

Implications of Low Women's Representation: Strategies and Challenges Towards Gender Equality in Indonesian Politics

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ABSTRACT

In Indonesia, pervasive discrimination against women prompts this legal research to scrutinize the significance of women's presence in parliament. Cultural and structural barriers fuel gender inequality, rooted in patriarchal norms and religious doctrine. Laws restricting women to domestic roles and regional regulations further compound these challenges. Employing a multifaceted approach—analyzing statutory rules, exploring expert opinions, and studying relevant cases—the research focuses on women's representation in parliament. Cultural biases and structural discrimination are addressed, calling for a comprehensive strategy involving legal amendments, societal paradigm shifts, and political party reform. Gender quotas, such as affirmative action, are proposed to boost women's political participation. Success relies on sincere commitment from political entities and society, aiming for a democratic, inclusive Indonesia free from gender discrimination. This approach seeks to create a space for diverse citizen needs, embodying principles of democracy and equality.

Keywords: Women's Representation; Gender Equality; Politics of Indonesia.

1. Introduction

Politics is a series of activities in a political system or country that involves the decision-making process to determine system goals, set priorities for these goals, and formulate general policies to achieve these goals (Swara, 2023). Therefore, the political realm is the primary access for women to achieve the desired changes (Israpil, 2017). Politics is fundamental in fulfilling other rights because if women's political rights are neglected, their rights in other fields, such as education and health, can also be threatened (Lestari, Fathani, & Damin, 2023).

Women in various parts of the world, including Indonesia, are fighting to gain their political rights. Initially, this struggle only focused on voting rights in general elections. Still, over time, the battle developed into demands for active involvement in practical politics,

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including the right to be elected and hold positions in parliament to influence the policy formation process (Revilliano, Prasetya, & Diva, 2023).

Even though Indonesian women's struggle for political rights began before independence, the question is, after 79 years of independence, have Indonesian women achieved an equal position in the world of politics? Even though more than half of Indonesia's population are women, their representation in parliament is still not equal. Of the 203 million voters in the 2024 election, around 101 million are women. Even though women's representation in the DPR has increased, data shows that in the 2019 elections, only 20.5% of DPR members were women, which then grew to 21.39% after the change of members in 2021. Women's representation in the DPD is, at most, the affirmative target of 30.4%; however, at the Provincial and Regency/City DPRD levels, women's representation still needs to be below 30%. Despite these improvements, challenges still need to be overcome to achieve more equal and significant representation of women in Indonesian politics (Kulsum, 2024).

Demographically, the female population in Indonesia is greater than the male population. The same thing also happens with voter turnout, where female voters are more significant than male voters (Kiftiyah, 2019). However, there needs to be more disproportionality in the representation of women in parliament compared to the number of residents and female voters they are supposed to represent. In this context, it can be seen that women are considered under-represented while men are over-represented in Indonesian political life (Fitri, 2016).

This under-representation of women is caused by several factors, including women's limited access to information and political issues, as well as a level of political awareness that needs to be improved. To overcome obstacles to women's representation in politics, many countries have adopted affirmative action policies, primarily through quota systems. In Indonesia, this policy has become a hot topic of discussion in recent years (Rakia & Hidayat, 2022).

First introduced in Law Number 12 of 2003 concerning General Elections, the affirmative action policy with a quota system has yet to achieve maximum results. This rule was included in the replacement law, Law Number 10 of 2008, concerning General Elections. Changes in this law aim to create healthy, participatory competition with a higher level of representation and guarantee equal opportunities for all citizens without discrimination (Lambertus, 2017).

Similar principles are also implemented in Law Number 2 of 2008 concerning Political Parties as part of efforts to increase gender equality and leadership of political parties in the national system. Although the law reflects an effort to accommodate changes in society, many parties argue that further changes are still needed to keep up with societal developments and dynamics. Several reforms related to increasing gender equality and political party leadership are expected to reflect the new paradigm in line with the development of democracy in Indonesia (Dheway, 2019).

It is important to note that the issue of women's involvement in politics and the adoption of affirmative action laws emerged after the New Order era, especially during the reform period after the fall of President Soeharto. Suharto's authoritarian government during the New Order was criticized for limiting human rights, including women's political and economic rights. The post-reform period created momentum for strengthening women's political rights by issuing laws regulating affirmative action. This is considered a response to the history of restrictions on women's rights during the New Order era (Arawi, 2022).

According to International IDEA, at that time, women in Indonesia experienced deficient representation at various levels of decision-making and influence, and their access to resources and facilities was unequal, so they could not have and obtain equal rights and opportunities. Post-New Order progress can be seen in the reform agenda, which covers various areas, such as constitutionalism and the rule of law, regional autonomy, civil-military relations, civil society, governance reform and socio-economic development, gender justice, and religious pluralism.

Implementing gender justice as part of the reform agenda provides new hope for women to strengthen their citizenship rights. It is essential to ask why gender justice and equality are necessary. Some of the benefits of achieving gender justice and equality include: (1). Prosperous development will be more easily achieved if every individual, as a citizen, makes a good and balanced contribution. (2). Development can progress more quickly because every citizen actively participates in activities to improve the lives of the family, community, nation and state. (3). Implementation of law, justice and protection of human rights can occur fairly and harmoniously. (4). Improving the quality of human resources can be implemented well,

enabling every citizen to compete with the global workforce. (5). The population's productivity is better because men and women can work to help each other (in synergy) (Soetjipto, 2005).

Even though the reform period is considered a step towards supporting women, Indonesia has gone a long way in efforts to empower women through laws. Many international conventions have been ratified, and laws and regulations were formed on Indonesia's initiative, although not all of these legal products contain calls for implementing affirmative action. Even though there are efforts to protect women from being marginalized before the law, the results are not very significant in increasing women's representation in parliament. Constitutional Court Decision Number 22-24/PUU-VI/2008 is considered one of the obstacles to implementing affirmative action. Even though the percentage of women's representation has increased, this decision does not support women because it thinks the political law package that guarantees women's representation could be more effective. The 'from upstream to downstream' design mechanism, expected to support affirmative action, still needed to be implemented, and the women's representation target of 30% was not met, only reaching 18.10% (Cahyadi & Danardono, 2009).

Women's participation in politics is considered necessary because they have special needs that only women themselves can understand. The lack of women's voices in the formation of legal instruments is deemed to maintain gender inequality. Therefore, this action is not just a woman's but a humanitarian demand. Political rights are women's rights, and their presence in policy-making institutions such as parliament is considered to produce policies that are more responsive to women's interests. As a matter of human rights and social injustice, empowering women and achieving equality is considered not just a women's issue but in the interest of all. Therefore, research on affirmative action by giving a 30% quota to women is considered necessary.

In the context of Indonesian political dynamics, there are deep issues related to the low representation of women in parliament. This research aims to explore and analyze the impact of patriarchal values and structural discrimination that hinder women's active participation in the political realm. The primary motivation for this research arises from the desire to understand more deeply the persistence of patriarchal values and how this gives rise to structural discrimination, which in turn affects women in various aspects of life.

The urgency of this research is closely related to efforts to create a more democratic Indonesia, where every citizen, including women, has an active role in the decision-making process. A more significant role for women in parliament is critical to achieving this goal. Therefore, this research critically discusses the urgency of increasing women's representation in parliament as a step towards a more inclusive and just society. This research seeks to provide conceptual and practical contributions in the context of gender-responsive legal development in Indonesia. Through an in-depth understanding of the obstacles faced by women in the political realm, this research aims to provide a basis for formulating policies that are more inclusive and promote women's empowerment.

Apart from that, this research also offers alternative solutions through optimizing the implementation of affirmative action, including gender quotas and increasing the role of political parties in affirmative policies. Thus, this research seeks to document the problem and provide constructive views on increasing women's representation in parliament through concrete steps. By understanding the impact of patriarchal values, structural discrimination, and the urgency of empowering women in parliament, it is hoped that this research can make a significant contribution in the context of developing a more inclusive and democratic society in Indonesia.

2. Theoretical Framework

2.1. Women Representation in Politics

According to the Big Indonesian Dictionary (KBBI) definition, representation refers to the thing or state of being represented. Article 46 of Law Number 39 of 1999 explains women's representation in the political context, which states that this gives women equal opportunities and positions to carry out their roles in various sectors, including the executive, judiciary, legislative, party, and general elections. , to achieve gender justice and equality.

By detailing this definition, it can be concluded that women's representation in the political realm includes situations where a woman participates and is involved in political activities. Women, as citizens, have political rights that enable them to be involved in government to defend and develop their interests. However, the dominance of patriarchal ideology that has developed in an established way means that women are often ignored in the

context of the political world. The results of research conducted by Pamela Paxton and Sheri Kunovich show that the influence of patriarchal ideology is even more potent than the political system itself on the level of women's political representation.

Women's demands for proportional representation, that is, for the number of women in decision-making to be in line with the proportion of their membership in the population, are often met with arguments that men adequately represent women, especially as heads of families. The view that women have interests different from their families is generally not considered. However, this desire often conflicts with the reality that women are diverse in various aspects. It is sometimes forgotten that there are common interests felt by all women, regardless of their social class, such as issues related to reproductive function and the existence of laws that determine women's gender roles. As a general norm, the law certainly applies to all women without exception (Paxton & Kunovich, 2003).

The United Nation-Center for Social Development and Humanitarian Affairs explains five basic arguments regarding the importance of political participation, which are also the basis for demanding increased representation of women in political institutions, including (Paxton, Hughes, & Green, 2006): (1). Democracy and Egalitarianism, At least half of the population are women and must be represented proportionally. Recognition of women's rights as full citizens must be reflected in their effective participation at various levels of political life. True democracy cannot be achieved if women are excluded from political positions. (2). Legitimacy : Low representation of women can harm the legitimacy of a democratic system because it alienates elected representatives from female voters. Unequal political decisions between men and women can raise public doubts about the representative system. As a result, women may reject laws or policies formulated without their participation, as was the case with the Declaration of Sentiment at Seneca Falls in 1848, which stated that the US Constitution was invalid because women were not involved in its creation. (3). Differences in Interests, Women are conditioned to have different social roles, functions, and values, so they have different needs. The current composition in politics often needs help to voice and defend their interests. (4). Political Change : Some signs suggest that female politicians could shift the political limelight if there are enough of them. The presence of women in the world of politics expands the scope of political issues, such as child care, gender issues, and family planning, which were previously considered a private sphere and are now regarded as political problems. (5). More Efficient Use of Human Resources: Women's biological and social roles have a significant impact on the national economy, both through paid and unpaid labor. Excluding women from positions of power and representative institutions can harm public life and limit the development of a just society. The political process becomes more effective with the full representation of women in decision-making (Paxton et al., 2006).

2.2. Gender equality

Gender equality is often considered a "sacred" concept and is usually expressed by various parties, including social activists, feminists, politicians, and even state officials. In practice, gender equality is often interpreted as a condition of inequality experienced by women. Therefore, gender equality is often associated with terms such as discrimination against women, subordination, oppression, violence, and the like (You, 2019).

Gender equality can be interpreted as a condition where women and men enjoy equal status and have the same conditions to fully realize human rights and development potential in all areas of life. Gender equality also includes identical conditions for men and women in obtaining opportunities and rights as human beings so that both can play a role and participate in political, legal, economic, social, cultural, educational, defense, and security activities. The absence of discrimination between women and men regarding access, opportunities, participation, and control over development characterizes the realization of gender equality and justice. Complete control over decision-making, use, and results of resources with the principle of gender justice means eliminating role freezing, double burdens, subordination, marginalization, and violence against women and men (Adnyani & Rusadi, 2023). Hamid Fahmy Zarkasyi tends to use the concept of gender harmony rather than gender equality. Gender equality is defined as the division of roles between women and men in accessing, participating in, controlling, and obtaining development benefits in all areas of life. This principle emphasizes that the division of roles must be carried out without ignoring the nature and identity of gender, in line with culture, religion, and community beliefs.

In the context of equality or partnership, Hamid Fahmy Zarkasyi refers to the view of the Koran, which places women in an equal position with men, with several main points, such as

general statements about equality, equality of origin, the position of humans in doing good deeds, the right to mutual love, the right to justice and equality, and the right to educational opportunities. Islam is recognized as a religion that acknowledges the existence of physical-biological differences between men and women. Still, these differences are not intended to glorify one gender and demean the other.

2.3. Affirmative Action and Women's Quotas

Affirmative, or what is known as positive discrimination in Europe, refers to policies that aim to spread access to education or employment for socio-politically non-dominant groups, especially minorities or women, based on their history. Affirmative action aims to reduce the effects of discrimination and encourage public institutions such as universities, hospitals, and police to reflect the diversity of the population better (Beaton & Tougas, 2001).

Action steps or specific actions in the Women's Convention include efforts to achieve equality in opportunities and treatment for women and men and accelerate factual equality between the two. Support for affirmative action is also reflected in Article 46 of Law Number 39 of 1999 concerning Human Rights, which emphasizes the need for women's representation by specified requirements.

Women's representation in political party management is guaranteed by Law No. 8 of 2012 concerning the Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council (Legislative Election Law). This law stipulates that political parties must nominate a minimum of 30% women as legislative candidates, with support from General Election Commission Regulation Number 7 of 2013 concerning the Nomination of Legislative Members.

Establishing a quota system is considered an affirmative action that can increase women's participation in legislative institutions. Implementing a quota system is hoped that women's positions can be better represented, and the resulting decisions can support women's involvement in politics and the economic, social, and cultural fields. Many countries, such as South Africa and India, have seen this policy succeed in increasing the political role of women in parliament.

3. Method

The type of research carried out is normative-empirical legal research. That normative-empirical legal research, or applied legal research, involves normative-empirical legal case studies, which include legal and behavioural products (Fajar & Achmad, 2010). This research refers to written favourable legal provisions applied to concrete societal events. Therefore, this research involves two stages of study: first, a survey of the applicable normative law, and second, an application to factual events to achieve specific goals. Such implementation may involve concrete actions and legal documents. This research utilizes a combination of these two stages of study, which requires secondary and primary data (Muhdlor, 2012).

This research can be categorized as descriptive research, which aims to provide data as precisely as possible about people, conditions or other symptoms. In this perspective, research is also an effort to obtain suggestions for solving specific problems, as explained (Soekanto & Mamuji, 2013). The analysis of this research is based on deductive logic, where researchers will examine the problem formulation by referring to applicable legal norms and rules. This process involves a detailed explanation of the problem formulation, followed by preparing a legal solution based on the research findings. To support the normative aspects of research, researchers also need to consider the possibility of collecting field data to explore the formulation of the problems faced (Muhdlor, 2012).

The approach that is relevant to this legal research is the statutory regulatory approach, namely by studying statutory regulations that are relevant to the problem being discussed and the conceptual approach that examines expert views related to the main problem being discussed as well as the case approach, the approach to which the cases are studied to obtain an overview of the impact of the normative dimensions of a legal rule on legal practice and to use the results of the analysis as input for legal explanations (Irwansyah, 2021).

4. Results

4.1. Implications of Low Representation of Women in Parliament

The importance of women's representation in parliament is not limited to understanding women as a gender category but must be interpreted as a gender identity. The concept of affirmative action emphasizes that a gender perspective can significantly influence the process

of policy formation in parliament. In Indonesia, the lack of women's representation in decision-making institutions, such as parliament, has resulted in regulations that support structural discrimination that increasingly excludes women from the public sphere. These policies have a tangible impact on various aspects of women's lives, as explained below (Soetjipto, 2005).

The importance of implementing affirmative action can be seen from the current condition of Indonesian women who still face various forms of discrimination, both from a cultural and structural perspective, which ultimately affects the lives of women in multiple sectors. Which is influenced by several things below

a. The persistence of patriarchal values which causes structural discrimination.

Palva Miller revealed that patriarchy does not have a single definition but can be understood through power relations, including the relationship between husband and wife, father and son, entrepreneur and worker, and ruler and people. More specifically, Kamla Bhasin defines patriarchy as a system that makes women dominate and subordinate to men. This system affects all aspects of women's lives in the family and public spaces (Carafano, 2001).

According to Kalwant Bhopal, patriarchy has shaped women's gender roles in both environments, placing women in a lower position. In the realm of state life, understanding patriarchy also influences state policies, creating structural discrimination through limiting gender roles and adopting discriminatory policies under the pretext of religion.

b. Standardization of Gender Roles by State

As previously explained, women's inequality is primarily caused by the separation of domestic and public roles. The placement of women in domestic roles is not only influenced by cultural barriers but is also followed by standardization through legislation, as seen in marriage laws (Asmawi & Devi, 2023).

At first, the law was considered progress because it gave legal subject status to women, who previously did not have legal standing under colonial law. During the Dutch occupation, a wife was only allowed to enter social circles if circumstances required it, and her public activities were carried out in the family's name. However, as the marriage law came into force, its shortcomings were revealed, and it tended not to protect women (Ardiansya, Sulaiman, Nasrullah, & Maskawati, 2022). One of the provisions determining women's domestic role is Article 31 paragraph (3) of Law (UU) Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, which places women as housewives and men as head of household. Through this provision, the state strengthens gender values that are discriminatory and limits women's role to only domestic matters, and confirms in Article 34 of Law (UU) Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage that Husbands are obliged to protect their wives and wives are obliged to take care of the household as well as possible. The impact not only limits women's participation in various fields but also perpetuates gender inequality. Another article that needs to be paid attention to is Article 41 of Law (UU) Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage regarding divorce, where there are no sanctions if the father does not fulfil the obligations of care and education for his children. This means that women often have to bear the burden of responsibility if their children are under their care. The husband's position as head of the household is only balanced if this responsibility is regulated by law (Sari & Rozikin, 2022).

c. Discriminatory Policies in the Name of Religion

After the amendment of Law Number 22 of 1999 to Law Number 32 of 2004 concerning Regional Government, regional autonomy was expanded, giving regions the authority to regulate their government. However, some regions often forget the restrictions imposed by law, including rules related to religion. Several regions have issued regional regulations of a religious nature. However, religious issues should remain under the central government's authority because they are sensitive and can cause the nation's disintegration. An example of this is regional regulations regarding Muslim clothing in several regions. For instance, Tasikmalaya Regent Circular No. 451/SE/04/Sos/2001 recommends the use of Muslim clothing for students and Islamic educational institutions. However, the implementation of Islamic sharia is measured by standards for women's

appearance in public spaces, which can result in sanctions if not adhered to. This creates an Islamic identity that is calculated based on the degree of concealment of women's private parts in public spaces, which can result in women who do not comply with these rules being considered against religious values and being sanctioned.

d. Regional Regulations on Decency

Just like regulations regarding the wearing of Muslim clothing, regulations regarding decency are also often issued by local governments. Generally, these regulations are formulated as rules against immorality or prostitution. Even though the definition of prostitution stated in these regulations appears neutral, in practice, women are the main objects of the implementation of these regulations. In every raid carried out by the authorities, it was seen that women involved in indecent behaviour were the primary targets, while the men involved did not receive similar treatment. Discrimination occurs when law enforcement actions focus more on women. It is essential to consider that coaching should not only be aimed at women, but men also encourage this phenomenon without realizing it (Salim, 2008).

Another example is Tangerang Regional Regulation Number 8 of 2005 concerning the Prohibition of Prostitution. Article 4 of this regulation states that anyone whose behaviour is suspicious and is considered a prostitute is prohibited from being in various places in the area. This provision creates worry and fear among women who work or do activities outside the home, especially at night. This regulation has hampered the rights of every individual, including women, to earn a living. The right to a decent life is a human right of every citizen, protected by law and the Constitution. Beauty Erawati stated that current regional regulations only focus on eliminating immorality without providing constructive solutions, such as regulations prohibiting prostitution, which do not regulate treatment for those who are already working as commercial sex workers.

e. Regional Regulations on Women's Leadership

In Banda Aceh City Qanun Number 7 of 2002, which regulates the process for selecting Geucik (Village Head), in Part 3 Article 8 paragraph (1), Geucik candidates, namely as follows, must meet several criteria: (1). Geucik candidates must be Gampong residents and citizens of the Republic of Indonesia, (2). Geucik candidates are required to adhere to Islamic religious law, (3). Loyal and obedient to the unitary state of the Republic of Indonesia and its legitimate government, (4). Have an educational level of at least junior high school or equivalent, (5). The minimum age is 25 years old and married, (6). Have good physical and spiritual health, (7). Do not experience real mental/memory problems, (8). Behave well, be honest and fair, (9). Never been sentenced to prison for committing a criminal offence, (10). The right to vote is not revoked based on a court decision with permanent legal force, (11). Know and be known by the local Gampong community, (12). Willing to be nominated as Geucik, (13). Able to act as prayer leader. (14). Able to read the holy verses of the Koran well. (15). Able to recognize customs (Salim, 2008).

If we look at the requirements to become a village leader above, one of the criteria that must be met is the ability to act as a prayer leader. In Islamic law, men are allowed to be imams for both women and men, while women are only allowed to be imams for women. Looking at these provisions, women have limited opportunities to become Geucik. The obstacles that women may face make this Qanun potentially discriminatory against women. From several regional regulations above, it can be seen how decentralization policies, on the one hand, provide opportunities for women. Still, on the other hand, many regional regulations in the name of local wisdom limit women's rights.

One example is the application of Islamic theology in policy. Religious understanding has a significant influence not only in local communities but also in forming regional regulations. According to Moeslim Abdurrahman, women are often the first victims due to the formal implementation of Islamic Sharia. These regional regulations hamper women's rights to move and gain access to various things. And, of course, the application of these Arab-oriented Sharia Regional Regulations is different from actual Islamic values of justice. Islam guarantees women the ability to participate in activities in various public fields, as previously explained (Noerdin, 2005).

Why do sharia regional regulations (*perda*) place women as their targets? Siti Musdah Mulia stated that in every country that implements sharia law, women's rights are the target of attacks, as has happened in Iran, Afghanistan and Pakistan. The implementation

of this law is considered a shortcut to achieving goals because women are considered vulnerable targets, for example, in the context of wearing the hijab, such as in Cianjur, Tasikmalaya, Bulukumba and West Sumatra. Some Islamic intellectuals argue that wearing the hijab should be based on individual awareness, not as a reason to punish women.

Jan Michiel Otto, in his writings, describes that implementing Islamic law in a democratic country can lead to the emergence of powerful political groups that strictly apply the law, which, in the end, can lead to discrimination. In his language, Jan Michiel Otto stated, "A robust foreign policy towards the Muslim world that focuses on the Rule of Law must be aware of its dilemmatic nature. Under certain conditions, a single standard of the Rule of Law - such as political freedom and democracy - can bring political groups together. in power that encourages strict implementation of sharia, which would be detrimental to other elements of the Rule of Law, such as the principle of non-discrimination." This condition is not ideal in a legal country that upholds anti-discrimination principles. Therefore, it is necessary to reconsider the application of religious values, which can result in discriminatory actions (Otto, 2009).

4.2. The Impact of Patriarchal Culture on the Conditions of Women's Education.

There is a connection between imbalanced gender relations and problems that arise in fulfilling fundamental rights, especially for groups of women who are in marginalized positions (Sari & Rozikin, 2022). This phenomenon can be seen in the conditions of women's education, which will be described below.

a. Conditions of Women's Education.

With the enactment of Law Number 12 of 2003 concerning the National Education System, full responsibility for education is no longer entirely the state's responsibility. Education is now considered a shared responsibility of society, which also participates in its financing. This situation has resulted in the commercialization of education, making education a commodity that can be accessed at varying prices. Children from low-income families especially feel the impact of this commercialization. Even though the education budget continues to increase yearly, ironically, the number of children dropping out of school in Indonesia is growing. According to data from the Ministry of Finance for 2023, the education budget reached IDR 612.2 trillion, up from the previous year, which amounted to IDR 574.9 trillion in 2022. However, data from the Ministry of Education and Culture shows an increase in students dropping out of school in the 2022/2023 academic year, except at the school level. Junior High School. In that period, 40,623 students dropped out of school at the elementary school level, 13,716 at the junior high school level, 10,091 at the high school level, and 12,404 at the vocational school level.

Ironically, many girls from low-income families are forced not to continue their education. They become victims of their parents' patriarchal views, which lead them to work in the informal sector with low wages as a result of gender inequality in the family (Azizah, 2023).

b. Women's Health

One of the fundamental rights that are often neglected is the right to Health, and the high rate of maternal and under-five mortality reflects the non-fulfilment of this fundamental right. Based on the Indonesian Demographic and Health Survey (SDKI), the maternal mortality rate in Indonesia reached 307/100,000 live births, the highest in Southeast Asia. Less than optimal empowerment of women is a contributing factor to the high maternal mortality rate. This is exacerbated by environmental conditions and policies that pay little attention to pregnant women. Neglect of women's reproductive health rights has an impact on limiting women's opportunities, both in the public and domestic spheres, including educational opportunities, economic empowerment and political participation (Hannan, 2022).

Women's ability to control aspects related to reproduction affects their rights in various areas. Even though Article 49 paragraph (2) of the Human Rights Law emphasizes the protection of women's reproductive Health, and Indonesia has ratified different international instruments that guarantee the right to Health, including women's Health, the government needs to take concrete steps to improve this situation. Without concrete

action, the government does not fulfil its responsibilities towards the fundamental rights of its citizens (Allison et al., 2021).

Efforts to improve women's Health, especially reproductive Health, have been explained in Law Number 36 of 2009 concerning Health. However, the absence of government regulations implementing this law means it is felt to be live. The government's commitment to improving women's health services must also be examined (Subowo, Afrizal, & Rapha, 2022).

c. Discrimination in Women's Employment

Even though several formal labour regulations in Indonesia emphasize the principle of gender equality, at the company level, internal provisions often ignore this principle for the benefit of the company and related parties. Conditions like this often lead to the marginalization and isolation of women in the world of work .

Based on cases revealed in various companies and industries, women face discrimination in several aspects, including: (1). Get equal rights with men regarding employment opportunities, freedom to choose profession, employment, promotion and training, (2). Receive wages equivalent to work of equal value, (3). Enjoy rights related to social security. And (4). The right not to be dismissed from work (and still receive benefits) due to marriage and childbirth, including the right to menstrual, maternity, and maternity leave (Parwati & Istiningdiah, 2020).

d. Violence against Women

Women face significant threats of Violence due to the imbalance of power between men and women, which is reinforced by narrow interpretations of religious teachings and traditions. The Declaration on the Elimination of all Forms of Violence against Women in 1993 listed three types of Violence, namely: (1). Violence within the family sphere, such as beatings, Sexual Violence against girls, rape and exploitation; (2). Violence in society, such as rape, sexual Violence in the workplace and educational environments, as well as the practice of prostitution; (3). Violence committed by the state, including in the context of armed conflict.

Even though domestic Violence often occurs, it is still not considered a violation of human rights because it is regarded as a private matter. Furthermore, the issue of Violence is usually kept hidden because many female victims are reluctant to talk about it due to shame, fear of further Violence, or because it is considered something familiar in every household. Violence in public spaces also often occurs, even within educational institutions. Steven Box analyzes that imbalanced gender relations encourage individuals to commit sexual Violence against women, such as the dominance of rape, which is carried out to express power and superiority over the victim, as well as the exploitation of rape, which takes advantage of women's vulnerability both economically and socially.

Furthermore, Violence perpetrated by the state often occurs in the context of Military Operations Areas (DOM) and, unfortunately, is often ignored by the state, creating a sense of fear and insecurity for women in these areas. Fear of Violence becomes an obstacle for women in gaining access to resources needed for personal development and their lives and hinders the enjoyment of fundamental rights and freedoms.

4.3. The Urgency of Women's Representation in Parliament

From the context above, the presence of more women in the Indonesian parliament is essential to influencing the formation of policies that are more supportive of women. It is necessary to recognize that women have special needs that only fellow women can understand. Some of these needs include: (a). Reproductive health issues, which are not only related to domestic aspects but also have an impact on the work environment. (b). Family welfare issues. (c). Issues of concern for children, the elderly, the disabled and other marginalized community groups. (d). Issues of violence, both within the family and perpetrated by the state (Wahyudi, 2019).

It is hoped that the involvement of women in political decision-making can prevent discrimination that has long occurred in society, as previously explained. In addition, there is expected to be a paradigm shift in resolving political problems by prioritizing peace and an anti-violence approach and adapting policies and legislation to include the unique needs of women as an integral part of the national agenda (Atmadja, N. B., Sendratari, L. P., & Rai, 2015). However, it should be emphasized that substantial change can be achieved only with a

significant number of women in parliament. As a result, the conclusion that can be drawn is that the presence of women in parliament has an essential meaning in supporting the development of a democratic country, with the formation of gender-responsive laws and budgeting that is sensitive to gender issues, considering that more than half of Indonesia's population are women (Violin & Nafi, 2022).

a. Towards a more democratic Indonesia.

John Naisbit stated that women's opportunities will increase with a democratic society and better government. Therefore, efforts to increase women's representation through policy will play a role in providing democratic education to society to create a democratic society, as expressed by Naisbit.

According to Marina Mahathir, many women are not selected simply because of gender. This is caused by stereotypes that influence individual perceptions in society, assuming that women's leadership is less effective, and social values linking leadership to the world of men. Therefore, implementing this policy is essential to provide opportunities to women. When the elected women prove their abilities, one day, women will be elected without quotas. This will naturally change societal patriarchal values, increasing awareness of the importance of a balanced role between the two genders in community development.

Democracy cannot be adequately realised without women's participation. It is essential to ensure the equal position of all citizens before the law and government. With affirmative action, there would be a chance of non-elite people being elected as members of parliament. Currently, trends in Indonesia show that women involved in politics are often influenced by men, such as husbands, brothers or fathers, who have already been involved in politics. This condition can create political dynasties, and the presence of women in parliament can be used to protect the interests of these people. Therefore, it is necessary to identify and encourage middle-class women to become involved in politics and strengthen their capacity regarding aspects related to electoral politics (Vasandani, Nugraha, & Susantijo, 2022).

b. Realizing Legal Development with a Gender Perspective

As discussed previously, law can be used consciously to achieve order or a state of society according to ideals or to encourage desired changes. Philippe Nonet and Philip Selznick identify three primary modalities or statements related to the role of law in society: law as a tool of repressive power, law as an institution capable of overcoming repression and protecting its integrity, and law as a facilitator of responses to social needs and aspirations. Repressive laws or autonomous laws are not relevant to apply in a country that is developing democracy like Indonesia. Therefore, legal development should aim at laws that are responsive to the various aspirations of society. With the development of the women's movement to fight for their rights, relevant institutions should develop regulations responsive to women's wishes. This includes laws with a gender perspective to ensure substantive justice in upholding and guaranteeing women's rights.

Although there are efforts to create laws with a gender perspective in Indonesia, there are also regulations that can lead to discriminatory actions against women. Some sharia-based regional regulations, for example, can limit women's freedom in public spaces. This differs from the aspirations of women who want to obtain guarantees and protection for their activities in the public sector. Maria Farida Indarti believes that discriminatory regional regulations reflect the low level of legal culture in Indonesia because laws are only made for the interests of a small group of people and do not aim to create a just and equal society (Wahyudi, 2019).

The dichotomy between laws and regional regulations creates new problems in developing laws with a gender perspective. There are concerns that laws with a gender perspective will only be written rules and will not reflect the reality in society (Sari & Rozikin, 2022). This could exclude the majority of Indonesia's population from the political process. In recent decades, political institutions in Indonesia have been dominated by men, resulting in decisions that reflect interests and perspectives that ignore women's voices. Even though there are regulations with a gender perspective, their implementation often does not meet expectations. Therefore, paying attention to women's representation in parliament is essential to realize gender-responsive policies.

c. *Creating Gender Responsive Budget Determinations*

Representation in parliament is necessary because people need help organizing or expressing their interests. Therefore, with adequate representation in parliament, women's interests can be well represented. One concrete form of this effort is to include gender issues in the budgeting process, an essential function of parliament. A gender-responsive budget is not a separate budget allocation for men and women. Instead, it is a strategy to integrate gender perspectives into the entire budgeting process, translating the government's commitment to gender equality into budget commitments. Budget policy is critical in fulfilling fundamental rights, especially women's human rights. Law Number 25 of 2004 concerning the National Development Planning System emphasizes the essential position of the budget as a final level policy formulation, which includes a commitment to overcome gender inequality.

To make this happen, the active participation of women in parliament is essential. Based on observations in countries that have implemented gender budgeting, the initiative often comes from female parliamentarians. This is related to the patriarchal paradigm, which states that if it does not explicitly mention men or women, it is automatically considered gender equal. The involvement of women in parliament can change this paradigm. Therefore, gender-responsive budgeting will improve relations between men and women and have a broader impact on poor people. This is because the problems that many women face are also problems faced by poor people, such as education, health, agriculture, fisheries, forestry and rural infrastructure, which poor people and poor women mostly experience (Nurdin, 2022).

5. Discussion

5.1. Implications of Low Representation of Women in Parliament

The research findings underscore the critical implications of the low representation of women in parliament, emphasizing that women's representation is not just about recognizing them as a gender category but interpreting it as a matter of gender identity. The study highlights how the absence of women in decision-making bodies, such as parliament, contributes to structural discrimination, reinforcing policies that exclude women from the public sphere in Indonesia. The consequences of this underrepresentation have tangible impacts on various aspects of women's lives, as discussed below.

a. *Persistence of Patriarchal Values and Structural Discrimination*

The research identifies the persistence of patriarchal values as a critical factor contributing to structural discrimination against women. Patriarchy, defined by power relations in various social contexts, influences gender roles both within families and in the public sphere. This perpetuates discriminatory policies, such as the standardization of gender roles by the state, further limiting women to domestic responsibilities. For example, the marriage law reinforces gender values, designating women as housewives and men as heads of households, perpetuating gender inequality.

b. *Discriminatory Policies in the Name of Religion*

The study highlights the impact of regional autonomy on the issuance of religious-based regulations, particularly those affecting women. Some regions have implemented regulations related to Muslim clothing, which, when measured against standards, can result in sanctions for women not adhering to specific dress codes. The study argues that regional regulations of this nature, framed in the context of religion, can be sensitive and may lead to discrimination against women, as seen in examples where women become targets for not conforming to religious values.

c. *Regional Regulations on Decency and Women's Leadership*

Discriminatory regulations on decency, often formulated as measures against immorality or prostitution, disproportionately target women. The study emphasizes that law enforcement actions focus more on women involved in such behaviour, neglecting male involvement. Furthermore, regional regulations on women's leadership, as exemplified in Banda Aceh, set criteria that may limit women's opportunities to hold leadership positions, potentially resulting in discriminatory practices.

d. *Impact on Women's Education, Health, Employment, and Violence*

The underrepresentation of women in decision-making bodies contributes to imbalanced gender relations, affecting women's access to fundamental rights. This impact is evident in areas such as education, where the commercialization of education disproportionately affects girls from low-income families. Moreover, women's health rights are neglected, leading to high maternal mortality rates. Discrimination in employment, particularly at the company level, and violence against women, both within families and in public spaces, are also exacerbated by imbalanced gender relations.

The findings strongly advocate for affirmative action to address the underrepresentation of women in parliament. Affirmative action should not only focus on increasing the number of women but also challenge patriarchal values, discriminatory policies, and regional regulations that hinder women's rights. By implementing affirmative action, Indonesia can work towards achieving gender equality, ensuring women's active participation in policy formation and dismantling discriminatory structures that negatively impact various aspects of women's lives.

5.2. The Urgency of Women's Representation in Parliament

The research underscores the crucial role of women's increased representation in the Indonesian parliament, emphasizing that a higher number of women in decision-making positions is vital for shaping policies that are more supportive of women. The study recognizes that women have unique needs that may only be fully comprehended by fellow women. These needs span a range of issues, including reproductive health, family welfare, concerns for marginalized community groups, and addressing violence both within families and perpetrated by the state.

a. *Empowering Women for Inclusive Policies*

The research argues that the participation of women in political decision-making is pivotal for preventing long-standing societal discrimination. It is anticipated that having women actively engaged in policy formation can lead to a paradigm shift, prioritizing peace, adopting an anti-violence approach, and adapting policies to incorporate the distinct needs of women into the national agenda. The study suggests that substantial change can only occur with a significant number of women in parliament, paving the way for developing gender-responsive laws and budgeting sensitive to gender issues.

b. *Democratization and Women's Opportunities*

Drawing on John Naisbit's perspective, the study highlights the correlation between women's opportunities and a democratic society with improved governance. Affirmative action in increasing women's representation is seen as an avenue for providing democratic education to society, fostering a democratic ethos. It challenges stereotypes hindering women's leadership and aims to create a culture where women are elected based on merit rather than quotas, leading to a natural change in patriarchal values.

c. *Legal Development with a Gender Perspective*

The research emphasizes the role of law in society and the need for legal development responsive to various aspirations. While efforts are being made to develop laws with a gender perspective in Indonesia, the study acknowledges the existence of regulations that can lead to discriminatory actions against women. The dichotomy between laws and regional regulations poses challenges, and the study suggests that women's representation in parliament is crucial to ensure the realization of gender-responsive policies and laws.

d. *Gender-Responsive Budgeting and Parliament Representation*

The study emphasizes that adequate representation in parliament is essential for effectively organizing and expressing women's interests. It proposes including gender issues in the budgeting process to ensure women's interests are well represented. Gender-responsive budgeting, seen as a strategy to integrate gender perspectives into the entire budgeting process, is highlighted as a critical aspect of fulfilling fundamental rights, especially women's human rights. The active participation of women in parliament is deemed essential for driving this change and challenging patriarchal paradigms that may overlook gender disparities in budgeting.

The interconnected role of women in parliament across various dimensions. From shaping policies that address women's unique needs to contributing to democratization,

legal development, and gender-responsive budgeting, the active participation of women in decision-making positions emerges as a catalyst for positive societal transformation. The study advocates for affirmative action to ensure that women's voices are heard and that policies reflect the population's diverse needs, ultimately contributing to a more inclusive, democratic, and gender-sensitive society in Indonesia.

According to the author, the following are several notes that need to be considered when implementing affirmative action in Indonesia, considering that this policy is still required. Still, the results have yet to reach the expected expectations. This note is based on the experience of implementing affirmative action in countries with similar policies, as described previously. Some of these notes includes: first, second gender quota. The use of the term "female" in affirmative action in Indonesia is considered controversial because it is considered biased against women. To achieve gender balance, several Scandinavian countries apply quotas not only for women but also for men. The aim is to prevent the perception that gender quotas constitute discrimination against men. In Indonesia, implementing quotas for women is often seen as an attempt at domination, even though what is desired is gender justice. Therefore, it is essential to pay attention to balanced representation of both genders and eliminate the notion that affirmative action policies only benefit women while ignoring men.

Second, confirmation of the quota system. In implementing several political laws, it is still seen that several parties still need to include a quota of 30 percent of women as legislative candidates. According to the author, the lack of sanctions is one of the factors causing this non-compliance. Sanctions are considered essential to ensure political party compliance. Therefore, parties that do not meet the quota should be subject to sanctions, as applied in Argentina, or financial sanctions, as in France. This is expected to encourage compliance from all political parties participating in the election. If Indonesia wants to be more assertive in increasing women's political participation, this policy can be explained in detail in the Constitution, as implemented in Pakistan and Rwanda. These two countries even have special seats that are only contested by women, without any competition with men. In this way, the stipulated quota will be met.

Third, increasing the role of political parties in affirmative policies. Increasing the role of political parties in affirmative policies became crucial after the Constitutional Court decision changed the determination of elected candidates, making the future of women's representation in Indonesian politics more complicated. With this decision, female members of parliament from PKS even stated that the affirmation in Indonesia was practically no longer valid, limited only to the list of candidates. The focus must be shifted to political parties, which are vital in cadre formation, recruitment, political education, and interest aggregation to overcome this challenge.

Apart from affirming the quota system in the election law, the importance of this affirmation is also applied in the political party law. Political parties, as critical institutions in nominating members of parliament, must have a high commitment to implementing affirmative policies within the party. This is crucial considering that women's chances of being selected and occupying a high serial number greatly influence their electability, as seen in previous research shows that most elected women come from serial numbers 1, 2, and 3.

Even though the political law has stipulated a minimum of 30% women in party management and suggests implementing women's representation in recruitment, these provisions can be ignored by parties that still need to implement them. Therefore, political parties need a strong desire to comply with affirmative policies, even if this has yet to be regulated in the party's AD/ART. Countries that implement voluntary quotas from political parties have proven that this can increase women's representation in parliament.

Implementing affirmative policies within the party is to protect the abilities and qualifications to occupy strategic positions in party decision-making. Decision-making is essential because many parties are likelier to nominate individuals with high economic and social capital, regardless of qualifications and party cadre. Thus, affirmative policies can be a strategic step to make political parties a more inclusive forum and realize true democracy.

Fourth, optimizing the role of women in parliament. Optimizing the role of women in parliament is an important step to influence policy and realize a more significant contribution in the upcoming elections. Currently, the number of women in parliament is minimal, and male colleagues do not support the development of a gender perspective. Therefore, it is hoped that the 2014 elections will significantly increase the number of women elected.

To achieve this, elected women need to build good communication and pay special attention to the interests of their constituents. This aims to prove to society that women's participation in parliament brings concrete societal benefits. This way, public trust in women as political leaders can increase. Furthermore, the role of the Republic of Indonesia Parliamentary Women's Group (KPPRI) also needs to be optimized to become a political movement in parliament, not just focusing on education. KPPRI must commit to unite in dealing with specific issues and build shared perceptions. Even though it is not an official part of the DPR, this strategy can make KPPRI's voice more heard and attract attention with pro-people ideas. Even though they sometimes have to deal with the interests of the parties they represent, KPPRI's role is to represent the interests of all the people.

6. Conclusions

The presence of women in parliament has deep significance, especially in the context of overcoming various forms of discrimination that women in Indonesia still experience. This discrimination can originate from two main aspects: cultural and structural. Cultural discrimination arises from the traditions of Indonesian society, which tend to be patriarchal, where developed norms and values inherit gender inequality. Apart from that, religious doctrines also provide the basis for this discrimination. Therefore, the presence of women in parliament is crucial for breaking down patriarchal norms and promoting a more inclusive and equal gender perspective. Structural discrimination is reflected in several laws and regulations that limit women's gender roles to only the domestic sphere. Besides that, religious reasons often justify several regional rules that are not friendly towards women. To overcome this, a comprehensive approach that involves changes in laws, political parties, and societal paradigms towards women's participation in policy formation is needed. Affirmative action steps, such as gender quotas, are essential in achieving the goal of increasing the role of women in politics. However, to ensure the success of these steps, sincere commitment from all relevant parties, including political parties and society, is necessary. In this way, changes toward an Indonesia that is more democratic, inclusive, and free from gender discrimination can be realized, creating space for the needs and aspirations of all its citizens.

7. Conflicts of Interest

The author explicitly states that there is no conflict of interest in writing this article.

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