

Indonesia

CONTENTS

Introduction	39
Women in Public Service and Politics	41
Women in Executive Bodies	50
Megawati as Indonesia's First Woman President	50
Women as Cabinet Ministers	52
Women in Civil Service	53
Women in Judicial Bodies	54
Women in Religious Appellate Courts	56
Women in Civil Administration Courts	56
Affirmative Action Policy	64
Affirmative Action for Women in Politics	64
Affirmative Action Policy for Women in Government	64
Discriminated Groups of Women	65
Trafficking of Women	65
Problems in Trafficking Laws	66
What Has Been Achieved So Far?	66
Implementation of Gender Mainstreaming	67
Implementation of the Quota Law	68
The Agenda for the Future	69
Case Studies	70
References	81

Big Party Politics – Still a Man’s World

A Report on Indonesia by Ani Widyani Soetjipto

I N T R O D U C T I O N

The Indonesian state has a long record of legislation empowering women. The 1945 Indonesian Constitution formally guaranteed Indonesian women’s participation in the political arena. In 1952, the state ratified the UN Convention on Political Rights of Women through Law No. 68/1958 under the Sukarno Presidency. This law gave women the right to vote and be appointed to the legislature. In 1984, under the Suharto Presidency, the state also ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) through Law No. 7/1984.

In 1999, the Habibie government ratified the Optional Protocol of the Women Convention. Since then, the Indonesian Government has adopted improved measures on gender policies, particularly gender mainstreaming. Then in February 2003, Indonesia adopted the Voluntary Quota or Law No. 12/2003 on election, an effort to enhance women’s political representation. Despite these numerous legislations, however, actual participation of women remains limited and falls short of expectations raised by Beijing in 1995.

Any discussion on women’s political participation in Indonesia needs to be viewed against the country’s varied socio-cultural, economic and regional backgrounds. Women from different economic classes, urban and rural origins, ethnic and religious identities have specific obstacles to overcome. To understand the challenges Indonesian women face, Prof. Farida Nurland, a scholar from the University of Hasannuddin Makasar, cites the following realities:

1. Indonesian culture is both feudal and patriarchal;
2. Indonesian society has a conservative understanding and interpretation of various religious teachings; and
3. State hegemony, reflected in state institutions, continues to perpetuate a patriarchal culture.¹

This pervasive patriarchal culture and the male-dominated political system have a tremendous negative effect on women who try to assert their right to political participation. Women are not encouraged to take active roles in the public domain but are expected to use their talents principally in the household, which is considered a private domain. The concept of a public-private dichotomy still dominates Indonesian society, even at the present reform era. Over and above this, Indonesian women have to overcome discriminatory and gender-blind practices in the country's electoral processes, legislative bodies and political parties.²

Traditional cultural norms are so internalized that most women have apparently become psychologically unprepared for any political participation. Many have developed a sense of inferiority and believe they do not have the necessary skills for political work. Many have also hesitated to enter politics because of its dark, negative connotations.³

Constraints have likewise been imposed by women's multiple roles as mother, housewife, worker and professional. There is not enough time for women's many roles, much less for assuming political work. These constraints have not been eased by practices in political organizations that neither recognize nor accommodate women's "dual roles". For example, meetings and other political activities are frequently held at night, often outside the city, making it difficult, if not impossible for women to attend.

In sum, women's limited role in policy making and leadership positions can be explained by a socio-cultural environment that discourages their full engagement. Lack of education and continuing poverty only add to the problem, with many women remaining ignorant of their rights.

¹F. Nurland, *Strategies for Improving Women's Participation in Politics and Social Life*, presentation at the Provincial Workshop, Makasar, 2002

²Francisia Seda, SSE, *Beyond Numbers: Strengthening Women's Political Participation in International Idea Conference Report, Strengthening Women's Political Participation in Indonesia*, p. 20, 2002

³*Ibid.*

With most men unaware of the importance of women's equal participation, a resulting lack of social and household support makes it even harder for women to engage in political work.

WOMEN IN PUBLIC SERVICE AND POLITICS

Ten years after the signing of the Beijing Platform for Action, how have Indonesian women's situation changed? The following statistical data on various state institutions as well as affirmative action policies adopted by the state provide a glimpse into Indonesian women's political status:

Table 1: Women in Formal Political Institutions 2001

Institution	Female	%	Male	%
MPR (People's Consultative Assembly)	18	9.2	117	90.8
DPR (House of Representatives)	44	8.8	455	91.2
MA (Supreme Court)	7	14.8	40	85.2
BPK (The Audit Board of The Republic of Indonesia)	0	0.0	7	100.0
DPA (Supreme Advisory Board)	2	4.4	43	95.6
KPU (Electoral Commission)	2	18.1	9	81.9
KPUD (Regional Electoral Commission)	27	18.0	123	82.0
Governors	0	0.0	30	100.0
Mayors	5	1.6	331	98.5
Civil Servants rank IV and III	1,883	7.0	25,110	93.0
Judges	536	16.2	2,775	83.8
PTUN (Civil Administrative Court)	35	23.4	150	76.6

Sources: Women and Election Division CETRO, 2002

Table 2: Women in the House of Representatives 1955 – 2009

Period	Female	Male
1955 -1960	17 (6.30%)	272 (93.7 0%)
Konstituante 1956 -1959	25 (5.10%)	488 (94.9 0%)
1971 -1977	36 (7.80%)	460 (90.20%)
1977 1982	29 (6.30%)	460 (93.7 0%)
1982 -1987	39 (8.50%)	460 (91.50%)
1987 -1992	65 (13 .00%)	500 (87 .00%)
1992 1997	62 (12.5 0%)	500 (87.5 0%)
1997 -1999	54 (10.8 0%)	500 (89.20%)
1999 -2004	46 (9.00%)	500 (91 .00%)
2004 -2009	61 (11.09%)	4,489 (88.90%)

Source: Secretariat General DPR, 2004

The data shows that women's political representation at the 1999 National Parliament is only 9%, a figure lower than data in 1987. Based on this, Indonesia ranks 74 in IPU (International Parliament Union) classification in 2001, one of the lowest in Asia.

What is striking is that despite Indonesia's democratic transition, the number of women members of the 1999 National Parliament continues to decrease. This is explained in various ways. Some argue that the 9% figure represents women "of better quality" compared to those elected to parliament during the Suharto era. In the past, many women obtained their seats in parliament through nepotism, exploiting kin relations within officialdom. Today, they are more likely to have become members in their own right because of their personal achievements in party politics or in civil society.⁴

Others say the decline in women's representation in parliament over the last decade can be traced to lack of time for preparation and electoral campaigns. New political parties competing in the 1999 general elections had great difficulty in recruiting even good quality male candidates, not to mention women. It is also true that the male-dominated political party machinery gears the recruitment process almost exclusively towards men. This goes to show that political parties -both new and old - do not view women's issues or the promotion of women candidates as important. On the national level, there are no laws or regulation to ensure women's representation.⁵

⁴Mayling Oey Gardiner, *And the Winner is... Indonesian Women in Public Life* in Robinson Kathryn, Op.Cit. p. 107, 2002

⁵Hana A. Satriyo, *Decentralization and Women in Indonesia: One Step Back, Two Steps Forward?* In Edward Aspinall and Greg Fealy ed, *Local Power and Politics in Indonesia* (Singapore: ISEAS, 2003) p.220

Table 3: Women in Provincial Parliament

Province	Female	%	Male	%
NAD (Aceh)	3	5.2	55	94.8
North Sumatra	3	3.4	86	96.6
West Sumatra	4	6.8	55	93.2
Jambi	3	6.1	46	93.0
Riau	1	4.5	21	95.5
South Sumatra	10	12.7	69	87.3
Bengkulu	2	4.1	47	95.9
Lampung	4	5.1	75	75.0
DKI Jakarta	7	7.9	82	82.0
West Java	3	3.0	97	97.0
Central Java	5	4.8	99	95.2
Yogyakarta	3	5.1	56	94.9
East Java	11	10.6	93	89.4
West Kalimantan	3	5.1	56	94.9
Central Kalimantan	1	2.0	48	98.0
South Kalimantan	6	10.1	53	89.9
East Kalimantan	5	10.2	44	89.8
Bali	0	0.0	39	100.0
West Nusa Tenggara	3	3.6	52	96.4
East Nusa Tenggara	2	3.4	57	96.6
North Sulawesi	4	8.2	45	91.8
Central Sulawesi	4	2.0	45	91.8
Southeast Sulawesi	1	2.6	48	98.0
South Sulawesi	2	2.0	73	97.4
Maluku	1	2.0	48	98.0
Papua	3	6.5	43	93.5

Source: Women and Election Division CETRO, 2001

There is no available data from the new provinces Bangka Belitung, Banten, Gorontalo and North Maluku.

The low representation of women in provincial parliaments parallels figures on the national level. There are no differences between developed (the western part of Indonesia) and underdeveloped provinces (eastern part) in terms of women's political representation. Neither are there differences between provincial and majority Muslim population and non-Muslim population (South

It is difficult to find comprehensive data on women's political representation on the municipal level (DPRD II). However, the sampling done of 2 provinces shows that the numbers are even lower compared to those on the provincial level.

Table 4 also shows that many local parliaments on the district level have no women members, a serious shortcoming since it is the municipality that serves as the cornerstone in the implementation of regional autonomy. At the same time, it produces various local policies and determines the budget allocation for development programs.

The decentralization program was launched in January 2001, with Law No. 22/1999 on local government. The law aims to bring the government closer

Table 4: Women in Municipal Parliaments (district level): South Sulawesi and North Sumatra

Province	District	Female	%	Male	%
South Sulawesi*	Sidrap	0	0.0	30	100.0
	Pinrang	1	3.0	33	97.0
	Pare-pare	2	8.7	23	91.3
	Barru	2	8.7	23	91.3
	Enrekang	2	8.7	23	91.3
	Makasar	3	7.1	42	92.9
	Gowa	3	8.1	37	91.9
	Takalar	3	8.1	37	91.9
	Bone	2	5.3	38	94.7
	North Sumatra**	Nias	0	0.0	45
South Tapanuli		2	2.2	43	95.5
Central Tapanuli		1	3.3	29	96.6
North Tapanuli		1	2.5	39	97.5
Labuhan Batu		0	0.0	45	100.0
Asahan		1	2.2	44	97.8
Simalungun		2	6.7	43	95.5
Dairi		1	3.3	29	96.7
Karo		0	0.0	30	100.0
Deli Serdang		1	4.4	44	97.7
Langkat		1	4.4	44	97.7
Sibolga		1	5.0	19	95.0
Tanjung Balai		1	4.0	29	96.0
Pematang Siantarf		1	10.0	29	96.6
Tebing Tinggi		0	0.0	25	100.0
Medan		1	2.2	44	97.7
Binjai		0	0.0	35	100.0

Sources:

* Gender empowerment measure by district. BPS and UNDP 1999

** Documentation on the election, Ministry of Internal Affairs. 1999

(Dokumentasi penyelenggaraan pemilu tahun 1999. Depdagri 1999)

to the people and allows them to make decisions on matters that directly concern them. Under this law, districts take responsibility for a wide range of policy areas including the provision of public services, a function previously performed by central government offices. The law devolves responsibilities not only in asset management and revenue generation but also in policy making and implementation of public works, health, education and culture, agriculture, transportation, trade and industry, investment, environment, land cooperatives

and labor. In theory, under decentralization local governments are able to provide public services that better respond to local contexts and needs.⁶

The lack of women's representation in policy making at the local level and the absence of a gender perspective in policies have produced unintended consequences for the decentralization policy. For example, such phenomena as the revival of conservative religious interpretation of gender roles are found in Cianjur and Tasikmalaya in West Java. The district heads (bupati) have made the wearing of head scarves (jilbab) mandatory for female civil servants, including those in private enterprises such as banks.

Similar regulations are in place in all districts in West Sumatra and some districts in South Sulawesi. In West Sumatra the jilbab is part of the school uniform. Local authorities rarely use the term *Syaria* to describe their new policies, presumably because they know they do not have the legal authority to do so. Instead they say that their policies are designed to uphold "morality and order".⁷

It should be noted that in some cases the attempt of bupati to enforce conservative religious interpretations of women's roles have so outraged the local population that the bupati were forced to back down. This was the case with proposals to enforce a night time curfew for women in Padang in West Sumatra and another to oblige female students in West Jakarta to wear the jilbab.⁸

In some regions there has been a revival of gender insensitive and discriminatory local customs (*adat*). Many regions have viewed decentralization as an opportunity to reassert the role of local culture and customary laws that had been suppressed by the new government under its policy of national uniformity in, among other things, the structure of village government.

This new trend of looking for "local wisdom" is not necessarily problematic. On the contrary one aim of decentralization is to ensure that district regional identities flourish. The reintroduction of traditional village systems of governance such as *gampong* in Aceh and the *nagari* in West Sumatra demonstrate that this aim is being realized. However in some areas, the revival of *adat* laws has provided room for a reassertion of customs that take a conservative view of women's status and roles. Some *adat* laws still do not recognize the right of women to own property, receive inheritance, earn an independent income or gain higher education.

⁶Hana A. Satriyo, *Op.Cit*, p.223, 2003.

⁷*Ibid.*, See also Rahima, *Pempuan dalam Arus Formalisasi Syariat Islam: Belajar dari Tasikmalaya, Garut, Cianjur dan Banten*, Seminar Report. Jakarta 2004.

⁸See *Kompas* 18 June 2002 and *Kompas* 21 July 2001.

Nevertheless, some local governments have started to view women as important stakeholders and have actively created or maintained programs to promote women's rights, provide access to information on public services, and offer many opportunities for women.

The case of Sidoarjo district in East Java shows that despite the small number of women in local bureaucracies and parliaments, the local government, in joint cooperation with local NGOs and universities, can be successful in drafting strategies for women's empowerment. Enacted under Bupati decree No. 264/2002, the women designed and initiated the establishment of a women's crisis center funded by the local government.⁹

In Gianyar, Bali, the district government for the past two years has been providing free ambulance services as part of its health program. The ambulance is lined with medical and emergency equipment to treat patients on the way to hospital - a very rare case in Indonesia.¹⁰

In West Sumatra, the same province in which an unsuccessful attempt was made to introduce curfew for women, the reintroduction of the traditional Minangkabau village system of nagari seems to have improved prospects for women's representation. In the post decentralization era, the local people and authorities of West Sumatra have attempted to formalize the role of bundo kanduang (a senior, respected woman in the family). District regulation provides in particular that a bundo kanduang should be appointed to the newly constituted nagari legislative bodies at the village level. Women's groups in West Sumatra, especially those concerned with governance issues, are working to empower women who are already members of nagari legislative bodies.

In Papua too, women may be able to secure a role in governance under Law No. 21/2001. This law (on Papua as a special autonomous region) provides for a Papuan people's assembly comprised of indigenous Papuans, one third of whom are to be adat leaders, one-third religious representatives, and one-third women.¹¹

⁹Hana A. Satriyo, p. 223.

¹⁰Ibid.

¹¹Rodd McGibbon, *Between Rights and Repression: The Politics of Special Autonomy in Papua* in Edward Aspinall and Greg Feally ed., *Op.Cit.*, p.194-216, 2003

Table 5: Women in National Parliament

Commissions	Female	Male	Total
I. Security and Defense	4 (7.0%)	53 (93.0%)	57
II. Law and Internal Affairs	3 (4.9%)	58 (95.1%)	61
III. Food and Agriculture	3 (5.7%)	49 (94.3%)	52
IV. Transportation and Infrastructure	4 (7.2%)	51 (92.8%)	55
V. Trade and Industry	6 (9.6%)	50 (90.4%)	56
VI. Religion, Culture and Education	6 (12.5%)	42 (87.3%)	48
VII. Population and Health	11 (25.0%)	33 (75.0%)	44
VIII. Sciences, Technology and Environment	4 (7.2%)	51 (92.8%)	55
IX. Finance and Development	3 (5.4%)	52 (94.5%)	55
Total	44 (8.5%)	439 (91.5%)	483 (100%)

Source: Secretariat General DPR-RI, 2002

The distribution of women members in the commission reflects women's traditional role, with the highest percentage of women reported in commission VII, which deals with social welfare. The second highest representation of women members is in commission VI, which deals with religion, education, and culture.

In other commissions, the percentage and total number of women are still very low (under 10), with commission II registering the lowest number. The explanation is that this commission deals with political affairs, traditionally seen as a male domain. It often schedules discussions and meetings at night lasting until early morning, and as such, discourages women from joining.

As for the selection of commission members, the process differs from one party to another. It is common for a political party to ask members to name at least 3 commissions they prefer. The party then makes the final decision, depending on the member's seniority, party political agenda, and sometimes connections to men in power in the party. A lack of sensitivity among party leaders, majority of whom are male, and the stereotypical roles of women generally explain the distribution of assignments. The traditional view is that women are good on

“soft” issues such as education, health, social welfare, etc. and up to this day, women are named to these tasks.

Table 6: Women in National Parliament by Political Parties 1999-2004

Party	Female		Male	
Golkar (Functional Group Party in Indonesia)	16	(11.76%)	120	(88.24%)
PDI-P (Struggling Indonesian Democratic Party)	15	(8.92%)	153	(91.08%)
PPP (National Development Party)	3	(4.91%)	58	(95.09%)
PKB (National Awakening Party)	3	(5.55%)	51	(4.45%)
TNI – Polri (Indonesia Arms Forces - Police Department of Republic of Indonesia)	3	(7.31%)	38	(92.69%)
Reformasi (PAN/ National Mandate Party and PK/Justice Party)	2	(4.65%)	41	(95.35%)
PBB (The Crescent Star Party)	1	(7.14%)	13	(92.86%)
PDKB (National Democratic Party)	1	(16.66%)	5	(83.40%)
TOTAL	44		479	

Source: *Women Caucus in Parliament and API, 2001*

The highest number of women members in National Parliament comes from the Golkar Party (16) and PDI-P (15), but the highest percentage of women members compared to the total seats they have in parliament belongs to PDKB (16.66%). Golkar has only 11.76% and PDI-P (Indonesia Democratic Party of Struggle) 8.92%.

When President B.J. Habibie announced the next general election in 1999, after the last one took place just two years earlier, political parties started to organize themselves to better compete. Ms. Megawati Sukarnoputri led the PDI-P, a fraction of the Indonesian Democratic Party in the Suharto era. Mr. Amen Rais, a leading figure of the reform movement in Indonesia, set up a new party called PAN (National Mandate Party) while Mr. Abdurrahman Wahid, leader of the traditional Muslim group of Nahdatul Ulama (NU), declared a new party called the National Awakening Party (PKB). Golkar, the ruling party during the Suharto era, tried to build a new image as a reformist party.

The “new Golkar” was led by Akbar Tandjung, a former Suharto minister as well as the Minister of State under the Habibie Administration. PPP (National United Party), the party with an Islamic orientation and established in the Suharto era tried to build an image as a secure opposition to win the election. The Crescent Party (PBB) was also launched as the legacy of Masyumi – a prominent political party in the 50’s during the era of parliamentary democracy.

These are 6 prominent parties out of 181 new political parties that emerged following B.J. Habibie’s announcement of the 1999 elections. These parties

received enough votes to win seats in the Indonesian National Parliament. Adding to their numbers in the parliament are two other parties: PK (reorganized as PKS in 2004) and PDKB (a Christian party reorganized as PPDI in 2004)

This political configuration has changed substantially as a result of the 2004 general elections. The data is shown in Table 7 below. In 2004, only 24 parties competed, compared to 48 parties in 1999. Before the elections, a new political party was organized although the seven old parties were already the maximum number allowed. The new party that gained significant votes in the 2004 election was the Democrat Party (Partai Demokrat). Led by the University of Indonesia professor Budi Santoso, it won 57 seats. This party's popularity can be traced to the figure of presidential candidate Susilo Bambang Yudoyono (SBY). Its achievement in the legislative election is impressive, surpassing records of older parties such as the National Mandate Party and National Awakening Party or Crescent Party.

Other new parties that emerged are the PDS (Peace and Welfare Party), PBR (Star Reform Party), PPDK (National Democratic and Unity Party), PKPB (Concern for the Nation Functional Party), Partai Pelopor (Pioneers' Party), PNBK (Freedom Bull National Party) and PNI-Marhaen (Indonesian National Party Marhaenisme).

Table 7: Women in Local Parliaments (Provincial and Municipal level) 1999-2004

Level	Female	Male	Total
Chair in Provincial Parliaments	1 (3.70%)	26	27
Vice Chair in Provincial Parliaments	1 (1.42%)	69	70
Chair in Municipal Level	6 (2.44%)	239	245
Vice Chair in Municipal Level	10 (1.52%)	647	657

Source: *Women's Journal*. Edition no. 19, page 22, 2001

The decision-making positions in provincial and municipal level parliaments are still dominated by men. Women policy makers constitute less than 3% of municipal parliaments and less than 4% of provincial parliaments.

From these findings, we can conclude the following:

1. In terms of quantity, women's political representation in Indonesian legislative bodies has not significantly changed in the past ten years. The statistical data on the national level parallel those on the provincial and municipality levels. All in all, data shows a low representation of women in legislative institutions.

2. Women members elected to parliament are very rarely found in policy making positions such as chair of political party fraction or chair of commission. Majority of them are regular members and are distributed mainly in commissions regarded as fulfilling the traditional role of women: education, health, social welfare, culture etc.

3. The low representation of women in legislative bodies will seriously affect the product of legislation and budget allocation for women's interests. In

WOMEN IN EXECUTIVE BODIES

Table 8: Women's Participation in Executive Bodies in 2001

Institution	Female	Total (female and male)
Minister	2	30
Governor	0	30
Vice Governors	2	33
Mayors	6	336
Vice mayors	2	171
Ambassadors	4	80
Councilors	3	74

Source: *Women's Coalition* *et al* 2001

Women are also poorly represented in executive bodies. Although Indonesia has a woman President, there are only two women Ministers, the Minister for Women's Empowerment and the Minister of Trade. There are no women governors, and the number of women vice governors and vice mayors is also very low.

MEGAWATI AS INDONESIA'S FIRST WOMAN PRESIDENT

Megawati Sukarnoputri as the first woman President of Indonesia was an unusual phenomenon in a society with a strong patriarchal culture. She was elected as the fifth President of Indonesia, replacing Abdurrahman Wahid on July 23, 2001. On September 20, 2004 she herself was then replaced by Susilo Bambang Yudhoyono. At her election, there was little mention in the national media that

only two years earlier the political elite from various political persuasions had written her off.¹² Women activists and the general public expressed high hopes in her presidency though her ascension to office and her track record had not demonstrated much enthusiasm to respond to women's problems. However, her honesty was seen as an asset, as was her simple language, which was easily understood by the masses.

It is clear that Megawati's election to the presidency, despite her gender, had more to do with her role as party leader of PDI-P. And how she became party leader clearly had more to do with her lineage, and surname Sukarnoputri.¹³

Many analysts and the general public have constantly asked: Can Megawati as President serve women's interests and resolve the problems of many Indonesian women? Is she gender sensitive at all? It is an intriguing question, but Megawati as many knew her rarely tried to politicize gender issues. Just recently, however, she capitalized on women's issues to boost her reelection bid in the 2004 presidential election.

But several problems hounded Megawati. She is seen as too reticent. She hardly spoke to the media, so the public is kept wondering what is on her mind about women's issues. Sensitive issues such as the well-publicized abuse of Indonesian women migrant workers (killed, raped, or tortured or jailed) in receiving countries have not roused her interest. She has ignored affirmative action policies for women, and likewise rejected the proposal to establish a 30% quota for women in government and legislative bodies.

Instead, she urged Indonesian women to fight without begging for equal rights.¹⁴ Elsewhere, she said: "Our constitution clearly stipulates that we have to be free from discrimination... but our efforts to achieve that objective should not be through discriminatory methods."¹⁵ She has taken pride in the fact that she had never begged for quota and believes she was president based on her own merit. She forgets that she is Megawati Sukarnoputri, daughter of the first Indonesian President, and as such has access to opportunities that other women do not have.¹⁶

¹²Krishna Sen, *The Mega Factor in Indonesian Politics: A New President or a New Kind of Presidency*, in Kathryn Robinson, *Op.Cit.*p.13., 2002

¹³Ibid.

¹⁴The Jakarta Post, December 24, 2001

¹⁵Megawati's statement on Mother's Day, December 22, 2001

¹⁶Gadis Arivia's article in the Jakarta Post, December 22, 2003

As Indonesian President, she had the authority to advocate women's issues or at least bring them to public attention to show that these issues do matter. Unfortunately, in many important cases – in conflict-ridden Aceh, Poso, Papua, Nunukan, to name a few – she has disappointed many women by not uttering a word.

Many women activists wondered at her lack of interest, the missed opportunities for women, and consider her behavior puzzling, given that her father was a founder of Indonesian nationalism. After all, the problems of women workers are a problem of a nation's dignity. The cases of violence against women, the death of women when in labor, the death of migrant Indonesian women workers and the involvement of women in political affairs are not merely personal choices or domestic problems outside the public realm.¹⁷

Unfortunately, Megawati seemed in no haste to confront these problems so that activists fear that Megawati's insensitivity actually reflected her basic standpoint – that women's issues are non-issues and are of low priority compared to other important issues facing Indonesia. According to her closest aide, her strategy was to be silent so as to understand the situation completely, and only after grasping the full picture will she get back to the issue and respond. Megawati tended to distance herself from reality and this strategy has proven useful in her work.¹⁸

The public of course complained at this kind of reasoning. Many argued that democracy needs transparency and the public has a right to know her mind, specifically her plans for improving the country. They claimed Indonesians have a right to demand accountability since she was elected in the general elections in 1999.

WOMEN AS CABINET MINISTERS

Table 9: Women's Participation in Abdurrahman Wahid's Cabinet 2000

Ir. Erna Witoelar	Minister of Housing/Settlement and Regional Development
Dra. Khofifah Indar Parawangsa	State Minister of Women's Affairs

In 2000, only two women (out of 32 ministers) were appointed to the cabinet.

¹⁷ M.B. Wijaksana, *Kontroversi (bernama) Megawati*, Jurnal Perempuan, No.19, p.14, 2001

¹⁸ *Ibid.*

Table 10: Women's Participation in Megawati Cabinet 2001- 2004

Sri Redjeki Sumaryoto	State Minister of Women's Affairs
Rini Suwandi	Trade and Industrial Minister

In 2001, only two women (out of 37 ministers) were appointed to Megawati's cabinet.

WOMEN IN CIVIL SERVICE

Table 11: Women as Village Civil Servants 2000

Position	Female	Male	Total
Village Head	1,559	66,788	68,347
Village Secretary	2,701	62,720	65,421
Head of Local Government Affairs	3,066	61,836	64,902
Head of Development Affairs	2,273	60,923	63,196
Head of Welfare Affairs	2,344	42,208	44,552
Head of Financial Affairs	4,472	32,497	36,969
Head of General Affairs	4,693	51,445	56,138
Marriage Registration Assistance Staff	941	43,672	44,613
Total	22,049	422,089	444,138

Source: Central Bureau of Statistic, 2000 (*Village Potential Statistic*)

Table 11 shows that 12.09% of all heads of financial affairs are women (highest percentage) while 2.11% of all marriage registration assistance staff are women (lowest percentage). These figures still reflect the traditional view that women are good at jobs that need patience and diligence. Overall, the general picture shows a low participation of women civil servants across all positions at the village level.

The same scarcity of women is also true in the civil service. There are five echelons with decision-making power in the bureaucracy. Echelon 1 is reserved for Director Generals and their Deputies. Directors and Bureau Chiefs are in Echelon 2, Section chiefs in Echelon 3, Sub Section Chiefs in Echelon 4 and Unit Chiefs in Echelon 5.

Of the top-level decision-makers in Echelons 1 and 2, only 12% and 5% respectively are female. Women are much more numerous in Echelons 4 and 5. Unfortunately, it is hard to get data about which bureaus those women decision-makers can be found.

Table 12: Positions in the Civil Service by Echelon and Sex 2000

Structural Level	Male	%	Female	%	Total
Echelon I	235	88	31	12	266
Echelon II	1359	95	72	5	1431
Echelon III	14,379	91	1374	9	15,753
Echelon IV	64,814	86	10,637	14	75,451
Echelon V	95,532	82	20,901	18	116,433
Total	176,319		33,015		209,334

The highest level of structural position is echelon 1

Sources: Badan Kepegawaian Negara (BKN), National Employment Body

Table 13: Women in Civil Service (Individual Civil Servants) 2000

Level	Male	%	Female	%	Total
IV	91,677	72	36,444	28	128,121
III	1,167,710	59	821,734	41	1,989,444
II	972,193	62	600,310	38	1,572,503
I	229,434	90	26,276	10	255,710
Total	2,461,014		1,484,764		3,945,778

Source: Badan Kepegawaian Negara (BKN), National Employment Body

The highest civil service level is level IV. Table 13 shows that the percentage of women in level III is quite high at 41%. Given that the highest entrance point into civil service is level III, it is probably only a matter of time before some women will move up to level IV.

A higher individual level does not necessarily guarantee appointment to a decision-making echelon. It depends on whether a slot is available; generally, many policy makers, who are mostly male, prefer to have male candidates even if there are women who are more qualified. A study of the graduate women's studies program, for example, shows that women in high individual levels still face discriminatory treatment in appointments to decision-making positions.²⁰

WOMEN IN JUDICIAL BODIES

In the judiciary, despite various laws and regulations aimed at gender equality and empowerment, the number of women judges remains low. This is critical because the enforcement of pro-women laws and regulations is still at a minimal level.

²⁰Mayling Oey Gardiner, *And the Winner Is... Indonesian Women in Public Life*, in Kathryn Robinson, p.108, 2002

Table 14: Women in Indonesian Structural Courts 1997

Institution	Female	Male	Total
General Judicature (<i>pengadilan tinggi/PT</i>) Chair of Appellate Court	1	26	27
Vice Chair of Appellate Court	1	23	24
Judge	45 (70)	253 (255)	298 (325)
Judicial of Judge (<i>hakim yustisi</i>)	-	-	-
Chair of Civil Court (<i>Pengadilan negeri/PN</i>)	23	281	304
Vice Chair of Civil Court	30	200	230
Judge of Civil Court	-	1,730 (2,212)	1,730 (2,212)
Civil Administration Court (pengadilan tata usaha negara/TUN) Chair of Civil Appellate Court	1	3	4
Vice Chair of Civil Appellate Court	3	1	4
Judge of Civil Administration Appellate Court	10 (14)	11 (14)	21(28)
Judge of Civil Administration Appellate Court	-	-	-
Chair of Civil Administration Court	6	20	26
Vice Chair of Civil Administration Court	2	2	4
Judge of Civil Administration Court	16 (20)	105 (127)	121(147)
Religious Court			
Chair and Vice Chair Religious Appellate Court	-	50	50
Judge of Religious Appellate Court	6	98	104
Judge of Judicial Religious Appellate Court	2	3	5
Chair of Religious Court	5	249	353
Vice Chair of Religious Court	13	213	226
Judge of Religious Court	321	1,406	1,727

Source: Supreme Court, Republic of Indonesia
Numbers enclosed in parenthesis () = 1999 figures

Table 14 shows that the number of women judges of the appellate court in 1997 was 45 (15.10%) out of 298, increasing to 70 (21.54%) out of 325 in 1999. Women have been in the minority throughout these years except as judges of civil administration appellate courts where women and men were equal in number in 1999.

WOMEN IN RELIGIOUS APPELLATE COURTS

No woman sits as chair or vice chair in any of the religious appellate courts. This is a strategic loss because the majority of the population is Muslim, and many legal disputes concerning women and children such as marriage, divorce, and inheritance rights are often resolved through religious courts. For Indonesian citizens other than Muslims, it is the general civil court that resolves such matters.

WOMEN IN CIVIL ADMINISTRATION COURTS

It is hard to explain why 50% of judges for the Civil Administration Court are 50% male and 50% female, but this may be related to the type of duties performed. The Civil Administration Court deals with complaints on public service such as taxes, corruption, or matters that do not need field work or much mobility. Such jobs may interest women, especially since the barriers are not as stiff compared to entry in the position of judges in religious courts.

In the case of religious courts, the barriers to women judges are due partly to a wrong interpretation of Islamic teachings that women cannot be judges because they are emotional and irrational. In Indonesia, the concept of 'ulama' is identified with men. Very few religious scholars are women, which may explain the fact that there is no single chair of religious courts held by a woman.

Table 15: Women Public Prosecutors at National and Provincial Levels 1999

Place of duty	Female	Male	Total
Attorney General Office	123	352	475
Provincial Attorney Office	931	3,789	4,720

Source: Attorney General Office. Republic of Indonesia, 1999

The number of women prosecutors at the national level is 123 (25.89%) out of 475 while at the provincial level, the number is lower 931 (19.72%) out of 4,720.

Table 16: Women as Justices of the Supreme Court 1996 -1999

Year	Position	Female	Male	Total
1996	Justice of the Supreme Court	4	37	41
	Non-structural Judge	24	56	80
1997	Justice of the Supreme Court	7	44	51
	Non-structural Judge	25	58	83
1998	Justice of the Supreme Court	7	41	48
	Non-structural Judge	29	61	90
1999	Justice of the Supreme Court	6	40	46
	Non-structural Judge	28	56	84

Source: Supreme Court of the Republic of Indonesia, 1999

The small number of women in the Supreme Court, the highest judicial institution, indicates poor government attention regarding women's representation there. This is unfortunate since the Supreme Court is considered the last fortress to uphold the law and enforce the principles of justice for both men and women.

The under representation of women in legislative bodies is reflected in the laws passed during their terms in office. For example, from 2003-2004, only four bills passed: the Law on National Budgeting 2002, the Law on Water Resources, and the Law on National Court (Revision from UU. No.2 Tahun 1986) and the Law on Civil Administration Court (Revision from UU. No.5 Tahun 1986). None of the bills touch on women's concerns. It should be noted that although the Indonesian parliament has regained its power to balance the executive powers since 1999, the parliament still lacks the capacity to perform its role as legislator. Even two months before the new legislative members were sworn into office in October 2004, 20 bills and 2 government regulations, which were equal to the law, still needed to be discussed.

Several bills dealing with women and children (domestic violence, anti-pornography, migrant workers) have become bills under the National Parliament's initiative and are waiting for presidential approval. Without the president's signature, however, these bills will not become laws. The list of bills is a combination of women-specific ones and bills that contain clauses favoring women. Law No 1/2000 on Table 17 provides an example of a law, which specifically deals with women's issues and ratifies ILO Convention No 182/99. Laws, which have the same criteria, are Laws on Domestic Violence and Anti-Pornography Laws. Other laws, such as Election Law, Political Party Law, Propenas, National Police, Labor Law, Education Law, Protection of Migrant Workers, are not specifically about women but contain clauses and articles on women's equality.

Table 17: Laws and Women's Issues 2004

Bills	Clause on women	Status	Notes
Prevention of Trafficking and Protection of Women and Children	Prevention of Trafficking and Protection of Women and Children	Introduced in DPR	
ILO Convention No 182/99 on Prevention and Elimination of Forced Work for Children	Girl Children	Passed Law No 1/2000	
Domestic Violence	Protection for women	Passed. Waiting for Presidential signature.	
National Program of Development (Propenas)	Gender budgeting and development with gender perspectives	Passed Law No 25/ 2000	
Indonesian National Police	Special treatment for women victims	Passed Law No 2/2002	
Protection of Indonesian Migrant Workers	Women migrant workers outside the country	Passed. Waiting for Presidential signature	
Political Party Law	Affirmative action for women requires minimum of 30 % in leadership position in every level of political party hierarchy	Passed Law No 31/2002	Failed to adopt 30% quota for women to be 'pengurus'.
Election Law	Affirmative Action for women provides minimum 30% quota on the political party list nomination	Passed Law No 12/2003	Adopted Affirmative Action clause on Article 65 (1) Law No 12/2003
Health Law (revised) Law No 23/92	Abortion and reproductive health of women	Passed. Waiting for Presidential signature	
Population law 10/92	Family planning	Passed. Waiting for Presidential signature	
Anti-Pornography		Still under discussion in parliament	
Witness Protection		Still waiting Presidential instruction	
Child Protection		Passed. Law No 23/20043	
Education		Passed. Law No 20/2003	

Source: Women and Election Division of CETRO, 2004

Some Facts on Indonesian General Elections 2004
(For DPR, DPRD I, DPRD II and DPD)

Total Population	: 214,187,047
Eligible voters	: 124,449,039
Number of Electoral District for DPR-RI; DPRD I; DPRD II	: 69: 211: 1745
Number of Electoral District for DPD	: 32
Number of Political Parties that will compete in the election	: 24

Table 18: Women's Participation in Electoral Politics 2004

	Female		Male	
Voters	53.00%		47.00%	
Legislative Candidates (DPR-RI)	32.23%	(2,507)	67.76%	(5,256)
Legislative Candidates (DPD)	8.83%	(83)	91.17%	(940)
Women's Leadership in Political Parties	12.50%	(3)	87.50%	(21)

Source: Election Commission, 2004

Twenty-seven Indonesian women senators were elected in May 2004, representing 21% of the total number of DPD members (128 persons). The number is quite impressive, given that the DPD election is the first experience both for voters as well as DPD candidates. The electoral system for DPD, called SNTV or Single Non-Transferable Votes was first used in the 2004 general election. The popular assumption that under SNTV it is hard for women to be elected is apparently not valid for Indonesian women candidates. If anything, the vote showed that citizens are not actually against women's participation in public life and are willing to vote for qualified women candidates.

The results of the 2004 General Election revealed the weaknesses of the electoral system and the disadvantaged position of women. Specifically, they indicated the following:

1. The nomination process used by political parties for women candidates is neither democratic, transparent, nor accountable. The open proportional system used in the 2004 election was a half-hearted mechanism and had several negative consequences. Unlike other proportional open list systems in many countries, the Indonesian model is tricky. It actually undermines the fair elections principle since the candidate who gets the higher popular vote does not necessarily get the contested seat. Women candidates may get the highest votes in their district but not necessarily get the seats if they do not occupy a high position on the party list.

2. The law on general election states that if legislature candidates do not meet the BPP (vote quota for a seat) figure, the determination of elected candidates will be based on their ranking on the party candidate list. A party's central leadership certainly plays a big role - it determines the party candidates' ranking on the list. For women to be elected members of the legislature, they must be the top ranked candidates. More than 30% of candidates nominated by political parties were women, but only 9.7% of them were number 1 while 16.8% were number 2 on the lists. In effect, majority of women candidates are placed on the list just as vote getters.

3. Another trick involves the size of electoral districts. If electoral districts are small, fewer seats are at stake and less opportunity exists for women who stand for election. The election commission decided that electoral districts should be sizes 8 to 12 which is quite fair to women. However, with Indonesia's demography, it is not always possible to set up such big electoral districts and as a result, many electoral districts fall into an average size of 3 to 5. These are located mostly in islands outside Java such as Papua, Maluku, Nusa Tenggara Timur, etc.

4. Article 65 (1) of Law No. 12/ 2003 specifies that the 30% quota is voluntary and no sanctions will apply to political parties that fail to meet the requirement. The clause allows political parties to take the quota lightly and fails to genuinely press them to nominate women candidates and enhance their chances to be elected.

Table 19: Women as Senators (DPD) by Province

No.	Province	Female	Male	Name of Female senator
1	NAD	1	3	Dra Hj Mediati Hafni Hanum
2	North Sumatra	0	4	-
3	West Sumatra	0	4	-
4	Riau	3	1	1. Dinawaty 2. Intsiawaty 3. Maemanah
5	Jambi	1	3	Nyi mas Ena
6	South Sumatra	1	3	Asmawati
7	Bengkulu	1	3	Eni Chaerani
8	Lampung	1	3	Haryati Safrin
9	Bangka Belitung	1	3	Djamila Somad
10	Kep Riau	1	3	Aida Zulaika
11	DKI Jakarta	1	3	BRA Moeryati
12	West Java	0	4	-
13	Central Java	1	3	Nafisah Sahal
14	Yogyakarta	1	3	GKR Hemas
15	East Java	0	4	-
16	Banten	1	3	Cicik Kurniasih
17	Bali	1	3	Ida Ayu Agung Mas
18	NTB	0	4	-
19	NTT	0	4	-
20	West Kalimantan	2	2	1. Maria Goreti 2. Sri Kadarwati
21	Central Kalimantan	1	3	Permanasari
22	South Kalimantan	0	4	-
23	East Kalimantan	2	2	1. Eka Komariah 2. Nur Andryani
24	North Sulawesi	2	2	1. Aryanti Baramuli 2. Sientje Sondakh
25	Central Sulawesi	1	3	Nurmawati Bantilan
26	South Sulawesi	0	4	-
27	Southeast Sulawesi	0	4	-
28	Gorontalo	0	4	-
29	Maluku	1	3	Mirati Dewaningsih
30	Maluku Utara	1	3	Nita Budhi Susanti
31	Irian Jaya barat	1	3	Salome Christian
32	Papua	1	3	Ferdinanda Ibo
	Total	27(21%)	101(89%)	

Source: Election Commission, 2004

Table 20: Women in National Parliament by Political Parties
(General Election 2004)

No.	Political Parties	Female	%	Male	%	Total
1	Golkar (Functional Group Party in Indonesia)	18	14.00%	109	86.00%	128
2	PDI-P (Struggling Indonesian Democratic Party)	12	11.00%	97	89.00%	109
3	PPP (National Development Party)	3	5.17%	55	94.82%	58
4	Democrat (Democrat Party)	6	10.52%	51	89.47%	57
5	PKB (National Awakening Party)	7	13.46%	45	86.53%	52
6	PAN (National Mandate Party)	7	13.46%	45	86.53%	52
7	PKS (Prosperous Justice Party)	3	6.66%	42	93.33%	45
8	PBR (Reform Star Party)	2	15.38%	11	84.61%	13
9	PDS (Prosperous Peace Party)	3	25.00%	9	75.00%	12
10	PBB (Crescent Star Party)	0	0.00%	11	100.00%	11
11	PPDK (United Democratic Nationhood Party)	0	0.00%	5	100.00%	5
12	PKPB (Concern for the Nation Functional Party)	0	0.00%	2	100.00%	2
13	Pelopop (Pioneers' Party)	0	0.00%	2	100.00%	2
14	PKPI (Justice and Unity Party of Indonesia)	0	0.00%	1	100.00%	1
15	PNBK (Freedom Bull National Party)	0	0.00%	1	100.00%	1
16	PNI Marhaenisme (Indonesian National Party Marhaenisme)	0	0.00%	1	100.00%	1
	Total	61	11.00%	489	89.00%	550

Source: CETRO. Women and Election Division, 2004

Table 21: Women Candidates by Political Parties (General Election 2004)

No.	Political Parties	Female	%	Male	%	Total
1	PNI Marhaenisme (Indonesian National Party Marhaenisme)	60	27.9	155	72.0	215
2	PBSD (Social Democrat Labour Party)	90	37.1	152	62.8	242
3	PBB (Crescent Star Party)	80	23.8	256	76.1	336
4	Merdeka (Freedom Party)	72	35.6	130	64.3	202
5	PPP (National Development Party)	111	22.3	386	77.6	497
6	PPDK (United Democratic Nationhood Party)	74	32.7	150	67.2	223
7	PPIB (New Indonesia Alliance Party)	94	32.6	150	61.4	244
8	PNBK (Freedom Bull National Party)	64	29.6	152	70.3	216
9	Democrat (Democrat Party)	117	27.0	316	72.9	433
10	PKPI (Justice and Unity Party of Indonesia)	97	38.8	153	61.2	250
11	PPDI (Indonesian Democratic Vanguard Party)	91	35.1	168	64.8	259
12	PPNU (Indonesian Nahdlatul Community Party)	78	38.4	125	61.5	203
13	PAN (National Mandate Party)	182	35.0	338	65.0	520
14	PKPB (Concern for the Nation Functional Party)	149	35.9	265	64.0	414
15	PKB (National Awakening Party)	170	37.6	281	62.3	451
16	PKS (Prosperous Justice Party)	180	40.3	266	59.6	446
17	PBR (Reform Star Party)	100	31.5	217	68.4	317
18	PDI-P (Struggling Indonesian Democratic Party)	158	28.3	400	71.6	558
19	PDS (Prosperous Peace Party)	87	30.7	196	69.2	283
20	Golkar (Functional Group Party in Indonesia)	185	28.3	467	71.6	652
21	Patriot Pancasila (Pancasila Patriots' Party)	51	29.4	122	70.5	173
22	Syarikat Islam (Indonesian Unity Party)	101	38.6	160	61.3	261
23	PPD (Regional United Party)	64	34.2	123	65.7	187
24	Pelopop (Pioneers' Party)	53	30.4	121	69.5	174
	Total	2,507	32.3	5,249	67.6	7,756

Sources: www.kpu.go.id; www.cetro.or.id; www.detik.com

AFFIRMATIVE ACTION POLICY

Affirmative Action for Women in Politics

Affirmative action was adopted as Article 65(1) in the Election Law (Law No 12/2003) and requires that a minimum of 30% of a political party's candidates should be women. Although this measure aims to boost the role of women in politics, it is important to point out its flawed nature precisely because there are no legal sanctions for parties that do not abide by it.

The election law's use of the terms "may" and "consider" provided escape clauses for political parties to insist that the law is "voluntary" or merely recommendatory. According to political leaders, a political party may or may not nominate women and that the 30% clause is not binding.

Women activists, however, argue that the article has already passed the legislative and executive bodies and that these institutions agreed with the stipulation on the Article on Affirmative Action. The argument that the article was recommendatory is groundless. Women activists argue that it is illogical to say that there are important and unimportant articles within the law. All articles within the election law are important and should be implemented, including the one on affirmative action. The article's spirit and purpose is to enhance women's political participation and it is imperative for political parties to abide by it.

Affirmative Action Policy for Women in Government

Presidential Instruction No. 9/2000 on Gender Mainstreaming in National Development states that all departments and non-department agencies and provincial and district governments have to implement gender mainstreaming in planning, implementation, monitoring and evaluation of all development policies and programs.

This policy is a strategy to pursue gender equality, to create a society that is more conducive for women to have roles in public life, and to develop a national political system based on the people's sovereignty.

DISCRIMINATED GROUPS OF WOMEN

Trafficking of Women

The following are laws that deal with trafficking:

- KUH Pidana (Indonesian Criminal Code)
- Article 6 of the Women's Convention, referring to general recommendation No. 19
- Optional Protocol to prevent, suppress and punish trafficking of persons, especially women and children, supplementing the UN Convention against Transnational Organized Crime ratified by Indonesia in 2003.
- ILO Convention No. 29/1930 (Forced Labor Convention) ratified by Indonesia on June 12, 1950.
- ILO Convention No. 105/1957 (Abolition of Forced Labor) ratified by Indonesia on May 7, 1999 with law No 19/1999.
- ILO Convention No. 111/1958 (Discrimination in Employment and Occupation Convention 1958) ratified by Indonesia on June 7, 1999 with law No 21/1999.
- ILO Convention No. 182/1999 (Worst Form of Child Labor Convention 1999) ratified by Indonesia on March 28, 2000 with Presidential instruction No 12/2001.
- Letter of agreement between Ministry of Internal Affairs and Regional Autonomy, Ministry of Foreign Affairs, Ministry of Justice and Human Rights, Ministry of Finance, Ministry of Labor and Transmigration on problems of placement and protection of Indonesian migrant workers in other countries.

Problems in Trafficking Laws

- Categorization: there are various forms and purposes of trafficking (sex work, migrant worker, debt bondage, mail bride, etc.) and it is necessary to distinguish which forms of trafficking are criminal acts and which are not.
- Jurisdiction: who handles organized crime, government involvement or problems of certain groups or business corporations.
- Sanctions: disciplinary measures are too light and do not include for example, penalties and assets confiscation.

- Compensation: there is neither protection nor assurance of compensation for victims.

In short, the ineffective implementation of trafficking laws stems from a lack of definition of categories, unclear jurisdiction, insufficient sanction, as well as lack of protection in a situation where a national regulation is not yet in place. Discussions on the importance of this subject have been aired in the media for the past two years and much research has been done. Trafficking of persons in Indonesia needs a drastic solution, and women activists hope the new legislature will soon produce a national law on trafficking.

WHAT HAS BEEN ACHIEVED SO FAR?

Indonesia's biggest achievement is the campaign to increase women's political representation, including the popularization in the public mind of the need for more women in politics. Thanks to the media, to various NGOs and women activists in political parties that have not tired of promoting the issues through their publications, hundreds of interviews, as well as public campaigns and seminar, workshops, voters' education and talk shows. Credit should be given to the election commissions supportive of women's issues, reminding political parties to meet the requirement stated by the law. Election commissions from the national to the district levels also endlessly popularize the issues through voter's education.

If we measure changes in numbers and percentages since 1995, progress has been very slow indeed. Statistical data show that the number of women in parliament only increased from 9% in 1999 to 11% in 2005 at the national level and only by 1-2% since 1999 at the provincial level.

Several factors explain this snail-paced progress.

1. There is a lack of commitment from political parties to nominate women candidates and place them at the top two positions on the party list
2. The open list proportional representation with BPP suffers from a half-hearted implementation and other weaknesses.
3. The election campaigns have failed to touch on gender issues in their party platforms and programs, and have likewise failed to work strongly for women candidates.
4. Numerous problems exist regarding effective voters' education in a situation where many voters are illiterate, or do not understand their political rights.

5. The lax interpretation of the 30% quota as a “voluntary” step does not compel political parties to abide by the stipulations of the law.

In the executive arena, the situation is almost the same. To date, Indonesia has no women governors, and only 1.5% of mayors and 6.6% of ministers are women. In the judicial arena, women are scarce in Indonesian courts (Table 12). In civil service, few women are on top, and majority are clustered in the lowest rungs.

The Affirmative Action Policy first saw light with Presidential Instruction No 9/2000 on Gender Mainstreaming in National Development for government agencies, both at the national and sub-national level. This was followed by another affirmative policy adopted in the election law in 2003 on the nomination of women legislative candidates for each political party.

I M P L E M E N T A T I O N O F G E N D E R M A I N S T R E A M I N G

The mechanism to implement gender mainstreaming consists in the national steering committee and working groups at the provincial and municipal levels, and focal points at the individual level.

The guidelines for the implementation of these development policies is based on Propenas 2000-2004 (five-year national development program), which is in turn divided into Propeta (yearly national development plans) and Propetada (yearly provincial development plans).

There have been quantitative increases in gender mainstreaming development programs within the period 2001-2004. In 2001, there were only 19 development programs, but this figure gradually rose to 26 in 2002, 32 in 2003 and 38 in 2004.²¹

The 2003 Asia Foundation study on the implementation of gender mainstreaming in East Java indicates that the implementation of gender mainstreaming is still very poor, something that can be attributed to the following:

1. Government and civil society organizations involved in the implementation, monitoring and evaluation of gender mainstreaming are trapped in patriarchal culture. Although they have gender awareness, this has not been

²¹Ministry of Women's Empowerment Republic of Indonesia. Technical Guidance for the Implementation of Presidential Instruction No. 9/2000 on Gender Mainstreaming in National Development.

sharply reflected in policy implementation. What prevails are the stereotyping of women and the traditional roles given to both women and men.

2. Information dissemination and education on gender mainstreaming policy is fraught with weaknesses.
3. The Ministry on Women's Empowerment acts as coordinator but has no authority to effectively implement the gender mainstreaming policy. The Bureau of Women's Empowerment in the province is also weak due to contradictions and lack of unity in vision between the executive and legislative bodies.
4. Gender Budgeting is invariably "gender neutral" and does not support the Gender Mainstreaming Policy.

If one examines the implementation of regional autonomy and decentralization, the results strongly indicate the revival of customary institutions, Syariah law and budget allocations that are not gender sensitive. The underrepresentation of women as policy makers in local politics simply worsens the patriarchal tendencies of the political system. Women's rights and interests have been undermined.

IMPLEMENTATION OF THE QUOTA LAW

The political parties' lack of commitment is the biggest obstacle to the implementation of the affirmative action policy. Women are becoming a political commodity that politicians and parties use to meet election requirements and generate votes. A closer scrutiny of party lists, however, reveals that few women occupy the top two positions on the list, something required if they are to get seats in the legislature.

Neither is the "voluntary" quota helping the campaign for women's participation since there is no legal sanction for political parties that fail to meet the quota. The role of civil society organizations has also been reduced to asking that "women vote for women".

All these factors reinforce the weaknesses of the law and the electoral system as far as women's empowerment are concerned. They also highlight the failure of political parties to popularize their candidates and program based on gender issues. In fact, most parties do not discuss substantive issues but simply campaign for their party leaders.

THE AGENDA FOR THE FUTURE

Gender mainstreaming must be promoted at all levels of decision-making. It must cut through all sectors, institutions and development programs. Other critical areas that need to be addressed are citizenship or political education for the people. Indonesia needs to enforce laws and institute reforms enhancing women's situation. The constitution needs amendment to accommodate the stipulations on women's rights. The political party law and election law must, likewise, be amended to make mandatory quotas favoring women and impose sanctions for violations. These are long term goals.

To achieve them, immediate ones need to be accomplished. To name some: capacity building for new women members of parliament; the need to expand and improve networking with other stake holders such as women in political parties, women in parliament, civil society organizations, media and the academe.

The past is changing in Indonesia. But in many ways, the changes have barely begun.

CASE STUDY 1

Gender Mainstreaming in the Department of Internal Affairs

In Indonesia, women comprise slightly more than half of the population. The account in the previous pages tells us that women are still seriously under represented in the legislative, executive, as well as judicial bodies.

Numerous data point to a gender gap in many other areas such as education, labor force, unemployment, wage differences, position in decision making as well as those measured through the GEM (gender empowerment measures) and GDI (gender development index) as part of Human Development Index. Based on the Human Development Report 2002, Indonesia's HDI rank is number 114 out of 117 countries, the lowest compared to other Southeast Asian countries.

In this part, I would like to discuss one policy response initiated by the government named Gender Mainstreaming (GM), which became part of a national development policy under a Presidential Instruction issued in 2000 (no. 9/2000). The second part is a case study in gender mainstreaming in the department of internal affairs/home affairs.

Gender Mainstreaming

Gender mainstreaming means not only integrating gender issues into all aspects of development, but also making development programs more gender sensitive. Programs to improve people's quality of life can and should benefit all members of the community--women and men.

Based on this understanding, gender mainstreaming is a major strategy to ensure that women and men gain equal access to, and participate equally in the benefits of development.¹

The UN Economic and Social Council defined gender mainstreaming as:

The process of assessing the implication for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels. It is a strategy of making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and

¹Soedarti Surbakti, "Gender Mainstreaming and Sex Disaggregated Data," in *Women in Indonesia: Gender, Equity and Development*, ed Kathryn Robinson, Sharon Bessell, Singapore : ISEAS, 2002.

programs in all political, economic, and social spheres so that women and men benefit equally and inequality is not perpetuated²

Development programs to date have been considered gender neutral in design. But, in fact, differences in levels of education, skills, and perception between men and women have resulted in different rates of access to opportunities offered. Women lag behind men, have less access and lower rates of participation in projects. Had the programs been gender sensitive, better outcomes might have been achieved.

Presidential Instruction No. 9/2000

This Presidential Instruction mandated all government departments, including regional bureaucracies, to conduct gender mainstreaming. Capacity-building programs for departments and regions, and within the ministry itself have followed this. These programs have the goal of changing the underlying culture of the civil service by creating widespread awareness of gender issues, particularly among those responsible for making and implementing policy.

Eleven focal points have been established in the line of ministries. These are bureaucratic positions with the responsibility for the dissemination of gender mainstreaming programs and for facilitating communication. These are located in the National Development Planning Board (Bappenas), the Ministry of Health, the Ministry of Justice and Human Rights, the Ministry of Manpower and Transmigration, the State Ministry of Cooperatives and Small and Medium-Scale Enterprises, the State Ministry for Environment and the Coordinating Ministry for Political and Security Affairs,³ Home Affairs, the Ministry of National Education, the Ministry of Religious Affairs, and the Ministry of Agriculture

Implementing Gender Mainstreaming as a National Policy Development

Five stages of development have been identified as entry points in implementing gender mainstreaming nationally: Policy Planning, Project formulation, Development of a Plan of Action, Project Implementation and Monitoring and Evaluation.⁴

²UN Economic and Social Council, 1997, cited in CEDAW, 1998

³Khofifah Indar Parawansa, "Institution Building: an Effort to Improve Indonesian Women's Role and Status," in *Women in Indonesia: Gender, Equity, and Development* ed. Kathryn Robinson and Sharon Bessell, ISEAS, 2002

⁴Soedarti Surbakti, Op.Cit. See also Kementerian Pemberdayaan Perempuan, *Panduan Pelaksanaan Inpres No. 9 tahun 2000 tentang Pengarus Utamaan Gender Dalam Pembangunan Nasional*.

Planning, Formulation and Action

In the planning and formulation stages, sex-disaggregated quantitative or qualitative data are used to identify gender gaps. Such data enable decision-makers to identify gender differences related to access, participation and opportunity to control or benefit from development programs. It then becomes possible to analyze the causes of gender differences and the reasons for any policy failure. Policy can then be reformulated and followed by an action plan to narrow the gender gap. Data are therefore the major input into gender analysis at the policy formulation stage.

Implementation

The implementation of gender responsive policies and programs may vary according to the local situation. To ensure that implementation takes sufficient account of the needs of women as well as men, both sexes should take part in every activity. Both should be involved in the management of activities, and maintain strong coordination at all levels.

Participation

Who is being targeted? To obtain qualitative information on whether women, men or both sexes are targeted, a study of the program or project content should be undertaken.

Who are the participants? The participation rate of women and men should be compiled from administrative records as an important component in understanding the program's gender responsiveness. A gender analysis of the reasons women and men participate differently in an activity could be used to improve design.

Who are the beneficiaries? Careful in-depth study should be carried out in the field to determine who benefits. Sex-disaggregated data on the number of female and male beneficiaries could then be compared.

Management

The number of women and men involved in project design, organization, and supervision is an indicator of women's participation in management. These data should be gathered at both the national and the sub-national levels. The gender ratio of managers at each stage of the project would show any gender gap

Stakeholders

Efficient and effective advocacy addressed to agents of gender mainstreaming at all levels--- national, provincial and district level---to enhance both their

understanding of the process of gender mainstreaming and their ability to coordinate activities would speed up the execution of gender-responsive programs. Sex-disaggregated data are vital to the implementation of such programs and strategic tools in assessing participation.

Monitoring and Evaluation

Gender-disaggregated indicators are crucial for monitoring and evaluating gender responsiveness. The evaluator should make a qualitative analysis of a policy or program by examining its content. The program should be monitored regularly to determine whether there has been any improvement in gender sensitivity has been made.

At the program or project level, monitoring can be done by compiling output indicators, that is, or data on how many women and men participated in a particular program or project. Output statistics and indicators should be made available regularly. Sex-disaggregated impact indicators should be in place to determine whether gender mainstreaming has been effective.

Gender Mainstreaming in Department of Internal Affairs/ Home Affairs

The Department of Internal Affairs is an institution in the executive branch of government that has experienced gender mainstreaming. As a response to Presidential Instruction No. 9/2000, the Minister of Internal Affairs issued instructions on June 26, 2001 on gender mainstreaming in the department.

The Ministry reaffirmed the Ministerial decision No. 232/2003 on December 29, 2003 on General Guidelines on Gender Mainstreaming. The Minister of Internal Affairs in this program is an advisor for the provinces and municipalities in implementing the policy.

In line with Presidential and ministerial instructions, every province/municipality is supposed to set up one institution in charge of women's empowerment. These bodies are responsible for planning, implementation, and evaluation of a policy program. The role of the department of home affairs is strategic since it is responsible for providing implementing guidelines to the local government in the province and municipality. It is also a facilitator, consultant, coordinator, as well as supervisor for local government.

In cooperation with the Ministry of Women's Empowerment, the Department of Home Affairs gives technical assistance in the form of training, consultation, and information. The ministerial instruction orders local governments to allocate a minimum of 5% for the program (APBN/APBD).

To be effective, the lead official in women's empowerment bodies in local government has to be a person in the first or second echelon rank of civil service, someone with authority to draft both budget and program. In practice, however, the official in charge is not always from echelon 1 or 2 but comes from lower echelons and has no authority to determine policy and budget.

To date, the Ministry of Internal Affairs has yet to conduct a comprehensive evaluation of gender mainstreaming. Neither has it sent a report to the President or Ministry of Women's Empowerment.

However, since 2002, the Ministry has done the following:

- Provided gender mainstreaming training to civil servants in 30 provinces and 260 municipalities during the period 2002-2003;
- Provided gender mainstreaming training to wives of governors and mayors from all provinces and municipalities;
- Provided gender mainstreaming training to members of local parliament and local executives in the province;
- Distributed development planning modules with a gender perspective;
- Provided gender mainstreaming training to department of internal affairs official and staff.

There are no details on the number of training participants, dates trainings were conducted, and follow up action. However, assessments from officials in charge of the program say implementation is ineffective and poor for several reasons. These include institutional weaknesses, low capacity, lack of coordination between women's empowerment ministry and other departments.

Other problems include budget constraints, the prevailing patriarchal culture, an unresponsive legislature, lack of gender disaggregated statistical data, both quantitative and qualitative.⁵ Not much has changed in terms of gender sensitivity among policy makers, gender responsive budget, and gender sensitive public policy. Patriarchal tendencies are still alive and reaffirmed in many ways by local customs.

A joint research (unpublished) by the Secretariat General of the Minister of

⁵Interviews with Pak Sihombing, Jakarta, 28 May, 2004 at Women Studies Center, University of Indonesia.

⁶Kajian Pemberdayaan Perempuan dalam Perencanaan Pembangunan, Biro Perencanaan Sekretariat Jenderal DEPdagri, Jakarta 2003.

Table 22: List of Provincial Institutions in Charge of Women's Empowerment

No.	Province	Institution in the Province in Charge of Women Empowerment
1	West Kalimantan	Badan pemberdayaan masyarakat dan perempuan (women and society empowerment bodies)
2	Jambi	Biro pemberdayaan perempuan. kesejahteraan keluarga dan lingkungan (Bureau of Women's Empowerment, Social Welfare and Environment)
3	West Sumatra	Bureau of women's empowerment
4	West Nusa Tenggara	Dinas kesejahteraan sosial dan pemberdayaan perempuan (Agency of Social Welfare and Women's Empowerment)
5	Bali	Biro bina kesejahteraan dan pemberdayaan perempuan (Bureau for Welfare Advisory and Women's Empowerment)
6	Southeast Sulawesi	Biro pemberdayaan masyarakat dan pemberdayaan perempuan (Bureau of Society Empowerment and Women's Empowerment)
7	Yogyakarta	Dinas kesehatan dan kesejahteraan sosial. seksi peranan wanita (Agency of Health and Social Welfare, section the Role of Women)
8	Banten	Biro kesejahteraan rakyat. bagian pemberdayaan perempuan dan kesehatan (Bureau of Social Welfare, section Women's Empowerment and Health)

1. The different models of institution in charge of women's empowerment make it difficult to monitor program implementation in the provinces since the institutions are not necessarily under the jurisdiction of the department of internal affairs.

Most often, these institutions are under the Social Department or the Department of Health. The situation is exacerbated by the fact that the Ministry of Women's Empowerment has no direct monitoring authority since it is only a state ministry and not a national one. The lack of coordination between the

Ministry of Women's Empowerment and various departments in Jakarta renders implementation ineffective.

2. Regional autonomy in Indonesia gives greater autonomy for the provinces to manage their own affairs. Requests from the Ministry of Women's Empowerment or from the Ministry of Internal Affairs to the provinces to submit reports on gender mainstreaming often receive no response.

Poor understanding of the policy, weaknesses in socialization, lack of expertise, limited budget, and lack of support from the local leaders along with almost no pressure from the women's organizations, civil society and media on the importance of gender mainstreaming have resulted in policy failure. All this just goes to show that what sounds good in theory and planned policy may not necessarily work on the ground.

Case Study 2

Affirmative Action Policy for Women in the Election Law No 12/2003

The inclusion of the "Women's Quota" is frequently cited as a highly significant achievement of the women's movement in Indonesia. It generated much enthusiasm for women's struggles and marked the first steps in the campaign for equality between men and women in politics.

The affirmative action policy is groundbreaking especially since women continue to be underrepresented in elected positions at both national and local levels. Women occupy approximately 9.2% of the seats in the House of Representatives (DPR), 5.2% at provincial level (DPRD I) and even less at the district level.

Affirmative action policy implementation is related to Indonesia's transition to democracy. The transition provided an opportunity for women to demand an increase in representation, and many politically active women's NGOs initiated programs to enhance women's political awareness. Political institutions were pressured to consider gender issues an essential part of democratization.⁷

⁷Swara. Supplement of Kompas. October 7, 1999).

Farida Nurland, strategies for improving women's participation in Politics and social life, presentation at the provincial workshop in Makasar, 2002. Democratic societies generally uphold that the representation of a group's interest must have two dimensions: a. it requires the presence of its members in decision making arenas, and b. it requires that their interest are actually considered. It is important for assemblies to take into account the interest of all its constituents. Women in Indonesia compose more than 50 % of the population. Their interest and concerns have to be reflected in legislation.

A difficulty in the implementation relates to the impact of the 1997 economic crisis, which adversely affected women and children. Some of the consequences were higher mortality rates among mothers and infants, worsening health conditions among children, increasing numbers of women migrant workers, increasing school drop outs and a higher unemployment rate. These consequences have led to a heightened need to devise a more gender sensitive political agenda. The presence of more politically engaged women is a prerequisite for a more gender equal society.

The need to increase women's political representation in Indonesia came from the realization that political priorities and agenda had to be changed. Only if women assumed a higher profile and take more positions in government will they be able to prioritize and secure different social and economic benefits. Increasing women's political representation raises their ability to influence policies that will secure the rights and entitlements of women and the community as well as allocate resources to improve human security.⁸

In 2002, gender issues received wide public attention in political debates and became more pronounced as 2004 drew near. Problems were widely discussed including quotas for women in various political institutions, the impact of general election systems and the implication of increasing women's representation in political parties.

Two landmark events related to Indonesian women's political representation occurred on November 28, 2002 and February 18, 2003 when parliament passed the laws on political parties and general elections. However, the law on political parties did not adopt the 30% quota demanded by the Indonesian women's movement.⁹ While perceived as a defeat for the Indonesian women's movement, the debate on the 30% quota brought the gender issue into the political arena in a totally new way. At least five political parties--Golongan karya, Partai Kebangkitan Bang, Partai Persatuan Pembangunan, Partai Amanat Nasional, FKKI and Reformasi--were supportive of the women's position in the quota debate.

While women's organizations generally support the quotas, there is the perception that few women want to enter politics. Challenges include economic realities, and discussions on quotas is closely linked with women's overall socio-economic position. Women need to be part of the national economic

⁸Ani Soetjipto, "Increasing Women's Political Participation through Constitutional and Electoral Reform," in Conference report 2002, Strengthening Women's Political Participation in Indonesia (International Idera, 2002)

⁹Francisia SSE Sea, Conclusion in the Conference Report 2002, Strengthening Women's Political Participation in Indonesia).

development but political culture also tries to convince women that their most effective contribution is at the local level. Hence national politics is less attractive. The internal mechanism of the political party's recruitment system, which is skewed in favor of male candidates, also needs to be challenged.¹⁰

The developments after the passage of the political parties law intensified the battle to win the quota in the general election law. On February 18, 2003, a "weak" quota for women was included in Article 65 of the election law. The election system to be used in the 2004 general election is proportional representation system with an open list. Article 65 stated that:

Each participating political party may nominate candidates for House of Representative, People's Representative Council, Provincial Level and district parliament for each electoral district, giving consideration to women by 30%.

This was a victory for the groups that lobbied hard for quotas as a first step toward gender equality. The inclusion of a gender consideration in the law on general election is considered a major breakthrough, providing the legal basis for increasing women's political representation despite the lack of legal sanctions for political parties. The celebrated inclusion stimulated other political dynamics. For example, there are now 28 women among 150 members of the provincial electoral commission. (See also the statistical data on women's candidacy in political parties in the previous paper).

How can it be achieved?

Various women's organizations and civil society organizations are working to increase women's political representation in political institutions. Among them are GPSP (Gerakan Pemberdayaan Swara Perempuan/The Voice of Women Empowerment Movement), KPPI (Indonesian Women's Caucus for Political Parties), Indonesian Women's Coalition (KPI), the Network of Women and Politics (Jaringan Perempuan dan Politik), Women Solidarity (SP), and CETRO (Centre for Electoral Reform) etc. These NGOs have an extensive network that cuts across provincial and district levels in many areas.

In addition, almost all political parties have women's divisions that strongly support increased women's political representation. They include Perempuan Partai Kebangkitan Bangsa, PPKB, Wanita Persatuan, Perempuan Amanat Nasional, and Kesatuan Perempuan Partai Golkar.

¹⁰ "The Implementation of Quotas : Asian Experiences," in Quota Workshops report series no 1, September 22, Idea International, 2002).

The discussion on quotas has led to an impassioned debate. Women's groups agreed that quotas needed to be introduced so that women would acquire a minimum share of legislative seats. There are different views on the quota that best fits Indonesia. One kind of quota targets actual candidacy by political parties (quota on nomination) and another targets the way seats are to be filled in parliament (reserved seat). One group believes quotas have to be stipulated by law. Another group believes it will just create a ceiling, not real political space for women in parliament, and therefore favors adoption of a more flexible quota.

Some wonder whether it is better to lobby for quotas within political parties or to work for legislated quotas. Some experiences show that if a majority party adopts its own quota, opposition parties follow. At present, most political parties do not support the idea of quotas.

At this time, Indonesia lacks a consolidated women's movement with a clear strategy and methods. Related to this is a weakness is in the formulation of a strategy for advocacy work. Various groups are all traveling each to its own path, with its own agenda, lacking vertical and horizontal coordination and synergy, despite the many groups' common fight.

Nevertheless, many women's organizations have already achieved major successes in specific issues such as violence against women, improvement in the status of migrant workers, ensuring women's reproductive rights and handling problems of women in conflict, they have drawn no response from decision makers who can make policies. Mass media, which should increase public awareness and pressure the government for gender-fair governance, do not consider these issues important. Editorial boards often run the media as a business venture and opt for sensationalized news. Women's organizations and civil society organizations are still divided on whether increased women's political participation is key to reducing gender discrimination. But even if they see it as key, these organizations remain reluctant to work with politicians.

Former President Megawati, the first woman president of Indonesia, has also inadvertently dampened enthusiasm for the quota. On December 22 and April 21, 2001, she spoke to women activists and pleaded with them not to press for a quota on the grounds that its implementation would have an adverse affect on the standing of women.¹¹

In the beginning, it seemed impossible to win the struggle for quotas in Indonesia's political parties and general election laws. However, a group of

¹¹ Chusnul Mar'iyah, "The Political Representation of Women in Indonesia: How Can It be Achieved?" in *The Implementation of Quotas: Asian Experiences*.

women activists persisted in cooperating closely with women's caucuses in parliament and with political parties and intensified lobbying for quotas. Women activists and women members of political parties jointly lobbied among political fraction leaders, leaders of special committees and working committees responsible for the adoption of the general election law.

Golkar Party and PKB were the first to sponsor quotas in the general election law. Reformation Fraction and PPP later joined them. PDI-P, F-TNI and PDU were strongly against quotas. In Parliament's full plenary session on February 18, 2003, this issue was one among many controversial ones that would be resolved through voting. Intense lobbying inside the parliament and strong pressure from the activists at the assembly balcony finally forced parliament members to agree to the passage of Article 65, which included the 30% women's quota.

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