



CHALLENGES FACED BY WOMEN LEGISLATORS IN INDONESIA: A CASE STUDY FROM CIREBON, WEST JAVA¹

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Abstract

Women's representation in Indonesian politics has entered a new era following the introduction of affirmative action policy through the 2002 Political Party Law and the 2003 Electoral Law which was then expanded and strengthened in the 2008 Electoral Law. The said laws have the potential to improve women's representation in the political sphere by stipulating that each participating political party must include at least 30 per cent (30%) women in its candidate list. Without a doubt, this affirmative action policy in the form of a gender quota system has brought new hopes for Indonesian women to be meaningfully involved in Indonesia's political processes. Nevertheless, empirical evidence shows that this is not always the case. Indonesian women have faced significant resistance and challenges not only when they tried to run for election, but also when they performed as legislators in their respective legislative institutions. How can this phenomenon be explained? What sort of resistance and challenges have they faced? How do they cope with such resistance and challenges? This paper tries to answer these questions by specifically discussing a case study of women legislators in local representative assemblies (DPRD) in Cirebon, West Java, Indonesia.

Keywords: women representation, affirmative action, gender

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Introduction

A historical transformation of Indonesia's political system has begun since the collapse of Suharto's New Order regime in mid-1998. Among the strategic areas is with regard to women's representation and their role in politics. Without a doubt, at least from normative point of view, a new era has begun following the accommodation of affirmative action policy within the 2002 Political Party Law and the 2003 Electoral Law which was then expanded and strengthened in the 2008 Electoral Law. The said laws have formally opened up the opportunity for Indonesian women to improve their representation in the political sphere by stipulating that each participating political party must include at least 30 per cent (30%) women in its candidate list. Without a doubt, this affirmative action policy in the form of gender quota system has brought new hopes for many Indonesian women to be meaningfully involved in Indonesia's political processes. Such an accommodation of the policy has the potential to bring many significant repercussions, not only in terms of women representations but also other issues such as the birth of various gender-responsive policies.

Ever since, the presence and the performance of Indonesian women legislators in both national and local legislatures have continued to become a major attention for many parties. Following the accommodation of affirmative action policy within the Law No. 31/2002 on Political Party and Law No. 12/2003 for the 2004 General Election, which resulted in slight increase in women's representation, attention has been particularly focused on whether or not the presence of those women legislators has meaningfully contributed to legislative decision-making processes and to the birth of various gender-responsive policies

Nevertheless, amidst such a high expectation of Indonesian women's role in politics, a number of studies confirmed that it is still far away from what has been expected by many parties. In some regions, besides having limited numbers of women legislators, they also face considerable challenges in doing their jobs. As a result, their existence has not had significant impact on voicing women constituents' interests. How can this situation be explained? What sort of resistance and challenges have they faced? How do they cope with such resistance and challenges? This paper tries to answer these questions by specifically discussing a case study of women

legislators in local representative assemblies (DPRD) in Cirebon, West Java, Indonesia. These two district level of parliaments offer an interesting case due to the fact that number of women representatives have been among the lowest in Indonesia. No less important reason is that Cirebon is notable for its Islamic tradition which presumably has strong influence on its people's political attitude and preferences. Hence, Cirebon becomes a strategic research locus amidst contentious debate regarding the view that Islam as among determinant factors of women subordination in politics.

The Significance of Women's Participation in Political Life and Affirmative Action: A Discussion

It is widely known that women constitute slightly more than half of the world population. Nevertheless, a number of studies confirm that women's political activities have been considered as marginal or non-existent, both in Western and Third World countries (Afshar 1996, Fuchs and Hoecker 2004, Jutting, et al. 2006, Viterna, Fallon and Beckfield 2007). In the case of women's representation in legislatures around the world, currently it is only 15 percent (Bari, 2005). Although international community has the commitment to gender equality and to the bridging the gender gap in the formal political arena which was then reinforced by the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) and also the Beijing Platform of Action, UNDP Report in 2005 shows that only twelve countries where women hold 33 percent or more seats in the parliaments.

Whereas, to achieve a truly vibrant democratic society, alongside the institutionalization of the rule of law and democratic procedures, a balanced political participation and representation of women and men in decision making process is a fundamental prerequisite (Fuchs & Hoecker, 2004). It is in fact at the very heart of democracy, as firmly stated within the Universal Declaration on Democracy.

The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementary, drawing mutual enrichment from their differences. (Inter Parliamentary Union, 1999).

There are at least two pivotal arguments for such a claim. Fuchs and Hoecker (2004) for





instance, further point out that democracy requires the right and the opportunity for all groups in a society to meaningfully participate in any relevant decision making process. Hence, equality in political participation becomes an important criterion in assessing the performance of democracies. In a similar vein, Ballington (2005) argues that involving both women and men in decision making processes are a sine qua non of any democratic framework. Thus, democracy by definition, "cannot afford to be gender-blind. It must strive towards equality and representation of women and men in decision making processes and in the opportunities to achieve both these goals."

Another important argument is that since women have interest that differ from those of men, balanced representation becomes crucial to ensure that laws and regulations enacted and implemented reflects not only the needs and the interests of women, but also more importantly the principles of political equality and social justice as among the central principles for democratic political system (Seda n.d). By the same token, Schwindt-Bayer (2010, 15-16) also specifically maintains that a common argument for electing women to legislative office is that [t]hey will bring new issues, such as women's equality concerns, to the legislative arena by sponsoring legislation on these issues, negotiating women's equality bills through to policy passage, sitting on women's issue committees, bringing a women's perspective to legislative debates, and even feminizing the legislature to make it a more cooperative, collegial, and respectable political space.

While Dahlerup explains three today arguments why women's representation is important: (a) women represent half the population and have the right to half the seats (the justice argument); (b) women have different experiences (biologically or socially constructed) that ought to be represented (the experience argument); and (c) women and men have partly conflicting interests and thus men cannot represent women (the interest group argument). A fourth argument deals with the importance of women politicians as role models that may pave the way for other women.

Bari (2005) also highlights that the global debate on the promotion of women's political participation or representation has been surrounded by intrinsic as well as instrumentalist argument. Within the former, it is argued that from human rights perspective, women should have equal participation and representation the world

democracies since they constitute half of the world population. While the latter argues for equal participation and representation on the essential ground that men and women are different. It is believed that women have different vision and concepts of politics owing to their sex and their gender roles as mothers. Hence, it is assumed that women will bring different focus and female values to politics. Thus, succinctly, regardless of the merit and demerit of various approaches, the above discussion confirms that women must be included in politics.

As many studies show, what have been achieved so far in many countries in the world can be considered as a significant challenge. There is still huge gap between shared values reflected in the national and international policies and practices (Bari, 2005). So far, from more than 190 countries in the world, only 7 of them are led by women (president or prime minister). In the United Nations, women ambassadors are only 9 percent, only 7 percent of the world's cabinet ministers, and 8 percent of world mayors (Paxton & Hughes, 2007). Overall, it is perceived as a core problem for the theory and practice of democracy (Fuchs and Hoecker 2004).

Implications of such a condition are manifold. In India for example, by citing data from Human Development in South Asia 2000: The Gender Question (2000), Subramanian (n.d) points out that the under representation of women in the political sphere has led to the low and inferior status of women in India's society, increasing violence and crimes against women and their status in employment, education and health sectors. Other article shows that there is strong relationship between women poverty and gender inequality (Moghadam 2005). In addition, Jayasurya and Burke's study (2012) also confirms that gender inequality reduces economic growth.

In terms of causes of women under-representation, they vary across countries. However, by and large, Shvedova (2005) categorizes the causes into three areas: political, socio-economic, and ideological and psychological (or socio-cultural). Among the political obstacles that women face are "masculine model" of both political life and government bodies; lack of party support; lack of support from public organizations, lack of access to well-developed education and training for women's leadership; and the nature of the electoral system. Lack adequate financial resources, illiteracy, limited access to education



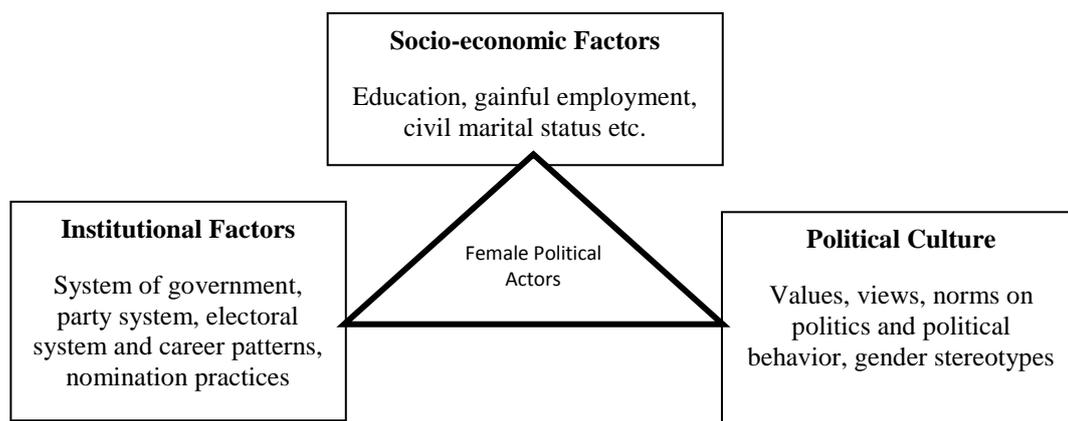
and choice of professions as well as the dual burden of domestic tasks and professional obligations are among socio-economic obstacles faced by women. While ideological and psychological hindrances include gender ideology, cultural patterns, and predetermined social roles assigned to women and men, women's lack of confidence to stand for election, and women's perception of politics as a 'dirty' games.

Similarly, Norris and Lovenduski (1995, as cited in Halder, 2004) identifies two interacting

causal factors which result in women's under-representation, namely 'supply' and 'demand' factors. The former refers to the condition that women themselves do not come forward and/or they are not interested in politics whilst the latter is related to the selectors, or political parties that discriminate against women's nomination.

By the same token, adopting from Hoecker (1998), Fuchs and Hoecker 2004) identify factors account for the political participation of women, as can be seen in the figure below.

Figure
The Magic Triangle Explaining the Political Participation of Women



An interesting analysis comes from Paxton and Hughes (2007) with regard to the present day trend that the idea that women require formal representation in politics has been universally accepted. Women's political rights have been perceived as human rights, and formal statements about it can be seen in the resolutions, codes and formal conventions of both international bodies as well as the law of many individual countries. Nevertheless, as Paxton and Hughes further assert, formal representation does not necessarily result in substantial numbers of women in positions of political power. To date, there are more than 98 percent of countries in the world have granted women the formal right to vote and to stand for election. Yet, as mentioned earlier, women remain substantially underrepresented in the positions of political decision making. In this case, Phillips (as cited in Paxton & Hughes, 2007) argues that having formal political equality in politics is not enough. This does not ensure that women will pursue public office. Formal rights alone cannot remedy the social and economic inequalities that

hinder women from using their political opportunities. Thus, formal political equality is only the first step in achieving equal representation for women. It needs more action to make such a formal political equality into reality, as Phillips (as cited in Paxton & Hughes, 2007) further maintains: "Those who have been traditionally subordinated, marginalized, or silenced need the security of a guaranteed voice and...democracies must act to redress the imbalance that centuries of oppression have wrought".

There are a number of different policy measures that can be adopted. Among them is quota system as a form of affirmative action. The basic idea of the system is that women's ability to influence male dominated institutions will always be limited if they are represented in small numbers. Hence, to have a collective and influential voice, they have to reach a "critical mass". Based on investigation, theoreticians and practitioners have settled on 30% as the minimum necessary for critical mass. This minimum necessary for women participation has been accommodated two decades



ago in the United Nations Beijing Declaration and Platform for Action and has been ratified by many international and national bodies (Powley, 2006).

In essence, affirmative action here refers to “positive discrimination” within a certain period of time. “Positive discrimination” means that certain actions are need to increase the representation of women. According to Dahlerup (2005), gender quota system allocates a certain percentage or number of women as members of the body politic, either in candidate lists, a parliamentary assembly, other committees or government institutions. It is argued that gender quota system has been considered being the most effective means for increasing the number of women in elective offices (Dahlerup and Freidenvall 2005). By the same token, Soh (by quoting Yoon, 2011) asserts that

Gender quota system means not only a measure for women’s more participation but also realization of gender politics. It is an effective institutional strategy to promote substantial gender equality for women less represented in politics in spite of the equality before law. Benefits of quota for women are not merely the increase of female members, but empowering them to secure their veritable citizenship.

The experiences of a number of countries such as Scandinavian countries, the Netherlands, Germany, Costa Rica, Argentina, Mozambique and South Africa confirm the argument (Halder, 2004). Korea’s experience for example, since it was introduced for the first time in 1995 and later in 2000, gender quota system has contributed to increase the ration of women in both the National Assembly and local councils (Soh, 2011). Most importantly, Korea’s experience also shows that such a numerical increase has been followed by similar increase in the accommodation of gender-related issues in various bills, resolutions, agreement and proposition (Soh, 2011).

Extraordinary practice of affirmative action occurs in Rwanda which now has the highest level of women’s representation in parliament in the world at 48, 75 per cent. The system was introduced during the post-genocide transitional government in the early 1990s. Before, Rwandan women never held more than 18 per cent of seats in the country’s parliament. Following the first post-genocide parliamentary elections of October 2003, women’s representation reached 25.7 per cent. A constitutional guarantee was then achieve in 2003

by the appointment of women to 30 per cent of post. Although the vast majority of bills are initiated by Rwanda’s executive branch, Rwanda’s women legislators are poised to make a major contribution to the strength of parliament as a whole with the introduction of bills that gender and children sensitive (Powley, 2006).

Yet, affirmative action does not always lead to an increase in women’s representation. The case of Ukraine for instance, shows that various activities to promote gender equality have so far not lead to substantive qualitative as well as quantitative changes in raising women’s participation in political life and decision-making to higher level (The Ukrainian Women’s Fund, 2011). By the same token, a special provision for women’s reserved seat in Bangladesh Parliament which was introduced in 1972 has not been able to boost women’s parliamentary representation.

The Performance of Women Legislators

It is argued that every social group has different interests because of various factors such as economic circumstances, histories of oppression, and cultural or ideological barriers they face (Paxton & Hughes, 2007). Therefore, if groups cannot be represented well by other groups, they need to be represented by themselves in political arena (Williams 1998, as cited in Paxton & Hughes, 2007). In line with this argument, due to different socialization and life experience, women are different from men. Accordingly, it is assumed that women will bring different values, experiences and expertise (Phillips 1995, as cited in Paxton & Hughes, 2007). For those reasons, women need to be numerically represented in political arena.

Besides their presence numerically, the concept of equal representation also involves representing women’s interests in the political arena. This is called substantive representation (Paxton & Hughes, 2007). It is argued that within this type of women’s representation, politicians are required to speak for and act to support women’s issues. From this perspective, higher numbers of women legislators do not guarantee that women’s interests will be automatically well served. To be meaningfully represented in politics, female politicians need to be willing to and able to represent women’s interest.

From several sources, Paxton and Hughes (2007) try to define the various meanings of representing women’s interests, needs, or concerns as follow:





- Female politicians could state that they view women as a distinct part of their constituencies or that they feel a special responsibility to women (quoting Childs 2002; Reingold 1992).
- Female politicians could draft or support legislation that directly attempts to promote social, educational, or economic equity for women... (Disney 2006).
- Female politicians could prioritize, support, or vote for “women’s issues”—issues of particular interest and concern to women. These issues may be directly related to women—for example...[c]ombating of [d]omestic [v]iolence ... (Bauer 2006). Or ...issues .. related to women through their greater responsibility for child and elder care. ..[these] include ... [allowing] employees up to 12 weeks of unpaid leave to care for a newborn child or a sick immediate family member, such as a parent, or to recuperate from a serious illness.
- Female politicians may also prioritize, support, or vote for policies of particular interest to feminists, such as abortion or contraception (Molyneux 1985b; Tremblay and Pelletier 2000). ... (Britton 2006).

Lastly, it is important to note here that substantive representation raises several distinct issues. First, there is possibility that female politicians have no willingness to act for women. It is a fact that women vary in their interests in advancing equality for women or in their

commitment to feminist concerns. Second, even if female politicians have willingness to act in the interests of women, they might be able to effectively pursue due to a number of reasons such as resistance from male counterparts or not in line with political parties’ rules. No less important issue is that women are not just women – they are of a particular race, ethnicity, religion, class, sexual orientation, or linguistic group. These backgrounds bring significant repercussions when it comes to women interests’ representation. Their interests might be different and those who attain political power might not represent all women. (Paxton & Hughes, 2007).

Indonesia’s Affirmative Action Policy

Indonesian women have long been marginalized from the power structure and decision making process. Although Indonesia has ratified a number of conventions such as the UN Convention on Political Rights for Women under former President Soeharto in 1968; The UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1984; the Optional Protocol of the Women’s Convention during Habibie government. In early 2000, the Indonesian government has also taken steps to adopt measures aimed at best practices in gender policies, in particular gender mainstreaming, which is an important strategy included in the Beijing Platform for Action. In the same year, the government issued Presidential Instruction No. 9/2000 directs all sectors of the Indonesian government to implement gender mainstreaming. Despite these ratifications, there are many critics of the current government who are unwilling to pass new legislation or amend existing laws to meet the requirements of the Conventions.

Table
Representation of Women in Indonesia: The House of Representatives (DPR)

Period	Female		Male	
	Total	%	Total	%
1955 – 60	17	6.30	272	93.70
Constituent Assembly 1956 – 9	25	5.10	488	94.90
1971 – 77	36	7.8	460	90.20
1977 – 82	29	6.30	460	93.7
1982 – 87	39	8.50	460	91.50
1987 - 92	65	13.00	500	87.00
1992 – 97	62	12.50	500	87.50
1997 – 99	54	10.80	500	89.20



1999 – 2004	46	9.00	500	91.00
2004 - 2009	61	11.09	489	88.90

Sources: DPR Secretariat General, 2004

A critical turning point occurred during 2001, when the debate concerning women's political representation and participation in politics increased and dominated much of the political agenda, being fueled by active and outspoken civil society organizations and activists. One of the critical issues was the adoption of a 30 per cent quota for women in the electoral process. The ongoing and sometimes controversial debates on gender and democracy were the result of three factors in Indonesia's recent past. The first is the historical and continuous underrepresentation of Indonesian women in all levels of decision making. In the national parliament, women constitute 9,2 per cent of the total members of parliament, which is less than the 12,5 per cent in the previous parliament. The second factor is related to the current political reform. The transition to democracy has created increased opportunities for women and other sectors of society to express their views and to formulate and articulate their demands for greater gender awareness and sensitivity in government policies, legislation and in electoral politics. The third factor is related to the economic crisis in 1997 which triggered an increased demand for representation of women in all levels and in all aspects of political life. The crisis led to a lowering of women's living conditions, prompting women to take a stand to voice their needs and defend their rights. All these factors have created an environment in which civil society organizations, NGOs, activists, politicians and international agencies have been able to articulate and collectively affect the discourse and the direction of government policy regarding the inclusion of women in Indonesian public life.

The contentious debate finally resulted in the instruction of gender quota legislation in the 2003 Electoral Law which was then further expanded and strengthened in the 2008 Electoral Law (Usu 2010). Within the 2003 Electoral Law, affirmative action was accommodated in article 65 which recommended political parties considered a 30 per cent gender quota in nominating candidates lists. Affirmative actions were strengthened in the 2008 Electoral Law by stipulating that the minimum quota of 30 per cent became a compulsory requirement for each participating political party. In addition, the minimum quota of

30 per cent was also imposed on political parties' boards. Such changes were considered as the manifestation of serious effort of Indonesian government to achieve gender equality in political life in Indonesia. Having said that, one critical question is whether or not these applications of gender quota system have significant changes particularly in women's representation in parliament. The following discussion on the performance of Cirebon women legislator

Women Legislators in the DPRD of City of Cirebon

Struggle during Election

It is interesting to note here that women's representation in the DPRD of City of Cirebon have never had more than two women legislators (6.7 per cent) since the era of so-called *reformasi* begun following the collapse of Suharto's regime in mid-1998. In fact, during transition period in 1997-1999, all members of the DPRD of City of Cirebon were all male. There was a slight increase following the 1999 general election in which there were two women legislators elected, one from *Golongan Karya* Party and the other one from Indonesia Democratic Party-Struggle (PDI-P). The implementation of affirmative action which effectively enforced before the 2004 elections also could not help to improve women's underrepresentation within the DPRD of City of Cirebon. Similar to the previous period of 1999-2004, there were only two women legislators elected from total of 30 members of parliament. Thus it was still only occupied 6.7 per cent from the total. One was a senior woman politician from *Golongan Karya* who also served in the previous period. Thus, she was re-elected for the second term. Another one was a new comer in political field, used to be a beautician, from The People Conscience Party (*Partai Hanura*), a new political party in Indonesia as well. The immediate question is then why there were only two women legislators elected? Why there was no significant increase in the amount of women legislators in Cirebon despite the enforcement of affirmative action? A series of interviews with a number of informants reveal interesting phenomena as follow.

Research indicates that a number of obstacles in fact come from women themselves. In



line with Norris and Lovenduski (1995, as cited in Halder, 2004), there are a number of reasons for Cirebonese women's under-representation in local parliament, which by and large, can be categorized into two interacting causal factors, namely 'supply' and 'demand' factors.

Within the supply factors, the data shows that before the enforcement of affirmative action, Cirebonese women's interests to be active in politics were low as candidacies were dominated by male in all political parties. Such a lack of interest is particularly due to the prevalence of thought that political arena is male field. In their words, "politics is a tough and challenging arena in which women would not fit in it". It is claimed that such a thought could be influenced by conservative religious perspective as well as Cirebonese people's social culture or tradition. In addition, besides perceived as male field, politics is also perceived as a "dirty" game which in turn, has jarred women's confidence in their ability to confront political processes.

Such a lack of women's interests remained unchanged until affirmative action was enforced in 2003. It was admitted by local political parties' boards that they faced difficulties in recruiting women candidates, whilst based on the latest General Election Law of 2004, all political parties are obliged to have 30 per cent women within their list of candidates. As a result, political parties recruited women candidates without applying ideal and objective standards, just to fulfill the provision within the law. In other words, under-representation of women is basically considered to be rooted in lack of women's interests themselves to participate in the election.

Further investigation also reveals that Cirebonese women were also lack of confidence to run for the election because of some underlying factor such as lack of competency and experience to meaningfully involve in politics. Low level of education background was also considered to be influential factor. Another interesting reason was the prevalence of thought that those women will not have full commitment to carry out legislative duties because they still have to perform their primary roles as mothers and housewives. They fully realize that becoming a member of parliament would cost their time with their children and husbands. This is one thing that most Cirebonese women try to avoid.

Besides the aforementioned "supply" factors, Cirebonese women's under-representation

is also caused by "demand" factors. These include political parties' ignorance and resistance from male counterparts within political parties due to political rivalries. These factors were particularly prevalent before the enforcement of affirmative action. Such factors significantly reduced following the enforcement of affirmative action which obligated political parties to follow the stipulation within the 2002 Political Party Law and the 2003 Electoral Law which was then expanded and strengthened in the 2008 Electoral Law, namely that each participating political party must include at least 30 per cent (30%) women in its candidate list.

Nevertheless, the struggle of those women in the candidate list was not over yet. Lack of political parties' support in the form of limited financial support and limited access to political networks provided significant barriers during election campaigns. No less shocking resistance in fact came from many Cirebonese women themselves. Based on interviews with elected women legislatures and their male counterparts, it is interesting to note here that many Cirebonese women actually disliked the candidacy of one of the elected-women legislator just because she is a widow, a divorcee and a beautician whom within local social culture is often "socially" underestimated. In other words, within such a society, women with those kinds of attribute are stereotyped or depicted by other women as being households' teasers. It is admitted by the elected woman legislator that during election campaign, she often received threats from women groups via her mobile phone. What is more interesting is that this elected woman legislature actually gained votes mostly from those male constituents. In her own electoral district (electoral area) which is a very religious and traditional area wherein *Kyai* and *Ulama* (Islamic clerics) have stronger power than formal leaders, she won by a landslide, defeating other male candidate who won the election in almost all electoral districts. The main reason for her success was not because of her platforms she offered but it was more because she is a daughter of an influential local *Kyai*. Another bizarre finding is that her success of gaining male constituents' votes was also because she is a beautiful candidate.

Although all political parties have accommodated affirmative action by placing a woman candidate in every three candidates within candidate lists, it did not help to increase women





candidates to be elected. Another intriguing reason is that during election campaigns, most of those women candidate could not effectively run intensive campaigns not only because lacked of financial support from their political parties, but also because of limited time and limited freedom due to their roles as mothers and wives . It is stated that often they refused to conduct campaigns after working hour finished, whilst their male counterparts could easily visit a number areas anytime and anywhere without fear of coming home late. This in turn had made them less popular than those of their male candidates. Further implication was that they lost their chance to be elected.

Based on the aforementioned discussion, it is hard not to say that Cirebonese women face significant barriers internally as well as externally to run for elections. In other words, Cirebonese women find that political, public, cultural and social environment is unfriendly or hostile to them. It seems sensible consequences if the numbers of elected women legislators have always been small in two general elections in City of Cirebon (only two being elected from the total of thirty MPs in each period of service term). Another interesting finding is that both elected women legislators were single parents. Whether or not these facts are coincident, but lightheartedly, a member of DPRD's board said that it has become an unwritten requisite in the City of Cirebon due to various hardships and challenges faced by women if they are actively involved in politics. Last but certainly not the least, religious factor was not the only factor that hindered women to actively involve in politics. In fact, as explained by a woman MP, often religious factor tended to be politicized by political rivals so that they can get the votes.

After Being Elected

As explained in previous section, the adoption of gender quota system in the form of affirmative action is actually aimed not only at increasing women legislators within a parliament, but most importantly is that it is aimed at increasing women's interests representation in various decision-making processes so that the results of those processes will reflect and be sensitive to women's interests, needs and aspirations (Dahlerup D, 2005; Soh, 2011). From this perspective, therefore, the existences of women legislators become strategic. Theoretical calculation shows that women should be represented by themselves since men and women

are different. It is believed that women will bring different focus and female values due to their different vision and concepts of politics owing to their sex and their gender roles as mothers (Bari, 2005). Is an empirical phenomenon also similar to that of theoretical calculation? Research about the performance of women legislators in the DPRD of City of Cirebon reveals some interesting findings.

Based on a series of interviews with both male and female legislators, it is obvious that hardships and challenges faced by women legislators did not fade away. To perform ideal roles as expected within theoretical perspective were not that easy. Some male counterparts firmly asserted that so far there have not been significant inputs from their female counterparts which were women or gender sensitive. In other words, their performances have not been ideal as expected. In fact, their performances tended to be overlooked and less popular compared to those of male counterparts. Needless to say, there are a number of reasons accounted for such performances. As firmly asserted by a woman legislator herself, one ultimate reason for such performances was that because here were only two of them. Often their opinions and initiatives were overpowered by counter opinions voiced by their male counterparts. In other words, numbers matter.

No less irritating reason was that those women legislators were constrained by their political parties' mission and policies. Their obligations to follow parties' mission and policies were stronger and considered to be more important than representing specific interests and needs of women. There were firm sanctions for those who did not follow parties' policies, in the form of warning letters or even termination. Thus, as pointed out by male members of parliament, it is argued that the presence of women legislators have not coloured various decision-making processes were gender sensitive whatsoever. In other words, the presence of women legislators did not give any different to the performance of the DPRD as a representative institution. What those women legislators have represented so far tended to be general issues, not specifically related to gender issues. Thus, it was similar to their male counterparts.

Different but at the same time interesting reason in fact came from senior female Member of Parliament herself who stated that their powerless position was mainly due to lack of capability of woman legislator herself. She actually criticized the





performance of the other woman legislator that due to her lack of ability. It is claimed that often it was difficult to have constructive discussion when there were issues that need to be voiced within the institution. In turn, the senior woman legislator tended to discuss with her male counterparts instead of her female one. Her claim was actually approved by her male counterparts from other political parties. They admitted that the performance of their "junior" female counterpart was not as good as her senior female colleague. It was obvious that long political education within political party as well as long and active involvement in political arena have made the performance of senior woman legislator better than the junior one, who has just involved in politics without having long political education within her party. In fact, as the junior woman legislator admitted, she had no intention whatsoever in the first place to run for the election. It was actually a coincident that the former head of DPRD of City of Cirebon asked her to join People Conscience Party, a new political party in Indonesia's politics.

In short, the specific case of the DPRD of City of Cirebon shows that there have been various obstacles to bring the potential benefits of applying affirmative action into reality. Although affirmative action has been accommodated within the laws and hence, obliges all political parties to allocate a minimum of 30 per cent of the names on their parts' lists to women, this could not increase women's representation in the parliament. What is more, the existences of women legislators also could not bring any different to the decision-making processes, particularly in the form of articulating gender sensitive issues. Other main obligation as political parties' mission bearers is more dominant than representing women's specific interests and needs.

Women Legislators in the DPRD of Cirebon District

Struggle during Elections

The case of women legislators in the DPRD of Cirebon district provides a rather similar gloomy story. During 2004-2009, there were five (10 %) women legislators from the total of fifty MPs. There was a slight increase of women legislatures as a result of 2009 election, where there were seven (14 %) women legislators from the total of fifty MPs. However, such numbers are still considered low because it did not meet the ideal limit for women representation in parliament

(minimum of 30 %). What have made such low percentage of women representation in DPRD of Cirebon District?

Not much different from the case of women legislators in the DPRD of City of Cirebon, political, economy, cultural and social factors have been hostile to their candidacies. A survey conducted by Prosperous Justice Party (PKS) shows interesting findings that local constituents' support to those female candidates was actually low. The survey also reveals that most local constituents, regardless of gender, did not care whether their representative would be male or female legislators. Interesting to note here that it was not because of religion, but rather local constituents nowadays tended to be pragmatic when it came to vote, meaning that they will give their vote to those who can give them "instant benefits" such as money, improvement of infrastructures, or other similar direct benefits, regardless of gender. This, in other words, for local constituents male or female representatives do not matter. This also means that for local constituents, issues about the importance of balanced representation between men and women legislators and gender sensitive decision-making processes as well as policies, are out of their consideration.

What is more, affirmative action in fact has led to unselective recruitment of women legislature candidates. Just to fulfill thirty percent of requirement, many political parties selected and recruited women legislature candidates who have no roots within the parties and no experience in politics whatsoever. What is worst, most of them had no intention to become legislators in the first place. This phenomenon is not only monopolized by new political parties such as People Conscience Party (*Partai Hanura*) or Democratic Party (*Partai Demokrat*), but also by established political parties such as Indonesia Democratic Party-Struggle (PDI-P). Thus, from human resource perspective, it is admitted that most of those within the lists had low abilities to become influential politicians. Hence, it is often stated that this is some kind of the dark side of affirmative action.

Further implication of such recruitment process was that those candidates were not well known by local constituents. As a result, those female candidates had low electability. In turn, they could not get significant votes. Thus, having strong root within political parties and being well-known by local constituents become important requisites for candidates to be elected. In fact, these requisites





are more important than level of education. The Prosperous and Justice Party (PKS) for instance, had recruited women legislature candidates who have high education level, but still none of them were elected. It is argued that female candidates from PKS were not from their respective electoral districts.

Another factor that has contributed to such low electability was lack of adequate financial resources to have effective elections campaigns. It is admitted that running for election was expensive investment. Only those who had sufficient financial resources could run intensive electoral campaigns and hence could have the chance to be well-known by local constituents. It is interesting to also note here that for those who were successfully elected, some male MPs stated that it was not because they were qualified candidates with good platforms, but more because of the effect of parties' popularity, such as for female candidates from Democratic Party and Indonesia Democratic Party-Struggle. Most of them were new comers in politics. Only two of seven elected women legislators have genuinely strong roots with their party and at the same time, they are also well-known among local constituents because their long engagement with them in various social activities.

In a nutshell, various factors have hindered women in District of Cirebon to run for elections. Although affirmative action has opened up the opportunity for women to become legislators, political, cultural, social and economic factors have distorted such potential benefits of affirmative action. Investigation reveals that a slight increase of elected women legislators during 2009 election was not due to the effect of affirmative action, but rather because of political party's popularity.

After Being Elected

Not much different from the case of DPRD of City of Cirebon, the performance of women legislators of the DPRD of Cirebon District in the aftermath of affirmative action have not showed significant changes in terms of bringing up gender sensitive issues into decision-making processes and policies. Needless to say, such performances stem from a number of factors, both internal as well as external of women legislators themselves.

Internally, those elected women legislators have no political ability to effectively perform their duties as people representatives. Limited experience and lack of sufficient regeneration

(*proses kaderisasi*) and political education within their respective political parties have contributed to such performances. According to their male counterparts, from seven women legislators, only two have better performance in consistently voicing gender and children sensitive issues and representing women's and children interests and aspiration. These two women legislators were actually political party activists who have actively involved in politics for quite long time. Nevertheless, since it was only two of them, whilst five other women legislators seldom gave significant contribution, in turn, their voices were often overpowered by their male counterparts. Their voices and opinion were not strong enough to influence decision-making processes because they were actually minority.

As admitted by women legislators, often they were underestimated by their male counterparts. In fact, a male MP firmly asserts that those women legislators indeed talk much but none of them were significant. On the other hand, male MPs tended to talk fewer but influential. In addition, it is also claimed that let alone voicing gender and children sensitive issues and their interests, representing their political parties' mission hardly ever performed. Most of were inactive and uncritical women legislators, except two from Nation Awakening Party (PKB). Cynically, a male MP said that "it was good if those women legislators articulated their opinion, but it will be better if they were silence." At the same time, he said that respects would automatically come from other colleagues if those women legislatures had the capability to properly carry out their functions as have been experienced by two out spoken, brave and active women legislators from PKB. .

Another factor that contributed to the poor performance of women legislator in the DPRD of Cirebon District was, similar to their colleagues at DPRD of City of Cirebon, stronger obligation to struggle for political parties' missions and policies rather than to articulate gender and children sensitive issues. Except two women legislators from PKB, most of those women legislatures were afraid of receiving warning letter (SP 1) or even termination (PAW) if they did not prioritize missions and policies of their respective political party. Two women legislators from PKB often had disagreement with their party board members, because they did not follow their political party's





orders. The rest of those women legislatures did not have such courage to take the risks.

Succinctly, the existences of women legislatures within the local parliament have not given different colour to the decision-making processes and policies. They tended to be more as people representative in general rather than specific as women and children's representatives. It is admitted that the root of the problem was that they did not have sufficient ability to perform as expected. What is worst was that most of those new women legislators did not have intention to empower themselves politically. Instead, as cynically stated by woman legislator from PKB, they were busy fixing their physical appearance (*penampilan*)

To finish, based of the above findings, it is hard not to say that affirmative action has not effectively promoted gender and children sensitive issues as theoretically calculated. There are a number of factors that hamper the realization of those promised benefits, which not only came from those elected women legislators themselves but also from their political parties, constituents and their male counterparts.

Conclusion

Women under-representation has been worldwide phenomenon. Almost all countries in the world share common feature, namely the political playing field is uneven and not conducive to women's participation. Two case studies from the experiences of women legislators in the DPRD of City and District of Cirebon confirm that the political, public, cultural and social environments are not friendly or even hostile to them.

The enforcement of affirmative action so far could not help to improve women's representation in both local parliaments. As the case studies show, let alone exceeded, their presences not even reached expected limit of thirty per cent. To this point, it was only five per cent and fourteen percent of the total members of parliament in DPRD of City of Cirebon and DPRD of Cirebon District respectively. They are still far away from ideal.

Being elected does not mean that those hindrances fade away. They keep challenging women legislators in conducting their duties. So far, their limited numbers, limited capacity and limited experience in political arena have made them overpowered by their male counterparts. These conditions have made those women

legislators underestimated by their male counterparts. As a result, their existences have not given different perspectives in terms of voicing gender and children sensitive issues and policies. Their roles as political parties' representatives in fact were a lot greater than as women's or children's representatives. Thus, in other words, affirmative action has not yet facilitates better consequences with related to gender and children sensitive issues.

Excluding women from elected bodies impoverishes the development of democratic principles in public life and inhibits the economic development of a society (Shvedova, 2002). Male domination within government institution will lead to further alienation of promoting women's issues and interests. Thus, adequate presence of women legislators within a parliament become a must. Gender quota system in the form of affirmative action is theoretically calculated to have potential benefits in improving women's representation both in numbers as well as in the accommodation of various gender and children sensitive issues within decision-making processes and policies produced by government institutions.

Indonesia has taken the form of gender quota system and enshrined it in electoral law and political party rules. Under the latest law of 2008, the minimum quota of thirty per cent became a compulsory requirement for each participating political party. In addition, gender quotas also have imposed a minimum of thirty per cent women on political parties' boards (Usu 2010). Nevertheless, empirical evidence shows that such policy has not been able to increase both the number of women legislators in the parliament and hence decisions and policies that are gender and children sensitive. The two case studies reveal that there have been significant hindrances in bringing the potential benefits of affirmative action into reality.

To overcome those hindrances, effective affirmative action needs to be sustained by a number of requisites, including:

1. Forcing political parties as the main gatekeepers of democracy not only to consistently adopt gender quota systems, but most importantly to conduct proper and somber political education as well as recruitment process that consider objective standards so that they can produce and have capable politicians;
2. Intensive and persistent empowerment process for women legislators themselves





- through various education and training processes to improve their skills and abilities as well as their sensitiveness as women's representatives;
3. Working with men as partners to promote women's meaningful and constructive involvement during decision-making processes.
 4. Political education for constituents to improve their political maturity and to reduce their pragmatic tendencies. The process could be carried out by political parties or NGOs;
 5. Public campaigns and support for women's political involvement though intensive media coverage and mobilize women organization networks;

About Author

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