



JLPH: Journal of Law, Politic and Humanities

<https://dinastires.org/JLPH> ✉ dinasti.info@gmail.com ☎ +62 811 7404 455

E-ISSN: 2962-2816
P-ISSN: 2747-1985

DOI: <https://doi.org/10.38035/jlph.v5i4>
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The Politics and Law of 30% Women's Representation in the Central Kalimantan Provincial DPRD: A Review of the Implications Based on Regulations and Principles of Democratic Justice

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Abstract: Women's participation in governance is a crucial issue in efforts to achieve gender equality and fair democracy. In Indonesia, the 30 percent female quota in legislative bodies is regulated under paragraph (2) of Article 245 of Law No. 7 of 2017 regarding national elections. However, there are still many challenges that must be overcome in the implementation of this policy, especially at the local level. The issues that will be discussed, namely how the challenges in initiatives to enhance woman inclusion in the Central Kalimantan Provincial DPRD, are reviewed from the perspective of applicable regulations and the principles of democratic justice, and how the legal politics regulate the representation of 30% women in the Central Kalimantan Provincial DPRD. This paper uses an empirical legal research method, which is a study based on data obtained from interview observations. Empowerment measures such as political education and training for women need to be strengthened to furnish women with expertise and awareness they need to compete in the political arena. The importance of early political education and public awareness campaigns about gender equality in politics can change existing social perceptions and norms. To bolster women's presence in the Central Kalimantan DPRD, the government, political parties, and the community need to work together to create an environment that supports women's active political participation.

Keyword: Legislative Institutions, Women's Representation, Political Parties, Challenges.

INTRODUCTION

While the Indonesian women's activism has advanced in politically, disparities persist in women's roles and visibility within formal political structures. Gender-sensitive democracy cannot be achieved without equitable woman representation. Women's political roles fluctuated during the Old Order and New Order regimes but saw significant advancements during the era of Reform. A truly people-centered democracy demands the equal participation of women in legislative decision-making processes..

Women's political engagement is a pivotal element in realizing balanced representation and democratic fairness. In Indonesia, the stipulation for 30% women's involvement in parliamentary affairs is mandated under Article 245, Clause 2 of Law Number 7 of 2017 regarding General Elections. However, there are still many challenges that must be overcome in the implementation of this policy, especially at the local level.

As an area with ethnic and cultural diversity, Central Kalimantan is an interesting case to study legal policy trends related to women's representation. Despite the regulatory framework designed to promote woman participation, the achievement of the 30% quota remains suboptimal in practice. Factors such as patriarchal culture, structural constraints within political parties, and a lack of institutional support for woman candidates remain major obstacles.

The debate over women's representation in the Legislature can be seen as a manifestation of the legal problem of human rights discrimination against women. The gender disparity issue is glaringly evident in the minimal representation of women within the regional legislative institutions in Central Kalimantan.

According to the statistical records on the projected population of Central Kalimantan in 2023-2025, of the total population of Central Kalimantan which will reach 2.8 million people in 2024, the woman population will reach 1.3 million people or around 46.43 percent of the population. This data is for Central Kalimantan. The Central Statistics Agency has released a forecast of the population of Central Kalimantan. Unfortunately, the number of woman members in the Central Kalimantan Regional DPRD is only small, so the number of woman populations in the DPRD is not large. On Wednesday, August 28, 2024, members of the DPRD for the 2024-2029 period were officially inaugurated and sworn in before assuming office. The Central Kalimantan DPRD consists of 45 members, consisting of 36 men and 9 women.

In this context, it is important to examine how legal policies in Central Kalimantan respond to and implement policies on women's representation. An analysis of existing democratic justice rules and principles is essential to understanding the challenges and opportunities for fairer representation.

This paper is also relevant considering the current political dynamics, where gender and representation issues are in the spotlight in public discourse in the 2024 election. By looking at the case of Central Kalimantan, it is hoped that a more comprehensive picture of the implementation of women's representation policies at the regional level can be obtained, as well as its implications for the quality of democracy and gender justice in Indonesia.

From the above background, it can be drawn that the issues that will be discussed, namely how the challenges in pursuit of elevating women's participation Central Kalimantan Provincial DPRD, reviewed from the perspective of applicable regulations and the principles of democratic justice, and how the legal politics regulate the representation of 30% women in the Central Kalimantan Provincial DPRD.

METHOD

This paper uses an empirical legal research method, which is a study based on data obtained from interview observations. The subject of empirical legal research has always been legal analysis, which is linked to its social dimension and can be understood as the actions of people who live together and interact with each other. Empirical law-related research, commonly called sociological legal analysis, examines actual behaviors as inherent social phenomena experienced by individuals in their roles as citizens.

Empirical legal studies focus on comprehending the authentic essence of law and analyzing its societal application. The research was conducted at the Central Kalimantan Provincial DPRD headquarters, where the data produced is sourced from interviews with delegates Central

Kalimantan Provincial DPRD, and one of the members of a political party in Central Kalimantan Furthermore, this research also uses various library materials from various specialist literature. The purpose of this research to analyze legal consequences of 30% woman representation regulation on the Central Kalimantan DPRD.

RESULTS AND DISCUSSION

Challenges as part of initiatives to bolster women's participation within the Central Kalimantan DPRD, reviewed from the perspective of applicable regulations and the principle of democratic justice

Women face various challenges in their efforts to increase their representation in parliament, especially as legislative members in the Central Kalimantan DPRD. Women face many difficulties and obstacles when participating in society. In most cases, they face difficulties entering the political realm. In addition to financial problems, its social base is considered weak. This is a situation that causes social prejudice about the existence of gender inequality in the public environment. These challenges can be reviewed from the perspective of applicable regulations and the principle of justice in democracy. Here are some of the challenges faced by women, especially in Central Kalimantan.

Patriarchal Culture

Central Kalimantan is still known for its strong patriarchal culture in various regions, so this makes women reluctant to present themselves as potential leaders. One of the main obstacles is the traditional view that politics is a "man's world". As a result, women are often considered incapable or unfit to occupy leadership positions, thus creating psychological and social barriers for women who want to enter the world of politics. Moreover, social norms that require women to focus more on domestic roles also limit women's opportunities to actively participate in politics. Psychological and social barriers also make women often feel insecure because of the stereotypes and social prejudices that exist. They are under pressure to prove that they are worthy and can be a leader who is not inferior to a man. Moreover, social norms that expect women to focus on domestic roles limit women's opportunities to participate in politics. This includes expectations regarding home and child care, which are often not imposed on men.

Access to political education and training

Access to political education and training is not only for men but it is also very important for women to equip them with the knowledge and skills necessary for politics. Lack of trust in women's abilities and their poor self-image in the eyes of society are further obstacles. Women need to develop their personal qualities by engaging in society and becoming familiar with the political environment. Furthermore, political parties often focus their support on specific candidates and do not fully support women. The lack of public trust in women's leadership ability is the main obstacle. This is often caused by gender stereotypes that underestimate women's abilities. Personal Branding is one of the milestones that must be built by women who need to work harder to be recognized and accepted by the community as credible leadership candidates.

Women's representation is only a formality

The quota of 30% women is only limited to the requirement for the registration from political parties as contributors election process, woman candidates get a "negative stigma" in the community that they are only candidates for the complement of the administration or candidates on paper in every democratic party.

There is an absence of explicit legal penalties for political parties failing to meet the 30% woman representation requirement based on electoral outcomes. This should be the subject

of evaluation for the government, particularly the Ministry of Justice and Human Rights, possess the necessary authority to ratify, permit, and dissolve political parties. There is no clear legal umbrella to give Candidates and Politicians legal certainty. In addition, the law does not stipulate the obligation of political parties to win woman candidates according to the set quota limit. Thus, the absence of this obligation will make the party elites not consider reaching the 30% quota. That's because Political Parties have no legal implications.

The absence of legal implications is the same as the absence of certainty and legal protection for woman politicians who will participate in the democratic party as legislative candidates. In the context of the legislature and party membership, the determination of special quotas for women is expected to have a notable influence on the women's representation in shaping key policies. However, this quota is still often not used as it should by political parties that do not have credible and worthy woman actors, so that women's representation becomes a mere formality in order to advance in contests.

Women's quotas are often used only to meet legal requirements without involving eligible women. This reduces the effectiveness of the quota which is expected to serve as an entry point for women's proactive engagement in politics in Central Kalimantan. Women who are selected to fill the quota are also sometimes not given enough opportunities and support to demonstrate their credibility and competence.

Inequality in party support

The disparity in party support is reflected in the party's tendency to give more support and opportunities to male candidates than woman candidates, and to retain members who have already sat in legislative seats before instead of giving maximum support to all the candidates they put forward. The lack of support from political parties has a significant impact on women's political participation and even their ability to run for parliament. Many political parties prefer male candidates because they are considered to have more experience or a stronger network. This limits women's opportunities for equal advancement. Women are not given a fair chance to run for office and often do not receive adequate support from parties.

Lack of political capacity and training

Many women who want to enter politics do not have the capacity and political training. This makes them feel that they do not have the skills and knowledge needed to compete with male candidates. Adequate political training is essential to strengthen women's opportunities for political action. The lack of political education for women hinders their capacity development. A good education helps them understand the political dynamics and electoral strategies. Women need to be equipped with the right skills and knowledge to compete with male candidates. This is included in communication, negotiation, and leadership skills.

Social and Family Pressure

Women often face social pressure because of their role as housewives. When women enter politics, they will shoulder great responsibilities both at home and in politics. Many of them are expected to focus on family affairs and ignore political ambitions. The lack of support from spouses and families also often hampers women's political activism. Women who enter the world of politics often face double responsibilities, both at home and in the world of politics. This means they have to work harder to carry out both roles. Lack of support from spouses and family members can discourage women from pursuing careers in politics. Family support is essential for women to succeed in politics. As a result, this is also the biggest obstacle for women to enter politics.

Lack of representation and role models

Although some women have become members of the DPRD and political actors, their numbers are still very low. As a result, women are underrepresented as role models or potential role models when they want to pursue a political career. The lack of woman role models in politics reduces motivation and inspiration for other women to enter the world of politics. Women need successful and imitable role models. The rise in women's involvement in politics can have a positive impact on more inclusive and fair policies and decisions in the future.

Issues of Violence and Political Intimidation

Women who enter politics often face the risk of intimidation and physical and verbal violence. Political violence against women takes many forms and includes personal, humiliating, and gender-based attacks. This can weaken women's enthusiasm and courage to enter the world of politics. In politics, women often face different levels of threats and violence than men. These attacks can be personal and degrading, and can target people based on gender. The risk of violence and intimidation can prevent women from actively participating in politics. To solve this problem, proper legal assistance and protection are needed.

Social Prejudice and Sexism

Combating social prejudice and sexism that still exists is an important step. Women often face direct and indirect discrimination in the political process. Education campaigns and public consciousness regarding the significance of gender equality in political engagement can help reduce these barriers.

Increased women's representation in politics is anticipated to foster policies that promote fairness and inclusion that take into account the needs and interests of all levels of society. Joint efforts between the government, political parties, community groups and individuals are key to achieving stronger and fairer representation of women in the Central Kalimantan DPRD

Politics and Law Regulating 30% Women's representation in the Central Kalimantan Provincial DPRD

According to Padmo Wahyono, legal politics determines the form, content, and direction of the law to be formed and what will be used as a tool for criminalizing (for violation of norms) against something (constitutional). This is the basic understanding of national legal politics. administration.

According to Sudarto, legal politics is a state policy that through recognized state institutions, states what lives within society and creates the necessary regulations to accomplish the targeted objectives. According to the understanding of the experts above, legal policy refers to a set of ideas, principles, and policy principles which are legislative policies, law-making policies, policy implications, and statements of the will of the state. A policy of will. The role of legal policy is to determine the direction, form and content of laws to be established in a certain region.

The event of developing democratic legislation is not only technical but also supported by a combination of legal policies (rech politic) and legal sociology (rech sociologie). Laws made at the legal and political stages produce high-quality legal products and are supported by people's attitudes and values. The legal and political stages function to classify problems and then formulate them further by the institutions that issue legal regulations, namely the executive and legislative. This process takes place in dynamic activities, from which socially relevant laws and regulations emerge.

Whenever a law is promulgated, there is a legitimate goal that the state wants to achieve. Therefore, to achieve the purpose of the law, the entire content of the provisions and/or parts of

the law must be in accordance with the logical constitutional framework. The state does not rely solely on mechanisms based on certain doctrines.

Legal politics is a technique used by politicians to control various issues. This includes fostering a culture where the law takes precedence over other considerations and instilling principles of good governance to encourage growth in line with national goals. Whereas in the past law was considered a political product, now law is seen as a force that directs the political system in the right direction.

In the context of legal foundation policy, legal policy deals with one aspect of legal foundation. Regulatory policies are related to efforts to regulate and resolve legal problems at the macro level that have an impact on the wider community. As for what is meant by legal politics which is more aspirational in this discussion, which is basically a problem regarding the 30% woman representation in parliament, a pivotal matter tied to the 5th principle of Pancasila, which emphasizes social justice for all Indonesians. This is what must get more attention because this precept will not be achieved if parliament is not proportional.

Women's representation in general elections in the DPRD, particularly in Central Kalimantan, is regulated through proactive measures designed to boost women's engagement in the legislative process. The main provisions regarding role of women in the legislative body general election of the Central Kalimantan DPRD are as follows.

Woman representation: 30%

The Women's Affirmative Action Policy in politics was initiated through the enactment of Law No. 12 of 2003 regarding the General Election of the DPR, DPD, and DPRD section 65, paragraph 1 of Law No. 12 of 2003 regarding General Elections for Members of the DPR, DPD, and DPRD stipulates: "Political parties participating in the election may submit candidates for members of the DPR, DPD, and provincial DPRD, district/city DPRD by ensuring that each electoral district has at least 30% woman representation." The promotion of women in politics has been improved over time. This can be seen from the progress of the House of Representatives (DPR) in drafting a draft law on the political package for the implementation of the 2009 elections, namely Law No. 22 of 2007 concerning Election Organizers, Law No. 2 of 2008 concerning Political Parties, Law No. 10 of 2008 on General Elections for the DPR, DPD, and DPRD. This stipulates the provisions foster active woman involvement in the Legislative process elections as an expression of the actions of political parties to protect women's rights. Law No. 7 of 2017 regarding General Elections regulates women's representation in the candidate list for the House of Representatives. Article 245 paragraph (2) stipulates that each political party engaging in the general election must meet the provisions of at least thirty percent (30 percent) of the number of legislative candidate candidates nominated in each constituency. The article stipulates that the explanation of this provision relates to the obligations of political parties, and states that all political parties involved in the election process in legislative elections must ensure that at least 30% of the candidates for the state councils are women. This is a positive step to ensure the full participation of women in the legislature.

The 30 percent quota introduced in Indonesia clearly does not necessarily help increase women's involvement in the legislative body, especially in terms of seats. Finally, Indonesia introduced zipper system. The zipper system is a zig-zag method in the nomination of candidates for the House of Representatives listed on the ballot paper. The system will be implemented with the provision that there must be at least one woman candidate for every group of three candidates. Over the past three years, Indonesia's legislative elections have experienced ups and downs. The rise and fall regarding the level of women's representation in parliament is partly determined by existing policies. Basically, women's enthusiasm for politics will decline unless supported by efforts and policies to further elevate the proportion of women in parliament.

The purpose of this system is to increase women's involvement political choices and leadership roles, given that their representation in the legislature is still low. Furthermore, we need to advocate for gender parity in political spheres and public administration and strengthen the status of women in society. If a political party fails to comply with these regulations, it will face sanctions, including disqualification of its candidates.

Article 245 paragraph (2) of Election Law No. 7 of 2017 is an important step in efforts to enhance the presence of women in Indonesian politics. By requiring political parties must nominate at least 30% woman candidates, the goal is to create a more inclusive and representative political environment and encourage gender equality in political decision-making. However, the successful implementation of these provisions will also depend on the commitment and support of all stakeholders, including political parties, the community, and the government.

Affirmation Efforts and Other Supports

Affirmative action is a policy that aims to provide certain groups/classes with the same opportunities as other groups/classes in the same area. Affirmative action aims to curb discrimination in society. This is also affirmed in Article 4, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women. "A Member State's specific policy aimed at promoting de facto equality between men and women should not be considered discrimination. " This policy does not involve maintenance. If the purpose of equal opportunity and equal treatment has been achieved, the action should not be continued".

Non-governmental organizations can campaign for the community on relevance strengthening women's involvement in political processes. Similarly, political and voter education for women is aimed at strengthening their political consciousness and changing their political vision. In political education, the meaning of politics needs to be redefined from the perspective of women. This includes developing leadership skills. Voter education is not only about informing people about voter behavior and election monitoring, but also about the importance of meeting the 30% quota. Similarly, their advocacy skills will improve. In addition, political parties provide full support to help woman members make an attractive impression. Even after taking office, support will continue, including providing the necessary information for the work so that it can participate in non-discriminatory and gender-neutral policies and legal reforms. As part of its lobbying efforts, the government is expected to form a group of woman parliamentarians to ensure women's perspectives are taken into account in all decisions.

From a woman's point of view, politics must encompass all aspects of life, both public and private. Therefore, we must continue to encourage women's political agendas to be part of the party's political agenda. Existing political and parliamentary women's organizations must be supported. In addition, it is necessary to strengthen the influence of legislation, budget planning, and other governance control functions. Furthermore, women's representation since the emergence of affirmative action as the first step to boost representation of women within the leadership of political parties leading up to the general election outlined in laws and regulations, with various affirmative actions already in motion, especially in Central Kalimantan, namely training and political education have begun to be carried out, especially to women who have an interest in in the world of politics, especially in the legislature. Through an interview with one of the party members in Central Kalimantan, it was said that currently there are several political parties that have conducted special political training and education for their woman members so that they can be a provision when the contest period arrives. It was also mentioned that political training and education, especially for women, has become an annual work program that is routinely carried out. Apart from that, election organizers and supervisors also take an active stance in advocating for and enforcing women's representation policies in the public or society.

Affirmative action only opens the gate for women to participate, then it is the action of women that can meet the expectations of the rule. So far, the state through the election law to the KPU regulations has provided the widest possible opportunities for women. Women's involvement in the legislative process, especially Central Kalimantan, has proven to increase from period to period, but it still needs more encouragement to indeed achieve a percentage of representation.

Therefore, the importance of political education from an early age for women. This can be started by campaigning for it to parents to remote areas. Because it is the culture of education from the family that is the main milestone of women's understanding of the importance of education and politics. Central Kalimantan itself for remote areas is still rampant early marriage and school dropouts. This is a big obstacle for Women's role in the political arena in the future. Therefore, it hoped that Central Kalimantan government will pay more attention to this, the executive and legislature can work with various community institutions to help provide education to the people of Central Kalimantan, especially those in remote areas.

Looking at the political aspect of the law, it is not only fixated on the regulations, but also how to respond to the field which requires much more special actions to achieve the desired law. The emphasis and analysis of the parties who are political actors will be much easier than just rules, which are familiar with the violation of rules or just the formalities of fulfilling the rules. Maximizing the ideals of the Indonesian Nation must indeed start from educating the people, especially young people who are the successors of Indonesia as a single sovereign state in the future.

CONCLUSION

Women's representation in the Central Kalimantan DPRD is regulated by the 30% quota system established in General Election Law No. 7 of 2017, but still faces several significant challenges. A strong patriarchal culture, limited access to political education and training, and uneven support from political parties are the primary obstacles to greater political participation by women. In addition, factors such as societal pressure, lack of role models, and the risk of violence and political intimidation also contribute to women's low representation.

Legal measures regulating women's representation must be considered beyond the scope legal framework as well as in relation implementation and assistance by all parties, including political parties, society and government. Empowerment measures such as political education and training for women need to be strengthened to provide them possessing the required expertise and abilities they need to compete in the political arena.

The importance of early political education and public awareness campaigns about gender equality in politics can change existing social perceptions and norms. To enhance the representation of on Central Kalimantan DPRD, the government, political parties, and the community need to work together to create an environment that supports Active political engagement of women.

Finally, although representation of women has improved, much remains to be done to ensure that women not only have formal participation in politics but also have greater influence in decision-making. The joint efforts and strong commitment of all stakeholders will be key to achieving a more inclusive and gender-equal democracy in Central Kalimantan and throughout Indonesia.

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