Enforcement of Norms of Women's Representation in The Regional House of Representatives of Pekalongan Regency, Period 2019-2024

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ABSTRACT
This Paper analyzes about enforcement the norm of women's representation in the Regional House of Representatives of Pekalongan Regency for the period 2019-2024 and its implications for regional policies related to women's issues. Empirical juridical research uses a qualitative approach. Data collection techniques using interviews, questionnaire and the documents studies. Technical analysis using interactive models. The results showed that, enforcement norms of woman’s representation in the Regional House of Representatives of Pekalongan Regency for the period 2019-2024 not effective because there are several factors that influence it, among others: 1) the substance of the norms of representation of 30% women in the legislative institutions contained in the electoral law is inconsistent because if the registration of political parties participants does not the requirements of 30% of Women's representation, political parties are allowed to improve the proposed candidates. The norm will make political parties election participants in recruiting Women as an only formality with jargon "the important thing is fulfilled" without regard to the quality of Women's participants; 2) Knowledge and understanding of Pekalongan District community about women's politics are still low, so that if women run for election participants then very small supporters; 3) patriarchal legal culture build a mindset that the political world is identical with a man. The implications of enforcing the norm of 30% of women's representation in the Regional House of Representatives of Pekalongan Regency, namely being able to represent women's voices and fight for women's rights through policies and programs produced. That is, with the representation of women in regional House of Representatives, the needs of women will be met because those who know and understand the needs and problems of women are women themselves.

Keywords: Women's representation, Legislative, Election, Law Enforcement

ABSTRAK
Paper ini menganalisis tentang penegakan norma keterwakilan perempuan di Regional House of Representatives Kabupaten Pekalongan periode 2019-2024 dan...

Kata Kunci: Keterwakilan Perempuan, Legislif, Pemilu, Penegakan Hukum

Introduction

Gender equality in the field of politics needs to be created to realize the ideals of democracy that puts forward the principle of openness, equality, equality, and justice for all citizens, men and women to participate in various fields of national and state Life (Elizabeth, 2018). Gender equality in politics can be realized through elections. The implementation of elections must ensure every citizen, male or woman participates as a voter or as a candidate to be elected by the community (Azmi & Farhah, 2018). Opportunity for women to participate in politics to get the attention of the government of Indonesia, but the beginning of the Indonesian government several legal texts became legal references to the existence of women's rights in politics. For example, Law No. 68 of 1958 on the approval of the Convention on the political rights of women (Budiardjo, 2008).
According to Law No. 68 of 1958 on the Convention on the political rights of women, among others: 1) women have the right to vote on equal terms with men, without discrimination; 2) every citizen has the right to participate in the government, directly or intermediary representatives elected freely in the manner prescribed by law. That matter, such as contained in Article 27 paragraph (1) Constitution Republic of Indonesia 1945, which reads: “all citizens are equal in their position in law and government and are obliged to uphold the law and government with no exception”. That is, men and women have the same degree in upholding the law and government included in politics. Law of the Republic of Indonesia No. 7 of 2017 on general elections mentions more practical thing about the representation of women who must meet of 30%, both the representation of women in General Election Commissions membership, management of political parties at the central level, as well as prospective members of the House of Representatives, Provincial Regional House of Representatives and District/City Regional House of Representatives That is, constitutionally and juridically Indonesia recognizes women's rights in politics.

But in fact, the existence of legislation that requires the inclusion of a quota of 30% for prospective woman candidates cannot boost the number of women representation in Regional House of Representatives. Something like this happened in the Regional House of Representatives of Pekalongan district. The number Regional House of Representatives of Pekalongan Regency members for the 2019-2024 period was 45 people and members of Woman Regional House of Representatives a number of 12 people.

Table 1.1: Regional House of Representatives Pekalongan Regency members period 2019-2024

<table>
<thead>
<tr>
<th>No</th>
<th>Member Name</th>
<th>Party Name</th>
<th>Preferred Region</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Dra. Hj. Hindun, MH</td>
<td>PKB</td>
<td>Dapil 3</td>
</tr>
<tr>
<td>2</td>
<td>Dewi Aida Fitria</td>
<td>PKB</td>
<td>Dapil 4</td>
</tr>
<tr>
<td>3</td>
<td>Fatkhiana Goddess, SH</td>
<td>PKB</td>
<td>Dapil 4</td>
</tr>
<tr>
<td>4</td>
<td>Rossi Ardiyanti, ST, M.Kes</td>
<td>PDI-P</td>
<td>Dapil 1</td>
</tr>
<tr>
<td>5</td>
<td>Warti Suci Jiun</td>
<td>PDI-P</td>
<td>Dapil 4</td>
</tr>
<tr>
<td>6</td>
<td>Hj. Endang Suwarningsih</td>
<td>PDI-P</td>
<td>Dapil 5</td>
</tr>
<tr>
<td>7</td>
<td>Patmisari</td>
<td>Gerindra</td>
<td>Dapil 1</td>
</tr>
</tbody>
</table>
Based on the table above, it can be seen that there are 12 woman regional House of Representatives members in the Pekalongan Regency. From the National Awakening Party there are 3 people, the Indonesian Democratic Party of struggle there are 3 people, the Greater Indonesia Movement Party there are 2 people, the United Development Party there are 2 people and the National Mandate Party and the Karya Group Party each 1 person in their respective constituencies.

Data above indicates that, when compared between the number of woman regional House of Representatives members, namely 12 people with a men members of the regional House of Representatives i.e: 45 people then regional House of Representatives members in Pekalongan Regency for the period 2019-2024 have not reached kuota 30%, but only 24%. This means, the representation of women regional House of Representatives in the Pekalongan district is not in accordance with the mandate Constitution and Law No. 7 Of 2017 On General Elections. Therefore, this study aims to explore and analyze the effectiveness of enforcement the norm of women's representation in regional regional House of Representatives of Pekalongan Regency for the period 2019-2024 and its implications for regional policies related to women's issues.

Research Method

Empirical juridical research uses a qualitative approach. Data collection techniques using interviews, questionnaires, and the study of documents. Interviews were conducted against regional House of Representatives members in Pekalongan Regency, period 2019-2024, namely: there are 12 woman regional House of Representatives members and 2 men regional House of Representatives members. Interviews were also conducted with 2 General Election Commissions members and...
the General Election Commissions Secretary of Pekalongan Regency. The questionnaire was conducted on 45 regional House of Representatives members of the Pekalongan Regency. Data credibility measurement technique using triangulation. Technical analysis using interactive models.

**Result and Discussion**

**The Effectiveness of Norms Enforcement Of Woman Representation in the Regional House of Representatives of Pekalongan Regency period 2019-2024**

Legal effectiveness is the condition in which each person must act by legal norms. Meaning, that norma existing laws should apply and be obeyed (Arief, 2013). The effectiveness of law in society is the power of legal work in regulating and/or forcing citizens to obey the law (Winarno & Tjandrasari, 2017). The effectiveness of the law in question is to examine the legal rules that must be qualified, namely: apply philosophically, apply juridically, and apply sociologically (Siregar, 2018). In the study of law in society, the most important thing is the application of law sociologically or called with legal effectiveness (Abdurrahman, 2009).

According to Soekanto if a norma the law succeeds or fails to reach the goal, then the size used does the norm manage attitude, certain actions or behaviors so that appropriate or not by the goal (Soekanto, 1983). Factors that can affect the effectiveness of law enforcement, among others: 1) its legal factors (law enforcement); 2) law enforcement, namely the parties that form or apply the law; 3) facilities or facilities that support law enforcement; 4) the community where the law is applicable or applied; and 5) cultural factors, namely as a result of work, creativity and taste based on human karsa in the Association of life (Sofiani & Askari, 2020). Based on this then, the effectiveness of norms enforcement of women’s representation in the regional House of Representatives in the Pekalongan for the period 2019-2024 can be explored by using 5 (five) indicators.

a. Legal (Norms) Factors.
Constitutionally, the norm of women's representation in legislative institutions is contained in Article 27 Article 27 paragraph (1) dan Porigin 28 d paragraph (3) Basic Law The state of RI 1945. Article 27 Paragraph (1) that is: “All citizens are equal in their position in the law and government and are obliged to uphold the law and government with no exception”. Article 28 d paragraph (3), namely: “ every citizen deserves equal opportunities in government” . Both articles can be interpreted that, between male and woman have similar degrees in law and government include in politics.

Law of the Republic of Indonesia No. 7 of 2017 on general elections and Law of the Republic of Indonesia No. 8 of 2012 on general elections of House of Representatives, Regional Representative Council, and Regional House of Representatives have regulated the representation of women. In detail see the table below.

**Table 2: Women's Representation in Regional Parliament Regency/City on Law Number 7 of 2017 concerning Elections**

<table>
<thead>
<tr>
<th>Article</th>
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<tbody>
<tr>
<td>Article 173 paragraph (2) letters (e)</td>
<td>One of the requirements to participate in the election is to include at least 30% of women's representation in the management of political parties at the central level</td>
</tr>
<tr>
<td>Article 177 letter d</td>
<td>A certificate from the Central Board of political parties about the inclusion of women's representation at min 30% by the legislation.</td>
</tr>
<tr>
<td>Article 245</td>
<td>List of candidates for members of Province regional House of Representatives, District/City regional House of Representatives contains at min 30 % women representation.</td>
</tr>
<tr>
<td>Article 246 paragraph (1) and Paragraph (2)</td>
<td>The name of the candidate in the list of candidates is arranged by Sequence Number, with the provision that for every 3 (tree) candidates there is at least 1 (one) woman candidate</td>
</tr>
<tr>
<td>Article 248 paragraph (1), Paragraph (2), and Paragraph (3)</td>
<td>Verification of the General Election Commissions, province General Election Commissions, and District/City General Election Commissions on the completeness and correctness of the document administrative requirements of prospective members of the House of Representatives, province and District/City regional parliament House of Representative, and verification of the fulfillment of woman representation at least 30%</td>
</tr>
<tr>
<td>Article 249 paragraph (2)</td>
<td>Giving opportunity to political parties to improve the list of candidates that do not contain women representation at least 30%</td>
</tr>
<tr>
<td>Article 252 paragraph</td>
<td>The announcement of the percentage of women's representation</td>
</tr>
</tbody>
</table>
The norms have stated clearly and unequivocally that members of the district/city Regional House of Representatives must meet the quota of woman representation of at least 30%, even one of the requirements of political parties when registering candidates for election participants must attach a certificate from the central political party board about the participation of woman representation at least 30% by the provisions of submit invitations at least. However, substantially the norm of representation of women in both the regulation seemed half-hearted because the requirement for the fulfillment of 30% of women's representation is only for the management of political parties at the central level. It should be if the Constitution is consistent, then the provision of 30% woman representation is not only the management of political parties at the central level but also political parties at the district/city level. Another thing, if 30% is not met then political parties are allowed to improve the proposed candidates. The norm will make political parties who are election participants in recruiting woman cadres only formality or even carelessness with the jargon “the important thing is fulfilled” by not paying attention to the quality of woman participants.

b. **Law enforcer Factors**

The mentality or personality of law enforcement officers plays an important role in law enforcement, so if officer quality is not good, then will affect law enforcement (Soekanto, 2007). Law enforcement is persons and/or institutions given the duty and authority to implement legal regulations. The law enforcers referred to in this case are the officers who are authorized to enforce the law during the general election, namely the General Election Commission as contained in Article 6 of the election law.
The General Election Commission as a law enforcer in the implementation of the General Election in Pekalongan Regency has implemented the provisions of Law Number 7 of 2017 concerning General Elections, namely if a political party cannot fulfill a minimum of 30% female candidate members, it cannot be a participant in the general election. As the results of an interview with the Chairman of the General Election Commission (T. Rizal, personal interview, November 22, 2021), that:

“The General Election Commission Pekalongan Regency was implement the Law No. 7 of 2017 very well. For example, when political parties cannot meet the candidate list of at least 30% of women they can not participate in the general election. However, often occurs on political parties when nominating members women just as a complement to be able to meet the representation of 30% of women”

c. **Infrastructure or facilities**

   According to Soekanto, law enforcement can not work properly, if not equipped with facilities or facilities yang complete. Therefore, facilities are very important in supporting law enforcement. Intended means include software and hardware, namely: good organization system, good equipment, IT dan others (Soekanto, 2007). According to General Election Commission Commissioner Pekalongan, the means or facilities to support the fulfillment of 30% of women's representation have been fulfilled, for example 1) Information Technology related to electronic media and print media as a means to provide information to the public about the list of candidates for women's political parties and announce the number of representatives of 30% of women who; 2) other supporting facilities related to the implementation of elections are also complete (B.A.Pranoto & W. Sri, personal interview, November 23, 2021).

d. **Community Factors.**

   Law comes from society and aims to achieve order and peace in society. Therefore, society's important role is to enforce the norm representation of
women in politics for gender equality. Things that must be owned by the community to support law enforcement are the knowledge, understanding, attitudes, and behavior of the community law or referred to as legal consciousness. If a society has no consciousness the law cannot stand. Public knowledge and understanding of the norms of woman representation are still very low, thus affecting the mindset of the people in this region. Patriakhi culture that manifests in the reality of society in this region increasingly affects the mindset or attitude of society so that it also affects the legal awareness related to the representation of women. According to some residents in Pekalongan women do not need to work in politics, because politics is the territory of men. Regulations regarding 30% of women's representation, actually violate the nature of women (Sumardi et al., Personal Interview, November 15, 2021).

Interviews with the members of women's Regional House Of Representatives in the Pekalongan Regency, see below:

“General elections are a means to achieve gender equality by being given a quota of 30% for women to take part in politics. But when women take part in politics is not an easy thing. Public awareness about women in politics is still minimal”. (W.S.Jiun, Personal Interview, November 15, 2021)

“Challenge women will enter the world of politics, among others: first, strong competition between parties; second, financial. In addition, women when the nomination is only as a complement to meet the 30% representation of women, because if a political party does not meet the 30% representation then it cannot be a participant in elections”. (Patmisari, Personal Interview, November 15, 2021)
“There are generally women when going to enter the world of politics than the challenge that is financial or funds. Beside that, to find a network it is not an easy thing, because it is necessary to have good communication so that they do not move to other political parties. The form of action in the community is very important with the holding of programs that benefit the community. So, the solution is to be near the community, namely with an emotional connection. For example, following the study with the community, approach with mothers Gymnastics”. (S. Paparingga, Personal Interview, November 15, 2021)

“In Pekalongan Regency Regional House Of Representatives, the representation of 30% of women has not been fulfilled even though there are regulations that provide opportunities for women to take part in the political sphere. This is because each political party is dominated by men. Besides that interest in women themselves is still lacking and there is also yang in her interest in politics but there is no political party taking it. Often happens also, for example, the family does not support and even society prefers men compared to woman candidates”. (F. Dewi, Personal Interview, November 15, 2021)

Based on the results of the interview can be concluded that, that several factors that affect society become an obstacle to the fulfillment of 30% representation of women becoming Regional House Of Representatives members in the Pekalongan Regency that is, internal factors and external factors. Internal factors, among others: 1) knowledge, understanding, and attitude or mindset of women related to the political sphere is the realm of Men; 2) the assumption that to become a member of the regional House of Representatives needed large funds. External factors, among others: 1) the family does not support; 2) patriarchal culture; 3) financial support and; 4) structure that is the political party
that still put men first compared to women. These conditions affect the low interest of women to become members of the Pekalongan district Regional House Of Representatives so that the quota of 30% representation of women is not fulfilled.

e. Legal culture factors.

Legal culture is part of the sub-culture of society. The culture of society includes the values that underlie the enactment of the law, where they are abstract conceptions of what is considered good so that it is followed and what is considered bad so that it should be avoided (Soekanto, 2007). Legal culture as attitudes and values that have a positive or negative influence on behavior related to the law. Legal culture is the social state of mind and social force that determines the law be used, avoided, or abused. The legal culture built-in society will affect the enforcement of lawm (Ali, 2008).

The values that affect the non-fulfillment of 30% of women's representation in the Regional House of Representatives in the Pekalongan Regency are patriarchal. Patriarchal values negatively affect the legal awareness of the community in this region. Therefore, it also affects law enforcement. Interview with some members of the Regional House of Representatives in the Pekalongan Regency, see below:

“When women will get into the world of politics is not an easy thing, of course, many obstacles that affect it, such as the strong patriarchal culture that considers politics to be the world of men”.
(W.S. Jiun, Personal Interview, November 15, 2021)

“The amount of women at the Regional House of Representatives members in the Pekalongan Regency, period 2019-2024 more than from the previous general election, although in this period it also has not fulfilled the 30% quota. This means, that women who enter the political sphere are still considered taboo, but with the norm of
representation of 30% of women who are a requirement for political parties to nominate women as a list of candidates, it is expected that women who get into politics will increase”. (Hindun, Personal Interview, November 16, 2021)

“Norma the representation of 30% of women strongly influences women to get in the world of politics, especially in the Legislature. Every political party has an adherence to the representation of 30% of women, but sometimes some things become obstacles. When women are given the opportunity, precisely women themselves are not ready to go into politics. So that difficult to find woman cadres” (Hidayah N., Personal Interview, November 19, 2021).

“Every political party, of course already has awareness and obedience about the representation of 30% of women. This means that the provisions of 30% for women have been effectively implemented to be a participant in general elections. (D.A. Fitria, Personal Interview, November 15, 2021)

“The quota of 30% of women is still too little and not comparable to the number of residents in Pekalongan, in which the majority are women. (F. Dewi, Personal Interview, November 15, 2021)

“Representation of women has not met 30% because there are still many women who are not interested in politics and still I think politics is a man's world. This is because some things are stereotypical of women themselves and family support. This means that the state has provided an opportunity for women to take part in the political sphere through law namely the existence of representation of 30% of women, but in fact, there are still few
women who participate in the political sphere”. (Mas’udah, Personal Interview, November 16, 2021)

“I am nominated to be a member of Regional House Of Representatives Pekalongan because of my desire to build Pekalongan Regency. In addition, there is encouragement from families who support and motivation to take part in the political world. Thus the support and motivation of the family is an important thing and a factor supporting women to enter the world of politics. Norma the representation of 30% of women has a positive effect and as a form of State concern for political rights women to enter the world of politics. So it doesn't have to be men who can go into politics, women can too. Even expected no only 30% to be equal. But there are difficulties when looking for women to go into politics because a woman already must work in the private sphere as a housewife. The fact of the fulfillment of quota 30% of woman only formalities to register as election participants, and not the desire of the woman herself”. (Patmisari, Personal Interview, November 15, 2021)

“Implementation Law No. 7 of 2017 on General Elections with representation 30% of women should be encouraged continuously through political communication. Because it is also the responsibility of political parties and all elements. With the socialization, seminars and discussions will attract the attention of the public, especially women to take part in the political world. (T. Rizal, Personal Interview, November 22, 2021)
“The importance of women in politics is intended as an effort so that the interests of women can be represented and accommodated well. But, when will get in the world of politics is not an easy thing, because of the obstacles that affect it as still strong patriarchal culture in society that considers politics is the world of men”.

(W.S.Jiun, Personal Interview, November 15, 2021)

The results of the interview show that the patriarchal culture that is still attached to the community of Pekalongan greatly affects law enforcement related to the norm 30% representation women of in the Regional House of Representatives in the Pekalongan district. Politics is still considered the domain of men and the domain of women is taking care of the household (private).

Based on this, strategy what to do to improve the Representation of 30% of Women, among others: 1) political education that must be done continuously by political parties, government elements dan representative elements that exist in the Legislature. Improved political education is a strategy to motivate women into politics. The woman who feels incapable or afraid to get into politics will change their minds and more confident in politics; 2) socialization to society related to women’s politics; 3) communication between political parties; 4) look for woman political party cadres who have the ability and political intelligence. All these strategies must be carried out in a continuous as a unity that is inseparable to realize the goals as determined, namely the fulfillment of 30% of women’s representation.

Implications Enforcement of the norm 30% representation Women Against Policy based on Women

The real representation of women in politics is not only based on their participation in making decisions but also on their participation in fighting for women. Law No. 7 of 2017 on Elections is pusher women’s representation in politics, especially in the Pekalongan Regency Regional House Of Representatives. The law gives quotas of 30% to become a member legislative. This is important because it will have
implications for the resulting policies related to gender equality and the main problems faced by women.

The implication of women taking part in the political sphere is to be able to voice what is the rights of the people, especially women's rights. To increase women's participation in politics, of course, there needs to be a strong effort or strategy to encourage the achievement of a quota of 30% of women's involvement in the Regional House of Representatives and erode gender inequality in politics. According to Hindun, (Chairman of Regional House of Representatives in the Pekalongan Regency), the implication of women in the political sphere, namely: 1) participate in determining policies related to the needs of women and gender equality; 2) the needs and problems of women are only known by women. Therefore, involvement in policy-making must attention to the needs of women. For example, the need Nursing mothers should be provided with a special lactation room to provide breast milk, where a lactation room must be closed, clean and healthy. This is known only by Women Council members. Furthermore, the needs of pregnant women must be full of high nutrients. Other policies related to women's health are starting from reproduction, childbirth, caring for children, and others are also only known and understood by women Regional House of Representatives members (Hindun, Personal Interview, November 16, 2021). Interview with Woman of Regional House Of Representatives members, see below.

“The implication of women in politics can be represent what are women's rights. Women's human rights will be enforced when there is a representative in the Regional House of Representatives. For example, cases maternal and Infant Death, where is cases that must exist in every district. How to minimize this is the role of the representatives of the people, especially the women's Regional House of Representatives”. (S. Paparingga, Personal Interview, November 15, 2021)
“Women are very important for getting in the political sphere so it can voice aspirations of women. Women Regional House Of Representative's members in Pekalongan, which amounted to 12 people, in fact also fight for women's rights in their respective constituencies in Pekalongan. (S.P.Anggraeni, Personal Interview, November 10, 2021)

“Women in politics imply that as a family, there must be a mother. Women the Regional House of Representatives members in Pekalongan Regency are mothers to the people of Pekalongan Regency. The nature of women who are sincere and gentle will represent the people with totality and this cannot be done by men. That is, if women become members of the Regional House of Representatives, then women will live in peace, serenity, and prosperity”. (N. Hidayah, Personal Interview, November 22, 2021) ¹

The results of the interview can be interpreted that the implication of women's representation in legislative institutions, Pekalongan Regency is to represent women's voices and fight for women's rights through policies and programs produced. That is, with the representation of women in the regional House of Representatives, the needs of women will be more fulfilled because those who know and understand the needs and problems of women are women themselves.

Conclusion

Enforcement of woman representation norms in the Regional House Of Representatives, Pekalongan Regency for the period 2019-2024, has not been effective because several factors influence it, among others: 1) the substance of the norms of representation of 30% of women contained in the electoral law is inconsistent because the requirements for the fulfillment of 30% of women's representation are only for the management of political parties at the central level. In

¹Nailul Hidayah, S.H, Fraksi Golkar, Kantor DPRD Kabupaten Pekalongan, Wawancara Pribadi, 22 November 2021
addition, if 30% of women’s representation is not fulfilled, political parties are allowed to improve the proposed candidates. The norm will make political parties who become election participants in recruiting cadres women are only formalities or even carelessly with the jargon "the important thing is fulfilled", by not paying attention to the quality of woman candidate; 2) Knowledge and understanding of the Pekalongan District community about women’s politics are still low, so that if women become a candidate for election then very little supporters; 3) patriarchal legal culture also affects the fulfillment 30% of the representation of women in this region, where this culture builds a mindset that the political world is identical to men.

Implications Enforcement of the norm 30% representation Women in the Regional House Of Representatives, Pekalongan Regency that is, it can represent women’s voices and fight for women's rights through policies and programs produced. That is, with the representation of women in the regional House of Representatives, the needs of women will be more fulfilled because those who know and understand the needs and problems of women are women themselves. Therefore, to increase the representation of 30% of women then things to do, among others: 1) political education by continuous to the community; 2) socialization in the community related to women's politics; 3) communication between political parties; 4) look for woman cadres who have the ability and political intelligence.

References
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