

Dynamics of Gender Law Towards Legal Protection for Women in Indonesia

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ABSTRACT

Efforts towards women's liberation began in the 19th century when the demand for rights and education increased in Indonesia. This study explores the dynamics of gender law that affect legal protection for women in Indonesia, especially in Cirebon City. Using a qualitative approach, data is analyzed from a variety of sources, including laws, policies, and legal practices. The results highlight challenges such as gender-based violence, discrimination, and limited access to health and education services. The proposed policy implications include harmonization of legislation, strengthening the role of the government and civil society, increasing gender awareness, and better legal protection for women. The conclusion indicate that women in Indonesia, particularly in Cirebon City, continue to encounter significant challenges, including violence, discrimination, and restricted access to health and education services. Although strides have been made in empowering women, there remains a need for more robust efforts to enhance legal protections, raise awareness of women's rights, and combat gender bias. Key actions include harmonizing legislation, strengthening the roles of the government and civil society, increasing gender sensitivity, and providing stronger legal safeguards for women.

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Introduction

Violence against women is a widespread phenomenon and both India and Indonesia are no exception (Santoso, 2019). Violence against women is discriminatory, inhibiting women's capacity to enjoy their legal rights, fundamental freedoms, and violating many of their human rights (Paraniti & Wiryawan, 2020). Among the wide variety of violence directed at women, some are widely discussed, while others do not receive enough attention (such as female genital mutilation, low political participation of women, sex tourism, etc.). If we look at women in Indonesia, they are not considered weak but have extraordinary strength.

Efforts towards women's liberation began in the 19th century when the demand for rights and education increased in Indonesia. Since 1955, progress has been seen in terms of women's empowerment in education, gender equality, and other segments. Women in Indonesia carry out economic activities, run businesses, and also play an important role both inside and outside the family. Some traditional matriarchal and matrilineal societies pass on property inheritances and surnames from mothers to their daughters. However, problems such as early childhood marriage, domestic violence or also known as domestic violence, human trafficking, and sexual harassment continue to arise. One in three women in Indonesia has experienced violence in their lives based on a survey conducted by KPPA together with the Central Statistics Agency (BPS). In addition, genital mutilation and practices that are considered abuse through "virginity tests" are still practiced. (Munajah et al., 2022)

According to the latest research from Value Champion, Indonesia is the country with the lowest level of security for women in the Asia Pacific region because it ranks second. The study highlighted limited access to health services, minimal legal protections for women's safety, and gender inequality as the main factors behind the low ranking. (Elindawati, 2021)

According to Arsyad (2022), Legal protection against online gender-based violence (KBGO) in Indonesia is regulated by several laws, including Law No. 11 of 2008 which was updated with Law No. 19 of 2016 concerning Information and Electronic Transactions, Law No. 44 of 2008 concerning Pornography, and Law No. 12 of 2022 concerning the Crime of Sexual Violence. Law No. 12 of 2022 specifically deals with KBGO and provides more detailed legal protection for victims and their families. Harmonization between laws is urgently needed to overcome differences in substance that may conflict, thus providing legal certainty for victims, law enforcement, and society as a whole. (Arawinda, 2021)

Meanwhile, according to Saguni (2020), in her research said that the shift in the role of women in society is happening, where they are now active in various fields that were previously dominated by men. International conferences such as the Fourth World Women's Conference in Beijing (1995) and the Durban Conference (2001) affirmed their rejection of derogatory views on women. Women not only play a role in work outside the home, but also take on traditional responsibilities such as protection and family support. Women's economic contribution is increasingly important in supporting overall family income. (Tuwu, 2018)

Research (Anto et al., 2023) and other reports also show a strong patriarchal attitude in Indonesia. This makes women feel worried about their well-being. Despite having a diversity of cultures, languages, ethnicities, customs, and religions, women in Indonesia often face marginalization. They tend to be directed to be passive and placed in a lower role due to a strong patriarchal culture. However, there has been a significant shift in the perception and role of women in society. Women are now active in various fields that were previously dominated by men, even taking on traditional responsibilities such as protection and family support (Destianti & Afrizal, 2024). Women's economic contribution is becoming increasingly important in supporting overall family income (North, 2021), not only helps meet daily needs but also significantly improves family welfare. In a broader context, increasing the role of women and men in gender-sensitive development is essential to achieving gender equality and justice. It covers various aspects of life, such as education, health, and participation in decision-making. In terms of encouraging both genders to participate actively and equally in development, we can

create a more equitable and wise society, because everyone has the same opportunity and right to contribute and develop.

Women in Indonesia also often experience limitations in their rights, often even getting married before reaching adequate maturity. Although Indonesia has enacted various laws to advance women's rights, challenges related to safety, access to health, and opportunities remain issues that must be faced. This leads to low rankings in terms of gender justice.

Looking at the background of controversial issues related to women in Indonesia, it is necessary to study the impact of granting constitutional, legal, and human rights rights to women in Indonesia. Further research is needed to identify steps that can be taken to improve the condition of women in Indonesia.

In Cirebon City, women also face unique challenges related to gender security and equality. Despite progress in women's empowerment and gender equality at the national level, several issues remain a concern at the local level. For example, domestic violence, an increase in cases of sexual harassment, and limited access to reproductive health services are of particular concern in Cirebon City. Efforts to address these issues involve collaboration between local governments, non-governmental organizations, and civil society to strengthen women's protection, raise awareness of their rights, and provide better access to health and education services. (Putri & Amiruddin, 2020)

This study aims to explore the dynamics of gender law that leads to legal protection for women in Indonesia. The focus is on identifying recent changes in policies, legislation, and legal practices that affect the protection of women from violence and discrimination. The purpose of this study is to analyze policies and legislation related to legal protection for women in Indonesia, especially in the context of gender-based violence and discrimination, as well as to understand social, cultural, and economic dynamics that affect legal protection for women. This research is expected to provide a deeper knowledge and understanding of the challenges and opportunities in strengthening legal protection for women in Indonesia, as well as a basis for policymakers, legal practitioners, and human rights advocates to develop more effective strategies in fighting for women's rights. The results of this research are expected to provide concrete inputs for policy and legislative reforms that aim to improve legal protection for women in Indonesia, as well as trigger changes in public awareness and a more inclusive culture of women's rights.

Research Methods

Non-doctrinal methods will be the main cornerstone of this research, combining social, cultural, and economic analysis approaches. This research approach will use qualitative design to enable a deeper understanding of gender legal dynamics and legal protection for women in Indonesia. Data collection techniques will include in-depth interviews with legal experts, human rights activists, and civil society representatives involved in women's rights advocacy. In addition, case studies from relevant legal cases will be analyzed to gain a broader contextual understanding. Field observations will also be carried out to see firsthand the implementation of policies and legal practices related to legal protection for women in various regions in Indonesia. The data that has been collected, will then be analyzed qualitatively using a thematic and narrative approach to explore emerging patterns and trends. The analysis also aims to identify factors that affect legal protection for women. Through this approach, the research is expected to provide

comprehensive and contextual insights into the dynamics of gender law and legal protection for women in Indonesia.

Results and Discussions

Gender mainstreaming (PUG) arrangements have been given to governmental, civil, and military institutions, departments and non-departments, and regional heads at every level by the President of the Republic of Indonesia. The issuance of Presidential Instruction No. 9 of 2000, which regulates gender mainstreaming policies in Indonesia, reinforces this step. Women's empowerment in Cirebon City aims to improve women's ability to achieve welfare, get opportunities, and participate in development, decision-making, and control of economic, political, social, and cultural resources. To achieve gender equality and justice in Cirebon City, the participation of the entire community, especially related agencies and agencies, is very necessary. They are expected to be able to understand and overcome problems that exist in society and bureaucracy.

One of the important methods to achieve gender justice and equality is gender mainstreaming. For its execution, it is necessary to take action to address the social injustices that have occurred that prevent women and men from participating equally in social activities and enjoying the fruits of their respective roles. According to central statistical data, Cirebon City still needs to work hard to improve the human development index, gender development, and gender empowerment.

The women's empowerment program in Cirebon City aims to increase and develop women's potential so that they can utilize development resources on par with men. GBHN emphasized that improving women's roles and positions is essential to achieve gender equality and justice, as well as to increase women's independence and ability in organizations. All districts and cities, including Cirebon City, have received training on gender mainstreaming.

In response to violence and to realize gender equality and justice, Cirebon City established the Gender Communication, Consultation, and Coordination Forum. Violence against women is a big problem that must be addressed, and it is not only happening in an environment that is not educated enough. Victims of violence often have diverse educational backgrounds, some even highly educated, according to data from various institutions.

Victims of violence, both women and children, need more than just legal aid and medical services for recovery. For them to fully recover, they also need psychological and social support, as well as empathy from society. To increase the role of women in organizational structures, especially in the government, the Cirebon City government has organized training on Gender Analysis and Gender Budgeting. The purpose of this training is to help women become more active in managing finances, a field that has been dominated by more men.

The following are some of the issues related to gender:

1. The problem and consequences of the gender gap stem from the low participation in the development of women and children.

Another problem is the imbalance in the political participation of married women from certain sociocultural structures, which is influenced by differences of opinion about gender-biased interpretations of religion. These limitations are characterized by the lack of women's access rights to adequate services, limited education can result in a decrease in the quality of life and minimal participation of women in various activities.

This shows that women's welfare is still not optimal. In addition, child protection is

also an issue that needs further attention to ensure that their rights and needs are properly met.

In addition, although the government has taken actions such as anti-violence campaigns and RAN-PTKP, the fact is that there are still many cases of violence. The low participation of the community in improving the quality of life of women and children is also a significant problem in their efforts to protect and empower them. In short, gender problems stem from imbalances in gender relations, which harm one party and have an impact on family life.

2. How to Solve the Problem

The root of gender problems must be understood and realized by all levels of society and state apparatus. The perception of the concept of gender and the role of gender in the development of the country needs to be changed immediately. To address gender gaps, governments must participate in national and local policy-making related to gender and children through programs and activities that work in collaboration with all stakeholders at all levels of government.

3. Targets (RPJMN 2004-2009)

An important development goal is to ensure gender justice within the legal system, minimize the development gap between women and men, reduce the level of violence against women and children, and improve child welfare and protection. These measures aim to raise women's living standards and ensure the safety and well-being of children. By creating a more inclusive and safe environment for all genders, society can move towards greater equality and reduce the risk of exploitation and injustice that occurs especially to women and children.

4. Development Policy Direction

Following the development direction set by the RPJP of West Java Province (2005–2025) and meeting these targets.

Table 1. Percentage of DPRD Members by Gender in 2007

Gender	Sum	%
Man	28	94
Woman	2	6
Sum	30	100

Based on table 1 above, it can be understood that the representation of women in the DPRD has not been significant. To ensure that gender equality aspirations and issues remain in mind, it is expected that other female legislators have views that are not influenced by gender bias or an inclusive understanding of gender-related issues, even though the number of women legislators is still relatively small.

1. The data "Cirebon in 2008 Figures" published by the Central Statistics Agency of Cirebon City shows that 48% of women are involved in government. See the following table for more information:

Table 2. Percentage of Civil Servants in the Cirebon City Government

It	Work Unit	Woman		Man	
		Sum	%	Sum	%
1.	City Secretariat	71 people	28	182 people	72
2.	DPRD and KPU Secretariat	8 people	26	22 people	74

3.	Agencies	2484 people	52	2,256 people	48
4.	Districts	92 people	24	281 people	76
5.	Regional Companies	-	0	2 people	100
6.	Bodies/Institutions	508 people	49	520 people	51
7.	Office	58 people	22	197 people	78
	Sum	3,219 people		3,460 people	

Table 2 above shows that the number of women involved in government, especially as government officials, is almost proportional to the number of men. This shows that women have an important role in the public sector. It is expected that their level of engagement is proportional to the quality of their work. This shows that women are able to carry out their public duties as government officials well even though they have household duties.

2. Islamic teachings, which are mostly embraced in Cirebon City, often make women considered unsuitable for leadership positions or roles in the public environment. This is due to various interpretations of the Islamic holy book, the Qur'an, related to gender issues. However, fundamentally, Islam views the relationship between men and women as fair; In Islam, men and women have equal rights and obligations. Although there is no verse in the Qur'an that explicitly prohibits women from being leaders of society, different cultural interpretations and different interpretations of the Qur'an have led to gender bias. Because gender stereotypes prevent many women from having abilities and potential, this lack of clarity about women's position ends up negatively impacting them.

To prevent gender discrimination in religious practice, it is necessary to approach the community, especially by Islamic religious leaders in Cirebon. Gender issues are still often debated. Sometimes, people misunderstand and apply the concept of gender. In the sense of language, "gender" means "gender". However, in a broader sense, gender refers to the different roles played by men and women in culture and social life. This is influenced by the social and cultural structure in which a person lives.

The implications of the conclusion on the development of gender law in Indonesia are very important to consider. Based on the analysis of the data and findings presented, several key implications can be identified:

1. The Need for Harmonization of Laws

The data shows that efforts to protect women from violence and discrimination have been regulated in several laws. However, harmonization of legislation is very important to overcome differences in substance that may conflict between laws. This will provide legal certainty for victims and society as a whole.

2. Women's Empowerment

While there has been progress in women's empowerment, there are still challenges to be overcome, especially regarding access to health care, legal protection, and gender inequality. There needs to be stronger efforts to raise awareness of women's rights, provide better access to health and education services, and address gender bias in society.

3. The Role of the Government and Civil Society

Collaboration between local governments, non-governmental organizations, and civil society is critical in strengthening women's protection, raising awareness of their rights, and providing better access to health and education services. This

includes the establishment of communication, consultation, and coordination forums to address the problem of violence against women.

4. Gender Awareness Enhancement

There is an urgent need to increase understanding and awareness of the root causes of gender problems at all levels of society and state apparatus. Now is the time to change the perspective on the concept of gender and its role in the development of the country. (Dewi & Kurniasih, 2021)

5. Strengthening Legal Protection

Legal protections for women must be strengthened, especially related to gender-based violence and discrimination. This includes improving the quality of medical services, legal assistance, psychological and social support for victims of violence. (Lestari, 2023)

6. Gender Mainstreaming

Gender mainstreaming is an important strategy to achieve gender equality and justice. Concrete action is needed to address social injustices that prevent women and men from participating equally in development. (Martiany, 2011) (Rahayu, 2016)

7. The Role of Religion and Culture

The existence of different interpretations of Islamic religious teachings and culture that creates subordination to women has led to gender bias. The importance of approaching society, especially by Islamic religious leaders, to ensure that there is no gender discrimination in religious practice.

8. Education and Equal Access

Equal access to education and opportunities is a significant factor in efforts to improve women's quality of life and child protection. Strengthening inclusive education policies and programs will help address the gender gap. (Suarmini et al., 2018)

Taking into account these implications, policy measures can be formulated to strengthen legal protections for women in Indonesia and promote gender equality more broadly in various aspects of life and development..

Conclusion

The conclusion of the research data shows that women in Indonesia, especially in Cirebon City, still face serious challenges related to violence, discrimination, and limited access to health and education services. While there has been progress in women's empowerment, stronger efforts are still needed to improve legal protections, awareness of women's rights, and address gender bias. Harmonization of legislation, strengthening the role of the government and civil society, increasing gender awareness, and better legal protection for women are key steps that must be taken. It is also important to address gender bias in religious and cultural teachings and increase equal access to education and opportunities. Policy measures should focus on strengthening legal protection, promoting gender equality, and improving women's quality of life and child protection.

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