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Legal Aspects of Women's Political Participation from a Gender Perspective

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Abstract

¹⁶ This study aims to explore the legal aspects of women's political participation from a gender perspective, emphasizing the problem of the gap between regulation and implementation in legal practice in Indonesia, as well as the obstacles faced by women in achieving an equal position in politics. This study is motivated by the ongoing gap in political participation between men and women in various countries, including Indonesia, which can be seen from the lack of women in important decision-making, both at the local and national levels. Women's representation in the public sphere, especially in politics and decision-making, has been regulated in various regulations, such as the Election Law and the 30% quota Affirmative Action Policy. However, in practice, these regulations often do not achieve the expected goals due to structural and cultural obstacles, and minimal sanctions for non-compliance. This study finds that although there has been normative progress in building a legal framework that supports women's participation, its implementation is still weak due to various obstacles, including gender-biased legal interpretations, patriarchal dominance in the political system, and the lack of effective monitoring mechanisms. The main contribution of this study lies in the in-depth analysis of the gap between regulation and practice of women's representation. Using a normative and sociological legal approach, this study offers a new perspective in understanding this problem, not only as a legal issue but also as a structural and cultural problem that requires multidimensional intervention. This study also provides concrete recommendations to strengthen law enforcement and ensure that affirmative policies can run effectively, such as through improving legal sanctions, increasing the capacity of supervisory institutions, and ongoing gender education. Uniquely, this study contributes to the legal literature and practice by providing a comprehensive roadmap to address the gap in the implementation of affirmative policies in women's representation. Furthermore, this study emphasizes that improving the gender-responsive legal system is not only a normative need, but also a prerequisite for the creation of substantive justice in Indonesian society.

Keywords: *Gender, Legal Aspects, Perspectives, Political Participation.*

1. INTRODUCTION

Women's political participation is an important indicator in assessing the quality of democracy and gender equality in a country.¹ Women's participation in politics is not only about the quantity of representation, but also the quality of participation that is free from discrimination and equal access.² In Indonesia, efforts to increase women's representation in politics have been realized through various

¹ Rizki Priandi and Kholis Roisah, "Efforts to Increase Women's Political Participation in General Elections in Indonesia," *Journal of Indonesian Legal Development* 1, no. 1 (2019): 106, <https://doi.org/10.14710/jphi.v1i1.106-116>.

² Selvia Adriani and Siti Tiara Maulia, "Women's Participation in Politics," *Journal of Practical Learning and Educational Development* 4, no. 2 (2024): 131–36, <https://doi.org/10.58737/jpled.v4i2.287>.

regulations, including the implementation of a minimum gender quota policy of 30% for female legislative candidates.³ This policy aims to ensure that women have equal opportunities in the political decision-making process.

According to Law Number 7 of 2017 concerning General Elections, Article 245 states that political parties must nominate female legislative candidates. However, data from the General Election Commission (KPU) based on the results of the 2019 Election, female representation in the Indonesian House of Representatives was only 20.5 percent or 118 people out of a total of 575 members of the House of Representatives. Still according to KPU data, in the 2024 election, out of a total of 580 elected members of the Indonesian House of Representatives, only 128 were women, which is equivalent to 22.1% representation. This figure shows an increase from the results of the 2019 election, but has still not reached the target set by law. This means that stronger efforts are needed to achieve optimal female representation in Indonesian politics.

Previously, there have been several studies that are similar and relevant to this study, the first study conducted by Liliana in 2021 has examined the implementation of a 30% gender quota for female candidates in politics. Her research successfully identified patriarchal cultural constraints and lack of supervision as the main obstacles in implementing this policy. However, this study still has gaps because it has not explored the impact of gender quota implementation in more depth on women's involvement in political decision-making. In addition, this study has not discussed concrete strategies that can be used to overcome these obstacles.⁴

An additional study conducted by Amalia in 2020 highlighted the role of political parties in efforts to advance women's representation. Her research focused on how political parties act as facilitators of increasing women's participation. However, this study still leaves gaps regarding the effectiveness of internal political party policies in supporting female cadres and the consistency of political parties in overseeing women's representation after the general election. In other words, the relationship between party policies and women's contributions in parliament has not been fully explored.⁵

The following Umagapi study in 2020 analyzed women's contributions to the decision-making process in parliament. This study provides insight into the role of women in legislative institutions after being elected. However, this study has not touched on the process of how women managed to get to these decision-making positions. This gap shows the need for a study that connects the process of

³ "Law (UU) No. 68 of 1958 concerning Ratification of the Convention on the Political Rights of Women," database of laws and regulations, 1958, <https://peraturan.bpk.go.id/Details/52837/uu-no-68-tahun-1958>.

⁴ Aning Sofie Liliana, Lusya Indrastuti, and Waluyo Slamet Pradoto, "Representation of Legislative Candidates," 2021.

⁵ Isyrofah Amaliyah Achmad, "Strengthening Women's Representation in Political Party Management," *Jurist-Diction* 1, no. 1 (2020): 164, <https://doi.org/10.20473/jd.v1i1.9734>.

implementing affirmative policies, political party support, and the role of women in decision-making.⁶

This study focuses on an in-depth analysis of the gaps in the implementation of gender quotas in Indonesian politics, with the aim of filling a gap that has not been widely explained by previous studies. While previous studies have discussed the regulatory aspects and general challenges in women's political participation, this study will specifically analyze the factors that hinder the active implementation of gender quotas, both in terms of regulations, political parties, and community culture. In addition, this study also assesses the extent to which existing regulations are effective in increasing women's representation and provides empirical evidence-based policy recommendations to improve the implementation of gender quotas, including proposed mechanisms for sanctions and incentives for political parties.⁷

Women's involvement in parliament not only has an impact on policy, but also serves as a catalyst for cultural transformation and political frameworks that have been dominated by patriarchal values. Therefore, a more women-friendly political system is essential to create a balance of equal access and participation. However, despite progress in policy, there are still many regional regulations that are discriminatory against women, indicating the need for further efforts to achieve gender equality at the legislative and government levels.⁸ Through this article, we will explore the legal aspects of women's political participation from a gender perspective by discussing the gap between regulation and implementation in legal practice in Indonesia and identifying factors that are still obstacles to realizing women's equal political participation in politics.

2. METHOD

This study uses several approaches to analyze and review laws and regulations related to women's involvement in politics. These approaches aim to understand how laws place women in political structures and assess their compliance with the principle of gender equality. The method used is a normative legal approach with a focus on analyzing the content of laws and regulations governing women's involvement in politics and the compliance of these norms with the principle of gender equality as stipulated in the constitution, national law, and international instruments. A gender approach is also applied in this study to analyze

⁶ Juniar Laraswanda Umagapi, "Challenges and Opportunities for Women's Representation in the 2019 Parliamentary Elections: And Vice President and Legislative Elections Achieved by Indonesia Regarding Women's Representation in Politics, Although the Increase is Not Significant, It is Only a Gender Issue D," 2020, 19–34.¹

⁷ Rahma Ning Tias et al., "The Challenges of Affirmative Action Policy as an Effort to Strengthen Women's Representation in the Legislature," *Journal of Political Dynamics of Domestic Political Problems and International Relations* 14, no. 2 (2023): 169–89, <https://doi.org/10.22212/jp.v14i2.4151>.⁴²

⁸ Afdal Aperta Safatullah et al., "Seizing the Political Stage: Examining Women's Participation in the Legislative Elections in Payakumbuh Timur District in 2024," *Politica: Journal of Constitutional Law and Islamic Politics* 11, no. 1 (2024): 10–20, <https://doi.org/10.32505/politica.v11i1.8228>.

gender construction in laws and regulations and their implementation with a focus on analyzing the extent to which laws facilitate or hinder women's involvement in politics and the extent to which laws strengthen the principle of gender equality in encouraging women's participation. The sociological approach to law is also used to understand how laws and regulations are implemented in society with a focus on assessing the reality of legal implementation, including the obstacles faced by women in accessing political positions and exploring social, cultural, and political factors that influence the effectiveness of these regulations in encouraging women's involvement.⁹This approach helps connect the normative aspects of law with social realities in the field. Primary data sources are national laws and regulations, while secondary data are collected through relevant articles, reports, and research documents, as well as statistics on women's political participation from official institutions such as the KPU. This study aims to understand how laws and regulations place women in political structures, assess the suitability of these regulations with the principle of gender equality, and provide recommendations for improving regulations and policies related to women's involvement in politics. With this comprehensive approach, the study is expected to provide academic and practical contributions in strengthening women's positions in politics according to the principle of gender equality.

3. RESULTS AND DISCUSSION

3.1 The Influence of Gender Perspective on the Implementation of Legal Principles in Indonesia

Political equality serves as a foundation for social justice, ensuring that all voices, including women's, influence a country's decisions and policies.¹⁰This underscores the importance of recognizing women's political rights as an integral component of universal human rights. In many countries, initiatives aimed at securing legal recognition of women's rights and increasing their representation in politics are increasingly being incorporated into legal and policy reform frameworks.¹¹

Gender perspective refers to the way of looking at the differences in roles, access, opportunities, and rights between men and women that are influenced by social, cultural, and structural factors. In the legal context, gender perspective should be the basis for ensuring substantive equality and justice. However, in

⁹ Rachel Lubis and Irwan Triadi, "Analyzing Gender Equality in Constitutional Perspective (Study on Human Rights Protection)," *Indonesian Journal of Law and Justice* 1, no. 4 (2024): 12, <https://doi.org/10.47134/ijlj.v1i4.2687>.

¹⁰ Daffa Fittaktahta Putra et al., "Pancasila as a Legal Basis in Realizing Social Justice," *Aliansi: Journal of Law, Education and Social Humanities* 1, no. 5 (2024): 233–37, <https://doi.org/10.62383/aliansi.v1i5.412>.

¹¹ R Maharani and R Ramadhani, "Women's Representation as Legislative Members in the Provincial People's Representative Council," *Lex Superior* 1, no. 1 (2022): 1–12, <https://ojs.ukb.ac.id/index.php/jls/article/view/485%0Ahttps://ojs.ukb.ac.id/index.php/jls/article/download/485/340>.

Indonesia, the formation of laws is often influenced by a patriarchal culture that views women as a subordinate group.¹²

The impact is that the law is formally gender neutral, but has not been responsive to the obstacles faced by women and structural bias in the application of the law, where regulations are not followed by concrete implementation efforts to realize women's political participation. In the legal context, a gender perspective plays a major role in ensuring that existing regulations not only provide equal opportunities for women but also address the structural and cultural barriers they face.

Furthermore, legal principles such as justice, equality, and non-discrimination have been regulated in the constitution (Article 27 of the 1945 Constitution) and its derivative regulations, in the context of political participation, the implementation of this principle is realized through Law No. 7 of 2017 concerning General Elections which regulates affirmative policies that require political parties to include a minimum of 30% female representation in the list of legislative candidate candidates. This policy is intended to improve the inequality of political access experienced by women. Although the 30% quota is very strategic, the regulation is only one key factor in a broader effort to increase women's political representation.

And even though this law has been enacted, women's representation in parliament is still far from the ideal target. The 2024 Election recorded women's representation in the Indonesian House of Representatives at 22.1% of the total elected members, an increase from 20.5% in the 2019 Election, but still below the 30% quota set. In addition, political parties often fulfill the quota formally, but not substantively because women are placed in non-strategic numbers on the candidate list. This fact shows that the gender perspective in the implementation of Law No. 7 of 2017 has not been fully internalized by political parties and election organizing institutions.

Gender perspectives do not stop at the formulation and implementation of laws, but are also important in evaluating their impact. Although the number of women in parliament has increased due to gender quotas, their influence in the decision-making process is often limited. This shows the importance of integrating gender perspectives in building support systems to strengthen women's capacity.

Affirmative policies such as the 30% quota for women are an application of the principle of substantive equality to increase women's participation.¹³ The goal

¹² Angela Ranina Listiyani et al., "Implementation of Affirmative Action by Political Parties as an Effort to Improve Women's Rights," *Res Publica* 5, no. 1 (2021): 16–30.

¹³ Universitas Islam et al., "Efforts to Increase Women's Political Participation in Legislative Representation Muhammad Ar Rafii Elan Jaelani Sunan Gunung Djati State Islamic University Bandung Heroes Who Played a Role in the Independence Process. The Process of the Nation's Independence Struggle Conveyed in the Current Era. Participation Which is a Form of Women's Rights is Emphasized by the Ratification of the Convention on the Political Rights of Women and the Elimination of All Forms of Discrimination Against Women Through Law Number 7 of 1984 Concerning the Ratification of the Convention on the Elimination," no. 2 (2024).

is to provide wider participation space for women, encourage women's representation in political decision-making, and reduce the gap in access and participation between men and women. However, the implementation of this quota has not been optimal because it is still a formality and is not supported by strategic steps such as political education, special campaign funding, or clear sanctions for parties that violate it.

The obstacles in implementing regulations on women's political participation are due to the lack of strict sanctions. Law No. 7 of 2017 does not provide effective sanctions for political parties that fail to meet the 30% quota for women. As a result, this obligation is often considered a mere formality. Political parties tend to prioritize male candidates for strategic positions and women are placed at the bottom of the candidate list, which has an impact on the small chances of being elected. In addition, the strong patriarchal culture causes low public support for female candidates. Women are also faced with a double burden between domestic and public roles.

The course of human civilization has been largely shaped by men, leading to their dominance in almost all social roles throughout history, except in rare matriarchal societies. From the beginning, this has driven a gender gap, relegating women to the margins. Women are often seen as unfit to be leaders or have the same abilities as men, reinforcing the notion that women are inferior to men. As a result, men are seen as the legitimate holders of authority over women.

Women and politics are indeed difficult to imagine, especially in developing countries, this is because humans have been shaped by a culture that makes women limited to household matters only, while politics which is closely related to power is always considered more appropriate for men with the assumption that women are still taboo and controversial towards leadership. Although there has been progress in women's rights, the lack of female representation in politics is still a significant challenge. In many parliaments and legislative institutions around the world, women are still very underrepresented. According to data from the Inter-Parliamentary Union (IPU), by 2023, women will only occupy around 26 percent of parliamentary seats worldwide.¹⁴

Raising awareness of the role of women in politics is key. Education on gender equality and leadership, along with training and mentoring, can prepare women to engage in politics. Some countries also use affirmative action to increase women's political representation, such as gender quotas. These policies ensure that women have greater access to key positions in government and parliament.

Although Indonesia has imposed a 30 percent gender quota for female legislative candidates in the legislative list, its implementation is still far from perfect. One of the main causes is the lack of women who have good political

¹⁴ Marsyifa Novia Fauziah, Mochamad Faizal Rizki, and Rachmat Ramdani, "Challenges of Women's Representation in Formal Politics," *Journal of Government Science Widya Praja* 49, no. 1 (2023): 12–22, <https://doi.org/10.33701/jipwp.v49i1.3034>.

education so that they are ready to be involved in the legislative and government processes. Effective political education can ensure that more women not only meet the quota but are also able to make significant contributions to gender-sensitive policy-making.¹⁵

Political education for women plays an important role in advancing gender equality in Indonesia. Although much progress has been made in efforts to increase women's involvement in politics, women still often face various obstacles that cause their involvement in politics to be less than that of men. In this context, adequate political education is an important factor in empowering women to be able to be effectively involved in the decision-making process in the political realm. Political education allows women to understand their rights in the context of politics and democracy, women can also better understand the concept of gender equality, their constitutional rights, and the role they can play in shaping policies that impact society. Awareness of these political rights can encourage more women to be active in politics, both as intelligent voters and as potential leaders.¹⁶

In the long run, political education can also help break down gender stereotypes that exist in society. As more women engage in politics and demonstrate strong competence and leadership, society will be more accepting of the idea that women are worthy and capable of leading at various levels of government. With political education that encourages women's involvement in the policy process, we can expect more inclusive and sustainable policies that accommodate the needs of women and other vulnerable groups. This is important in addressing global challenges, such as climate change and economic inequality, which are felt more disproportionately by women.¹⁷

Political education is not only needed by female political candidates, but also female voters. In a healthy democracy, well-informed voters are the main foundation. This allows female voters to make smarter political decisions, not only based on emotions or social pressures, but also based on knowledge about the candidates, their programs, and the impact of the policies they propose.¹⁸ Female voters who have political education tend to be more critical and vocal in demanding their rights, whether from a political, economic, or social perspective. This has the

¹⁵ Listiyani et al., "Implementation of Affirmative Action by Political Parties as an Effort to Improve Women's Rights."

¹⁶ Mirza Satria Buana, Erlina Erlina, and Eka Yulia Rahman, "The Paradigm of Anti-Corruption Political Education and Gender Equality in Political Parties," *Integritas: Journal of Anti-Corruption* 7, no. 1 (2021): 23–42, <https://doi.org/10.32697/integritas.v7i1.733>.

¹⁷ Vina Salviana D Soedarwo et al., "Gender Sensitivity-Based Political Education among Political Parties in India and India Sociology Study Program, University of Muhammadiyah Malang Civic Education Study Program, University of Muhammadiyah Malang International Relations Study Program, University of Muhammadiyah Malang Center for Chinese and Southeast Asian Studies, School of Language, Literature, and Cultural Studies Jawaharlal Nehru University New Delhi, India Email: Vinasalvianaumm@gmail.Com Gender Sensitivity-Based Political Education among Political Parties in India and India," nd, 48–60.

¹⁸ Dian Iskandar et al., "Political Education to Create Smart Female Voters in Palangka Raya City," *Journal of Indonesian Civil Society* 2, no. 3 (2023): 228–33, <https://doi.org/10.59025/js.v2i3.110>.

potential to bring significant changes in the Indonesian political landscape, where women's voices are getting louder and stronger in shaping the direction of national policy.

Political empowerment for women is not only about opening access to political knowledge, but also about empowerment that can encourage the creation of a more equal and inclusive society. With adequate political education, women can be involved in decision-making, fight for their rights, and contribute significantly to shaping a more just and democratic political future in Indonesia. This urgency cannot be ignored, considering that women are half of the population whose voices are very important in democracy.

The strong patriarchal culture in many regions in Indonesia often places women in less strategic positions in terms of decision-making. With adequate political education, women can build their own capacity, increase their self-confidence, and develop the leadership skills needed to compete fairly in the political world. In addition, understanding how politics works, election regulations, and effective campaign strategies are skills that can be acquired through comprehensive political education. This will help women take advantage of opportunities to engage in formal politics, both at the local and national levels.¹⁹

In recent decades, women's contributions to politics have been increasingly recognized as a key factor in advancing gender equality and strengthening democracy. A gender perspective provides a framework for understanding how women's presence and participation in politics benefits not only them, but also the entire society. One of the main arguments for increasing women's political participation is to achieve better gender balance in political institutions.²⁰ Balanced representation ensures that women's interests and perspectives are fairly represented in decision-making processes. Gender equality is a fundamental principle in society that demands equal and fair treatment for all individuals, regardless of gender. In this context, women's political roles are crucial in efforts to achieve gender equality at all levels, from the local to the international.²¹

Gender perspective has a significant influence on the implementation of legal principles in regulating women's political participation in Indonesia. By understanding the specific needs and obstacles faced by women, the law can be a tool to create substantive equality, not just formal equality. The principle of

¹⁹ Syarifah Rahmah, "Political Education for Women," *Saree: Research in Gender Studies* 3, no. 1 (2021): 79–100, <https://doi.org/10.47766/saree.v3i1.633>.

²⁰ Latif Kahfi, "Analysis of Women's Political Participation in Indonesia: Women's Access to the Political Arena, Gender Inequality is Still an Important Problem Different (Rasyidin and Aruni 2016). Existing Inequality. (Rasyidin and Aruni 2016) Political System" 8, no. 1 (2024).

²¹ Halida Nabilla Salfa, "The Social Role of Women in Society and Its Implications for the Placement of Female Legislative Members in Commissions in the Indonesian House of Representatives for the 2019-2024 Period [The Social Role of Women in Society and Its Implications for the Division of Tasks of Female DPR Members]," *Journal of Political Dynamics of Domestic Political Problems and International Relations* 13, no. 2 (2023): 162–81, <https://doi.org/10.22212/jp.v13i2.3163>.

substantive equality must be realized through strengthening more concrete affirmative policies, accompanied by revising Law No. 7 of 2017 by adding strict sanctions for political parties that do not meet the 30% quota for women, such as rejection of candidate lists by the KPU and regulating incentive mechanisms for political parties that succeed in meeting the quota substantively. In addition, strengthening political education and access to funding for women is an important solution to encourage more significant women's participation in Indonesian politics.

3.2 Factors that Inhibit the Realization of Equal and Inclusive Political Participation

Equal and inclusive political participation is one of the main pillars of democracy. However, in practice, various barriers still prevent certain groups such as women, people with disabilities, minority groups, and marginalized communities from fully participating in the political process.²²

In the legal framework in Indonesia, women's representation in politics is regulated through several important regulations, namely Law No. 2 of 2011 concerning Political Parties, which requires political parties to pay attention to women's representation in party management. Law No. 17 of 2017 concerning General Elections also firmly stipulates a 30 percent gender quota in the list of legislative candidates.

The principle of substantive equality underlies this regulation, which aims not only to provide formal access to women but also to ensure women's involvement in decision-making processes. However, the implementation of this regulation shows a gap between legal norms and practices on the ground. Although the regulation has provided a legal framework, obstacles in enforcing the rules and weaknesses in the monitoring system are major obstacles to realizing equal and inclusive political participation.

Many political parties fulfill the 30 percent gender quota only administratively without giving women a significant opportunity to win the election. Women are often placed at the bottom of the candidate list, which directly reduces their chances of being elected. In addition, the lack of binding technical regulations also hinders women's participation in politics, namely the absence of a mechanism that ensures women are strategically integrated into political decision-making structures, both in political parties and in parliament. Regulations focus more on fulfilling quota figures than on the substance of representation.

The regulation does not provide serious consequences for political parties that fail to meet the gender quota, making compliance optional. In the 2019 election, several parties did not reach the 30 percent quota but were still able to participate in the election contest without any obstacles. Supervision by the KPU is often only

²² Inka Nusamuda Pratama, Ayatullah Hadi, and Rizal Umami, "Strengthening Inclusive Political Participation in Increasing Understanding and Involvement of Generation Z in the 2024 Election in Bagik Polak Village," *Jurnal Pengabdian Masyarakat Bangsa* 1, no. 11 (2024): 2986–93, <https://doi.org/10.59837/jpmba.v1i11.627>.

administrative, without substantive assessment of the effectiveness of women's representation. There is also no comprehensive evaluation of the impact of the regulation on increasing women's participation.

Gender-unfriendly electoral systems are also a major challenge, with proportional systems with open lists favoring the most votes, which often benefits men because they have greater access to political resources. Women who have limited funding and political networks often lose out.²³ Political party structures are still dominated by men, which tends to marginalize women in policy-making and political strategy.

In addition, cultural barriers also worsen the implementation of regulations, namely the still deep-rooted patriarchal norms and gender stereotypes that view women as less competent than men in politics and the double burden (domestic and public) that women must face also become obstacles for them to be active in politics. Lack of social support, society often does not provide enough support for women to be involved in politics, especially in rural or conservative areas that still consider women less suitable to have higher education and are considered only wives and mothers who are only suitable for taking care of the household.

The important spirit of democracy such as representation, equality, respect for differences and opinions has been stated in the opening of the 1945 Constitution and the Amendment to the 1945 Constitution which regulates the rights and obligations of the state and citizens. The principles of gender relations have so far caused fear in both men and women who are too narrow-minded that gender is identical to "fighting against men" or "fighting against God's nature as women".²⁴ We have seen women occupy strategic positions in various fields, from socio-political to economic, but the expectations and demands of society for women as leaders have high standards. Women are required to have high qualifications in order to be considered worthy of being a leader, both in terms of educational background, professional performance, or their activeness in various organizations, both social, political, and economic. Not to mention women are always seen as ideal models to be career women, wives, mothers who can divide their time, are intelligent, become public figures but still do not forget their nature in the domestic sphere.

Women in politics often bring issues related to social justice to the public agenda.²⁵ They tend to advocate for policies that address inequalities, such as reproductive health, education, and protection against gender-based violence. As

²³ Dimiyati Huda, *Rethinking Women and Gender Justice*, 2020.

²⁴ Lusya Palulungan, Muhammad Taufan Ramli, and M Ghufuran, *Women, Patriarchal Society & Gender Equality*, *BaKTI: Knowledge Exchange for Eastern Indonesia*, 2020. 36

²⁵ Democracy Resilience, Indonesian Studies, and Cases of Representation, "Syntax Literate: Indonesian Scientific Journal p – ISSN: 2541-0849 Women in the DPRD of DKI Jakarta Province I Gede Ngurah Eka Dharmayudha University of Indonesia, Jakarta, Indonesia Email: Helloits.Eka@gmail.Com I Gede Ngurah Eka Dharmayudha Introduction to Democracy" 9, no. 6 (2024).

such, women's political engagement can bring different perspectives and complement more holistic political decisions. They advocate for women's rights, fight gender discrimination, and promote awareness of the problems faced by women. By actively championing these issues, women politicians help build public awareness and pressure governments to act on gender equality.²⁶

Novelty The approach to overcome these obstacles can be done by implementing strict sanctions, providing disqualification sanctions for political parties that do not meet gender quotas substantially and providing incentives to political parties that succeed in increasing women's representation, such as additional funds from the APBN for example. Then setting the 30 percent quota not only applies to the list of legislative candidates as a whole, but also to competitive serial numbers (for example, every 3 legislative candidates must have 1 woman).

The KPU needs to develop a monitoring system that is not only administrative, but also evaluates the impact of regulations on election results and integrates representation in evaluating political party performance. In addition, strengthening women's capacity is also important, by providing special training programs for women to improve their capacity in politics, including campaign strategies and fundraising and providing greater access to women to campaign funding and political networks.

Another thing that can be done as an effort to increase women's representation in the political arena is to change the cultural paradigm, by increasing public awareness of the importance of women's roles in politics through national campaigns and integrating gender equality values into the education curriculum to change the mindset of Indonesia's young generation.²⁷ Women who are active in politics can also provide an example for the next generation to get involved in politics and fight for their rights. By seeing female figures in positions of power, girls are more motivated to participate in the political process, both as voters and as prospective leaders, and they will also be more confident that they can also achieve the same position in the future. This can open the door to increasing women's participation in politics, which in turn will create a representative society.²⁸

It is also important to remember that women's presence in decision-making is not just a matter of numerical representation. Qualitative aspects such as commitment to gender issues, advocacy for social justice, and leadership integrity also need to be considered. Thus, ensuring that women are not only present in

²⁶ Bayu Nurrohman et al., "Women's Political Activism in Political Parties: A Phenomenological Study of Female Politicians in Banten," *Journal of Political Issues* 4, no. 2 (2023): 137–51, <https://doi.org/10.33019/jpi.v4i2.81>.

²⁷ Benni Erick and Masyitah Masyitah, "Women's Representation in Political Parties from a Syariah Law Perspective," *Sigli Social Humanities Journal* 3, no. 2 (2020): 200–212, <https://doi.org/10.47647/jsh.v3i2.312>.

²⁸ Zahra Asyifa and Fatma Ulfatun Najicha, "Pancasila Values as a Way Out in Upholding Gender Equality in the Industrial Era 4.0," *Journal of Pancasila and Citizenship Studies* 9, no. 2 (2023): 30–40, <https://core.ac.uk/download/pdf/578767227.pdf>.

decision-making spaces but also have substantial influence in shaping policy is key to achieving sustainable change.²⁹

Women's involvement in politics has implications for the transformation of existing power structures. Increasing women's representation can challenge patriarchal norms and practices, and pave the way for broader social change. This can increase public trust in political institutions and strengthen democratic legitimacy. An inclusive democracy reflects the diversity of society.³⁰

The reform era is a new era of social change in the Indonesian nation after the fall of President Soeharto by the reform movement initiated by intellectuals and students, gender equality and women's participation in the public sphere after the reform became an interesting issue because previously the role and access of women were very limited. The changing culture and political system in the reform era gave birth to great women, female figures who played a role in the political realm continued to increase when the DPR made a new law requiring political parties to involve 30 percent of party management filled by women.³¹

Increasing women's representation in politics is not only the responsibility of women themselves, but also of society and wider institutions. The various perspectives and strategies of women's struggle that exist are actually not only effective as a tool for enlightenment and awareness, but more than that as an instrument in building a large coalition of women's movements to realize equality, justice, tolerance, and democracy.³²

The approach in this study offers novelty by not only identifying legal barriers, but also offering concrete solutions to strengthen the implementation of regulations, taking a comprehensive approach by combining legal, policy, and cultural analysis to create more effective strategies in increasing women's participation, emphasizing substantive reform, namely focusing on legal reform or technical rules, so that regulations are not only administrative tools but also instruments of real change, and providing data-based solutions and innovation by using empirical data and impact projections to formulate strategic recommendations, such as political party incentives and performance evaluations based on gender representation.

This approach is expected to be able to overcome structural and cultural barriers that have so far prevented the realization of equal and inclusive political participation in Indonesia.

²⁹ Imeliana Arum Siti Tiara Maulia, "Women's Political Participation in a Democratic System: Obstacles and Opportunities in the Decision-Making Process," *Women's Political Participation in a Democratic System: Obstacles and Opportunities in the Decision-Making Process* 3, no. 7 (2024), <https://doi.org/doi.org/10.3783/causa.v2i9.2461>.

³⁰ Adriani and Maulia, "Women's Participation in Politics."

³¹ Priandi and Roisah, "Efforts to Increase Women's Political Participation in General Elections in Indonesia."

³² Costa Rica et al., "Women's Political Representation: Existing or Coloring," *Journal of Social Democracy* 54, no. 2 (2019): 553–65.

4. CONCLUSION²⁹

The findings of this study indicate that the law has an important role in increasing women's political participation, but its effectiveness is still limited due to the gap between regulation and implementation. Regulations such as gender quotas stipulated in Law No. 7 of 2017 concerning General Elections and Law No. 2 of 2011 concerning Political Parties have provided a formal framework to encourage women's representation. However, the implementation of this policy still faces various structural and cultural obstacles, such as patriarchy, gender stereotypes, discrimination in the nomination process, and the absence of strict sanctions for violations of regulations. Legally, gender quotas are not yet fully effective because there are no strict sanctions against political parties that fail to meet gender quotas substantially, so that regulations are often ignored or only fulfilled administratively, then there are also no specific regulations on serial numbers that ensure women get competitive positions on the list of legislative candidates, and supervision by the KPU and Bawaslu focuses more on administrative aspects, so that the impact of regulations on increasing women's participation is difficult to measure. These obstacles are further exacerbated by patriarchal cultural norms and gender stereotypes that are still dominant, which cause women to be considered less competent in the world of politics. In addition, the proportional electoral system with an open list also benefits men who have greater access to political resources. The author suggests that there needs to be legal and policy reform that focuses on the implementation of gender quotas, strengthening legal protection, leadership training, financial support, and education on political rights. For this reason, collective efforts are needed from various parties, both the government, political parties, and civil society to expand women's access to quality political education, so that women can play a greater and equal role in contributing to political life in Indonesia.

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