



AFFIRMATIVE ACTION POLICY ON WOMEN'S REPRESENTATION IN THE HOUSE OF REPRESENTATIVES

Renals Y. Talaba^{1*}

¹Program Studi Ilmu Pemerintahan, Fakultas Ilmu Sosial dan Humaniora, Universitas Halmahera

*E-mail: clantalaba@gmail.com

ABSTRACT

Received:
November 28, 2023
Revised:
November 29, 2024
Accepted:
November 29, 2024

Affirmative policies and the low representation of women in the DPR indicate obstacles in the design of the electoral and party systems. Thus, this study aims to identify the operational barriers of technical variables in both indirect and direct electoral systems affecting women's representation in the DPR. For this purpose, the study employs the Rational Choice Neoinstitutionalism (RCN) approach, which examines how systems, structures, and institutions are engineered and interact to achieve specific goals. The objective of political institutionalization is to make political institutions more accountable, transparent, controllable, responsive, participatory, and grounded in the rule of law. This research utilizes a literature review method, summarizing thoughts from various sources to develop an understanding and theories on affirmative policies. It then reviews the technical variables of electoral operations within election regulations. The findings show that affirmative policies in Indonesia's democratic electoral system fail to guarantee women's representation in the DPR, as such policies focus solely on election formulas while other technical variables are disadvantageous. This is evident in the proportion of women in the DPR from the 2004 to 2024 elections, where their representation has not reached the critical mass threshold.

Keywords: Electoral technical variables, DPR, affirmative policies, women.

ABSTRACT

Kebijakan afirmasi dan rendahnya keterwakilan perempuan di DPR mengindikasikan bahwa terdapat hambatan pada disain sistem pemilu dan sistem kepartaian. Dengan demikian, penelitian ini bertujuan untuk mengetahui hambatan pengoperasian variabel teknis pemilu tidak langsung dan teknis pemilu langsung terhadap keterwakilan perempuan di DPR. Untuk tujuan tersebut, maka pendekatan yang digunakannya adalah pendekatan Rational Choice Neoinstiusionalism (RCN). Penggunaan pendekatan ini bertujuan untuk mengetahui bagaimana sebuah sistem, struktur dan lembaga-lembaga tersebut direkayasa dan berinteraksi sedemikian rupa mencapai tujuan tertentu. Tujuan institusionalisasi politik ini adalah membuat institusi politik menjadi lebih akuntabel, transparan, terkontrol, responsive, partisipatif dan berpijak pada rule of law. Dalam penelitian ini jenis penelitian yang digunakan adalah literature review, yang mengulas rangkuman pemikiran dari beberapa sumber pustaka untuk mengembangkan pengertian, teori tentang kebijakan afirmasi, selanjutnya melakukan tinjauan terhadap konsep-konsep pengoperasian variabel teknis pemilu dalam regulasi pemilu. Hasil penelitian ini menunjukkan bahwa kebijakan afirmasi, dalam sistem pemilu demokratis di Indonesia, tidak dapat menjamin keterwakilan perempuan di DPR, karena kebijakan afirmasi, hanya terpusat pada formula pemilihan, sementara variabel teknis lainnya dianggap merugikan. Hal ini dapat dibuktikan dari jumlah perempuan di DPR pada pemilu tahun 2004 hingga pemilu tahun 2024, keterwakilan perempuan belum mencapai angka critical mass.

Kata Kunci: Variabel teknis pemilu, DPR, kebijakan afirmasi, perempuan.

INTRODUCTION

The electoral system, as an influential variable, has not fully favored women from the first post-reform election to date. The issue of low female representation is generally linked to social, cultural, and economic conditions, but the institutional weaknesses, such as the design of the electoral system, are rarely questioned. According to Ramlan Surbakti (2011), the design flaws of the electoral system related to affirmative policies that aim to increase women's representation are overly focused on the election formula, while other technical variables are detrimental. Consequently, the proportion of women elected in each five-year political cycle has never reached the 30% critical mass.

This reality hinders the effectiveness of affirmative action policies intended to ensure gender equality in representation. Adi Sucipto, a political expert from the University of Indonesia, criticizes the use of a majority vote method in elections, which disadvantages female candidates, as many lack a social base due to limited opportunities in public spaces (Ulfatun Hasanah & Najahan Musyafak, 2017).

According to the 2020 BPS population census, Indonesia's population reached 270,203,719, with 136.66 million males (50.58%) and 133.54 million females (49.42%). However, the proportion of women in the DPR remains far below the expectations set by law.

Table 1. Proportion of Women in the DPR

Year	Political Parties	DPR Members	Female Candidates	Elected Women	Percentage
2004	24	550	33.00%	61	11.09%
2009	38	560	34.70%	101	18.04%
2014	16	560	37.00%	97	17.32%
2019	16	575	40.00%	118	20.52%
2024	18	589	37.70%	128	22.10%

Source: Secretary-General and General Election Commission

In the context of affirmative action for women's representation, Mona Lena Krook, as cited by Dirga Ardiansa (2016), categorizes three types of quotas:

1. Party Quota: Political parties nominate a certain percentage of female candidates on their lists.
2. Legislative Quota: Similar to party quotas but applied broadly.
3. Reserved Seats: A fixed percentage or number of parliamentary seats reserved for women through election regulations.

Countries like France, Belgium, and several in Latin America have adopted reserved seat quotas, ranging from 10% to 40% of total seats (Mudiyanti Rahmatunnis, 2016).

Several studies, such as Ade Muslimat (2020), Indra Kertati (2019), and Ella Safputri (2014), identify factors affecting low female representation, such as cultural and psychological norms, party bureaucracy, religious interpretations, human resource quality, and lack of promotion. However, these studies do not explore electoral system design as a contributing factor.

Electoral system engineering, as practiced in countries like Rwanda, Canada, and India, involves reforms to enhance women's opportunities to be elected. Pippa Norris introduced the concept in her book *Electoral Engineering: Voting Rules and Political Behavior* (2004). This approach involves adopting district sizes, nomination models, voting models, and selection formulas into electoral laws to create a more inclusive democratic system.

The meaning of several variables in the implementation of a democratic electoral system includes the availability of opportunities for every citizen to participate, enabling every voter to make their choice without intimidation, the ability to provide mechanisms where parties compete in a healthy and fair manner, and the holding of elections as a peaceful means of bringing about change (Efriza, 2012: 355).

At the most basic level, an electoral system converts the votes obtained in an election into seats won by parties and candidates. The key variables are the electoral formula used (whether it is a plurality/majority system, proportional system, mixed system, or other system, and the mathematical formula used to calculate seat allocation), the structure of vote strengthening (namely, whether voters choose individuals/candidates or parties, and whether voters make a single choice or express a series of preferences), and the size of the electoral district (Andrew Reynolds, 2016).

Thus, this study is considered important as a redefinition of representative democracy and an evaluation of the design of the electoral system in terms of the operation of technical variables and the party system related to the affirmative policy of a thirty percent women's quota, so that it can ensure women are elected and subsequently become a political voice for women's groups in the DPR to articulate their aspirations and interests.

RESEARCH METHOD

The type of research used is a literature review, containing reviews and summaries of ideas from several sources of literature on the topic discussed. The research design uses a descriptive qualitative approach by developing understanding, concepts, theories about affirmative policy, and subsequently reviewing the operation of technical electoral variables and their obstacles found in the electoral system in Indonesia through data such as books, research journals, manuscripts, documents, or other written sources and connecting them to electoral laws. Creswell, as cited by Rini Sulastrri (2020), explains that the purpose of a literature review is closely related to the research being conducted by connecting it to existing literature to fill gaps that have not been addressed (Rini Sulastrri, 2020).

RESULTS AND DISCUSSION

Obstacles in the operation of indirect technical electoral variables on the electability of women in the DPR

According to Andrew Reynolds, the electoral system is important because it serves as a tool for the people. The electoral system is a method in which the votes obtained in an election are translated into seats won in parliament by parties and candidates (Lili Romli, 2019).

According to Miriam Budiarjo, in general, the form of the electoral system can be grouped based on two main principles, namely "single-member constituency" (one electoral district elects one representative, usually called the district system) and "multi-member constituency" (one electoral district elects several representatives, usually referred to as proportional representation) and a mixed or semi-proportional system (Muhadam Labolo and Teguh Ilham, 2015).

Meanwhile, affirmative action itself is one type of “fast-track policy” that can be adopted to strengthen efforts to enhance women's political participation. The rationale behind this policy is that for women to have the strength to influence (influential voice) various institutions dominated by men, they must qualitatively achieve what is called "critical mass" (Aziza Aulia et al., 2022).

Indonesia, to this day, still adheres to a multiparty system, meaning there is more than one political party competing in elections (Dian Agung Wicaksono, 2014). This can be proven through election data documents sourced from the KPU for political parties participating in elections (P4). Following the issuance of affirmative action, the elections held in 2004 were participated in by 24 political parties, in 2009 by 38 political parties, in 2014 by 16 political parties, in 2019 by 16 political parties, and in the 2024 elections by 18 political parties.

Regarding the party system, Maurice Duverger classifies party systems into three types: single-party systems, two-party systems, and multiparty systems (Muhadam Labolo and Teguh Ilham, 2015).

According to Richard Matland, a proportional electoral system and the operation of indirect technical electoral variables, such as restrictions on political parties and parliamentary entry thresholds, most significantly increase the number of women in parliament. Based on Richard Matland's mathematical logic, it can be explained that the operation of indirect technical electoral variables, such as restrictions on political parties, most significantly increases the number of women in parliament.

According to Matland, if the number of political parties participating in elections is small, the chances of women being elected are greater because seat allocations are concentrated in only a few political parties. In this case, the tendency applies: the more seats a political party obtains, the greater the chances of female candidates being elected. Conversely, if seat allocations are spread across many political parties, the chances for women are smaller because political parties that only secure a few seats (say, one or two seats) tend not to include female candidates.

Thus, to increase the chances of female candidates being elected, the following are necessary:

1. There should be restrictions on the number of political parties participating in elections (electoral threshold) with a regulation formulation that includes a threshold and a sufficiently large number.
2. There should be restrictions on the number of political parties entering parliament (parliamentary threshold), with the reasoning that the fewer the political parties in parliament, the greater the chances of female candidates being elected. The regulation formulation includes a threshold with a sufficiently large number (Ramlan Surbakti et al., 2011).

Obstacles to the Operation of Technical Variables in Direct Elections on Women's Electability in the DPR

To convert popular votes into seats, Douglas W. Rae identifies four electoral system variables: (1) district magnitude, (2) candidacy methods, (3) balloting methods, and (4) formulas for seat allocation and determining elected candidates (Lili Romli, 2019).

Formation of electoral districts (dapil). In proportional systems, the number of seats is always large (multi-member constituency). Didik Supriyanto and August Mellaz (2011:11) explain that the number of seats in each dapil falls into three types: first, small districts (2–5 seats); second, medium districts (6–10 seats); third, large districts (more than 11 seats). In Law

No. 7 of 2017, Article 187 paragraph (2) specifies the number of seats per electoral district for DPR members as at least 3 (three) and at most 10 (ten) seats. Article 189 paragraph (2) specifies that the number of seats in each electoral district for provincial DPRD members is at least 3 (three) and at most 12 (twelve) seats. Article 192 paragraph (2) specifies that the number of seats for each electoral district for regency/city DPRD members is at least 3 (three) and at most 12 (twelve) seats. The number of seats is medium for DPR electoral districts, while for provincial and regency/city electoral districts, the number of seats is large.

According to Hasyim and Cahyono, district magnitude correlates with the resulting party system. Therefore, the size of the electoral districts in a multi-party system, whether simple, moderate, or extreme, lies in its effect on the distribution of party seat allocations generated by the electoral system. Thus, the choice of district magnitude relates to the desired objective. If the goal is to broaden the representativeness of proportional elections, large electoral districts must be applied. However, if the goal is to simplify the party system, the electoral districts should be medium and/or small (Lili Romli, 2019).

In practice, the results of legislative elections in several periods, including the 2024 elections, show that large districts do not guarantee women's electability.

Candidacy methods. In proportional systems, candidacy methods are divided into closed lists (closed list PR), open lists (open list PR), MMP, and STV (Jovano Deivid Oleyver Palenewen and Murniyati Yanur, 2022). According to the Secretariat for Codification of Electoral Laws, the retention of an open list proportional system in the 2019 elections was justified on several grounds, one of which is that open list proportional systems have been proven to increase the number of women in parliament (Lili Romli, 2021).

This view differs from Matland, who concludes that closed list candidacy methods are more beneficial for women, especially when candidates are arranged alternately or in a zigzag pattern: male candidate, female candidate, or female candidate, male candidate. With closed lists, voters only choose political parties, and elected candidates are determined by their order on the list; if a political party wins at least two seats, a woman is assured election (Ramlan Surbakti, et al., 2011).

The issue in Indonesia is that the candidacy method uses open lists (open list PR). This is stipulated in Law No. 7 of 2017, Article 353 paragraph (1), which states that voting in elections is conducted by: (a) marking one time on the number, name, photo of the candidate pair, or symbol of the proposing political party in one box on the ballot for presidential and vice-presidential elections; and (b) marking one time on the number or symbol of the political party and/or candidate's name on the ballots for DPR, provincial DPRD, and regency/city DPRD elections. It can be concluded that the open list PR candidacy method does not guarantee women's electability in the DPR.

Most proportional list systems worldwide are closed lists, where the order of candidates on the list is determined by the respective party. A negative aspect of closed lists is that voters have no role in deciding who represents their party. To address this, open list proportional systems can be used. Most proportional systems in Western Europe use open lists, where voters can indicate not only their preferred party but also their preferred candidate within that party (Andrew Reynolds in Lili Romli, 2019). However, to broaden the representativeness of proportional elections and increase women's representation, proportional systems need to be modified.

Balloting methods, which are directly related to candidacy methods. Whatever the method, experience in many countries shows that voting for political parties is most beneficial for women (Ramlan Surbakti, et al., 2011).

The issue in Indonesia's electoral regulations is that the candidacy method uses open lists, and the balloting method allows voting for both parties and candidates. This method is considered detrimental to women as it provides very limited opportunities for their election.

Thus, adopting Andrew Reynolds et al.'s perspective, in addition to electoral system choices, other strategies can be used to increase women's representation. For example, in Rwanda, 24 women were elected through a special women's vote, achieving 30% of the seats.

Formula for seat allocation or determining elected candidates. This refers to the formula used to determine which candidates or political parties win seats in an electoral district. Single-member constituencies use at least two alternative seat allocation methods, namely formula majoritarian and formula pluralitarian.

Formula pluralitarian is often referred to as First Past the Post (FPTP). First, the quota method, with variants such as Hamilton/Hare/Niemeyer, is widely used. Second, the divisor method includes variants such as the d'Hondt method and the Webster/Sainte-Laguë method (Ramlan Surbakti, 2012, unpublished article).

The Sainte-Laguë formula for seat allocation in each electoral district divides the votes of each political party meeting the threshold by sequential odd numbers (1, 3, 5, 7, 9, 11, and so on) according to the number of seats in each district. Its legal basis is Law No. 7 of 2017, Article 415 paragraph (2). The pure Sainte-Laguë method calculates seats in a single stage using sequential odd-number divisors (Agus Dedi, 2019).

The Sainte-Laguë method benefits women but does not guarantee their election (Ramlan Surbakti, 2012, unpublished article). According to Ramlan Surbakti (2011), the weakness of the electoral system design related to affirmative policies to increase women's representation in Indonesia lies in its focus on electoral formulae, while other technical variables disadvantage women.

CONCLUSION

It can be concluded that affirmative policies, such as the 30% women's quota in Indonesia's democratic electoral system, have not guaranteed women's electability in the DPR since the electoral regulations were implemented through the 2024 elections.

Issues related to affirmative action that are deemed unfavorable to the electability of female candidates in Indonesia's parliament include the following: the party system still uses a multiparty or extreme pluralism typology, the candidacy method in proportional systems uses open lists (open list PR), and the Sainte-Laguë method, although beneficial for female candidates, does not guarantee their election. Affirmative policies focus solely on electoral formulae, while other technical variables remain disadvantageous.

SUGGESTIONS

To improve the electability of women, other technical electoral variables can be utilized beyond ranked quota systems, such as the implementation of stricter parliamentary thresholds aimed at simplifying the party system in accordance with Indonesia's governmental system and its pluralistic society. One way to achieve this is by prohibiting the formation of new political parties as participants in subsequent election periods.

Another suggestion is to use the "reserved seat" electoral variable, typically established through constitutions, as practiced in 11 countries in Latin America, as well as France, Belgium, and Italy, where between 10% and 40% of the total seats are allocated. Experiences from

countries such as Rwanda, the United Kingdom, Canada, New Zealand, and India demonstrate that the success of women's representation is often preceded by "electoral engineering"—electoral system reform or innovation—which provides greater opportunities for women to be elected.

Electoral engineering, in addition to reserved seats, can also involve the establishment of organizations by women as platforms for women to elect other women outside political party structures. Such electoral system reforms are believed to enhance the electability of women in parliament, as women themselves become the electorate.

BIBLIOGRAPHY

- Agustyati, K. N. (2020). Arah kebijakan afirmasi perempuan dalam RUU Pemilu: Representasi deskriptif vs representasi substantif. *Jurnal Keadilan Pemilu*, 1(3).
- Andi, M. (1998). *Psikologi remaja*. Surabaya: Usaha Nasional.
- Ardiansa, D. (2016). Menghadirkan kepentingan perempuan dalam representasi politik di Indonesia. *Jurnal Politik*, 2(1).
- Azizah, N. (2014). Dilema demokrasi liberal: Hambatan normatif, institusional, dan praktikal dalam pemberlakuan kuota perempuan di Indonesia. *Jurnal Hubungan Internasional*, 2(2), 184–197.
- Aulya, A., Moenta, A. P., & Halim, H. (2022). Perempuan dan politik: Menakar kebijakan affirmative action dalam sistem kepartaian. *Amanna Gappa*, 126–136.
- Dedi, A. (2019). Analisis sistem pemilihan umum serentak 2019. *Moderat: Jurnal Ilmiah Ilmu Pemerintahan*, 5(3), 213–226.
- Efriza. (2012). *Political explorer: Sebuah kajian ilmu politik*. Bandung: Alfabeta.
- Hasanah, U., & Musyafak, N. (2017). Gender and politics: Keterlibatan perempuan dalam pembangunan politik. *Sawwa: Jurnal Studi Gender*, 12(3), 409–432.
- Kertati, I. (2019). Quo vadis: Kebijakan afirmasi kuota 30% bagi perempuan di legislatif. *Mimbar Administrasi*, 16(2), 1–13.
- Kiftiyah, A. (2019). Perempuan dalam partisipasi politik di Indonesia. *Yinyang: Jurnal Studi Islam Gender dan Anak*, 14(1), 1–13.
- Muslimat, A. (2020). Rendahnya partisipasi wanita di bidang politik. *Jurnal Studi Gender dan Anak*, 7(2).
- Palenewen, J. D. O., & Yanur, M. (2022). Penerapan sistem pemilu di Indonesia pasca reformasi. *Wacana: Jurnal Ilmu Sosial dan Ilmu Politik Interdisiplin*, 9(2).
- Rahmatunnisa, M. (2016). Affirmative action dan penguatan partisipasi politik kaum perempuan di Indonesia. *Jurnal Wacana Politik*.
- Reynolds, A., Reilly, B., Ellis, A., Cheibub, J. A., Cox, K., Lisheng, D., & Elklit, J. (2016). *Desain sistem pemilu: Buku panduan baru*. Jakarta: Perludem.

- Romli, L. (2021). Perdebatan sistem pemilihan umum legislatif pada pemilu serentak 2019. *Kajian*, 23(4), 237–256.
- Schumpeter, J. (2013). *Capitalism, socialism, and democracy* (T. W. Utomo, Trans.). Yogyakarta: Pustaka Pelajar.
- Sukriono, D. (2009). Menggagas sistem pemilihan umum di Indonesia. *Konstitusi Jurnal*, 2(1).
- Sulastri, R. (2020). Hambatan dan tantangan perempuan anggota legislatif pasca affirmative action. *Jurnal Khasanah Multidisiplin*, 8(1).
- Surbakti, R. (2011). Meningkatkan keterwakilan perempuan: Penguatan kebijakan afirmasi. *Partnership for Governance Reform Indonesia*.
- Surbakti, R. (2012). *Metode pembagian kursi dalam sistem pemilu proporsional*. Unpublished article.
- Supriyanto, D., & Melaz, A. (2011). Ambang batas perwakilan: Pengaruh parliamentary threshold terhadap penyederhanaan sistem kepartaian dan proporsionalitas hasil pemilu. *Perludem*. Jakarta.
- Syafputri, E. (2014). Keterwakilan perempuan di parlemen: Komparasi Indonesia dan Korea Selatan. *Global South Review*, 1(2).
- Wicaksono, D. A. (2014). Reformulasi metode konversi suara menjadi kursi dalam sistem pemilihan umum legislatif di Indonesia. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 3(1).