



Women's Political Rights Context in Gender and Human Rights Perspective

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Abstract

Women have the right and the potential to make a real contribution in politics. However, the phenomenon of the increasing number of female figures in political contestation in the regions is still the pros and cons so that the involvement of women still invites discussion, debate, and often leaves doubts. Currently, the representation of women in the legislature is an important concern of the government, one of which is through an affirmative action policy. In the political context, this affirmative action was taken to encourage women's representation in the legislature. So that a regulation is needed that can guarantee and ensure the representation of women in parliament, both nationally and regionally. Starting with the ratification of the Convention on the Elimination of All Forms Of Discrimination Against Women (CEDAW) by Indonesia in 1984 through Law Number 7 of 1984 which provides special treatment to achieve gender equality, it has also been carried out through several other national laws and regulations, such as Law no. 12 of 2003 which regulates the political parties participating in the election to pay attention to the representation of women at least 30% in the nomination of members of the legislature.

Keywords: Women, Politic, Gender

Introduction

Opportunities for women to participate in political contestation in Indonesia are increasingly open. This is further strengthened by the high demand along with the growing awareness that women can also join the Democratic Party. This phenomenon is a trend that continues to strengthen, namely the strengthening of movements and demands and the widespread awareness of gender equality or the importance of women's participation in politics. Political space and positions are increasingly open to anyone. It is no longer reserved exclusively for men and is not taboo for women. Therefore, political rights are the rights of all Indonesian people regardless of gender. (Lay, 2017)

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The concept of gender equality has expanded and developed in such a way that it has also influenced reforms in Indonesia. The changes made during the reformation relate to the system that aims to make women more realistic in fighting for their interests in all fields, one of which is in the political field. Legislation that is friendly to women was born ahead of the 2004 general election through the General Election Law. Chapter 65 paragraph (1) of the General Election Law states that every political party participating in the General Election may nominate candidates for

members of the People's Representative Council, Provincial Regional People's Representative Council, and Regency/City Regional People's Representative Council for each Electoral District by taking into account the representation of women at least 30%.

The position of women in politics is getting stronger with the issuance of the General Election Law which stipulates that in every 3 (three) candidates, at least 1 (one) woman. Finally, ahead of the 2014 General Election, the General Election Commission Regulation appeared which was an affirmation of the points contained in the previous regulations.

These regulations were made based on consideration as an affirmative action policy for women's representation in politics. Affirmative policies are temporary special measures taken to achieve equality of opportunity and treatment between women and men. These various laws and regulations in reality do not necessarily boost women's political participation. One indicator of the low level of women's political participation is the low number of women's representation in the legislature.

Factors that arise within women themselves (internal factors) that affect the low participation of women in politics. These factors are as follows: (1) There is an assumption among women that politics is full of violence so that it is seen as the world of men, so that women are reluctant to be involved in it; (2) Many women do not like to organize; (3) Women do not take advantage of the potential that exists within themselves, even women themselves sometimes immerse themselves in the domestic world, which is busy in household tasks; (4) Women often lack self-confidence, so they are not mentally and psychologically prepared to enter and carry out office functions as policy makers or decision makers.

Political parties also have the opportunity to determine women's participation and representation. There are 4 factors in the existence of political parties that are significant in determining the level of women's representation in parliament, namely as follows: (a) political organizational structure; (b) institutional framework; (c) party ideology (progressive ideology); (d) political party activists. Women's political participation will never be maximized if political parties do not have a commitment to support such political participation. Referring to the above factors, women ultimately gain political support. When the management of equality of relations is so swift, political parties rush to recruit women as cadres, merely as shields or lipsticks in order to attract the sympathy of the masses. (Bhalotra et al., 2021)

Literature Review

In addition to the patriarchal culture that is still strong within political parties, there are other issues that are no less important, namely regarding the principles of political parties, for example for political parties based on Islam. Until now, some groups still believe that women are subordinate to men. This group bases their opinion on the Qur'an Surah An-Nisa verse 34 which means that men are leaders for women, because Allah has made some of them (men) superior to others (women), and because of them (men) men have spent part of their property. (Jaya, 2021)

The verse of the letter is reinforced by the Qur'an Surah Al-Baqarah verse 228 which reads "For women, they have rights that are balanced with their obligations in the right way. However,

husbands have one degree of advantage over their wives. These verses are often related only in the context of the household, but there are also many groups who use logic that if a head of household only has to be a man, then a head of state must also be a man. (Kamaruddin & Oseni, 2013)

In addition to the verse, there is also a hadith of the Prophet Muhammad regarding the position of women, in which he said: It will never be lucky for a people to surrender their leadership to a woman (Narrated by Bukhari, Turmudzi and An-Nasa'i). From this hadith, many scholars have concluded that women are not allowed to occupy the highest positions of power in a country. (Dahlan, 2021)

Research Method

Meanwhile, for powers that are more limited in scope, such as regional leaders, the legitimacy of women's leadership is still being debated by scholars. Great scholars such as Imam Ahmad, Imam Malik, and Imam Syafi'i even clearly argue that women have no right to be leaders even in a more limited scope. Starting from the understanding above, this paper aims to find out whether the activities of these political parties support women to take part and develop their qualities within the internal political parties or vice versa.

Result and Discussion

Women's Representation in Parliament

One form of the embodiment of democracy is the implementation of an open proportional system in general elections in Indonesia which provides wider access and opportunities for the public as voters in determining their representatives in the legislature, both at the national and regional levels. This system is considered to be a real manifestation of people's sovereignty, where the people have the right to legitimize the legislative candidates as winners through a direct election mechanism and based on the majority vote. On the other hand, democracy also provides the widest opportunity for citizens to be elected and enter the world of politics regardless of ethnicity, race, religion, or gender, so that basically this can also be related to the participation of women in legislative candidacy to fight for collective rights without discrimination. (Engida, 2021)

Currently, the representation of women in the legislature is an important concern of the government, one of which is through an affirmative action policy. In the political context, this affirmative action was taken to encourage women's representation in the legislature. So that a regulation is needed that can guarantee and ensure the representation of women in parliament, both nationally and regionally. Starting with the ratification of the Convention on the Elimination of All Forms Of Discrimination Against Women (CEDAW) (Mullins, 2018) by Indonesia in 1984 through Law Number 7 of 1984 which provides special treatment to achieve gender equality, it has also been carried out through several other national laws and regulations, such as Law no. 12 of 2003 which regulates the political parties participating in the election to pay attention to the representation of women at least 30% in the nomination of members of the legislature. Then there was a change in Law No. 10 of 2008 and Law No. 8 of 2012 which stipulates in more detail that political parties can only participate in general elections after fulfilling the requirements to include

at least 30% women's representation in the management of political parties at the central level. (Tait et al., 2019)

In addition, other regulations apply the zipper system which stipulates that for every three legislative candidates, there must be at least one woman. In this case, it means the determination of the minimum number of seats that must be occupied by women. In this provision, it is regulated that the names of prospective candidates are arranged based on serial numbers, so that political parties will determine candidates with serial numbers 1 to 3, where one of them must be a female candidate. These rules still apply to Law no. 7 of 2017 as a formal law used today related to the implementation of elections. With these various policies, of course, it is hoped that they can encourage the participation of women to participate in voicing the voice of the people through the legislature. In this case, of course, the role of women is expected to be able to participate in formulating policies that favor women's interests. The main urgency of women's involvement in the national political arena cannot be separated from the number of Indonesian women population itself, which is based on data from the 2005-2025 Indonesian Population Projection, from a total of 270.5 million Indonesians in 2025, the female population is 135.5 million people or approx. 49.75 percent of the population. With such a large number, of course there is also a need for women who can voice their collective interests in parliament.

The representation of women in parliament is basically inseparable from the role of women in the public sphere. The role of women in the public sphere is still an interesting discussion to discuss, especially when faced with the role of women in the domestic sphere. This is because history also shows that there have been social problems that have not been balanced between men and women since the past which cannot be separated from the assumption that women are still under men and live as complements, so that their role in the public sphere faces various challenges. However, if we refer to the modern era and current globalization, of course, these ideas are no longer relevant to be used, but it cannot be said that this thinking has completely disappeared in Indonesian society, because in reality the public sphere is often not friendly to women, one of which is if we look at the aspect of women's representation in parliament. Representation of women in parliament when referring to existing regulations, of course we as writers agree that this is a step forward and positive by the government in pursuing the role of women in the public sphere and supporting gender equality in Indonesia. Through current regulations, various government policies such as Affirmative Action and the Zipper System are basically implemented as an effort to increase the quantity of women in parliament. As a comparison, it can be seen that after the implementation of this system in the 2009 and 2014 elections, the data shows that the number of female legislative candidates elected in 2014 has decreased compared to the 2009 election results. . This number is less than the 2009-2014 DPR period, which was 101 people or 17.86%. This is inversely proportional to the nomination rate, in the 2009 Election the nomination rate was only 33.6%, while in the 2014 Election the nomination rate reached 37%. Based on the data above, it can be concluded that basically women's interest in representation in parliament has begun to show a positive trend compared to before, marked by the nomination rate which increased by around 3%

from the 2009 to 2014 elections, which later became a problem, namely the election of women by the community as representatives. in parliament.

Basically, as writers, we are of the opinion that the electability of the community is the main problem, it can be seen from the data above that in 2009 female legislative candidates were in the range of 33.6%, but only 17.86% were elected, while in 2014 As many as 37% of female legislative candidates are elected as members of parliament, only about 14% or less than half of female legislative candidates who register. In fact, being elected by the community is the initial gate in efforts to collectively defend women in parliament. Because it would be useless if women in droves registered as legislative candidates to represent the voices of the people and women, but as a result of the electoral system used, the hope to voice and defend women's rights also finally vanished. In addition, it is also necessary to understand that women and men in terms of experience and interests are different, even contradictory, so that it will be difficult for men to represent women's interests in parliament. So of course the political combination between men and women will provide meaning and guarantee for the realization of gender equality in various policies made by the legislature.

The low representation of women in parliament can be caused by the following factors:(Bangun, 2018)

1. The socio-cultural and psychological conditions of the community are still very strong considering women only as housewives with the ideology of dividing public and domestic roles;
2. Party bureaucrats who are dominated by men tend not to give women opportunities in determining the serial number of candidates. The determination of the serial number is determined by the party leadership, who is generally male;
3. There is a religious interpretation that prohibits women from being involved in public spaces;
4. The internal factors of women themselves are related to the quality of human resources, knowledge, organizational skills, education, mental attitudes, and understanding of political rights which are still low;
5. Government policies that do not pay attention to the aspirations and interests of women. Even if there is, it is still very weak in socialization and implementation;
6. Lack of presentation and promotion of women's activities in politics compared to men's political activities.

Basically, in parliament as their representative, the people want to find an ideal leader. One category of ideal leader is a leader who has a sense of concern for his members, meaning that this kind of leader is a leader who always pays attention to the interests of his people rather than personal or group interests. He will work according to what is needed by the people, not based on personal or group needs. However, if we look at the reality, the behavior of voters in determining their representatives from the parliament is classified based on several approaches, namely sociological, psychological, and rational approaches. These various approaches are generally closely related to the scope of the electoral district, because the characteristics of the people in different regions are certainly different.

In general, based on the results of research that Indonesia as a country that is still thick with cultural values, when viewed from a sociological approach, several factors can be classified as choosing a legislative candidate, namely in terms of socio-economic status (education, type of work, and income), religion, ethnicity, and area of residence. Then from a psychological perspective, namely one's party identity, issue orientation, and candidate orientation. As for rational voters, they emphasize their assessment of political issues and proposed candidates. Of course, these factors are based on similarities in the community's point of view. From the explanation above, we, as authors, are of the opinion that to increase the quantity and fulfill the quota for women's representation as much as 30%, it also requires commitment from political parties as forming cadres who will later sit in parliament. As stated earlier that to increase this quantity, changes and improvements are needed from legislative candidates or cadres in political parties, because basically society has formed its own view of the inability of women, so it is a necessity if we want to change that view without trying to prove it through internal improvements the woman herself.

Women's Political Rights in The Indonesian Constitution

People's political rights are rights that are urgently needed to strengthen people's participation in controlling and participating in government, these rights include: (a) the right to participate in the government process either directly or through their representatives (Article 19 to with Article 21 and Article 22 C; Article 22 D of the 1945 Constitution); (b) the right to equal opportunities in obtaining public services in their country [Article 28 C paragraph (1), Article 28D paragraph (2)]; (c) the right to hold opinions freely, both orally and in writing [Article 28 E paragraph (2) and paragraph (3)]; (d) the right to associate and assemble [Article 28 E paragraph (3)]; so that through these rights, the state apparatus remains under the control of the people, and this is the basis of a democratic state. (Hosen, 2007)

Article 28 of the 1945 Constitution regulates in detail the political rights of the people, namely the freedom to assemble and associate, express opinions orally and in writing, while in the international world, the political rights of the people have been regulated and become an integral part of the Universal Declaration of Human Rights. Human Rights (Universal Declaration of Human Rights 1948), issued by the United Nations (hereinafter referred to as the UN), which has been used as a standard reference for the implementation of human rights in countries that have become members of the United Nations, among others:

a. The Universal Declaration of Human Rights. (UN General Assembly, 1948)

Article 29 stipulates that: "everyone has the right to freedom to hold opinions without interference and to seek, receive and impart information and opinions of all kinds regardless of frontiers"; Article 20 paragraph (1) everyone has the right to freedom of assembly or assembly; paragraph (2) is formulated: "no one can be forced to enter one of the associations";

b. Covenant on Civil and Political Rights. (Joseph, 2022)

Article 19 paragraph (1): "everyone has the right to have an opinion without being disturbed"; paragraph (2): "everyone has the right to express an opinion; this includes the freedom to seek, receive and impart all kinds of information and ideas regardless of frontiers, either orally, in

writing or in print, in the form of art, or through any media of his choice”; Article 21 stipulates that: “the right of free assembly is recognized. No restrictions may be imposed on the exercise of this right, except those prescribed by law which are necessary in a democratic society, in the interests of national security or public safety, public order, the protection of public health and morals or the protection of the rights and freedoms of others.”

Observing the contents of the provisions of the articles in the Declaration of Human Rights and the Convention on Civil and Political Rights, it appears that the world also recognizes the existence of these basic human rights, especially in the political field; and the State of Indonesia as a member of the United Nations, has ratified this agreement on civil and political rights, so it is obliged to participate in implementing the provisions in the agreement, because the agreement that has been agreed upon through ratification has legal implications such as a legally binding contract (*pacta sunt servanda*).), therefore restrictions on civil and political rights cannot be justified and are contrary to universal human rights principles and are contrary to the principles of international law.

In 1952, the United Nations General Assembly, accepted a treaty on the political rights of women, which stated that women should be given the right to vote, be elected, hold public office and carry out general functions 'on the basis of the same conditions as men, without any distinction', and in the preamble of the agreement it is stated:

Recognizing that everyone has the right to take part in the government of his country directly or through freely chosen representatives and has the right to equal opportunities to be appointed to government positions in his country, and wishes to equalize the position of men and women in enjoying and exercise general rights, in accordance with the provisions in the United Nations Charter and the General Declaration of Human Rights.

This agreement clearly implies that the position of men/men and women/women must be equal, in all fields, especially in politics which of course is contrary to the views of society. The public view that political life is identical with the life of men/men, so that the meaning of democracy and the realization of that meaning in reality, namely ensuring political equality for all citizens, both majority and marginal groups, has not been achieved, as a result many political decisions which does not fulfill the principle of justice for all groups of society, because groups of women/women are not represented without restrictions, even though women/women are also part of society and especially individuals who have basic human rights, and are obliged to participate in the government system, Thus, the most basic principle of democracy, in terms of providing equal rights and positions in all fields, has not been achieved. Sociologically, this equality of political rights for every Indonesian citizen turns out to be not as beautiful in its implementation as it is at the normative level, which does not recognize discrimination. Due to the fact, the treatment and reality of women's rights in implementing their political rights still encounter various obstacles. The inequality of women's representation compared to men's representation in implementing their political rights is very different. This becomes more apparent when it is seen that the representation of women in parliament is not more than 10% or even less in every general election period. This inequality exists at the central, provincial, and district/city levels.

The representation of women in politics in Indonesia is an urgency, but it should be remembered that despite this urgency, there are still many obstacles for women to sit in parliament itself. This is something that everyone should pay attention to. Guaranteeing the protection of political rights for women is an urgent issue, as stated in the 1945 Constitution, Election Law, CEDAW, ICCPR, and the Convention on Women's Political Rights, as well as how the implementation of women's political rights de jure and de facto is seen from women's representation and the state's obligations in responding to this. (Fazaeli & Hanisek, 2021)

Regarding the political rights granted by the state to citizens, it is implied in Article 28 of the 1945 Constitution that the state gives freedom to issue ideas in oral or written form. Furthermore, in the provisions of Article 28D paragraph 3 of the 1945 Constitution it is stated that the state gives rights to every citizen to get equal opportunities in the field of government. From the formulation of the two articles it can be concluded that the state guarantees the right of every citizen to be able to participate in the government, convey what his ideas are for the progress of the state or the smooth running of government so that political rights are rights that can be owned by both men and women.

In accordance with the elaboration of the rules in the Constitution of the Republic of Indonesia, the state also provides protection to women in Indonesia in terms of political rights. Through the Law on Human Rights, the state specifically regulates human rights which also stipulates political rights for women. In the provisions of Article 3 paragraph (3) of the Human Rights Law, it is implied that every individual has the right to obtain protection of his human rights and his basic freedoms as a human being, without any discrimination. The provision in the same law that also provides protection of political rights for women is in the provisions of Article 23 paragraph (1) which affirms that "everyone is free to choose and has legal protection of political rights by the state is also carried out through other laws and regulations, namely Political Party Law.

In the Political Party Law, it is determined that the state provides protection of political rights by providing opportunities for citizens to form political parties. Especially for political rights, women's representation in political parties is given a quota of 30%. The 30% quota given by the state to women in politics shows the progress of legal protection by the state compared to before, but 30% is not a form of justice or a form of law enforcement by the state for everyone's right to express their ideas for the development of the country.

Another legal protection carried out by the state for the fulfillment of women's political rights is by issuing the Law on Approval of the Convention on the Political Rights of Women. Another legal protection related to women's political rights without discrimination is through the ratification of the Convention on the Elimination of Discrimination Against Women through Law Number 7 of 1984 which regulates the Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women

It states that women have the right to vote in all elections on the same basis as men, without any discrimination. Therefore, women have the right to sit in government positions and carry out all government functions, without any discrimination, in accordance with national legislation.

Factors Caused low Representation of Women

Participation is the most important feature of democracy, meaning that no participation means no democracy. Without participation, it is impossible for the policy products issued by the government to fulfill the sense of justice of its citizens. There are three kinds of aspects of participation, the first is the existence of equal opportunities for every citizen to express their views and interests in the policy formulation process, secondly, namely the opportunity to fight for the views of their interests both individually and collectively, and thirdly, namely the existence of equal treatment. especially from the ruling government, to the views and interests championed by its citizens.

The inclusion of women in a political party is proof that the rights of women that R.A Kartini has been fighting for have been running until now and there has been gender equality between men and women. Women in reality have a much heavier task than men. Apart from taking care of the household, now many women have decided to become career women.(Suhra, 2019)

People's doubts when deciding to choose female cadres over male cadres are embedded in a patriarchal culture or the position of a man is higher than that of a woman. As in the world of education, in Indonesia the highest illiteracy rate is achieved by women because the view "women do not need to be highly educated, in the end in the kitchen too" is still circulating.

There are several factors that hinder women's human rights to become a cadre of political parties so that women are left behind in the management of political parties, namely:

- a. The existence of a social culture, especially in rural areas, which views that men should take precedence over women;
- b. Women, with their roles as mothers and housekeepers, cannot always be "ready to use" in managing the organization;
- c. The existence of natural characteristics inherent in a woman, namely human rights, giving birth, breastfeeding, taking care of children and menstruation, which discourages women in politics; public perception that politics is not suitable for women because the political party is considered a tough and risky field;
- d. There is a sense of superiority of men so that they underestimate the presence of women in the party environment so that women do not get strategic positions in the party.

Another factor that is human rights for the involvement of women in a political party is the doubts of the political party itself in finding, convincing, and also offering its program to women who are eligible to be involved in their political party. Moving on from that, the presence of women in political parties is an advancement of thought in terms of work & profession. People's thoughts about the status of women who only stay at home can slowly be eliminated because of the foray of women into political parties themselves.

The involvement of a woman in a political party has a big impact. Women will fight for rights related to family, health, and others. Women will argue in the legislature so that the rights of women in this country are conveyed. The government is required to be literate on issues related to children and women. In addition to fighting for these issues, women try to overcome problems without leaving their feminine nature.

The role of women in politics today is indeed getting stronger, it can be seen that there are more and more regional heads, members of the DPR, even the ministers who are held by women. Not only in office, but their strength is able to change Indonesia in a positive way. The role of women in Indonesian politics will indeed become a color of its own, even with all its feminine characteristics, it will further complement Indonesian politics. Their participation and representation in policy formulation and decision making is one of the real steps towards achieving fair conditions for women.

Gender differences are actually not a problem as long as they do not give birth to gender inequality. However, the problem is that gender differences have given birth to gender inequality. However, the problem is that gender differences have given rise to various injustices, both for men and especially for women. The impact in question can be seen in several manifestations of gender inequality as follows: (1) Marginalization or the process of economic impoverishment of women; (2) Subordination or presumption of unimportance in political decisions; (3) The formation of negative stereotypes or labeling; (4) Violence, both physically and non-physically; and (5) Long and more workloads.

The opportunity for women to enter the political field actually exists and is possible, but due to various factors it rarely happens. The main factor is the stereotypical view that the world of politics is a public world, a violent world, a world that requires reason, a world full of debate, and a world that requires intelligent minds, all of which are assumed to belong to men and not to women. Women do not deserve to be in politics because women are kitchen “inhabitants”, cannot think rationally and are less willing to take risks, all of which have become women's stereotypes. As a result, both women and men and society in general have drawn different poles that the public world belongs to men and the domestic world belongs to women.

This is also related to the socialization of gender roles. Another factor is that gender inequalities in socio-culture have resulted in fewer women achieving higher levels of education than men. As a result, because women do not have adequate knowledge, they cannot take part in politics. In addition, political rights among women are also still low considering that the political world belongs to men, so that society sees no need to give political rights to women.

Efforts to Increase Women’s Representation in Using Their Political Rights

Women also have the opportunity and opportunity to participate in formulating regional policies. The views of women regarding the world of politics will certainly be closely related to their interest in stepping foot to participate in politics. Political positions have higher power and power because they are directly elected by the people. Not having a closed mindset is less likely to accept difference. Because everyone in politics has the same right to be elected and to vote. More specifically, politics does not recognize gender differences but rather a person's ability to influence and make good changes in an area. Today's society really expects a healthier politics. Politics is not only related to material and position alone, but is a way that must be used to improve life together, not only personal life or the party that carries it, be it the state or the government has provided great opportunities for women to play a role in the political flow of our country without there is discrimination like in ancient times when women only stayed at home. Many women are

now highly educated, qualified and needed to contribute their thoughts and energy in the world of politics. (O'Brien & Piscopo, 2019)

Although opportunities continue to be opened for the existence of women in the political field, if such thoughts continue to undermine women, interest will be difficult to empower. The state in general and the region in particular still need the role of the daughter of the nation to jointly strive to achieve common prosperity. So we can see from the statements above that politics is not an instant thing, but a strength and capability that is continuously honed to gain power by equipping oneself with experience and mature human rights and a sincere intention for the common welfare.

By looking at the lack of women's participation in politics of course caused by several factors. The factors that the researcher examines through observations, literature and the results of interviews with various informants are as follows:

Internal Factors

1. The Capability of Female Cadre to Be Involved in the Pilkada Contest

Talking about the capability to get involved in politics and to become a leader, of course, the main basis is the size of the level of education and organizational experience. These two things are mandatory provisions so that women in political positions are qualified human beings. To become a leader and decision maker, for example to become a member of the DPRD and even become a Regional Head, of course, it is not only a will or interest, but a woman, especially a cadre of political parties, should also be supported by a mature level of education and organizational experience.

2. Interest of female cadres to be involved in the election contest

In this last factor, the researcher examines more deeply related to the interest of women cadres in the flow of politics as policy makers and decision makers. Through the factors that have been studied previously, various information from informants has explained things that have human rights and the involvement of women in political positions such as in terms of education, organizational experience, finance, culture and policies.

Basically every human being has a reason to make a choice in his life. Likewise, to be involved in political positions such as regional heads is a choice. Women will compete fiercely in this year's DPRD election. The researcher hopes that the increase in the number of legislative candidates will have a good impact on the involvement of women in the election contestation. The increasing number of women as policy makers at the DPRD level will later lead to an increase in women's involvement in political contests at the level of regional head elections.

External Factors

Policies that open up opportunities for women to participate in government politics have begun to widen. Such as the 1945 Constitution article 27 paragraph 1 concerning the equality of men and women in the eyes of law and government. RI Presidential Instruction No. 9 of 2000 on increasing women's participation in national development, as well as what is currently being discussed about Law No. 10 of 2008 concerning legislative elections in articles 53, 54 and 55 which explain statements about 30% representation of women in the management of political

parties at the national level. central and local government as one of the requirements for political parties to become election participants.

In terms of these policies, women have been given the opportunity to engage in politics for the sake of nation and state development. But in reality this opportunity has not been used optimally by women. The policy that was born from the government regarding the regulation of women's involvement by 30% is a good way for women who have political and leadership interests to equip themselves long ago because in this day and age there is no longer discrimination or marginalization for women.

There are still many political parties that have policies that are not in favor of women in terms of nominating their cadres to advance in political contestation. With this policy, the country in general and the region in particular need quality women to contribute all their thoughts and energy together with men to work together to build a better nation. However, it is not uncommon for party officials to complain that it is difficult to find the right female cadre to become a candidate for regent or governor.

The current concept of patriarchy shows that men hold power over all important roles in society, in government, military, education, industry, business, health care, advertising, religion, basically women are deprived of access to power or have absolutely no rights. rights, influence and resources, the balance of power seems to be more favorable for men, patriarchy permeates all aspects of people's lives and social systems.

Every power in a society that adheres to a patriarchal system is controlled by men. Women have little influence in society or can be said to have no rights in the general areas of society. They are economically, socially, politically, and psychologically dependent on men, especially in the institution of marriage. So that in the family and society women are placed in a subordinate or inferior position. The patriarchal culture positions women in domestic roles such as the role of nurturing, educator, and moral guardian. Meanwhile, the role of men as head of household, decision maker, and breadwinner.

Political parties make efforts to overcome various obstacles to the implementation of political education for women cadres which aims to increase the political participation of women cadres of the party. The efforts made include: First, the party takes an internal/personal approach. The party puts forward persuasive methods to attract the hearts and sympathy of female cadres to actively participate in political movements. An internal approach is carried out to tap the awareness of female cadres to realize their role as citizens who have political rights, obligations and responsibilities.

Political participation of women cadres in political parties does not have to be defined rigidly in the view that political participation means excessive ambition of women cadres to run for legislative members, regional head and deputy regional head elections as well as presidential and vice presidential elections. Political participation is a reflection of the political personality and political awareness of women exercising their political rights. The form of political participation of women cadres in political parties has a broader context, namely participating in initiating party programs/activities; actively involved in party programs/activities; participate in debates to

determine party policies/attitudes; active in party management; participate in the success of the party's program in the social environment of the community; nominate oneself in the legislative election/election of regional head and/or deputy regional head as well as the election of president and/or vice president; provide political enlightenment and socialization to the public as an extension of the party's arm in the context of carrying out the functions of political parties.

Second, the development of a model of political education for women cadres in a programmed, structured and sustainable manner. The law on political parties does not provide a clear benchmark regarding the mechanism for cadre of parties so that it depends on the political will and political action of each political party. Cadre plays an important role in providing knowledge, human rights and political skills. Cadreization is the process of preparing human resources so that later they become leaders who are able to build better organizational roles and functions.

Meanwhile, political recruitment is a way to screen, select and place cadres in political positions both within the party and government. To become qualified and selected cadres in filling public positions, female party cadres must receive clear, comprehensive political education with strategies, materials and methods that suit the needs of women themselves. (Norzulaili Mohd Ghazali et al., 2020)

Conclusion

Basically the needs of women and men are certainly different, to accommodate and interpret human rights, women's problems and formulate policies, of course it is more ideal if women are also actively involved in making them. It is difficult for women to divide their time between activities in the party and in the family because important decisions in the party are generally made at party meetings which are held at night.

This made it difficult for these female cadres to participate and as a result they could not be involved in decision-making within the party. The understanding of human rights and political insight possessed by female cadres is still lacking in the political world they enter. This causes the woman to form a perception or view that considers that women do not deserve to be a leader and women should not surpass men in being a leader. This perception is still a classic problem, which means that women cannot have an important position in party political decision-making.

Women's rights to politics have been regulated in several international conventions, explicitly regulated in the CEDAW Convention, namely the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). CEDAW regulates the protection of women's political rights, contained in Articles 7 and 8, which stipulate that, Women have the right to vote and be elected in government and also the right to participate in government. In Indonesia, politics does not recognize gender differences, both women and men are given equal rights without discrimination in accordance with Law Number 7 of 1984 concerning the elimination of all forms of discrimination against women and also of Law Number 39 of 1999 concerning Human Rights. Humans who firmly protect human rights and basic human freedoms in politics.

References

- Bangun, W. (2018). Gender inequality: Concept and measurement (A Study of Indonesia on ASEAN). *International Journal of Engineering and Technology(UAE)*, 7(4). <https://doi.org/10.14419/ijet.v7i4.28.22594>
- Bhalotra, S. R., Clarke, D., Gomes, J., & Venkataramani, A. (2021). Maternal Mortality and Women's Political Participation. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3205877>
- Dahlan, D. (2021). THE POSITION OF WOMAN'S POLITICAL RIGHTS IN ISLAM AND THE INDONESIAN CONSTITUTION. *Alfuad: Jurnal Sosial Keagamaan*, 5(2). <https://doi.org/10.31958/jsk.v5i2.2884>
- Engida, Y. M. (2021). The Three Dimensional Role of Education for Women Empowerment. *Journal of Social Sciences*, 17(1). <https://doi.org/10.3844/jssp.2021.32.38>
- Fazaeli, R., & Hanisek, J. (2021). Human rights, islam, and debates around cedaw. *Religion and Human Rights*, 16(2–3). <https://doi.org/10.1163/18710328-bja10020>
- Hosen, N. (2007). Human rights provisions in the second amendment to the Indonesian constitution from Sharīah perspective. *Muslim World*, 97(2). <https://doi.org/10.1111/j.1478-1913.2007.00171.x>
- Jaya, M. (2021). PENAFSIRAN SURAT AN-NISA' AYAT 34 TENTANG KEPIMPINAN DALAM AL-QURAN. *At-Tanzir: Jurnal Ilmiah Prodi Komunikasi Penyiaran Islam*. <https://doi.org/10.47498/tanzir.v11i2.407>
- Joseph, S. (2022). International Covenant on Civil and Political Rights (ICCPR). In *Elgar Encyclopedia of Human Rights*. <https://doi.org/10.4337/9781789903621.int.covenant.civil>
- Kamaruddin, Z., & Oseni, U. A. (2013). Between Ideals and Reality: Violence against Women and the Real Image of Women in Islam. *The Journal of Oriental Studies*, 23(1).
- Lay, C. (2017). Political linkages between CSOs and parliament in Indonesia: a case study of political linkages in drafting the Aceh Governance Law. *Asian Journal of Political Science*, 25(1). <https://doi.org/10.1080/02185377.2017.1297243>
- Mullins, L. B. (2018). CEDAW: The Challenges of Enshrining Women's Equality in International Law. *Public Integrity*, 20(3). <https://doi.org/10.1080/10999922.2017.1381542>
- Norzulaili Mohd Ghazali, Adawiyah@usim.edu.my, Mohd Zohdi Mohd Amin, & Nadzrah Ahmad. (2020). An Analysis of Sisters in Islam's (SIS) Misinterpretation of the Gender Equality in the Quran. *Ma'ālim Al-Qur'ān Wa Al-Sunnah*, 16(2). <https://doi.org/10.33102/jmqqs.v16i2.231>
- O'Brien, D. Z., & Piscopo, J. M. (2019). The Impact of Women in Parliament. In *The Palgrave Handbook of Women's Political Rights*. https://doi.org/10.1057/978-1-137-59074-9_4
- Suhra, S. (2019). POTRET PEREMPUAN DALAMRANAH POLITIK DI INDONESIA. *AN-NISA*, 11(1). <https://doi.org/10.30863/an.v11i1.300>
- Tait, C. A., Abdillahi, I., Wong, W., Smith-Cannoy, H., & Siddiqi, A. (2019). Can the health effects of widely-held societal norms be evaluated? An analysis of the United Nations convention on the elimination of all forms of discrimination against women (UN-CEDAW).

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BMC Public Health, 19(1). <https://doi.org/10.1186/s12889-019-6607-6>

UN General Assembly. (1948). Universal Declaration of Human Rights | United Nations. In *General Assembly resolution*.