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WOMEN AND POLITICS: STRATEGIES IN OPTIMIZING WOMEN'S REPRESENTATION IN BANTEN PROVINCE LEGISLATIVE ELECTION POLITICS 2024

Muhammad Asmawi¹, Lathifah Sandra Devi²

Degree Program of Civic Education Banten Jaya University
Jl. Ciwaru II No. 73 Kota Serang-Banten. Kota Serang - Prov. Banten - Indonesia.

* Correspondence email : awihaber@gmail.com

Abstract

Gender equality is still considered taboo in Indonesia. The stigma that women are weak, unable to lead or even interfere in politics is still widely heard in the general public. However, this stigma can be broken with Law number 22 of 2007 concerning Election Organizers which regulates the composition of the election implementation by paying attention to the representation of women at least 30%, in other words, the representation of women in politics has been legalized in law. The reality is that in fulfilling this quota, especially in Banten Province, it has not been filled to the fullest. The purpose of this writing is to optimize women's representation in the politics of legislative elections for 2024. The research approach uses a qualitative deductive with a qualitative descriptive method by trying to describe the phenomenon of strategies for optimizing women's representation in politics, judging from the facts on the ground that the 2019 legislative elections in Banten Province have not met the quota of 30 %. The results of the study obtained several strategies, namely inviting women to participate in the political arena, outreach and political education for women, improving the quality of women's resources and the role of the mass media to support and strengthen women's political participation in the public sphere.

Keyword: *Women's Representation, Politics, Legislative Elections*

INTRODUCTION

Many people believe that attractive to see women in positions of power, even though very difficult for them to do so. Several studies show that women face many challenges when trying to enter politics.(O'Brien, 2015) The way women are portrayed in politics influences the way women think about justice and equality.(Ramli et al., 2022) Because of society considers gender equality to mean that women and men have the same opportunities and rights.(Infante & Darmawan, 2022) However, this is not true in practice, as society assigns different roles and places to men and women. This results in an imbalance of power that harms women.(Sumiyatiningsih, 2013)

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Representation of women in politics is commonplace because the principles of democracy give equal rights to everyone to participate in politics, protect and defend their honor.(Duranti, 2016) Representation women are part of society like men, entitled to political positions.(Norris, 2013) The presence of women in politics, especially in parliament, is important to protect and direct the wishes of women themselves.(Kittilson, 2006) Because only women can understand, feel and understand women's issues and aspirations, this means that women's representation in various political fields will lead to gender justice.(Lero, 2017)

The nature of women has a commitment to efforts to empower women by being able to articulate women's strategic interests to realize gender equality and justice in all areas of life, family, society and country. (Djou et al., 2018) Various policy changes related to gender continue to be attempted to increase public awareness and understanding of gender equality. One of them is affirmative action for women, which means that the government is trying to ensure that at least 30 percent of all members of parliament are women (Nuraeni, 2019). In the law it has been regulated for the representation of women in politics in Law no. 22 of 2007 concerning Election Organizers stipulates that the composition of election organizers pays attention to the representation of women at least 30%.(Amwlia, 2022) Long time ago, Indonesia had long passed Law Number 68 of 1958 concerning Ratification of the Convention on Women's Political Rights which regulates the attainment of equal status (non-discrimination), guarantees of equal votes and complaints, guarantees of participation in policy-making, possibilities for carrying out bureaucratic tasks and guarantees of participation in socio-political organizations.(Marlinda Irwanti, 2019) However, the representation of women increased after the amendment to the 1945 Constitution of the Republic of Indonesia, namely Article 28 H paragraph 2 which reads: "Every person has the right to convenience and special treatment to obtain equal opportunities and benefits. . . equality and justice".(Mulyono, 2010)

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The fundamental rights of women in politics have actually been guaranteed by law, but in the process and as a result, women's representation is still below 30%. In this case, there was also the 2019 legislative election in Banten Province. The representation of women in the 2019 legislative elections in Banten Province has not yet reached 30%, namely with a total of 85 people who dominate are men with 70 people and 15 women.

RESEARCH METHODS

This study uses a deductive qualitative approach. Qualitative research is research that aims to understand the phenomena experienced by the subject, such as behavior, observation, motivation, actions, etc., in a comprehensive manner with the help of verbal and linguistic descriptions in certain natural contexts, using various scientific methods. In this case the author uses a deductive approach because it departs from theory, which can then draw conclusions from research and field data from the general to the specific.(Ali, 2021)

The development of this research chose a qualitative descriptive method, because the author tries to describe the phenomenon of the strategy for optimizing women's representation in politics, seeing from the facts on the ground that the 2019 legislative elections in Banten Province have not met the 30% quota so that an even better strategy is needed to increase women's representation in politics. This study collects data through observation and documentation.

ANALYSIS AND DISCUSSION

Actualization of Law no. 22 of 2007 concerning the representation of the 30% political quota for women is essentially a breath of fresh air because it is given the opportunity to participate in the world of politics. Then the existence of Law No. 07 of 2017 concerning General Elections also provides a forum for women to nominate

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themselves as members of the legislature as representatives of women's voices to fight for their aspirations and the right to fight and contribute to crucial matters such as the economic, socio-cultural, poverty issues, cases of women and children and others.

Affirmative action against women in the political field, in this case, means that political parties must include at least 30% of women in their leadership and ranks, so that they reflect the diversity of Indonesian citizens. This is in accordance with Law no. 2 of 2007 concerning Political Parties which states that parties must include at least 50% of Indonesian citizens who are over 21 years old and have not made a notarial deed.

The existence of justice in politics provides opportunities for women to succeed in the world of politics. However, sometimes this opportunity has not been utilized optimally by women, for example, the representation of women in the 2019 legislative elections has not met the 30 percent quota. The following is the involvement of women in parliament from 2016-2021:

Figure 1 Women's Involvement in the Parliament of Banten Province 2016-2017

Keterlibatan Perempuan di Parlemen (Persen), 2016-2017

[back](#) [excel](#)

Data series subyek Gender juga dapat diakses melalui Fitur Tabel Dinamis.

Data Series : 2020-2021 | 2018-2019 | **2016-2017** | 2014-2015 | 2012-2013 | 2010-2011

Search:

Provinsi / Kabupaten / Kota	Keterlibatan Perempuan di Parlemen (Persen)	
	2016	2017
BANTEN	18,82	20,00

Figure 2 Women's involvement in the 2018-2019 Banten Provincial Parliament

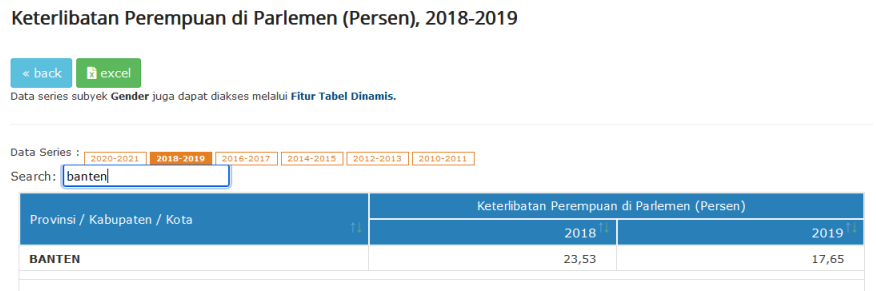
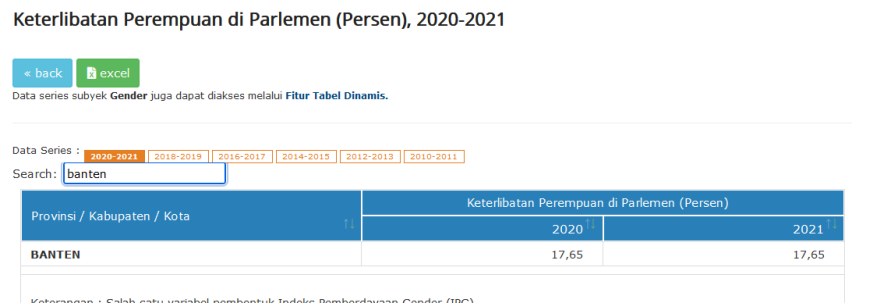


Figure 3 Women's involvement in the 2020-2021 Banten Provincial Parliament



(Source: <https://www.bps.go.id/indicator/40/464/1/keterlibatan-perempuan-di-parlemen.html>)

The data above explains the number of women's involvement in the Banten provincial parliament from 2016 to 2021 experiencing increasing and decreasing dynamics, which can be formed in the following table:

Table 1. Percentage of Women's Involvement in Parliament of Banten Province

No	Year	percentage
1	2016	18,82 %
2	2017	20,00 %
3	2018	23,53%
4	2019	17,65 %

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No	Year	percentage
5	2020	17,65 %
6	2021	17,65 %

Based on the data above, it can be concluded that women's representation in the Banten Province parliament from 2016-2021 has not fulfilled the 30% quota according to the mandate of the Law in force in Indonesia, with this there are obstacles that occur to women who have not been able to take advantage of these opportunities. In addition to welcoming the 2024 year of democracy, women in Banten Province must be able to take advantage of this quota by using a political strategy.

Political Strategy according to Michael Alison and Jude Kaye, strategy is a systematic process in which an organization aligns and creates commitment among key stakeholders to prioritize its mission response and operational environment (Allison & Kaye, 2005). The strategy for realizing women's representation in parliamentary elections has a theoretical basis compiled by Peter Schroder, where theoretically five strategies are found to be used to carry out political strategies. The five strategies include: strategy analysis, strategy control, strategy formulation, strategy implementation, and strategy evaluation (Peter, 2004).

1. Situation analysis, in this strategy it is hoped that political parties and election candidates will see situations or phenomena that occur in election situations by analyzing the situation of women's representation in politics both before nomination and during post-election.
2. Strategic control, in terms of strategic control indicators, it is expected that political parties and election legislative candidates can invest in the implementation of strategic control, so that strategic control can run in accordance with the control carried out by parties and politics

3. In the formulation of the strategy, in this indicator, in the formulation of the strategies implemented and prepared by the political parties prior to the parliamentary elections, it is assumed that they are trying to achieve success for women in parliamentary participation in parliamentary elections. General elections, formulating a good strategy, this effort provides opportunities that are considered capable of realizing women's representation.
4. Strategy Implementation, in the steps of implementing this strategy it can be seen how the efforts of the political parties and also their deputy candidates in implementing the strategy that has been formulated. In practice, it is hoped that political parties will be able to ask for women's representation in parliamentary elections, and it is necessary to evaluate whether the implementation of the strategy implemented is in accordance with the strategy that has been formulated or not.
5. Strategic evaluation, in this case the strategic evaluation that can be given in this case is an evaluation of the strategy implemented and given by the party after the parliamentary election, and an evaluation of whether women's representation will be increased or increased starting in 2010. political parties participating in the election

CONCLUSION

The discussion about women is interesting, as is the discussion about women's representation in politics. Affirmation Action supporting women to be able to step up and get involved in politics. Representation of women in the legislative process includes the protection of women and the basics of legal regulation, as stipulated in Law no. 7 of 1984 Convention on the Elimination of Discrimination Against Women and Law no. 10 of 2008 concerning political parties.

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In this case, the representation of women in the parliament of Banten Province experienced fluctuations in percentages. So a strategy is needed to be able to optimize women's representation in politics. The low representation of women must be corrected in various ways, including:

1. Invite women to participate in the political arena. Growing awareness of the realization of women's rights that are fair in every political decision so as to encourage women to participate in politics so that women participate in political decisions for their people.
2. Outreach and political education for women by encouraging women's participation as active candidates in the legislature, so that gender-based justice policies or legal products can be implemented with an increasing number of women's votes in parliament.
3. Improving the quality of women's resources in politics so as to increase self-confidence in responding to women's issues and problems.
4. The role of the mass media in supporting and strengthening women's political participation in the public sphere.

BIBLIOGRAPHY

Ali, Z. (2021). *Metode penelitian hukum*. Sinar Grafika.

Amwlia, C. (2022). Problems Of Women's Representatives In Filling In The Election Commission Of The Republic Of Indonesia. *Constitution Journal*, 1(2), 189–202.

Djou, G., Maria, A., & Quintatarti, L. (2018). Partisipasi Perempuan dalam Partai Politik dan Pemilu Serempak. *Jurnal Unnes*.

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- Duranti, M. (2016). *The conservative human rights revolution: European identity, transnational politics, and the origins of the European Convention*. Oxford University Press.
- Infante, A., & Darmawan, D. (2022). Gender Equality: Women's Involvement in Human Resource Management Practices. *Journal of Social Science Studies (JOS3)*, 2(1), 27–30.
- Kittilson, M. C. (2006). *Challenging parties, changing parliaments: Women and elected office in contemporary Western Europe*. Ohio State University Press.
- Lero, D. K. J. (2017). *Perempuan dan Politik: Studi Atas Peran Anggota Legislatif Perempuan terhadap Faktor-Faktor Minimnya Peluang Keterpilihan Caleg Perempuan sebagai OpaYa untuk Meningkatkan Jumlah Keterpilihan Perempuan di DPRD Kota Kupang [PhD Thesis]*. Magister Sosiologi Agama Program Pascasarjana FTEO-UKSW.
- Marlinda Irwanti, M. (2019). *Kiprah Perempuan Parlemen*. Novo Production.
- Mulyono, I. (2010). Strategi meningkatkan keterwakilan perempuan. *Makalah Disampaikan Dalam Diskusi Panel RUU Pemilu-Peluang Untuk Keterwakilan Perempuan, Jakarta, 2*.
- Norris, P. (2013). Women's legislative participation in Western Europe. In *Women and politics in Western Europe* (pp. 90–101). Routledge.

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- Nuraeni, N. (2019). Partisipasi Politik Wanita Indonesia di Parlemen dan Relevansinya dengan Pandangan Ulama Tentang Peran Wanita Dalam Politik. *ADLIYA: Jurnal Hukum Dan Kemanusiaan*, 11, 119–136.
- O'Brien, D. Z. (2015). Rising to the top: Gender, political performance, and party leadership in parliamentary democracies. *American Journal of Political Science*, 59(4), 1022–1039.
- Ramli, A., Putri, D. E., & Kencana, N. (2022). Peran Politik Perempuan Pada Dewan Pimpinan Cabang Partai Persatuan Pembangunan Kota Palembang. *Jurnal Pemerintahan Dan Politik*, 7(1).
- Sumiyatiningsih, D. (2013). *Pergeseran peran laki-laki dan perempuan dalam kajian feminis*.