the end of 1960s. Gerwani was established by feminists and communists women, but later on the communists got the upper hand. The militant women organization that struggled for equal rights for women and for equal responsibilities for full national independence and socialism was banned in 1967.

During Suharto's Era (New Order)

The destruction of Gerwani, which contested patriarchal discourses by challenging dominant social institutions, set the road for the New Order government to practice 'practical exclusion' by institutionalizing the domestication of Indonesian women that was started by Sukarno. Reading from Suryakusuma's thesis on State Ibuism (1987, pp. 13-15, 25), it is clear that the agenda of women domestication under the New Order government was well planned, supported with a national organizational structure, programs and funds, and the state's ideology of women roles in the society. The overall purpose was to socialize two things: women should be loyal and obedient companions to the husband, and those women should not get involved in decision making. In order to achieve the two goals, the government provided three kinds of support. First, a top down hierarchical and feudal organizational structure that ran from the President down to the *ibu kades* (wife of the village head) in the village in form of PKK (the Guidance of Family Welfare) in the rural areas. For the civil servants, the vertical command line ran from the President down to *Dharma Wanita*, organization of the wife of civil servants.

Second, the women domestication program was supported by a well-funded national program such as PKK. PKK and Dharma Wanita organized activities that were related to women's position in the household. By keeping them busy with domestic activities, or charitable and educational activities, women would not have the time and energy to meddle in the decision making process in their community. And third, the domestication

was supported by the socialization of housewife ideology promoted by the state sponsored women organization KOWANI, which was an umbrella organization for over 55 women organizations. KOWANI itself claimed to be the “single vehicle” for women in Indonesia. KOWANI promotes an ideology of *Panca Dharma Wanita*, the five duties of women that basically define women in the primary category of wives. The five duties are:

1. Women as loyal companions of the husband
2. Women as procreators for the nation
3. Women as educators and guides of children
4. Women as regulators of the household
5. Women as useful members of society

The domestication process had made it difficult for Indonesian women in general and Acehnese women in particular to get organized in order to deconstruct social institutions that discriminated against them. Rina, one of the nine Acehnese women activists that I interviewed, said that

“since under Suharto, women have been conditioned to just learn how to sew, cook, raise children, and clean the house. Women in the villages have internalised their role as housewife, in addition to working in the field to help their husband. They have no strength to resist the domestication. They said that since they were stupid and weak, they had no option other than to obey what they were told to do.” (Rina)

Many of the knots of ‘practical exclusion’ have nested well in the legal system for decades, tangled with social, cultural, and religious values. For example marriage law in Indonesia dictates that the man is the head of the family, the woman is the housewife, and marriage law for Muslims allows men to have up to four wives if the husband could provide equally for each of them. Permission of the first wife is required, but reportedly

most women cannot refuse. In divorce cases, women often bear a heavier evidentiary burden than men, especially in the Islamic-based family court system. Divorced women rarely receive alimony, and there is no enforcement of alimony payment. (The Department of State, 2000, pp. 1138)

Katjasungkana (1998, pp. 6-8) provides more examples regarding how wide ranging and deeply entrenched 'practical exclusion' of women in the legal system in Indonesia. Discrimination against women can be found in the institutions regulating labour and wages, in criminal laws, and in regulations regarding rape, health, family planning, and inheritance. Apparently, 'practical exclusion' could be done through omission. For example, according to Katjasungkana there are no laws that ban marital rape.

Subjectivity Positions of Acehese Women Activists

This paper examines the different subjectivity positions that Acehese women activists took amidst of the heterogeneous multiplicity of discourses, structured at least by gender, nation, and religion. Result of the interviews with nine Acehese women activists will be analyzed in order to map out the different subjectivity positions of the Acehese women. Following Weedon (1987, p. 33), this paper views subjectivity (defined as "her sense of herself and her ways of understanding her relation to the world") as "precarious, contradictory and in process, constantly being reconstituted". In the words of Pringle and Watson (1992, p. 64), subjectivity is neither unified nor fixed but a site of disunity and conflict because it is produced in a whole range of discursive practices, which meanings are constantly contested through power struggle. The purpose of this exercise in analyzing the construction and deconstruction of Acehese nationalism from the standpoint of the subjugated Acehese women is to look for "webs of connections called solidarity in politics" (Haraway, 1991, p. 191) in order to help Acehese women identify "areas

and strategies for change” (Weedon, 1987, pp. 40-41) in their struggle for gender equality.

Interview questions for the nine Acehese women activists were focussed on the issues of gender, nationalism, and Islam. Most of the women activists were college educated, and they all belonged to the younger generation with ages ranging between 25 to 33 years old. As women activists, they all advocated gender equity. However, none of them expressed objection to the implementation of *syariat* Islam. Moghissi (1999, p. 141) provides a harsh warning regarding the incompatibility of *syariat* Islam and gender equity advocated by feminists. According to her,

“... The shari’a unapologetically discriminates against women and religious minorities. If the principles of the Shari’a are to be maintained, women cannot be treated any better. Women cannot enjoy equality before the law and in law. The Shari’a is not compatible with the principles of equality of human beings.”

The fact that none of the women activists were against the implementation of *syariat* Islam in Aceh could be attributed to the concerted efforts of *ullamas* to do spiritual campaigning, and GAM which provided the means of violence to force the implementation of the *syariat*, in rallying political support through religion. The women activists would not risk of being branded as infidels, which would make their women organisations difficult to carry out their advocacy and empowerment activities among Muslim communities in Aceh.

Although almost all of the Acehese women activists did not really understand what *syariat* Islam meant, what’s its legal codes looked like, and what kind of legal sanctions that it carried, they did their best to be critical to the *syariat*. Unable to reject or to study *syariat* critically in public, they would like to see *syariat* Islam interpreted along gender lines. At the level of language, they suggested for the reconstruction of *syariat* Islam along gender relations in order to suit women’s interests so that it would become more “humanist and feminist”.

Table 4. Positions of subjectivity of Acehese women activists, structured by gender, nationalism, and religion

No	Name	Gender	Syariat Islam	Nationalism
1.	Tina	Gender equality	Obligation to wear <i>jilbab</i> should be without coercion	Felt threatened by GAM and the Indonesian military
2.	Rina	Gender equality	Agreed with <i>syariat</i> Islam if it were more humanist and feminist	Felt threatened by GAM and the Indonesian military, Indonesian government would not let Aceh to become independent
3.	Tuti	Gender equality	Agreed with <i>syariat</i> Islam but there should be no coercion	Felt threatened by GAM and the Indonesian military, Aceh could become independent from Indonesia
4.	Wati	Gender equality	Acehnese women should wear <i>jilbab</i> but not by force	Felt threatened by GAM and the Indonesian military, independence would not be achieved in the short term.
5.	Heny	Gender equality	Agreed with <i>syariat</i> Islam but not by force	Felt threatened by GAM and Indonesian military, Aceh would not gain independence in the short term
6.	Sari	Gender equality	Agreed with <i>syariat</i> Islam but there should be no coercion	Independence was a long term goal, GAM was power oriented.
7.	Cut Neni	Gender equality	Did not agree with <i>syariat</i> Islam if implemented by force	Did not agree with Acehese independence
8.	Mira	Gender equality	<i>Syariat</i> Islam should not victimise women	Felt threatened by GAM, did not agree with Acehese independence
9.	Mima	Gender equality	Agreed that women should wear <i>jilbab</i> but without coercion, Islamic laws should be interpreted in line with women's interests	Felt threatened by GAM and Indonesian military, independence would not be achieved in the short term.

Note: Due to the sensitivity of the issues, all names of the Acehese women activists used in this table have been changed.

“I don’t know what does a *syariat* Islam based country mean. But I believe that Islam is good. The interpretation of *syariat* Islam should not be done in a piecemeal fashion, for example representing just the interests of men. *Syariat* Islam should also be interpreted according to the interests of women.” (Mirna)

“I understood what it meant to live under *syariat* Islam. But people in the villages did not understand about the consequences of the implementation of *syariat* Islam. They only knew that in a *syariat* Islam based country, women had to wear *jilbab*, people had to pray five times a day and chanted the Qur’an.” (Wati)

“It’s okay to implement *syariat* Islam. However, the interpretation should be more humanist and feminist. I disagree if *syariat* Islam is interpreted conservatively according to the interests of men. I strongly disagree if dressing code for women were to be legalised into a regulation.” (Mira)

The rest of the women activists agreed with the implementation of *syariat* Islam as long as it was not carried out by force and violence. The quotation below represents a general feeling of the rest of the women activists.

“I started to wear *jilbab* only when men started to cut off our hair in public. Actually I agree with the requirement that women should wear *jilbab*. However, it should not be done by force. It should be socialized through dialogues so that women wear *jilbab* out of consciousness, not because they are afraid.” (Tina)

The critical views of the women on *syariat* Islam indicated ‘areas and strategies for change’ through the contestation of meanings at the level of social institutions. It was impossible to reject the implementation of *syariat* Islam due to the strength of the religious discourses advocated by

ullamas and supported by GAM through the use of the means of violence. However, campaigning regarding detailed information of legal codes and sanctions of the *syariat*, and the experiences of other countries that implemented *syariat* Islam, would open more rooms for Acehese women activists to pressure for the development of more gender friendly institutions.

“Organizing talk shows in the radio regarding the problems faced by women helps them to figure out what they should do to face the conflicting interests. Although it would not yield results in the short term, the socialization would at least make women realize that they could do something. Non-formal education such as meeting among women to discuss women’s and human rights help women to formulate their own opinion and defend it.” (Tina)

The quotes describing the critical attitude of the Acehese women above might be an indication that the more the Acehese women received threats, the stronger their demand to reinterpret *syariat* Islam along the gender lines and to implement *syariat* Islam without force become. Further than that, threats and force exercised by GAM had actually made the Acehese women activists start questioning the goal of GAM and *ullamas* to achieve independence from Indonesia as a (short term) political solution.

“As women activists we felt threatened by both the Indonesian military and GAM. When we went to refugee areas, we were often threatened by armed civilians. But we also receive threats outside refugee areas. Sometimes someone called us at home, accusing us demanding a referendum, taking an anti-independence stance. (Rina)

“I am not that afraid to the Indonesian military because they dress in a military uniform. When they are around, we have to be careful not to offend their feeling. I am a more afraid to

GAM because they wear civilian clothes, making it very difficult to differentiate them from civilians.” (Tina)

“I don’t think Aceh should become independent from Indonesia in the short term. We still need more time to prepare our human resources. Currently we don’t even have a leadership figure, and we need a much better political, economic, and social system. (Mirna)

Living under threat made the women activists feel that independence might not bring peace and order in Aceh.

“If Aceh became independent from Indonesia, things might get a lot worse. Aceh has contributed a lot to the Indonesian economy, and the Indonesia would not just let Aceh go. There would be more casualties, especially since foreign countries also did not support the disintegration of Indonesia.” (Rina)

The attitudes of Acehnese women activists above stand in contrast to the research findings of Akatiga et al, discussed in Chapter III. Akatiga research shows that more Acehnese women than men demanded a straight out independence from Indonesia. It tells us about the different standpoint positions between Acehnese women in general and Acehnese women activists in particular. Being members of the middle classes that had open access to information outside of Aceh, even outside of Indonesia, probably contributed significantly to the ability of the Acehnese women activists to look critically at the efforts of *ullamas* and GAM to struggle for independence from Indonesia.

Conclusion: Human Rights as Women’s Rights

This paper adopts discursive analysis as its methodology. Following

Weedon, this paper looks at how discourses operate at the level of language, social institutions and processes, and subjectivity. Analysis on the different clusters of *Hikayat Perang Sabi* shows how meanings on nationalism, gender relations, and religion are contested historically at the level of language. Analysis on the domestication of Indonesian women in general and Acehese women in particular shows how discourses operating at the level of social institutions develop legal, social, and political discrimination against women. In order to look closely at the role of Acehese women as agencies of social change, this paper then looks at how the contestation of meanings took place at the level of subjectivity.

Interviews of the nine Acehese women activists showed that they were surrounded by a multiplicity of discourses structured along the notions of nationalism, gender, and Islam. In many cases, the discourses went against one another. The contestation of meanings made them sometimes reluctant to act and they took time in weighing the short term and long term benefits and losses of a certain action. If we just look at the political activities of Acehese women, we see the almost universal acceptance of the implementation of *syariat* Islam. In many cases Acehese women supported the *syariat* without really knowing the legal codes and sanctions of the *syariat*. However, if we look at the discursive levels, we notice that discourses on gender equity had opened up rooms for Acehese women to start reconstructing, if not deconstructing, the dominant interpretation of *syariat* Islam. The violence and force implemented by *ullamas* and GAM contributed significantly to the feeling of a growing need among Acehese women to reconstruct not just the meanings of *syariat* Islam but also the notions of independence from Indonesia.

The strategy to take over symbols of power previously controlled by men clearly shows that Acehese women were capable to struggle for the recognition of human rights as women's rights. It was not the decision to promote peace that made the grand Acehese women meeting of *Duek Pakat Inong Aceh*, held in mid-February 2000, phenomenal. It was neither the fact the meeting was attended by around five hundreds Acehese

women. What represents the taking over of symbols of power previously controlled by men was that the meeting was held in the Grand Mosque of Baiturahman in Banda Aceh, and it was opened with the drumming of the traditional Mosque's *tambo* (a big drum made of animal skin). Both the grand mosque and the *tambo* were religious and cultural symbols of power previously under the control of Acehnese men.

According to Katjasungkana (1998, p. 18), the Indonesian government had ratified the CEDAW convention on the elimination of all discriminations against women in 1984. However, changes in the domestic legal system according to the ratified convention had been legally impossible because in the note of Law No. 7, 1984 it was stated that "the content of the convention should be adjusted to the Indonesian society's ways of life, which includes cultural values, customs, and religious norms that are widely followed by the Indonesian society."

Untying the knots of 'practical exclusion' that have been deeply institutionalized in the legal system of Indonesia cannot be done in just a couple of years. The more than three decades of systematic socialization of the women domestication programs contributes to the difficulties faced by Acehnese women in constructing their own discourses in order to quickly response to the subjugating measures practiced by *ullamas*, GAM, and the regional government of Aceh.

It does not mean that Indonesian women in general and Acehnese women in particular have not contested the 'practical exclusion' of women. In Aceh itself, the first and currently largest women organisation Yayasan Flower Aceh (The Foundation of Aceh Flower), and also Yayasan Pengembangan Wanita (The Foundation of Women Development), both were founded as early as the end of 1980s. According to Cut Nani, an activist from Banda Aceh, women organisations in Aceh started to mushroom in 1995. Other than Flower Aceh, there were many other women organisations such as Matahari, Dara Lajuna, Mitra Sejati Perempuan Indonesia, Serikat Inong Aceh, LBH APIK, Balai Syura, Relawan Perempuan untuk Kemanusiaan, Forum Janda DOM, CCDE (Center for Community Development and Education), Putro Kande, and

Annisa. And there was at least one network of women organisation called Kelompok Kerja Transformasi Gender (Working Group on Gender Transformation) with a membership of 12 women organisations or organisations that had women section and 14 individuals who had concern over women's problem.

However, many women organisations in Aceh still found themselves in a difficult spot when they faced the necessity to contest discourses based on a patriarchal interpretation of Islamic teachings, for example the (violent) campaign to wear *jilbab*. Cut Nani said that women organisations made a press release once against the campaign, but they were reluctant to pursue it further because they did not want to be considered against Islam. A woman activist Suraya A. Afiff (1999, p. 4) told the double standard implemented by Acehnese society regarding the Universal Declarations of Human Rights. When it concerns human rights violations done by the Indonesian military, in many cases the victims were women, many segments of Acehnese society, including GAM, called for the recognition of the Universal Declaration of Human Rights. However, when it concerned violence against women in relation to the implementation of *syariat* Islam, nobody talked about violation of the internationally recognized universal codes.

The struggle for gender equality in Aceh still has a long way to go. However, persistent struggle to contest dominant meanings at the level of language and social institutions would open more rooms for Acehnese women to develop their own discourses. Just like what Weedon (1987, pp. 107-108) says, the vulnerability of dominant meaning depends on the ability and persistence of Acehnese women to question and challenge the efforts to domesticate them.

Epilogue

The Gap Between Women's Participation and Women's Welfare

In the past, Acehnese women held positions of command and the highest

level of decision-making in both war and politics. Now they have become passive symbols of Islamic collectivity in Aceh. Nevertheless, this does not mean that the control the Suharto government has imposed on Indonesian women in general, and the control imposed by GAM, Ulemas (Islamic scholars), and the military on Acehese women in particular, had succeeded in totally subordinating the women of Aceh. This epilogue will demonstrate a number of indications of Acehese women's vulnerability to domination and subordination, and how efforts to reconstruct the dominant discourse have had some success. The women of Aceh have shown their capacity to play the role of agency. In his book, *Theories of Discourse: Laclau, Mouffe and Žižek* (1999), Torfing defines agency as:

...refers simply to an intentionally acting subject... What we have is simply someone who acts in a certain way because he or she wants to achieve or to avoid something. It is not important whether the intention is conscious or unconscious. What matters is only that the subject's actions have a direction, i.e. they are not random. (137)

Actions taken by Acehese women, whether in an organized manner like those undertaken by the women's organizations in Aceh, or those undertaken individually by women as quoted below, demonstrated that there were active female actors who had reconstructed the dominant discourse on women's subordination. One indication that there were women agencies apart from women activists was the fact that there was evidence revealing Acehese women's leadership or their role as agencies. An example was provided by Ahmad Arif, a reporter for the daily *Kompas*, from his post-Tsunami visit to Desa Lapang, Kecamatan Samudera Geudong, Kabupaten Aceh Utara:

At the meunasah (small mosque) ground where part of the mosque has been torn by the Tsunami wave, over 20 people stopped our car. As soon as they knew that we were reporters,

a young man said, ‘the inong-inong (women) want to speak.’ After we got out of our car four women approached us, while the men chose to stay silent behind them. Why is it that the women had to talk and the men kept quiet?

A careful manner was also displayed by refugees from Kacamatan Tanah Pasir that fled from the “barrack” provided by the government and returned to the refugee camp in Lhok Sukon. Only after the protection of their identity was guaranteed some of the men started to speak. But when they started to criticize the government, again the men asked the women to speak. (“When the ‘Inong’ Became the Speaker Once Again” *Kompas*, 28 January 2005: 1, 11)

One way of interpreting the above event is as follows: first, there was a social consciousness among the people of Aceh that women were able to play an important political role. If not, the men in both subdistricts would not have asked the women to become the speakers when facing political danger. Secondly, it is evident that Acehnese women were ready to take on political roles if the situation forced them to do so. If they were not ready to take on political roles, they would have not been able to represent the public’s interest during a critical political situation. Aceh’s strong oral tradition has transferred the knowledge concerning the existence of heroines and women’s leadership during the past. The power of this knowledge has not been defeated even though the heroines of Aceh were excluded from school history books and even after numerous regulations kept Acehnese women from holding decision-making positions when the syariat law was enforced in Aceh in 2002. One example of a regulation that discriminates against women is *Qanun* of Kota Banda Aceh No. 7/2002 that regulates the procedures for the election of a *Geucik* (village head). In Chapter 3, Article 8, Section 1, fourteen requirements were set and one among them makes a woman unqualified for nomination. That requirement is that “the nominee is able to perform as an *imam* (leader)

of a communal prayer.” This automatically rules women out as the Islamic tradition only allows women to become an *imam* in a prayer participated by women only.

Do statistics reveal Acehnese women’s capacity amidst the efforts to dominate and subordinate them? In 2002, Statistics Indonesia (BPS), the National Development Planning Board (Bappenas), and UNDP introduced a new index to measure the welfare of women. One index that looks at women’s position in decision-making is the Gender Empowerment Measure (GEM). This index consists of four indicators: the number of women in parliament; the number of women in positions of senior official, managerial, and technical staff; the number of women in the workforce; and wages that women in non-agricultural sectors received compared to men in that sector. The third indicator is based on the assumption that women would be more empowered if they have jobs so that they do not have to solely rely on their husband’s income.

The GEM data of Aceh at the provincial level shows an improving trend. From 1996 to 2003, the percentage of women in parliament continued to increase as well as the percentage of women in the workforce. Although in total Aceh’s GEM rank continued to improve, from 19 in 1996 to 5 in 2002, nevertheless, two indicators needed attention. The number of women in senior positions that experienced an increase in 1999 actually went into a decline in 2002, and it dropped to the same number as in 1996. This decline may be caused by the political preparation to implement the Syariat law which started prior 2002. The wage received by women in the non-agricultural sector compared to men, was even worse. In 1999, women received 70.70% of the wage that men received. But in 2002 it decreased to only 54.06%, and this revealed a significant welfare gap between men and women.

The GEM data shows that there is a gap between the political participation of women and their welfare level. As women’s political participation improved, or at least stayed at the same level, their welfare—shown by the comparison of their wage value in the non-agricultural sector—fell drastically. Women working to change the dominant discourse

Table 1. The Trend of Women's Political Participation in the Province of NAD (%)

Indicators	1996*	1999*	2002**
Women in parliament	6.1	8.3	9.1
Females in senior official, managerial, and technical staff positions	45.3	54.4	45.3
Female in the workforce	34.1	38.4	49.6
Women's wage compared to men's in non-agricultural sectors		70.7	54.0
GEM rank	19	6	5

Note:

* "Indonesia: Human Development Report 2001, Towards a New Consensus." BPS, Bappenas, UNDP, 2001, p. 81.

** "Indonesia: Human Development Report 2004, The Economics of Democracy: Financing Human Development in Indonesia." BPS, Bappenas, UNDP, 2004, p. 100.

**Table 2.
The Gap between Women's Participation and Their Welfare**

Rank	1999*	2002**
Kabupaten Jembrana:		
GEM	166	201
HPI	229 (1998)	160
Kota Banda Aceh:		
GEM	253	79
HPI	14	16

* "Indonesia: Human Development Report 2001, Towards a New Consensus." BPS, Bappenas, UNDP, 2001.

** "Indonesia: Human Development Report 2004, The Economics of Democracy: Financing Human Development in Indonesia." BPS, Bappenas, UNDP, 2004.

must take note of this issue and consider how the deconstruction of the dominant discourse could have an impact on women's welfare. If not, the women's movement in Aceh would experience a similar fate with the middle-class feminist movement in rich countries. This movement was criticized for struggling at the level of discourse and for the elimination of institutionalized discrimination, but at the same time failed to pay adequate attention to the declining welfare of poor women, particularly poor women of color in former colonial states.

Table 2 illustrates the gap between women's political participation and their welfare level by comparing Kota Banda Aceh and Kabupaten Jembrana. To demonstrate this, the GEM and HPI (Human Poverty Index) were presented. HPI measures poverty by using five indicators: people not expected to survive 40 years of age, adult illiteracy rate, population without access to safe water, population without access to health services, and undernourished children under age five. Kota Banda Aceh experienced a drastic increase in women's participation. The GEM rank moved from 253 in 1999 to 79 in 2002. But at the same time, the welfare of the population declined and this is shown by the decline of their HPI from that of 14 in 1999 to 16 in 2002. Meanwhile, in Kabupaten Jembrana, the case is the opposite. Women's political participation in the period of 1992-2002 significantly worsened, but at the same time there was also a significant decline in poverty (or an increase in welfare).

The gap between the level of women's political participation and their welfare required a more in depth analysis. This epilogue aims to remind us that we always need to connect the work of deconstructing the discourse on Acehnese women with efforts to increase their welfare. The success of Kabupaten Jembrana in decreasing its poverty level significantly is a result of their free school program for primary and secondary education, the provision of free medical services (including free medicine and third class in-patient services in government hospitals), and availability of various revolving funds for the community (Tifa Foundation 2004). Free school fee and health services provided additional advantages for girls and women who had been discriminated against in the education

and health sectors. If the gap between participation and welfare continued or became even wider, in the future, it would be difficult for the important work of deconstructing the discourse on women to gain wide support from poor women—women who were actually the majority in Aceh as well as in other provinces in Indonesia.

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Edriana has been active in women movements in Indonesia since 1986. In her student days, she began participating in social movements against the authoritarian government of Suharto. In 1989 together with four women colleagues for the first time she established a women group which concerned on the rights of women workers. The group was called *Kelompok Kebangkitan Perempuan Indonesia* (the Awakening of Indonesian Women), which was subsequently changed into *Yayasan Perempuan Mandiri* (Independent Women Foundation). Her fervent enthusiasm in women issues led her to take a masters degree in women studies. In the end of 2000 she graduated from Women and Development, the Institute of Social Studies, The Hague, The Netherland. As an academician and activist, Edriana has written articles and papers on women issues in several media. She has also acted as speaker in various seminars in Indonesia and abroad, and has productively written and edited some books produced by the Women Research Institute.

For the past five years, Edriana has also been active as a gender consultant for various international and multilateral organizations such as Oxfam, UNDP, Hickling-CIDA, Health Service Program-USAID, and ILO. She was also a gender specialist for the Indonesian government such as the Ministry for Women Empowerment and the Coordinating Ministry for People's Welfare with a role to formulate gender perspective in poverty reduction programs.

Based on her concern regarding the lack of segregated data by gender, Edriana with a number of colleagues, established Women Research Institute (WRI) in 2002. WRI aims to be a study and research center that is founded on feminist perspective, focusing its research attention on the impact of decentralization on women's political participation in local politics. WRI facilitates people in general and women in particular to participate in decision making concerning government budget allocation at the local level to make the budget responsive to women's needs. WRI is also conducting research and training on maternal, neonatal and child health, including advocacy to reduce maternal and neonatal mortality.

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Her involvement in the women's movement in Indonesia started since 1984 when she intensely participated in discussions on labor and land eviction issues. Sita is active both at the national and international scene, she was a member of Asia Pacific Women, Law and Development (1988-1996) and Global Fund for Women (1989-1996). Sita has been speaker as well as participant in various meetings, such as the International Conference on Population and Development in Cairo (1994) and the 1995 UN Women's Conference in Beijing. In 1996-1997, Sita attained her Master's degree on gender studies from The London School of Economic and Social Science, England.

On 2001-April 2004, Sita became program advisor for UNDP's Partnership Program. Since 2001, Sita also serve as consultant and gender evaluator for various organizations, such as ILO, TIFA, dan Elsam, and also Hickling. In 2002, Sita set up Women Research Institute with several women activists and until currently, Sita is active in the Women Research Institute (WRI) which aims to expand into a study and research center using gender perspective, for the purpose of observing the impact of decentralization on the daily lives of women.

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In the past seven years, decentralization has been implemented in Indonesia. Yet, the outcomes show that decentralization has two faces. It marginalizes women but at the same time also provides space for women to redefine their role in local governance. This book offers a gendered analysis of decentralization to capture the efforts of women and women organizations to make decentralization meaningful for their daily life.

- The first article discusses how the public domain and the political role of women are constructed in local politics and how this construction has impacted the daily life of women. It also discusses various strategies and gender interests defined by women as individuals and as part of a women organization in their efforts to make the government responsive to women's needs.
- The second article explores the question why have regulations that open up space for citizens in general and women in particular, to participate in planning and budgeting been unable to improve the welfare of the people, including women. This article exposes the politics of budgeting at the local level that has made grassroots groups, including women, frustrated with the Musrenbang bottom up planning mechanism.
- The third article explores the tensions and cooperation between NGOs that work to promote women's welfare and NGOs that work to promote democratization and good governance. By looking at the experience of thirteen NGOs, this article is making an attempt to assess whether women are really included in the local governance programs.
- The fourth article looks at how decentralization on the one hand has opened up space for the political participation of women but on the other hand it has also strengthened cultural and religious identities at the local level that discriminate women socially and politically.
- Finally, the fifth article is based on a thesis that looks at the oral tradition practiced by contemporary Acehese women in order to understand the resistance of Acehese women against discourses that marginalize them from the political realm. This thesis attempts to observe the different subjective positions held by women activists in Aceh amidst the various existing discourses constructed based on gender, nationality, and religion.



Women Research Institute (WRI) is a research institute that constructs the concept of good governance based on gender equality. It uses feminist methods in all its research. WRI focuses on the impact of decentralization on the political participation of women at the local level.