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Regulation and Reality: A Legal Analysis of the Phenomenon of Women Headed Households in the Cirebon Industrial Sector

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Abstract

Industrialization brings changes that are not better for the surrounding community, especially women who work and play the role of head of the family. The phenomenon of women family heads can be found in the Cirebon industrial area, which has been present for several years through the National Industrial Policy (KIN) program by the Central Government and the Tambourine Triangle by the West Java Provincial Government. This study aims to explore the phenomenon of female heads of households that develops in line with the growth of industry. This research uses a qualitative approach that is presented with descriptive analysis, while the research data collection method is through interviews with 10 female family head informants who work in various existing industries. The results showed that the Regulation of Law Number 12 of 2003 concerning labor guarantees gender welfare in employment. In addition, Cirebon Regency Regional Regulation Number 4 of 2018 concerning women's empowerment and child protection also accommodates the protection of women as heads of families. On the other hand, reality shows that 70% of informants experience discrimination in job promotions, 80% of informants experience a double burden as breadwinners and housekeepers.

Keywords: Women Head of Family, Industrialization, Industrial Estate.

Abstrak

Industrialisasi membawa perubahan yang tidak lebih baik bagi masyarakat sekitar khususnya perempuan yang bekerja dan berperan sebagai kepala keluarga. Fenomena perempuan kepala keluarga ini dapat ditemui di Kawasan industri Cirebon yang telah hadir beberapa tahun ini melalui program Kebijakan Industri Nasional (KIN) oleh Pemerintah Pusat dan Segitiga Rebana oleh Pemerintah Provinsi Jawa Barat. Penelitian ini bertujuan untuk menggali fenomena kepala keluarga perempuan yang berkembang sejalan dengan tumbuhnya industri. Pada penelitian ini menggunakan pendekatan kualitatif yang disajikan dengan analisis deskriptif, sedangkan metode pengumpulan data penelitian melalui wawancara terhadap 10 informan perempuan kepala keluarga yang bekerja di berbagai industri yang ada. Hasil penelitian menunjukkan Regulasi Undang-Undang Nomor 12 tahun 2003 tentang ketenagakerjaan menjamin kesejateraan gender dalam pekerjaan. Selain itu, Peraturan Daerah Kabupaten Cirebon Nomor 4 Tahun 2018 tentang pemberdayaan perempuan dan perlindungan anak juga mewadahi perlingungan perempuan sebagai kepala keluarga. Disisi lain, realita menunjukkan terdapat 70% informan mengalami

diskriminasi dalam promosi jabatan, 80% informan mengalami beban ganda sebagai pencari nafkah dan pengurus rumah tangga.

Kata Kunci: Perempuan Kepala Keluarga; Industrialisasi; Kawasan Industri.

INTRODUCTION

There are social changes that are responded to negatively because they violate the norms that apply in society and bring long-term losses. Social change also occurs in the realm of the family as the smallest social unit in society, if in ancient times the role of head of the family was absolutely held by the husband, then in modern times the opposite is happening, the number of women who become heads of families is not a small number and can be underestimated, this shows that women continue to move forward out of the shackles of dogma that says that wives are only in charge of wells, kitchens and mattresses. (Putri & Darwis, 2015).

At this stage, there is a significant paradigm shift in society, including people who are starting to be open and consider that there is no taboo in the phenomenon of wives who earn a living and become the head of the family. (Ernawati, 2013), But on the other hand, there are some people who think that the most ideal family structure is still the man as the head of the family and the woman as the housewife. Cirebon Regency is one of the districts in West Java which in recent years has been aggressively developing industrial estates through the National Industrial Policy program launched by the central government and the Rebana Triangle program (Cirebon Patimban and Kertajati) initiated by the West Java provincial government. This project has opened many mass industries in the Cirebon regency area with a population of 2 million people and a prospective industrial area of one thousand square km. (Sutrisna, 2008)

The program was able to shift the socio-economic conditions of the Cirebon community from an agrarian and maritime society to an industrial society, the existence of mass industry in the midst of society not only has an impact on improving the standard of living of the community, more than that the existence of the industry can bring changes in various social aspects, one of which is the household life of the community around the industry. The existence of industry in the midst of society is inseparable from development, in other words, development through the presence of industry through not only changing the economic level of the community (Cabrelli, 2020). The shift in outlook on life, especially regarding the role of women in the family, namely as the role of breadwinner and the role of female head of the family, data from the Central Statistics Agency (BPS) of Cirebon Regency shows an upward trend in the number of female workers, in 2021 the number of female

workers in Cirebon amounted to 346,162 workers, dominated by the number of workers in the industrial sector of 113,192 female workers.

The problem that will be raised in this research is the shift in the role of women in Cirebon Regency from being housewives to heads of families as the industry develops. The practice of the head of the family and the differences in views between the two industrial clusters. This research focuses on the practices carried out by female heads of households in the industrial area in Cirebon regency, the driving factors and analyzes them with several sociological theories of Islamic law.

Research conducted by Rahmi Yulfa et al entitled "Economic Pressure, Economic Coping, Social Support, and the Welfare of Women Heads of Families", illustrates that the economic pressures faced by women and widowed status are factors driving women to become heads of families, this social-based research does not comprehensively discuss with social theory. (Yulfa et al., 2022). The journal article written by Wardah Nuroniyah shows that the phenomenon of female heads of households occurs in the rattan industry area in Astapada Village, Cirebon Regency and takes place moderately, but in that study there was no variation in research data because it was only conducted in one industrial area. (Nuroniyah, 2022). Research conducted by Yayat Hidayat et al entitled The Impact of Agricultural Land Conversion on the Household Economy of Rice Farmers (Case Study of Kertajati District, Majalengka Regency, West Java) shows that there is a paradigm shift and the interest of farmers in the Kertajati area to the non-agricultural sector. (Hidayat et al., 2018).

The significance of this research is at least two things. First, the research was conducted in the Cirebon Regency industrial area, which is a program of the central government and the West Java provincial government to see the regulations that serve as a forum for women who act as heads of households. Second, the research was conducted in two different industrial clusters, with this cluster division, researchers can find two variations of data and compare them to see the reality of women who are heads of households.

RESEARCH METHOD

This research is field research, which is an effort by researchers to see, document and understand events or phenomena that exist in the field. (Ruslan, 2010). By using a qualitative approach, this research seeks to explore information from female family head informants, all findings in this study are presented in descriptive form with the aim of providing a complete picture of the lives of female family heads in the Cirebon Regency industrial area. (Suteki & Taufani, 2020). There are several reasons for choosing Cirebon as the research location, including Cirebon as a strategic area of economic growth in West Java, this is reinforced by

the diversity of industries located in this region and the high number of female workers who work in the industry. In addition to these reasons, Cirebon is an area with fairly rapid economic growth, in recent years, BPS data shows the average growth of Cirebon is 4.8% to 5%.

All field data in this study was obtained through in-depth interviews with 10 female informants from two different industrial clusters. The informants were selected randomly (random sampling) from two industrial clusters in Cirebon. After obtaining data in the form of interview results, then select relevant data and discard irrelevant data, compare data from 2 industrial clusters, match with the results of other findings and then present them in the form of descriptions, analyze the findings and draw conclusions.(Kartono, 1996).

RESULT AND DISCUSSION

Regulation of Industrialization in Cirebon on women as Head of Family

Cirebon Regency is one of the areas located on the north coast (pantura) of Java Island. Its existence began in 1430 when Cirebon through Sunan Gunung Jati and his students fought against the Galuh Pakuan kingdom (now Majalengka region), the reason Sunan Gunung Jati and his students fought back was his disappointment with the Galuh Pakuan king who imposed too much tribute for Cirebon. (Hermawan & Mainaki, 2020).

The naming of the word Cirebon is taken from the combination of two words namely ci/cai (Sundanese language), which means water, and rebon which means small shrimp that are commonly found on the coast of Cirebon. This naming also shows that Cirebon is an area with a topography of maritime and agrarian communities at the same time, this can be seen that the majority of people on the north coast of Cirebon work as fishermen, while the majority of people in the middle to south of Cirebon work as rice and onion farmers. (Nangoy, 2011).

Cirebon Regency has started the process of industrialization since the last 3 decades, at first the industrialization process in Cirebon Regency was slow and insignificant, the industrialization process only revolved around culture-based creative industries such as Galmantaro rattan handicrafts in Weru District, Cirebon batik handicrafts in Trusmi and Ciwaringin batik handicrafts in Ciwaringin District. (Nangoy, 2011).

The West Java government has made Cirebon the epicenter of industry in the West Java region which will be supported by Patimban Port in Subang, West Java International Airport (BIJB) Kertajati and Cirebon Port. (Safira et al., 2022). The presence of mass industry in the midst of agrarian and coastal communities certainly causes the displacement of the living space of farmers and fishermen, this can be seen along the east Cirebon coast (mundu coastal-losari) has a lot of agricultural land and salt ponds owned by salt farmers who are ready to be converted into factories. (Admin, 2021).

Industrialization is the process of moving the model of community livelihoods that are agrarian in nature to a model of community livelihoods that are varied according to expertise, salary systems and higher income from the agrarian model (Carlson, 2023). The process of industrialization and the presence of large industries in the midst of agrarian and maritime communities such as in eastern, central and western Cirebon is expected to bring real change, namely the move of farming and fishing livelihoods towards diverse livelihoods and fixed income (Chieregato, 2021). The presence of the creative industry in Cirebon over the past three decades has been able to improve the standard of living of the surrounding community, especially women who have the ability to make hand-drawn batik and weave rattan, as evidenced by the statements conveyed by Rasmini and Warniah who were able to send their children to college.

"The result is not bad, it can be used for daily meals from weaving rattan, the pay is per day, but if I collect it for a week or a month, thank God my children can go to college" (The result is not bad, it can be used for daily meals from weaving rattan, the pay is per day, but if I collect it for a week or a month, thank God my children can also go to college) (Interview with Rasmini, April 18, 2023).

According to Karl Marx in (Rohmah, 2020), society is characterized by infrastructure and superstructure, infrastructure in society is closely related to the fields that are felt directly by the community and are related to things that are visible directly to the eye, one form of community infrastructure is the economic structure. Industrialization as one of the most important aspects of development not only has a serious impact on the socio-economic development of the community around the industrial area, sometimes the presence of industrialization in the midst of society also brings other social impacts outside the economic sector. (Widianti, 2020). The development of industrialization in Cirebon itself includes employment, social protection and economic empowerment as a form of economic empowerment program (Fauzi, 2024).

The Cirebon District Government has initiated a special skills and entrepreneurship training program for female heads of households. There is a micro-credit scheme prioritized for female heads of households who want to start or expand a business. There is a social security program that includes health insurance and pension funds specifically for women workers in the industrial sector, especially those who are heads of households as a form of social protection (Galvin, 2019).

Cirebon District Regional Regulation No. 4/2018 on Women's Empowerment and Child Protection is the main foundation in regulating the rights and protection of women, including those who are heads of households. This regulation covers aspects of economic empowerment, protection from discrimination, and access to public services (Misra, 2020).

In addition, there are employment policies as in Law Number 13 of 2003 concerning Manpower. Referring to Law No. 13 of 2003 on Manpower, Cirebon has adopted policies that ensure gender equality in employment in the industrial sector. There are regulations on flexible working hours and childcare facilities in industrial areas to assist female heads of households.

Women Headed Households in the Cirebon Regency Industrial Area The focus of the discussion in this paper is how the industrialization process that occurred in several areas of Cirebon was able to have an impact on changes in the social paradigm in the family, especially women who played a role as head of the family, researchers divided the location of their research into 2 industrial clusters, namely the large-scale goods industry cluster which is found in the eastern Cirebon region and the creative industry cluster which is found in the central to western Cirebon Regency. As for informants, researchers managed to interview 10 random informants with various criteria such as being female, working in the factory mentioned above and acting as the head of the household/earner. Reasons for being a head of household and working in the industry. The era of modernization also brings economic problems to the wider community. Women in the era of modernization are often required to support the family economy (Pardede, 2022). First, women who are divorced from their husbands, second, women with husbands but their husband's income is considered insufficient to meet their daily needs and third, women who support their own lives because other family members are no longer able to work. This study found many female workers with a background of death or living divorce and women who became workers on their own initiative because their husband's income was considered insufficient for daily life.

The industrial sector today requires a large number of female workers, based on the reason that women are considered to be more careful and calmer in carrying out the production of goods so that the goods produced are of good quality. The need for female labor is what drives the number of female workers who work in the Industrial sector, for example at PT Long Rich Indonesia, which has around 25 thousand workers, almost 85 percent of whom are female (Interview with Linda., April 18, 2023).

The need for female labor in the industrial world is one of the main drivers why many women in the Cirebon industrial area have taken over the role of head of the family as well as the main breadwinner in the family, with a variety of different informant backgrounds, there are four conditions they face. *First*, there are three divorcees, all three of whom admitted that they decided to become the head of the family and were tasked with earning a living to continue to support their family, as stated by informant Elsa.

"I have been divorced for a long time mas, it just so happens that yesterday there was a job opening at CBP, I tried to use my vocational high school diploma and finally got in, not bad for children's snacks" (Interview with Elsa., April 19, 2023).

Secondly, there are four widows, informants in this group decided to become the head of the family after the death of their husband as an effort to survive, as stated by Rohati, an informant who worked at Batik Trusmi for 25 years.

"Our lakine died a long time ago, our children were still young until now they can work. Yes, my husband died a long time ago, from the time my children were still small until now they can work, my husband is the same age as I work here, about 25 years" (Interview with Rohati, April 18, 2023).

Third, women whose husbands are experiencing illness, informants with this background are required to take over all of their husband's duties when he is still healthy, the number of informants with this condition is 2 people.

"Isun tah wis menggawe e rada suwe mas, ano bangsa sewelas taune singawit bapa e geringan bae kah, dadie isun sing goleti duite mas kanggo makani bocah karo tuku obat bapa e" (I have been working for a long time mas, about 11 years, starting from my husband falling ill, I am the one who earns money to feed the children and buy my husband's medicine) (Interview with Warniah, April 18, 2023).

Fourth, women who were abandoned by their husbands, informants with this background claimed that they were still in a legal marriage but their husbands did not carry out their responsibilities as husbands, this informant actually did not really intend to become the head of the family, but economic circumstances forced him to become the head of the family (Interview with Anggi, April 19, 2023).

The role of women in supporting the family by acting as the head of the family and the main breadwinner can also be illustrated in several studies. Research conducted by Kristina entitled "Women's Participation in the Improvement of the Family and Community Economy" illustrates that many wives in the Surabaya area of East Java take on the role of female head of the family and work outside the home because they are dead widows or divorcees. (Kristina, 2010). The same thing was stated by Utami and Hanani in their writing entitled "Resilience of Simalanggang Women Becoming Single Mother" that in Payakumbuh District in West Sumatra there is a phenomenon of single mothers who support their families, the cause of becoming a single mother in the study is due to death divorce and life divorce.

As for the differences between the two studies above, the conditions behind women becoming heads of families in the Cirebon

industrial area are more varied, such as informants' husbands who are sick and informants who are victims of husband neglect. Julia Cleves uses the terms women headed and women maintained to refer to female heads of households, this is in line with the understanding of the head of the family in general, namely the person who is responsible both socially and economically for his family. The concept of the head of the family is even standardized in the Compilation of Islamic Law and the Marriage Law in article 79 paragraph 1 which states that the husband is the head of the family and the wife is the housewife. (Julia Cleves, 2007)

Based on the description above, women who are the breadwinners and the main breadwinners of the family are called 'women heads of households', while those encountered at the research location in the Cirebon industrial area are women who were left dead by their husbands, divorce widows, women victims of husband neglect and women whose husbands are sick or disabled. These descriptions do not rule out the possibility that there are many realities of women family heads that can be found elsewhere.

The industrialization process that occurred in the community of Cirebon Regency did not only have an impact on improving the socioeconomy of the community around the industry. More than that, the process of industrialization as an economic structure cum community infrastructure, forces changes in other superstructures such as ideology, religion and family as expressed by Karl Marx. In this case, the presence of industry has also changed the paradigm that women can take part as heads of families (Sarkar, 2019). As for their motivation to work alone, researchers found differences between the large-scale goods industry cluster and the creative industry cluster. (Staszak, 2020) For the large-scale goods industry cluster, the average informant is motivated to work because of the family's unstable economic situation and also to utilize their high school diploma, this is understandable because the minimum education requirement for production operators is a high school diploma equivalent.

"I don't have a husband, so I joined the work at Chinli, thank God for the results for the child's pocket money, I also have a vocational certificate, so I can enter" (Interview with Dea., April 18, 2023).

The average informant in the creative industry cluster said that their motivation for working, apart from economic needs, was to channel their talents in the creative industry, such as weaving rattan and making written batik,

"Yes, we can weave rattan mas, so that it becomes a chair and a table, if we can do it from before my husband died, instead of just sitting at home, it's better to work here" (Interview with Rohati, April 18, 2023).

In addition, the age range of female heads of households in the large-scale goods industry cluster and the creative industry cluster has a difference, for the large-scale goods industry cluster, the informant's age interval is 23 to 30 years, while for the creative industry cluster has an older age interval, namely 50-60 years.

The reason for the entry of women into the industry is stated by Kiki Listari in an article entitled "Women, Industrialization and Demographic Bonus (A Conceptual Study from the Perspective of Population Sociology)" states that there are 4 main factors for women to enter the industrial world. (LIstari, 2019). First, the opening of opportunities for women to take part in the public sphere like men, this began in the early 20th century which was echoed by feminism fighters in European countries. Second, the opening of access to education for women so that with this education women can access jobs in the Industrial sector, this strengthens the reason for informants who state that they work because they have a Vocational High School Diploma (SMK).

Third, the entry of industry in an area has a good impact on the opening of jobs for productive age people around the industry, in this case women. Fourth, the high cost of living forces women to work in the industry, this last factor is also the dominant factor that encourages all informants to work in the industrial sector.

In general, there is a division of labor between men and women in a household. The man is the head of the household and the woman is the homemaker. This is a long process in society that results in an unwritten agreement and still has the opportunity to change over a period of time or in a particular community location. (Dalimoenthe, 2021). This division of roles often has the impact of a double burden for women workers who play the role of head of the family, meaning that on the other hand these women must carry out their role as head of the family by earning a living outside the home, on the other hand they must also fulfill their duties as a housewife. There are differences in strategies between the two clusters discussed in this study, related to the flexibility of working hours of the two industrial clusters.

Large-scale industrial goods clusters such as PT Long Rich Indonesia, PT Taekwang, PT Jinsung Food and PT Chinli Plastic have relatively long working hours (07.00 a.m. to 05.00 p.m.) These main working hours do not include overtime which sometimes takes up to 20.00 WIB (Interview with Linda, April 18, 2023).

The creative industry clusters almost all have more flexible working hours, such as the Ciwaringin Batik center and Ballagi Rattan never target how many production goods must be produced in a day, two informants who work at Batik Trusmi explained that there are no specific working hours, because their salary system is with the results system, namely how

many goods can be deposited to the owner of the company then only a number of goods are paid (Interview with Suryani., April 18, 2023).

With the difference in working hours between the two industrial clusters, it will certainly have an impact on the division of time with the family. Most informants in the large-scale goods industry cluster admitted that it was difficult to divide time with family, especially with children, as stated by informant Dewi.

"It's a bit angelic, because we leave at nem o'clock in the morning, and at pitu o'clock we start working at the factory. When we leave, the children are getting ready for school, and when we leave, we go back to work at maghrib, and sometimes we work late, and when we get home, we still have to clean up the house too" (It's a bit difficult, because I leave at six in the morning, When I leave, the children are getting ready for school, in the afternoon I go home at maghrib at the earliest, if there is overtime, it is at 9 pm, we still have to do homework at home too) (Interview with Dewi, April 19, 2023).

Informants in the creative industry cluster who have flexible working hours admit that they can divide their time with their families proportionally, as stated by Ecih, a female head of household who works in Ciwaringin Batik Center.

"Thank God, I can still gather with my children and grandchildren, because I work to deposit results, so there are no fixed working hours, in the morning I can cook rice with others" (Interview with Ecih, April 18, 2023).

On the other hand, the phenomenon of women family heads working in the industrial sector has an impact on women, namely the double burden. Where women work outside the home and on the other hand, they are charged with housework. A similar thing can be found in research by Reny Susanti and Farida Hanum entitled "The Role Of Female Tiles Of Sokka Factory Kedawung Village In Sustainability Strategy Of Family Life" which confirms that women Sokka tile workers in Kedawung Village experience a double burden, namely in addition to doing work in the tile industry, they are also still required to do domestic work such as taking care of housework and taking care of husbands and children. (Susanti & Hanum, 2022).

The reality of women as heads of households in Cirebon

The Women-Headed Family Organization (PEKKA) said that there are several factors that prevent women family heads from carrying out their role optimally. First, the role of women heads of households is often hindered by the stereotype that the head of the family must be a man, which causes a lack of positive affirmation from the community towards women heads of households. Secondly, the narrow opportunities for women to get jobs and decent wages often lead families led by women to

fall into poverty. (Nurwandi et al., 2018). Although in practice all informants play the role of head of the family, researchers found that not all informants agreed with the concept of female head of the family. Almost all informants in the creative industry cluster still understand that the one who should be the head of the family is a man who is responsible as well as acting as a priest in the family

(who should be the head of the family is a man mas, he is a man who is responsible for the family, women should just stay at home) (Interview with Warniah, April 18, 2023).

In contrast to the views of informants in the creative industry cluster, informants in the large-scale goods industry cluster actually view that the role of the head of the family is more flexible, in the sense that informants consider that women are also capable of being the head of the family.

"Who is the head of the family can also be the head of the family, like I am the head of the family because I have divorced my husband, it is okay as long as the woman is able to be the head of the family" (Interview with Dea, April 18, 2023).

The difference in views on women heads of households, the researcher argues that this is due to the age range and education of informants in the two industry clusters, informants in the creative industry cluster tend to be older and have low education (did not graduate from elementary school), while all informants in the large-scale goods industry cluster have a younger age range (productive age) and a higher educational background (graduated from high school equivalent). reality shows that 70% of informants experience discrimination in job promotions, 80% of informants experience a double burden as breadwinners and housekeepers

This kind of thing is also illustrated in Kristina's research, which illustrates that not all women who act as heads of households agree with the concept of women heads of households, this is due to women's educational experience and access to an understanding of gender equality. (Kristina, 2010). Wardah Nuroniyah in her research explained that some informants of female laborers who also acted as heads of families in Astapada Village, Cirebon did not agree with the concept of women heads of families. (Nuroniyah, 2022). This phenomenon is quite reasonable because the factors of education and age of a person can affect their understanding of the concept of gender equality in the case of this research, namely female heads of households. (Fadilah, 2018).

CONCLUSIONS

The regulation of industrialization in Cirebon related to women as heads of households shows a serious effort to integrate a gender perspective in economic development. Although there are still challenges in implementation, the existence of this regulation is an important step in protecting and empowering women heads of households in the industrial sector. Based on the analysis that has been conducted, the following are the conclusions of the research on "Regulation and Reality: A Legal Analysis of the Phenomenon of Women Headed Households in the Cirebon Industrial Sector": There is a significant gap between existing regulations and their implementation in the field. Although a progressive legal framework has been established, the reality shows that female heads of households in the Cirebon industrial sector still face various challenges and discrimination. Female heads of households face a significant double burden, namely as the main breadwinner and household manager. Existing regulations have not fully accommodated this reality, especially in terms of providing supporting facilities and flexible work policies.

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