

GENDER EQUALITY INCLUSION INTO INDONESIA REGIONAL DEVELOPMENT PLAN CYCLE BASED ON PANCASILA AND GENDER MAINSTREAMING

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ABSTRACT

The international community that represented in the United Nations World Summit shift gender equality agenda into the Sustainable Development Goals (SDG's). The SDG's stipulates the obligation for United Nations members to respect, protect, regulate, and fulfill national development agenda that reflected the furtherance of gender equality agenda, based on local, national, and international values, and also it is reflected gender mainstreaming in all spheres of national development. In Indonesia, the gender mainstreaming was regulates in the 1945 Indonesia Constitution, the 1999 Human Rights Law, and Presidential Instruction 9/2000 that placed as legal framework of gender equality agenda based on gender mainstreaming and implementation of Pancasila. The gender equality agenda also placed into regional development plan cycle. This paper has specific interest to examine gender equality agenda in Indonesia's Regional Development Plan Cycle. This paper also conducted by using normative legal research with a combination of statutory law approach, conceptual approach, and legal philosophical approach. This paper research concluded that there is encouragement of gender mainstreaming and Pancasila into regional policies with aims to reduce a number of economic, social, cultural, and legal problem that inhibiting gender equality agenda. This paper also concluded with furtherance regional development agenda as comprehensive and interrelated framework to implement gender equality based on Pancasila and gender mainstreaming.

Keywords: Gender Equality, Gender Mainstreaming, Pancasila, Development Plan.

INTRODUCTION

The gender issues and women's empowerment became important agenda in recent decades that require serious handling by any government in the world (Westendorp, 2015), especially gender issues that commonly recognized as the one of the primary global issue (Visser, 2019). This agenda was stated in the Millennium Development Goals (MDGs) and passed in the Millennium Summit that orchestrated by the United Nations, with mandatory task for the all United Nations members to fulfill all agenda, including gender equality agenda that implemented and achieved in 2030 (Yumarni, 2018). From all of the 17 SDGs targets, gender equality issues

alongside with women empowerment shall be dealt and achieved also in 2030. Indonesia as participate members also consent to bound with all arrangement that stipulates in the SDGs, it means that Indonesia shall to implement 17 SDG agenda, including gender equality and empowerment of women and there is obligation for the government to create this implementation to achieve target that regulates in this SDGs (Shi et al., 2019). The issue gender equality and women empowerment are not being an easy obligation for Indonesia's government, causes it related with any aspects, including socio-cultural construction. This construction related with human beings values that constructed with follows social dynamic and it shall to be implement into a serious and comprehensive agenda that created within commitment of all parties, both the public and related institutions, is urgently needed.

Historically, the efforts to realizing gender equality and women empowerment agenda's has been carried out by the Indonesia Government since 70s, firstly with the formation of the junior ministry for women empowerment (Menteri Muda Urusan Peranan Wanita or MEN UPW) in 1978 which develops and recognized as the one of the Indonesia Government ministries in the form of the Ministry of Women's Empowerment and Child Protection (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak or KemenPPPA). In formal juridical terms, the 1945 Indonesia's Constitution has also arranging equality between men and women with enjoyment guarantee and furtherance for all citizens in various fields of Indonesia development (Hadiprayitno, 2010). In fact, gender disparities in various fields of development still occur. It means that there are people do not have access, including their participation, their role, and their rights for enjoyment of resources, results, and benefits from national development (Lewis, 2018).

Meanwhile, the gender equality agenda recognized by the international community within international unwritten law or agreements, inter alia CEDAW and the Beijing Platform for Action that shift gender mainstreaming as the development substance in realizing gender justice and gender equality. In 2000, the Indonesia's President issued Presidential Instruction Number 9 of 2000 concerning gender mainstreaming in National Development which instructed all central and local government agencies to implement their policies, programs, and activities at every stage of the development process based on gender perspective (Lindsey & Pausacker, 2017). In addition, it strengthened by the Minister of Home Affairs Regulation Number 67 of 2011 concerning General Guidelines for the Implementation of Gender Mainstreaming in Regions which clearly provides the guidelines to applied gender mainstreaming in the regional development plan.

In terms of legal substance, most regional planners and policy makers in regional government still does not common understanding to implement gender development based on the substance of Presidential Instruction 9/2000 regarding: (i) the meaning of gender main streaming; (ii) the gender mainstreaming implementation in the planning programs, activities and budget allocations, it cause with brief substance of Presidential Instruction 9/2000 only provides general methods; (iii) inadequate skills and gender sensitivity; (iv) the benefit that could gained when the government implementing gender mainstreaming; (v) the disadvantages if the government does not implementing gender mainstreaming; and (vi) the certain indicators and measurement for the regional government to create gender mainstreaming implementation.

In terms of legal structure, the gender mainstreaming evaluation results showing that: (i) there are many regional government planner officials are not aware with the substance of the

Presidential Instruction 9/2000; or (ii) the regional government planner officials are aware with the Presidential Instruction 9/2000 and Ministry of Home Affairs Regulation 67/2011 substance however they could not implement gender mainstreaming properly; and (iii) there is lack commitment from the regional leadership to implementing gender mainstreaming.

In terms of legal cultural, there are: (i) lack support from civil society; (ii) the common understanding related with gender mainstreaming is still jargon; (iii) the business actors, media and civil society groups have a wider opportunity and role to support and implement gender mainstreaming, however, because the Presidential Instruction 9/2000 substance does not reach them, that impact lower community participation. Other issues that have become problems in terms of gender mainstreaming institutions inter alia: (i) the coordination function has not been optimal by the coordinating agency related to gender mainstreaming at the provincial, district, sub-district and village levels; (ii) the unavailable disaggregate data/gender profiles in each regional government officials; (iii) lack gender mainstreaming guidelines in local governments, and (iv) the incomprehensive provisions or disaggregate data in formulate gender policies or plans in the regional development programs.

Based on the research that conducted, the previous research determines that there are three reasons to implement gender equality agenda in regional development cycle plan, inter alia: (i) investment in human resources is a long-term investment whose results cannot be seen directly; (ii) the implementation of gender mainstreaming, apart from being new, is also not easy to accept. This is closely related to changing the mind-set of someone who has been embedded in the community, as well as the local government thought related to women or gender issues. This assumption cannot be separated with common understanding that gender issues just as a women's program and gender mainstreaming which is understood as woman empowerment; (iii) the human resources needed to understand and manage the gender mainstreaming strategy in terms of substance and application are still very limited among planners (Husein et al., 2021).

Another research also placing that gender issues still being important agenda, especially to realizing gender equality in the regional development (Astariyani & Hermanto, 2019), in this context, that reflected government effort to accelerate gender mainstreaming into the regional planning and budgeting system by compiling a Gender Mainstreaming Regional Action Plan (Chalabi, 2014). It is carried out with integrating the women and men as well as groups with special needs experiences, aspirations, needs and interests of into the development cycle starting from planning agenda, implementation agenda, and strengthened with all development policies, programs, and activities monitoring and evaluation (Renshaw, 2017).

Based on the previous research that conducted other researchers, this paper is to specifically found, examine/analyses gender equality agenda in national laws and regulations, which includes finding, examines, and analyze issues regarding gender mainstreaming in laws and regulations as a form of the Bali regional development planning cycle, as well as finding, examines, and analyze content material of the regional gender equality agenda in the Province of Bali. This paper was examined two main issues, namely, first, the international norms gender equality arrangement into national and regional development that reflect national law idea and gender mainstreaming, and second, the gender equality agenda content in regional development cycle plan that stipulated in the Regional Regulation with studies in Province of Bali that implementing Pancasila law ideas and gender mainstreaming.

METHODS OF RESEARCH

This paper was conducted with the application of a normative legal research (doctrinal legal research) that placed law as a prescriptive discipline and in wider perspective (Choudhury, 2017), is related with special attention from this paper regarding gender equality issue towards woman protection that in line with Pancasila and the 1945 Indonesia Constitution. This research examine legal problem that found in the statutory law framework (Sonata, 2015). In this context, this method was used to examine the gender mainstreaming issues in laws and regulations based on international legal instruments reflection into national legal substances. This method also used to legal content materials that implicitly regulates in regional gender equality agenda, with sample in the Province of Bali. Generally, this paper research was strengthened with statutory law approach, legal conceptual approach, and legal philosophical approach. In further, this paper research was supported with primary legal materials, secondary legal materials, and tertiary legal materials (Petroski, 2013) related with gender equality, Pancasila law ideas, and gender mainstreaming. Those legal materials was used and analyzed with descriptive, interpretative/ legal hermeneutic (Marzuki, 2011), and evaluative prescriptive techniques.

LITERATURE REVIEW

Theoretical Framework: Gender, Gender Equality, and Gender Issues in Development

Oakley as quoted by Haug, defines that gender as the sex difference or typology that non-biological and it is not reflected God nature. Caplan also as quoted by Haug revealed that gender as the behavior differences between man and woman that develops within social and cultural process (Haug, 2017). In broader perspective, gender is constructed by society as socio-cultural construction based on social norms and socio-cultural values (Campbell, 2007). The gender concept cannot be separated with gender role that defines as social role that cannot defines from sex difference or nature role that different from one to another society depends on education, technology, economy and other social factors. The gender role also can be substituted between man and woman. This different status and role between man and woman is caused by difference between social norms and socio-cultural values. The gender role can be divided into three roles including productive role, reproductive role and social role (Manjoo & Mcraith, 2012).

Gender concept and gender role are contribute to create gender issues implementation into national development within gender equality agenda (Moshan, 1998). In this context, the gender equality defines as the equal condition between man and woman to gain their opportunity and rights as human being, with aims to effectively pursue their role and participation in political, legal, economy, socio-cultural, education, defense and security, and equality opportunity to enjoyment of development results (Walby, 2005). The gender equality also understood as gender justice that reflected just process and attitude towards woman and man, to eliminating strict roles, double burden, subordination, marginalization, and violence against woman/man. The gender inequality can be eliminated with gender mainstreaming in national development. In this context, gender mainstreaming could be defines as the efforts that created to integrate gender policy in development program starting from planning, implementation, monitoring and evaluation (Waal, 2006). Gender mainstreaming aims to establish

strong and continuous framework for gender based national development programs.

Gender Equality Inclusion into Indonesia's National and Regional Development: Implementing Pancasila Law Ideas and Gender Mainstreaming

Gender equality defines as equality conditions both for men and women to obtain their opportunities (Oosterveld, 2014), and their rights as human beings, and also the ability to play a role and participate in political, legal, economic, socio-cultural, education, national defense, or security activities as well as equality condition in enjoying development results. Gender equality that related with gender justice to create just and equal process and fair treatment of women and men. Gender justice realized with none of role standardization, double burden, subordination, marginalization, or violence against women and men. Gender equality based on gender mainstreaming and Pancasila law ideas shall reflected in planning, implementation, monitoring and evaluation of national development. The gender mainstreaming strategy was regulates in further with Presidential Instruction 9/2000 that interpreted as an effort built to integrate gender policies into Indonesia development programs.

In this context, Pancasila is the basis of state philosophy, a way of life, a law-idea, life values, humanism, and the protection of human rights for all of Indonesia society (Hermanto, 2021a). Pancasila is a guide for political, economic, social, cultural, legal, defense, and national security spheres that reflected in the Fourth Paragraph of the Preamble 1945 Indonesia Constitution (Sudiarawan et al., 2020). The Pancasila inclusion into the Constitution Preamble reflects the strategic role Pancasila in all aspect of Indonesia development (Budiartha, 2019). Pancasila values contains ideal values, universal understanding, and direction of the Indonesia nations and state, then used as a basis and reference in the context of real life (Maroni, Sitepu, & Ariani, 2019). The elaboration of Pancasila concepts, principles, and values confirms the importance Pancasila placement as a paradigm of national development in all fields, especially as a paradigm of national legal development. It is related with a civilized human being that implied for hampering efforts to produce legislation and regulations in a simple, easy to understand, and provides concrete benefits framework in the implementation of national development agenda (Yusa et al., 2020).

Pancasila law-idea placed as a framework of thought, a source of value, a direction for the preparation, and a change of positive law in Indonesia (Hermanto, 2021). The national development based on the values of the Pancasila carried out from the planning, implementation, and supervision stages (Seng, 2018). Likewise, with development actors, all activities should be achieved within developments goal. Pancasila as a paradigm in carrying out national development, especially in the realm of law, the Pancasila can be seen as a legal ideal located as a staatsfundamentalnorm including the 1945 Indonesia Constitution which can realize the state's goals in the development of national law in Indonesia, including gender equality development agenda in Indonesia.

The regulatory basis that used as gender equality development guidelines regulates in the Presidential Regulation 9/2000, and Ministry of Home Affairs Regulation 15/2008 juncto 67/2011. In both regulations, there are obligation for national and regional government to integrate gender issues in the development process starting from the planning, implementation

and evaluation stages; as well as the internalization of gender mainstreaming in long-term (20 years), medium (5 years) and short (1 year) planning documents as well as the institutionalization of gender equality agenda management. The Presidential Regulation and Ministry of Home Affairs Regulation placed as legal substance framework for the involvement of all parties to carry out national/regional development planning, implementation, and supervision based on gender justice. The development plan shall to create gender responsive policies, fulfill gender equality and justice agenda through integration of experiences, aspirations, potential needs, and solutions related with equal and just framework for women and men. The development agenda regulates in further with enactment of Regional Regulations, Regents' Decrees, Regent Decrees and other forms of policies.

Gender Equality Material Content in the Regional Development Cycle Plan: Study in the Province of Bali

Gender Equality based on Pancasila law ideas and Gender Mainstreaming in the Regional Development Cycle Plan

The regional development stages started from planning stage, implementation of regional development stage, evaluation and reports of regional development results stage. The integration of gender mainstreaming in regional development derived from Law Number 25 of 2004 concerning the National Development Planning System, there are 4 (four) stages of the national development planning cycle, inter alia the formulation of plans; implementation of the plan; planning control; implementation; and evaluation. In relation to regional development planning, especially regional regulation drafting shall implemented the restrictions that regulates in the Article 250 of Law Number 23 of 2014 concerning Regional Government, including imperative norms to district/city level government institutions to implement gender equality agenda with gender mainstreaming institutionalization, women empowerment in the political, legal, social and economic fields at district/city or community organizations level, strengthen and develop regional women empowerment.

Article 27 paragraphs (1) the 1945 Indonesia Constitution stipulates that every citizen has equal position before the law and government and it should be dignified without any exceptions. This norm reflected that the equality position between man and woman has been guaranteed in the Constitution and statutory laws (Hermanto et al., 2020). However, in recent condition, there are disparities and gaps between man and woman in achieving broader access, participation, control, and their role in policy formulation or policy decision, it is also related with development implementation and participating to gain any development results in every aspect and in all level from village until central level.

According to the Article 12 Paragraph (2) Law Number 23 of 2014 concerning Regional Government (abbreviated as Law on Regional Government), the Obligatory Government Affairs that has no relations with Basic Services, including inter alia a. labour; b. woman empowerment and children protection; c. food; d. agrarian; e. environmental; f. population administration and civil administration; g. people and villages empowerment; h. population control and family planned program; i. transportation; j. communication and information; k. cooperation, small and medium enterprises; l. capital investment; m. youth and sport; n. statistical; o. coding; p. culture;

q. libraries and archives.

In the Appendix letter H. regarding the Government Authority Distribution in matter of Woman Empowerment and Children Protection, the Law on Regional Government, this norms regulates Regencies and Cities government have authority to institutionalize gender mainstreaming in the Governmental Institutions at the Regencies or Cities level.

Moreover, further arrangement regarding gender mainstreaming as the part of gender equality has been regulated in the Presidential Instruction Number 9 of 2000 concerning Gender Mainstreaming, that instructed to the all Ministers, Chief of Non-Departmental Government Institutions, Secretariat Chief from all Highest or Higher State Institutions, Commander in-chief of the National Army, Chief of Police, General Prosecutor, Governors, and Regents or Mayors that should be implemented gender mainstreaming to planning, arranging, implementing, observing, and evaluating national gender-based development programs and policies in line with their tasks, functions, and their authorities.

Based on these arrangements and as further norms arrangement from the Law Number 25 of 2004 concerning National Development Planning System, the Law on Regional Government, Government Regulation Number 38 of 2007 concerning the Governmental Authority Distribution between Central Government, Provincial Government, and Regencies/Cities Government, Presidential Instruction on Gender Mainstreaming, and Minister of Home Affairs Regulation Number 15 of 2008 concerning General Guidelines on the Gender Mainstreaming Implementation in the Regional level (Husein et al., 2021), these statutory laws shift Regional Autonomy implementation should be directed by democratic principles, openness, participation, distribution, fairness, and admire regional potency or diversity should be responded wisely by Regional Government. It is related with human resources both man and woman has equal rights, obligations, role, and duties as integral part from regional development potency, that could be preserve in achieving gender equality and justice.

Hence, the Book I of the Appendix from Presidential Regulation Number 2 of 2015 concerning Mid-Term National Development Plan 2015-2019, as strengthened by the Presidential Regulation Number 18 of 2020 concerning Mid-Term National Development Plan 2020-2024, stressing that life and woman role improvement in all development spheres, and woman representation improvement in political affairs, including decision making process in the legislative, executive, and judicative. The policy direction and strategy in the context of increasing institutions capacity in gender mainstreaming, this arrangements was regulates that:

The improvement of statutory laws and policy making process that should be always received any suggestion with gender-based perspective.

1. Review, coordination, and harmonization of the all statutory laws from Law until Regional Regulation with gender-based perspective.
2. Human resources capacity improvement conducted by coordinator institutions to coordinate and facilitate ministers/institutions/regional government in implementing gender mainstreaming including separated files.
3. Coordination mechanism strengthened between Government, people, and business actors in implementing gender mainstreaming.
4. The improvement between central and regional institutions on the gender mainstreaming affairs, including higher educations, woman/gender studies center, and social organization.
5. The improvement of provider, updating, and preservation separated files system to arranging,

observing, and evaluating development policy/program/activities including gender equality and justice index publication in each regencies as incentive and disincentive basis from village fund allocation.

6. Observation and evaluation in implementation and result of gender mainstreaming.

Gender mainstreaming is a strategy to implement gender equality is not followed by woman abilities in realizing gender quality (Alfitri, 2015). The gender mainstreaming is a strategy to achieve gender equality and justice with any policies and program with follows experience, aspiration, needs, and any problems that faced by woman and man, into planning, implementation, observation, and evaluation from all policies and program in all living and development affairs. The gender mainstreaming implementation including all development affairs, including law, economy, politic, religion, education, social and culture, regional development, natural resources, environmental, and defense security affairs, that should be benchmarks, interprets, and harmonize operationally into any activity policy/program that enacted by Regional Government into planning, implementation, observation, and evaluation aspects including regional development institutionalization.

This strategy was developed to integrate national gender equality agenda into an integral dimension of regional policies and development cycle based on responsive gender paradigm (Blair & Menasco, 2016). The gender quality also implemented with gender analysis steps for the government agencies and institutions as the legal framework to communicate, inform, and educate the civilian based on gender mainstreaming and Pancasila in national or regional levels, with aims to formulate policies for gender responsive development programs and activities. Gender responsive planning also implemented within gender equality and gender justice agenda (Arief, 2018).

The gender responsive paradigm could be achieved in the regional development plan and budget based on gender analysis process both of Gender Analysis Pathway (GAP) and Gender Budget Statement (GBS) methods. The GAP or GBS used to analyze developing gender issues to formulate gender responsive activities (Davies, 2016). The formulation of gender content and the setting of performance targets with GAP and GBS analysis were carried out using gender disaggregate data. Gender disaggregate data is important to determine the extent of access, control, participation, or roles gaps between men and women. GAP is a gender analysis tool that is used and developed to assist planners to adopt gender mainstreaming policy.

The implementation of gender equality development is also integrated with regional development activities handles within delegated authority from central government to the regional governments. This implementation proposed within the regional government obligation to guarantee the fulfillment of free access control, participation and roles between women and men (Spranz et al., 2012). Moreover, this directive agenda has aims as political and legal framework to solve and reduce man and woman disparities, within gender mainstreaming and Pancasila. In the monitoring phase, it shall to determine and examine with gender analysis method, and in the evaluation phase, gender development plan becomes the main reference in evaluate and examine the implementation of gender agenda in the regional development (Rinaldo, 2019). The implementation reporting stage constitutes the substance of the regional development implementation report. Gender justice and gender equality are the main objectives that used as measurement to evaluate all of regional government performance. Those all regulations cannot

be separated with content material of gender equality issue that establish imperative framework for regional government to implement Pancasila law ideas and gender mainstreaming into gender equality regional development cycle plan.

The Province of Bali Regional Development Cycle Plan Concerning Gender Equality Agenda

This paper was focusing on the practice that conducted in the Province of Bali, because Bali Government both in province or cities/regencies level became one of Indonesia regions that arranging comprehensive Regional Regulations frameworks related to Regional Action Plans for Gender Mainstreaming. In this case, Bali Provincial Government has been enacted the Bali Provincial Regulation Number 2 of 2019 concerning the Bali Provincial Long-Term Planned Regional Development Plan 2005-2025 and Bali Provincial Regulation Number 3 of 2019 concerning the Bali Provincial Medium-Term Development Plan for 2018-2023.

First, the Bali Regional Regulation 2/2019 indicates several gender development and women empowerment measurement in Bali Province including Gender Development Index (IPG/GDI) and the Women's Empowerment Index (IDG/WEI). The IPG/GDI recognized as measurement indicator of local governments performances in women's empowerment and child protection. In 2010, the IPG/GDI achievement of Bali Province reached 90.90 and tended to increase until 2017 reaching 93.70. The IDG/WEI used as measurement indicator of woman active role in economic and political life including political participation, economic participation, decision making, and control of economic resources. The IDG/WEI achievement of Bali Province during 2010-2017 shows less encouraging results, it is still below the national average and several provinces in Java Island, means that Balinese women in terms of economic and political life include political participation, economic participation, decision-making role, as well as control of economic resources still below that of women in provinces throughout Java.

It also mentions gender mainstreaming by referring to Point 5.2. of the Bali Regional Regulation 2/2019 stipulates that the main goal is that based on the direction of the Bali Regional Development Policy in the 20 years previously described, the development of Bali is directed at achieving the main targets, namely the Number 5.2.4 of the Bali Regional Regulation 2/2019, especially in letter (h), namely increasing gender equality and justice in social life, nation and state.

Second, the Bali Regional Regulation 3/2019 is also has special agenda related with gender equality similarly with the Bali Regional Regulation 2/2019, especially in the Number 2.5.2.2 Women's Empowerment and Child Protection, a number of benchmarks that needed to examined as part of the gender equality agenda based on Pancasila law ideas and gender mainstreaming. In this paper, there are political, civil, economic, social, and cultural aspects in this gender equality regional agenda's, as explained in below:

First, the political and civil aspects of gender equality in Bali Regional Regulation 3/2019 indicates with the Gender Development Index, Women Empowerment Index, Percentage of Women's Participation in Government Institutions, Proportion of seats held by women in the People's Representative Council, and Participation of Women in Private Institutions indicators.

The IPG/GDI and IDG/WEI indicator defines as the regional governance measurement

in women empowerment and child protection areas. Similarly with Bali Regional Regulation 2/2019, in 2015, the IPG/GDI that achieved by the Province of Bali reached 92.71 point. In addition to the IPG, the indicator used is the Gender Empowerment Index (IDG/WEI) as a composite index that measures the active role of women in economic and political life includes political participation, economic participation and decision making and control of economic resources (Gae, 2014). In 2017, the IDG/WEI that achieved by the Province of Bali reached 63.76 point.

The Percentage of Women's Participation in the Government Institutions, in 2013, this percentage was reaching 43.73% and continuing to increase until 2016 with the realization reaching 45.22%. However, in 2017, there was a significant decline where the realization reached 41.70%, and subsequently in 2018, there is increasing with percentage reaching 46.03%. This condition shows that the number of women working in government institutions is still below that of men and also the gender ideology which places the role of women in the domestic realm still influences the existence of women in the official public services.

The legislature seats proportion for women in the People Representative Council that directly impacting decision-making or formulation of public policies (Meier & Lombardo, 2013). The results of the Legislative General Elections held in 2009 and 2014 showing that the elected and sitting woman numbers in the Legislative Council is still in low points and it is still cannot fulfill the minimum requirement target. In the 2009 Legislative General Election, the women's representation in the legislative body just reaching 7.27 %, and in the 2014 Legislative General Election, this representation was increasing to the 7.90 %. Those all results still far from the 30 percent quota as stipulated in the Elections Law, nevertheless, the women have been able to access the world of politics which has been identified with the world of men (Asmar et al., 2021).

The Woman Participation in the Private Institutions, for a long time, women have been identified with domestic activities compared to public activities along with social transformation (Daraba et al., 2018). Women who actively in public spaces and has opportunity or role in the productive sphere have become increasingly visible as a result the improvement of woman role in the development process. The participation of woman workforce in Bali Province is increasingly visible in private institutions and in other social organizations within five years. In 2013, the number of female workers that working in the private institutions reached 96.9%, and it was increasing in 2016, reach 97.11% that reflected the women dominance in the private institutions.

Second, in economic, social, and cultural aspects, there are gender equality measurements within Pancasila law ideas and gender mainstreaming framework including domestic violence ratio, percentage of woman underage workers, women labor forces percentage, the coverage of women and children victims of violence that receive complaints handling by Trained Officers, the coverage of social rehabilitation services provided by Trained Social Rehabilitation Officers for women and children victims, the participation rate of woman and man in the Higher Education, the literacy ratio of woman and man in the 15-24 years old group, and the woman contribution rate in wage work that related with non-agricultural sector.

The domestic violence ratio still determine as an iceberg phenomenon for government and any stake holders (Hasyim, 2019). There are many cases in the community are not reported because cases of domestic violence are a family disgrace and it just as a family problem that

inappropriate publicly known (Lestarini et al., 2019). The prevention, service, and empowerment approaches are carried out as government effort to ensure woman rights protection. The adequate insights to people who are victims of domestic violence has aims a positive impact to reduce the number of cases down. In 2014, the domestic violence cases are 549 cases (ratio: 0.053). In 2015, it was increasing to 584 cases (ratio: 0.057). In 2016, it was decreasing to 489 cases (ratio: 0.048). In 2017, there was increasing to 507 cases (ratio: 0.049), and in 2018, there was an increasing to 571 cases with a ratio of 0.056 domestic violence in the Province of Bali.

The percentage of total underage workers that accordance with the mandate of the Article 68 of Law Number 13 of 2003 concerning Manpower, it is stated that employers are prohibited from employing children/ underage workers. However, referring to the Article 69, 70, and 71 Law on Manpower stipulates the exception for children with age between 13-15 years old is allowed to do light work as long as it does not interfere with their physical, mental and health. The highest number of children/underage workers occurred in 2013, namely 4.64 percent and each year the number has decreased between 2014-2016, in 2016, and it was decreasing to 3.70 percent. In 2018, the number of underage workers in 2017 was 133,763 people or 5.49% of the total workforce of 2,434,450 people. This percentage is much higher than the previous year due to the permissibility of employing children aged 15 years and over, and the Central Statistical Bureau data has limitation of children/underage workers just between 15-19 age groups.

The woman's labor forces participation in Bali Province for the last three years has increased, starting from in 2013, which amounted from 66.52 percent to 67.24 percent in 2015. However, this result has not yet reached basic line target, and still indicated that there is still a gender gap where the female workforce in Bali Province is still below than male workforce. This female workforce works in various development sectors inter alia civil servants, private employees, trade and others.

The coverage of women and children victims of violence that receive complaints handling by Trained Officers (Integrated Service Center for Women's Empowerment and Child Protection in Bali Province). In 2013, there were 25 cases, however for two years there are increasing trend both in 2014, it was reaching 28 cases, and in 2015, there was 59 cases. The decreasing starting from 2016 to 2017, with result in 2016, there was 34 cases, and in 2017, it was decreased to 30 cases. This data reflected that there increase in particular in 2013-2015 although then decreased in the following years. All complaints of cases of women and children victims of violence who receive complaints handling by Trained Officers, receive treatment from the Integrated Service Unit.

The coverage of social rehabilitation services provided by Trained Social Rehabilitation Officers for women and children victims in the Integrated Service Unit. Based on the results from the Bali Provincial Social Service Department, the data on the coverage of social rehabilitation services by trained social rehabilitation officers for women and children victims of violence in the integrated service unit 2013-2017 are as follows: 2013, 59 cases, year 2014 as many as 60 cases, in 2015 as many as 100 cases, in 2016 as many as 84 cases, and in 2017 as many as 69 cases.

The participation rate of woman and man in the Higher Education (NER) for the last 3 (three) years, although in small rate, it was increasing. The NER in 2016 was 21.78% higher than 2015, which was 21.61%. Although, the NER at the tertiary level/equivalent increasing for the

following years still showing man and woman disparities. In 2016, the percentage of woman reached 20.87% lower than the NER rate for man (22.69%), however, this condition can be interpreted as progress for women related with equal condition between woman and men are able to fill opportunities at the level of higher education.

The literacy ratio of woman and man in the 15-24 years old group also being one of the most important measurement of gender equality. This indicators reflect that the education as the most important and driven factor in the progress of human development (Judiasih et al., 2020). The educational indicators present the dimensions of knowledge in both the Human Development Index and the Gender Development Index, especially the Literacy Rate that describes the percentage of the population between 15 years and over, whom has ability to read and write. This indicator also can be used to see the intellectual potential of the community, as well as to contribute to the development. During 2013-2016 periods, there is increasing trend for women literacy rates that reach 3.18% while, literacy rate for men was only around 0.37%. In 2016, it can be seen that the literacy rate of Bali Province has reached a level above 90%, where 96.37% of the population is male and 89.23% for women. However, there are 10.77% of the female population with age between 15 years and over are still illiterate. This shows that there are still disparities in reading and writing in Bali Province between men and women.

The woman contribution rate in wage work that related with non-agricultural sector has fluctuation over this period. In 2014, the contribution of women in wage labor in the non-agricultural sector was reaching the peak rate with 25.60%, it was decreased in 2016 reached 25.53% or increasing by 0.53% from 2015 rate. The proportion of women contribution in non-agricultural sector in the Bali Province, for example, in 2016, it was only 25.53% or equal with a total of 129,932 non-agricultural casual workers. It means that the male population still dominates the non-agricultural casual workers in Bali Province. This condition could be affected to the decreasing of woman income/wage contribution. If the woman income/wage contribution in the non-agricultural sector increasing, it will certainly decreasing the proportion of male contributions. As a result, the proportion of women's income/wage contributions will increase and reduce the gap with the proportion of men's income/wage contributions

Based on two main aspects in the Bali Regional Regulation 3/2019, it also strengthened with the recognition of gender equality as the part of the twenty development missions of the Province of Bali. The gender equality agenda was stressed in the Point 20, namely "*Creating a Democratic and Just Life for Krama Bali by strengthening Legal Culture, Political Culture and Gender Equality with dignifying Balinese Cultural Values*". It is emphasized regarding its objectives, namely in the realization of the Balinese Krama life system that is civilized in accordance with Balinese cultural values, as well as the goals to be aimed at, namely in order to increase the participation of Krama Bali in obeying the law and exercising constitutional rights. This agenda was manifested in the numerical strategy (46) of the Bali Regional Regulation 3/2019, namely "Gender Equality in the Values of the Balinese Krama Life System with the Bali Province Policy Direction for 2018-2023", which is to align gender equality in Balinese cultural values with national statutory regulations (Suartha et al., 2021), with aims to realizing a civil Balinese culture in accordance with Balinese cultural values, objective indicators in the form of democracy index and gender empowerment index, and targets are aimed at in order to increase the role of Krama Bali in law obedience and exercise constitutional rights.

In this case, the standards of sustainable development analysis as measured in the SDGs benchmarks in the Bali Province Regional Master Plan 2018-2023, namely:

First, in the Chapter IV regarding Problems and Regional Strategic Issues, reflected in the Point 4.2. related to Strategic Issues which in this case have been able to meet SDGs standards in the crucial and strategic issues related to challenges and opportunities as well as in-line with the SDGs benchmarks including in the field of poverty; food security; public health and welfare; inclusive education; gender equality and women's empowerment; availability of clean water and sanitation management; energy; economic growth and job opportunities; infrastructure development, industrial enhancement and innovation; intra and between regions, between countries; settlement; production and consumption patterns; climate change; marine resources; terrestrial ecosystems, forests, land degradation and biodiversity; community peace, equal access to justice, and effective, accountable and inclusive institutional development; strengthening of implementation tools and global partnerships for sustainable development, and being able to include the main issues of the study results in the problem column in the table of sustainable development team work as part of strategic issues in regional development.

Second, in the Chapter VI regarding Strategy, Policy Direction and Regional Development Programs, fulfilled in the Point 6.3. related with Regional Development Programs which in this case have also been able to meet SDGs standards by explaining sustainable development programs in the field of poverty; food security; public health and welfare; inclusive education; gender equality and women's empowerment; availability of clean water and sanitation management.

Third, in the Chapter VII regarding the Development Funding Framework and Regional Apparatus Programs, which is fulfilled in the Point 7.1. Related with the Regional Apparatus Program which in this case has also been able to meet SDGs standards by explaining sustainable development programs in the field of poverty; food security; public health and welfare; inclusive education; gender equality and women's empowerment; availability of clean water and sanitation management; energy; economic growth and job opportunities; infrastructure development.

CONCLUSION

The institutionalization of "*Gender Mainstreaming Strategy*" into the development process in general is an ideal form of development for the Indonesia bright future in accordance with the 1945 Indonesia Constitution Preamble and international measurements. However, it cannot be denied that this requires a long learning and adaptation process from all development agents involved in it, especially in this case the planners and decision makers. Thus, the implementation of gender equality agenda within gender mainstreaming in Indonesia, which although officially started in 2000, but in its application at the level of implementing agencies only started around 2002-2003, it can be said that it is still only in the early stages of its institutionalization. Nonetheless, the results of the evaluation of the implementation of gender mainstreaming reveal that in general it can be said that the implementation of gender mainstreaming in nine development sectors has begun. The institutional tools that allow the ideal gender mainstreaming implementation have begun to be embedded, although they are full of flaws and weaknesses here and there. The nine sectors evaluated de jure have all or almost all of

the main aspects that are ideal prerequisites for an institution to conduct gender mainstreaming, namely political support. The existence and implementation of gender responsive policies, institutional support in the form of a focal point or gender work unit, and there is an information system that supports the implementation of gender mainstreaming, as well as human resources who understand the concept of gender mainstreaming and are able to implement gender mainstreaming.

In this case, both the Bali Provincial Regulation Number 2 of 2019 and the Bali Provincial Regulation Number 3 of 2019 have reflected an effort to the embodiment of gender mainstreaming in the development cycle in Bali Province which is also in line with national legislation such as the 1945 Indonesia Constitution, statutory law and regulations related to gender, Presidential Instructions related to gender mainstreaming and Ministry of Home Affairs Regulations related to the Implementation Guidelines for gender mainstreaming in the Regions.

CONCLUSION

Based on the findings of the study results, it can be suggested that the existence of DPD as a State Institution should be utilized as optimally as possible to fight for regional aspirations and interests by providing the same legislative power and authority between the DPR and DPD in the bicameral representative institution system. And to give the authority of the ideal legislation as a representative institution, changes must be made to the provisions of Article 20 paragraph (2) of the 1945 Constitution so that the constitutional rights of local communities and state institutions representing the region can be accommodated properly.

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