Local Government Efforts in Realizing Gender Responsive Regional Policies in Banyumas District

Riris Ardhanariswari,* Tenang Haryanto,** Manunggal KW,*** Siti Kunarti****

Faculty of Law, Jenderal Soedirman University, Indonesia
*riris.ardhanariswari@unsoed.ac.id
**tenangharyanto84@gmail.com
***manunggal.wardaya@gmail.com
****siti_kunarti@yahoo.co.id

Abstract

The international community has come to an agreement on the importance of gender issues to solve such problems as the gender inequality, the gap between men and women. Gender issues have become a part of the national direction and strategy in carrying out national development. Therefore, addressing these issues has to be integrated in various national policies. The central government has granted authorities to each region in Indonesia to make gender-responsive regional policies, hoping that the concept of justice and gender equality in Indonesia be realized properly. This study uses a normative legal method by examining secondary data normatively such as laws and regulations, research papers on policy gender-responsive regional development. This article was originally a research focusing on the Government of Banyumas Regency in creating a gender-responsive regional policy. Through Banyumas Regent Regulation Number 35 of 2018 concerning Guidelines for Implementation of Gender Mainstreaming, the Banyumas Regency Government has supported gender responsive regional policies.

Keywords: Regional Policy; Gender Responsive; Local Government.
A. Introduction

The issue of gender inequality as part of national development has long been of worldwide concerns, including the Government of Indonesia. National development was initially oriented to economic growth but then during 1995s it had been shifted to a global commitment (initiated by the UN world agency/UNDP) to introduce the concept of gender-responsive human development through Gender Development Index (IPG) and Gender Empowerment Index (IDG) indicators. This concept was then followed by the declaration of the Millennium Development Goals (MDGs) with one of the goals is to encourage the achievement of gender equality and women's empowerment by 2015. Indonesia's participation to ratify Millennium Declaration along with other 189 countries in 2000 is not only a means to fulfill the goals and objectives of the Millennium Development Goals (MDGs), but it also signifies that the goals and objectives of the MDGs are in line with Indonesia's development goals and objectives.1

The Millennium Declaration consist of eight international development goals, viz, ranging from the eradicatin of extreme poverty and hunger, achieving universal basic education, promoting gender justice and women's empowerment, reducing child mortality, improving maternal health, eradicating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability, and developing a global partnership for development cooperation.

The issue of gender equality and justice has long been a concern of various parties, both at the national and international levels. This issue became even more relevant after being discussed at the Population Conference in Cairo (ICPD 1994). Issues of justice and gender equality embodies one aspect of upholding human rights as manifestation of the UN Declaration of Human Rights 1948. The convention on the elimination of discrimination against women (CEDAW) was

1 Soetji Lestari, Sofa Marwah, Oktafiani Catur Pratiwi, Capaian Indeks Pemberdayaan Gender Kabupaten Banyumas Pasca MDGs dalam Persepektif Regional dan Nasional, Purwokerto: Lembaga Penelitian dan Pengabdian kepada Masyarakat Universitas Jenderal Soedirman, 2019, p 2.
ratified with Law No. 7 of 1984, requires the state and government to protect all citizens from any discriminatory practices, and to have a high commitment in realizing justice and gender equality. Gender equality also concerns with the elimination of discrimination and structural injustice, both against men and women.

Equality is one of the principles in democratic life. All citizens have the same rights regardless of status, social structure or other exclusive identities. However, in practice, realizing these virtues is not as easy as formulating them in the constitution due to various universal preferences rooted deep in history, culture, customs, religion and other norms that affect inequality between men and women. Gender equality is equal treatment of men and women in juridical. An equal condition between men and women in achieving basic rights in the family, community, state, and international sphere. The equal fulfillment of basic rights will improve the quality and dignity of men and women fairly.

The issuance of Presidential Instruction No. 9 of 2000 on Gender Mainstreaming in National Development is a different means to encourage all elements of society to be involved in the development of their respective regions. It was then followed up with the issuance of Minister of Home Affairs Regulation No. 132 of 2003 on General

---

Guidelines for the Implementation of Gender Mainstreaming, and until now has undergone two revisions with the issuance of Minister of Home Affairs Regulation No. 15 of 2008 and Minister of Home Affairs Regulation No. 132 of 2003. 67 of 2011 on General Guidelines for the Implementation of Gender Mainstreaming in Local Regions, making it one of the tools to improve gender equality and justice. This regulation contains planning and budgeting policies, it is seen as an effort at the operational level to implement a gender mainstreaming strategy in national development. Although it has been regulated nationally, the local regions have not been able to implement it properly. Gender mainstreaming is a good governance tool to promote gender equality.\(^7\)

This Instruction aims to reduce the gap between Indonesia women and man in accessing and obtaining the benefits of national development, as well as increasing participation in and control over the process. It creates momentum for the advancement of women and the promotion of gender equality, and recently has been expanded to include gender-inclusive planning and budgeting.\(^8\) In 2000 the President of the Republic of Indonesia, Abdurahman Wahid, issued Presidential Instruction No. 9 of 2000 on Gender Mainstreaming in Development. Hopefully, that national development will integrate a gender perspective from the planning, preparation, implementation, monitoring, to evaluation and utilization processes of the results.

The definition of gender mainstreaming has been defined by the United Nations (UN) in 1977: "Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes,


in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetrated. The ultimate goal is to achieve gender equality."\(^9\)

The results of studies conducted by BPS, Bappenas, and UNDP show that gender equality in a local region makes a positive contribution that improve overall social welfare in that area. This means that the higher the participation of women, the higher the welfare of the community and the success of reducing poverty. This is the reason for the government to give authority to local regions to make gender-responsive regional policies.

Based on the results of research analysis on the existing gender-based human development portrait (GDI and GEI), Banyumas Regency in 2015 (as the final year of the MDGs program target) showed that the Gender Development Index (GDI) and Gender Empowerment Index (GEI) of Banyumas Regency was below the regional and national levels. The low GDI in Banyumas Regency was due to the huge difference in the gender gap expenditure per capita between men and women. Women's per capita expenditures was below regional and national figures, while men's per capita expenditures was above regional and national figures, resulting in a fairly high gender gap. Meanwhiles, the low GEI in Banyumas Regency was due to all components of IDG, viz., women who sit in the legislature (18 percent), women who become managers (45.90 percent), and household income contributions (31.29 percent). The GEI of Banyumas Regency was also below the regional and national figures.\(^10\)

In the 2015-2019 National Medium Term Government Plan, the policy directions and national mainstreaming strategies were divided into three topics namely; Mainstreaming Sustainable Development,

---


10 Ibid.
Mainstreaming Good Governance, and Gender Mainstreaming. Gender mainstreaming remains the direction of government policies and strategies in running the wheels of government. There are still many cases that show the number of gender gaps, making gender issues a never-ending problem.

Accordingly, this study aims to examine the efforts of local governments in realizing gender-responsive regional policies, especially in Banyumas Regency. To find out to what extent Banyumas Regency regulates gender equality and justice. This article tries to discuss the meaning of gender responsive in the regional policy. In addition, it tries to address efforts of the local government in realizing gender-responsive regional policies in Banyumas Regency.

B. Gender Responsive Regional Policies

Policies according to Kamus Besar Bahasa Indonesia are a series of concepts and principles that become the outline and basis of plans to perform a task in order to achieve goals or objectives. Etymologically, according to Dunn explained that the term policy is derived from Greek, Sanskrit and Latin. In Greek, policy is called polis which means city-state and in Sanskrit it is called pur which means city and in Latin it is called politia which means state.¹¹

Carl Friedrich argues that, policy is a direction of action proposed by a person, group or government in a certain environment that provides obstacles and opportunities for the proposed policy to use and overcome in order to achieve a goal or realize a goal, or a specific purpose.¹²


Policies are provisions that must be used as guidelines, ground rule or instructions for every affair and activity of the Government apparatus, in order to achieve a smooth and integrated means to achieve goals. Philipus M. Hadjon argues that policy regulations are essentially a product of state administrative actions with the aim naar buiten gebracht schriftelijk beleid, which means to reveal a written policy. Policy Policy regulations only function as part of the operational implementation of government duties, because they cannot deviate from statutory regulations. Accordingly, policy regulation was born from the discretionary authority.\textsuperscript{13}

Naturally, policies are written rules and essentially a formal organizational decision that are binding to its members, which can regulate behavior with the aim of creating new values in society. In contrast to laws and regulations, policies only serve as guidelines for action and do not have legal binding force. Although the policy regulates what can be and cannot be done, the policy is only adaptive and interpretative. Policies are generally problem solving in nature and are expected to be general in nature but without eliminating the particular characteristics of an organization or institution, in other words, policies must provide opportunities for interpretation to fit with existing conditions.

One of the results from the reformation era that succeeded in bringing about real and responsible legal instruments was regional autonomy. In the philosophical perspective the policy of decentralization and regional autonomy exist to improve the welfare of a community by granting greater authority to said region. Through this authority, it is hoped that regional governments have initiatives and creativities in utilizing their own potential, and become more responsive to the problems they might always face. In other words, by implementing regional autonomy, regional governments are expected to be able to work more effectively and efficiently in serving and responding to all demands of the community, and in solving existing problems.

Consequently, it make regional governments to have more responsibility to make a policy that is in line with the direction of national development. Based on the 2015-2019 National Medium Term Government Plan, the central government includes gender mainstreaming in the direction and strategy of national development. Therefore, giving authority to the local governments to pay more attention toward gender issue in every policy, these policies are referred to as a gender responsive regional policy. As per definition, regulations do not explicitly use such a term, however it has been use in several reports/research ministries dealing with gender. Government and non-government policies and programmes must be attentive to the gender dynamics of violent extremism, including gender-specific drivers of recruitment, gender discrimination and gender-based violence.\(^{14}\)

Inherently, Gender is the differences in the nature, role, function, and status between women and men which are not based on biological differences, but are based on socio-cultural relations that are influenced by the structure of the wider society. Consequently, gender is a socio-cultural construction and can change according to the times.\(^{15}\) Gender should be integrated within an intersectional approach to guide the global response and ensure the promotion and adoption of equity-responsive policies and programming designed to reduce impacts to all. This will ultimately produce a more equitable and effective response within and between resource-poor and resource-rich nations within an interacting, global system.\(^{16}\)

Other literacy, the one issued by the ministry, define Gender


as the roles, responsibilities, rights, relations and identities between women and men, defined/attached to women and men in a particular society and context and how the roles, responsibilities, rights and identities of women and men have an impact and influence to each other. These roles may differ according to place and time. Gender is closely related to the belief process of how men and women should be expected to think and act in accordance with the social and cultural conditions in which they are located.

Gender Responsive is a consistent and systematic attention to the differences of role between women and men in the community and then followed by the effort to eliminate structural and cultural barriers in order to achieve gender equality. Meanwhile, Fiscal Policy Agency of the Ministry of Finance define Gender responsiveness as the process of identifying, understanding and implementing interventions (can be in the form of policies, programs, activities) to address gender gaps and overcome gender bias/neutrality.

Consequently, Gender Responsive Policy/Program is a policy/program that focuses on the aspects of condition of the gap between woman and men to access, participate, control and receive the benefits of development and raise the issue of being left behind in various aspect of life faced by one of the genders. This paper, refer to gender responsive policies as policies made and implemented by local governments.

The Importance of Gender Responsive Policies is normatively regulated in both international and national legal products, to wit:

International Legal Basis:
1. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which has been ratified by Law Number 7/1984.

---


2. International Congress on Population and Development (ICPD) 1994 in Cairo which produced an Action Plan in the field of population control.

3. The 4th World Conference on Women in Beijing and producing Beijing Foundation Plan of Action which for the first time put forward Gender Mainstreaming as a strategy for formulating gender responsive policies, programs and activities.

4. The Millennium Declaration which produces the millennium development goals (MDGs).

Landasan Hukum Nasional:

1. The 1945 Constitution, Articles 27, 28 AJ on equal rights and obligations of every citizen (equal rights, non-discrimination).

2. Law Number 7 of 1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (in the family, community and state)

3. Law Number 39 of 1999 on Human Rights

4. Law Number 25 of 2004 on the National Development Planning System

5. Government Regulation Number 8 of 2008 on Stages, Procedures for Preparation, Control and Evaluation of the Implementation of Regional Development Plans


9. Ministry of Finance Regulation number 104/PMK.02/2010 concerning the same issue with the 2011 fiscal year and for the implementation of gender responsive budget to be carried out in the
Local Government Efforts in Realizing Gender Responsive Regional Policies

Social, cultural, political and economic fields.

10. Ministry of Trade Regulation Number 03/M-DAG/PER/1/2010 on the Strategic Plan of the Ministry of Trade 2010-2014.
11. Ministry of Trade Regulation Number 31/M-DAG/2010 concerning Organization and Work Procedures at the Ministry of Trade.

C. Banyumas Regency Government’s Efforts in Realizing Gender Responsive Regional Policies

Addressing the implementation of autonomy, decentralization is one of the main components that need to be highlighted. The Law No. 22 of 1999 on Regional Government before its amendment defined decentralization in an administrative perspective and decentralization in a political perspective. Administrative decentralization places more emphasis on formal government institutions. The emphasis is more on organizational or administrative structure. Based on this perspective, decentralization is the transfer of responsibility for planning, management, and improvement or the allocation of various resources from the central government and its various institutions to various units of local government institutions and lower units. Meanwhile, the notion of political decentralization emphasizes the transfer of decision-making authority to local regions, to groups that were previously unrepresented or marginalized. The purpose of political decentralization is to provide greater flexibility to citizens or representatives who sit in representative institutions in the public decision-making process.

The Regional Government of Banyumas Regency has made efforts to realize gender equality and justice by issuing several Regional Regulations, Regent Regulations and other policies related to gender mainstreaming as well as implementing various work programs to instill awareness and understanding of gender in the community. Banyumas Regent Regulation Number 35 of 2018 on Guidelines for the Implementation of Gender Mainstreaming in Banyumas Regency, regulate in detail and clearly topics such as the administration of
government, development, and local community services by paying attention to gender integration through institutional strengthening, planning, preparation, implementation, budgeting, monitoring, and evaluation of gender responsive policies, programs and activities.

The guidelines for implementing gender mainstreaming in Banyumas Regency have several objectives, viz., First, to provide a reference for the Banyumas Regency Government apparatus in formulating a gender integration strategy through planning, implementation, budgeting, monitoring, and evaluation of policies, programs, and development activities in the district area; Second, to implement a gender based perspective during planning stage by integrating experiences, aspirations, needs, potentials, and problem solving for both men and women; Third, to realize gender equality and justice in family, nation and state life; Fourth, to implement gender responsive regional budget management; Fifth, increasing equality and justice in the positions, roles and responsibilities of both men and women as human resources development; and, Sixth, increasing the role and independence of regional apparatus organizations in charge of women’s empowerment.

Meanwhile, Regent's Regulation accommodate a consultation forum for implementers and activist of gender mainstreaming from various Regional Apparatus Organizations called the Gender Mainstreaming Working Group. According Article 10 of Regent’s Regulation this Working Group is tasked with; a. promoting Gender Mainstreaming policy recommendations to the Regent; b. preparing annual work plan for the working group of Gender Mainstreaming; c. promoting and facilitating Gender Mainstreaming to each Regional Apparatus Organization; d. carrying out socialization and advocacy for gender mainstreaming to Regional Apparatus Organizations in Banyumas Regency; e. encouraging the realization of a gender responsive budget in Banyumas Regency; f. encouraging the election and establishment of Gender Mainstreaming Focal Points in each Regional Apparatus Organization; g. monitoring and evaluating the implementation of Gender Mainstreaming in Banyumas Regency; h. preparing the Regional Action Plan for Gender Mainstreaming in
Local Government Efforts in Realizing Gender Responsive Regional Policies

Banyumas Regency; i. establishing a Technical Team to conduct analysis on regional budgets; and J. encouraging the selection and establishment of Focal Points in each Regional Apparatus Organization.


The purpose of this agreement was to improve partnerships, coordination, and synchronization of Gender Mainstreaming and Fulfillment of Children's Rights in national development through gender responsive planning, budgeting, implementation, monitoring, and evaluation in districts/cities in Central Java; to increase commitment in the formulation of gender-responsive policies, programs, activities, and budgeting; and to support the development of Child-friendly Districts/Cities in Districts/Cities in Central Java.

Banyumas Regency as one of the regions that is still heavily influenced by culture, customs and local wisdom still considers women as an entity of tenderness that must always be protected, creating a perspective among men that women only have to take care of domestic problem as a privilege, because they no longer have to do labor. The local government of Banyumas Regency had massively socialized the concept of gender to make the community understand and aware of it properly. Due to how hard it is to change mentality that steam from culture and has always been internalized in people's lives.

It is be observed then, in 2015 there was an issue of gender development in the field of education in Banyumas Regency. Banyumas Regency has an area of 1,327.59 km² with 2,021,062 inhabitants at the end of 2016, consists of 1,019,451 males and 1,001,611 females. Based on the composition of the population, the female population is almost equal to that of the male population. However, looking at...
the Human Development Index (HDI) and the Gender Development Index (GDI) of Banyumas Regency there is still a gap. Knowledge (education) is one component in determining HDI, in addition to the other two basic components, namely a long and healthy life (health), and a decent life (economy). The GDI is an index of Assessment of Development Results by considering the equality of achievements among women and men. Banyumas Regency in 2015 had GDI value of 86.66 and HDI value of 69.49 (The Ministry of Women’s empowerment and Child Protection Gender Based Human Development, 2016). By examining the value of GDI and HDI, there are disparities between women's capabilities compared to men's capabilities, especially in the fields of education, health, and the economy. It is an interesting topic especially in the field of education where the quantity of the male and female population in Banyumas Regency is almost equal yet there still a gap in the Assessment of Development Results between men and women, and therefore need further study.19

Furthermore, a study of Banyumas community in 2017 found that young generation of Banyumas accept the changing gender role in this era which gives more opportunity for women to work in public areas. They take it as the wife’s financial support to help her husband cope with their poverty. Despite their acceptance of the changing role, most audiences emphasize that the purpose of women working in public areas is mere to support her husband, not as the main income provider for the family. Moreover, the traditional gender role division in the family also affects the gendered social roles in preserving tradition/ culture. The audience realizes that nowadays, Banyumas people, especially the youth, are less interested in helping with cultural preservation in their villages. They think that traditional culture is outdated; it is no longer suitable for today’s era of globalization and technology advancement. However, the role of women in preserving culture is valued as women’s expressive role as a nurturer.20

20 Aidatul Chusna, M. Tauﬁqurrohman, Lynda Suzanna, “Gender Role in Ru-
The research was conducted among the younger generation in Banyumas Regency using several movies screening. The movie portrays gender roles that are developing in Indonesian society today. By showing the movie, it can be observed and assessed how the Banyumas people view gender. The results suggest the acceptance toward fair and equal gender roles without any gaps. It signals how well the efforts made by Banyumas local government in disseminating gender-responsive regional policies.

Regarding the main issue on the implementation of regional autonomy, the involvement of the (local) community in the gender-responsive development process stem from the emergence of regional autonomy. The most important consequence of implementing political decentralization is the involvement of the (local) community in the decision-making process. In the past, development policies were highly centralized which mean that many people were in a marginal position during the decision-making process. Everything related to development programs was outlined by the central government in a limited elite circle, and local governments were a mere actor tasked to implement these programs. Consequently, in such conditions, (local) community could only act as some sort of "cheerleaders" during the development process, and their existence were only needed to implement certain policies through mass mobilization carried out by local elites.21

The era of regional autonomy in the dynamics of democracy that is happening in Indonesia today, requires regional regulations to bridge between the interests of the community and the acceleration of development in the region.22 This system is expected to provide great benefits to the local region, such as increasing the effectiveness and efficiency of government administration and regional development. The creation of a harmonious relationship and mutual need
between the government and the community, hopefully, making a precise and centralized problem solving in response to various problems that emerge in the community. This will also encourage community participation in government and regional development.

The local government of Banyumas Regency has collaborated with various parties to pursue gender-responsive regional policies. Social organizations to academics work together to create a gender responsive Banyumas. For example, the Research Center for Gender, Children, and Community Services, LPPM of Jenderal Sudirman University; Wijaya Kusuma University Women's Study Center; Institute for Research and Development of Resources and the Environment; etc. Through cooperation between educational institutions, social organizations, Non-Governmental Organizations (NGOs), with the local government of Banyumas in order to achieve gender justice and equality has made policies and programs that take into account every experiences, aspirations, and needs.

D. Conclusion

Local regions have authorities to make their own policies, as a result of the implementation of regional autonomy. Gender-responsive regional policy is a regional policy/program that focus on the aspects of condition of the gap between woman and men to access, participate, control and receive the benefits of development and raise the issue of being left behind in various aspect of life faced by one of the genders. The Banyumas Regency Government has issued regulations to support gender-responsive regional policies. These include Banyumas Regent Regulation Number 35 of 2018 on Guidelines for the Implementation of Gender Mainstreaming, and the issuance of a Technical Agreement between the Office of Women Empowerment, Child Protection, Population Control, and Family Planning in Central Java Province and the Banyumas Regency Office of Population Control and Family Planning, Women Empowerment and Child Protection concerning Acceleration of Implementation of Gender Mainstreaming and Fulfillment of Children's Rights in Districts/Cities in Central
The implementation of these regulation on Gender Mainstreaming in Regional Government of Banyumas Regency has been implemented properly, signaled by the implementation of work programs within the community and internal regional government by several Regional Government Work Units who are members of the Working Group of Gender Mainstreaming such as Bappelitbangda, Empowerment Service Women and the Department of Education and Culture. The formation of Working Group of Gender Mainstreaming is one of the means to achieve gender equality and justice within society. The understanding of the concept of gender among the community is hoped to provide awareness and transform to be more gender responsive.

In its implementation, gender mainstreaming in Banyumas does faces challenge. For example the issue of disparity between women's capabilities compared to men's capabilities, especially in the fields of education, health, and the economy, according to Human Development Index (HDI) and the Gender Development Index (GDI) in 2015. However, the local government of Banyumas Regency continues to carry out joint evaluations with grassroot of society, resulting in the more gender responsive regional policies. Receiving the Parahita Ekapraya Utama Award, the Banyumas Regency Regional Government has demonstrated how this regency has proven its excellence progress to create and implement more gender-responsive regional policies.

Bibliography


Local Government Efforts in Realizing Gender Responsive Regional Policies

Nomor 1, 2020.