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Working and Organizing as Women’s Groups: Reflection on the Struggle of Pro-Women Policy Advocacy in Indonesia, 1998 - 2017

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ABSTRACT
The struggle of Indonesian women’s movement to advocate for pro-women legislations during 1998 – 2017 has its significant achievements and lessons to learn. The paper reports on how women’s groups organized themselves for policy advocacy works under the Jaringan Kerja Prolegnas Pro Perempuan (The Network for Pro-Women National Legislation Program, hereinafter referred as JKP3) in the Reformation Era. The research methods employed are literature review, participative observation in various activities conducted by the network, as well as the analysis of field notes and documents. It can be concluded that the network is strong with guiding principles and perspectives, which is feminist and for gender equality, and tries its best to ensure that all policies are pro-women and pro-gender equality. The network faces significant obstacles and challenges from external parties, namely from the government, the legislators in the parliament, and from the wide public. The obstacles and challenges are the lack of concern and understanding of gender equality, rejection of pro-women perspectives with legitimation of religious teachings to limit women’s rights or roles, the lack of bureaucratic concern and the very political attitude of legislators. Meanwhile, the network also faces various and significant challenges related to the working dynamics within the network. While working on the same issue, there are institutional competitions, differences in perspectives as well as in working styles and strategy. They point to the findings of significant lessons-learned about approaches and strategies. The paper ends with discussion and recommendation for further advocacy work and research on pro-women policy advocacy.

KEYWORDS: Indonesian feminist, policy advocacy, pro-women legislation, women’s group Indonesia
INTRODUCTION

In its limitations, the struggle of Indonesian women’s groups in the civil society movement to ensure pro-women legislation has its significant achievements and needs to be awarded credit. The paper is intended to document the works of women’s groups in policy advocacy post New Order Era.

The research is a reflection of three women who work in women’s issues. The first one is a lecturer and researcher in higher education, in gender studies program and in the faculty of psychology (Kristi Poerwandari). While she sets up and develops an NGO and currently is working on psychosocial empowerment of women, she mainly sees herself as a researcher and a lecturer. She was informed about the hard work of policy advocacy from women friends, and sometimes is consulted for the psychological aspects of the issues when the civil society are preparing concept paper or draft of policy in regard to women’s issues and gender equality. Her main interest is in having reflection and to document the lessons-learned of policy advocacy struggle, to build knowledge on women’s issues, community movement, and policy advocacy. The second is an activist in a legal aid organization for women (Ratna Batara Munti). For almost twenty years she has been continuously making herself available for the role of mobilizing and coordinating the power of women’s movement in the struggle to advocate pro-women policy in legislation. As the coordinator of JKP3, she has also been coordinating the monitoring and evaluation of policies relevant to women’s issues. The third researcher is a psychologist working in an NGO focusing its work on trauma handling and psychosocial empowerment of women (Jackie Viemilawati). Her main job is in coordinating program development and its implementation in the community, including socialization and public advocacy concerning the active participation of men on the intervention of gender-based violence and in the struggle toward gender justice.

As a reflection research, the main research question is: what lessons can be learned from the advocacy works of women’s network, which is JKP3, in the Reformation Era of Indonesia, to strengthen pro-women advocacy works of women’s group? This research aims to gain comprehension and knowledge on (a) the guiding principles and perspectives in organizing and working together; (b) obstacles and challenges (external); (c) internal working dynamics within the network; and (d) lessons-learned about approaches and strategies to take.

WOMEN’S GROUPS ACTIVISM IN THE POST-NEW ORDER ERA AND POLICY ADVOCACY

The periods after the New Order are ‘one of the most raucous periods of identity politics in Indonesian history’ (Budianta, 2002). Altogether with the growth in the number of media and political parties, the number of NGOs in Indonesia, including women’s NGO, increased significantly in the reformation era. Suryakusuma (2007) argues that Indonesian women are ‘pioneers of democratization’. They are brave in struggling to ensure democratization, taking the advantage of the
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democratic spaces that opened up post New Order.

A diverse range of non-profit organizations have become involved in grassroots activism, and there was a high level of involvement of women in NGOs in Indonesia. This has included organizations with a particular focus on the rights of women. With the insistence of women’s groups, in 1998 the state also set up a National Commission, namely Komnas Perempuan (Komisi Nasional Anti Kekerasan Terhadap Perempuan, or the National Commission on Violence against Women). Komnas Perempuan is an independent National Commission aiming to eliminate all forms of violence against women in Indonesia.

Blackburn (2008) is of the opinion that (a) Islamic women have been politically active in Indonesia, (b) Indonesian women have been affected by political Islam, and (c) in turn, Indonesian women have also influenced political Islam. All of them were already observed before the Independence of the country until currently. After the New Order, it is also an important feature that there is Islamic revival in general, including those that particularly coincided with the growing involvement of women in civil society. Robinson (2006) explains the Islamic Influences on Indonesian Feminism. Muslim women’s organizations are playing an important role in the democratization processes. Since religion is considered an essential component of social life, discussion about women’s issues has its religious dimensions, and women’s groups need to be open in the discourse to be able to reach a wide audience. Through their involvement in these debates, women activists, whether or not they identify themselves as affiliated to Islamic groups, are the active participants in the renegotiation of the Indonesian nation-state (Rinaldo, 2008).

For women’s groups, the social justice paradigm is often insufficient, because what needs to be addressed is the unequal power relation problem due to gender construction. Policies can be understood within the framework of the analysis of the legal system which includes the content of law, namely the rule of law or policy material, the structure of law which includes legal institutions and the attitude of law enforcement officers, as well as the culture of law, which refers to the natural mind and life of the people who make up the law (Munti, 2008). Policies can be discriminatory against women both directly (from their own purposes) and indirectly, whereas the provisions are neutral but discriminatory in its application and effects.

The entry or involvement of religious interpretation and politization is increasingly making the works of women’s group more difficult, including the works of advocacy for pro-women policy. As an example, Utomo and McDonald (2009) explain the changing social and political context of adolescent sexual and reproductive health policy in Indonesia due to the emergence of religious fundamentalist groups. They describe how, in 2001, Indonesia had the opportunity of implementing reproductive health policy that was consistent with international agreements. Yet, with the risk of instability and competing political-religious influences, the Indonesian
government retreated to the safety by unchanging the policy.

Evans (2005) explains four main components of legislative advocacy: (a) carrying out research and packaging issues; (b) building a broader network and coalition to support mobilization; (c) disseminating information and public education; and (d) lobbying and monitoring legislation.

She then shares two examples of advocacy strategy; one is of the Rape Crisis Centre of Cape Town which initially provided counseling for individual women. In the attempts to solve its problems in providing services to women survivors of sexual violence, the NGO build different advocacy strategies. Working with other organizations, the organization has been instrumental in policy advocacy.

The second case study is about the Amina Lawal letter-writing campaign in 2002. This Nigerian woman was sentenced to death for adultery. Evans (2005) found out inaccurate information circulated. And after discussions with those more knowledgeable on the local context, she was afraid that the campaign’s letter writing strategy might have aggravated the situation and put women in danger from vigilantes. Through this case study, Evans (2005) reminds women’s groups to be very careful in doing advocacy, by ensuring accurate information, working together with the right organizations, and discussing the right strategy.

This research applies feminist perspectives in reflecting and analyzing the works of women’s group in policy advocacy. As a reflection research, the research methods employed are review and analysis of field notes—one compiled as a book (Munti, 2008), observation of daily activities in advocacy, participative observation (in discussion, socialization, workshops, campaigns, lobbies, and other activities conducted by the group), and document analysis. Altogether, the data will be analyzed and reflected to build comprehension and knowledge on (a) guiding principles and perspectives; (b) obstacles and challenges (external); (c) internal working dynamics within the network; (d) lessons-learned about approaches and strategies; ending in (e) conclusion and recommendations for further advocacy work and research on pro-women policy advocacy.

Between 1998 and 2017, the legislations related to women’s issues under advocacy are:

1. The Law No 23, Year 2004, on the Eradication of Violence in the Household/ Domestic Violence
2. The revision of the Law no 62, Year 1958, on Citizenship, which becomes the Law No 12, Year 2006, on Citizenship
3. Law No 21, Year 2007, on the Eradication of the Crime of Trafficking in Persons
4. Law No 44, Year 2008, on Pornography
5. The revision of Law No 23, Year 1992, on Health, which becomes the Law No 36, Year 2009, on Health
6. The revision of the Law No 1, Year 1974, on Marriage
7. The draft revision of Criminal Code
8. The draft of Law on Gender Equality and Gender Equity,
9. The draft of Law on the Eradication of Sexual Violence
10. Draft of Law on the Protection of Domestic Workers

Due to page limitation, this paper is unable to explain the struggle for advocating all the above laws or drafts of laws. The researchers chose the case studies of the struggles to advocate three legislations, namely the Law on the Eradication of Violence in the Household/Domestic Violence, the Law on Pornography, and the Draft Law on Gender Equality and Gender Equity.

First, the Law on Eradication of Domestic Violence was chosen, since it is the first law to be successfully fought in the reformation era. In some of its limitations, this Law is one of the most widely referred to in providing protection for women. While fighting for this Law, JKP3 was born and has since continued to struggle to advocate other policies. The process of fighting for this law and the challenges from outside and from within the women's groups provide immense learning for future works.

Secondly, the Law on Pornography provides a great deal of learning related to the sharpness of the substance, commitment, and strategies that women's groups must possess. Initially, the substance of the draft was highly biased and even misogynistic. The draft of law was supported by MUI, Majelis Ulama Indonesia or Indonesian Ulema Council, and many people viewed the issue very morally, criminalizing women and showing no respect for diversity. Therefore, women's groups, artists, and human rights workers strongly opposed the draft. Eventually, Indonesia managed to pass a law whose substance is far more fulfilling the interests of women, and this should not be separated from the important role of JKP3.

There are some stories of failure (temporarily), with some drafts not being successfully passed into laws. The third case is the story of the failure of women’s groups to fight for legislation that they consider important, the journey to fight for the Gender Equality and Gender Equity Law. The draft of Law on Gender Equality and Gender Equity was one of the priorities for the House of Representatives (or Dewan Perwakilan Rakyat, hereinafter refered as DPR) for national legislation program. However, with very limited time and numerous drafts to be discussed, DPR failed to finish the discussion of the draft, with the draft being uncertain as to be prioritized for the next period. There is a great deal of learning for women's groups to reflect on the fighting for the Act, in both overcoming external challenges and solving internal problems in the movement.

**EXPERIENCE OF WOMEN’S GROUPS IN FIGHTING FOR PRO-WOMEN LEGISLATION**

**FIGHTING FOR THE LAW ON THE ERADICATION OF DOMESTIC VIOLENCE**

Many agencies work with the victims of domestic violence and care about the efforts to eliminate domestic violence. In the 90s, some institutions to name were Kalyanamitra, Rifka Annisa (Yogyakarta), Mitra Perempuan, WCC Rumah Ibu, Speak, SIKAP, as well as Savy Amira in Surabaya and
LBHP2i in Ujung Pandang. In 1995, seven female lawyers established Asosiasi Perempuan Indonesia untuk Keadilan (APIK) or the Indonesian Women's Association for Justice, and this association then formed LBH APIK (LBH stands for Lembaga Bantuan Hukum, or Legal Aid Institution) in various regions. The crucial movement to fight for the Law for the Eradication of Domestic Violence was pioneered in 1997, with LBH APIK Jakarta preparing the initial draft.

According to the Criminal Code, acts of mistreatment of a wife or family member are criminal acts that may be subject to criminal sanctions. However, in practice, victims or survivors find it difficult to bring their cases to justice because of various biases in society and due to the limitations of arrangement in the Criminal Code itself. The Criminal Code is 'gender blind' and 'gender biased', and violence is only known as 'torture' or 'persecution' with the meaning of severe maltreatment. The Criminal Code also does not recognize the concept of sexual violence against women in marital relationships.

The movement started by holding workshops inviting various stakeholders, followed by conducting studies and packaging materials. The study also concerns in the various rules of laws that have been implemented in several other countries. After doing sufficient studies, legal drafting was done, and at that time, Rifka Annisa had proposed the term 'violence against the wife'. However, later the group agreed on using ‘domestic violence’ to make it more strategic. At the time, there was no single formal network to work on pro-women policy advocacy.

In a workshop in 1998, the women’s groups agreed to set up two working teams namely the drafting team and the socialization/campaign team. LBH APIK was the coordinator. One of the key initiatives was to organize ‘Bulan Pengaduan’ (or a ‘Complaint Month’) in 1998 that covered 17 provinces with many NGOs active in these areas.

After tireless long struggle of the women’s groups, in May 2003 the draft of Law was declared as DPR (Dewan Perwakilan Rakyat) or the House of Representatives’ initiative, while the presidential decree was issued on June 30, 2004. When the discussion was held in DPR, the women's group tirelessly followed every session, both during the committee hearing of Commission VII and in the closed meetings. In fact, the issue of domestic violence or gender-based violence was a very difficult issue, with some members of the Parliament questioning or disagreeing with clauses from the DPR's own proposal.

There were several important breakthroughs in the draft, that is the forms of violence includes psychological violence and economic violence. Getting supports as well as rejection was the issue of 'marital rape', but women's groups were struggling non-stop to ensure that this passage could be included in the Act. A breakthrough in the proof that the victim's testimony is the most important one can also be included. After lobbying, the draft was finally passed into Law No. 23, 2004 on the Eradication of Violence in the Household. The important thing is that although domestic violence
occurs in the private sphere, it becomes a public issue, so the idea of 'the personal is political' has been introduced by women groups through this Law.

**THE ESTABLISHMENT OF THE JKP3**

The network of women's groups who has been fighting for the Law on the Eradication of Violence in the Household is the Jangka PKTP (Network for Policy Advocacy Work on the Elimination of Violence Against Women). After the fight for the Law, the network name used is the *Jaringan Kerja Prolegnas Pro Perempuan* (JKP3) or the Network for Pro-Women National Legislation Program. The name was chosen since its tasks are to advocate for national legislative advocacy during the 2005-2009 Parliamentary Work and in later times.

The activities began on March 18, 2005, on a meeting of NGOs and mass-organizations, initiated by LBH APIK Jakarta. The objective was to share information on the agenda of the House of Representatives, identify issues in the advocacy and guarded draft laws, and formulate a joint monitoring strategy. It was agreed that JKP3 was to be coordinated by LBH APIK Jakarta, directly handled by the Director of LBH APIK Jakarta, Ratna Batara Munti, who was also responsible for the substance of the bill and the formulation of advocacy proposals.

The Network also established leading sectors for each draft of Law, namely *Yayasan Kesehatan Perempuan* (the Women's Health Foundation) as a leading sector for the draft of Law on Health, *Koalisi Perempuan Indonesia* (the Indonesian Women's Coalition) for the draft of Law on Trafficking, while Amendment of Marriage Law and *Kompilasi Hukum Islam* (Compilation of Islamic Law) were handled by LBH APIK and ICRP. LBH APIK also handles the draft of Criminal Law and Anti-Pornography. Meanwhile, the Draft of Law on Citizenship was handled by *Aliansi Pelangi Antar Bangsa* (APAB), and the draft of Law on Witness and Victim Protection was led by Komnas Perempuan. On its establishment, the core network members reached 45 institutions from different regions in Indonesia.

**STRONG DEBATES ON THE DRAFT OF LAW ON PORNOGRAPHY**

Rejection to pornography had been brought around with the Fatwa of *Majelis Ulama Indonesia* (or MUI, the Indonesian Council of Ulama) in 2001 No. 287 which forbids Pornography and Pornoaction. The difference between pornography and pornoaction was not clear. However, it included the prohibition of certain ways on how women dress, for example wearing transparent or tight clothes, as well as the ban of unmarried man and woman to be together without any supervision. At the beginning of the proposed act in 2004 as the DPR initiative act, the draft of Law was also named the Anti-Pornography and Pornoaction Act. Many groups supported the proposed draft as a moral movement and insisted that the draft be passed soon.

On the other hand, women's groups were worried about the presence of this draft of law. LBH APIK Jakarta as the leading sector conducted a critical review of the draft by comparing it with several laws related to pornography from
several other countries. The study found that the porno-action term was not commonly used, and rules in many countries also do not see women (e.g. dress mode) as the source of the problem. It can be concluded that the proposed draft contained a moralistic content and criminalized women and children a lot. Instead of being protected, women and children would be the most vulnerable group to blame by the draft of law.

LBH APIK Jakarta then organized a workshop to disseminate the results of the study and to invite inputs to enrich the draft. Pornography cannot be merely seen from the matters of morality, yet it must be seen in the context of vulnerability and violence against women. Therefore, the definition must be clear to be able to distinguish pornography from eroticism, and to avoid criminalization of women and children who are actually victims. If women’s and children’s perspectives are not there, it is better for the draft to be abolished.

Actually, the regulations about pornography can already be found in several other laws, including the Criminal Code (e.g. articles 282, 283, 532, 533), the Law No. 44 of 1999 on the subject matter of Press, as well as in the Government Regulation No. 7 of 1999 on Film Censorship Institutions. Indeed, from the above-mentioned rules, none explicitly regulates the issue of pornography. Nevertheless, women’s groups were worried, because a new draft of law should have been more advanced and covered the shortcomings of other existing rules. In reality, the draft of Law on Pornography and Pornoaction contains many unclear propositions, narrows down the root of the problem, is moralistic, and will potentially spread hatred or misogynistic attitudes towards women. The draft failed to see the issue of pornography as an issue of gender-based violence.

The provisions in the draft are very repressive and interfere with private life. It disciplines the expression of individual human beings based on the formulation of certain groups who are acting on behalf of state law. The draft does not protect individuals from more powerful media industries, conversely criminalizing individuals. The draft prohibits showing certain sensual body parts (thighs, hips, buttocks, part of female breasts). The limit is not clear. If so, women using tight kebaya or kemben that show the curve of the breast will be categorized as pornography. There is an exception which allows art performances to be categorized as ‘pornoaction’ in a special place of art performances, which is discriminatory and means the expression of art can only be held in an exclusive place and enjoyed by only certain groups.

REJECTION OF THE WIDER COMMUNITY AND THE RATIFICATION OF THE LAW

In early 2006, the Pansus chairperson said he would continue to pass the Pornography Act that year, supported by the Chairperson of MUI and various groups. This statement triggered the reaction of various parties, who declared rejection. The Pansus chairperson increasingly heated the situation by stating that there was foreign intervention behind the rejection of the draft.
In the midst of the pros and cons, JKP3 held an action and a press conference demanded the Pansus to postpone the ratification of the draft, and affirm the position of women in pornography issues. Women's groups claimed that rejecting the draft did not necessarily mean a support for pornography. They openly rejected pornography and proposed a regulation that only focus on pornography, without porn- action. JKP3 called on DPR and the government to reformulate without haste, because basically the situation was not a legal blank. There are still other rules that can be used temporarily to prevent the spread of pornography.

An unsympathetic statement emerged from the head of the MUI stating that the customary clothing that showed the aurat should have been kept in the museum and into the porn category. His statement immediately sparked outrage from various circles including in Bali, Papua and NTT who considered the draft of law to create a disintegration of the nation. The Balinese had even threatened to leave the Unitary State of the Republic of Indonesia if the draft had been passed.

In Jakarta, a national network was formed, namely ‘Aliansi Nasional Bhineka Tunggal Ika’ (the ‘National Alliance of Bhineka Tunggal Ika’), The network held various activities to campaign the termination of discussion of the draft of law. One of the actions was to showcase the cultural attractions of various cultures in Indonesia. There was also ‘Aliansi Mawar Putih’ (White Rose Alliance) which is coordinated by Yayasan Jurnal Perempuan. They collected thousands of signatures to reject the draft.

The rejection also came from artists, humanists, human rights activists, and religious leaders. The Bali governor and the Bali parliament also issued a decree rejecting the draft of law. The International Women's Day on March 8, 2006 was used by the women's movement to act simultaneously, reminding the various issues that had not received government attention, at the same time rejecting the draft of pornography and pornoaction law and other discriminatory policies such as the enactment of Regional Regulations and Islamic Sharia in Aceh. The action was held in various places in Indonesia.

Thanks to strong community resistance, DPR promised to draft an entirely new draft, which would become the draft. In August 2007, despite the objection from five fractions to the draft compiled by the Pansus, the chairperson of Pansus sent the draft of the Law to the leadership of DPR without consultation to the wider audience of the DPR. On September 20, 2007, the president issued Supres (Letter of President) appointing the Minister of Religious Affairs, Minister of Communication and Information Technology, Minister of Law and Human Rights and later, Minister of Women Empowerment to represent the government in discussing the Bill.

Women's groups differed in their response to the draft. Some continued to resist, while JKP3 took a stand to ensure that JKP3 get actively involved to ensure that the final formulation to pass into law is a formula that protects women and children. Therefore, JKP3 held a series of consignment meetings and workshops to refine the proposal of
JKP3 version. This is to ensure that the DPR’s decision to discuss the draft would be filled with substances that matched the expectations of women’s groups. After long discussion and long, tireless process, the draft of Law was eventually passed into the Law No 44, Year 2008 on Pornography.

URGENCY OF THE LAW ON GENDER EQUALITY AND GENDER EQUITY IN INDONESIA

Since 1984 Indonesia has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) through Law no. 7 of 1984, but a specific regulation on Gender Equality is still needed as a national rule that is more binding and imperative. This is because despite the CEDAW Convention, there are still many issues of discrimination and violence against women. Maternal mortality rate is still very high and protection for women in the workplace (informal and formal, domestic and abroad) is still minimal. Meanwhile, women’s political participations are still low. In the society women are still dealing with behavior, speech, customs, culture and religious interpretation that are discriminative. At the policy level, there are quite a number of local government regulations with narrow understanding about the roots of social problems, which have the potential to criminalize women and other vulnerable groups.

The draft of Law on Gender Equality was initiated by the Ministry of Women’s Empowerment and Child Protection around 2011. Since then JKP3 has been actively involved in giving inputs in discussions and workshops, and even being part of the drafting team with the ministry. Meanwhile, it was not only the ministry that proposed its draft. Several groups separately wrote their versions of what similar to the bill. The draft version of the CWGI has been submitted by CWGI formally to the DPR.

The position of JKP3 is to encourage draft to be accepted as the initiative draft of DPR, therefore JKP3 asked the ministry to give its draft to the DPR. In 2012, the draft succeeded to be included as one of the agenda of the National Legislation Program in DPR, and began to be discussed in the Panja of Commission 8. Advocacy efforts have been made by JKP3 and which is quite special is to consolidate the women’s movement to work together to guard the draft of DPR, while initially different groups run their own draft.

After the issuance of the draft of the KKG Bill at the Panja Commission 8 in December 2013, JKP3 expressed objection to some clauses of the DPR draft:

- The entry of religious principles creates legal uncertainty amid the context of plurality of religious interpretations. Many of the religious interpretations actually perpetuate gender inequalities and are contrary to the objectives of the draft of Law.
- The formulation ‘... is carried out while maintaining and respecting local cultural customs’ will hamper the implementation of the Law, and is inconsistent with the purpose and intent of the Act. This is also contrary to the recognition of violence against women in different religious
interpretation, culture, customs and State policies.

JKP3 also conveys proposal about the institutionalization and monitoring of the implementation of the act, and sanctions arrangements. There is no specific criminal law proposed, but clauses referring to applicable laws and regulations. If there is gender-based discrimination or violence whose punishment the regulation does not have, the proposed Law becomes the basis for the establishment and formulation of new legislation for enforcement of this Act.

Although there are a number of gender equality fields that already exist in other legislation (e.g., the Citizenship Act, Human Rights Law), the content of each field remains to be included because in fact there is still imbalance and discrimination on those issues. Therefore, the proposed law has the specificity to regulate the existing fields of the issue of gender relations.

In addition, it is necessary to clearly include the use of gender equality indicators that are Access, Participation, Control and Benefits. The important thing is that the CEDAW Convention with its main principles is the reference and integrates all the arrangements in the KKG Bill to be in line with the principles within CEDAW (Law No. 7 of 1984).

The principle is non-discrimination, including no direct discrimination (the objective is discriminatory) neither indirect discrimination (discriminatory impact/influence). The principle of the State’s obligation is to make regulations and take temporary special measures aimed at accelerating the de facto equality between men and women. Also, the principle of substantive equality, where real differences between men and women both biological and social (gender imbalances) are recognized. It enables protection of women’s health and reproductive rights and sexuality, as well as affirmations. Affirmations do not constitute discrimination against others, but are an integral part of equality and justice.

Until the time expired in the DPR, the discussions did not go smoothly due to strong rejection in the society, especially from the Islamic community. Some of the rejection discourses that arise included that the draft provided opportunities for same-sex marriage, the concept of gender was not known and not rooted in the culture of Indonesia, derived from liberalism, and was contrary to nature and against religion. Therefore, although it had become the priority of the National Legislation Program in the DPR, in the end the law could not be legalized, and there was no guarantee that it could be discussed and immediately passed in the next period.

LESSONS-LEARNED

There are obstacles and challenges from external as well as the internal working dynamics within women’s groups. JKP3 had to face challenges from external parties such as different streams of religious groups, the political features of the parliamentarians as well as the characteristics of the bureaucracy of the executive functions of the state.
Meanwhile from within the women’s groups themselves, despite their feministic paradigms, each had its own issues and struggles as institution, with its leaderships and human resources, leaving the groups vulnerable of conflicts, competitions, and misunderstandings. Therefore, it is important to document how JKP3 as umbrella of different NGOs is able to work together solidly in struggling to advocate pro-women policy.

Related to research and packaging of issues, there are some key questions to help sharpen the analysis of women’s issues and the proposal that will be formulated. What are the experiences and needs of women related to the case and the intended policy? Is there any data to support? Is there any applicable legal policy or regulation, and does the policy reflect women’s experience and take into account of its complexity? Are there mechanisms and procedures provided by the policy to access justice? Do existing policies have preconceived or sexist assumptions about women? What are the cultural values and how do they affect the content of the law and its implementation to women? If there is no specific rule yet, and we agree to fight for a new rule, we need to ask what legal breakthroughs will be offered?

Socialization is important because policymakers cannot ignore the opinions of the public, and they usually pay great attention to the discourses that develop in the society. This is so since for their political interests, officials need public support and positive media coverage of them. Politically activated constituencies and critical mass media play an important role as pressure groups in the work of legislative advocacy.

**STRATEGIES TO AFFECT PARLIAMENT AND THE GOVERNMENT**

Policy advocacy should be understood as a complex process because it is usually not transparent, and only understandable and accessible to a small proportion of community members. It is therefore essential to understand the technical procedures of policy formation and its political dynamics.

If the draft is proposed by the Parliament, the government needs to make a draft in the form of a list of issues (*Daftar Isian Masalah*, or DIM) as a response to the House initiative draft. Conversely, if the draft comes from the government, the House of Representatives makes the match. A draft will not be discussed in DPR if the government has not issued an agreement, often called Presidential Letter or Presidential Decree (*Surat Presiden* or *Supres*) in the form of a letter addressed to DPR in response to DPR’s letter. The presidential decree usually contains the submission of the list of issues from the government along with the appointment of the ministry or ministries that will be the government representative in the discussion of the related Bill (Munti, 2008).

With the mechanism, prior to the release of *Supres*, at the government level there will be a drafting process of the ‘Match Draft’ coordinated by the State Secretariat, involving the relevant ministries who have been assigned by the president. The process of making the list of issues or DIMs at the government level is a strategic area for women’s groups to
convey or push proposals to accommodate.

In Indonesia, the legislative procedure has been regulated in the Law No. 10 of 2004, on the Formulation of Legislation. The law contains the principle of public participation that allows the public to be involved in the legislation process. However, in each institution there is usually a more technical mechanism. For example, there is a Code of Conduct (Tatib) of discussion in DPR which often regulates the principle of closed trials, which is contrary to the principle of openness and public participation (Munti, 2008).

**MONITORING AND PERSISTENT-YET-STRATEGIC LOBBYING**

Monitoring the process in the parliament is very important, because it allows us to follow the status of the discussion, as well as to know where and when the follow-up discussions will be held again. The discussions can be in the pansus (cross-commission), commission, or in the legislation body.

Lobbying, as the process of influencing policy makers, is as important as monitoring. It aims to ensure the accommodation of proposals or draft policies of the women’s group. It was conducted by ‘chasing’ and ‘talking’ (in the broadest sense) to lawmakers, public officials and decision makers, by running into and out of courtrooms and parliamentary spaces.

The works of JKP3 have its lessons that women’s groups need to prepare various ammunitions: knowledge of people to be lobbied, updated lobby materials, discussion schedules and list of committee members, fractions, room, address, as well as telephone numbers to facilitate contacts and meetings. We need to track the fraction’s view of the issue, as well as the views of the individual representatives of the fractions. The advocacy material needs to be constantly available and updated in accordance with the dynamics of the discussion and political ideology of the existing factions.

Lobbying and monitoring need to be intensified when the draft has been discussed in the DPR with the government. The trial usually runs closed with a busy schedule. There are times when hearings are diverted to other places (hotels) that make it more difficult for people to monitor and lobby. Those responsible for lobbying must be patient, persistent, and tactical – by being standby and mobilizing various ways to lobby, for example during breaks or meals, or by asking for special times to meet the officials.

During the lobbying, it is important to refer to the agreed advocacy targets. From the beginning, the network/coalition must determine the minimum target or priority of the proposal to be used as a standard of advocacy achievement that will continue to be fought to the very end. With the very active groups of women while monitoring and lobbying for the Law on the Eradication of Domestic Violence, they were later dubbed the ‘Balcony fraction’.

In the midst of the process, media and public pressure are urgently needed, particularly where there is resistance from members of the DPR or the government over clauses deemed important by women’s groups. For example, during the
discussion of the draft of law on the Eradication of Domestic Violence, there were several members of the parliament themselves who declared the rejection of the marital rape clause. The Jangka PKTP immediately held a press conference in the DPR, presenting the committee head to hear the facts submitted by the victims of marital rape. This strategy produced a positive impact because it was published in the media and ultimately influenced the decision to accept the clause of 'sexual violence in marital relations' as one form of domestic violence.

MAINTAINING NETWORK DYNAMICS

Reflection from the field shows that the more bureaucratic a network becomes, the more difficult it is to accommodate the dynamics within and outside the network to strategically win a fight. A more fluid network coordinated by one or more coordinators assisted by the secretariat enables more flexibility. The decision-making mechanism within the network is pursued through regular coordination meetings and over the internet. Regular meetings, direct telephone conversations and face-to-face meetings are still considered more important to avoid misperception or misunderstanding.

Network dynamics need to be maintained. There are times when network work is fast and intense, there are times when it is slow. It is influenced by many things. For example, the political situation, the tidal support of human resources and funds, the existence of members who were previously very active and became a motorcycle, then have to go for various reasons, or there are NGOs which due to the internal conditions do not operate again and others. Since network activity is somehow highly influenced and dependent on the members' active roles, it should be anticipated.

For funding, contributions and fundraising are needed, as well as mutual funding support systems, for example, activity A is programmed by NGO X and funded by the NGO, while activity B becomes program and funded by NGO Y and so on. Thus, on the one hand, strong leadership is needed, on the other hand decentralization and ensuring that the issues is perceived as the issues and the concerns of all members of the network, where activities and the fulfillment of funding needs not only become the burden of the secretariat. The role of networks is to maximize the synergy between institutions and individuals within the network in order to achieve common goals or agendas.

The role of a coordinator is crucial; therefore, the coordinator must be an institution(s) and individual(s) who are able and willing to work actively. On the other hand, the process is pursued to be very open, participatory and democratic, with a mutually agreed decision-making mechanism within the network.

The network needs to keep the issue hot to motivate members to keep the spirit of work. Strategies include using certain moments to rally public support (e.g. Kartini Day, Women’s Day, Anti-Violence Against Women Days etc.). It is also important to relate the advocacy agenda to the last developing situation or discourse in society. For example, when campaigning for the
Domestic Violence Bill, the network takes the opportunity when there are many cases of domestic violence among celebrities at the same time.

TOP OF FORM

Networks need to keep effective communication maintained, especially among core groups. Although the internet and media technologies have been very advanced and can help a lot, communication needs to be fixed face to face, verbal communication, and personal approach. This is because an approach that relies on text or writing alone may not necessarily move people. Also, indirect communication may present misunderstandings.

The lesson to be learned from the advocacy journey of the draft Law on Gender Equality and Equity is that the success of policy advocacy is highly dependent on the ability and involvement of each part to work together solidly. With different drafts from different groups, the challenge from the beginning is the already circulated draft version in the wide public, whose content was considered too radical and triggered negative responses from the community. Strong resistance aroused from outside and within the parliament. Meanwhile, we need to acknowledge that the internal conditions within the women's groups themselves were not yet ready to solidly uphold advocacy of the bill.

There was a lack of consolidation of movement from the beginning, as each was preoccupied in drafting its own draft and lacking synergy in joint planning and advocacy strategies. It is more effective if women's groups can focus on critiquing a draft that already exists in the DPR or Government. This is because the government and the DPR will definitely hold on to their own draft and more readily accept the inputs referring to the draft. It will also save energy and much needed time to carry out other advocacy steps that are no less important than the formulation of the substance.

TACKLING SENSITIVE RELIGIOUS ISSUES

In fact, women's issues and gender constructions, in any matter, such as health, women's leadership, labor and work outside domestic sphere, marriage, marital rape, abortion, child marriage, and many others, are all sensitive. Everything can be easily attributed to religious texts, religious teachings and interpretations. Parties who do not want women's empowerment will use religious texts and teachings to refuse. In contrast, women's groups, such as those incorporated in JKP3, also use empowering interpretations of religion to fight for their issues.

Domestic violence or gender-based violence is an example. During the advocacy of the draft of Law on the Eradication of Domestic Violence, there was a member of the Pansus (Specific Committee) who stated: "Why follow Western culture. We already have our own laws protecting women. There is customary law and there is Islamic law. If I beat my wife then she reports to someone else, then I will kill that person. It's an internal affair in my family, why do people take care of my household" (as cited in Munti, 2008).

Various campaigns, discussions, and lobbying are filled with discussions on sensitive issues that are associated with religious clauses.
It can be argued that all policies that women’s groups strive for contain components of religious interpretation in them. It is deeply appreciated that in the women’s movement, there are women’s groups that are not specifically affiliated with religion that have workers with religious education background. Meanwhile, there are also religiously affiliated women’s NGOs which have strong pro-women perspectives. Various non-religious and religious NGOs work together well in the network.

CONCLUSION

Learning from JKP3’s work, women’s groups face challenges related to the working dynamics within the network. Working on the same issue, there are institutional competitions and differences in perspectives as well as in working styles and strategies. Meanwhile in responding to external challenges, the network needs to show a great deal of concern and commitment to women’s empowerment and enforcement of women’s rights. This is not necessarily to explicitly call ourselves feminist which might have a counterproductive effect. Because policy advocacy is a negotiation among groups with different interests, women’s groups also need to be open to compromises that do not harm the position of women. Somehow, the feminist theological perspectives and strategies of groups of women who are strong in religious interpretations are of significant help in both drafting the substance of the legislation and deciding the appropriate approach to take to get acceptance from wide audience.

Further researches can take other policy cases, as well as those under the collaboration with civil society groups other than women’s groups. It is also important to record and take lessons learned from policy advocacy at the local or regional level. The very thing that needs to be strengthened, and therefore should be studied more, is the problem of working dynamics among the women’s groups themselves. It is fortunate if women’s groups can have leaders or central figures who are very committed to ensure the fluency of the works. However, for the sake of sustainability and strengthening forwards, women’s groups need to be able to better share their roles and leadership.

REFERENCES


ABOUT
SALASIKA etymologically derived from Javanese language meaning ‘brave woman’. SALASIKA JOURNAL (SJ) is founded in July 2019 as an international open access, scholarly, peer-reviewed, interdisciplinary journal publishing theoretically innovative and methodologically diverse research in the fields of gender studies, sexualities and feminism. Our conception of both theory and method is broad and encompassing, and we welcome contributions from scholars around the world.

SJ is inspired by the need to put into visibility the Indonesian and South East Asian women to ensure a dissemination of knowledge to a wider general audience.

SJ selects at least several outstanding articles by scholars in the early stages of a career in academic research for each issue, thereby providing support for new voices and emerging scholarship.

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