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The Effectiveness of Ministerial Regulation No. 6 of 2023 on Gender Equality in Legislation and Legal Instruments for Female Coffee Farmers in Tirtoyudo Village

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Abstract

Ministerial Regulation PPPA No. 6 of 2023 concerning Gender Equality Parameters in Legislation and other Legal Instruments, which is normatively expected to eliminate existing gender inequality in the state, is not necessarily effective when implemented at the local agrarian community level. The inherent masculinity of patriarchal culture in coffee plantations still makes women coffee farmers have unequal access and control with male coffee farmers. This research examines the effectiveness of Permen PPPA No. 6 of 2023 in the context of local agrarian communities, namely, women coffee farmers in Tirtoyudo Village, Malang Regency. This research uses a juridical-sociological approach with Lawrence Friedman's theory of legal effectiveness. The results of this study show that the implementation of Permen PPPA No. 6 of 2023 is not maximally effective due to the patriarchal culture that is strongly embedded in the community. The lack of gender awareness in the coffee farming community is a major obstacle in the realization of gender equality as regulated in Permen PPPA No. 6 of 2023. Formal recognition alone does not automatically result in equality to the substantive level. So from this research, there is still a gap between legal norms and social reality.

1. Introduction

The state's efforts to ensure gender equality by designing various legal instruments are not the only factor that can eliminate gender inequality in society. In practice, legal instruments often face challenges when implemented at the local level (Daya, 2024; Lubis & Triadi, 2024; Muna et al., 2025; Tirkantara, 2025; Wahyuni & Lestarika, 2024). Although the government has tried to take a role in formulating policies aimed at becoming an umbrella of protection to realize gender equality, in reality there are various other factors that become obstacles in realizing the law (Tirkantara, 2025).

One of the legal instruments that aims to realize gender equality is the Regulation of the Minister of Women's Empowerment and Child Protection (Permen PPPA) No. 6 of 2023 concerning Gender Equality Parameters in Legislation and Other Legal Instruments. Although this regulation focuses on eliminating gender inequality in various fields, it is not fully implemented at the local agrarian community level, namely in coffee plantations. Male dominance in coffee plantations can be shown from access and control over the distribution system of labor, capital, and decision-making (Bertulfo, 2017; Gracia, 2021; Yani & Indrayani, 2021). The inherent patriarchal culture has positioned women as subordinate and second-class people (Beauvoir, 1956).

Several previous studies have shown that patriarchal rationality has limited the space for women coffee farmers to move both in the domestic and public spheres (Wahyudi et al., 2023). This reality continues to occur, even though the state has tried to make regulations that women must have equal access, participation, control, and benefits with men as stated in Permen PPPA No. 6 of 2023. This research analyzes the effectiveness of Permen PPPA No. 6 of 2023 on local agrarian communities of women coffee farmers where a patriarchal culture that favors men's abilities over women is still strongly attached and the quality of women is not equal to men (Jayachandran, 2021).

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2. Method

This research uses a combination of juridical-sociological approaches to analyze the effectiveness of Permen PPPA No. 6 of 2023 concerning Gender Equality Parameters in Legislation and Other Legal Instruments on women coffee farmers. The analysis in this study uses Lawrence Friedman's theory of legal effectiveness to analyze the juridical aspects. This research also uses the phenomenological method by conducting observations, in-depth interviews, and documentation to reveal the social reality that exists in women coffee farmers, especially from access, control, participation, and benefits as regulated in Permen PPPA No. 6 of 2023.

The location of this research is Tirtoyudo Village, Tirtoyudo Sub-district, Malang Regency as the largest coffee producer in East Java with a plantation area of 2,804 hectares and a total production of 2,031 tons per year (Badan Pusat Statistik Kabupaten Malang, 2019; Maligan et al., 2022).

3. Result and Discussion

This discussion examines from identifying the social reality of gender inequality that exists in coffee plantations, analyzing Permen PPPA No. 6 of 2023 with Lawrence Friedman's perspective, to evaluating civic values in gender policies at the village level.

3.1. Gender Inequality at the Local Agrarian Community Level of Coffee Plantations

The regulation formulated by the Minister of Women's Empowerment and Child Protection (Permen PPPA) No. 6 of 2023 is aimed at eliminating gender inequality in various fields. However, it turns out that there are other factors that become obstacles in implementing the regulation with the aim of realizing gender justice and equality at the level of local agrarian communities, namely in coffee plantations.

The global trend that shows there is a movement of women farmers starting to dominate coffee women is contrary to the reality in Indonesia, as the third largest coffee producer in the world. The dominance of men over women in coffee plantations can be shown from several aspects, including the distribution of work based on gender and control over access and control of several things in coffee plantations. In the distribution of work in the coffee production chain, decision-making, processing, and marketing of coffee are mostly controlled by men (Gracia, 2021; Specialty Coffee Association of America, 2014). A study from Bertulfo Bertulfo (2017), shows that female coffee farmers are involved in work that requires only diligence, while men are involved in work that requires great physical labor, and dominate the distribution of work on coffee plantations.

The distribution of work in coffee plantations is based on stereotypes of abilities that are compartmentalized between masculine male abilities and feminine female abilities (Lindawati, 2003). According to Boserup in Shaliha & Fadilla (2019), there are two agricultural systems that have been taking place, namely an agricultural system with farm tasks performed by women and an agricultural system with farm tasks performed by men. Women's subordination in the distribution of agricultural work is caused by several factors, consisting of: 1) Differences in physical strength between men and women. Men are considered to be physically stronger and women are weak in working; and 2) The stereotype of women as creatures with delicate and soft feelings.

The distribution of work in agriculture and plantations tends to prioritize physical abilities. Setiawan's (2017) study outlines that the sexual distribution of work in the agricultural sector is made because there are differences in the genetic structure between men and women. Men are synonymous with manual labor that requires strong physical strength and muscles, while women are synonymous with weak physical abilities and are given jobs that look physically light. Meanwhile, the gender distribution of jobs is made based on physical conditions according to the construction of a society that considers men to be creatures with strong physiques and women to be creatures with weak physiques. Mudock and Provost in Amir & Suhartini (2013) state that jobs intended for men are masculine jobs that require large physical abilities, while jobs intended for women are the opposite.

The problem of gender bias in the distribution of work in the coffee production chain causes inequality in the amount of wages earned between male and female farmers. The patriarchal culture that constructs that men's abilities are considered superior to women's makes men entitled to greater wages than women (Shaliha & Fadilla, 2019). Yani & Indrayani (2021) study shows that female farmers earn less than male farmers, even though the workload between men and women is the same.

The inequality in wages earned between male and female coffee farmers creates another chain of inequality. As a result of this biased system, women coffee farmers have limited economic capital. With limited economic capital, women coffee farmers have an unequal position both in the domestic with their

husbands, and in the public sphere in decision-making. Women coffee farmers are not actively involved in social spaces where there are men, such as farmer groups (Specialty Coffee Association of America, 2014).

From the various aspects above, it shows that in the local agrarian community level, a strong patriarchal culture is still attached. Gender bias in the coffee plantation system causes women when they still have a husband to have no space to present their abilities (Wahyudi et al., 2025). Patriarchal rationality at the local agrarian level further perpetuates male power and subordinates female coffee farmers.

3.2. Efektivitas Permen PPPA No. 6 Tahun 2023 Dalam Mendorong Kesetaraan Gender di Desa Tirtoyudo, Kabupaten Malang

The social conditions of the community in Tirtoyudo Village, Malang Regency in terms of job distribution are still dominated by men, which means that they still exclude the role of women in the work system in the area. The state always strives to be present in protecting its people, in this case, through the promulgation of Permen PPPA No. 6 of 2023 with a focus on assessing gender equality. Lawrence Friedman suggests 3 benchmarks in a rule can be said to be effective or not for the community itself based on 3 things, namely legal structure, legal substance, and legal culture (Soerjono Soekanto et al., 1987):

1. Legal Substance, relating to laws and regulations formed by the government with binding force. In this case, the applicable regulation is the Regulation of the Minister of Women's Empowerment and Child Protection Number 6 of 2023 concerning Gender Equality Parameters in Legislation and Other Legal Instruments. It has been clearly regulated in the regulation and contains gender equality parameters in Article 3 (Article 3 letters a and b Permen PPPA No. 6 of 2023) which reads:

"Measurement of Gender Equality Parameters using:

- a. key parameters; and
- b. key questions. "

Then there are key parameters and key questions in measuring gender equality, which are clarified in Article 4 that key parameters do not accept the existence of gender injustice such as overburdening one gender, supporting one gender, excluding or subordinating certain genders, violence and gender marginalization. If we look back at the community conditions that the key parameters have 90% of the indicators included in them, such as the existence of excessive burdens only on men, excluding female workers, subordinating female workers, but there is no violence against female workers physically at the research location. The condition of the research site is quite interesting because there are many inequalities in viewing women workers. The absence of physical violence does not mean the absence of mental violence. It was found that the area experiences income inequality so that women are often unequal to men in terms of the household. So in terms of mental violence, women workers experience more economic pressure than men.

- 2. Legal Structure, the assessment is not only on the substance of the law, but also the legal structure related to related stakeholders, parties, related organizations and resources or apparatus (Estomihi FP Simatupang, 2020). The parties referred to in this case are law enforcers related to the implementation of related regulations in running the system in society. The condition of the Tirtoyudo community, Malang Regency with gender inequality in female workers is something that needs to be highlighted by the relevant government. In this case there are:
 - a. Ministry of Women's Empowerment and Child Protection

As an initial milestone, the central government's presence is needed in the problems that occur in the village. The presence intended in this case has been realized by the government through legislation in protecting its people. However, the facts that occur in the field, namely in the village of Tirtoyudo, Malang Regency, this regulation is only a decoration, which in reality still occurs gender inequality in employment and especially women workers. Whereas in the first point of legal substance there is a rule in Article 4 with points of gender inequality and the village fulfills almost all points of the gender inequality category. The ministry needs real action in the community, especially in Tirtoyudo Village, Malang Regency.

b. Village Head, Village Officials, Hamlet Heads, Rukun Warga, Rukun Tetangga

Cooperation is needed between village leaders from the lowest level of RT to the highest level of a village, namely the village head. All of them must work together in straightening the view of gender equality in coffee farming for women. The steps taken can be direct or indirect so that the community, especially women workers, feel protected by local village leaders.

c. Farmers Group

An organization formed for the welfare of farmers and connected to each other hand in hand (Petaniorganik.net, 2024). So the presence of coffee farmers is also needed in terms of gender equality in the work of women coffee farmers. The presence of this organization needs to play a more active role, so that not only male workers but also all workers, both men and women, can prosper in the farmer group. Meanwhile, in Tirtoyudo Village, this farmer group is dominated by male workers, while female workers are more directed to the PKK (Family Welfare Empowerment) association and the Pengajian Association. So with the conditions in the field, the local farmer group also supports the existence of favoritism for male workers and female workers can only gather with women. This is what makes the legal structure not work as it should.

d. Coffee plantation owner

Based on information from the owner of the coffee plantation in Tirtoyudo Village, Malang Regency, the response to this is that it adapts to the conditions in the village. Where this is related to the culture that the community adopts, namely patriarchal culture.

Based on the existing legal structure, there are still many parties involved in this issue but have not heeded the issue of gender equality in women workers in coffee farms. Especially farmer groups as the closest organization to these coffee workers, but it is precisely farmer groups that do not or do not favor women workers. It is found in the field that farmer groups only consist of male coffee farmers without any female coffee farmers and the government also still acts only as legal protection.

3. Legal Culture, related to the environment in which the community lives. Regarding public awareness in seeing existing regulations can be applied or not. So that the community itself is the main obstacle to the regulation being implemented. The condition of the community in the village in this study found that the patriarchal culture is very inherent. It is this kind of situation that is the main factor in the regulation not being able to run as it should. Almost all female workers follow, obey and obey orders from their husbands, while being a worker with a wife is a different thing. Workers (Sierra Citra 2023) are people who work, receive wages or the results of their work, have rights and obligations as workers, and there are separate regulations to protect workers' rights. Meanwhile, wives (KBBI online) are those who are married. So it is different between workers and wives. This is what the local community has not yet realized that a worker's wife also has rights like other workers, including male workers.

Three points of effectiveness according to Lawrence Friedman, namely legal structure, legal substance and legal culture, that only 1/3 of the points are in accordance with the legal substance, while the legal structure of the local community still favors gender inequality for women workers and this is also supported by the patriarchal culture adopted by the local community. So that Permen PPPA No. 6 of 2023 is less effective in its application in Tirtoyudo Village, Malang Regency.

3.3. Evaluation of the Implementation of Civic Values in Gender Policy at the Village Level

In the context of gender policy, fundamental citizenship values such as non-discrimination, equality, justice and participation have a very high relevance. These values are the normative basis for efforts to realize an inclusive and just society.

Non-discrimination is a principle that respects equality, no difference in treatment either on the basis of ethnicity, religion, race, social status, skin color, ideology, and so on. This principle places everyone in an equal position, having the same rights and position. Indonesia has a strong legal basis for non-discrimination, including the 1945 Constitution Article 28 I paragraph (2) which states that everyone is free from discriminatory treatment, as well as ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) through Law No. 7 of 1984. However, despite this strong legal

framework, discrimination against women still occurs, even in the form of discriminatory local regulations. (Daya, 2024).

Equality is defined as a state in which men and women have equal or balanced status and position to realize their roles and rights and potential in all areas of life. This means that men and women should have equal rights and opportunities regardless of their biological characteristics. The Indonesian Constitution, through Article 27 Paragraph 1 of the 1945 Constitution, has affirmed equality among citizens regardless of gender, becoming an important foundation for the struggle for equality (Mei & dkk., 2020)

Justice in this context refers to the right of every person to obtain justice without discrimination, including the right to file applications, complaints and lawsuits, and to be tried through a free and impartial judicial process according to legal procedures that guarantee an objective examination. Justice is also seen as the main goal and "spirit" of nondiscriminatory regulation, which will be realized if legal certainty is in place (KhoirunnisaM. Farhan Alfarizi Nur RoisMaulana Hakim Nurudin et al., 2024).

Participation, particularly in the context of gender mainstreaming, refers to women and men having equal access to, participating in, having control over, and benefiting equally from development processes. This includes active involvement and representation in various aspects of life, such as the affirmative policy of 30% female representation for legislative elections.

While Indonesia's legal framework explicitly upholds these citizenship values, persistent gaps between policy and practice, particularly regarding non-discrimination and participation, suggest that formal recognition alone does not automatically result in substantive equality. This highlights the critical challenges in moving from de jure to de facto equality, especially at the local level where entrenched social norms often override legal mandates. The existence of deeply rooted sociocultural factors acts as a powerful barrier to the full realization of these civic values, even when legally mandated. Therefore, evaluating Permen PPPA No. 6 Year 2023 requires assessing not only its adherence to these values in the text, but also its ability to overcome these practical barriers and drive substantive change in women's lives. The access, participation, control and benefits (APKM) framework provides a practical lens for this evaluation.

In the context of the effectiveness of Permen PPPA No. 6 of 2023, which regulates gender equality parameters in laws and regulations and other legal instruments, civic values become a very important normative and praxis basis. Values such as social justice, non-discrimination, equality and participation are the main foundations in encouraging gender mainstreaming, especially in the lives of women coffee farmers in Tirtoyudo Village, Malang District. Gender equality, as mandated by the regulation, cannot be separated from the framework of citizenship rights, which emphasizes that every citizen, regardless of gender, is entitled to fair treatment and equal access to economic resources and legal protection. This is in line with the findings of Meinarno and (Meinarno & Mashoedi, 2023) who assert that the values of Pancasila as the basis of citizenship have a positive correlation with the awareness of citizens' rights and responsibilities, including in the context of women's participation in the economic sector.

Furthermore, gender equality in the policy space, as referred to in Permen PPPA No. 6 of 2023, reflects the spirit of the fifth principle of Pancasila, namely social justice for all Indonesian people. This is reinforced by a study (KhoirunnisaM. Farhan Alfarizi Nur RoisMaulana Hakim Nurudin et al., 2024) which shows that Pancasila values can be used as an ethical framework in the formulation of affirmative policies for women. Therefore, in the context of women coffee farmers in Tirtoyudo, the existence of this regulation should be able to encourage the presence of fair and inclusive legal instruments, removing the structural inequality that is often experienced by rural women in land tenure, access to agricultural training, and market opportunities. This is also echoed by (Ramadhani & Sari, 2023) who emphasize that gender equality is an integral part of human rights, and thus part of the state's obligation to guarantee women's citizenship rights.

At the practical level, the effectiveness of gender policies is closely related to how far these citizenship values are internalized by society and implemented by state institutions. Mariana, Piansah, Huda, & Rifai (2024) emphasizes that women's participation in the public and political spheres is not only an indicator of representation, but also shows the achievement of gender-inclusive substantive citizenship. In the context of women farmers, this participation can take the form of community decision-making, access to farmer groups, and recognition of their contribution to the household and national economy. Thus, gender mainstreaming proclaimed in Permen PPPA No. 6 of 2023 needs to be interpreted not only as a legal tool, but also as an instrument to strengthen citizenship values that guarantee protection, recognition, and empowerment for rural women's groups.

Thus, civic values have a direct relevance to the effectiveness of gender equality policies, especially at the local level such as Tirtoyudo Village. Failure to internalize these values risks making policies such as Permen PPPA No. 6 Year 2023 formalistic without real implications for the lives of grassroots women.

Therefore, strengthening civic values in rural communities should be a supporting strategy in evaluating gender policies so that they reach not only legal-formal aspects, but also deep and sustainable social transformation.

Conclusion

This research concludes that there are other factors that become obstacles when implementing Permen PPPA No. 6 of 2023. When viewed from Lawrence Friedman's perspective, Permen PPPA No. 6 of 2023 only fulfills 1 of the 3 points that are appropriate, namely the substance of the law, while the legal structure of the local community still favors gender inequality that positions women as second class. The main obstacle to the ineffectiveness of Permen PPPA No. 6 of 2023 in this coffee plantation is the patriarchal culture that has been inherent in the community for generations. Coffee farmers' gender unawareness makes it difficult to implement the regulation, that both male and female coffee farmers should have equal rights, positions, access, control, participation, and benefits with male coffee farmers. Therefore, Permen PPPA No. 6 of 2023 is less effective in its application in coffee plantations in Tirtoyudo Village, Malang District. Although Indonesia's legal framework explicitly upholds these citizenship values, the persistent gap between policy and practice or social reality, especially regarding non-discrimination and participation, suggests that formal recognition alone does not automatically result in equality at the substantive level.

Suggestions:

1. Ministry of Women and Children Empowerment

Evaluate the effectiveness of Permen PPPA No.6 of 2023, especially when implemented at the local level. Implement, take a new approach, pay attention and be directly involved in educating the laws and regulations that have been passed, so that it is hoped that these regulations can be implemented and maximally effective at the substantive level.

2. Village Officials / Head of Tirtoyudo Village, Malang Regency

Collaborate with all village officials, Head of Hamlet, RW, RT to be able to work together in seeking gender equality, namely women workers in the village.

3. The community, especially coffee farmers in Tirtoyudo Village, Malang Regency

Bringing awareness among other communities of gender equality in the work of coffee farmers, thus creating harmony of thought and harmony in all genders. That both male and female coffee farmers have equal rights, positions, access, control, participation, and benefits in the public sphere, which in this context is the coffee plantation.

4. Farmer Groups

That local farmer groups are the first milestone in eliminating gender inequality in women workers, so there needs to be space in farmer groups for women workers to take part in.

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