

## Research Article

# Analyzing The Effectiveness of 30% Gender Affirmative Action Policy in Indonesia

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**Abstract.**

The Indonesian government's 30% Affirmative Action Policy addresses gender inequalities by bolstering women's representation in strategic positions. This research investigated the policy's effectiveness in achieving this goal and uncovered constraints hindering women's active participation in politics. Grounded in both gender equality and affectivity theories, the study pinpoints key issues of gender imbalance and investigates the policy's impact on organizational dynamics within the political sphere. A qualitative analysis, informed by a comprehensive literature review, suggested that the implementation of the 30% Affirmative Action Policy since the reform era has demonstrably contributed to an increase in female representation within the political sphere. However, the policy's effectiveness remains contingent upon addressing various challenges, including the persistent underrepresentation of women across both legislative and executive positions, where the 30% target has yet to be consistently achieved. Key influential factors in the implementation of this policy include the roles of the government, political parties, and society. Nevertheless, the policy is crucial in reshaping social norms regarding gender roles in politics. Overall, this article provided a comprehensive overview of the effectiveness of the 30% Affirmative Action Policy in achieving optimal gender representation in Indonesia. Policy implications and recommendations for enhancing the sustainability and effectiveness of this policy were also discussed to advance women's participation in various social and professional aspects of life in Indonesia.

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## 1. Introduction

Political quotas for women, known as gender quotas, have become a popular mechanism to increase women's representation in politics (1). Evidence shows that countries with political quotas have 25.6 per cent more women in politics on average than countries without quota provisions and that post-conflict countries have achieved rapid progress in improving women's participation in politics (2). Mohring and Tenney cited Harrison (3) that affirmative action policies constitute one of the most contested and polarising forms of identity politics as they imply that members of underrepresented groups are given preference over others in selection processes for leadership positions

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and/or public offices and are thus outcome-based group-based policies. The implementation of affirmative action policy for redressing inequality has been the subject of public debate in most Western democracies, as Indonesian experienced.

Indonesia's state ideology, Pancasila, enshrines similar values within its five silas (principles), which uphold humanism and draw on the varied cultural pluralism that is the very essence of the Indonesian worldview (4). Pancasila knows no 'othering', as it is designed to be an inclusive ideology that protects and shelters all groups from any type of injustice (5) and so women in politics. Culture seems to be a barrier for women in politics (6), as Indonesia, the prevalent patriarchal norms within Indonesian culture and society obstruct women from attaining positions of authority through elections.

Law Number 12 of 2003 is the first law in Indonesia which regulates the requirements for political parties to nominate candidates for members of the Legislative Council (DPR), Regional Representative Council (DPRD) in both province level and city/regency level, with 30% of women representation. Article 65 Paragraph 1 states, "each political party participating in the election can nominate candidates for members of the DPR, DPRD of Province, and DPRD of city/regency for each electoral district with due regard for women's representation of at least 30%" (7). This regulation has been amended by Regulation Number 10 of 2008, Regulation Number 8 of 2012, and other relevant statutes. Despite two decades of implementation, the 30% quota for women's representation in parliament remains unfulfilled.

There are four different views regarding representation; (i) formal representation; (ii) symbolic representation; (iii) descriptive representation; and (4) substantive representation. Formal representation is representation that is formed as a result of institutional arrangements carried out before representation exists. Descriptive representation is a form of representation that is based on similarities or similarities between representatives and those represented (constituents or voters). Substantive representation is a concept of representation which shows that the activities carried out by a representative are for the interests of those he represents (8).

Therefore, various questions arise, Why is there specialization for women in the political arena in Indonesia? Why has this representation figure not yet been achieved? Several factors can be the cause, including: government, political parties, society/voters, and women themselves. The policies formulated have not yet become concrete solutions to resolve women's problems in politics and the public sphere. Not only the government, political parties are one of the parties to blame because political parties are the only instrument and forum for politicians to advance in the legislative election contestation. The basic question is whether political parties consider the law on women's

representation in politics as an obstacle to the party gaining votes? because there is an opinion that female legislative candidates are considered more difficult to get elected and are seen as simply fulfilling a quota so that the party can take part in the election.

Meanwhile, for the last factor, namely the community/voters and women are the factors with the greatest influence. When society has bad stereotypes about the presence of women in politics, it will certainly have an impact on women's representation in parliament. Therefore, voters (women) do not necessarily choose female candidates in elections. This happens because of doubts that arise due to stereotypes that develop in society. In addition, the existence of patriarchal cultural factors and the dual role of women creates a wall that prevents women from being able to participate in politics.

Even though the state is now relatively accommodating to discourse and demands for women's political representation, it must be realized that the space for women's political expression provided by the state (and party elites) is still far from the spirit of justice and equality. Even though the determination of a 30% quota through state recommendations has been tested since the 2004 election, judging from the historical aspect of the growth of women's political representation in parliament, in fact it is still fluctuating. Records of women's political representation show ups and downs from time to time regarding women's involvement in the practical political arena, especially in legislative institutions. Members of the Provisional DPR for 1950–1955, for example, succeeded in accommodating 9 seats (3.8%) of the 236 seats for elected legislative members at that time. The number of women's representation as a result of the 1955–1960 elections rose to 17 seats (6.3%) out of 272 elected members of parliament.

The quantitative representation of women in parliament has fluctuated again. In the Constituent Assembly era (1956-1959), women's legislative seats fell to 25 seats (5.1%) out of 488 Constituent member seats. Likewise, in the New Order era, women's political representation in parliament also experienced ups and downs. The first election of the New Order (1971–1977) succeeded in placing women in 36 parliamentary seats (7.8%), in the 1977 election 29 seats (6.3%), and in the 1982 election 39 seats (8.5%) out of 460 elected DPR members. in the three election periods. Furthermore, the 1987 elections succeeded in placing women in 65 seats (13%) of the 500 DPR seats, and continued to decline in the 1992-1997, 1997–1999, and 1999–2004 elections to 62 seats (12.5%), 54 seats (10.8%), and 46 seats (9%) of each of the 500 seats were won by DPR members in each election period. Next, the 2004 Election again increased the number of female legislative members to 63 people (11.45%) out of 550 elected DPR members, and the 2009 Election succeeded in placing 99 female legislative members (17.68%) out of the 560 DPR candidate members elected as a result of the 2009 Election.

Seeing that several problems faced by women, both in government, political parties and in society, have not been paid attention to or resolved first. So the author questions why women's representation of at least 30% must be achieved and what the actual impact will be on the Indonesian political system if representation reaches 30%, where the problem of achieving women's representation still cannot be resolved.

Currently, Indonesian women's participation is still below 30%. It is important to increase women's participation so that political decision making is more accommodating and substantial. Apart from that, strengthening democracy always provides ideas related to pro-women and children legislation in the public sphere, so that efforts are needed to increase women's participation in parliament through a Draft Presidential Regulation on the Grand Design for Increasing Women's Representation.

The author assumes that if it cannot be resolved by the government, political parties and society itself, women's representation of at least 30% will not be achieved and if it is achieved then the influence of women's representation in the political system will also have no effect. and will be the same as when the rules for women's representation had not been determined. However, if political parties cannot provide training to female cadres to support their quality, then voters will continue to consider women unfit to be their representatives in the legislature. So there is doubt in society about choosing women.

## 2. Research Method

This study used qualitative research method with a literature review approach in the form of descriptive information. A literature review is a scholarly paper which provides an overview of current knowledge about a topic (9). The data used for the creation and assembly of this article comprises both primary and secondary data. Primary data typically originates directly from sources without alterations or modifications by external parties, while secondary data is often sourced from relevant media provision. Primary data used in this research were taken from law regulations, books, and journals. Besides, information and data from newspaper and online media were taken as secondary data. Once the data have been collected, the data were analyzed through the following types of analysis by reviewing each source to identify key concepts, theories, and findings, comparing and contrasting different perspectives. Through this process, researchers can uncover common themes, trends, and gaps in existing knowledge, which helps to inform the development of research questions and methodologies.

### 3. Result

Looking at the number of seats women have gained in parliament from year to year since it was implemented. From 2004-2019, the number of seats obtained by women shows an increasing graph but has not yet reached 30%. In fact, it has tended to stagnate since the last 3 elections. It can be seen based on the data below.

TABLE 1: Percentage of Women's Representation in Parliament.

Tiers	Election 2004			Election 2009			Election 2014			Election 2019		
	P	L	J	P	L	J	P	L	J	P	L	J
DPR-RI	11,82% (65)	88,18% (485)	550	18 % (103)	82 % (457)	560	17,32% (97)	82,67% (463)	560	20,87% (120)	79,13% (455)	575

Source: KPU Publication

However, it is necessary to explore whether the increase in the percentage of women's representation in parliament is purely due to the increase in the quality of women and the success of political parties in recruiting and forming cadres carried out by political parties. Considering that politics in Indonesia, especially women, is thick with issues of political dynasties/kinship networks and celebrities/popular figures in legislative election contestations.

Based on the results of the 2019 elections, women's representation in the National Legislative Institution is at 20.8% or 120 female legislative members out of 575 members of the DPR RI. This participation is still below the required figure of 30% of the number of female legislative candidates when political parties register themselves as election participants. This is still in the national context, not to mention in areas where most of the numbers are below 20%

This figure is still far from the government's expectations when compared with countries that have succeeded in obtaining women's representation in parliament, as follows:

Of the ten countries, it can be seen that developing countries dominate and only 2 are developed countries, namely Spain and Finland. If we look at the electoral systems implemented in countries that have parliamentary representation, they use proportional and mixed systems. In many countries, proportional electoral systems have proven to be more capable of increasing women's participation, but it should be noted that closed proportional systems are much more effective than proportional systems with half-open lists, let alone fully open proportional systems. Because in a closed proportional system it is centered on the party while an open proportional system is centered on

TABLE 2: The country with the most female representation in parliament and its electoral system.

No	Country	Chairs amount	Percentage	Types of Election Systems
1	Rwanda	51/80	63,8	Proportional
2	Bolivia	69/130	53,1	Mix
3	Cuba	299/612	48,9	Majority Election
4	Seychelles	14/32	43,8	Mix
5	Sweden	152/349	43,6	Proportional
6	Senegal	64/150	42,7	Mix
7	Mexico	211/498	42,4	Mix
8	South Africa	168/400	42,1	Proportional
9	Ecuador	57/137	41,6	Proportional
10	Finland	83/200	41,5	Proportional

Source: Electoral Systems and Women’s Representation, 2016

the candidate. The impact, in a closed proportional system, will be a reduction in the candidate’s contribution to the election (10).

Based on UN research, a minimum figure of 30% (thirty percent) is a critical mass to enable change to occur and have an impact on the quality of decisions taken in public institutions. The determination of the 30% figure is intended to avoid the dominance of one gender in political institutions that formulate public policy. Based on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in appointed positions and based on election results at local and national levels (11).

In a democratic country, political parties have a central role in the political system. They function as a liaison between society and government and play a role in shaping and directing a country’s political process. Therefore, to become a member of parliament, joining a political party is one of the paths that legislative candidates usually take. However, have political parties carried out their functions well?

Based on Law no. 10 of 2008 requires political parties to include 30 percent female representation in central level management (12). Representing women at least 30% in nominations for DPR and DPRD members is considered a step that still needs to be considered. This aims to ensure that policies can be adapted to existing problems and the realities of life and the political processes being carried out by women. In short, giving a 30% quota will actually have a negative impact on the quality of women themselves because the women produced are not from a good cadre formation process but rather from haphazard origins, popularity factors, and are selected based on criteria. the importance of fulfilling the quota as a condition for cadre nomination.

Based on data from the General Election Commission (KPU), there are 300 legislative candidates who are double identified, this phenomenon occurs in almost all political parties participating in the 2024 Election (13). This phenomenon raises doubts about the success of cadre formation carried out by political parties. This shows the need to question the effectiveness of the cadre formation that has been carried out. This incident shows that there are errors or weaknesses in the process of forming political party cadres. The double identification of legislative candidates between parties raises questions about how the selection and supervision process for legislative candidates is carried out by political parties.

A good cadre formation process must include careful evaluation, strict selection, and effective supervision of proposed candidates. The formation of good cadres is the key to the success of political parties in realizing their goals and meeting people's expectations. Furthermore, the nomination element is also still influential, if you look at the 2009 and 2014 election data where the election winner is still influential even though the majority vote mechanism is the serial number factor, it turns out it still has an influence.

TABLE 3: Percentage of Elected Legislative Candidates Based on Serial Number.

Period	Number 1	Number 2	Number 3	Notes
DPR RI (2009)	64,9%	19,3%	6,3%	90% are selected from ranks 1-3
DPR RI (2014)	62,2%	16,9%	4,4%	Selected from order 1-3

Source: KPU data processed by Puskapol UI

Based on the data above, it can be seen that women's candidacy is in number 3, while many men are in number 1. From the nomination elements, it can be concluded that women's representation to be elected using the zipper system would not be possible without the party's initiative to give women a small serial number. Apart from that, of the 16 national political parties, only one political party has a female general chairman, namely the PDI Perjuangan party. From this it can be seen that only a few women are active in the party. It is very rare to find women participating and playing a role in political parties. Even in political parties, women are often only placed in administrative positions, and play little role in issues related to women.

In social life there are also influential factors that prevent women from being able to take part in politics. First, women experience stereotypes in their social life roles. There are several causes for the emergence of these stereotypes, namely cultural, structural and gender bias constraints. Second, in terms of social roles, women also have dual roles which create psychological barriers for women. The third obstacle is that society

is determined by patriarchal culture. The fourth factor is an internal factor that exists within the woman herself.

These four factors are interrelated and influence women. Women often experience gender discrimination, where women are seen as having a position below men. So women are considered inappropriate to do work or activities that are usually done by men, especially in the political field. So, this also gives rise to a patriarchal culture. This patriarchal system dominates men who feel they have privileges compared to women and women's capacities are often questioned, even though men are not. This inequality further increases women's burden or is called a double burden, such as the role of women as public workers and also as housewives. So it also has an impact on women's psychology by reducing women's mentality to be able to compete with men.

Views regarding these obstacles result in women not receiving full support in various steps or processes carried out in the world of politics. This is also a factor in the low level of public confidence in supporting female candidates because they are considered unfit and are deemed not to have the same capacity as men. This is proven based on data from the Spektrum Politika survey submitted by director Andri Rusta, "He said that from the survey conducted, 45% of respondents were hesitant to choose women who would run for office. one woman and another 26% answered that they would not vote." This problem then also becomes an obstacle for women to want to occupy political institutions and legislative seats as women's representatives and compete with men due to patriarchal culture.

This fourth inhibiting factor is clearly also related to the three factors above, especially patriarchal culture. Internal factors within women themselves also become obstacles for women, such as the quality of women who are less skilled in the world of politics and a lack of self-confidence in actively participating in the political process. These obstacles are problems experienced by women in the reality of social and political life. To increase women's representation in politics, there needs to be cooperation between society, government and political parties who support each other. So it becomes a collective duty and responsibility to solve these problems and women's obstacles can be eliminated. In this way, it will facilitate and increase women's representation and active role in politics, which is essentially a reflection of true democracy.

## 4. Conclusion

Women's representation in the DPR must be accompanied by gender-centred supervision and struggle that can be sustainable in the political process. There is a lack of



confidence in women to be able to advance and participate in the world of politics, because they are still influenced by cultural norms and the still embedded patriarchal cultural system in society. Even though the state has provided equal opportunities for every citizen through the mandate of the law, women feel that there is indirect discrimination that affects them and are still not trusted enough to be able to take part in political contestation, so this causes women's involvement in politics to still be low and for the most part in the world of politics itself it is always occupied by men. Women are expected to be trusted and given the opportunity to sit in the legislature so that a balanced system can be created. Women who have a gentle nature must be given equal opportunities in politics and given the opportunity to serve and occupy strategic positions in the political field, so that later they can exploit and implement the abilities and character of women themselves so that later through women's leadership they can make society prosperous. in his way.

Representing women at least 30% in nominations for DPR and DPRD members is a step that cannot be said to be successful to date. With the provision of quotas as a goal to encourage women to enter and participate in politics, in fact there are still many shortcomings and missing problems faced by women in social life and the political process. Problems of gender equality, patriarchal culture, and doubts about women's capacities are factors that hinder women themselves. Another factor is the impact of the political process faced by women where political parties still produce cadres only to fulfill nomination quotas, not as a result of good and correct competition and selection.

Affirmative action policies or policies that encourage women in the political field are implemented, because the world of politics is still believed by feminists to be an arrogant and patriarchal world. As a result, the composition of women in representative institutions is not balanced with the number of women in the population. The decisions issued by parliament are still considered discriminatory against women.

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## Declaration of Conflict Interest

The Authors declare that there is no conflict of interest regarding the publication of this article

## Biography

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