RECONSTRUCTION OF WOMEN'S REPRESENTATION ACT: EXPECTATIONS AND CHALLENGES[Ω]

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Abstract

This research aims to map the level of women's representation in West Kalimantan Provincial level of parliament after the enactment of the law of women's representation. This research is a descriptive framework that was developed to reconstruct the law of gender-equitable in efforts to make the integrity election. Although the number of women who occupied the seats of West Kalimantan provincial level of parliament increased to 6 seats of the 65 seats in the 2014 election, or about 9.23%. However, the increased representation of women in parliament can not significantly be able to gives influence in the political process and existing legislation, especially to make a change in a more strategic role and gender perspective.

Key words: the representation of women, election integrity, affirmative action

Abstrak

Penelitian ini bertujuan untuk melakukan pemetaan terhadap tingkat keterwakilan perempuan di DPRD Provinsi Kalimantan Barat setelah diberlakukannya UU keterwakilan perempuan. Penelitian ini merupakan kerangka deskriptif yang dikembangkan untuk merekonstruksi UU keterwakilan perempuan yang berkeadilan gender dalam upaya mewujudkan pemilu yang berintegritas. Meskipun jumlah perempuan yang menduduki kursi DPRD Provinsi Kalimantan Barat meningkat menjadi 6 kursi dari 65 kursi dalam Pemilu 2014, atau sekitar 9,23%. Namun meningkatnya representasi perempuan di parlemen belum tentu secara signifikan mampu memberikan pengaruh dalam proses politik dan perundang-undangan yang ada terutama perubahan peran yang lebih strategis dan berperspektif gender.

Kata kunci: keterwakilan perempuan, pemilu berintegritas, tindakan afirmatif

Introduction

Increasement of women's representation number is still far from the rate 30% as the minimum number of critical (critical minority) of women's quota. The enforcement of quota system was a Temporary Special Action (Affirmative Action) that is done to encourage awareness of the increase in the representation of women in the quantity[1]. Temporary Special Action is not discriminatory actions, but only temporary until a minimum quota of 30% representation of women in Parliament are fulfilled. Masruchah explains the purpose of affirmative action is to speed up the equation of the position and fair condition for groups that are marginalized and weak in social politics.[2] The succeed of these efforts indicate that opportunities for women were selected as members of Parliament are increasingly open. At the time of the goal of equality and Justice has been reached, then the Temporary Special Action had to be stopped.

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1 Umaimah Wahid, "Women and Political Power in Pemilukada DKI Jakarta 2012", *Journal of communication* vol. 29. 1, 2013, Kebangsaan Malaysia University, page 93.

2 Masruchah, "Partisipasi Perempuan dalam Politik di Indonesia," on *Catatan Perjuangan Politik Perempuan, Women's Journal*, No. 63 2009, Jakarta: Jurnal Perempuan Foundation, page 116.

Involvement of women is expected to bring a new perspective in the political process and the determination of priorities on issues which will be discussed[3]. The dynamics of women's struggle in the Parliament must be able to respond critical issues that developed in society. As for the critical issues that are most important are the efforts of stucturing reconstruction of the institutional until the political decision to grab power through elections that are equitable and sustainable[4].

Increased representation of women is a consequence of the commitment of women in the political run even though it is still ignored by both women itself and country[5]. Representation of women has important meaning so that the representation of women in Parliament is able to make the effort of renewal of the substance, structure and culture legislation[6]. The strategic function of women representation in Parliament is becoming the catalyst of several different women's point of view in looking at the issues of humanity, society, welfare and gender issues is expected can give influence in the process of drafting the legislation.

The Problems of Research

Based on the background, there are two problems that are discussed in this article. *The first,* how the model legislative candidate recruitment of women and dynamics of women's representation in West Kalimantan province in the legislative elections 2014. *Second,* how government strategies in creating representation of women that gender equitable.

Research Methods

This paper is the result of the qualitative research which became a reference point to do the reconstruction act of women's representation that have been implemented, especially in an attempt to increase the politics capacity of women's legislative members in West Kalimantan. The study is the evaluation of women's organizations role, the organizations and political parties and Government policies related to women's representation in Parliament.

This research used the constructivism paradigm with the qualitative approach, case analysis, and *diaklektik*. Determination and collection of information sources using the snowball technique (snow ball). The author does an interview with Muhammadiyah, Aisiyah, Council of Indigenous Malay and Dayak Adat Board concerned with their perception of politics and the involvement of women in politics. The author also did interviews to some Political Party such as Chairman of DPW Hanura, DPW Secretary PAN of West Kalimantan and Chairman of DPP Golkar.

The author uses interview guidelines drawn up openly making it possible to run the inspection (probing). This probing technique help the informant to adduced the opinion about what they feel, see, hear, read or do with regard to the implementation of the legislative elections 2014 and women's representation in politics that became the main object of this research. The authors do a quality test data to achieve the validity of data in order to be accountable to do direct observation activities before the legislative elections, in the time of voting and during the recapitulatin at the level of political district, subdistricts and regency.

Based on the results of the interviews and secondary data about the program provisioning and recruitment patterns of cadres of the party that the writer got from internet search data, the authors map out political education model has been applied. After that, data is reduced especially relevant to the purpose of the research then do categorization. The next step is doing the interpretation and conclusions of research

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[3] Marhumah, "Konstruksi gender, Hegemoni Kekuasaan Lembaga Pendidikan", *Karsa Journal,* Vol. 19 No. 2 2011, Sekolah Tinggi Agama Islam Pamekasan, page 167-182.

[4] Heru Nugroho,"Demokrasi dan Demokratisasi Sebuah Kerangka Konseptual untuk Memahami Dinamika Sosial Politik di Indonesia", *Pemikiran Sosiologi Journal,* May V 1 no 1 2012, Yogjakarta: Sociology Social and Political Science Faculty of UGM, page 2.

[5] Suryatmojo and Didik Gunawan Suharto, "Perempuan dan Partai Politik (Studi Analisis Keterlibatan Wanita dalam Partai Politik di Kota Surakarta)", *Spirit Publik Journal*, Vol. 5 No 1. April 2009, Social and Political Science Faculty USM, page 45.

[6] Sulistyowati Irianto and Titiek Kartika Hendrastiti, 2010, *Buku Panduan tentang Gender di Parlemen,* Jakarta: Sekretariat Jenderal DPR-RI and UNDP, page 38.

results. The results of this research became reference for reconstruction of political education model that has been implemented, especially in an attempt to increase the capacity of women's legislative politics in West Kalimantan.

Discussions

Women's Representation in Parliament Mapping

In general the description of women's representation in Parliament in the 2014-2019 period could not be categorized as a representation of gender, which significantly able to make changes.[7] There are still many issues of women and gender, which is not fully fought in the discussion of a bill yet. There are four indicators used to assess whether the involvement of women in the Parliament was positively im-pact or favors the interests of women or not. The four indicators of gender perspective representation such are: *first*, are there any changes of institutional/procedural that result regulation more hospitable to women; *second*, are there any changes representation including action in Parliament designed to put women in important positions in the Parliament; *third*, are there any changes to the output, that are born of laws or regulations which accommodate the desires of women (gender sensitive), and *fourth*, are there any change of discourse until, making politics as a reasonable attitude and create greater access to the media and public[8].

The current parliamentary women's representation is still included in the classification of the functional Representation (identity). The presence of women parliament have not been able to give a significant impact on the existing political process. Even still many women parliament that new learn and understand the issues of women and gender, while in Parliament. The following are the findings and analysis related results the votes and acquisition seat of the election 2014 in West Kalimantan.

Generally these findings indicate that a majority of voters choose parliamentary candidates are male rather than female. The percentage of female parliamentary candidates vote tally only reached 14.9%, while the percentage gain male vote reached 67.2%. This data is increasingly clear that parliamentary candidates are male dominated the vote.

Based on a comparison of the data acquisition of female vote in 2009 election, an increase in the acquisition of female vote is just 1%, that is from 13.9% (2009) to 14.9% (2014). In addition the majority of voters choose parliamentary candidates name. The data shows only 17.9% of votes are choose party and it means 82,1% vote choose the parliamentary candidates name. Neither PDI Perjuangan to obtain the highest votes, majority choose name party only 19.2% of the vote, the rest 64,8% of votes choose man parliamentary candidates, and 16% choose female parliamentary candidates. As for the highest female vote on West Kalimantan choose's region 2 (Pontianak Regency and Kubu Raya Regency), lowest in West Kalimantan choose's region 4 (Sambas Regency). More details are described in 2nd table below.

Based on table 2, of the 55 women who occupy the legislative seat, 20 people is a petahana parliamentary candidates who had been a member of the legislative work for the 2009-2014 period. As for 5 persons from 13 parliamentary candidates elected from PDIP are the incumbent parliamentary candidates. Each of the 3 person parliamentary candidates of Nasdem, Golkar and Demokrat parties who were elected is Petahana. Gerindra party also has 2 women parliamentary candidates who occupied the legislative seats this year. Each 1 petahana person of Hanura, PKPI, PKB and the MCC parties also returned to occupies the legislative seat.

Based on the results of 2014 period legislative elections from 55 women elected, also known that 6 women members of the province legislative has a network of kinship (wife, sister,

[7] Nuri Soeseno, "Perempuan Politisi dalam Partai Politik Pemilu 2014: Keterwakilan Deskripitf vs Substantif", *Women's Journal,* Vol. 19 No. 2 May 2014, Women's Journal Foundation Jakarta, page 96-97.

[8] Ani Widyani Soetjipto, 2009, Perempuan Dan Keadilan Demokrasi di Indonesia, Pengantar Dalam Potret Keterpilihan Perempuan di Legislatif Pada Pemilu 2009, Jakarta: Puskapol UI, page 60.

Tabel 1 Percentage Comparison of the Vote Tally Female Candidates in The Parliamen-tary Elections of 2009 and 2014

Selection Area	% Vote of women parliamentary candidates election 2014	% Vote of women parliamentary candidates election 2009	Description
WEST KALIMANTAN 1 (Pontianak City)	13.5	15.2	Decrease
WEST KALIMANTAN 2 (Kubu Raya Regency and Pontianak Regency)	16.7	17.2	Decrease
WEST KALIMANTAN 3 (Bengkayang Regency and Singkawang city)	19.3	10.4	Increase
WEST KALIMANTAN 4 (Sambas Regency)	11.9	14.5	Decrease
WEST KALIMANTAN 5 (Landak Regency)	15.4	10.0	Increase
WEST KALIMANTAN 6 (Sanggau Regency and Sekadau Regency)	13.1	17.2	Decrease
WEST KALIMANTAN 7 (Sintang Regency, Melawi Regency and Kapuas Hulu Regency)	13.9	8.1	Incresase
WEST KALIMATAN 8 (Ketapang Regency and Kayong Utara Regency)	17.0	14.7	Increase

Resources: West Kalimantan Election Commission 2014 and Gemawan 2014.

Table 2. Number of Females and males in the Provincial and Regency/City in West Kalimantan.

Selection Area	Number of Seats	Males	Females
Province	65	59 (90.77%)	6(9.23%)
Pontianak City	45	38 (84.44%)	7(15.56%)
Pontianak Region	30	26 (86.67%)	4(13.33%)
Kubu Raya Region	45	40 (88.89%)	5(11.11%)
Kayong Utara Region	25	23 (92.00%)	2 (8%)
Sekadau Region	30	30 (100%)	0
Sintang Region	35	33 (94.29%)	2 (5.71%)
Sanggau Region	40	36 (90%)	4 (10%)
Singkawang Region	30	27 (90%)	3 (10%)
Bengkayang Region	30	27 (90%)	3 (10%)
Kapuas Hulu Region	30	27 (90%)	3 (10%)
Sambas Region	45	41 (91.11%)	4 (8.89%)
Melawi Region	30	28 (93.33%)	2 (6.67%)
Ketapang Region	45	41 (91.1%)	4 (8.89%)
Landak Region	35	30 (85.7%)	5 (14.29%)

Resources: West Kalimantan Election Commission 2014 and Gemawan 2014

or sister-in-law) and Government officials, Regent, and former Regent. This data is increasingly clear that one of impacts of the women's representation Act being half-hearted is a political dynasty spreads and a decrease in the quantity of women's representation[9].

Government's Role in Increasing Women's Representation in Parliament

Confront of legislative elections 2014 preparation, Government issued law No. 8 year 2012. Same as the previous law products, in this Act, the Government also set up a repres-entation of women (minimum 30%). To support this

[9] Anita Dhewy, "Peran Politik Perempuan dalam Pemilihan Legislatif dan Pemilihan Presiden 2014", *Women's Journal, V*ol. 10 No. 03 August 2014, Jakarta: Jurnal Perempuan Foundation, page 102-103 and Nur Imam Subono Iman, "Tokoh Politik Perempuan di Asia: Dinasti Politik atau Representasi Politik Perempuan?" in *Catatan Perjuangan Politik Perempuan*, *Women's Journal*, No.63. 2009 Jurnal Perempuan Jakarta Foundation, page 87.

Act, Election Commission also has made Regulation (PKPU). There are three rules that support the representation of women in the legislative sphere.

The first, PKPU No. 7 Year 2013. This rule affirms members nomination system of the legislative and about the nomination of women's legislative member. This rule affirms some things like: quota minimum 30 women in each area selection (dapil) and the order of the placement list where women prospective candidates in each of three (3) prospective candidates should have 1 (one) women prospective candidates. There are sanctions imposed for political parties that are not running the provisions that is cancelled its participation in legislative election.

Second, PKPU No. 15 Year 2013, about campaign guidelines. The important points in this rule is the existence of restrictions on the installation of billboards or banners. Billboards or banners installed in order to campaign, is not allowed to load images (faces) parliamentary candidates but only a picture of his political party. In addition, the regulation also contains rules concerning the limitation of props. It is considering, that sometimes the female parliamentary candidates don't have the same capacity in provision of campaign funds with male parliamentary candidates.

Third, PKPU No. 17 Year 2013, about campaign finance reporting. Learning from the experience of the previous legislative elections 2009, rules regarding campaign finance restrictions doesn't exist in the legislation. This has an impact on the parliamentary candidates who spent much of the campaign funds so that through this PKPU No. 17 year 2013, Election Commission set about the limitations of campaign funds.

Based on the PKPU, every parliamentary candidates allowed to accept donations from 4 side, that are individuals, groups, companies and/or non-government entities. Individual party, limit their contribution is an amount of 1 billion rupiahs, while for groups, companies or business entities of the Government is limited a maximum of 7.5 billion rupiahs. The existence of these regulations, are expected to minimize increasing number of wild politics dispute in Indonesia. This is because dispute doesn't only happen in the political landscape of a political party, but an individual within the party. Female parliamentary candidates who are new to the process dispute politics can be a bit protected by the existing campaign finance restrictions that are set in the PKPU.

Law No. 8 year 2012 about elections, there are six chapters that set about 30 percent representation of women in elections. The Article are: *first*, Article 8 :(1) Political parties may become Participants of the election after fulfill the requirements: (d) include at least 30% representation of women at the management of the central-level political party; *second*, Article 15: Requirements document as referred in Article 14 paragraph (3) includes: (d) certificate from the Cen-tral Executive Board of the political parties about the inclusion of women representation at least 30% in accordance with the legislation; *third*, Article 55: The list of prospective candidates as stipulated in article 53 contains at least 30% representation of women; *fourth*, Article 56: (2) In the list of prospective candidates as referred to paragraph (1), every three (3) prospective can-didates there is at least one (1) women prospective candidates; *fifth*, Article 58: (1) Election Commission (KPU) verifying the completeness and correctness of the document requirements administration of the prospective canditates members of DPR and verification against amount fulfilling at least 30% representation of women, (2) The Provincial Election Commission (KPU) erifying the completeness and correctness of the document requirements administration of the prospective canditates members of DPRD province and verification against amount fulfilling at least 30% representation of women, (3) Regency/city Election Commission (KPU) verifying the completeness and correctness of the document requirements administration of the prospective canditates members of DPRD regioncity and verification against amount fulfilling at least 30% representation of women; and *sixth*, Article 59: (2) In terms of a prospective candidates list do not contain at least 30% (thirty percent) of the women representation, then the

Election Commission, the Election commission of the province and the Election Commission of the Regency/City, gives the opportunity to the political parties to correct the list of prospective candidates.

The presence of women representation Act turned out to give an increase of parliamenttary candidates percentage are significant enough. The ACT succeeded in forcing political parties to fulfill the quota of women (minimum 30%). Reflected in the number of female parliamentary candidates in DCT (list of Candidates) to DPR RI, DPRD Prov and Regency/City 2014-2019 period to reach the figure of 30-34.25%. Related with affirmative action policies that are contained in the Election Law No. 8 year 2012 concerning the representation of women, as well as some of PKPU that manage the candidacy, campaign finance restrictions, and the guidelines of the campaign, in fact already accommodate a chance women parliamentary candidates.

According to the substance of the Act author and some of these rules are better assessed and elaboration once again in accordance with the experiences (constraints women parliamentary candidates) in the previous legislative election. It should be also conducted supervision and application of the policy or the regulation. Supervision of the policy can be conducted by KPUD provincial level and Election Commission and society (both by the general public, or civic organization). Besides Election Commission and KPUD should do more intense in conducted socialization Election Commission and KPUD regulations made in order to improve the representation of women in politics.

Obstacles and Challenges of Elections

The research of Partini in Yogyakarta explain there is still an opinion from elite party that female parliamentary candidates do not have sufficient capacity to move forward as a people's representative and the presence of female representation Act only as a means of satisfy the quota of parliamentary candidates without preparing female parliamentary candidates optimally.[10]

Referring to the law about elections, then there are many challenges to fight for representation of women in the elections 2014. The first challenge is that clearly not 30% women representation is guaranteed in the list of Candidate Remains. The second challenge in the 2014 elections is political parties may sub-mit their legislative candidates at most 100% (before that 120%) and must fulfill the inclusion of female legislative candidates as much as 30%. The list of candidates is determined based on the number sequence and each of the three candidates there is at least one female. The third challenge is the elected candidates are assigned based on votes. The fourth challenge, political parties must reach the required threshold gain votes (3.5% 2.5%) of the votes valid national in order to be included in the determination of the seat of DPR, provincial DPRD & Regency/City DPRD (in the past only DPR).

Related with recruitment process which still not optimal party cadres became the main reason why the constraints women parliamentary candidates in legislative election previously assessed appeared back in this legislative election 2014[11]. Based on the statement that must be considered by the party is: *first*, managing the recruitment process of party. Political parties are expected to not only recruit a candidate just based on occupations such as celebrity and socialite who already have popularity in the eyes of the public, and businessman who has obvious economic capital that qualified.

Second, provide political education that adequate for female parliamentary candidates[12]. One of the main functions of political parties, is to provide political education for the community. Although the political parties in In-

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[10] Partini, "Partisipasi Perempuan DALAM Praktik Kewarganegaraan di Indonesia", *Jurnal Perempuan*, Vol. 19 No. 2. May 2014, Jakarta: Women's Journal Foundation, page 29-45.

[11] Shelly Adelina and Ani Soetjipto,"Kepentingan Politik Perempuan dalam Partai: Strategi Gender", *Women's Journal*, Vol. 19 No. 2 Mei 2014, Jakarta: Women's Journal Foundation, page 58-63

[12] Achmad Soeharto, "Urgensi Pendidikan Politik Bagi Perempuan", *Journal of Muwazah,* Vol. 3, No. 1 July 2011, STAIN Pekalongan, page 329.

donesia, is still not able to do this maximally (to the public), at least the party must provide political education to cadres of the party or parliamentary candidates that they proposed. The basic political education and gender perspective can be made by party with instilling an understanding about legislative function, the role of women in politics, and campaign strategies, and funding.

Related with politics party recruitment and education process, political parties are expected to not put affirmative action policy only as a condition, or in a procedural level to fulfill the quota of women in representative quantities or quantity of representative women in fulfilling quota of administrative according instructions from Election Commission (KPU). The fulfillment of quotas for women in politics should be followed by an adequate quality of women, though still reject the deal 30% quota and there is still a political elite that unwilling support the kouta.[13]

The division of roles and the synergistic cooperation between political parties, women in Parliament and the Executive, women's movements/civil society, donor agencies, Governments and the media that will be important for reasons: *first*, political parties should strive to create a fair system of cadre recruitment and transparent and giving priority to women cadres, make the effort of awareness and enlightenment of the gender perspective to all over the Executive Board and members of political parties; *second*, women members of Parliament need to build an effective political communication with their constituents so that accountability and transparency of their performance can be measured their constituents so as to increase public confidence towards the political commitment of the members of women Parliament.

Third, the need of intensive cooperation and consolidation between movement of women and civil society with women parliamentarians especially related to the movement of struggle for women's political agenda; *fifth*, constructing and identifying local political map; *sixth*, the need for support and active participation of academics institutions/colleges and other institutions sponsor by conducting training program and counseling or socialization to increase community awareness about the importance of women voters and the role of women in legislative and Executive.

Seventh, build equal partnerships among women's groups with members of male and female Parliament in order to have an understanding, ideology and the same courage to fight for women's issues; *eighth*, the Government at the central level and areas such as The Ministry of the Interior, The Ministry of Women Empowerment and Child Protection, the Ministry of Education and Culture Together with Provincial Kesbangpol, City Government, colleges and other related service at the local level must have the commitment and political will to encourage policies and programs that are gender sensitive; and *ninth*, the strategic role of the media to build public awareness of the importance of women's representation and discourse of the female figures in the community, Government and politics so that better known community.

Based on what's been presented, it should be attempted to rebuild the women's Caucus in each region as well as other social net-works with a commitment to combat money politics by performing political awareness for the community. The role of the Agency and Election Committee need to be strengthened again and invite community participation in overseeing the process from beginning to end (from the preparation of the elections, calculation and until the determination)[14].

Infraction in any form either done by parliamentary candidates, election organizers or community need to be given a sanction. The neutrality of the Government, police and TNI is also important in tackling these infraction. Based on what has been described above, the im-

[13] Umaimah Wahid, "Perempuan dan Kekuasaan Politik dalam Pemilukada DKI Jakarta tahun 2012", *Journal of Communication,* Vol. 29 No. 1 2013, Kebangsaan Malaysia University, page 92.

[14] Oka Mahendra, "Kampanye Pemilu 2014 Sebagai Bagian dari Pendidikan Politik Masyarakat", *Journal of Indonesia Legislation, V*ol. 9 No. 4 December, 2012, Kemenkumham Jakarta, page 549.

plementation of the election next year need to be considered together to be a political education agenda that educate, empower and implemented with cheap good for organisers (state) as well as for the contestants.

Closing

Conclusion

The issue of women's representation is very complex. In the sum is indeed still required an increase in the representation of women, because only in a significant number of female voice can be heard among the majority. The struggle of Women's parliamentary representation, not just an effort about an increase in the number of representations, but also in the quality. The achievement of gender equality is not always due to the number of women who are in Parliament, but more on the strategic role that can be performed.

The women's parliamentary representation in Indonesia and West Kalimantan has not been able to deliver significantly influence in the political process and the existing legislation. In categorization, the representation still enter functional representation level, with the fulfillment of the expectations grew *belief* and inspiration to encourage an increase in the quantity of women at next election. The representation of women is still should be improved in quality, to make it more substantive, strategic and apparent gender perspective. With that increasement, expected to be achieved on equality and gender justice through the functions of the Parliament in Indonesia and particularly in West Kalimantan.

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