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EMPOWERING WOMEN IN THE DIGITAL AGE: LEGAL STRATEGIES FOR GENDER EQUALITY INSPIRED BY KARTINI' S VISION

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ABSTRACT

Objective: The objective of this study is to explore women's empowerment in the digital age in Indonesia, focusing on the challenges of gender-based digital inequality and the legal strategies needed to address these issues, as inspired by Kartini's vision. The research aims to assess the role of digital technology in empowering women, while examining legal policies related to gender equality and digital rights.

Research Design & Methods: This research uses a qualitative descriptive methodology, which focuses on an in-depth and detailed analysis of women's empowerment in the digital age through a legal lens. Data was collected from primary sources (e.g., legal documents, interviews with legal experts, policymakers, and activists) and secondary sources (e.g., academic literature, government reports, and online publications) to examine current legal policies, digital technology, and gender equality issues in Indonesia.

Findings: The study found that digital technologies provide opportunities for women to fight for their rights and participate in social movements, although gender-based digital inequality and online violence remain significant obstacles, requiring further development of legal policies to empower women and provide protection against digital discrimination.

Implications & Recommendations: The study recommends that the Indonesian government strengthen policies to combat online violence and digital discrimination and support digital literacy for women, legal institutions increase enforcement of gender equality in digital spaces and provide legal protection, NGOs raise awareness about digital violence, and women are encouraged to be more active in digital spaces by understanding the risks and protections related to digital violence.

Contribution & Value Added: This study contributes to the literature on women's empowerment in the digital age by exploring the relationship between gender equality, legal strategies, and digital technologies, and provides insights into how legal frameworks can address the challenges women face in the digital space, while emphasizing Kartini's vision and offering recommendations for legal reform and digital literacy to support gender equality in Indonesia and other developing countries.

Keywords: Woman Empowerment, Legal Protection, Kartini's Vision

JEL codes: J16, K38, O33

Article type: research paper

INTRODUCTION

Women's empowerment has become an important issue, especially in the context of the digital era. Digital transformation has brought significant changes to the way we live and work, and has had a major impact on gender equality. On the one hand, digital technology offers a platform that allows women to participate in various aspects of life, including economics, education and politics. Digital technology, such as the internet and social media, has provided space for women to fight for their rights, access information, and expand social networks, and even mobilize support for various social movements that support gender equality. However, although digital technology opens up great opportunities, not all women have equal access to this technology. Although progress towards gender equality has been achieved, as evidenced by the Sustainable Development Goals (SDGs), women still face major obstacles in various areas, including access to digital resources and opportunities (Baqutayan, 2020).

Gender-based digital inequality is still a major challenge, especially in developing countries including Indonesia. This gap can be seen in the form of limited access to technology, low digital literacy, as well as social and cultural barriers that prevent women from fully taking advantage of the opportunities offered by digital transformation, especially for women in rural and remote areas who are often left behind in terms of digital literacy. In addition, women often think online, think virtual, and think digital skills, which can perpetuate existing perceptions (Akpuokwe et al., 2024). Social and cultural barriers, such as norms that prioritize women's role in the household, also weaken this situation, making it difficult to encourage women to adopt and make the best use of digital technology (Hendricks & Olawale, 2022).

Empowering women in the digital era requires a multifaceted approach, where legal strategies play an important role in advancing gender equality. A national female figure who is famous for her struggle for gender equality is Kartini. As a pioneer of women's emancipation in Indonesia, Kartini has developed the legal strategies needed to overcome the challenges of gender equality in this digital era. The importance of legal strategies to ensure gender equality in digital transformation cannot be ignored. This law should help remove structural barriers that prevent women from participating in the digital world and society in general. For example, developing policies that support women's digital literacy, protect against gender-based violence in cyberspace, and ensure equal access to digital technology are important steps to empower women today (Bawono et al., 2023).

The legal strategy to empower women in the digital era is inspired by Kartini's vision regarding gender equality, which advocates for equal access to education and technology, as well as law enforcement to protect women from digital harassment and discrimination. Based on Kartini's vision, the legal strategy developed is not only through access to technology, but also by ensuring that women can use this technology to achieve true gender equality. This requires a holistic approach that includes education, legal protection and ongoing social support (Somani, 2022). This strategy could include updating existing laws as well as creating new laws to address the challenges women face online. The legal framework must ensure that women's rights are protected in the digital world and that there is a clear legal pathway when it comes to violations of these rights.

Kagaba (2015) and Yasun (2018) argue that despite legal provisions on gender equality, differences in women's life experiences and education play an important role in empowering women to demand their rights. Cabilan et al. (2023) discuss the challenges women face in the professional world and show that without supporting institutional practices, legal frameworks alone are not enough to guarantee gender equality. Donnelly (2015) and Abd Karim et al. (2024) highlight the importance of participatory approaches and understanding the unique challenges faced by diverse groups of women, including indigenous communities. Legal strategies to empower women in the digital era must focus on and ensure equal access to digital resources, education and participation in the digital economy. This can be achieved by enacting and enforcing laws that address digital inclusion, protect against discrimination, and support women's rights in line with Kartini's vision of gender equality. Thus, the digital era can be a forum for realizing women's empowerment and gender equality (Yuspin & Aulia, 2022; Fatihayah & Simanjuntak, 2022; Hendricks & Olawale, 2022). Further efforts are needed to ensure that existing policies are actually implemented and bring real benefits to women.

LITERATURE REVIEW

Kartini's vision as a symbol of Indonesian women's struggle will be an inspiration in studying how emancipation values can be adapted in the legal context of the digital era. Therefore, this literature review aims to carry out effective legal approaches in achieving gender equality and explore the role of technology as a transformational tool for women's empowerment:

Gender Concept

The term gender proposed by Mazzuca et al. (2020) states that the meaning of gender varies greatly depending on certain life experiences, such as gender identity, sexual orientation, and compliance with gender norms. This study emphasizes that gender is not only a biological or cultural construct, but is related to the dynamic interaction between social, biological, cultural and linguistic factors. Meanwhile, according to Fakih (2020), gender is constructed biologically and socially as a differentiating term between sex and. Gender refers to the socially constructed identity between men and women in terms of biological makeup, social status, and occupational domain. The differences between the male and female reproductive systems are what most people think of when they hear the word "sex." Men are characterized by sperm and a penis, while women are characterized by the presence of egg cells, uterus, vagina and breasts. Biological sexual characteristics are innate, permanent and cannot be replaced (Abdullah, 2014).

The term gender has a very different meaning from sex, gender is a social perception and social construction that refers to a person's role, behavior and identity. In this case, gender is not based on sex. Some terms used in discussing gender include:

a. Gender identity

Gender identity is a person's awareness or view of their own gender regardless of the sex they were born with. Gender identities generally include male, female, non-binary, and genderqueer or transgender.

b. Cisgender

Cisgender or commonly abbreviated as cis is a term used to describe someone whose gender identity matches their biological sex. This means that cisgender people identify themselves as male or female based on the gender assigned at birth.

c. Transgender

Transgender is a term used to describe a person whose gender identity or expression is different from their biological sex at birth. This means that transgender people feel that their gender identity does not match the gender assigned at birth.

d. Non-binary

Non-binary (or non-binary) is a term used to describe someone who does not identify solely as male or female. Non-binary gender identities can vary and are not limited to the binary of male or female and have unique and varied gender experiences.

The meaning of gender is based on human perspective and perception, not biological sex differences. Gender causes gaps between men and women in all areas of human life, including the low social status of women. For example, women are stereotypically portrayed as kind, funny, emotional, and caring. At the same time, men are praised for being tough, logical, brave, and strong. There are also men who are motherly and gentle, there are also women who are firm and powerful (Sulistyowati, 2021). Different from gender, gender is a social perception and social construction that refers to a person's role, behavior and identity. In this case, gender is not equated with sex.

Gender Equality and Justice

Gender equality and justice is a multifaceted concept that includes equal rights, responsibilities and opportunities for each gender (Patel, 2014). This is also a fundamental issue, requiring a comprehensive approach in education, the workplace, health and public policy. The term gender equality refers to a relationship where women and men have the same rights, obligations and opportunities in all areas of life. In addition, gender justice ensures fair treatment of all genders, including recognition of historical and social differences that cause inequality. In other words, this means that everyone should have equal access to resources and the benefits they produce, as well as fair and proportional control over those resources. Thus, each individual can participate in these activities, determine the desired direction of development, and benefit from the decisions taken (Susanto, 2016). Steps to support gender mainstreaming and ensure that gender perspectives are taken into account in all public policies, from planning to public policy.

Countries with strong, gender-sensitive public policies tend to have higher levels of gender equality and better social outcomes (Bush & Zetterberg, 2024). Gender equality and justice ensures that all genders have equal opportunities to implement various aspects of life, from education to professional opportunities, from legal rights to community development (Rismilda, 2023; Savetchuk & Pytliovana, 2023). Achieving gender equality and justice does not only require changes in laws and policies, but also requires changes in societal attitudes and the elimination of structural inequalities.

The Role of Technology in Supporting Women's Empowerment

Technology is an important tool in supporting women's empowerment and providing resources that can help them in their role involvement in various aspects of life. Several studies reveal that the potential and benefits of technology in increasing gender equality can be implemented effectively (Vishkaie, 2018). Through the use of technology, such as cell phones, social media, digital platforms, and access to more comprehensive information, women can be more involved in the decision-making process, both in the domestic and public spheres. Research shows that online platforms play an important role in advocating for women's rights and challenging gender-related views, as well as helping to strengthen women's voices in society. Online training and digital-based empowerment programs have proven effective in increasing women's ability to contribute to economic and social development (Kuppuswami & Ferreira, 2022).

Technology can not only help eradicate poverty, but can also open wider access to better sanitation (Tang, 2022). A study shows that increasing women's access to technology can increase female labor force participation and reduce the gender gap in the economy. Technology also plays a role in supporting the Sustainable Development Goals (SDGs) by improving women's digital skills and employment (Noor, 2021). Even though there has been technological progress, its distribution is still uneven, giving rise to a digital gender gap that can violate the basic rights of gender equality. So the role of this technology must be supported by women's empowerment by providing access to education, economic opportunities, and platforms for expression in all aspects, both economic, social and political. In addition, interventions are needed to overcome barriers to promoting gender equality (Hendricks & Olawale, 2022; Nabizada et al., 2024).

1. Legal Strategy for Gender Equality

Legal strategies play an important role in achieving true gender equality in both the public and private sectors. Although various steps have been taken to strengthen the position of women in the judiciary in Indonesia, challenges still remain. Research shows that gender equality provisions in village laws are still weak, especially regarding women's participation in rural areas. This shows that improvements are still needed to develop more comprehensive policies to achieve gender equality at the village level (Kristianti, 2018). Gender analysis of Indonesian law shows that although there are efforts to increase women's access and participation in law, the administrative aspects and benefits of this participation are still less than optimal. This highlights the need for a more gender-sensitive review of laws to ensure that women not only have access to the political process, but also enjoy equal roles and benefits (Erlina & Normadilla, 2020).

In Indonesia, the 1945 Constitution is the constitutional basis that guarantees equal rights between men and women. Article 27 paragraph (1) explains that "all citizens have the same position under the law and government and are obliged to uphold the law and government without exception." This is an important basis for gender equality in all aspects of life in Indonesia. The legal strategy for gender equality is contained in the policy implemented through Presidential Instruction No. 9 of 2000 concerning Gender Mainstreaming in National Development, which aims to ensure gender equality in all aspects of development. Indonesia has also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) through Law no. 7 of 1984 CEDAW which regulates the state's obligation to eliminate all forms of discrimination against women in various fields, such as education, work, health and community life.

There are many more laws or policies that regulate these provisions. Indonesia has adopted various laws and policies that support women's empowerment and gender equality. However, several cases and challenges still require continued efforts from various parties to ensure that women's empowerment laws can be effective in creating a more just and equal society.

2. Kartini's vision

Raden Ajeng Kartini's vision of gender equality and women's liberation has become an important basis for the struggle for women's rights in Indonesia. Kartini fought for women's rights to education and equal social roles which are still relevant today. The history of Kartini's struggle shows how important gender equality is in freeing women from stigma and limited domestic roles. Yuspin and Aulia (2022) highlights the importance of continuing Kartini's struggle to achieve gender equality in Indonesia, especially amidst the patriarchal culture that still dominates. Women in Indonesia still face big challenges in various aspects of life, including access to education and work. With the support of technology and appropriate legal strategies, gender equality can be realized, especially in Indonesia. However, a stronger commitment is needed from the government and society to ensure that women have equal access to education, work and life in general.

The lessons learned from Kartini's Vision have now been presented interestingly in several media, for example the book entitled I Am Kartini which contains motivation to encourage equal education for girls, teaching the importance of access to education for women that is equal to that of men. Overall, I Am Kartini is an inspirational book, which emphasizes the importance of education, gender equality, and women's freedom to pursue their dreams. Apart from that, there is also a film entitled Kartini, which was directed by Hanun Bramancho, depicting the story of Kartini who fought against patriarchal traditions to achieve education for women. This study highlights the importance of gender equality in Indonesian society and emphasizes that women have equal rights to succeed without compromising cultural values. This film is also an education and social equality. This study highlights the importance of gender equal rights to succeed without sacrificing cultural values (Fatihayah & Simanjuntak, 2022). Kartini's vision became a guideline in developing legal strategies for women's empowerment by emphasizing gender equality and inspiring more comprehensive legal reform.

METHODS

This research uses a qualitative descriptive methodology that focuses on description and in-depth analysis of women's empowerment in the digital era through a legal approach. This approach aims to examine data from primary and secondary sources related to legal policies, digital technology and gender equality in Indonesia. The qualitative method strategy was chosen in this research because it is expected to provide accurate data results and investigate the research topic thoroughly so as to achieve the desired results. In sociology, qualitative research is considered very appropriate, especially research that aims to explore and understand gender perspectives.

RESULT

Condition of Indonesian Women in the Digital Era

Indonesian women in the digital era have great opportunities to empower themselves through technology. The digital era has opened new doors for women's empowerment, enabling women to access opportunities, strengthen their voices, and participate more actively in various aspects of life. Digital platforms, especially social media, have empowered women by giving them a platform to voice their opinions, advocate for gender equality, and raise awareness about women's rights issues. Women can now organize and participate in global movements, such as the #MeToo Movement, which has helped challenge gender-based violence and discrimination. This increased visibility has enabled women to influence changes in policy and social norms. Currently, women's empowerment is experiencing significant developments as well as complex challenges. One of the developments in role opportunities for women occurs in the digital economy sector. The total number of women working in the digital sector in Indonesia continues to increase, especially thanks to various initiatives that seek to reduce the gender gap in this field. One program, namely the Digital Entrepreneurship Academy (DEA) managed by the Ministry of Communication and Information (Kominfo), has trained more than 15,000 female entrepreneurs, with around 63% of participants in this program being women. These programs aim to help women enter the digital economy, especially in the fields of entrepreneurship and technology. In addition, demand for digital labor in Indonesia is projected to reach 9 million by 2030. Women play an important role in meeting this need, and initiatives such as Women in Tech and digital literacy programs aim to improve women's digital skills. For example, 52% of participants in one digital literacy program are women, with around 273,000 women involved in digital literacy programs in 2021.

Despite much progress, women still face obstacles to participating more in technical roles in the fields of Science, Technology, Engineering, and Mathematics (STEM) (Zhafira, 2020). The gender gap in access to digital tools and the lack of representation of women in technology careers remain challenges that need to be addressed. In 2023, the female labor force participation rate in Indonesia will reach 54.52%. This shows an increase in women's participation in the world of work, including in the digital sector, although this figure is still lower than the male participation rate which reached 84.26% (Annur, 2024). This is influenced by several geographical, educational, economic factors and socio-cultural norms which still limit women's access to technology, so it is important to increase women's access to information and digital literacy (Marini et al., 2020). In addition, education and training are very important in increasing women's access to quality economic sectors in the digital era (Rahmah et al., 2023).

Overall, the condition of Indonesian women in terms of empowerment in the digital era still requires special attention. Ensuring equal opportunities for women in carrying out activities in the digital sector requires joint efforts from the government, business world and society. This is not only beneficial for women themselves, but also for growth and development, especially in the Indonesian economic sector globally.

The Importance of Legal Strategy in Empowering Women in the Digital Era

Women's empowerment in the digital era depends not only on technology and infrastructure, but also on strong and comprehensive laws. A fair and transparent legal framework is essential to eliminate legal discrimination that often hinders women's progress. The 2022 Ministry of Communication and Information underlines the importance of legal institutions functioning fairly and transparently to eliminate legal discrimination. Policies and laws that focus on access to digital technology can encourage women's involvement in various fields, including the economic and social fields. Research shows that implementing laws that support access to technology such as mobile phones and the internet can increase women's participation in the labor market, especially in the long term (Salman et al., 2023).

Legal policies that support the expansion of internet access and digital skills programs in various regions, especially in remote areas, play an important role in creating equal opportunities for women. A study from Yadav (2020) shows the importance of regulations that make it easier for women, especially in the informal sector such as trade, to utilize technology to develop their businesses. Legal involvement with digital technology is very closely related. Despite rapid developments in the era of digitalization, women face new forms of gender-based violence, for example online violence. The existence of law plays a very important role in this matter to protect women's rights in the digital space and ensure that they can utilize technology without fear of discrimination or online violence (Hyland et al., 2021).

Based on Indonesian law, the Electronic Information and Transactions (EIT) Law provides legal protection for cases involving online violence, including cyber attacks and sexual violence against women. However, there are still several problems in implementation and the need for regulatory changes (Gunawan et al., 2020). More specifically, Indonesian law has drafted a law on the elimination of sexual violence to provide more specific protection for victims of online gender-based violence, but it is currently still in the evaluation stage

(Arawinda, 2022). Law has a strategic advantage in supporting women's rights in the digital era, whether through regulations related to gender equality, protection against digital harassment, or access to digital literature. Effective implementation and strict understanding of the law is essential to ensure that women can make the most of their opportunities in the digital age.

DISCUSSION

Raden Ajeng Kartini, an inspirational Indonesian woman who has fought for women's emancipation and equal rights for women. Kartini's vision which focuses on education, gender equality and women's empowerment can be integrated with law and social accountability to increase transparency and justice in society (Pratidina & Pasaribu, 2023). Kartini inspired legal reforms that support gender equality, especially through women's active participation in various aspects of life. Kartini's dream of gender equality can be achieved through legal measures that give women equal rights in education, employment and access to technology. Laws that support gender equality can be an important guide to continuing Kartini's vision.

To empower women effectively, legal strategies must also be integrated into a social responsibility approach or what is usually called social accountability. Alignment between legal empowerment and social responsibility can help women fight for their rights and participate in wiser decision-making processes, especially at the community level. Social accountability allows people, especially women, to participate in decision-making processes that affect their lives. Kartini's vision regarding women's equality and participation can be realized in a transparent and accountable legal framework. This social accountability approach increases women's participation in the formation of fairer policies and in legal and social reform processes, as shown in research on the role of women in social development in India which shows the importance of women's active participation (Somani, 2022).

Integrating social accountability allows women to make their voices heard in public policies that affect them. This is in accordance with Kartini's vision that women must actively participate in social life, not only as political objects, but also as agents who play an active role. This can increase transparency and justice in society, paving the way for women to be more empowered and contribute to building the nation. Regarding women's rights, women's participation in the policy-making process facilitates the development of policies that are more inclusive and responsive to women's needs. Women's active participation in the decisionmaking process strengthens Kartini's vision of gender equality. Women's participation in the decision-making process also results in policies that are more inclusive and responsive to women's needs. For example, policies on reproductive health, women's education, and protection from gender-based violence are more likely to be adopted and implemented effectively if women participate in the policy-making process. In this way, the resulting policies will be more representative of the needs of society, not just based on men's views.

CONCLUSION

This research explores legal strategies for empowering Indonesian women in the digital era, inspired by the vision of Raden Ajeng Kartini, a pioneer of women's emancipation in Indonesia. Despite progress in gender equality, women still face challenges in accessing digital resources and opportunities, especially in developing countries like Indonesia. The study highlights the importance of legal strategies in removing structural barriers and ensuring equal access to digital technology for women. It also emphasizes the need for a holistic approach that includes education, legal protection, and ongoing social support. The literature review covers gender concepts, gender equality and justice, the role of technology in supporting women's empowerment, legal strategies for gender equality, and Kartini's vision. The research employs a qualitative descriptive methodology to examine data from primary and secondary sources related to legal policies, digital technology, and gender equality in Indonesia. The results show that while Indonesian women have opportunities for empowerment through technology in the digital era, they still face obstacles in participating in technical roles and accessing digital tools. The study underscores the importance of a fair and transparent legal framework, along with social accountability, in eliminating legal discrimination and supporting women's rights in the digital space. Integrating Kartini's vision with legal measures and social responsibility can help achieve gender equality and empower women to actively participate in various aspects of life.

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