

## Comparative Legal Analysis of the Right to Equal Education for Girls: Indonesia vs. Australia (Statutory and Framework Specificity)

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### ABSTRACT

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This article comparatively examines the legal protection of the right to education for women in Indonesia and Australia, focusing on how constitutional ideals are translated into enforceable anti-discrimination measures. While Indonesia's 1945 Constitution and related statutes formally guarantee the right to education and prohibit discrimination, they largely rely on a general, formal-equality approach that lacks explicit definitions and remedies for gender-based and indirect discrimination. As a result, systemic and institutional barriers faced by girls often remain legally unaddressed. In contrast, Australia's Sex Discrimination Act 1984 adopts a *lex specialis* framework that explicitly prohibits both direct and indirect discrimination in education, particularly through Sections 5 and 21, supported by accessible enforcement mechanisms at federal and state levels. This comparative analysis demonstrates a shift from general rights to specific remedies in the Australian system, enabling substantive equality in educational access and experience. The study argues that Indonesia would benefit from targeted anti-discrimination legislation to move beyond formal guarantees toward effective protection and enforcement of gender equality in education.

**Keywords:** *Analysis, Comparative, Education, Equal, Girls*

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### INTRODUCTION

The legal landscape surrounding the right to education in Indonesia is mostly rooted in the constitutional guarantees that embrace the universalist perspective of human rights. Although the 1945 Constitution (UUD 1945) provides an umbrella guarantee for all citizens to obtain an education, the absence of a specific statutory definition of obstacles that women face according to gender continues to prevent constitutional theory from being translated into practical enforcement.<sup>1</sup> These are reinforced by the Law No. 39 of 1999 on Human Rights, which; although prohibits discrimination, never sets an expert engine in order to find the most invisible form of institutional discrimination in a girl's academic journey. However, the commitment to "quality education" within the National Education System Law (Law No. 20 of 2003) creates a commitment to quality education that is mostly formalistic in nature, as it implies that equitable access will translate into equitable opportunity.<sup>2</sup> However, this "Formal Equality" approach is insufficient because it ignores the socio-legal realities that girls experience, including discriminatory school policies that this version of the text fails to prohibit in an explicit way. Thus, the Indonesian framework acts as a general protective umbrella for the freedom to learn but does not serve as an effective anti-discrimination tool to address systemic discrimination against women.

This is in direct counterpoint to the Australian legal system which, through the federal Sex Discrimination Act 1984 (Cth) adopts a *lex specialis* approach that grants more granular and enforceable rights. Indeed, this Act is designed for specificity, offering a robust legal policy that

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<sup>1</sup> Oman Sukmana, Ikhwan Ridwan, and Hardianto, 'Examining Gender Inequality Through a Legal and Sociological Perspective: Implications for Sustainable Development', *Sosioedukasi: Jurnal Ilmiah Ilmu Pendidikan Dan Sosial*, 14.4 (2025), 2774–83.

<sup>2</sup> Presiden Republik Indonesia, 'Undang-Undang No. 39 Tahun 1999', *Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia*, 39, 1999, 1–45.

clearly addresses gender discrimination in both public and private life.<sup>3</sup> This is especially groundbreaking for education because the addition of Section 21 makes it illegal for any educational institution to discriminate against one sex in favor of the other. Schools are now legally not allowed due to Section IX from Discrimination in schools, including:<sup>4</sup>

- 1) Denying or delaying a person admission as a student;
- 2) Pampering a student with any privileges being given by the authority;
- 3) Inflicting any additional disadvantage upon the student throughout the duration of their study.

These specific prohibitions are now part of Australian law and they give victims at educational institutions a high standard of accountability that can be acted upon and enforced in the courts. It's a detailed statutory directive that provides specific structure to this ensuring the right to education is not just a philosophical ideal but an enforceable legal prerogative.

The complexity is also seen by providing provision of dual layered definition of discrimination in Section 5 of the Sex Discrimination Act, while such provision is not provided in Indonesian statutes. This section is important as it defines and establishes the difference between "Direct Discrimination", which is treated less favorably by a person, and "Indirect Discrimination" that presents neutral conditions that create an unequal burden on a protected group.<sup>5</sup> This is often the section that legal practitioners in Australia are using in order to argue that institutional rules, whilst gender neutral in their wording, have an adverse impact for female students. Section 5, however, addresses not only the "circumstances" but also the "reasonableness" of a condition imposed, granting the judiciary the opportunity to dig into systemic roots of inequality instead of its treatment. This is a substantive approach which acknowledges that nothing short of equality can be achieved if the law fails to take into consideration the disadvantages inherent in girls being girls. Thus, Section 5 serves as a kind of diagnostic device, allowing the law to locate and correct for bias that could not be detected, but also more importantly, be addressed under a less context-specific legal regime.

The Australian framework is supplemented at the state level by legislation like the Equal Opportunity Act 2010 (Victoria), which create local enforcement authorities often more accessible to the public. Having said that, Section 28 of this Act specifically makes a provision in terms of the provision of services to such students by the educational authorities, which creates a much more robust multi-layered legal safety net for these students.<sup>6</sup> Therefore, the state-level involvement is particularly salient as it could enable victims to pursue redress more effectively through such legal instruments as VCAT. In similar fashion to civil rights laws, the interaction of federal and state laws ensures that no "legal vacuums" exist where a student could fall through the cracks of the justice system. At the same time, many of these state acts include definitions of gender identity, meaning

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<sup>3</sup> Beth Gaze and Belinda Smith, *Equality and Discrimination Law in Australia: An Introduction, Equality and Discrimination Law in Australia: An Introduction* (Cambridge, 2016) <<https://doi.org/10.1017/9781139923811>>.

<sup>4</sup> ALRC, *Religious Educational Institutions and Anti-Discrimination Laws* (The Australian Law Reform Commission, 2023) <<https://www.alrc.gov.au/wp-content/uploads/2023/01/ALRC-Anti-discrimination-Laws-CP-2023.pdf>>.

<sup>5</sup> B. Smith and D. Allen, *Anti-Discrimination Law: Text, Cases and Materials* (Oxford: Oxford University Press, 2023).

<sup>6</sup> Komang Dinda and others, 'Analisis Perbandingan Hukum Adopsi Internasional Berdasarkan Sistem Hukum Indonesia Dan Australia', 2026, 5940–60.

that the inclusive nature of the acts protects education from all sexes. Australia additionally pushes these protections down to the state level, contributing to an irreversible incorporation of non-discrimination principles within the fabric of local educational administration.

The most obvious legal difference between these two jurisdictions can be seen in the shift from "General Rights" to "Specific Remedies." Law No. 20 of 2003 and the 1945 Constitution give Indonesia a firm ethical bedrock but not the procedural clarity of the Australian Sex Discrimination Act. Given the Australian framework, its success lies in the definition of "burden of proof", and the "detriments" that breach a girl's right to education. Some identified differences based on this comparative study are:

- 1) While it is explicitly stated in Australia as codification of indirect discrimination (Section 5), the regulations in Indonesia remain implicit and ambiguous – even the level of understanding of indirect discrimination itself is not quite mature yet, except for the case of equality or treatment of hiring and dismissal.
- 2) Focused Education Arrangements: Australia draws on Section 21 of the SDA, while Indonesia relies on general human rights provisions.
- 3) Dedicated Enforcement Agencies: In Australia there are Human Rights Commissions and Tribunals, in Indonesia there are mainly Administrative or Constitutional Courts.
- 4) Such structural differences are an illustration of the reasons why Australian law is often more capable of dealing with the "nuanced" inequalities that still exist in contemporary classrooms.

In addition, the Civil Law tradition of the Indonesian legal system makes it so that the legislature can only be broad in its rulings in case the legislation is unambiguous. Indonesian judges are often bound by the literal understanding of the National Education System Law, which does not mention any gender discrimination, and as a result, judges have to contend with the absence of in-depth guidelines as well as a specific "Education Anti-Discrimination Law". It creates a legal environment that makes institutional practices—like forcing out pregnant students and blocking students from certain vocational tracks—more or less untouchable. Australia has a common law system, which means the law is shaped both by legislation, such as the detailed Sex Discrimination Act, and the way it is interpreted by the courts. This fluidity benefits an expansive notion of gender equality that can respond to the changing societal context of gender equality and redefine the legal meanings of inter-section 21 in light of new developments. As such, a highly technocratic Australian legislative model represents an alternative to the broad legislative scope that would prove pivotal for a more specialized statutory regime in the Indonesian context.

Despite being signatories to international conventions such as CEDAW, domestic laws largely govern the concrete realisation of these rights in both countries. Indonesia has put in place how the "right to education" has ranked to the top of the supreme principles of state in its constitution but then also it is expected to advance to "remedial" legal reconstruction, to safeguard girls from more sophisticated ways of gender and sexual discrimination. The Australian Sex Discrimination Act 1984 represents a high-water mark for the role domestic law can play in protecting equality in education, when its provisions are taken together (especially Section 5 and Section 21). Through codifying indirect discrimination and laying out straightforward prohibitions upon educational authorities, Australia has succeeded in moving past formal equality to have achieved substantive justice for female students. Legal reforms in the future should occur through the introduction of

public anti-discrimination acts providing clarity and enforceability comparable to what is found in the Australian state and federal systems. The law should also ensure that the path through a school is free from the spectre of gender discrimination. It is not enough to just get through the school gate, the law must ensure that the travel thereon is without the baggage of gender bias.

## LITERATURE REVIEW

### A. Indonesian Legal Framework: The Principle of Formal Equality

The Indonesian law framework related to the right to education is basically based on general constitutional provisions that contain the principle of "Formal Equality" that grants rights universally without necessarily adopting the required statutory specificity that respond to gender based context. Article 31 and Article 28I of the 1945 Constitution (UUD 1945) impose a grand norm establishing a duty for the state to provide education as well as a prohibition of discrimination, but these norms have proved ineffective as a remedy for female students due to their high-level character requiring further legislative translation.<sup>7</sup> While this framework is reinforced through the more abstract language of Law No. 39 of 1999 on Human Rights, this law does not explicitly engage in a detailed analysis of what constitutes sex discrimination, thus creating a legal gap or void in cases where institutional policies ultimately harm girls more than boys in secondary schools. In this one-size-fits-all structure, the framework for legal protections is often framed as equal treatment, but does not take into consideration the substantive obstacles girls experience in either specialized or traditional academic environments. Thus, the idea of general principles means that Indonesian courts frequently do not have the specific legal tools needed to address systemic injustices not referred to in the text of the law.

National Education System Law (Law No. 20 of 2003) being the *lex generalis* of education, does not provide better protection *lex specialis* against similar indirect discrimination that is prevalent in contemporary society experienced by girls. Article 5 of this law provides that all citizens should have equal access to quality education, but, since there is no detailed "non-discrimination" mechanism within the education sector, it is open to different interpretations by region and institution. This absence of statutory detail is especially clear when measured against common law jurisdictions because Indonesian law does not specify what constitutes "detriment" or "less favorable treatment" in the context of the classroom. By continuing to have legal language directed towards the "right of access," rather than the "quality of experience," the law overlooks all of the implicit biases contained within the curriculum development, the extracurricular activity participation, and the distribution of scholarships. Moreover, without a specific legal charge detailing educational bodies' responsibilities in combating gender discrimination, the protection of these rights is largely prospective, but not concrete. Legal scholars contend this strict adherence to the text is the product of the civil law tradition, which favors the plain meaning of laws over

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<sup>7</sup> Lusia Palulungan, M. Ghufuran Kordi, and Muh. Taudan Ramli, *Memperkuat Perempuan Untuk Keadilan Dan Kesetaraan* (Makassar: BaKTI, 2022).

broad judicial interpretations that might otherwise safeguard vulnerable populations. It is a very general point, and a legal evolution should occur in the Indonesian legal framework and should not only limited to the followings:

- 1) Article 4(1): The principle of democratic, equitable and non-discriminatory conduct of teaching.
- 2) Article 11(1): Responsibility of the government to ensure a potable water supply for a good education for each and every citizen.

In sum, albeit the existence of the constitutional so-called shield, the existence of a statutory so-called machinery that was meant to identify and thus remedy gender-based discrimination—is still undeveloped in comparison to more specialized international models.

1. Constitutional Basis

- a) Article 31 (1) of UUD 1945: Guarantees that every citizen shall have to the right of education.
- b) Article 28I (2): No one shall be treated differently on any ground whatsoever.

2. Statutory Framework

- a) Laws/Regulations that relate to Education Law No. 39 of 1999 on Human Rights: Articles 3 and 12 Non-discrimination, right to education.
- b) Law No.20 of 2003 regarding National Education System Article 5(1) Every citizen shall have the right to obtain a quality of education.
- c) Law Number 7, Year 1984: Ratification of the Convention for the Elimination of All Forms of Discrimination Against Woman (CEDAW).

3. Legal Critique

However, those laws establish a right to access but do not define "sex discrimination" with specificity. Not only this, but the National Education System Law (UU Sisdiknas) also does not operate on the basis of indirect discrimination (eg, systemic barriers and gender-biased institutional policies).

## **B. Australian Legal Framework: The Principle of Substantive Equality**

The Australian legal system is unique in that it employs this *lex specialis* approach that passes broad constitutional abstractions to offer detailed statutory definitions coupled with vigorous enforcement capabilities. At the heart of this framework is the federal Sex Discrimination Act 1984 (Cth), a tool specifically directed towards the identification and removal of gender-based obstacles in public life, including the national education system. Whereas systems based on generic human rights principles do not, the Australian model provides a technical roadmap to challenge explicit acts of bias, offering legal practitioners and students a thorough path to claiming success. This statutory clarity is complemented by the inclusion of Section 21, which establishes a distinctly actionable obligation on

education bodies to avoid any sex-based discrimination. In overseeing these duties, the Australian parliament has converted the right to education from a reactive judicial philosophy to a proactive legal machinery by codifying them into firm black-letter law. The act also encourages compliance from educational institutions because it clearly outlines the legal parameters they must follow and how they should treat a female student. As a result, this Australian approach is seen as the international standard for a real equality because it offers the tools of law required to break:

- 1) 21(1)(a) – Discrimination in the refusal or failure to accept an application for admission as a student
- 2) The act under Section 21(2)(a) discriminating against or denying, or limiting access to any benefit provided by the authority
- 3) Section 21(2)(c): Subjecting a student to any other detriment because of the students sex or gender identity.

This framework is further enshrined in the Sex Discrimination Act where the comprehensive definitions in Section 5 afford a two-prong protection mechanism that is often not available in more broader legal regimes. This part is critical to the global pursuit of gender equality, because it provides a clear definition and differentiation between direct discrimination, which occurs when a person is treated less favourably on the grounds of his or her sex, and the more subtle, insidious concept of indirect discrimination. Indirect discrimination – for example when an educational authority imposes a condition, requirement or prorogation that applies to everyone, but which is owed to female students more than others.<sup>8</sup> Through the reasonable question, the law endows the judiciary with the power to question if rules of an institution are essential, or just a vehicle hiding the institutionalized gender bias from the eyes of the law. This statutory language protects girls, through this specific statutory language, against not merely overt exclusion but also structural exclusion that might be overlooked, for example, under a 'formal equality' lens. The burden of proof and legal.

#### **1. Sex Discrimination Act 1984 (Cth)**

- a. Section 21 (Education) – This section makes it an offence for an educational authority to discriminate against a student, i.e. it is unlawful for a student to be discriminated against on the ground of sex. It prohibits discrimination in:
  - 1) Admissions process and denial of admission
  - 2) The terms and conditions under which an applicant who has been offered a place as a student identifies the arrangement.
  - 3) Injuring the student by withholding benefits or subjecting him or her to any other detriment.

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<sup>8</sup> ALRC.

b. Discrimination In Section 5 (this point is not fully decided by Indonesian law, it only considers discrimination based on general matters, but Section 5 separates discrimination based on:

- 1) Sex Direct Discrimination: Less favourable treatment because of their sex
- 2) Indirect Sex Discrimination: Application of a condition or requirement which is neutral on its face but which results in a disproportionate adverse effect on one sex.

## 2. State-Level Regulation: Equal Opportunity Act 2010 (VIC)

Section 28: This act provides similar protections at the state level but is often a more accessible route to justice through state tribunals (like VCAT), and prohibits discrimination in the provision of services and facilities by educational authorities.

## METHODS

This study employs normative legal research (doctrinal legal research), focusing on the analysis of legal norms, principles, and statutory frameworks governing the right to education and gender equality in Indonesia and Australia. The research does not examine empirical behaviour, but instead evaluates how legal texts construct, define, and enforce the protection of female students against discrimination within the education system. Normative legal research is particularly appropriate for this study as the core problem lies in the adequacy of legal norms, rather than their sociological implementation.

To conduct a structured and systematic comparison, this research applies several complementary legal approaches:

### A. Comparative Law Approach

The primary method used in this research is the comparative law approach, which compares the Indonesian legal framework and the Australian legal framework in regulating gender equality in education. This approach is used to identify:

1. Differences in legislative structure (*lex generalis* vs *lex specialis*),
2. Variations in the definition of discrimination (formal equality vs substantive equality),
3. The availability of enforcement mechanisms and remedies.

The comparison focuses on functional equivalence, examining how each legal system addresses similar legal issues, namely discrimination against female students, even though they arise from different legal traditions (civil law in Indonesia and common law in Australia).

### B. Statutory (Legislative) Approach

A statutory approach is employed to analyze primary legal instruments, including:

1. The 1945 Constitution of Indonesia (UUD 1945),
2. Law No. 39 of 1999 on Human Rights,
3. Law No. 20 of 2003 on the National Education System,
4. Law No. 7 of 1984 ratifying CEDAW,

5. The Australian Sex Discrimination Act 1984 (Cth),
6. The Equal Opportunity Act 2010 (Victoria).

This approach enables the study to examine the normative content, scope, and limitations of each statute, particularly in relation to definitions of discrimination, obligations of educational institutions, and available legal remedies.

### **C. Conceptual Approach**

The research also adopts a conceptual approach to clarify and assess key legal concepts, such as:

1. Formal equality and substantive equality,
2. Direct and indirect discrimination,
3. *Lex generalis* and *lex specialis* in education law,
4. State responsibility versus institutional accountability.

This approach allows the study to evaluate whether the Indonesian legal framework conceptually accommodates systemic and indirect discrimination, in contrast to the Australian model.

### **D. Case Law and Institutional Approach (Limited)**

Where relevant, the study refers to judicial decisions, tribunal rulings, and enforcement practices in Australia to illustrate how statutory provisions—particularly Sections 5 and 21 of the Sex Discrimination Act—are applied in practice. This limited case-law analysis highlights the role of judicial interpretation in operationalizing substantive equality.

In the Indonesian context, the absence of comparable jurisprudence is treated as an analytical finding, reinforcing the argument regarding normative gaps.

### **E. Sources of Legal Materials**

This research relies on the following legal materials:

1. Primary Legal Materials. Constitutions, statutes, international conventions, and regulations relevant to education and gender equality in both jurisdictions.
2. Secondary Legal Materials. Academic journals, legal commentaries, textbooks, policy reports, and scholarly writings on education law, anti-discrimination law, and gender equality.
3. Tertiary Legal Materials. Legal dictionaries, encyclopedias, and explanatory memoranda used to clarify legal terminology and concepts.

**F. Method of Legal Analysis**

The analysis is conducted through qualitative normative analysis, involving:

1. Interpretation of legal texts using grammatical, systematic, and teleological interpretation,
2. Identification of normative gaps in Indonesian law,
3. Comparative evaluation of legislative effectiveness between Indonesia and Australia.

The findings are presented descriptively and analytically, emphasizing how legal design influences the capacity of each system to achieve substantive equality in education.

**RESULT AND DISCUSSION**

**A. Comparative Analysis**

The main multilateral and constitutional divergence between the Indonesian and Australian legal frameworks concerns the granularity of protection, i.e. the difference between vague constitutionally aspirational commitments and more precise legislative obligations. Further to this, Indonesia, whose legal basis is a Constitutional and Generalist one, has equality framed as one of the highest principles of a moral nature, whereas Australia, whose legal basis is Specialist or *Lex Specialis*, has imposed protections into specific legislative instruments. This distinction is important because, in a generalist system, the regulatory agencies are typically given discretion over what constitutes "equality," but in a specialist system, there is a statutory road map for both the courts and the citizenry to follow. The Indonesian 1945 Constitution also only gives the "skeleton" of rights, frequently without the "muscle" of regulations that dig into manifestations of gender bias found in classrooms. On the other hand, the Australian Sex Discrimination Act 1984 (Cth) is a more targeted instrument that gives the concepts of human rights legal effect in the provision of education settings where educational authorities owe actionable legal obligations.<sup>9</sup> Thus, the movement from broad universal standards to particular remedial measures marks a fundamental change in each country approach to the protection of girls rights These differences can best be summarized by the following structural differentiators:

- 1) Legal Foundation: Indonesia (Constitutional/Generalist) against Australia (Statutory/Specialist)
- 2) Scope of Authority: Indonesia – Broad administrative interpretation; Australia – Technical compliance with statutes

Comparison Point	Indonesia	Australia
Legal Basis	Constitutional/Generalist	Statutory/Specialist ( <i>Lex Specialis</i> )
Direct Discrimination	Broadly prohibited	Explicitly defined
Indirect Discrimination	Not codified in education law	Strictly prohibited (Section 5 SDA)
Specific Education Clause	General "Equal Access"	Section 21 (Detailed prohibited acts)
Enforcement	Administrative Law/Constitutional Court	Human Rights Commission & Tribunals

As far as concrete action, the difference between how the two countries approach direct versus indirect discrimination outlines a substantial legal security deficit for young female students. Direct discrimination is widely prohibited by the Human Rights Law in Indonesia, but an absence

<sup>9</sup> Dinda and others.

of a specific provision on education means discriminatory acts continue without challenge due to a lack of clarity in procedures. But Australia has a clear legislative ban on direct discrimination, immediately distinguishable and actionable under federal law as less favorable treatment. Also, the problem of the "Indirect Discrimination" indicates such a deep lacking on Indonesian education law approach that any policies which may seem neutral, but in fact can give a disadvantages impact for girls, will never be viewed as illegal under the current education law agenda. But Section 5, as part of the broader Sex Discrimination Act (SDA), prohibits such indirect barriers and provides law with the tools necessary to tear down the systemic inequalities that lay below the surface of institutional rules. That granularity allows the Australian legal system to see and correct subtle biases that a broader, principle-based system may not. Hence, the enforceability of these laws is determined by their effectiveness to deal with the following:<sup>10</sup>

- 1) Direct Discrimination: Prohibited in general terms in Indonesia >> Explicitly defined in Australia
- 2) Indirect Discrimination: Not defined in education law (Indonesia) v. Prohibited outright in Section 5 SDA (Australia)

Finally, the enforcement mechanisms and provisions, which relate to educational institutions, show how these different legal traditions have concrete effects. Indonesia is following a General "Equal Access" approach visiting mostly, on the right of entering the school system, not on the specifics of the "prohibited acts" (if any) within the system. Section 21 of the SDA contains an exhaustive list of conducts that an educational authority must not engage in, thus giving Australia an engaging defence mechanism when compared to the vague federal law. With respect to enforcement, Indonesia tends to use Administrative Law and the Constitutional Court which are at centres of gravity that are more aimed at the legality of regulations rather than individual remedies for students. In Australia, it is a much easier journey to justice as we have the Human Rights Commission and Tribunals designed for quick and expert dispute resolution of discrimination claims. This layered, interactive enforcement mechanism makes girls' rights more than just empty promises on paper but as rights protected by functioning specialized agencies. Whether a nation would prefer a system that provides high-level but perhaps patchy constitutional consistency, or a more granular, statutory approach to protection, will determine the choice between these two systems. The comparison points remain clear:

- 1) Particular Education Provision: General "Equal Access" (Indonesia) vs Section 21 Outlined Prohibitions (Australia)
- 2) Enforcement: Administrative Law/Constitutional Court (Indonesia) vs. Human Rights Commission & Tribunals (Australia)

## Conclusion

The Indonesian regime offers useful basic constitutional protection, yet has little legal machinery to deal with the broader gender-based barriers for education. By contrast, the Australian framework – as reflected in Section 21 and Section 5 of the Sex Discrimination Act – provides a fuller legal toolbox recognising the possibility of both direct and indirect discrimination. To facilitate the attainment of substantive equality in education for girls in

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<sup>10</sup> Hary Kharisma Suhud and others, 'Analisis Perbandingan Pendidikan Negara Indonesia Dan Australia', *Inovasi Dalam Pendidikan Dan Pembelajaran*, 10.11 (2024), 8–11.

Indonesia, it is wisely suggested to use clearer statutory language that defines more specifically indirect discrimination and the prohibition of the same in the national education system, reminiscent of the technical precision characteristic of the Australian model.

This research is limited to normative legal analysis and does not include empirical fieldwork or interviews. The study focuses exclusively on legal frameworks related to gender discrimination in education and does not examine other forms of discrimination such as race, disability, or socio-economic status unless directly relevant to gender-based inequality.

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