Tourism policy, Purusa culture, and gender inequality in absorbing women's employment

Ni Ketut Sari Adnyani^(a) I Wayan Windia^(b) Ni Nyoman Sukerti^(c)
Anak Agung Istri Ari Atu Dewi^(d)

^(a,b,c,d) Doctoral Program in Law, Faculty of Law, Universitas Udayana, Denpasar, Indonesia

ARTICLE INFO

Article history:

Received 23 August 2021

Received in rev. form 18 Sep. 2021

Accepted 22 Sept 2021

Keywords:

Gender Inequality; Policy; Tourism;
Women's Employment

JEL Classification:

O15, P36

ABSTRACT

This study aims to analyze the relationship between tourism policy, gender, and purusa culture in the provision of local labor and female gender, review gender-based tourism policies, compare theories such as the rule of law, welfare state theory, human rights theory, democratic theory, economics, and tourism empowerment theory. Also adopted the Boley & McGehee Population Empowerment model through the Tourism Scale (RETS). The method used in this study is normative juridical research with a statutory approach and a conceptual approach. The results of systematic interpretive analysis show that the absorption of female labor is expressed as a product of structural and cultural forces, and domestic conditions around women's roles, therefore a combination of material and discursive analysis is needed to examine the socio-cultural relations of tourism policy production, the response to the absence of equality, gender in the middle of purusa culture. Workforce competency certificates that comply with the ACCSTP (ASEAN Common Competency Standards for Tourism Professionals) criteria are a preventive alternative for women to be able to target jobs in the public sector and the readiness of countries as ASEAN member countries.

© 2021 by the authors. Licensee SSBFNET, Istanbul, Turkey. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<http://creativecommons.org/licenses/by/4.0/>).

Introduction

The development of tourism can have a positive impact on every country that makes the tourism industry a mainstay (Sedarmayanti, 2014). In the last 5 (five) years, tourism has been a leading sector in most countries in the world because it contributed to foreign exchange, job creation and poverty alleviation. Tourism policies that limit the local workforce, especially women, due to the influence of the purusa (patriarchal) culture such as in Bali have an impact on the minimal participation of local female workers in the tourism sector. Restrictions on local female workers reflect gender discrimination so that labor absorption, competitiveness and labor productivity are low. This condition is contrary to the indicators of support (Indonesia, 2014) in creating jobs, reducing unemployment, reducing national poverty, and increasing the welfare of the community through the tourism sector. This phenomenon shows the obstruction of tourism development in creating jobs, where so far the tourism industry has been more dominant in using labor than machines.

As clear evidence that gender issues have a correlation with tourism and cultural policies, namely (Aitchison, 2001), reveals the pattern of socio-cultural relations of knowledge production, legitimacy, and reproduction. (Cristina Figueroa, Domecq Annette Pritchard, Mónica Segovia Pérez, Nigel Morgan, 2015), identifies two future possibilities for tourism research that is gender conscious and stagnant. (Rahmad, 2018) reviewing the development of Community Based Tourism (CBT) only prioritizes the profit aspect without building local communities around attractions. (Noho Y., 2014) the existence of local non-governmental organizations in the tourism sector tends to be weak because it is difficult to coordinate due to the dominant leadership factor of the founder of the institution in various rules and policies related to the management of tourism villages. (A. Nurcahyo, 2016), Women's problems in Indonesia are quite complex, development that is not gender sensitive, cultural construction about women, to the lack of women's

* Corresponding author.

© 2021 by the authors. Hosting by SSBFNET. Peer review under responsibility of Center for Strategic Studies in Business and Finance.

<https://doi.org/10.20525/ijrbs.v10i6.1331>

involvement in politics. The patriarchal culture and social values in Indonesia require women not to participate in politics or government. (Pulu, 2016) focuses on gender relations that place women as subordinated. The indicators are high rates of maternal mortality, illiteracy and dropping out of school, child marriage, low income of women and high trafficking of women and girls. (Maryani, E., Janitra, P. A., & Rahmawan, 2019) examine gender biases in reporting about women in the media represented through the use of verbal language and various symbols in patriarchal culture. (Soekanto, 2012), states someone carry out his rights and obligations in accordance with his position, meaning he has carried out a role. So, everyone must have several roles in accordance with the status he has. The relation between the concept of status and role with this research can be seen that the position of women has not been accommodated in carrying out their role in employment in the tourism sector. Based on the basic assumptions of structural functionalism theory according to (Usman, 2012), it can be said that there has not been the same perception of each stakeholder involved in the tourism management sector in most traditional villages in the Province of Bali in accommodating female workers to be empowered and utilized.

The problem of gender equality also occurs based on the study of (Duderija, 2016) articulating the traditional Sunna Qur'an hermeneutics fails to recognize the importance of comprehensive contextualization of the Sunna Qur'an on the basis of which it can question the validity of gender-based interpretations of opposition based on the Qur'an and Sunnah which is present in (neo-) traditional discourse which is incorporated into Islamic law through the concept of adat. Gender disparities also occur based on the analysis of (Guiso, L., Monte, F., Sapienza, P., & Zingales, 2008) on the results of PISA showing that gender in mathematical scores is not apparent in countries with more equal cultures. gender. Many gender differences in preferences for specific Internet applications emerge. The results of Weiser's research, (Weiser, 2000) show that men use the Internet mainly for purposes related to entertainment and recreation, while women use it primarily for interpersonal communication and educational assistance. Viewed from the use of internet facilities it is more appropriate for women to use the internet because they are more able to use in terms of use. Based on the details of some findings in the field and research shows that conditions in a patriarchal culture can affect tourism policy that can affect the weak position of women.

Previous studies rarely examined gender inequality because the orientation of several studies was more based on gender equality, the research intended among others, namely by (Yanti, 2019) analysis was more likely to focus on the capacity of Provincial Regional Governments which have the authority to stipulate Provincial Regional Regulations to guarantee legal certainty does not emphasize the guarantee of gender equality of local female workers in the implementation of tourism so that it is considered more in accordance with the principles and objectives of tourism, namely the welfare of the community, especially customary village manners. Research from (Haryanti, L., & Nugroho, 2018), also targeting local communities in general is not specific to women, in this case the local community responsible for the implementation of tourism is mostly carried out by the Tourism Awareness Group (Kelompok Sadar Wisata). (Winarni, R., & Saputra, 2016), examines overall community participation in managing ecotourism areas and their implications for the resilience of rural communities not at all in contact with the cultural system that encompasses the kinship system in the customary village environment in tourism management. Mostly reviews the implementation of minimum wages for workers in the field of tourism. No discussion was found regarding tourism policies that map gender in cultural studies. Women's problems, not the focus of attention on the systems and structures of society which are based on the analysis of "gender relations." A common assumption is that it emerges women's problems are caused by the low quality of women's own resources, which results in the inability of women to compete with men in development. (Komariah, N., Yusup, P. M., Rodiah, S., & Saepudin, 2016) for their findings regarding the level of participation of coastal communities in women's empowerment programs. After identifying a range of practices in relation to the influence of tourism policies on the limitation of the local workforce of women due to the influence of purusa culture (patriarchy) none of these practices were adopted by the gender, cultural and tourism journals.

Restrictions on local women workers can break the chain of networking processes that should be expected to have a symbiotic mutualism between the structures of tourism development both at the top and regional levels. If it is not immediately addressed, it can encroach on the obstruction of the legal framework of tourism policy (in the form of a strategic plan, regional regulations, regional head decree) to open space for women's participation in planning, utilization, and controlling the utilization of the tourism sector. In the context of purusa culture, this participatory approach of women is not only within the scope of workforce, but also restrictions can also penetrate into the local aspirations container such as sangkep or paruman indigeneous village program socialization, and other forms of tangible participation such as involving women in the determination of zones zone of use of space allowed for the cultivation of settlements and tourism accommodation facilities and determination of conservation zones (non-built), utilization of natural village ecosystems and sanctions regulations (incentive and disincentive mechanisms) for land use in tourism areas. In addition, networking influences the one-stop licensing mechanism that is proclaimed by the government to involve indigenous villages, which may not accommodate women's rights. The limitation of women's movement has an impact on the occurrence of marginalization on various interests in development, culture, economy, social and politics. Balinese culture as part of Indonesian culture and as a supporting element enriches the treasury of world culture with the existence of tourism management that minimally absorbs local workforce of women, encourages uneven opportunities to get jobs and benefits as much as possible for the welfare of the community so that judging is a denial of the ideal tourism for Bali. The correlation can lead to a decrease in Regional Original Revenue (PAD) further weakening identity as an independent area. The operationalization of regional development has also been constrained because the utilization of local potentials such as empowering women workers is less needed coupled with the situation of dominating patriarchal culture.

Limited employment opportunities for women add to the long list of high unemployment and cause women to be subordinate to men. Psychologically it can weaken the spirit of women's competition because the opportunities are limited. The quality of labor in a country can be determined by looking at the country's education. The majority of the workforce in Indonesia has a low education level. With a tourism policy that is not pro-women as a local workforce diminishes the hopes of women to continue their education so that high school dropout rates reduce labor productivity because they are not equipped with adequate knowledge and technology insights that have a significant impact on the low quality of the production of goods and services in a country. Based on data from the Central Statistics Agency of Bali Province as of February 2016, of 2,332,064 registered workers, 858,390 were elementary school graduates, 369,220 junior high school graduates, 400,619 senior high school graduates, and 294,369 graduates from vocational high schools. Only 129,394 Diploma graduates and 280,072 Bachelor graduates (Bali, 2016). This condition if not handled immediately could have a bad effect due to the unpreparedness of the state in welcoming the era of free market competition. The implementation of the ASEAN Economic Community (hereinafter referred to as AEC), the people belonging to ASEAN member countries including Indonesia will experience a free flow of goods, services, investment, and educated workers from and to each ASEAN member country. This situation is a fundamental problem of ASEAN member countries (Wyasa Putra, 2018). As an alternative solution, (Syah, 2017) the view can be used as a reference if the Regional Government recognizes that the village is unable to properly manage tourism policies, then it can carry out tourism activities by establishing cooperation with the private sector. However, this requires careful planning because it examines tourism policies which incidentally in this case concerns tourism policies for women workers not only involving one component, namely cultural aspects, but also intersects with aspects of ideology, politics, social, defense and security, and applicable law in an area within the scope of a country. The government should look at labor issues as one of even the central issues of national development. Legally the position of workers and employers is the same (Joni, 2013), therefore tourism policies must be able to realize aspects of justice for the parties. The justice orientation intended here includes: (a) optimally empowering and utilizing labor; (b) creating equality and employment opportunities as well as providing workers in accordance with national development; (c) providing legal protection for workers in realizing their welfare; and (d) improve the welfare of the workforce and their families. In line with that, through this research employment development is directed to improve the quality and contribution of development and protect their rights and interests in accordance with gender equality, human dignity and dignity which are part of human rights.

Based on pioneering research with children from the gender revolution, (Gerson, 2010), revealed a decline in morality and unhappy children is not a lack of family values, but a rigid social and economic force that makes it difficult to practice values that value. In this case the synergy with the focus of the study is the social and cultural strength of the rigid purusa can make women find work in the field of tourism experiencing subordinate. As a comparison of studies from (Maluleke, 2012), African traditional culture has an almost unlimited capacity to pursue consensus and reconciliation, as opposed to being individualistic and competitive in response to the revival of tradition, culture and customs is part of national and new identity internationally, however, this revival must be rooted in a way of life that is based on human rights, democracy and equality for all, and understood from the point of view of Ubuntu. Inspired by the importance of the study, considering the issue of gender discrimination against women workers is a major issue that needs to be addressed in national life, both on a national and international scale because it intersects with efforts to guarantee the human rights of every citizen.

Labor includes all human work directed to achieve production results, whether tangible services, physical or mental. Labor includes both labor and managerial. Humanitarian issues related to labor must always be considered because the most important character of labor compared to other factors of production is that they are human. Labor-related issues include: how the relationship between labor and other factors of production, how to price labor, and how to appreciate the elements of justice, psychology, morality, and other humanitarian elements for labor. Basically, labor or man power is a population of working age that is between 15 to 64 years or the total population in a country that can produce goods and services if there is demand for their labor, and if they want to participate in these activities (Agusmidah, 2010). In 1974 the Central Government laid down "the priority of local communities" as a condition for recruitment of workers in every inventory activity. Morally and ethically, it would also not be distorted if the phrase is equated with the meaning of Balinese society (Mulyadi, 2012). Even though every worker has the same rights and opportunities to obtain decent work and livelihood, gender differences are still found in the practice of providing female workers in the tourism sector. Employment absorption is one of the supporting factors of economic development carried out by developing countries which aims to create economic development that results equally. Absorption of local labor is one of the main sources of capital of a company as well as a major factor capable of producing services and production for the sustainability of the tourism industry. Without society, a company will not be able to do service or production activities. The issue of manpower, especially recruitment, is not only the achievement of local employment. The problem can be solved so that the local workforce can work well and not only for a certain period of time. Difficult absorption of local labor in general is caused by the magnitude of the influence of the Purusa culture which still puts pressure on Balinese women in developing their creativity in tourism in the world of work. The World Tourism Organization (WTO) provides a definition of tourism as the activity of a person or group of people to live outside their own residence for a while, no more than one year in a row for a tourist destination or other destination which is not intended to obtain employment or salary in visited place, (Bagiastuti, 2017). Tourism is built from the relationship between tourists and the government and business entities engaged in tourism to prepare the facilities needed by Theobald tourists, (Theobald, 2015). Therefore, synergizing with the object of study is very much needed employment based on gender equality. Tourism policies that are not pro-local workforce especially women

cite the view included in the category of narrow legal concepts, none other than a mistaken proposal to abandon the study of regulations that are morally deviant to be studied by other disciplines .

Tourism policies that have not been in favor of the female workforce can adopt the ideas of (Keynes, 1936). In liberalism which is formulated the concept of proportional state does not conflict with individual freedom which is the main value of liberalism and can be a state intervention on the market that criticizes the application of policies that actually have a negative impact on society. This theory is realized not solely in the form of social policies and programs such as social safety net, social security, social insurance, or social subsidy, but also through the implementation of social development directed at creating jobs, developing capital, mobilizing social capital, and accumulating productive assets. To realize prosperity, tourism must not only provide answers to cultural sustainability but also provide opportunities for local communities including women to be free from subordinate conditions, poverty through access and opportunities to take part in the utilization of the tourism industry (support for gender equality, poor people, opportunities for workers or entrepreneurs, and local economic growth) (Nurdiyansah, 2014). Associated with the theory of human rights basically human rights can not be reduced (non derogable right) because it is needed from the state and the law is the recognition and guarantee of protection of these human rights (Rozali, 2012). This theory arises from the natural law theory of Thomas Aquinas (Smith, 2005). Associated with the regulation of local employment of women in the management of tourism service businesses, relevant human rights theories are used as a basis for analysis, namely the theory of natural rights and positive theory. According to the theory of natural rights, the right for local workers to get employment opportunities or the right to work is a right that is owned by all human beings to meet their needs. The right to work or the right to meet the necessities of life for local workers associated with positivist theory must be contained in the real law that is as a guaranteed right in the state constitution. So that the right to life (as a local workforce) can be owned by every level of society and that right must be regulated in a constitution or concrete legal provisions.

The theory of economic democracy from Adam Smith (1776) is used as an applied theory to study the problem of job opportunities, especially for local residents who are women. The theory of economic democracy is expected to provide job opportunities, especially for women, to be able to get jobs in the management of tourism service businesses in their regions. Economic democracy theory needs to be absorbed in the regulation of strengthening and empowering local workers in the management of tourism service businesses in Indonesia. In developing countries in general, the problem of unemployment is a difficult problem to solve. In Indonesia, the government is working on various solutions to gradually overcome unemployment, both in urban and rural areas. Likewise, in relation to the absorption of female workers in the tourism service sector, it aims to reduce unemployment and improve the economy of the people of a country.

The urgency in this research is as follows; (1) The compilation of theories relating to gender responsiveness, especially in the field of tourism, (2) Supporting the realization of mainstreaming gender in the field of tourism, (3) Minimizing gender bias in the absorption of female workers so that they can carry out activities to increase household income.

Research and Methodology

Normative research, by studying one or more of these legal symptoms and then finding a solution to the problem that arises in the symptom concerned (Sunggono, 2017). Normative legal research examines law conceptualized as norms or rules that apply in society so that it is expected to become reference for the behavior of each person (Adnyani, N. K. S., & Mangku, 2019). Normative research in science the law has the characteristics of a science which is prescriptive and applied. As prescriptive science, law science study the aims of law, the values of justice, the validity of the rule of law, legal concepts and legal norms (Hadjon, P. M., & Djatmiati, 2005). Therefore, this study uses statute approach and a conceptual approach. legal hermeneutic analysis techniques, (Rifa'i, 2011). the research was conducted in 8 districts and 1 municipality in Bali Province. The reason for the focus of the research being carried out in the location above, considering that tourism service businesses in each district / city in bali province experience obstacles related to the procurement of female workers who are limited by recruitment due to the purusa culture. adopted by the majority of balinese people. the provision of female workers in the context of realizing gender equality has not been realized because the people who are members of the tourism management have not been able to uphold the value of integrity and have not obeyed the rules or regulations of tourism that apply policies.

This study was conducted in 17 tourism service business units in the province of Bali. This study uses a quantitative approach because the data used are in the form of numbers. This type of research is explanatory research, explanatory research is a research method that aims to get clarity of phenomena that occur empirically and try to get answers to causal relationships between variables through hypothesis testing.

The design of this study uses a descriptive design that is supported by data obtained through direct surveys. The design of this study was used to analyze the influence of tourism policies and purusa culture on the supply of female workers in the province of Bali. The data in this study were obtained from various sources by conducting library studies and observations in the field. Based on the source, this study uses primary data sources. Data collection in this study was carried out by direct field survey by conducting structured interviews and using questionnaires distributed to respondents. A structured interview is defined as an interview that takes into account the elements of 5 W + 1 H without developing into other questions. This process can take a relatively short time because it is discussed in accordance with the research topic made. Instructions on filling out the questionnaire based on the respondent's

experience, are checked (✓) on the weight of the alternative answer value that best reflects the perspective of the respondent in each question. From the description above, the research design can be seen in Figure 1. Research Design below.

Figure 1: Research Design

The population in this study is the tourism service business in the province of Bali, particularly the Human Resource Department and hotel and restaurant personnel who understand the staff / employee recruitment system. The reason for choosing personnel in the Human Resource Department is because they are the people who are competent and most influential in terms of providing human resource management information in their working area and are the ones authorized to accept or reject workers who apply.

In this study, researchers used a non-probability sampling method, where this method is a sampling technique that was discovered or determined by the researcher or according to expert judgment. This is because the title of the research refers to the provision of female workers in the tourism sector which is used, of course, understood by the Human Resource Department and personnel hotels and restaurants in the province of Bali. From the total population, the researchers took a sample of 17 units of tourism business services from the personnel section. While the number of female respondents working in the tourism services business numbered 40 people in the field of expertise with details of 10 people in the reception, 10 people in the culinary section, and 10 people in the house keeping section, and 10 people in the gardener section. Respondents from the Human Resources Department of 10 people and hotel and restaurant personnel numbered 16 people so there were 26 people, all of whom were male.

Result and Discussion

The results of this study are in line with the research of (Wirartha, 2000) who presented findings that female workers in the Gianyar Regency in the tourism sector experienced discrimination which was reflected in lower wages than male workers even though they had the same education and or the same occupational position. (Sutrisna, 2011) presented their findings on the limitation of women's activities in the public domain such as various forms of marginalization, discrimination, and subordination as reflected in wage or salary inequalities. (Sorinasih, 2019) shows the findings in the form of analysis of the percentage of absorption of local labor in the management of tourism business services is still relatively low because it only reaches the 30% range. Based on the consistency of the findings of problems related to gender discrimination experienced by women workers in the tourism sector. It's just that the findings of the previous research study orientation highlight the inequality in terms of the provision of wages to female workers. Regarding women's empowerment and tourism, there has been a lot of research on these two things. However, almost all research conducted related to women's empowerment and tourism in Indonesia is a qualitative study that aims to find out what tourism activities involve women (Afrians, 2014); (Karmilah, 2013); (Suardana, 2010). While quantitative research related to women's empowerment in tourism has not been done much in Indonesia. The exact location of the object of study is female workers in the tourism sector. The findings are presented in the following table:

Table 1: Development of Labor Absorption in Bali Province in the Period of 2015-2020.

Workers who Work in the Tourism Industry (Soul)							
Year	Accommodation Hospitality	Transportation Services Travel	Souvenir Shop	Restaurant and Bar	Number of Workers Absorbed in the Tourism Industry (Soul)	Number of Manpower in Bali Province	Labor Absorption in the Tourism Industry (%)
2015	1.849	14	241	398	2.502	344.542	0,72%
2016	2.01	20	252	454	2.736	354.746	0,77%
2017	2.272	20	261	627	3.18	348.703	0,91%
2018	2.514	22	289	725	3.55	213.034	1,66%
2019	2.586	28	324	763	3.701	333.594	1,11%

Based on Table 1 shows that the development of employment in the tourism industry sector continues to increase every year, as well as the percentage of labor absorption in the tourism industry sector has increased every year. Development The development of employment in the tourism sector continues to increase each year but the statistical data 3,701 with a percentage of 1.11% in the last year 2020 presented has not provided a classification of the gender status of the number of workers absorbed.

Table 2: Distribution and Return Details

Information	Number of Questionnaires
Questionnaire distributed	66 pieces
Questionnaire returned	66 pieces
Questionnaire used in research	66 pieces
The level of research that can be analyzed	100%

Source: Processed by Researchers (2020).

Of the 66 questionnaires distributed, the questionnaires used in this study were 66 (100%) because all the questionnaires were returned. Respondent characteristics data are in Table 1, which presents some general information about the conditions of respondents found in the field. The respondent's characteristic data contains information including the age of the respondent, the sex of the respondent, the last education level of the respondent, and the length of service as a manager of tourism business services. Data on the characteristics of respondents in this study can be seen in Table 3.

Table 3: Data Characteristics of Respondents

Descriptive	Information	Frequency	Percentage (%)
Age of Respondents	30-40 years old	35	53
	41-50 years old	26	39
	>50 years old	5	8
	amount	66	100
Gender	Male	40	61
	Girl	26	39
	amount	66	100
Last education	Diploma	3	5
	S1	53	80
	S2	10	15
	amount	66	100
Length of work	≤ 5 years	17	26
	> 5 years	49	74
	amount	66	100

Source: Processed by Researchers (2020).

Based on Table 3, it can be seen that the respondents contained in this study sample are respondents aged 30-40 years totaling 35 people (53%), aged 41-50 years totaling 26 people (39%) and those over 50 years old totaling 5 people (8%). This shows that the highest number of respondents aged 30-40 years were 35 people (53%).

Respondents who were female were 40 people (61%) and male respondents were 26 people (39%). This shows that the majority of respondents' sex is female as many as 40 people (61%). As for respondents based on education, it was found that respondents who had Diploma education were 3 people (5%), S1 amounted to 53 people (80%), S2 totaled 10 people (15%). This shows that the education of most respondents was S1 as many as 53 people (80%).

As for respondents based on the length of work it was found that respondents who worked ≤ 5 years amounted to 17 people (26%), and for respondents who worked for > 5 years amounted to 49 people (74%). This shows that the respondents who had the most years of work were > 5 years totaling 49 people (74%).

Based on the analysis of interview data and questionnaire distribution in the province of Bali, explaining that the entry of the female workforce into formal productive sectors such as tourism is of a dilemma due to the increasing number of job seekers with all kinds of implications for employment opportunities. On the other hand, the group of women who are not able to primarily become the main breadwinner, does need a source of income to maintain their lives, but are always treated discriminatively because of the dominance of purusa culture. It was further explained that the bulk of the female workforce in developing countries. Like Indonesia, it requires more work because of poverty. Some of the developing country women's workforce are in relatively equal condition from the workforce of women in developed countries, which is working to improve welfare. This fact can be responded to by adapting the Resident Empowerment through Tourism Scale (RETS) method from (Boley, B. B., & McGehee, 2014). This method emphasizes quantitative methods that are designed to measure the psychological, social and political power of society in the presence of tourism. The concept is used to measure the condition of community empowerment due to tourism. The measurement of the helpless condition is based on an assessment of people's perceptions of tourism in the region.

Women's perceptions according to the RETS analysis include: (1) the psychological empowerment dimension is the dimension of empowering women workers that has a psychological impact, one of which is increasing the pride of women as part of the community because of tourism. This sense of pride grew from the presence of tourists visiting their area and studying the existing culture (Scheyvens, 2000), the kinship system with the influence of *purusa* culture should be open in responding to this phenomenon; (2) the dimension of social empowerment is the dimension of empowerment which has an impact on the magnitude of the relationship that occurs between individuals with other individuals or groups, increased cohesiveness in the community, and the opening of opportunities for individuals to be involved in society, especially opportunities for absorption of women workers in the tourism industry; and (3) the dimension of political empowerment is the dimension of empowerment where women have room to channel their attention about tourism. Women are aware of the right to opinion and to be involved in making decisions to develop tourism that can influence tourism policies in the absorption of female workers.

The findings of the development of tourism in Bali, many job opportunities will emerge that can be utilized by women. There will also be more women entering the work area of men with the consequences of gender problems will confront them. The more dominant the purusa culture, the more women experience subordinate positions. Subordination is reflected in inequality in obtaining employment opportunities, wages or salaries. The dual role for women workers is a dilemma, on the one hand they are housewives who have problem solving and are very good at home, on the other hand they must be professional in their careers. It is feared that this gender discrimination if not immediately addressed can disrupt the order of other aspects of social life, not only in the field of tourism, but can affect other public environments such as education and politics so that the impact does not occur among citizens. For example, in the field of education, education policies only benefit men, in terms of the governance structure in each school. Discrimination in the political field can also be seen from the lack of a quota of women who are involved in politics. In accordance with the theory of legal certainty from A.V Dicey where the content of one of the rule of law concepts, namely legal absolutism (the absolute predominance of law) to oppose the influence of arbitrary power and negate the broad arbitrariness of the government. Legal certainty regarding the percentage as an obligation of business actors to absorb local workforce which incidentally is female in managing tourism service businesses and there is also no legal certainty related to the regulation of strengthening and empowerment for women workers so that their position becomes increasingly unable to compete with male workforce. In understanding the value of legal certainty that must be considered is that the value has a close relationship with positive legal instruments and the role of the state in actualizing them in positive law. It takes the role of the state to be limited to that level, the state has the responsibility to carry out and uphold The government needs to provide legal certainty related to the regulation of absorption of women workers in the management of tourism businesses in their regions in a legal product so as to maximize the use of women workers for the management of tourism service businesses, of course, to improve the standard of living and economy for women. This theory is relevant to the theory of the welfare state as a society of a country can obtain the welfare mandated by the constitution of each country. Government policies in the field of tourism so far have been more pro and pro-employers and less pro and pro-women, causing women's employment opportunities to be eliminated and the level of citizens' welfare being not evenly met. Correlation of tourism service business with local female workers in the form of direct relationship. Tourism service business as an unlimited resource is obliged to take action to maintain tourism service business resources, namely culture. As a buffer for Balinese culture and tourism economic resources, women workers have the care (give) and maintain the quality of culture as an economic resource for tourism (Wyasa Putra,

2018: 51). Women actually do not get reciprocity from efforts to preserve culture that has been done, even women are always limited by their movement space purusa culture.

Conclusion

Welfare state theory will not be effective if gender discrimination is still found in the absorption of women workers in tourism. Job orientation by women is basically to fulfill their daily needs which is correlated with the theory of economic democracy in the form of equal opportunity to obtain social security from the state. The theory of human rights is appropriately paired to bridge the problem of limiting female labor in the tourism sector because the state can have an imperatif function (force) for the public interest and the prospect of further regulation in the field of tourism requires the state's imperative function of a sense of justice for all the people because so far the direction.

The concept formulated by (Boley, B. B., & McGehee, 2014) by adopting the theory of tourism empowerment (Scheyvens, 2000) is indeed suitable as a reference in identifying elements of government policy and purusa culture in the tourism industry that targets dimensions of psychological empowerment, social empowerment, and political empowerment. As mentioned earlier, in Scheyvens' theory, there are four dimensions of women's empowerment in tourism, namely economic, psychological, social and political empowerment. However, in the RETS concept only three dimensions of empowerment are measured, namely psychological, social and political empowerment (Boley, B. B., & McGehee, 2014). Economic empowerment is not included in the calculation of RETS because it is considered only focused on the economic welfare of the community so that it cannot be applied to individuals. In addition, economic empowerment can be identified through the acquisition of secondary data, such as income and employment resources (Boley, B. B., & McGehee, 2014).

The psychological dimension that is internal and the social dimension as well as the external political dimension is considered not yet sufficient to condition the rearrangement of tourism policies and the dominance of purusa culture. Internal factors which at the same time can affect external factors of women such as competencies in the form of knowledge, skills and behavior that must be possessed, internalized, and mastered by women in preparing themselves as workers in tourism to develop work professionalism can be used as a solution as a preventive measure by women in a country. Supporting indicators of preventive efforts that can be used as a reference by women in each country in dealing with competition in the world of work is the need for certification from women workers who have relevance to eligibility standards and have been recommended according to tourism policies. With the certification owned by the level of women's competence, the feasibility of automatically purusa culture will be accepted and the procedure will certainly open up opportunities for women to enter the tourism sector, including being able to influence gender care policies that can be accommodated by indigenous villages, national government agencies, regionally within the scope of ASEAN and internationally. Not only in the field of tourism, but it can also encompass the economic, political, cultural, enforcement aspects of the rule of law and defense and security because the harmonization of gender relations will be covered through gender equality from evidence of the certification of eligibility that women have in carrying out their roles.

The contribution of the study to the academic world, namely this study is quantitative, so it is deemed necessary to conduct a qualitative study in order to provide a more in-depth picture of the limitation of women's labor due to tourism. In terms of the development of the object of study that recommends the theory of human rights to address gender inequality, this study discusses the conditions of women's employment opportunities in rural tourism. Therefore, further research is needed that focuses on the condition of empowering women in coastal and urban tourism areas, because both have different social, cultural and geographical characteristics from rural women. Coastal and urban women are considered to have greater opportunities to access public activities compared to rural women. The development of welfare state theory, human rights theory, legal certainty theory, economic democracy theory, and the theory of women's empowerment, as well as the Resident Empowerment through Tourism Scale (RETS) method should also be further adapted in research that discusses the different labor absorption conditions experienced by men and women due to tourism is also considered necessary to do.

Not always the factor of education that is equal to men does not cause discrimination in treatment of women both in terms of wages and recruitment. Tourism policies and the dominant purusa culture can also affect the gender inequality that has occurred in the provision of female workers in the tourism sector. Contributions to practical human rights theories are important adopted in responding to gender injustice. Because according to this theory the respect for human rights for everyone is guaranteed based on the state constitution. Gender injustice if it does not only occur in the fields of tourism, social, cultural, political, and this will disrupt the harmonization of social life in the country if left unchecked so that what women need is excellence in terms of competence through technical guidance obtained from formal institutions in the field of professional expertise and feasible to meet the required labor standards in line with tourism policies that have a certificate of workforce competency in accordance with the ACCSTP (ASEAN Common Competency Standards for Tourism Professionals) criteria as part of the liberalization of the ASEAN tourism sector which began in January 2010 in order to prepare and educated workforce from and to each ASEAN member country.

References

Adnyani, N. K. S., & Mangku, D. G. (2019). Busines Actors Responsibility Towardds Consumers Due To Defective Product, *Veteran Law Review*, 2(2), 1–2.

- Afriani, D. N. (2014) *Peran Kelompok Perempuan Dalam Pengelolaan Desa Wisata Samiran, Selo, Boyolali*, Tesis. Yogyakarta: Fakultas Teknik, Universitas Gadjah Mada.
- Agusmidah (2010) *Dinamika & Kajian Teori Hukum Ketenagakerjaan Indonesia*. Bogor: Ghalia Indonesia.
- Aitchison (2001). Gender and Leisure Research: The "Codification of Knowledge", *Leisure Sciences*, 23(1), 1–19. <https://doi.org/10.1080/01490400150502216>.
- Bagiastuti, N. K. (2017). Sertifikasi Kompetensi Sebagai Upaya Perlindungan Hukum Bagi Tenaga Kerja Industri Pariwisata Dalam Menyambut IATA, *SOSHUM: Jurnal Sosial dan Humaniora [Journal of Social Sciences and Humanities]*, 4(2), p. 140.
- Bali, B. P. S. P. (2016) *Central Statistics Agency of Bali Province as of February 2016, No: 34/05/51 Th.X. dated May 4, 2016*.
- Boley, B. B., & McGehee, N. G. (2014). Measuring Empowerment: Developing and Validating the Resident Empowerment through Tourism Scale (RETS), *Tourism Management*, 45, 85–94.
- Cristina Figueroa, Domecq Annette Pritchard, Mónica Segovia Pérez, Nigel Morgan, T. V.-M. (no date). Tourism gender research: A critical accounting, *Annals of Tourism Research*, 52, 87–103. Available at: <http://doi.org/10.1016/j.annals.2015.02.001>.
- Duderija, A. (2016). The Custom ('urf) Based Assumptions Regarding Gender Roles and Norms in the Islamic Tradition: A Critical Examination, *Studies in Religion/Sciences Religieuses*, 45(4), 581–599.
- Gerson, K. (no date) *The unfinished revolution: How a new generation is reshaping family, work, and gender in America.*, 2010.
- Guiso, L., Monte, F., Sapienza, P., & Zingales, L. (2008). Culture, Gender, And Math, *Science*, 320(5880), 1164–1165.
- Hadjon, P. M., & Djatmanti, T. S. (2005) *Argumentasi Hukum*. Yogyakarta: Gadjah Mada University Press.
- Haryanti, L., & Nugroho, S. (2018). Sinergi Stakeholder Dalam Mewujudkan Aktivitas Pariwisata Di Desa Wisata Baha, Kecamatan Mengwi, Kabupaten Badung, *Jurnal Destinasi Pariwisata*, (2), 195–205.
- Indonesia, K. P. R. (2014) *Laporan Kinerja Kementerian Pariwisata*.
- Joni, B. (2013) *Hukum Ketenagakerjaan*. Bandung: Pustaka Setia.
- Karmilah, M. (2013). Peran Ganda Perempuan di Lingkungan Pariwisata Bandung, Jawa Tengah, *Palasteran*, 6(1), 129–158.
- Keynes, J. M. (1936) *The General Theory of Employment, Interest and Money*. Published by Harcourt. Cambridge: Fellow of the King's College.
- Komariah, N., Yusup, P. M., Rodiah, S., & Saepudin, E. (2016) *Partisipasi Masyarakat Pesisir Dalam Program Pemberdayaan Perempuan Di Kecamatan Cipatujah Kabupaten Tasikmalaya*.
- Maluleke, M. J. (2012). Culture, Tradition, Custom, Law And Gender Equality., *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*, 15(1).
- Maryani, E., Janitra, P. A., & Rahmawan, D. (2019). Bias Gender, *Communication and Information Beyond Boundaries*, 21.
- Mulyadi, S. (2012) *Ekonomi Sumber Daya Manusia Dalam Perspektif Pembangunan*. Jakarta: Rajawali Press.
- Noho, Y. (2014). Kapasitas Pengelolaan Desa Wisata Religius Bongo Kabupaten Gorontalo, *Jurnal Nasional Pariwisata*, 6(1), 8–21.
- Nurcahyo, A. (2016). Relevansi Budaya Patriarki Dengan Partisipasi Politik dan Keterwakilan Perempuan di Parlemen, *Agastya: Jurnal Sejarah dan Pembelajarannya*, 6(01), 25–34.
- Nurdiyansah (2014) *Peluang dan Tantangan Pariwisata Indonesia*. Bandung: Alfabeta.
- Pulu, L. (2016). Modul Pendidikan Feminis (Pendidikan Adil Gender untuk Kelompok Marginal, *Institut Kapal Perempuan Lingkaran Pendidikan Alternatif Perempuan*.
- Rahmad, R. (2018). Tingkat Kesiapan Masyarakat Lokal Terhadap Pengembangan Community Based Tourism (CBT) Di Kota Samosir, *Jurnal Geografi*, 10(2). Available at: <http://jurnal.unimed.ac.id/2012/index.php/geo>.
- Report, D. of P. (2015) *Parks Australia: Sustainable tourism overview (2011-2016)*. Available at: <https://www.environment.gov.au/system/files/resources/ed9f71b7-edbc-4a9f-801d-0457aa7b763b/files/sustainable-tourism.pdf>.
- Rifa'i, A. (2011) *Penemuan Hukum Oleh Hakim Dalam Perspektif Hukum Progresif*. Jakarta: Sinar Grafika.
- Rozali, A. (2012) *Perkembangan HAM dan Keberadaan Peradilan HAM di Indonesia*. Jakarta: Ghalia Indonesia.
- Sari Adnyani, N. K. (2020) *Processed by Researchers*.
- Scheyvens (2000). Promoting Women's Empowerment Through Involvement in Ecotourism: Experience from Third World, *Journal of Sustainable Tourism*, 8(3), 232–249.
- Sedarmayanti (2014) *Membangun dan Mengembangkan Kebudayaan dan Industri Pariwisata (Bunga Rampai Tulisan Pariwisata)*. Bandung: PT Refika Aditama.
- Smith, R. K. M. (2005) *Hukum Hak Asasi Manusia*. Yogyakarta: PUSHAM UII.
- Soekanto, S. (2012) *Sosiologi, Suatu Pengantar*. Jakarta: Rajawali Pers.
- Sorinasih, N. W. (2019) *Pengaturan Penyerapan Tenaga Kerja Lokal dalam Pengelolaan Usaha Jasa Pariwisata*. Denpasar.
- Suardana, I. W. (2010). Pemberdayaan Perempuan di Kawasan Kuta Sebagai Upaya Peningkatan Kualitas Pariwisata Bali, *Piramida*, 6(2).
- Sunggono, B. (2017) *Metodologi Penelitian Hukum*. Jakarta: PT. Rajagrafindo Persada.
- Sutrisna, E. (2011). Problematika Perempuan Bekerja di Sektor Pariwisata (Studi Kasus Perhotelan), *Jurnal Aplikasi Bisnis*, 1(2), 97–102.
- Syah, F. (2017). Mengembangkan Desa Wisata, in *Prosiding Seminar Nasional Multi Disiplin Ilmu & Call For Papers Unisbank Ke-3 (SENDI_U 3)*. ISBN: 9-789-7936-499-93.

- Theobald, W. F. (2015) *Global Tourism Third Edition*. New York: Elsevier Inc.
- Usman, S. (2012) *Sosiologi (Sejarah, Teori dan Metodologi)*. Yogyakarta: Pustaka Pelajar.
- Weiser, E. B. (2000). Gender Differences In Internet Use Patterns And Internet Application Preferences: A Two-Sample Comparison, *Cyberpsychology And Behavior*, 3(2), 167–178.
- Winarni, R., & Saputra, H. S. P. (2016). Budaya Ekonomi Perempuan Using Dalam Perspektif Kesenjangan Gender., in *Budaya Ekonomi Perempuan*.
- Wiratha, I. M. (2000). Ketidakadilan Gender Yang Dialami Pekerja Perempuan Di Daerah Pariwisata., *SOCA: Jurnal Sosial Ekonomi Pertanian*.
- Wyasa Putra Ida Bagus (2018). The Contextual Problem in the Development of Indonesian International Tourism Law, in *Proceeding of the International conference on business law and local wisdom in tourism*. Atlantis Press.
- Yanti, A. I. E. K. (2019). Kewenangan Desa Adat Dalam Pengelolaan Kepariwisata Budaya Bali Dalam Perspektif Peraturan Daerah Nomor 4 Tahun 2019 Tentang Desa Adat, *Jurnal Hukum Saraswati (JHS)*, 1(1), 48–60

Publisher's Note: SSBFNET stays neutral with regard to jurisdictional claims in published maps and institutional affiliations.

© 2021 by the authors. Licensee SSBFNET, Istanbul, Turkey. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<http://creativecommons.org/licenses/by/4.0/>).

International Journal of Research in Business and Social Science (2147-4478) by SSBFNET is licensed under a Creative Commons Attribution 4.0 International License.