

## THE APPLICATION OF MATERNAL GENDER EQUALITY IN THE HOME

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### **Abstract**

Gender equality is equality between men and women in fulfilling their rights and obligations. Gender equality should be applied in every sphere between men and women. The implementation of gender equality is still rarely implemented in household life, especially between mothers and fathers. One way to implement gender equality is by helping wives before and after giving birth. However, in practice it is still difficult to realize because a father's main duty is as the backbone of the family. Fathers work to meet the family's needs, but in implementing this to fulfill equal rights, there are obstacles in implementing leave. The obstacle in implementing leave lies in the differences in obtaining leave rights between male workers. Differences in income from leave rights occur between private employees and Civil Servants (PNS). The right to maternity leave for fathers, also known as paternity leave, also applies in other countries. This right to leave is considered important because the father's role in his child has a big influence on growth and development and minimizes the mother's exposure to baby blues after giving birth. The aim of this writing is to find out how important the role of fathers is for children and wives and the realization of gender equality in the household. So, the father's role can be realized in accordance with the obligations that should be implemented in the





household and his leadership. The research method used in this research is normative juridical using a statutory approach and a conceptual approach. The existence of the right to paternity leave for fathers makes it a relevant policy in every company or place of work for every male worker to obtain this right.

**Key Words:** Regulation, Gender Equality, Leave Rights

## 1. Introduction

Gender equality is equality between men and women in obtaining the same rights and opportunities as human beings. It is hoped that the realization of gender equality created for social life can also be implemented in family life. Even though the family is the smallest unit, family life also has a big influence on social life. Therefore, the realization of gender equality plays a big role in family life. However, gender equality is still not implemented well and is prone to injustice.

Gender equality in the household is intended to fulfill the rights and obligations of parents as well as husband and wife in family life. The implementation of gender equality is considered very positive and relevant to be developed in the household. Implementing gender equality can make it easier for mothers to take care of their children with the help of their husbands and to recover their wives after giving birth to avoid baby blues. In practice, this is still difficult to realize due to differences in policies obtained by male workers. The policies obtained by male workers are different because the policies obtained are in accordance with the profession pursued by each worker.

There is still inequality between genders in maternity leave for fathers, due to the differences between private employees and Civil Servants (PNS). The differences between private employees and Civil Servants (PNS) are stated in the law. Regulations for private employees are contained in Law Number 13 of 2003 concerning Employment and for Civil





Servants (PNS) are contained in the Regulation of the State Civil Service Agency of the Republic of Indonesia Number 24 of 2017 concerning Procedures for Granting Leave to State Civil Servants. The difference between private employees and Civil Servants (PNS) is in obtaining leave rights. Civil servants (PNS) get longer leave rights than private employees, even though both are paid leave.

Paid leave also applies to other countries because paternity leave for fathers is strongly supported by every company and is considered a very relevant policy to implement. The government supports this paternity leave policy to support the father's role in running well for the family. Apart from serving as a breadwinner, the father's role should also be channeled well for the child's growth and development. Therefore, paternity leave policies for fathers are strongly supported so that they develop in every workplace or company. Companies are expected to provide this leave policy in accordance with existing regulations in applicable law.

Every year, baby blues still often occur in mothers after giving birth and it is the mother's responsibility to look after the child. With this phenomenon, the right to paternity leave for fathers should be equal for male workers. However, this cannot be provided equally because the company's income sources and agency income sources are different. The company's income is obtained because the company continues to operate optimally and the agency's income is due to taxes obtained from the people's mandatory taxes. So, to create equality in obtaining leave rights, it is impossible for private employees and civil servants to apply equally.





## 2. Research Results and Discussion

### 2.1 The Urgency of Paternity Leave Regulations in Indonesia

Indonesia is a developing country with a lot of work carried out by every male and female human being in every field of work according to their abilities. This is a form of national development which is carried out in the framework of Indonesian human development to achieve prosperity, justice, prosperity equally, both materially and spiritually based on Pancasila and the 1945 Constitution of the Republic of Indonesia. In implementing national development, the workforce has a role and a very important position as actors and development goals which are in accordance with the role and position of the workforce. Manpower development is needed to improve the quality of the workforce and participation in development to increase the protection of workers and their families in accordance with human dignity. Protection of workers is intended to guarantee the basic rights of workers or laborers and guarantee equality of opportunity and treatment without discrimination on any basis to realize the welfare of workers or laborers and their families while still paying attention to developments in the business world.

Population growth is a major problem in economic development. The effect of population growth can be seen in the total procurement of basic needs which must be increased, especially food procurement and resulting in an increase in the workforce. If the population grows as fast as national income, then per capita income will not increase. One of the prominent implications of the problem of population growth in developing countries is that the workforce must be productive and bear a greater burden to support family members proportionally, almost twice as many as those in developed countries. This means that developing countries are not only burdened by high population growth rates but also their workforce must bear a heavier burden of dependency.

The workforce in developing countries is of low quality when compared to developed countries so they cannot compete with the workforce in developed countries. One of the





indicators of the low quality of the workforce in developing countries is influenced by low education. Economic development must be accompanied by development in education which can improve the quality of the workforce. One way to improve education for workers in developing countries is to innovate education in all aspects. The success of economic development efforts in a country is influenced and determined by many factors, one of which is the workforce factor. The role of labor in development is determined by the number and quality of labor available to carry out various efforts in the field of work.

Indonesia is listed as one of the countries that provides paternity leave rights for its male workers. Although there are still many parties who are not satisfied with the policies provided. One of the regulations related to this is Law Number 13 of 2003 concerning Employment. The government sets regulations regarding the ability of male workers or laborers to apply for leave when their wife gives birth. In Article 93 (4) letter e of Law Number 13 of 2003 concerning Employment which states: "wife gives birth or has a miscarriage, is paid for 2 (two) days" in obtaining this leave, accompanied by payment of wages in full. However, this is different between the provisions for Civil Servants (PNS) and private employees. Civil Servants (PNS) are very lucky with this paternity leave, in the Regulation of the State Civil Service Agency of the Republic of Indonesia Number 24 of 2017 concerning Procedures for Granting Leave to State Civil Servants regarding the wife's right to maternity leave, the focus is on section letter E regarding leave for important reasons. in numbers 3, 6, and 14 which reads: "Article 3 reads: Male civil servants whose wives give birth/cesarean section can be given leave for important reasons by attaching a certificate of hospitalization from the Health Service Unit, Article 6 reads: length of leave due to "The important reasons are determined by the official who has the authority to grant leave for a maximum of 1 (one) month, and Article 14 which reads: while using the right to leave for important reasons, the civil servant concerned receives civil servant income."





Paternity leave is a policy given to male workers who will become new fathers. The policy provided is in the form of work leave that has been agreed upon by the company where they work based on the provisions of the applicable law. This paternity leave policy does not only occur in Indonesia, but several countries also implement this policy. This policy is supported positively because it provides benefits not only for a new father but the benefits also have a positive impact on the child and wife who has just given birth. One of the regions in Indonesia that has its own regulations regarding paternity leave is the province of Nanggroe Aceh Darussalam. In Aceh Governor Regulation Number 49 of 2016 there is an article that clearly regulates paternity leave. In Chapter VI regarding maternity and paternity leave, there are clear rules regarding leave that can be applied for by a male worker when his wife gives birth. Article 28 concerns paternity leave rules for Civil Servants (PNS), Government Employees with Work Agreements (PPPK) or honorary or contract workers. Meanwhile, Article 29 regulates paternity leave for workers or laborers in a company.

One model of father involvement in parenting is known as the concept of generative fathering. Categories of father involvement in the concept of generative fathering, namely:

1. Communication (listening, talking/talking, showing love)
2. Teaching (giving role models, carrying out interesting activities and interests)
3. Monitoring (supervising friends, friends, homework)
4. Cognitive processes (worrying, planning, praying)
5. Errands (take care of)
6. Caregiving (feeding, bathing)
7. Shared interest (reading together)
8. Availability (existence)
9. Planning (planning various activities)
10. Shared activities (doing activities together, for example playing together)
11. Preparing (preparing food, clothes)
12. Affection (giving affection, emotional touch)





13. Protection (guard, provide protection)

14. Emotional support (encouraging children)

Paternity leave or father's leave is leave given to male workers to get full access to care for a newborn child. Paternity leave has a positive impact on the family, especially for the successful development of children. In Indonesia itself, male workers are given the right to take paternity leave when their wives give birth. This marks the official recognition of the role of male workers as parents. Parents, both fathers and mothers, need time with their children, and vice versa. Leave during the maternity period is not only important for mothers, but also for fathers.

Paternity leave aims to give husbands the opportunity to help their wives before and after giving birth. This period is very crucial for a wife, especially to restore her physical and psychological condition. However, apart from that, paternity leave provides benefits so that the newborn child has a close bonding attachment with his parents, especially the father. There are various requirements that must be met by male workers when applying for paternity leave. These requirements depend on the policies of each country, or are based on policies agreed between the company and workers.

This paternity leave policy is implemented in every country with the aim of accompanying the wife after and before giving birth and the role of father for the child who must always participate. This right can be obtained for male private sector workers and Civil Servants (PNS) in accordance with existing legal provisions. Even though there is a huge difference in terms of leave income, the role of fathers in family harmony cannot be separated. The paternity leave policy that is taking place in other countries, including Indonesia, aims to ensure that the father's role can function as it should. The paternity leave policy should be implemented in accordance with existing regulations. This policy was created to not contain negative elements of a father in his role. However, not all male workers receive this policy in accordance with the provisions and concepts that have been created.





The benefits of establishing communication and closeness between father and child at the beginning of birth are very important to improve the quality of their relationship in the future. Apart from that, with maternity leave, parents, especially fathers, can provide more intensive love and guidance to their children, so that this can shape a child's attitudes and character from an early age. It is not surprising that an intense interest in children can grow during maternity leave, as this policy has the potential to support women's employment and involve both parents in child care. By providing leave to accompany your wife at the start of a child's pregnancy, the father can become a significant person for a baby. Therefore, implementing paternity leave in the family is an important thing.

By providing stimulus to the baby, the father can provide reciprocity or response to the baby. The comfort that fathers give their babies when they cry by holding them is a normal thing that most people usually do. However, the process of calming the baby carried out by the father at the beginning of birth can increase the father's attachment to the baby. Attachment to the baby is influenced by the first and most often associated with the baby at the beginning of birth. The efforts made by a father in providing simple stimuli to a baby are based on the hope that an attachment to the baby can be established. Although the baby's attachment level is usually to the mother, by providing stimulation and interaction with the baby, the father can also have an attachment to the baby. This found that babies prefer fathers as attachment figures, even though babies prefer to spend time with mothers. By trying to provide free time to interact with the child, over time, the baby will also continue to label the father figure as an important component.

## **2.2 Rights and Obligations and the Role of Paternity Leave in Indonesia**

Parents are fathers and mothers who are responsible for children's education and all aspects of life from childhood to adulthood. Before obtaining the title of parent, men and women







are required to enter into a marriage in accordance with the provisions of the law. Marriage is basically everyone's right, the guarantee of the right to enter into a marriage is regulated in the 1945 Constitution of the Republic of Indonesia in Article 28B paragraph (1). Children have potential personalities according to their parenting style and the color of their environment. As a parent, it is a necessity to be able to provide the best for your children. Not just finding the best school for children, but providing love by helping children achieve their developmental tasks. One of the developmental tasks that needs to be achieved is knowing oneself and the environment. Children can get to know themselves and their environment through playing activities which constitute their world. Through play, one aspect that can be developed is the social-emotional aspect, including personality.

There are three types of parenting styles, namely authoritative, authoritarian and permissive. Authoritative parenting has characteristics, including: directing children rationally, oriented towards actions or deeds, encouraging verbal communication, giving explanations of the wishes and demands given but also using power if necessary, expecting children to adapt to parents' expectations but also encouraging them to independent, sets standards of behavior flexibly. Meanwhile, the characteristics of authoritarian parenting include: forming, controlling, evaluating children's attitudes and behavior using absolute and rigid standards, emphasizing obedience, respect, power and tradition as well as maintaining order and lacking verbal communication. Permissive parenting has characteristics including: having a positive attitude towards children, using little punishment, allowing children to regulate their behavior, not making many demands on children, and avoiding control and using rationality to achieve goals. Parents who are authoritarian and who provide complete freedom become incentives for children to behave aggressively. Meanwhile, parents who have a democratic attitude do not contribute to aggressive child behavior and act as a driving force for the child's development in a positive direction.





Parents are the figures who should know best when and how children learn best. In the process of child development, the role of parents includes:

- a) Accompanying
- b) Establishing Communication
- c) Provide opportunities
- d) Supervise
- e) Encourage or provide motivation
- f) Directing

The family has an important role in the development of human resources. In traditional society, the main educator in the family is assigned to the mother. The role of the father is better known as the person responsible for the family economy. In the family, apart from acting as a leader, a father also has an important role in developing and educating all family members, namely his wife and children. If you look closely, the role of fathers has a percentage that is comparable to the role of mothers in educating their children. Proper care of children by fathers and mothers has a positive influence on children's development, both from motor, cognitive and socio-emotional aspects.

The changes currently occurring in the social, economic and cultural fields have an influence on society in providing perceptions about the role of fathers in the care and development of children. Father figures play a role in various things, including parenting and participating in activities. Policies that previously focused on mothers have now shifted and provide space and opportunities for fathers to be involved in the parenting process directly. The father's role in raising children begins in the womb. Then it continues when the child is born, the earlier the father builds an attachment to the child, the better.

A child's upbringing and experience interacting with his father has an important contribution to the child's development and has an influence until the child grows up. Apart from that, children's cognitive and social development from an early age is influenced by attachment, emotional relationships and the availability of resources provided by the father. Based on the





need for the father's role in the early stages of the child's development, working fathers need more time to be with their families. Especially before and after the birth of a child, maternity leave for women has become common nowadays.

Labor is one of the most important components in a country's industrial wheels. Without a workforce, a country's industrial wheels cannot run optimally and effectively. An industry that can run well will contribute to a country's economic growth, especially in the aspect of gross domestic product (GDP). Workers need legal certainty that regulates or functions as a regulator and guarantees the protection of their rights. Therefore, labor law exists as a form of state responsibility for the protection and regulation of matters relating to labor in Indonesia. One manifestation of protection for workers is the right to leave.

In contrast to maternity leave, or more precisely parental leave for male workers whose wives give birth. In fact, the father's presence in the pre- and post-natal period makes a positive contribution to both the wife and the child being born. Paternity leave is an important thing for the policy to be formulated and officially established. Apart from fulfilling workers' rights, this is also to improve the quality of the nation's future generations. With this paternity leave policy, it becomes an approach between father and child. The government needs definite support in implementing this policy through the companies where you work. So that we can achieve a relevant policy that can be applied to every male worker.

In practice, paternity leave is still a matter of debate in various countries. The policies of these countries vary in terms of the length of leave granted and payment of salaries or wages. In general, developed countries have better paternity leave provisions than others. Regarding the payment of salaries or wages, most countries stipulate full payment of wages, but there are also those without payment. During the paternity leave period, fathers can interact more directly with their children and build bonding attachments. Bounding attachment includes the process of increasing the relationship of affection and inner attachment between parents and babies. Several things that can form a bonding attachment between father and child are through touching and playing together. So that the interaction between father and child can take place directly by





playing together through intense communication. This pattern makes the closeness between children and father harmonious.

### 3. Conclusion

The urgency of regulating paternity leave in Indonesia or what is usually called maternity leave for fathers is a leave policy that is considered very relevant to be implemented in every company. Paternity leave for fathers is very beneficial for mothers before and after giving birth as well as for children. The father's role is to really help the wife during labor and after the birth period, his role is considered very important to avoid baby blues after the birth period. Apart from that, the role of the father also plays an important role in the child's growth and development. So far, the mother plays an important role in a child's growth and development because the mother's main task is as a housewife and she spends a lot of time at home. Meanwhile, the father's main task, apart from being a leader, is also as the backbone of the family. Therefore, the maternity leave policy for fathers is considered very important for companies to provide to workers, especially men. However, in the maternity leave policy for fathers, there is still a difference in income between private employees and Civil Servants (PNS). Both get paid leave rights but do not get equal leave rights. Apart from Indonesia, this paternity leave policy for fathers also applies in various countries with different amounts of leave entitlements.

### References

Muthmainnah. (2015), "The Role of Parents in Growing the Personality of Androgynous Children Through Play Activities", *Journal of Children's Education*, 1(1), 103-112.





Efrianus Ruli. (2020), "Duties and Roles of Parents in Educating Children", *Journal of Non-formal Education*, 1(1), 145.

Tresnaasih, Reni, & Najla. (2021), "The Relationship between the Role of the Breastfeeding Father and Exclusive Breastfeeding", *Journal of Mother & Child Care*, 6(2), 57-64.

Taufik, Hasnani, & Suhartina. (2022), "Community Perceptions of Gender Equality in the Family (In Mattiro Ade Village, Pinrang Regency)", *Journal of Religion and Society*, 5(1), 50-66.

Maulana & Janur. (2020)," State Responsibility in Fulfilling Human Rights in the Economic, Social and Cultural Sectors", *Journal of Sharia and Law*, 1(2), 107-129.

Luh Putu Sela Septika. (2016), "State Responsibility in Resolving Human Rights Violations", *Udayana Law Masters Journal*, 5(4), 661-676.

Dede Nurul Qomaria. (2019), "Community Perceptions Regarding Gender Equality in the Family", *Journal of Scientific Scholars of Out-of-School Education*, 4(2), 52-58.

Raditya & Priyanto. (2015), "The Existence of Leave Rights Due to a Wife's Childbirth for Male Workers According to Law No. 13 of 2003 concerning Employment", *Journal of Legal Studies*, 3(3), 1-16.

Dewi Ariyanti. (2017)," Paternity Leave: What, How and for What?", *Journal of Islamic Studies*, 12(2), 351-366.

Yuni Sulistyowati. (2020), "Gender Equality in Education and Social Order", *Indonesian Journal of Gender Studies*, 1(2), 1-14.





Bambang Heri Supriyanto. (2014), "Law Enforcement Regarding Human Rights (HAM) According to Positive Law in Indonesia", *Al-Azhar Indonesia Journal Social Institutions Series*, 2(3), 151-168.

Bintoro, Ardhanariswari, & Permana. (2004), "Implementation of Law NO. 13 of 2003 concerning Employment for Female Workers in Purbalingga Regency", *Journal of Legal Dynamics*, 8(3), 231-240.

Adha, Asyhadie, & Kusuma. (2020), "Industrial Digitalization and Its Effect on Employment and Work Relations in Indonesia", *Legal Compilation Journal*, 5(2), 2502-5333.

Anggreany Haryani Putri. (2021). "Employment from an Omnibus Law Perspective", *Krtha Bhayabgkara Journal*, 15(2), 223-232.

Hidayati, Kaloeti, & Karyono. (2011), "The Role of Fathers in Child Care", *Undip Psychological Journal*, 9(1).

