

Challenges and Opportunities for Indonesian Women's Participation and Representation in Legislative Power

Indarja., Sekar Anggun Gading Pinilih

Abstract: *This study aims to examine what are the opportunities and challenges for women political party members to be able to participate in elections, and what strategies can be taken to increase women's representation in Parliamentary Elections in Indonesia. This research used qualitative research as the method. Data are collected from various secondary sources mainly from regulations, journal articles, government and non-government organization reports, book and others. The results show that women's representation in Indonesia faces various challenges to participate in elections, including from political, social, cultural and economic factors. Strategy that can be done in increasing women's representation is like the government review on the Law and several relevant regulations, with the aims to fulfill a thirty percent quota for women, and by improving the recruitment process of members of political parties.*

Keywords: *gender representation, challenges, opportunities, electoral participation, legislative power.*

I. INTRODUCTION

In international law, the right to choose and be elected is a political right of citizens. This right to vote and be elected has been regulated in the International Covenant on Civil and Political Rights (ICCPR) (Joseph & Castan, 2013; Keith, 1999). This political right has also been guaranteed in the Indonesian constitution, namely Article 27 which states that all citizens are at the same time in law and government and are obliged to uphold the law and the government without exception. This illustrates that the guarantee of equal position of men and women, especially in the fields of government and law, has existed since the enactment of the 1945 Constitution. One of the laws governing general elections in Indonesia is Law No. 10 of 2008 concerning the Implementation of General Elections for Members of the House of Representatives, Regional Representatives and Regional Representatives. Law No. 10 of 2008 concerning the Implementation of General Elections of Members of the People's Legislative Assembly, the Regional Representative Council and the Regional People's Legislative Assembly, provides greater opportunities for women to place their cadres in the legislature. Political parties with a minimum of female cadres will cause difficulties and have an impact on the incompleteness of all electoral districts offering legislative

seats (Artina, 2016).

Women's participation in electoral competitions is considered a valid indicator of the effectiveness of democracy in any country of the world today (Rai, 2017; Afshar, 2002; Fukuyama, 1998; Jaquette, 2018). However, in practice, the problem of women's representation in parliament is faced by various countries in the world. In December 2009, the US Congress showed only 16.8% of women's representation. Indonesia also experienced a similar thing. There has been an imbalance in the number of women and men in the Indonesian parliament (Graham Davies, 2005; Prihatini, 2018a; Prihatini, 2018b; Choi, 2019). This has happened since Indonesia held its first election in 1955 until the 2014 election. When compared to the world average, Indonesia is still far below the world average of 23.60%. However, when compared to the Asian and ASEAN countries, Indonesian woman proportion is above. Since the General Elections of 1999 to 2014 Indonesia has not reached the figure of 30 percent of women in parliament (Priandi & Roisah, 2019). This study aims to examine what are the opportunities and challenges for women political party members to be able to participate in elections, and what strategies can be taken to increase women's representation in Parliamentary Elections in Indonesia.

Table 1. Women representation in Parliament (Indonesia, ASEAN and world)

Scale	Percentage
World	23, 60 %
Indonesia	19, 80 %
Asia	19, 70 %
ASEAN	18,20 %

Source: Inter-Parliamentary Union

II. METHOD

This research used qualitative research as the method. Data are collected from various secondary sources mainly from regulations, journal articles, government and non-government organization reports, book and others. Secondary research is based on secondary resources that already exist (Dewata & Achmad, 2010).

This method made it possible for the researchers to explore challenges and opportunities of women's participation in Indonesia Elections.

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III. RESULTS

A. Challenges of Women's Participation in Elections in Indonesia

The involvement of women in elections in Indonesia is not impossible, but is far from ideal, which is 30%. There are many problems that challenge women to participate in elections. This is motivated by various things, namely related to political factors, social factors, culture and economic capital.

1. Political Factors

This political factor refers to the presence or absence of political support, both from the people and political forces which are seen as people's representation. Since the 1955 elections until the 2014 election, the political capital of women legislative candidates is still low. This is evident from the fact that there are still at least female legislative candidates participating in party management. The following is the composition of women in the Parliament from 1955 to 2009 (Table 2).

Table 2 showed that in 1950-1955 there were only 16 women who were members of the national parliament 5.8% of 272 existing members. This greatly affects the social conditions of women in the community, their aspirations are not heard to the parliamentary seats, such as the State Budget does not have a gender perspective, which means not paying attention to the basic needs of women, the budget posted for women's needs, such as community health centres, still very minimal. Apart from that, gender-based and child-based female candidate programs lack the support of political parties because they are not considered 'sexy' issues to be brought into parliament.

Table 2. Number of members of parliament by gender from 1995-2009 election results

Election Year	Man		Women		Male + female	
	Total	Percentage	Total	Percentage	Total	Percentage
1955	256	94.12	16	5.88	272	100
1971	429	93.26	31	6.74	460	100
1977	423	91.96	37	8.04	460	100
1982	418	90.87	42	9.13	460	100
1987	441	88.20	59	11.80	500	100
1992	438	87.60	62	12.40	500	100
1997	442	88.40	58	11.60	500	100
1999	456	91.20	44	8.80	500	100
2004	485	88.18	65	11.82	550	100
2009	460	82.14	100	17.86	560	100
2014	463	82.68	97	17.32	560	100

Source: General Election Commission Data is quoted from the 2015 Indonesian Statistics Publications.

2. Social Factors

Social factors in this case are related to social relations between candidates and constituents in their constituencies. The social capital owned by female legislator candidates in the 2014 legislative elections was also still low. This is also related to political factors, namely regarding the recruitment of political parties. The pattern of recruitment of political parties in Indonesia is still poor. This can be seen from the recruitment that still prioritizes candidates from the capital alone and consideration of the background that is considered superior. In addition, there are still many female legislative candidates domiciled outside their constituencies. Therefore, there is no psychological closeness between candidates and their constituents. Unlike the prospective incumbents who have a greater opportunity to build social networks in their constituencies. On this basis, political parties use shortcuts by

recruiting those with backgrounds of artists and/or entrepreneurs.

3. Cultural Factors

Cultural issues in this regard are patriarchal culture that is still strong in Indonesia. In this patriarchal culture, men always dominate women and women are seen as the second person after men. Women are considered weak and unable to stand with men, especially in political activities. Lack of support from family and political parties, as well as stereotypes from the public that women are unable to take part in politics which causes women's position to be weak. This is confirmed by the opinion of Khofifah Indar Parawansa that there are several factors that influence the pattern of selection between men and women as legislators. The first factor is related to the cultural context in Indonesia which is still thick with patriarchal principles. The second factor, related to selection in political parties. Third, dealing with the media that plays an important role in building public opinion regarding the importance of women's representation in parliament. Fourth, there is no network between mass organizations, NGOs and political participation to fight for women's representation (Nimrah & Sakaria, 2016).

4. Economic Factors

Another challenge that women face in participating in elections is the economic challenge. This is related to capital to advance in elections. Prospective male legislators can get more capital than sponsors compared to female candidates. Sponsors trust men more. This is actually still the same problem, which is related to the stereotype of the community towards the ability of women whom they consider to be below the ability of men. This makes capital unbalanced with men because of lack of trust from the community. Apart from that, the finance of most women comes from/depends on men (husband or father) so that it is not possible to carry out political campaigns as can be done by men (Kassa, 2104).

B. Opportunities for Increasing Women's Participation in Indonesian Elections

In 2003, women activists thought that the condition of women who had been downturned was partly due to policy factors that did not favor women, so they urged the government to use Affirmative action which was positive discrimination or special steps taken to accelerate achieving justice and equality. One of the most important tools for implementing it is law. This is because the guarantee of implementation must be in the Constitution and the law (Thalib, 2014). This makes the issuance of Law No. 12 of 2003 concerning Elections, in Article 65 (1) Each Election Contesting Political Party may nominate candidates for Members of the DPR, Provincial

DPRD and Regency/City DPRD for each Electoral District with regard to women's representation at least 30%.

The word 'can' also makes the problem in practice. The meaning of 'can' characterizes political parties to pay attention to the quota of 30% of women in their management, so that the law is only to be noticed by political parties, does not contain obligations. After the issuance of Law No. 12 of 2003 concerning Elections, from 2004 to 2009 women's representation continued to

increase, amounting to 65 people and 100 people, from 11.82% to 17.86% from 560 members. Regarding women's representation in Law No. 10 of 2008 concerning the Implementation of General Elections for Members of the House of Representatives, Regional Representative Council and Regional People's Representative Council, there has been significant progress compared to the previous law, both Law No. 12 of 2003 concerning Elections and Law Number 31 of 2002 concerning Political Parties. Law No. 10 of 2008 concerning the Implementation of General Elections of Members of the People's Legislative Assembly, Regional Representative Council and Regional People's Representative Council is a follow-up of the political system regarding women's representation (in party management) as determined in Law Number 2 of 2008 concerning the Party Political (Thalib, 2014).

In Law Number 2 of 2008, in terms of the establishment and formation of political parties, it includes 30 percent of women's representation. In terms of the management of central level political parties, it was prepared by including at least 30 percent representation of women. So internally political parties, both regarding the establishment/formation of political parties and in matters of political party management, the level of women's representation is determined by including 30 percent (Article 2 paragraph (2) and paragraph (5) of Law Number 2 of 2008). These efforts are emphasized in Law No. 10 of 2008 Article 53: The list of candidates as referred to in Article 52 contains at least 30% (thirty percent) of women's representation, Other mechanisms adopted for women participating in the political sphere, namely through the zipper system or alternating between men and women. As stated in Law No. 10 of 2008 Article 55 Paragraph (2), in the list of prospective candidates as referred to in paragraph (1), in every 3 (three) prospective candidates there will be at least 1 (one) woman candidate. It is expected that more quota-zipper mergers of women can sit in parliament. The existence of legislation that has regulated women's quota is actually an opportunity for Indonesian women to be able to participate in more elections in the midst of various challenges that threaten them.

IV. CONCLUSION

Women's representation in Indonesia faces various challenges to participate in elections. These challenges include: from political, social, cultural and economic factors. Some efforts must be made immediately to reduce the challenge. According to the author, a strategy that can be done in increasing women's representation in the elections is as follows: first, the government should need to review the Law and several other regulations. In this case, there is a need for rules that oblige political parties to fulfill a 30% quota of women. If it does not fulfill these obligations, it is necessary to sanction political parties. This is to overcome or minimize the obstacles faced by women legislative candidates in the upcoming elections. Second, improving the recruitment of members of political parties. It is better to have rules regarding the number of male and female political party members. Third, improve political education, which starts from the family, school or higher education environment and

the women's community. This political education is certainly beneficial for women to be able to prepare themselves as early as possible as leaders. In the formal education environment it can be done by including it in the school/college curriculum regarding political education. Fourth, continuous socialization is carried out to political parties and to the public regarding opportunities for women's representation in elections. In addition, socialization can also be given to women political party members regarding the representation quota rules because often they do not know the rules.

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