



Affirmative Actionrole And Participation Of Women 30% Representation In Political Parties And Parliament

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Abstract

This study examines the role of affirmative action in promoting women's participation through the 30% representation quota in political parties and parliament. Women's involvement in politics remains limited, and the quota system is a key policy tool to enhance gender equality in political decision-making. However, achieving meaningful representation requires more than just policy mandates; it demands strategic efforts to empower women within political structures. The research uses a juridical-normative approach, focusing on the legal framework governing affirmative action and the 30% quota for women in politics. Primary legal sources, including national laws and international conventions, are analyzed alongside secondary data from academic literature and case studies. The analysis evaluates the effectiveness of the quota system in enhancing women's roles in political parties and parliament and identifies factors that facilitate or hinder progress toward gender parity. The findings reveal that while the 30% quota policy has opened the door for greater female participation, its success depends on several factors. These include political party commitment to gender equality, the effectiveness of recruitment processes, and the provision of political education and mentorship for women. Furthermore, issues such as internal party culture, societal attitudes toward women in leadership, and the lack of comprehensive implementation strategies remain significant obstacles. The research also highlights the importance of political education, open recruitment systems, and women supporting each other to ensure sustainable progress. In conclusion, while the affirmative action policy and quota system are important steps toward achieving gender equality in politics, more targeted efforts are required. These include advancing women's political skills, ensuring open recruitment processes, and institutionalizing women's issues within party agendas. Political parties must take a proactive role in supporting female candidates and leaders to fulfill the long-term goals of gender parity.

I. INTRODUCTION

Kthe consequences of the patriarchal system that dominates Indonesian culture creates gender inequality and injustice that greatly influences every human action, until now the patriarchal culture still continues to thrive in Indonesian society which can be found in various aspects and scopes such as economics, education, politics and even law. Women's representation in politics and parliament is one of the consequences of the patriarchal system, from the results of the study shows that Indonesian society tends to be patriarchal although it does not fully assume that men are always more powerful than women in all aspects (Rane, 2023).

The long journey of women's roles and participation in Indonesian politics describes an interesting journey, during the old order the role of women was still limited, but several Indonesian

intellectual women contributed to establishing women's movements and organizations such as Putri Mardika in 1912, Rukun Putri Indonesia, Persatuan Wanita Sedar, Gerakan Wanita Sedar, this organization aims to guide native women in pursuing education and improving the welfare of women's lives by implementing scholarships to support education costs for women and committing to fighting for women's rights. During the new order, women's organizations such as Dharma Wanita and Pembinaan Kesejahteraan Keluarga (Family Welfare Development) were grouped to disseminate gender ideology, although at this time there have been regulations related to women's involvement in politics as legislative members, but it has not been implemented optimally. After the reformation, women began to voice their ideas, the movement fighting for gender equality grew stronger.

Women's involvement in the Indonesian political process is very minimal, especially in decision-making, where the results of these decisions in many cases will impact women, even though conceptually all components of the nation should be involved. Of course, this is unfair and causes human rights violations if women's involvement is still discriminated against in participating in formal political institutions. Women's involvement in the public sphere, in addition to being able to represent women's interests in parliament, is also expected to be able to change gender dynamics in the parliamentary chamber.

Efforts to encourage women's political participation in Indonesia continue to be carried out through various regulations as one form of the State's efforts to encourage women's political participation in the public, such as Law No. 39/1999 concerning Human Rights (hereinafter referred to as the Law), Law No. 27/2009 concerning the MPR, DPR, DPD, DPRD, Law No. 2/2011 concerning Political Parties, Law No. 8/2012 concerning legislative elections, and Law No. 7/2017 concerning elections which stipulate that the list of prospective candidates submitted by political parties must contain 30% female representation. In this case, the Zipper System is established to ensure that each prospective candidate has at least one female prospective candidate, this aims to ensure women's representation in the election process.

Keterlibatan perempuan dalam proses politik Indonesia sangat minim khususnya pengambilan keputusan, di mana hasil dari keputusan tersebut dalam banyak kasus akan berdampak kepada perempuan, padahal secara konseptual semua komponen bangsa mestinya harus terlibat. Tentu hal demikian tidak adil dan menimbulkan pelanggaran hak asasi manusia jika keterlibatan perempuan masih didiskriminasi untuk berpartisipasi dalam lembaga politik formal. Keterlibatan perempuan dalam ruang publik di samping mampu merepresentasi kepentingan kaum perempuan dalam parlemen juga diharapkan mampu mengibah dinamika gender dalam kamar parlemen.

Upaya mendorong partisipasi politik perempuan di Indonesia terus dilakukan melalui bergama regulasi sebagai salah satu bentuk upaya Negara dalam mendorong partisipasi politik perempuan dalam publik seperti Undang-Undang No. 39/1999 tentang HAM (selanjutnya akan disebut dengan UU), UU No. 27/2009 tentang MPR, DPR, DPD, DPRD, UU No. 2/2011 tentang

Partai Politik, UU No. 8/2012 tentang pemilihan legislative, dan UU No. 7/2017 tentang pemilu yang menetapkan bahwa daftar bakal calon yang diajukan oleh parpol harus memuat 30% keterwakilan perempuan. Dalam hal ini ditetapkan *Zipper Sistem* yang memastikan bahwa setiap bakal calon terdapat setidaknya satu orang perempuan bakal calon, hal ini bertujuan untuk memastikan keterwakilan perempuan dalam proses pemilihan.

Tingginya angka kematian ibu dan bayi, kasus stunting pada anak, kesehatan reproduksi pada perempuan, perlindungan kerja bagi Tenaga Kerja Wanita (TKW) adalah sekian persoalan publik yang membutuhkan sentuhan kaum perempuan dalam merumuskan kebijakan publik dengan memperhatikan perspektif kesetaraan dan keadilan gender. (Ni Luh Arjani, 2019) Oleh sebab itu keseimbangan anggota parlemen perempuan merupakan suatu keniscayaan berpengaruh besar terhadap perdebatan politik baik dalam kepengurusan juga dalam penentuan kebijakan baik di parlemen ataupun di partai politik itu sendiri. Fakta empiris dalam realita politik praktis, disparitas peran antara laki-laki dan perempuan menjadi isu gender di ruang publik yang masih terus diperbincangkan.

Beberapa penelitian sebelumnya yang membahas terkait peran dan partisipasi perempuan dalam politik dan pemilu di Indonesia seperti pembahasan terkait "Amanat Undang-Undang Partai Politik terhadap Partisipasi Kader Perempuan dalam Pemilihan Umum" menunjukkan bahwa negara yang demokratis adalah negara yang tidak membedakan gender baik itu perempuan maupun laki-laki. Untuk lebih memberikan ruang kepada kaum perempuan dalam berpolitik harusnya ada payung hukum yang jelas aturannya yang mengatur tentang keberadaan kaum perempuan dalam partai politik karena daya tarik perempuan dalam menarik simpati massa sangat kuat karena ada cara tersendiri bagi kaum perempuan dalam berkampanye dan hal itu tidak dimiliki oleh kaum laki-laki. (Primayanti & Bruaharja, 2023)

Perempuan dalam Partisipasi Politik di Indonesia, dalam penelitian ini menunjukkan bahwa faktor kurangnya peran perempuan dalam konteks politik kebangsaan adalah bukan karena agama maupun budaya, akan tetapi sebagian kaum laki-laki yang mempunyai kepentingan dalam politik secara nasional menggunakan agama dan budaya sebagai alat untuk mendiskriminasi kaum perempuan. Ditambah lagi

salah satu faktor terbesar dari akar permasalahan kurangnya kontribusi peran perempuan dalam bidang politik adalah bertemunya doktrin atau aturan dari budaya dengan Agama khususnya Agama Islam, sehingga ke dua faktor ini lah yang seharusnya lebih mendorong peran perempuan lebih berkontribusi kepada bidang politik malah dipakai oleh sebagian kaum laki-laki untuk mendiskriminasi perempuan sehingga seakan-akan peran perempuan memang hanya sebagai pelengkap atau hanya sebagai pelengkap secara tertulis saja. (Kiftiyah, 2019)

Berdasarkan studi literature tersebut, maka signifikansi tulisan ini akan membahas bagaimana upaya meningkatkan partisipasi perempuan dalam politik dan pemilu dengan *affirmative action* dilihat dari kebutuhan hukum empiris dengan menggunakan konseptual dan teori partisipasi politik dan *affirmatif action*. Pembahasan ini akan di arahkan kepada kajian teoritik terkait bagaimana upaya meningkatkan partisipasi perempuan dalam politik dan pemilu dengan kebijakan *affirmatif action*.

II. RESEARCH METHODS

The research method used is library research using secondary data through data collection which is divided into primary legal materials in the form of legal provisions of the constitution, laws, jurisprudence related to this research, while secondary legal materials are in the form of writings related to the subject of research such as journals, theses, dissertations, articles and other scientific papers.

The typology of legal research used in this research is explanatory, namely research that explains more deeply about an object of research problems. The data analysis method used is a qualitative method that does not always look for cause and effect, but emphasizes more on efforts to understand certain situations. The approach used is a conceptual approach as a study pattern to answer the object of research.

III. RESULTS AND DISCUSSION

A. Factors of Low Participation and Involvement of Women in Politics and Parliament

From several previous studies, there are several factors that influence the low participation and representation of women in politics and parliament, namely: First, the socio-cultural and psychological conditions that still strongly consider women only as housewives with the ideology of role division. Second, party

bureaucrats who are dominated by men tend not to provide opportunities for women in determining the candidate's ballot number, where the determination of the candidate's ballot number is determined by the party leader who is generally male. Third, the existence of religious interpretations that prohibit women from being involved in the public sphere. Fourth, related to the quality of human resources, knowledge, organizational skills, education, mental attitude, and knowledge of political rights which are still minimal. Fifth, government policies that pay little attention to women's aspirations and interests, if any, are still very weak in their socialization and implementation (Sidik, 2022). Sixth, the lack of presentation and promotion of women's activities in politics compared to men's political activities (Muslimat, 2020).

This is because the dominant societal interpretation still considers women's position to always be below men, the State provides the same position in line with the basis of the Indonesian constitution as stated in the 1945 Constitution of the Republic of Indonesia, Article 28I paragraph (2) "That everyone has the same right to be free from discriminatory treatment on any basis and has the right to receive protection against all such discriminatory treatment.

B. Affirmative Action Efforts to Increase Women's Participation in Politics and Parliament

In the political context, affirmative action aims to encourage better representation and ensure that the number of women in legislative institutions is more proportional. Efforts to increase women's participation in the political process and elections with affirmative policies include provisions that state that the list of legislative candidates must contain at least 30% women, this is expressly stated in Article 65 paragraph (1) of Law No. 12 of 2003 (Sulastris, 2020). After that, the Legislative Election Law also recognized the zipper system, which ensures that every three prospective candidates contain at least one woman, so that women have the opportunity to be in a good order, in this case it is expressly stated in Article 55 paragraph (2) of Law No. 10 of 2008. The 30% quota policy for female legislative candidates by the party, the implementation of this policy was first in the 2004 election.

Based on the data related to the permanent voter list for the 2024 election, there are 204,807,222 voters. ("DPT Pemilu 2024 Nasional, 204,8 Juta Pemilih," 2023) Female voters had the

largest number of votes, namely 50.08%, and male voters had 49.92%. (Fiderman Gori, 2023) This shows that although the difference in votes is not significant, the potential for women's voting rights is very strategic in determining the victory of election contestants. Women's participation and involvement in the 2024 election in parliament can be seen based on political parties that registered female legislative candidates in the 2024 election, namely the Ummat Party registered the most women with 288 out of a total of 580 people, equivalent to 49.66%, then the Perindo Party registered 250 female legislative candidates from a total of 580 quotas equivalent to 43.1% while in 2019 it reached 38.91%, the Crescent Star Party 40% in 2019 40.31% and Garuda 40% in 2019 48.89%. While parliamentary parties registered female candidates below 35%, PDIP 33.1% in 2019 reached 37.52% and NasDem 33.1% in 2019 38.43%, Golkar 33.97% in 2019 37.8%, PPP 30% in 2019 42.06%, Demokrat 30% in 2019 38.92%, PAN 30% in 2019 38.09%, and PKB 30% and in 2019 38.26%. (Hartanto, 2023) When compared with women's participation and representation in 2019, all political parties, although they have met the requirements for women's representation, there is a decrease in the percentage of women's participation and representation in 2024.

To support affirmative action for women's participation in politics and parliament, there are several strategies that can be carried out to increase women's participation and representation in politics and elections as follows: First, developing a vision and mission, political parties have stated that the vision and mission of political parties are conceptualized with the basic philosophical foundation of the party, the needs and also the goals of the party by adjusting them to the needs of the times. Second, advancing knowledge and skills for female political cadres as a solution to the weaknesses of political parties, through political education women are given knowledge of egalitarian values and independence in social life in formal and non-formal institutions so that they have the provisions to appear on the political stage or field. Third, political parties are able and skilled in distinguishing between strengths and opportunities, as well as weaknesses and threats. Fourth, women's issues become an independent agenda for political parties in setting long-term goals. Fifth, alternative strategies in increasing women's representation quotas by conducting political cadres. Six other strategies used by

political parties by conducting open recruitment (Lestari et al., 2019)

The women support women movement is also included as one of the efforts to advance women to become drivers in efforts to realize gender-responsive policies, so as to be able to realize the implementation of just and civilized people's sovereignty and realize the fulfillment of women's representation in politics and parliament (Hardiyanti, 2022). This can minimize the problem of violence that often occurs against women through the process of resolving gender injustice in Indonesia.

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

Strategies to increase women's participation and involvement in politics and parliament in addition to the 30% women's quota policy and the zipper system, there are several strategic efforts that can be made to encourage the success of the 30% women's quota policy and the zipper system, namely advancing knowledge and skills of female political cadres, political parties being able and skilled in distinguishing between strengths and opportunities, women's issues becoming an independent agenda for political parties in setting long-term goals, political cadreship and open recruitment, political education and women supporting women.

B. Suggestion

From the above conclusions, it is recommended that efforts to increase women's participation in politics focus on increasing the knowledge and skills of female cadres, as well as strengthening the commitment of political parties to make women's issues a main long-term agenda. In addition, the implementation of open political regeneration, continuing political education, and support between women needs to be prioritized to strengthen the representation and involvement of women in politics and parliament.

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