

# The Challenges of Women Contribution in Policymaking and How They Overcome It: An Indonesian Study

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**Abstract.** The problem of the women's participation in the Indonesian parliament begins with its mainstreaming in participation policy. Affirmative action policies aimed at empowering women's representation in parliament are judged by the quantity of women's participation in parliament having a fundamental problem in the commitment to representation itself. Women's contributions to policymaking are often systematically undermined in a political culture that is male-dominant and masculine-driven, thus hindering the progress for gender-mainstreaming policies. The aim and focus of this article are to analyze the roots of the stagnancy of women's contribution and progress in such an intricate political sphere that is Indonesian parliament and how women politicians tackle it. Through our study, we acknowledged that there is a duality of Indonesian politics that is a vote-based representative system of decision-making that is commonly employed in legislative bodies and the Indonesian culture that heavily emphasizes consensus-building decision making through deliberation. The crippling sexism behind the political practices of policymaking obstructs women legislators to contribute more significantly and be given credit to the legislative process through which they are fighting for gender equality.

**Keywords:** *women politics, policy making, Indonesia*

## INTRODUCTION

Indonesia has ratified the CEDAW Convention with Law No. 7 of 1983. The consequence of the ratification of international conventions is that States Parties that ratify conventions commit to commit themselves to guarantee through legislation, policies, programs, and special actions while realizing equality and justice between men and women and the elimination of all forms of

discrimination towards women. The Indonesian government then follows up the aspirations of women to participate in politics through affirmative action policies, which are specific policies to increase opportunities for minorities who are under-represented in society. The government included the quota in the election law which mandates political parties to have a minimum 30% representation of women in; 1) list of proposed parliamentary candidates of all levels (national, provincial and municipality), and 2) governing body [1]. The policy seems to be working on increasing women representation in the parliament, albeit slow, as shown in a table below:

Table 1. Women Representation in the Indonesian House of Representatives (2004-2019)

Keterangan	Pemilu 2004	Pemilu 2009	Pemilu 2014	Pemilu 2019
Total number of women parliamentary candidates	2.507	3.910	2340	3194
In percentage of total parliamentary candidates	33%	34,7%	36.6%	40%
Total number of elected women parliamentary candidates	61	103	97	120
In percentage of total elected parliamentary candidates	11,09%	17,86%	17,3%	20,9%

Source: infopemilu.kpu.go.id, 2019, accessed in May 15, 2020

From the table above it can be seen that the number of women candidates in the Representatives (DPR) has increased from the 2004 election to the 2019 election, in addition to that the number of women elected has also increased. The application of affirmations has been applied flexibly in each of the electoral periods above, meaning that stakeholders apply the provisions in the Law No. 7/2017 or 2017, General Election Act, by applying proportional (extensive open) interpretation under the provisions in the Act governing them.

However, the number of women representation in the Indonesian parliament is not sufficient to call it properly represented. Table 1 shows that the numbers of elected women candidates in each electoral period pale in comparison to the numbers of participating women candidates which show positive incremental growth. Even further, there is

an unexpected drop in the 2014 election where the amount of women representatives was decreased by 6 persons or 0,5% whilst the number of participating women candidates was increasing from the previous 2009 election year [2].

Toxic masculinity culture is also part of the problem. There are still assumptions about women who are deemed not to have the ability or quality to take part in the political field that is equal to men and the low commitment of political parties in implementing affirmative action policies. Also, the determination of elected candidates with the most votes formulas is a scourge that is detrimental to women candidates [3]. Because of the position and experience of women which are determined by the influence of patriarchy in the political sphere so that women can be far behind in the social, experience, and financial aspects, it is necessary to have the consistency of affirmative action in the holding of elections [4].

The result needs to be added to the note that increasing the quantity of women legislators is not always directly proportional to its quality. This is because many political parties are not ready to recruit and equip their women members, so they carelessly choose women candidates that are easy to be recruited and controlled such as familial relatives of the already established politician (which signify a rampant dynastic political culture in Indonesia) [5]. This haphazard candidacy process by the political parties is for the fulfillment of the quota but not followed by the process of debriefing and educating women legislative members directed at gender political learning. Therefore, many of these women representatives are rendered insignificant of their roles in policymaking and their compassion to the issue of gender.

The background explained above shows that there is a deep-rooted problem of imbalance gender representation is caused by the practices of the political process in candidating a woman into the parliament. However, it is suspected that such major obstruction to the progression of women's political participation in the parliament is produced in a top-to-down systematical manner, hence the problem which this article investigated.

#### **METHOD**

The kind of research employed for this article is empirical legal research. To do that, the researchers observed and analyzed the political practices of the agency that are established as a legitimate system within the election and practices in the parliament. Data is composed of numerical data gathered from already presented surveys, direct observation by researchers, and also interviews with women representatives, parliament leaders, and party leaders are also added to enrich the insight into the political practices in the Indonesian House of

Representatives. For reasons that we hope will become clear, well-executed research with a data component is likely to make more important, influential, and, frankly, better contributions to policy and law because the study's authors can accurately gauge the uncertainty of their conclusions.

#### **RESULT & DISCUSSION**

The stage of policymaking is a critical stage of a policy process, according to Sidney. This is related to the process of selecting alternative policies by policymakers who usually consider the amount of direct influence that can result from these main choices. This process will usually express and allocate power and attraction between various social, political, and economic interests. According to Dye, in the stage of policymaking, policy issues, proposal proposals, and community demands were transformed into several government programs [6]. The formulation of the policy as well as the adoption of the policy will include the definition of objectives - that is, what will be achieved through the policy - as well as considerations for several different alternatives.

Policymaking involves the process of developing proposals for related and acceptable actions (commonly referred to as alternatives, proposals, or choices) to deal with public issues. Policymaking, according to Anderson, will not always end with the issuance as a product of statutory regulations. Often policymakers decide not to take action on a problem and leave it alone [7]. Or often policymakers fail to reach agreement on what to do about a particular problem. However, in general, a policy proposal is usually intended to bring fundamental changes to the current policy.

The procedure for legislation-making as stipulated in House of Representatives Regulation Number 1/2014 on Code of Conduct and Number 2/2016 on the Procedures of Designing National Legislation Programs (PROLEGNAS) are rules for policymaking that is deliberative among collective parties where discussion is mostly experienced not as between individual actors representing its territory but as a collective unit that is bound to the DPR's tools (the Faction, the Commission, the joint Commission, the agencies, and the committees) [8]. The existence of DPR's completeness tools shows that the deliberation process in the DPR is stratified where it aims to divide the problem map, focus each section of the problem in various fittings, as well as the equitable distribution of aspirations from the DPR members.

The position of the DPR member as an individual actor who directly represents the aspirations of the people in the region he represents is in the discursive domain outside the formal DPR discourse procedures. The recess period, work

visits, and activities of DPR bodies, and DPR committees are a means for DPR Members to realize aspirations. Not only that, but the shares of strategic political will also have a large role in these deliberation processes. As a reservoir of community aspirations, the DPR often plays a role as a mediator of disputes between conflicting parties in the community and often these disputes involve administrative parties (government agencies) with the community [9].

According to Jurgen Habermas, democracy emphasizes the deliberative aspect in which the legitimacy of the law is based on the consensus of intersubjective discourse that runs in the process of forming the legislation [10]. If we understand the procedures of legislative power in the process of forming local regulations as communication procedures, then the sovereignty of the people is not understood exclusively only within the DPR. The sovereignty of the people as a communication procedure allows for the diversity of forms of aspirational movement in society. Herein lies the legislative power as a communication procedure. The plurality of aspirational movements in various forms of public space (including the DPR) contributes different points of view, and their aspirational voices form anonymous communication networks that must be taken into account by administrative authorities. In other words, the procedural idea of popular sovereignty is nothing but the multiplication and pluralization of centers of political deliberation and the spread of communication rights and participation rights [11]. Inclusive and deliberative democracy intends to penetrate the exclusivity of the deliberation process in parliament and extend it to the end of the public sphere [12].

The method of circulation of opinion formation and aspirations within the DPR is included in the form of representation in individual actors but it works in a collective association through DPR tools. The existence of commissions, factions, and other equipment affects the deliberation processes both outside and inside the DPR's procedural procedures. Especially the existence of political party factions as political organizations that influence decisions coming out of the DPR. In the communication procedure, it cannot be denied that the concrete contributions inherent in the individual actors influence the policymaking process [13]. In *Realpolitik*, it is evident that precisely the critical contributions arise from a person or a group that has a very large influence [14].

As a legislative/legislative member, researchers generally assess that what is done by women councilors is sufficient to represent their strengths both as individuals and as representatives of women in playing a role in each decision making process in the DPR. This implies, within the limitations of both the number and cultural situation that women

must face, women councilors are still working optimally to fight for the interests of women. Even though the number of women on the council is still small, according to observations of women researchers who are on the council have tried to fight for the interests of women. Related to the performance of board members, it shows that women who sit on the board have shown their struggle, especially in terms of the budget for women's activities, a minimum of 5% [15]. At least the idealism of women has been championed. Information from the interviews revealed that members in the DPR were struggling and some had succeeded, including public activities on the service budgets. There can be seen a strengthening of capital, groups, and empowerment of women from various sectors.

The phenomenon of political parties still objects to women being placed in the latter order in the ballot, even though it does not occur in several political parties, mainly with an ideological leaning to conservative religious views, i.e. Golkar Party, PPP, and PKB where a woman is not considered capable of being a leader. [16] states that women are only considered to have lower positions of Representatives. As for the women who enter the serial number above or the finished number, because indeed the woman is active and has an important role in the political party [17]. What is done by the male legislature is also done by the women legislature. According to the interviews, female legislators are struggling and some have succeeded, among many public activities in the budget line of services. There can be seen a strengthening of capital, groups, and empowerment of women from various sectors. The role of political parties is indeed necessary, to have women militant legislators capable of going into the field, together with the community. They should make-work programs that touch on community care. Especially programs for women and housewives. Not a lecture was given but a tangible form of training and educating political women. Therefore, there are several main obstacles for women parliamentarians [18].

In carrying out its duties and functions as a member of the council, especially in the process of policymaking, women in legislative s have several obstacles and analysis of efforts taken. First, the lack of openness of opportunities for women to take part in politics. Even though it has previously been explained that there is no tendency for gender discrimination in the DPR environment, the discriminatory conditions still exist in the delegation of cadres. This can be seen in both the PKS Faction that there were no women for two periods and Nasdem Party Faction in the 2014 election. Comparing the number of men and women in Representatives, it still does not meet the expectation because there are 120 women, out of

575 total members of the Representatives (20.9%). The phenomenon shows that political parties are reluctant to send women in the Representatives as the party's main candidates [19].

Second, relatively poor political and legal abilities and knowledge. DPR members come from various regions with diverse educational backgrounds and experiences. This results in a plotting person in the wrong area due to the lack of knowledge of the DPR member in the area of commission he occupies. DPR members as legislators must know the procedures for making regulations and the processes that accompany the formation of these regulations. However, the facts that occur, based on observations, often occur misunderstanding between the DPR and the Government, especially in the problem of drafting legislations. Political parties as political organizations are still negligent in the quality of party members' education with the principle of the right man in the right place.

Third, the regeneration of women political parties that do not pay attention to gender awareness. Lack of education on gender awareness is the main cause of colonialism between women who have capital and women who are proletarian so that their representative credibility regarding women's issues is questionable. This results in the lack of sensitivity of women DPR members to raise gender-responsive issues.

Fourth, a patriarchal political climate. The majority remains the majority, the patriarchists remain entrenched in various aspects even in modern society. The tendency to maintain masculine dominance still appears implicitly. Affirmative action at least has guaranteed legally that women must always be involved in decision-making processes and the formation of regulations in the DPR. But the potential for the oppression of women remains. Assumptions that undermine women in the Representatives have the potential to emerge so that they are implicitly re-corrected by the majority's masculine assumptions that limit their development as gender representation.

### CONCLUSION

The policymaking procedure in the DPR is a multi-level discourse deliberation. Representative nature in the DPR does not refer to individual DPR members as a representation of the territory of the DPR Member itself but rather as a unitary discourse of collective parties that are bound to the DPR's instruments. The method of circulation of opinion formation and aspirations in the DPR is included in the form of collective representation which is divided into DPR's instruments as a collective association. It aims to map and sort out problems in Indonesia while focusing on the performance of each discourse on the aspects of the aspirations

discussed. However, with a tiered discourse pattern through the DPR's tools, the plenary procedure then only prioritizes the report on the agenda results of the DPR's tools as a collective unit of aspirations and tends to heed the critical contributions of individual actors. Then the position of the House of Representatives in regional government as an element of regional government administrators has an equal position with the President in the process of forming regional regulations. However, the position of the DPR which is included in the unity of regional government with the Government/President tends to make the DPR as a subordination of the Government's power. Through discourse procedures, opinion formations and existing aspirations can be collected and transformed into administrative power so that they become legitimate regional regulations and can realize the policy objectives formulated in the established procedures.

Affirmative Action which opens opportunities for women to participate in politics with a minimum margin of 30% for political parties has not yet had a systematic impact on the DPR because the number of women members of the DPR has not reached 30% representation. Party politics that tend to prioritize male cadres hinder the development of women's representation. The concept of deviating plotting person can also hamper the flow of circulation of opinion formation and aspirations of women because of the capability of DPR members who are placed in inappropriate fields. The lack of knowledge of DPR members in legal politics and gender mainstreaming material has hampered the agenda of women's representation interests. Steps that must be taken to anticipate these obstacles lie in the ideological grounding of the regulation of representation of political women based only on numerical conditions in the form of quotas that must be overhauled. The reshuffle integrates women's interests into part of the interests of society.

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