

**The relationship of civil society organizations (CSOs) and political parties  
in post-Suharto Indonesia: a women's CSO perspective**

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Aditya Perdana

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Erstgutachter : PD Dr. Andreas Ufen

Zweitgutachter : Prof. Dr. Cord Jakobeit

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## Eidesstattliche Versicherung

Hiermit erkläre ich, Aditya Perdana, an Eides statt, dass ich die Dissertation mit dem Titel:

**The relationship of civil society organizations (CSOs) and political parties  
in post-Suharto Indonesia: a women's CSO perspective**

Selbständig und ohne fremde Hilfe verfasst habe.

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Hamburg, 9.Februar 2017

## **Abstract**

### **The relationship of civil society organizations (CSOs) and political parties in post-Suharto Indonesia: a women's CSO perspective**

This study seeks to examine the distant relationship that exists between CSOs and parties within the new Indonesian democracy because of their nature of organizations and the influence of political and social structures to their relations. The main research question in this study is: How does the distant relationship between women's CSOs and political parties affect selected gender equality issues in post-Suharto Indonesia? This is supported by two sub-questions: (1) to what extent have Indonesian women's CSOs been linked with political parties since the fall of Suharto in 1998? (2) How distant relationships between women's CSOs and parties contribute to the development of women's political representation in Indonesia?

The aim of this study is to contribute to the existing theories about political parties and society that elaborate on political representation from a women's civil society organizational perspective. The results will provide capacity-building development insights for women's civil society actors and members of political parties who want to learn more about the dynamics of both these institutions and the strategies that political parties and CSOs use to establish and develop relationships in Indonesia.

This study can be categorized as a single case study with a synchronic and diachronic variations. This study uses a combined co-variational analysis and causal-process tracing to explore suitable inquiries from observations of two events: the policy-making process for gender issues and women's political representation roles.

This dissertation broadly asserts two hypotheses. First, it hypothesizes that enabling environmental factors (internal and external) in the relationship between women's CSOs and political parties explain their contribution to political representation in democracies in general. The second hypothesis is that the informal and distant relations between women's CSOs and political parties have contributed to the development of women's political representation in the consolidated democracy of post-Suharto Indonesia.

This study confirms that a distant relationship has been maintained between CSOs and political parties following the decline of the Suharto regime, due to their limited relationship in the political sphere, weak connections, and limited direct influence. Although the distant relationship between women's CSOs and parties in Indonesia appears to support a picture of weak institutionalized party and fragmented CSO, however the autonomy of each organization in terms of their political interactions needs to be balanced to succeed.

Two major findings are: the first is enabling combination of environmental factors (external and internal) to shape the distance of the relationship. The second finding is that women's CSOs and party links in the law-making process and certain representation roles are informed by informal and personal relationships.

These two major findings indicate a distant relationship between women's CSOs and political party interactions over certain gender equality issues. From tracing several Indonesian historical events and focusing on the late post-Suharto period, the study confirms that this distant relationship has been caused by certain post-cartelization phenomena and weak institutionalization phenomena.

What are the implications of this study in terms of the development of democratization theory? First, this study has contributed to the CSO political party linkage theories. Secondly, this study also supports the claim that the role of civil society is to strengthen democratic representation. Third, this study has presented discussions of gender and political theory, particularly in relation to Pitkin (1967)'s three models of political representation: formal, descriptive, and substantive.

This study therefore proposes two areas for future research. Firstly, it is suggested that democratization studies require further exploration into the role that authoritarian legacies play in political institutions. It was not possible in this study to fully explore and explain how the roots of authoritarian legacies from the history of Indonesian democracy are still embedded in society today. Such research could focus on the development of religious organizations such as NU and Muhammadiyah which have close attachment with parties and individual politicians until these days. A second rich area for future research is the development and support of empirical political involvement mechanisms for civil society.

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## List of Indonesian Terms and Acronyms

abangan	Javanese Muslim practising an animistic, syncretic form of Islam
Aisyiyah Muhammadiyah	Muhammadiyah's women's wing
AKATIGA	Research think tank in Bandung, West Java
Bappenas	Kementrian Perencanaan Pembangunan Nasional, Ministry of National Development Planning
Boedi Oetomo	Pure Endeavour
BPK	Badan Pemeriksa Keuangan, Audit Agency
BPP	Bilangan Pembagi Pemilih, vote per seat number
CCEJ	Citizens' Coalition for Economic Justice
CEDAW	UN Convention on the Elimination of All Forms and Discrimination against Women
CENOC	the National Center for Community Organizations
CETRO	Pusat Reformasi Pemilu, Centre for Electoral Reform
CNM	National Women's Council
CSOs	civil society organizations
CWGI	Cedaw Working Group Indonesia
Demokrasi Terpimpin	Guided Democracy, one of Soekarno's period leadership that he managed the state with authoritarian style
Depdagri	Departemen Dalam Negeri, Ministry of Home Affairs
Depkumham	Departemen Hukum dan Hak Asasi Manusia Ministry of Law and Human Rights
Depsos	Departemen Sosial, Ministry of Social Affairs
Derap Warapsari	the former policewomen's association
Dharma Wanita	organization of wives of state employees
DIM	Daftar Inventaris Masalah, Problem List
DPD	Dewan Perwakilan Daerah/ Regional Representatives Council
DPR GR	Dewan Perwakilan Rakyat Gotong Royong, House of Representatives in the Guided Democracy regime
DPR	Dewan Perwakilan Rakyat, House of Representatives
Fatayat NU	Nahdlatul Ulama's women's wing
FNS	Friedrich Naumann Stiftung, a German political foundation
Formdem	Forum Demokrasi, Democratic Forum
Gerindra	Gerakan Indonesia Raya, Greater Indonesian Movement Party
Gerwani	Gerakan wanita indonesia/ Indonesian women's movement
GII	Gender Inequality Index
GKI Yasmin	Christian Church Taman Yasmin
GMNI	Gerakan Mahasiswa Nasional Indonesia, Indonesian National Student Movement
Golkar	Partai Golongan Karya, Functional Groups Party - the quasi-government party
GPSP	Gerakan Pemberdayaan Suara Perempuan, Women's Voices Empowerment Movement
Hanura	Hati Nurani Rakyat, People's Conscience Party
HDI	Human Development Index
HMI	Himpunan Mahasiswa Islam, Association of Islamic Students
ICMI	Ikatan Cendekiawan Muslim Indonesia/ Indonesian Moslem Scholars Association
ICW	Indonesian Corruption Watch
<i>ijtihad</i>	critical thinking and independent reasoning
Indische Partij	Indies Party
<i>Indonesische Vereeniging</i>	Indonesian Association
INSIST	Institute for the Study of Islamic Thought and Civilization
IPKI	Ikatan Pendukung Kemerdekaan Indonesia, League for the Upholding of Indonesian Independence
IPPNU	Ikatan Pelajar putri NU Association of Female Students of Nahdlatul Ulama
ITB	Institut Teknologi Bandung Bandung Institute of Technology
IWAPI	Ikatan Wanita Pengusaha Indonesia, Indonesian Businesswomen's Association

JANGKA PKTP	Jaringan Advokasi Kebijakan Penghapusan Kekerasan Terhadap Perempuan, Network for the Advocacy of Policies to Eliminate Violence against Women
Kadin	Kamar Dagang dan Industri, Chamber of Trade and Industry
KCCM	the Korea Council of Citizens' Movements
Kembali ke Khittah 1926	Back to Khittah 1926, the organizations' basic commitment to social and religious activities
KFEM	Korea Federation for Environmental Movement
KKI	Kesatuan Kebangsaan Indonesia, United Nation Indonesia
KNCW	Korean National Council of Women
KNPI	Komite Nasional Pemuda Indonesia/National Committee on Indonesian Youth
Komnas Perempuan	National Commission on Violence against Women
Konstituante	Constituent Assembly
<i>Kontras</i>	The Commission for the Disappeared and Victims of Violence
<i>Kopkamtib</i>	Operational Command for the Restoration of Security and Order
KOSGORO	Kesatuan Organisasi Serba Guna Gotong Royong, Union of Mutual Cooperation Multifunction Organizations
Kowani	Kongres Wanita Indonesia, Indonesian Women Congress
KPI	Koalisi Perempuan Indonesia, Indonesian Women's Coalition
KPK	Komisi Pemberantasan Korupsi, Corruption Eradication Commission
KPPI	Kaukus Perempuan Politik Indonesia, Indonesian Caucus of Women in politics
KPPRI	Kaukus Perempuan Parlemen Republik Indonesia, Caucus of Women in the Parliament of Republic of Indonesia
KPPP	Kelompok Perempuan Peduli Politik, Group of Women Concerned with Politics
KPU	Komisi Pemilihan Umum, National Election Commission
KTEWU	Korean Teachers' and Educational Workers' Union
KUA	Kantor Urusan Agama, religious affairs office
KUHAP	Kitab Undang-undang Hukum Pidana, the Criminal Code
KWAU	the Korean Women's Association United
LBH APIK	Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan, The Legal Aid Institute of Indonesian Women's Association for Justice),
LSD	Lembaga Sosial Desa, Village Community Institutions
<i>masyarakat madani</i>	<i>the relationships between individuals and groups in a civilized society</i>
Masyumi	Majelis Syuro Muslimin Indonesia, Muslim Executive Board Indonesia
MK	Mahkamah Konstitusi, Constitutional Courts
MKGR	Musyawarah Kekeluargaan Gotong Royong, Mutual Assistance Families Association
MPR	Majelis Permusyawaratan Rakyat, People's Consultative Assembly
Muhammadiyah	followers of Muhammad
MUI	Majelis Ulama Indonesia, Indonesian Council of Islamic Religious Teachers
<i>muktamar</i>	meeting/convention
Muslimat Nahdlatul Ulama	women's organizations in Nahdlatul Ulama
<i>musyawarah dan mufakat</i>	mutual deliberation and consensus
Nahdlatul Ulama	NU/Renaissance of Islamic Scholars
NGOs	non-government organizations
NKK/BKK	Normalization of Campus Life/ Bodies for the Coordination of Student Affairs
<i>Organisasi Kemasyarakatan</i>	ormas/ societal organizations
orsospol	organisasi sosial dan politik, social and political organization
PAN	Partai Amanat Nasional, National Mandate Party
PAN	the National Autonomist Party
Pancasila	the Five Principles of Indonesian state ideology
Panja	Panitia Kerja, working team
Pansus	Panitia Khusus, Special Committee
Panwas	Panitia Pengawas, Monitoring Committee
Parkindo	Partai Kristen Indonesia, Indonesian Christian Party
Parmusi	Partai Muslimin Indonesia, Indonesian Moslem Party

Partai Katolik	Chatolic Party
Partai Murba	Murba Party, the Proletarian party
PATTIRO	Center for Regional Information and Studies, national NGO
PBR	Partai Bintang Reformasi, the Reformation Star Party
PD	Partai Demokrat, Democratic Party
PDI	Partai Demokrasi Indonesia, Indonesian Democratic Party
PDI-P	Partai Demokrasi Indonesia Perjuangan, Indonesian Democratic Party - Struggle
PDS	Partai Damai Sejahtera, Prosperous Peace Party
PDU	Partai Daulat Ummat, Sovereignty of the Umat Parties
<i>pembinaan</i>	cultivation, guidance
<i>perkumpulan</i>	associations
Perti	Persatuan Tarbiyah Indonesia, the Islamic Education Movement
Perwari	Persatuan Wanita Republik Indonesia, Women Association of Republic of Indonesia
PGRI	Persatuan Guru Republik Indonesia/Association of Teachers Republic of Indonesia
<i>pilkada</i>	Pemilihan kepala daerah, election of regional heads of government, governors, district chiefs and mayors
PKB	Partai Kebangkitan Bangsa, National Awakening Party
PKI	Partai Komunis Indonesia, Indonesian Communist Party
PKK	Pembinaan Kesejahteraan keluarga, family Welfare Movement
PKS	Partai Keadilan Sejahtera, Prosperous Justice Party
PNI	Partai Nasional Indonesia, Indonesian Nationalist Party
<i>politik aliran</i>	political stream
PPI	Perikatan Perempuan Indonesia, Indonesian Women Association
PPP	Partai Persatuan Pembangunan, United Development Party
PRAKARSA	National NGO in social welfare development issue
<i>priyayi</i>	Javanese elite of bureaucrats, practising a more Hinduist syncretic form of Islam
PSI	Partai Sosialis Indonesia, Indonesia Socialist Party
PSII	Partai Syarikat Islam Indonesia, Islamic Association Party of Indonesia
PSOE	Spanish Socialist Party
Puska Gender UI	Centre for Gender Studies, University of Indonesia
Puskapol UI	Center for Political Studies, University of Indonesia
<i>Reformasi</i>	the era of reform, democratic breakthrough
santri	Javanese practising a more orthodox form of Islam
Sekber Golkar	Sekretariat Bersama Golongan Karya, Joint Secretariat of Functional Groups
Sarikat Dagang Islam	Association of Islamic Traders
shari'a	Islamic law
SI	Sarekat Islam, Islamic Union
SIP	Suara Ibu Peduli, Voice of Concerned Mothers
SOKSI	Sentral Organisasi Karayawan Swadiri Indonesia, Central Organization of Indonesian Workers
SPD	Social Democratic Party
Sumpah Pemuda	Youth Pledge
Syura	advisory board
<i>taqlid</i>	acceptance of Islamic legal rulings
Taman Siswa	a Javanese education movement
Tanfidz	executive board
UCR	Radical Civic Union
ulama	religious scholar
UNDP	United National Development Program
UNFREL	University Network for Fair and Free Election
USAID	United states agency for international development
USSR	Uni of Soviet Socialist Republics
UU Ormas 8/1985	Undang-undang Organisasi Kemasyarakatan Nomor 8/1985, the Law on Societal Organizations Number 8/1985
UUD 1945	Undang-undang Dasar 1945, 1945 Constitution

<i>Verzuiling</i>	societal cleavages' path of translation into political cleavages
<i>Volksraad</i>	House of Representative
Wanita Demokrat Indonesia	women's organization in PNI
WPP	Wanita Persatuan Pembangunan, United Development Women – PPP's women's wing)
<i>Yayasan</i>	foundation
YJP	Yayasan Jurnal Perempuan, Women's Journal Foundation
Zaman Pergerakan	Nationalist Movement Era

## **CHAPTER ONE**

### **Introduction**

Civil society and political society are two main arenas that should connect in democratic consolidation (Linz & Stepan, 1996). Furthermore, Schmitter (2010) stressed that actors within these arenas are key players in the process of democratization. Civil society has several essential roles to play: to enhance the quality of democracy (Uhlir, 2009; Diamond, 1994), to act as an intermediary between democratic and anti-democratic forces (Chandhoke, 2004), to instill citizens with democratic values, and to provide external protection for democracy from any external threats that might lead to political destabilization (Merkel, 2004). Along the same lines, various scholars agreed that political parties are essential for democratic regimes (Randall & Svåsand, 2002; Linz, 2002; LaPalombara, 2007; Schmitter, 2010); political parties bring a large number of citizens with similar interests into the political sphere and facilitate their political participation or voluntary engagement. Moreover, parties, in their roles as institutions or actors, realize the freedom to associate and to express of any individuals, in various political activities. (Randall & Svåsand, 2002: pp.2, 9). Given such considerations this study focuses on the role of civil society and political parties in regard with the sustaining and enhancing democracy. It seeks to examine the role that the link between civil society organizations (CSOs) and political parties plays in the consolidation of new democracies.

#### **1.1 CSOs and political party linkages – a distant link**

Political scientists highlighted that CSOs and political parties can be defined by their linkages with others (Lawson, 1980; Thomas, 2001; Allern & Saglie 2008; Allern, 2010; Allern & Bale, 2012). In terms of parties, it is important to consider the aspects of party development that can build party's linkages with interest groups and other party-wing groups (Thomas, 2001; Allern, 2010). Meanwhile, for CSOs, experiences in some new democracies



illustrate some varied and changing relationships between CSOs and political parties which are based on individual interaction (USAID, 2004). Some studies about civil society (Alagappa, 2004; Kopecký & Mudde, 2003) and political parties (van Biezen, 2003, Krouwel, 2012) indicated that the current changes in parties affect the relationship between parties and CSOs in many regions. A number of scholars believed that some relationships are distant and complex in nature and require adjustments in order to cooperate effectively (Thomas, 2001; Alagappa, 2004; Allern, 2010). In contrast, some argued that complimentary and cooperative relationships can be established between these institutions in developing countries (Linz, 1996; Morlino, 1998). Nevertheless, some political party observers believed that party behavior is moving closer to the state but connections between parties and society remain crucial for political development (Katz & Mair, 1995; Kitschelt, 2000). Therefore, a distant relationship requires an independent and autonomy position from CSOs. Meanwhile, because CSOs realize their complementary roles with political parties to enhance democratic values in society, this distant relation is important to implement.

In general, the relationship between civil society organizations and political parties has been analyzed from three specific perspectives. Firstly, some scholars believed that the relationships between them are blurred and weak (Alagappa, 2004; Allern & Balle, 2012), due to two contradicting situations (Alagappa, 2004: p.38): affiliation and mobilization roles. CSOs (such as trade unions and religion groups) affiliate with some political parties; and these civil society groups mobilize their support with parties to avoid co-optation by authoritarian and totalitarian regimes. Furthermore, links between weak party-groups arise from the influence of cartel parties and the weak institutionalization of parties (Allern & Balle, 2012; Webb & White, 2007). Secondly, scholars who research democratic transitions argued that a complementary relationship is crucial in order to connect parties and civil society organizations (Linz, 1996: p.18; Morlino, 1998: p. 26). They considered good cooperation to be essential, as parties and CSOs can help each other in terms of association, which is better than defining their relationships in sharp and dichotomous terms. Thirdly, from the perspective of social movements, the relationship between movement groups and political parties varies from close contact to oppositional (Schwartz, 2010: p.587). There is seemingly strong competition between social movements and political parties in the political arena. For social movements, political parties are targeted in order to push their respective political agenda. At the same time, parties consider movement-groups as competition. To have an alliance between movement-groups and parties, mutual agreement has to be created concerning new issues as well as the sources that can be used in cooperation (Schwartz, 2010:

p.588). This dissertation seeks to explain why weak and distant relationships tend to exist between CSOs and parties in new democracies.

In terms of autonomy and distant relationships between civil society and political society, several scholars referred to cooperative and competitive strategies. For example, Linz and Stepan (1996: p.17) defined civil society and political society as different arena that can merge in a cooperative manner. Civil society seeks to influence and provide technical development services to the state and other political institution, while party roles are not limited to aggregating and articulating the people's voice, as they also determine government policies. Some party observers provided current party phenomenon on the role of the catch-all party (Krouwel, 2012) and cartel parties (Katz & Mair, 1995) where parties have been disconnecting from society and getting close to the state, while civil society has maintained its distance. In terms of civil society as "a sphere of action," for example, it is possible for civic groups to oppose an autocratic regime (Foley & Edwards, 1996: p.39). Thus, the influence of cartel parties and maintaining the balance between autonomy and cooperation are some arguments that have been suggested to explain the distant link between CSOs and parties in new democracies.

## **1.2 Political representation of civil society and political party perspectives**

Currently, European political parties, for example, have been viewed as suffering from a crisis of representation, which includes the parties' incapability of maintaining their loyal voters and optimize their roles in policy-making (Webb, 2005; Biezen, Mair & Poguntke, 2012). This crisis shows a loose tight between voters, supporting groups and their politicians. Other political scientists believe that political parties changed from mass parties in the 1900s to cartel parties in the 1970s (Katz & Mair, 1995), as indicated by their move from a close relationship with society to becoming a greater part of the state. Other scholars like Krouwel (2012) emphasized the emergence of populist parties that demonstrate the personalization of party politics with populist leader figures as the drawcards to attract voters. This crisis of representation stems from new discourses that have emerged in Western democracies about parties with strong connections to social movements or collateral organizations (Ignazi, 1996; Kitschelt, 2006; Poguntke, 2006).

Meanwhile, the transformation of social movements into "new parties" in Western countries (Ignazi, 1996; Goldstone, 2004) and Latin America (von Cott, 2005) is a warning for the survival of traditional parties. The emergence of extreme right parties could also be

linked to the deepening crisis of representation, as political parties are used as a temporary electoral vehicle to harness political power (Ignazi, 1996: p.561). Ethnic parties in Latin American have successfully challenged traditional parties, forcing them to reevaluate their organizational weaknesses, which has resulted in increased democratic participation at the local level (von Cott, 2005: p.230-2).

Therefore, some scholars have indicated that the crisis of representation has reduced the role of political parties as the representative of the people because civil society groups are taking on this function. Meanwhile, changes to political parties demonstrated by a close relation with the state and political consultants employed to capture voters, have also weakened the political representation function of political parties. Chandhoke (2009) noted that any individual can act as a representative of the people in decision-making forums. She argued that civil society groups can indeed act as the people's representative if they are aware of their intermediary role and have institutionalized modes of representation to bring the people's voice to parliament. In this sense, representation is not tied to party membership. Some scholars even believe that the crisis of representation could be addressed by replacing political parties as the formal representatives of society with civil society groups (Hochstetler & Friedmann, 2008; Chandhoke, 2005; Webb, 2005). In general, the crisis of representation and the changing behavior of parties are the two main features of political representation that should be considered to explain the distant link between CSOs and political parties in emerging democracies.

### **1.3 Indonesian CSOs and parties: women's political representation issues**

The studies mentioned above have contributed to current knowledge about CSOs and political parties in democratic regimes. Nevertheless, most analyses of political parties or interest groups such as labors, farmers, trade unions, etc., also dealt with their historical connections (Allern, Aylott & Christiansen, 2007; Morlino, 1998; Thomas, 2001, Allern, 2010). As such, some studies (Allern, Aylott & Christiansen, 2007; Thomas, 2001) have examined how changing parties have shaped the dynamic nature of their relationships with their respective constituents or associated groups. Some relationship studies focused on thematic issues, such as the women's movements (Young, 1996), environmental issues (Schwartz, 2004), and democratic promotion (Gershman, 2004). Studies of new democracies such as Indonesia (Mietzner, 2012, 2013) and Spain (Verge, 2012) have indicated that CSO-political party relationships strategically aimed for increasing their political engagement. Given the dynamic nature of such relationships, this study attempts to add to discussions

about party-civil society relationships in new democracies such as Indonesia.

Before briefly discussing women's political representation in Indonesia, it is important to discuss the assessment of democratization in the country and the response of CSOs to political changes. The problems that democratic consolidation brought to Indonesia were linked to patrimonial political traditions (Aspinall, 2010), a disconnected channel between representatives and constituents in the current national legislative chambers (Hamid, 2012), and the state's inability to ensure the rule of law (Bünthe & Ufen, 2009). From the perspective of civil society actors, Indonesia has a deficit of democracy as well as unrepresentative and unresponsive parties. Furthermore, CSOs believe that political elites are monopolizing power and creating an oligarchical system (Törnquist, 2006: pp.244-250).

According to several studies conducted by DEMOS (Pradjasto et al. 2007), major civil society actors have realized that the political process has continually marginalized them since the Suharto authoritarian regime collapsed in 1998 ushering in the *Reformasi* era. Hadiz (2013: p.220) has emphasized the absence of cohesive movements that could challenge some of the pre-existing oligarchic powers during the early *Reformasi* years. This oligarchy in the new democratic institutions has influenced many democratic actors' political behavior. Aspinall (2013: p.237) corroborated Hadiz's argument, although he argued that there is increased political awareness among the lower class because of many progressive policy changes (i.e. new healthcare and industrial policies), which are brought about by local populist governors or mayors. Thus, many civil society actors prefer to work on social and economic empowerment rather than political development due to the existence of oligarchic groups. These civil society actors also believe that it is critical to gain political support from other groups if they want to work with the government.

However, some CSOs are working in the political arena, especially in the parliamentary institutional reform. The involvement of CSOs in politics after *Reformasi* consisted of participation in law-making processes, advocacy in local and national issues, competition in the electoral arena, and other activities (Husbani, 2009; Blair, 2004; Subianto, 2009; Antlöv, Ibrahim & van Tuijl, 2006). CSOs attempted to resist policy initiatives by anti-reformist groups in the *Dewan Perwakilan Rakyat* (People's Representative Council also referred to as the House of Representatives), particularly, co-optation of the electoral management body and the systemic attack on legal authority and the independence of the KPK (*Komisi Pemberantasan Korupsi*/Corruption Eradication Commission) (Mietzner, 2012: pp.218-9). However, there are also several civil society actors and leaders, who transformed themselves from social entrepreneurs to politicians, believing it to be the right time to be part of the

decision-making process (Ichwanuddin et al., 2010). Nevertheless, political agreement between CSOs and parties to support electoral candidates has not come to fruition because one of the weaknesses of civil society in Indonesia is its fragmentation (Ibrahim, 2007; Beittinger-Lee, 2010; Mietzner, 2012, 2013). Both CSOs and political parties suffer from some organizational weakness. Therefore, this study focuses on the weakness of the political relationship between the two institutions as demonstrated in their political interactions. The mechanisms of women's political representation in the post-Suharto era have been examined to provide some evidence in this field.

Anne Phillips (1995: p.5) stated that representative democracy elaborates three representation ideas (who are the politicians, what they represent, and electorate accountability). She noted that demands for equal opportunity for political representation have been increasing among various underrepresented groups, e.g., women, ethnic groups, races, etc. In recent years, women's involvement in the political field has increased women's political participation in the global arena as well as the number of women who have emerged as political leaders. Thus, many questions arise, particularly whether there is any difference or political impact if the number of female actor increases (Krook & Childs, 2010: p.3).

Currently, according to the Inter-Parliamentary Union (2013), women make up 20.9 percent of parliament members, globally. In regional averages, Nordic countries lead with 42% women in the Lower House, while Asian countries only record an average of 18.8% women in the Lower House. Prior to 2001, only one in seven members of parliament was a woman. Despite the fact that some countries have more than 30% female representation in parliament—including places like Rwanda (56%), Timor-Leste (38.5%), and Argentina (37.4%)—on an international scale most countries, including Indonesia, continue to face serious problems encouraging more women to be active in the political arena.

In post-Suharto Indonesia, the role of women in politics has been a critical development issue. It has reframed the shift occurring in gender ideologies in contemporary Indonesian politics from the politics of difference to the politics of egalitarianism<sup>1</sup> (Soetjipto, 2012). Since 2003, women in Indonesia have endorsed many gender equality laws and practical regulations that involve various women groups in civil society and political parties. Therefore, this study detects why women still face social and cultural barriers in representing

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<sup>1</sup> Ani Soetjipto (2012) described the politics of difference as the struggles that women face when trying to gain recognition in political fields, while the politics of egalitarianism refers to how women support policies that can allocate resources that can be used for economic purposes.

themselves in the political field, despite the institutional supports that have been implemented. In this context, tracing the linkage between women's CSOs and political parties on women's issues based on these political and gender differences are important.

#### **1.4 Research arguments and methods**

Drawing on insights from the literature in the three main research fields above, the goal of this study is to examine the nature of the distant relationships that exist between women's CSOs and political parties in Indonesia and how they develop. The main research question in this study is: How does the distant relationship between women's CSOs and political parties affect selected gender equality issues in post-Suharto Indonesia? This is supported by two sub-questions: (1) to what extent have Indonesian women's CSOs been linked with political parties since the fall of Suharto in 1998? (2) How distant relationships between women's CSOs and parties contribute to the development of women's political representation in Indonesia?

According to Lawson (1980: p.5), there are three key questions that need be addressed when discussing the link between parties and other organizations: "What are the units that are being linked? Which units instigate the linkage relationship? What are the processes by which the linkage is established?" Based on Lawson's questions, this dissertation will focus on three specific questions: the first question looks at CSOs and political parties as two sets of actors on the national level, while the second focuses on the three dimensions of relationship between CSOs and parties (USAID, 2004: p.9): political activities, the strength of connection, and direct influence. The final question focuses on gender and political participation, as demonstrated in particular by joint political activities between parties and women's groups (e.g. Caul, 1999; Young, 1996). Thus this dissertation argues that the investigation of linkages between CSOs and political parties in post-Suharto Indonesia can be traced from their political activities. It also examines the distance of the linkages that exist between the two groups. The influence this has had on women's issues as they provide opportunities for political interactions in different spaces: the law-making process and women's political representation roles.

This dissertation broadly asserts two hypotheses. First, it hypothesizes that enabling environmental factors (internal and external) in the relationship between women's CSOs and political parties explain their contribution to political representation in democracies in general. The second hypothesis is that the informal and distant relations between women's CSOs and

political parties have contributed to the development of women's political representation in the consolidated democracy of post-Suharto Indonesia.

The study attempts to trace women's CSOs and political party relationships from various historical and contemporary events in Indonesia that have an impact to the formation of political representation in consolidated democracies, such as Indonesia. There are two ways of analyzing the CSOs-parties relationship in this study: first, it examines three major junctures in Indonesian democracy which are: before Suharto regime (pre-independence era of 1945 until 1966), Suharto regime (1967-1998) and the post-Suharto Regime (1998-2012). These critical junctures explore different types of relations that had occurred. Second, it also examines how the development of gender equality policies can be established and continued to adopt until these days. The formation of distant relationship between women's CSOs and parties contribute to this establishment of gender equality path in Indonesia. It expands the literature of Indonesian contemporary politics by highlighting changes that have occurred in terms of the linkages between CSOs and parties.

The aim of this study is to contribute to the existing theories about political parties and society that elaborate on political representation from the perspective of women's civil society organizations. For some new democracies, the political challenges associated with the reconfiguration of political institutions as well as the contestation that occurs between old and new values play important roles.

Accordingly, this study contributes to studies on civil society, political parties, policy studies, and gender studies. The results will provide capacity-building development insights for civil society actors and members of political parties wishing to learn more about the dynamics of both institutions. This study delivers the strategies that political parties and CSOs use to establish relationships in Indonesia.

Given that this study can be categorized as a single case study with a synchronic and diachronic variations (Gerring, 2007: p.28), it will analyze two themes observed in the field of women's political representation: policy making for women's issues (electoral and gender issues) and the role of women's representatives (female candidates, female party elites, and female member of parliament). These two themes are important for two reasons. First, the relationship of women – namely women's CSOs and female politicians - and politics has emerged as a strategic issue in post-Suharto regimes. To compare other sectoral development issues in Indonesia, women groups are relatively solid to endorse gender equality issues into policy-making process. It is not a political opportunity that just emerged after democratic breakthrough, but, as described in these themes, women's CSOs created and maintained their

linkages with parties to strengthen political representation. Second, temporal and geographic limitations were placed on the study (focusing on post-Suharto Indonesia), as Indonesia remains an emerging democracy despite the fact that it has held three democratic elections. During this period 1998 to the present, there has been contestation between authoritarian legacies and democratic values over the implementation of some women and gender laws. In this sixteen-year period, women's CSOs and parties have contributed to the development and implementation of these policies.

This work focuses on two main political actors: civil society organizations and political parties. In the Indonesian context, both are separate institutions. In this study, three categories of CSOs (cf. Ibrahim 2007) working on women's issues have been included: non-governmental organizations (NGOs), mass-membership organizations, and movement groups. This study also describes the strategies employed by seven women CSO activists during the national general elections in 2004 and 2009. These seven women were chosen because of their CSO background, their success and/or failure to win a seat in parliament and their contributions to their political parties. The dissertation briefly introduces the seven main parties from the post-Suharto period that have seats in the current parliament.

To gather and analyze data, this study used a combination of co-variational analysis and causal-process tracing as applied to case study research. Various articles, books, news, minutes from meetings and other sources relevant to the themes were examined to reconstruct the perception and motivation of the political actors. It also combines secondary research data from semi-structured interviews that were conducted with 55 informants from different groups such as politicians, civil society actors, bureaucrats, and academics. It is hoped that this combination of data gathering will help to clarify the cause and effect connection between strong evidence and theoretical reflection (Blatter & Haverland, 2012).

This study of course is not without its limitations. First, as the present research is based on a single case study, its conclusions cannot be generalized. Second, this study is limited in both the period of time and themes observed and examined which could not be extensively analyzed in national or local contexts. However, an attempt has been made to employ evidences from other sources to fill in the gap to enable analysis of similar patterns in party-groups relations.

## **1.5 Chapter overview**

This dissertation consists of seven chapters. The introductory chapter begins with an overview of Indonesian politics, particularly after the democratic breakthrough in 1998. This



is followed by a discussion about the relationship between CSOs and political parties in terms of women's issues.

The second chapter presents the theoretical framework and method that guides this study. It begins with an explanation of the historical institutionalism approach in the search for the interpretation of relationship factors. This section covers three main conceptual discussions: 1) the nature of civil society organizations and political parties; 2) the relationship between civil society organizations and political parties; and 3) women's political representation. These theories are used to highlight the literature gaps that exist in political studies, particularly in terms of Indonesian contemporary politics. The research arguments and hypotheses are outlined next. Lastly the methodology of the study is discussed.

The third chapter discusses civil society organizations and political parties in Indonesia. It starts with the pre- *Reformasi* era, from the beginning of the independence era in 1945 until the end of the Suharto era in 1998. This historical account continues with a discussion of the post-*Reformasi* development. In general, the analysis involves: first, the historical legacies (i.e. societal cleavages and the configuration of representative structures) of civil society and political society from the beginning of the 20<sup>th</sup> century to the present and, second, the rules of the game, i.e. the regulations and other political arrangements that govern the interaction between CSOs and parties in the political system; and third, a comparison of the relationships between CSOs and political parties over two distinct periods, i.e. before and after *Reformasi*. In this section, characteristics of the respective political systems and the degree of autonomy between the two organizations (CSOs and parties) are two features that make up the analysis and facilitate the search for patterns in the linkages.

The fourth chapter describes women and the development of law. Initially, this chapter describes the diverse backgrounds of Indonesian women in politics. It analyzes the way these women have campaigned for their political interests prior to, during, and following the New Order regimes. Two laws and one bill in the post-Suharto era are examined to trace the relationship between women's CSOs and political parties. The final section of this chapter identifies the pattern of linkages in the law-making process.

The following chapter explores women and representation, and consists of three points of analysis that depict the connection between women's CSOs and political parties in terms of representational issues. The first section focuses on the problems associated with selecting female candidates for the national elections in 2004 and 2009. It focuses on female candidates from seven major parties. The second section considers the role that CSOs played in increasing the number of female candidates in each party. The third presents a chronicle of

the struggles that female CSOs activists underwent during these two elections. Overall the chapter seeks to determine the structure that relationships between the two groups took during the elections from the perspective of female CSOs activists.

The conclusion consists of two chapters. Chapter six investigates the relationship between CSOs and parties in order to focus on the enabling environmental factors. These factors shape the relationships between CSOs and parties from the existing data by tracing law-making processes and women's representation in Indonesian parties. This section highlights the political outcome of consolidated representation in democracies as it relates to interactions between CSOs and political parties. Chapter seven concludes by presenting this study's contribution to research on CSOs, political parties, consolidation, etc. and the development of democratization studies and identifies other promising research topics related to the discourse of new democracies.

## **CHAPTER TWO**

### **Theoretical framework and methodology**

In recent political science literature, the politics of civil society and political society in democracies have been addressed extensively (Cohen & Arato, 1992; Diamond, 1994; Alagappa, 2004; van Biezen, 2003; Schmitter, 2010). Some political scientists have also examined the relationship between civil society and political parties in democratization (Linz & Stepan, 1996; Morlino, 1998; Thomas, 2001). Other scholars have called for the establishment of parties and civil society organizations development programs to strengthen democratic institutions (Clarke, 1998; Chandhoke, 2007).

This chapter consists of two major parts. The first seeks to identify the party-CSOs relationship arguments that have been derived from civil society studies and political party research. The second part explains the methods used. In order to establish the main arguments, this study considers three major issues: First, an explanation of historical institutionalism, which will serve as the study's perspective; second, the nature of civil society and political parties, including different explanations of the politics of civil society organizations as well as party-society relations in new democracies; and finally, discussions about women's political representation in order to highlight the knowledge that women's CSOs and political parties bring to gender equality issues. These conceptual and theoretical explanations serve to clarify the Indonesian case. From this theoretical reflection, the chapter continues to discuss the arguments and hypotheses that make up the framework of the study. The final section of the chapter explores the rationale behind the selection of methodology with explanations of why specific cases were selected, how data was gathered, and how the cases were analyzed.

#### **2.1 Historical institutionalism**

This study uses historical institutionalism as the research perspective to identify two prominent features: the institution itself and the historical background (Hall & Taylor, 1996). Historical institutionalists described the institution "as the formal or informal procedures,

routines, norms, and conventions embedded in the organizational structures of the polity or political economy” (Hall and Taylor, 1996: p.938). Proponents of this perspective stressed three reasons as to why they think history matters in their analyses (Steinmo, 2008: p.127). First, they argued that political events occur inside a historical context, which has a direct consequence on the decisions or events that follow. Second, actors and agents are part of history and they obtain many experiences over time. As such, a deep understanding of historical events offers a more accurate explanation of these particular events. Third, expectations are molded by the past. Essentially, historical institutionalists can recognize the pattern of present or future events from their understanding of past political events. They interpreted historical matters by tracing past events and identifying their impact on current developments and events.

Historical institutionalists conceptualized causal mechanisms to theoretically explain institutional choices and their consequences through process tracing (Beach & Pedersen, 2013: p.53). This mechanism does not only link the variables of cause and effects within cases under investigation, but is also able to “unpack” entities from other explanations (Beach & Pedersen, 2013: p.39). Therefore, this study employs an historical institutionalism approach to explain the outcome of the relationship of women’s CSOs and parties in post-Suharto Indonesia, based on women’s political representation mechanisms.

There are two issues that should be considered to apply this approach in this study: critical juncture and path dependent. Critical juncture means that “a period of significant change, which typically occurs in distinct ways in different countries (or in other units of analysis)” (Collier & Collier, 1991: p.29). To describe this juncture, it is easily to understand that there is political power shift during particular events or times. This triggers institutional changes. Meanwhile, path dependent requires “cases that consist of a sequence of events, some of which foreclose certain paths in the development and steer the outcome in other directions” (George & Bannett, 2005: p.212). This path dependent examines why certain policies are taken by policy-makers and continue to establish during certain periods. It also means that how power relations between influential actors can interact each other to benefit from them. If the establishment of the new path is completed, how beneficiary actors are able to continue this without any political interruption. Therefore, when critical juncture is occurred in particular events, it also means there is institutional change and a new path reproduces itself. However, a pathway continues its adoption and becomes legacy during period of time, meaning that institutional change was not happened.

In summary, this study rests on three assumptions developed by historical

institutionalism. First, the changing of relationships between women's CSOs and political parties that have developed from the nationalist movements era in the 1920s until the present continues to affect the consolidated representation in Indonesia. Therefore, this study examines three main junctures in Indonesian democratic era: (1) before Suharto regime (1945-1966); Suharto era (1966-1998) and post-Suharto era (1998-2012). Although this study focusses on post-Suharto era, it is important to trace some political events in previous regimes that may led to the development of democracy in 1998. Second, in order to describe the relationships that exist between the two organizations, this study examines the nature of civil society organizations and political parties in Indonesia from different junctures mentioned above. Third, the passing and implementation of new gender laws reveal how women's CSOs, parties and the state have created and developed some constructive links in the post 1998 *Reformasi* era. This study also traces the establishment of new gender paths in Indonesia which these policies are able to adapt and do not receive hard political denial from party leaders. However, it is also important to examine similar links from women's political participation experiences under the Sukarno and Suharto regimes and the causal chains of women's CSO-party relationships.

## **2.2 The nature of civil society and political parties in democracies**

Conceptual debates about civil society and the state have been around since at least the eighteenth century. Tocqueville believed that civil society served to reduce the power of the state, while Hegel argued that civil society played an important role in the formation of the state (Chandhoke, 2007: p.609). In the nineteenth century, Marx argued that civil society was the main source of state power (Chandhoke, 2007: p.609). Gramsci also identified a clear distinction about civil society's autonomy from the state and economic sphere (Baker, 1998: p.81). These major debates remain relevant today. They focus on how and in what way civil society interacts with the state, including the role of political parties as the primary actor in the state. For instance, the concept of the separation of civil society and the state was brought into the realm of social activism to gain political freedom in the 1970s and 1990s in Eastern Europe and Latin America. Accordingly, civil society discourses have since increased in popularity. Dissident and political opposition in authoritarian countries have attempted to use the new global trend of the importance of the role of civil society to expand civil society in various countries (Carothers & Barndt, 1999: p.19); the social movements that emerged during the Arab Spring 2011, for example, underscored the importance of civil society in democracies (Thompson, 2012).

In a democratic polity, it is necessary to have autonomous associational life that is capable of initiating social changes (Baker, 2002: p.89) and working together with political groups like parties (Linz & Stepan, 1996: p.17). In the decades since the fall of authoritarian regimes in Latin America and Eastern Europe supporting conditions have emerged to ensure the autonomy of civil society and political cooperation. Scholars therefore highlight the role CSOs should have in democracies (Uhlen, 2009: p.271; Fioramonti & Fiori, 2010: pp.26-7; White, 2004: pp.13-6): first, CSOs should create formal linkages to channel people's interests and facilitate political communication between citizens and the state; second, CSOs should challenge and balance the state's power as well as improve accountability; third, as a sign of democracy, CSO members should increase their political participation; four, a strong civil society should act as the defender of public awareness in relation to the state, as indicated by the enforcement of public morality and criticism of both politicians and public officials; and finally, five, civil society should act as an external factor in embedded democracy (Merkel, 2004: p.36), i.e. to protect democracy from external and internal interference and destabilization. As such, if CSOs strengthen their roles, they can ensure political changes in a specific country.

There are three society-centered perspectives to explain the role of civic organizations in political spheres: civil society, social capital, and the third sector (Zimmer & Freise, 2008). These perspectives focus on society as an arena of contestation between actors, values, and institutions (Foley & Edwards, 1996: pp.39-42; Fioramonti & Fiori, 2010: p.26; Armony, 2004: pp.23-35). They contended that civil society offers a space to promote democratic values, as by nature it contributes to the development of social capital and relates to social trust among individuals.

The first tradition, introduced by Tocqueville and developed by Putnam, highlighted how civic values are created, promoted, and maintained through the action of citizens in a democratic polity. Foley and Edwards (1996: pp.39-41) called this tradition as "civil society I" which emphasizes the political benefits of an apolitical civil society. Empirically, Putnam (1993), according to Foley and Edwards (1996), showed a density of "network of civic engagement" from vary civic groups in northern Italy, which later was known as "social capital". There is a second tradition in which other scholars recognized civil society as an arena in which voluntary and non-profit organizations exist within a direct relationship to the state and its political system (Armony, 2004: p.30). This perspective focuses on civil society's role as opposition to the state's authoritarian tendencies, strengthening citizens' voices for civil and political rights as an intermediary and autonomous sphere between the state and its citizens.

In this model, which Amitai Etzioni termed the “third sector”,<sup>2</sup> civil society functions as a monitor and government watchdog.

In the third tradition or “civil society II”, civil society is viewed from a Marxist perspective and is understood as an instrument for top-down cultural penetration throughout society. In other words, Foley and Edwards argued that “civil society II” is a realm of independence from the state, which energizes the resistance to a tyrannical regime as indicated by social protests and grassroots mobilization to control and influence the state.<sup>3</sup>

However, ironically both “civil society I” and “civil society II,” according to Foley and Edwards, have acknowledged to criticize political association with parties. Proponents of “civil society II” which focuses on politically mobilized social actors outside customary political associations believed it is more reliable for mobilizing people or countering the state’s power than cooperation between political and traditional associations. In contrast, proponents of “civil society I” (Foley & Edwards, 1996: p.43) argued that “networks, norms and trust” are vital for civil society’s role vis-à-vis the state.

Empirically, civil society groups have many faces, depending on the political character of civil society and the state, the establishment of the relationship based on socio-economic problems, and the clear distinction between civil society, political society, and the state (White, 2004: pp.12-3). In some countries, civil society is associated with the state, while in other countries, civil society does not have any relationship with the state. For example, in the case of NGOs in Brazil, Brown et al. (2008: pp.26-9) examined two different faces of NGOs: the promoter and preventer (blocker) of political change. On one hand, NGOs promote political change, which helps the government to deliver public goods, while they also serve to criticize and reduce problems in the system, such as clientalism, patronage, and corruption. On the other hand, NGOs prevent political change in two ways: First, NGOs may be co-opted by a wealthy patron and remove themselves from political activity, thereby becoming part of the regime’s status quo and second, NGOs participate in exchange with donors and other funding institutions, which can compromise political goals. As such, it is important that civil society groups, including associations and movements, consider external factors — the political character of civil society and the state, socio-economic problems, the distinction between civil society, politics, and the state — when these organizations seek to establish

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<sup>2</sup> Zimmer and Freise (2008: p.24) stated that this concept was introduced by Amitai Etzioni in 1973.

<sup>3</sup> Zimmer and Freise (2008: p.21) believed that this conceptualization of civil society is not only a utopian project, it also recognizes civilized societies as “non-violent entities, capable of intensive discourse and able to reach consensus.”

links with the state.

Given its complex nature, a clear definition of civil society is required. For the purpose of this study, civil society will be defined as follows:

The realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules. It involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable (Diamond, 1994: p.5).

In this sense, civil society is an intermediate arena between the state and the market, which follows the third sector perspective. According to Salamon and Anheier, cited by Armony (2004: p.30), the third sectors across countries can outline some aspects, such as organized institutions, the private, non-profit distributing, self-governing, and voluntary participation. In this study, accordingly, civil society will be used to refer to different associations that are related to the third sector.

Following the third sector perspective outlined above, the intermediary role of civil society to link with political parties can be viewed as a necessary condition to promote social and political change in a country. It is also important to define the autonomous position of any CSO activities and interactions that support this role. CSOs articulate their message into formal politics via political parties, but they do not have passions to gain power or create a government (Gershman, 2004: pp.29-30). In other circumstances, civil society groups can represent particular interests, but unfortunately they are unable to translate their needs into policies and do not have opportunity to negotiate in policy-making process. In this sense, this study explains how the intermediary and autonomous roles of CSOs from political parties and state in CSOs activities.

Because civil society groups can mediate needs and interests into the state, they have also representative function in society. However, their legitimacy and accountability in society have been questioned. Who is representing the Ford Foundation or other NGOs? According to Peruzzotti (2004), civil society actors could develop their personal and organization's accountability to their program recipients, their members, and public. Another strategy is to establish a form of articulation that provides political input/output transactions from two different arenas: civil society and political society, for example (ibid: p.16). Therefore, it is important to develop complement relations between CSOs and parties or the state.

In general, the nature of civil society groups in polity offers some explanation how civil society can purpose to revert some declining political activity trends on voter turnout



and associational memberships (Jensen, 2006: p.53). In the following part, the nature of political parties in changing society is being discussed.

Randall and Svåsand (2002: pp.4-7) stated that empirically parties serve three functions in democracies: 1) representation and integration functions are party's orientation toward the electorate; 2) aggregating, recruitment and training are some party functions to connect with society; and 3) making government accountable and organizing opposition are party orientation in government. A party works as a representative of the people and integrates political education in society in order to win seats. Moreover, to establish linkages with society, a party transfers demands and interests into the party's agenda and provides political leaders who can help offer a resolution to social problems. Of course, a party is also oriented towards examining the government, as it creates accountability as well as support for government self-control. Furthermore, it challenges the incumbent government with its own agenda if the party is placed in opposition. This study emphasizes the importance of the representation channel from a party to society. It is also important to note the reasons why a party is linked to specific groups in society. Therefore, this sub-section on political parties will provide some literature discussions on weak party-society relations in some current democracies.

A political party has two main factors as a representational channel in democracy: standing for the represented and acting for the represented (Katz, 2006: pp.42-3). In standing for the represented, this representational channel shows demographic characteristics and distribution of opinion. The inclusion of minority groups and other diverse society groups in the parliament are features to be recognized by politicians. In this context, it is important to capture the most suitable voices from various political aspirations to mirror the broad spectrum of social opinion based on a party's specific agenda.

In acting for the represented, Katz highlighted three key points for action: to act as a delegate, to act as trustee, and to act as ombudsman. The basic idea of a delegate is to be "the direct agent of his or her constituents and doing what the represented want him or her to do (Katz, 2006: p.42)." The trustee should act "by using his or her own judgment to advance their interests, but not necessarily in accordance with their currently expressed opinions (Katz, 2006: p.42)." Lastly, as an ombudsman, it is important that a political party provides a service for a constituency and answers to the people's needs and not private interests.

However, the functionality of these channels is hard to establish. On one hand, the concept of representation in political parties has changed rapidly, moving "from representing [the] interests of the citizens to the state to representing [the] interests of the state to the

citizens” (Mair, 2009: p.6). Political parties prefer to maintain a close relationship with the state as parties seek the potential funding a state can provide in order to ensure party survival. Other scholars emphasized the strong evidence that political parties in elections attempt to achieve the maximum number of votes rather than empowering their voters in political life. Moreover, several forums have developed recently that serve this function, including, for example, citizens’ forums (Urbinati & Warren, 2008). Political parties are no longer the only channels for citizens’ aspirations; in fact, many community forums and other groups have increased their criticism of party performance. Accordingly, parties face the dilemma of having to solve both internal organizational (securing funding) and external (competition with other organizations) problems to functionalize the representation channel.

However, other political scientists argued that voters, politicians, and other civic associations have separate responsibilities in terms of ensuring that the political parties’ representation channels function in democracies (Manin, Przeworski & Stokes, 1999). This perspective required that these actors (voters, politicians, and civic organizations) maximize their democratic accountability in society. The voter, who has the full right to vote for the best candidate based on shared intentions, ought to monitor the government’s performance (Manin, Przeworski & Stokes, 1999; Schedler, 1999; O'Donnell, 1999; Schmitter, 2004). Meanwhile, politicians, who are strongly motivated by reelection, should fulfill their programs and policies in keeping with the promises they made during their campaign. Civic associations, political opposition, media, and other non-state groups are the last important actors who work to monitor the government's platform as well as to inform citizens about the government's performance. In this context, the weakness of political representation via parties could be enhanced by vertical-horizontal accountability mechanisms<sup>4</sup> (O'Donnell, 1999). Voters and other non-state groups could request that parties adhere to vertical accountability, while politicians and other parties could endorse horizontal accountability.

Many scholars believed that parties are currently facing a problem of representation, while, at the same time, voters have punished parties for their failure to commit to their representation roles. Therefore, the crisis of parties is another crucial issue that needs to be addressed in order to understand the current image of political parties in democracies. Anti-party stances and intensified debates on their role have increased as a large number of

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<sup>4</sup>Vertical accountability requires social demands, rewards and punishments from citizens to parties/state. Meanwhile, intra-state agencies take themselves merits and sanctions by their activities, that calls as horizontal accountability.

citizens have become disappointed and begun to distrust their respective parties (Ignazi, 1996; Mudde, 1996; Linz, 2002; Carrey & Reynolds, 2007). For example, a public opinion poll in 18 Latin America countries by Latinobarometer between 1995 and 2008 showed that a wave pattern of distrust in political institutions (including parties) (Doyle, 2011: pp.1458). During 1995-2003, the erosion of trust steadily increased. However, it was paused and overturned in 2003-2006. Then, by 2006, the level of distrust continued to rise again. Additionally, scholars have shown that in the three new democracies in Southeast Asia, Thailand, the Philippines, and Indonesia, citizens also tend to distrust political parties because of their perceived lack of institutionalization and their weak party performance in government (Hicken, 2006; Tan, 2013).

The narrative about the decline of parties is, nevertheless, evident across several countries and exhibits several particular characteristics (Montero & Gunther, 2002: pp.4-6; Daalder, 2002: p.55; LaPalombara, 2007: pp.148-9). First, on an organizational level, a party becomes weak if the changing political environment is unable to motivate a party to react on this chance. At the very least, Harmel and Janda (1994: p.265) warned that parties need to re-evaluate their primary goals and organization if they want to survive. Second, a party's success depends on individual resources, which means that some well-informed citizens are simply channeled to the position of "opinion leader"; however, some well-educated people are more comfortable being involved with talks with new social movement rather than traditional, ideological parties. In this context, parties have lost capable individuals. This is evident in the current surge in popularity for social movements as they seem more attractive as representation channels than political parties (Linz, 2002: p.302). Third, parties can find it difficult to convert people's voices into a detailed political decision-making process. At the same time, specialized state agencies and interest groups are closely linked in various decision-making processes. Therefore, parties prefer to have general outcomes in a deliberation process rather than becoming more involved on a deeper level. Fourth, such technology factors as the internet and other media sources have played a role in the changes parties are undergoing, resulting in altered social networks and communication patterns between citizens and political institutions such as parties and movements. For parties and their politicians, it is vital to use political marketing consultants in order to enhance their personal image in public space rather than to maximize a party's capability for performing the same activities.

Therefore, party representation and the crisis of parties have contributed to the party-society phenomena in what Katz and Mair (1995) deemed the cartelization era, which

emerged after the 1970s. Scholars have provided various explanations of the role of parties in society, including party institutionalization in new democracies (Webb & White, 2007) and the cartel party thesis (Katz & Mair, 2009). In these debates, society-party linkages are explained in terms of a particular party's weak/strong connectivity with society and the reasons why such linkages are pursued (Webb & White, 2007: p.11). Webb and White have identified several factors that determine party-society linkages, such as electoral volatility, effective number of parties, election turnout, partisan identification, party membership, and anti-party sentiments. Meanwhile, Katz and Mair (2009) indicated that the weak link between parties and society is caused by a close relationship between the state and political parties, and that weak relationships are indicated by, similar to as proposed by Webb and White, decreased party membership and the party's identification of voters. As such, the isolation of parties from society has become the primary observation about the relationship between parties and society in many advanced as well as emerging democracies.

The cartel party thesis emerged as an observation of increased inter-party collusion or cooperation as well as competition among party leaders (Katz & Mair, 1995). The parties occupy the state, which, as indicated by the rule of parties, is a determinant factor in the state. Due to their close relationship, the parties and the state become similar. This can be observed from such specific characteristics as "their cross-party basis, their source of finance, their internal organizational design, and their common experience of occupation of public offices" (Katz & Mair, 2009: p.756). Katz and Mair argued that only the state can influence parties, as no other body is able to function in such a way. Therefore, parties are recognized as the subject of the government and scholars such as Katz and Mair argued that parties have been rapidly detached from society and are becoming closer to the state.

However, Krouwel (2012) has critical views of the emergence of the cartel party thesis. According to Krouwel, based on his research in European democracies, a cartel party represents the political strategy of an elite party to secure material resources in the state which requires the agreement of members to form a cartel. This strategy provides vast opportunities for attracting members to the cartel and creating other political groups that are based on societal cleavages. Additionally, he added, one sees the emergence of political personalities in some individual party politics that are still relevant to support catch-all party arguments.<sup>5</sup> This "populist party" challenges other parties to compete on non-economic

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<sup>5</sup>According to Krouwel (2012: p.21), a catch-all party is defined by such characteristics: (1) an unclear ideological profile; (2) a wide electoral attractiveness to gain maximum votes; (3) loosened link with the

dimensions and tends to successfully receive broad support from less-educated voters. At the same time, these parties take a centrist-right position on any government policies. Therefore, based on party origins, electoral, ideological, and organizational transformation dimensions, Krouwel disagreed with the cartel party explanations in European democracies. He believed that parties still consider it important to link with society groups in order to win parliamentary seats.

In response to the cartel party model, Yael Yishai (2001) introduced the possibility for the cartel party model to include strong relationships and responsibility sharing with other groups. She termed this the post-cartel party model, which she developed on the basis of the Israeli case. Yishai argued that the social and political changes of this century (e.g. communication and transportation) have encouraged political parties to be increasingly bureaucratic and therefore move further away from society. In the post-industrial era, society has become less structured. Nevertheless, social ties still exist between individuals. Furthermore, changes have unfolded from grassroots involvement resulting in apolitical, unconventional, and communal participation. At this point, Yishai (2001: p.669) believed that civil society has become politically fragmented and socially atomized. At the same time, the cartel party faces difficulties in terms of solving their problems of foundation, and this leads to limited competition. Accordingly, the cartel can prevent new parties from cooperating with grassroots society and other groups. Hence Yishai stated that society should be brought back into politics through cartel party discourse. Therefore, the post-cartel thesis places emphasis on a party's social ties with other civic groups in order to support a party's performance as legislators or executive members.

Despite some political representation problems and public distrust of political parties, this study argues the necessity of political parties in democracies. In particular, to review party-society relationship from the political party's perspective, previous debates (party institutionalization, cartel party thesis, transformation party, and post-cartel thesis) show actors, institutions, strategies, and values as crucial elements in the relationship. However, this study is focused on weak party-society relations with causal and also contradictory explanations: (1) parties have loose links with the voters, but require maximum votes; (2) parties attempt to maintain a close link with the state, but need to involve various society groups in their political decisions. To put this study in the political party development debates,

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electorate; and (4) a power balance between elite- members party and professional-capital intensive party organization.

the author supports the post-cartel thesis in order to explain party-society in new democracies like Indonesia.

Such discussions highlight the nature of civil society and parties in democracies. Scholars understood that parties and society continue to be linked to one another. In recent years, an increasing number of civil society groups have begun to take on a representation role. At the same time, cartelization arguments recognize the link between party and society has been affected by political parties' relationships with the state. Populist parties emerge in such democratic polity and affect the formation of party-state relations. As such, the representation role of political parties has been increasingly questioned. Therefore, the relationship between civil society and parties requires further attention.

## **2.3 CSOs and parties in the post-cartelization era: their relationships**

### **2.3.1 Defining the relationships**

Based on different arguments about CSOs and political parties, it seems relevant to consider the nature of both actors in democracies. The role of CSOs is to articulate values, form associations and solidarities, and promote self-interests. At the same time, political parties should exercise control over public power and the state apparatus (Linz & Stepan, 1996: p.17). CSOs cannot push interests to become a public policy and this means that political parties are required for the policy-making process. Thus, political parties aggregate and represent a wide range of interests, while civil society groups represent narrow or perhaps specialized interests (USAID, 2004: p.7).

Some scholars argued that political parties and CSOs have different organizational perspectives from which to respond to their activities. A party is characterized by partisanship in any political contestation in the state. This partisanship represents a part of the wide political spectrum or ideology and also certain suspicions are focused on politicians' behaviors. In contrast, CSOs are recognized as clean actors who refrain from any dirty work in the political field (Gershman, 2004: p.28). Additionally, Hershey (1993: p.143) noted that, in the United States context, political parties and citizens groups compete with each other and in doing so one gains strength by weakening the other in their intermediary roles in democracy. However, the major difference between CSOs and political parties is the clear division of labor between them. This means that parties are concerned with how to win elections effectively and civil society groups questioned how "to maximize the number of people who express an attitudinal preference for it" (L. Rosenblum, 2000: p.823).

To classify the meaning of the relationship between CSOs and parties, some scholars

define it as dependency, blurred boundaries, and complementary. Allern and Balle (2012: p.8) argued that, due to their dependency, CSOs and political parties exist in a relationship in which parties seek to capture any voices in policy-making process and groups provide policy expertise and manage the process by which voters' voices become policy. However, Kopecky and Mudde (2003: p. 6) believed that between civil society, political society, and the state, there are blurred boundaries, such as those that appeared in the post-communist case. This indicates that some groups have the responsibility to act as a CSO and/or a political party. A blurred boundary is also observed in financial or management problems, whereby CSOs are dependent on financial assistance from the state (Kopecky & Mudde, 2003: p.8). However, local and national CSOs request funding assistance from international agencies, such as the Ford Foundation and the Open Society Foundation. As such, CSOs have dependent relationships with other institutions in order to fund their activities.

Other scholars believed that CSOs and political parties exist in a complementary relationship with one another (Linz, 1996: p.18). In a democratic transition, according to Linz, opposition exists between political elites and civil society actors and a high degree of hostility continues in consolidated democracy. In a similar vein, Alagappa (2004: p.45) identified that civil and political society do not have to maintain a dichotomous relation, as they can help each other and work in tandem.

Two examples of the connections that can exist between CSOs and political parties in a democracy are NGOs and trade unions, which can influence politicians in return for providing electoral votes (Boulding & Gibson, 2009: p.486; Allern, Aylott & Christiansen, 2007: p.628). Boulding and Gibson described two mechanisms that describe the relationship between NGOs and parties in the Bolivian case: credit-claiming and collective action. Credit-claiming results from NGO activities in public services to deliver various goods and to assist the development of these services in any district. Therefore, politicians sought to use this opportunity to credit-claim to help them increase their electoral chances. Additionally, NGOs can facilitate collective action among citizens, which could be useful for demanding that citizen's voices be heard. In this situation, Boulding and Gibson assumed that politicians prefer the status quo position and try to control the demands for action. From the politician's perspective, it is possible to claim some credit for NGOs' activities but the presence of NGOs can also stimulate political challenges. In the second case, Allern, Aylott, and Christiansen (2007) referred to the relationships between social democratic parties and trade unions in Scandinavia as cost-benefit calculations, which represent how parties and unions are connected by political resources, i.e., "money and votes (to parties) and union members and

access to power (from parties to unions)” (p.628).

The basic theme of the CSOs-parties relationships is their organizational connections. As parties are considered an intermediary institution between society and the state, the concept of relationships can be defined as providing and linking contacts between parties and other groups. As such, a relationship:

[...] consists of links that connects interest organizations to the party’s members, decision-makers and/or decision-making bodies, i.e. links that open up for contact and potentially provide communication about information, know-how, opinions and policy views between parties and interest organizations. Thus, links are those means by which a party and an interest group may communicate...” (Allern, 2010: p.57).

However, Hochstetler and Friedmann (2008) stated that the influence of charismatic leaders, patron-client and personalist on party-society relations in Latin America and Europe have continued these days. They emphasized there is a weak link between parties and associational groups in the same region. Therefore, it is also important to bring informal institutions (see Lauth, 2000), such as clientelism, to explain parties-groups relations in new democracies like Indonesia.

The definition of relationships is a multidimensional phenomenon that depends on many factors and the consideration of other purposes (Allern, 2010: p.312). Empirical case studies of Scandinavian countries illustrate the particular organizational relationships that exist between parties and other groups such as social democrat parties and unions (Allern, Aylot, and Christiansen, 2007). In the Spanish case, as Verge (2012) explained, parties use strategies to establish their relationships with interest groups. In addition, Mietzner (2013: Ch.3) described how Indonesian parties and different societal groups establish linkages for various development issues. As such, scholars have provided a wide-ranging explanation (strategies and forms) of the relationship that exists between parties and civil society that is evident in advanced democracies (Scandinavia) as well as new democracies (Spain and Indonesia). This study uses this relationship definition in order to establish similar arguments from the perspective of civil society.

To analyze this relationship, this dissertation refers to USAID (2004: p.9), which explains three dimensions at the level of individual organizations: 1) activities connecting CSOs and political parties; 2) the strength of the connection, that is, to learn how close and exclusive their links are; and 3) the relationship’s direction of influence. It will also consider other analytical dimensions in the electoral arena, as exposed by Allern and Saglie (2008: p.75), including the following: 1) extensiveness, that is, the number and variety of election activities in which civil society organizations participate; 2) autonomy, that is, the



organizational independence of parties, which are opposed by some organizations; and 3) intensiveness, that is, the total number of election activities in which civil society organizations not only take part but also use to directly influence the electoral result. Nevertheless, a question remains: how can we make sure these dimensions can be seen in the involvement of groups and parties for particular issues such as elections? Allern and Sagli (2008), referred to Rozell et al. (2006), identified that there are various electoral activities where these connections can be viewed as actively at work: influencing candidate selection, party programs, negotiations at party congresses, and the financial and organizational support given to parties.

Given that some of these elements are based on similar ideas, this dissertation combines these two models of analytical dimensions to explain the relationship between CSOs and political parties. Within this discussion three aspects exist: 1) activities connecting CSOs and political parties that explain the various approaches to policy-making and the influence CSOs have on parties; 2) the strength of the connection, which considers both entities as they maintain their level of autonomy for various activities; and 3) the direction of influence between them.

### **2.3.2 Typologies of relationships in democracies**

In contemporary political science literature, several studies (USAID, 2004; Thomas, 2001; Allern, 2010, 2012) explained the perspective of relationships between CSOs and political parties. A USAID analysis (2004: pp.10-14) only focused on the CSO perspective, particularly interest groups that lobby politicians to push and discuss specific interests. CSOs are seen to provide some capacity development training to improve a political party's ability to run their organization. Additionally, CSOs can mobilize voters to vote for a particular political leader who shares the same values and interests during an election.

Thomas' approach (2001: pp.10-12) was based on a political party's view of this connection. He proposed that this linkage develops from varied perspectives such as distinct separate functions, ignorance, partisan, responsive, and determination in various kinds of political interactions. Each democracy can be classified by the different forms that this relationship may take, which can range from close to distant interaction.

Allern and Balle's study (2012) was the most recent study on the role of such relationships. They examined numerous empirical cases in advanced and new democracies based on five main criteria for links or relations: contact, material, ideology, strategy, and power balance. The first criterion, contact, includes collective memberships, liaison

committees, ad-hoc meetings, and leadership overlap, while the second is material-based and includes financial donations, transfer of labor, and shared resource pools. The third criterion is ideologically based, meaning it includes degrees of ideological affinity. The fourth is strategically based and refers to the links of competition, co-optation, and cooperation. Finally, the fifth criterion is power balance, which involves independence, group dependence, and party dependence.

This study highlights models of strategic relationships, in which CSOs focus on how to build strategic relationships with parties based on their political activities (Allern & Bale, 2012: p.12). This perspective emerged as the result of the closeness and the range of relationships that political parties have with CSOs. These relationships develop through formal and informal linkages that emerged in the various political activities in which both CSOs and parties participate (Allern, 2010: pp.57-63). In particular, the definition of the relationship concerns the intermediary role, whereby “the party [is] acting as intermediaries (brokers) between the state and the CSOs, while the CSOs return the favor by acting as intermediaries between the parties and the citizens” (Katz & Mair, 2012: p.110). As this study seeks to stimulate the development of an intermediary role discourse with regard to civil society, this dissertation will focus on how individual CSOs’ strategies relate to political parties. Moreover, this study highlights the distant and separation relations from different strategies of political interaction between CSOs and parties.

## **2.4 Women’s political representation: institutions and strategies**

As a segment in society, women’s groups are consistently disadvantaged in terms of political access, particularly in certain developing countries. There are limited accesses to higher education, unbalanced or unequal opportunities for employment in public sectors, and insufficient voting rights or electability. In discussing women’s political participation, it is important to note how women can impose social and political changes and the ways in which women can solve specific problems. Women groups (in CSOs and political parties) work together in order to enhancing gender equality in political fields. This subsection focuses on women’s political representation as an issue that could shed light on the relationship between CSOs and political parties.

Political openings in democratic states are an important factor if we want to examine women and their role in democracy in recent events. Numerous studies on women and politics, such as Tripp (2001), Thompson (2002), Silliman (1999), and Tremblay (2007), described the phenomenon of female roles in democratization. Tripp (2001: pp.142-5) argued

that the rise of independent women's organizations in Africa occurred in direct relation to political openings in the liberalization of politics and education. Thompson (2002: p.535) argued that the female leaders he observed during democratic transitions in Asian countries (the Philippines, Bangladesh, Indonesia, and Pakistan) were inspiring examples of female leadership in a transitional period. These women led the popular uprisings in their countries and continued to guide the country's transition from non-democratic to democratic regimes. Additionally, women's NGOs in many democracies are active across various activities in order to take advantage of political opportunities (Silliman, 1999: pp.27-30); they provide services that are directly relevant to women's issues (e.g. socio-economic problems) and address the foremost political rights in parliament. Despite such positive depictions of the political participation of women in democracies, scholars have not yet explained the relationships between a lack of women's representation and democracy. Furthermore, scholars have not provided any causal explanations about the length of the democratic experience and the type of democratic regime in each country that would be better suited for supporting female political representation (Tremblay, 2007).

Such difficulties are compounded by the dilemma women often face when engaging in politics. Krook and Childs (2010) identified recent women, gender, and political studies consider social movements in their theoretical and empirical findings to unpack the marginalization of women in the political arena, such as elections and public offices. Unfortunately, these studies do not classify the strategies these women use in order to participate in the political sphere. Furthermore, Krook and Childs (2010: p.5) described that it is difficult to isolate a single strategy because women's movements often promote a variety of gendered power analyses in different ideological streams (i.e. liberal, radical, and socialist). The female dilemma also affects how women develop and maintain connections with state actors and other groups when they are advocating particular issues, which leads to the emergence of varied strategies in the public sphere. There is a dichotomous approach to the representation of women in politics. Krook and Childs (2010: p.6-7) reiterated that women's roles in political parties and the type of female participation that occurs in each party are beyond mere party organizational themes. At the same time, those external to the party discuss how social movements and other groups can connect and interact with political parties and how political parties respond to the demands of women's movements. As such, Krook and Childs identified that, despite the lack of a formalized strategy, it seems that actors, both those inside and outside the party, recognize the need for a party strategy for women's issues.

In terms of gaining access to those in office, del Campo described several difficulties based on a Latin American case study (2005: p.1719): First, political parties serve as “bottle-necks,” where political recruitment and candidate selection are problematic for women; second, women face limited access and ability to influence higher-level positions as they have restricted authority in the government; third, women in parties have internal institutional problems, describing themselves as a minority; fourth, women realize that there are institutional boundaries in that men dominate debates about rule-making and controlling, while women just follow the rules; fifth, women do not have a strong influence on the media; and, sixth, women experience cultural resistance from their families as well as patrimonial environments. These disadvantages not only occur in Latin American countries that have a strong degree of clientelism but are also present in other countries, including Asian states such as Indonesia. Therefore, the urgency to promote women’s rights in the formal political arena (Franceschet, 2001) should be protected by the law and other regulations to avoid the difficulties identified above. The development of a strategy could potentially reduce institutional and cultural boundaries and the political access available for women.

To understand how women gain interest in the political arena, some scholars suggest that women’s representation be discussed within a democratic polity. Political representation should not only be explored in the formal political arena, but also in the policy making process as it has the potential to promote and establish women’s interests in politics. As such, the primary goal should be to create significant changes in the social and political structures for a minority group, women (Roza, Llanos & de la Roza, 2010).

Introduced by Hanna Pitkin (1967), the concept of representation is one of the main contributions to studies about women’s representation. Pitkin’s perspective defined the four dimensions for political representation (formal, descriptive, substantive, and symbolic representation) as follows (Tremblay, 2008: pp.2-3):

*symbolic representation*, which embodies an idea or an entity (e.g., a flag or a king represents the nation); *formal representation*, which refers to institutional rules and procedures by which representatives are designated (i.e. the electoral regulation and the voting system); *descriptive representation*, which refers to the similarities and differences between representatives and the represented; and *substantive representation*, which evokes the activities of representation (more specifically the responsiveness of representatives to the represented).

Schwindt-Bayer has developed this concept into an integrated model of women’s representation identifying that these dimensions are associated with each other in three ways (Schwindt-Bayer & Mishler, 2005: pp.412-4, Schwindt-Bayer, 2010: p.7). First, formal

representation influences descriptive representation, that is, electoral rules and regulations establish how elections work and have a strong effect on the provision of a well-organized representative body based on the ideological diversity in a particular society. Second, formal and descriptive representation influences substantive representation, as, based on electoral rules, representatives earn incentives to “act for” their constituents in different ways. This results in a legislative body, which is described as a mirror of the diversity in society and offers numerous opportunities for the representation of society’s interests. Third, formal, descriptive, and substantive representation transform the way the electorate views the government. For instance, an under-represented group has greater trust in the government if there are electoral rules that determine representation in the legislative body if there are influential members within the legislative branch that represent the group and if the legislature provides consistent legislation that considers the respective minority group’s interests.

This study applies the second dimension (formal-descriptive that influences substantive representation) to assess the implementation of women’s representation in parliament and as a means to reflect on other women’s issues. Formal and descriptive representation requires electoral rules and gender quotas to establish women’s representation in a country. Meanwhile, substantive representation measures how the representatives “act for” and “respond to” constituents (Schwindt-Bayer, 2010 p:12). In this context, as Tremblay illustrated (2007: p.539), it is important to consider many variables in political science to which most feminists and electoral observers pay attention, such as the state structure, the parliament structure, the party system, the number of effective parties, etc. In particular, it is also interesting to identify the necessity of political recruitment to the party and how formal and informal recruitment regulations should be considered by party leaders (Cheng & Tavits, 2009). Therefore, this study focuses on the party system, electoral system, and character of policy-making, which are explained by the law-making process in parliament. Meanwhile, to clarify substantive representation, the study requires evidence on how female candidates and politicians to “act for” and to “respond to” their electorates in three political activities (female politicians, female electoral candidates, and female members of parliament).

Because the study seeks to explain the strategies women’s CSOs use to form relations with parties and the state, it is important to describe these strategies. From the perspective of women’s movements there are at least four strategies for achieving goals in the formal political arena (Beckwith, 2007), including autonomy-state involvement, inside-outside

positioning, separatism-coalition building, and discursive political-interest seeking. First, autonomy-state involvement is a strategy that focuses on how women's movements can achieve autonomy from the state, other state-formed movement and another entity that has a strong relationship with the state. This strategy also addresses other women's interests in terms of how they are related to state power and how to access it, such as candidacy quotas and voter's rights. Second, inside-outside positioning is bi-directional: inside positioning refers to the creation of a way to increase the number of women in any state agencies, while outside positioning refers to any possibilities for engagement with the state or alliances with other actors in pressuring the state. Third, the separatism-coalition strategy involves women's movements that apply two types of cooperation with other actors and groups in order to achieve goals that depend on their own capacities and capabilities. The first type of cooperation is separatism, which means one group movement acts independently of other movements. Meanwhile, the second type of cooperation is a coalition, which refers to creating an alliance with similar movements to increase a group's bargaining position with the state. The fourth and final strategy, discursive politics-interest seeking, is used by women's movements to increase awareness of women's issues and to legitimize them in political discourses. In the other words, women's movements need to attract public opinion and state awareness to a given issue if they hope to establish women's issues as a political discourse. In summary, these strategies are appropriate for every women's movement that opposes the state.

In conclusion, this subsection described how women deliver their political representation issues in the political field. To explain formal and descriptive representation in the substantive representation framework, this study requires causal-effect evidence that will stem from an examination of the law-making process in parliament and women's participation in their parties, their constituency and parliament. Therefore, the focus on relationships between women's CSOs and parties is explaining this formal-descriptive-substantive representation mechanism that affects political representation in new democracies. Such personal and organizational strategies, and the motivation and contributions of women are causal factors for the detecting this relationship.

## **2.5 Indonesian CSOs and political parties: conceptual clarification**

Indonesian CSOs and political parties were well-known and continue to be two crucial actors during the democratization processes. Civil society groups endorse, maintain, and monitor the development of the democratic agenda in each country. At the same time, parties

act as the primary intermediary between the state and society, albeit through different political dynamics. In this subsection, the conceptual framework identified above is applied to the Indonesian context.

In the Indonesian case, there are two competing perspectives on civil society, both of which emerged at the beginning of the 1990s (Ibrahim, 2007: pp.20-21). The first is the vertical approach to civil society that stresses the autonomy of civil society from the state. Some NGOs that oppose the government support this idea because of the necessity for a strong and independent civil society in a democracy. The second, the horizontal perspective, focuses on relationships between individuals and groups in a civilized society, which is referred to as *masyarakat madani* in Indonesian.<sup>6</sup> This perspective implies that pluralism and tolerance are two principles that should be respected. This concept, however, is largely considered a soft approach, while the state's role in democratization is developing democracy itself. Such a horizontal approach prefers a cooperative framework between the state and civil society. It is therefore necessary to consider both perspectives in the definition of civil society in the post-Suharto period:

The society is not merely considered as the ground or space that [is] filled with voluntary, organized and government-independent society groups, but they are also characterized by their tolerance, respect towards each other and the pluralism within them (Ibrahim, 2007: p.21)

Several studies have identified a categorization for civil society in Indonesia (see for example, Ibrahim, 2007; Suharko, 2011). Based on the Indonesian Civil Society Index (Ibrahim, 2007: p.22), civil society experts categorized political parties as a separate entity from civil society, viewing them as an inherent part of the state in the future. This index also stated that the private sector is not part of the civil society category because civil society defines the private sector as the profit sector. Suharko (2011: pp.472-6) classified Indonesian civil society as based on membership and non-membership. A membership-based CSO is a mass organization that is connected based on religious issues, the business sector, youth and student groups, and/or functional groups such as labor and farmer organizations. Non-membership-based CSOs include NGOs, charity-based organizations, organizations of welfare services, semi-governmental organizations that provide development programs and semi-business organizations that provide functional and community-based services. Ibrahim (2007: p.26) identified five CSO groups that are influential in the political sphere in

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<sup>6</sup> The concept *masyarakat madani* was introduced by Nurcholish Madjid, a progressive Indonesian Muslim thinker, who was inspired by Islamic society during the time of Prophet Muhammad (early 7th century). It is often translated into English as civil society.

post-Suharto Indonesia: socio-religious organizations, labor unions, women's movement groups, environment organizations, and other advocacy NGOs. Civil society in Indonesia can therefore be categorized by the variety of membership and non-membership CSOs and other groups that are influential in the political sphere.

What political roles do these CSOs play in society? With respect to the Suharto regime, Aspinall (2004: pp.71-4) described three forms of CSOs. The first, the corporatist sole organization, developed during the early stages of the Suharto regime (1970s) and was also associated with the ruling party (Golkar).<sup>7</sup> For example, labor groups were established and incorporated as one of the functional groups in Golkar. However, by 1991, labor associations, FBSI and SPSP,<sup>8</sup> had become independent workers' organizations (Ford, 2003). The second form of CSOs includes semi-corporatist organizations that have independent voices and aspirations but compromise with the state for survival reasons. Among the semi-corporatist organizations are two of the largest Islamic mass organizations, Nahdlatul Ulama and Muhammadiyah. The third form, proto-oppositional CSOs maintain their independence from state intervention and also have a critical stance towards state policies. NGOs from advocacy sectors are most prominent within this group. Aspinall (2004: pp.86-7) extended his study of CSOs to the early stages of *Reformasi* and he found that most CSOs had not developed a grand design of social and political change. Instead, these groups prefer to restrain, to seek redress form, or to obtain desirable policy outcomes from the state (Aspinall, 2004: p.86). Moreover, he observed that some mass organizations have roots in politics, such as Nahdlatul Ulama and Muhammadiyah, by supporting the creation of several political parties. As such, although the Suharto authority succeeded in dominating civil society groups, it appears that, according to Aspinall, during the *Reformasi* period these groups have become increasingly independent.

Currently, Indonesian CSOs have three crucial characteristics: conflict, personal actor motivations to face political changes, and develop political strategies for interacting with the state. With regard to the first feature, Thompson (2012: p.20) categorized Indonesian civil society as Burkean in which there are conflicting relationships between "nationalist" and "Islamist" groups in terms of the application of Muslim law. These conflicts are also

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<sup>7</sup> Golongan Karya (Golkar) was a party formed from functional groups which it defined as various interest groups in society, which are incorporated into the state. These functional groups consist of laborers, teachers, women, or entrepreneurs, and were represented by Golkar as a party. See Reeve, 1985.

<sup>8</sup> FBSI is all Indonesia Labor Federation and SPSP is all-Indonesia Workers Union.



categorized by Beittinger-Lee (2010) in the way that civil and non-civil society groups respond to various social and political issues. Meanwhile, in the political changes that occurred following the collapse of the Suharto authoritarian regime, Mietzner (2013: p.47) noted there are personal motivations at play for most “activists-turned-politicians” to use political opportunities in the changing democratic system. However, the motivation takes the form of a desire to avoid a dilemma in the political arena, which would require them to choose between becoming part of the regime or remaining as the opposition. In this context, Eko, Hiqmah and Yuniver (2009: p.80) stated that an engagement strategy is reflected in three political strategies that CSOs use to interact with political society, including the state.<sup>9</sup>

In the case of Indonesia’s multi-party system, some party observers believed that even the Indonesian parties experience poor and weak institutionalization; however, the party system is quite stable because most parties are still rooted in society (Ufen, 2007; Mietzner, 2008). The roots of parties can be traced to their *politik aliran* (political stream)—a term that was introduced by Clifford Geertz (1960) when he observed the Javanese—following the first Indonesian election in 1955. According to Mietzner (2008), who has compared the 1955 and the current post-Suharto era party systems, there has been a shift in *aliran* in party system trends from centrifugal (marginalized and atomized) to more centripetal (centrist party system). Thus, discussions about *politik aliran* in the case of Indonesian multi-parties continue to be relevant, as segregation related to socio-economic problems remains the primary source of public opinion about political parties (LSI, 2012).

Nevertheless, in the post-Suharto era, the Indonesian party system does not allow for leftist ideology in its party platform, as the Communist Party was abolished in the early period of the Suharto regime (see Hadiz, 2006). After the Suharto regime came to power in 1966 it applied “floating mass” policies from the start of 1970s until the end of the regime, which meant that no party — except the governing party (Golkar) — was able to extend their branches into lower administrative levels (Ufen, 2008: p.12). In the same period, the Communist Party and other left-leaning parties were banned, while initially political parties from Islamic groups were merged into one political party, as were nationalist groups. Thus, cleavage politics during the Suharto era was based on religious, regional, and socio-economic factors, which have also been highlighted by Kriesi (1998) in describing other democratic experiences.

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<sup>9</sup>Eko, Hiqmah and Yuniver (2009) mentioned three political strategies that CSOs might use to endorse the development of local governance: confrontation, re-claiming, and engagement.

In particular, some cartel party-thesis supporters (Slater, 2004; Ambardhi, 2008) argued that Indonesian parties are attempting to align with the state. Their arguments were based on the evidence that most parties have been interested in obtaining ministry seats and other state funds in all the presidential cabinets since *Reformasi* began in 1998. However, Mietzner (2013: p.223) did not use the cartel party thesis in the Indonesian context because close ties still exist between some parties and mass organizations that prevent the parties from withdrawing from society. This study also shares similar arguments to Mietzner while also tracing evidence of flexible and untied political cartels among Indonesian parties and their members with the popular party (cf. Krouwel, 2012). As such, the post-cartel thesis should also be considered when quiet ties remain between civil groups and political parties in their political interactions.

Another characteristic of Indonesian parties includes the de-alignment of parties, which is indicated by seven features (Ufen, 2008: p.34):

First, the rise of presidential or presidentialized parties with weakened political machines, the stimulation of populism and the surging impact of mass media and modern campaign techniques; second, the authoritarianism and personalism within parties with powerful “advisers” and executives that punish unruly members, marginalize internal opposition and increase factionalization; third, the dominance of “money politics” with bought candidacies, MPs acting as brokers for private companies, businessmen taking over party chairmanships, and billionaire financiers determining policies behind the scenes; fourth, poor political platforms centered on very general ideologies; fifth, decreasing party loyalties with only “emotional” linkages between voters and parties; sixth, the cartel-like cooperation of parties as indicated by rainbow coalitions, an unorganized opposition, the *musyawarah dan mufakat* [consultation and consensus] mechanism and the collusion in tolerating corruption; and finally, the formation of new, powerful local elites, stimulated by the decentralization and invigorated by *pilkada* [local government head elections].

For that reason, it is believed that the Indonesian multi-party system has social roots but has weak party institutionalization and is not strongly based on performance in the polity.

This subsection describes the relationship between Indonesian CSOs and political parties, which are, by nature, similar to other democracies. Although both groups contribute positively to democratic developments, both organizations need to adapt their institutional changes. Indonesian CSOs actively endorsed a multitude of social and political changes during the transitional *Reformasi* period, but have found it difficult to bring that change to the field of politics. At the same time, political parties have acted as the intermediary between the state and society and to bring a reform agenda to the policy-making process while they faced institutional constraints in recent changes to party phenomena.

This study uses a women’s CSOs’ perspective to examine the relationship between parties and civil society and other groups. The third sector concept is applied to analyze political tension between women groups and other institutions in Indonesia. Additionally, as Indonesian political parties have not been exempt from recent post-cartelization trends, party and society

linkages (including women's CSOs) are interpreted within this framework. Thus this study takes women's political representation as the single causal explanation. It describes the relationship between women's CSOs and political parties and as a means to contribute to the future of Indonesian consolidated democracy.

## **2.6 Research arguments and hypotheses**

In studies that question the relationship between CSOs and political parties, scholars have stressed the definition of linkage from both perspectives. From the party perspective, it is important to consider aspects of party development that emphasize linkages with society, and that are also inclined toward party change phenomena such as the catch-all party and the cartel party. Therefore, these aspects, in turn, influence the definition of the relationship. Meanwhile, from a CSO perspective, there are varied and changing relationships between the two in some democracies due to the formal and informal personal interactions. Additionally, sequence time relationships and partiality politics among CSO actors should also be considered. Some of the relationships that are formed between the two groups are, however, contradictory. For instance, if a party and CSO are historically and organizationally linked, a close relationship emerges. By nature, however, the relationship between the two is often distant and complex with several adjustments as their identities are defined as being separate from one another. Nevertheless, a complimentary and cooperative relationship can be established between these institutions in order to respond to political changes occurring in a particular country. This study seeks to examine the distant relationship that exists between CSOs and parties within the new Indonesian democracy because of their nature of organizations and the influence of political and social structures to their relations.

To explain why women's CSOs and political parties have a distant relationship in terms of political representation of democracies, this study traces causal chains of women's political representation issues. This conceptual causal chains approach will be based on the formal, descriptive, substantive representation framework. It will serve to portray the women's CSOs interaction with political parties, such as in the law-making process and representative roles in party and parliament. There are three critical junctures that women's CSOs and parties have connected each other on these two main research observations. The first juncture, before Suharto regime, exposes some women's groups attached with particular parties and those who were not. The Suharto regime clearly defined a distant relation between these organizations while the authoritarian regime protected their citizens from active involvement in any political activity. Although some religion organizations attempted to

cooperate with the state to gain financial supports, these organizations did successfully maintain this distant relation with the state. The last juncture, post-Suharto, described a transformation of CSOs-parties relation. In the early of *Reformasi* 1998, most of CSOs critically positioned their political stances with the state and political parties. They declared themselves as watch-dog organizations that were able to criticize any government policy. However, it changed after 2005 while a wide political opportunity to enter the parliament was occurred. Some of CSOs leaders considered to become part of the state and political party in order to make more political changes and others decided to become outsider of the state. In this sense, most CSOs still declare they have to maintain this distant relation.

This dissertation hypothesizes that women's CSOs have a distant relationship with political parties. This relation has an impact on selected gender equality issues in post-Suharto Indonesia. To analyze this distant relationship, the activities that women's CSOs and political parties are involved in, the level of strength of the connection and the direction of influence are the three analytical dimensions employed to depict these relationships. However, in women's political representation issues, CSOs and parties have multiple possibilities for delivering open and close interactions if there are some political agreements between the two groups and a consensus among their actors. Most women's NGOs and women's movements declare not to be part of any political party, but they could spread their political interests to all parliamentary parties. Some religion organizations, such as NU and Muhammadiyah also declare themselves as not under political party, but they state themselves as social organization. However, these organizations have emotionally attached with particular parties such as NU- PKB and Muhammadiyah – PAN. NU and Muhammadiyah allow their members to become election candidates and politicians on these parties. Meanwhile, PKB and PAN also realize their loyal voters come from these organizations. Therefore, in certain cases, CSOs and political parties separate and have a distant relation. In other cases, they can easily communicate and corporate in particular issues and for short term engagement.

Indonesian women's CSOs and parties are two different political organizations that have clear social or political roots in society. Some women's mass organizations have societal connections with leading parties; however, their connections are not strong enough to get close with party elites. Citizens are not closely attached to a particular social group or organization, and voters continue to focus on primordial rather than programmatic aspects when voting for candidates. Such considerations can be identified as causal explanations for the weak connection that exists between parties and women's CSOs. On an individual

organizational level, a distant relationship can be identified by the separation of the two organizations in the political field, as in the law-making process. CSO fragmentation often leads them to be politically powerless in the law-making process. Some crucial features of Indonesian parties, namely de-alignment of parties in society, their attempts to maintain a close relationship with the state, and strong personalization in party-politics, did contribute to the formation of a distant relationship with women's CSOs. Furthermore, clientelist and personalist relationships among political actors are elements that remain embedded in Indonesian democracy. On women's issues, as the country continues to adhere to patriarchal and patrimonial cultures, women's CSOs and political parties require a great deal of effort to deliver and implement progressive issues in society. Thus, a distant relationship, between women's CSOs and political parties caused by weak organizational contact, fragmented institutionalization, and strong patriarchal and patrimonial values, has contributed to the current state of women's political representation in Indonesia today.

Another hypothesis is that enabling (external and internal) environmental factors will help detecting the distant relationship between women's CSOs and political parties and their impact on gender equality issues in Indonesia. External factors explain the institutional support needed to establish a relationship and other opportunities capable of encouraging women's CSOs and political parties to strengthen their political institutional reforms. Meanwhile, internal factors explain certain political legacies and institutional changes that influence the creation of a relationship between women's CSOs and parties.

The main critical juncture in this study is democratic breakthrough in 1998 and the followings. It started in 1997 when Indonesia and several Asian countries faced financial crisis and continued to some disappointed protests to Suharto regime. At that time, the growing economic developments in Indonesia were indicated by the increasing middle class income society in major cities. Therefore, when there were widely political opportunities after the presidential resignation of Suharto, political oppositions, students, labors, women, and other groups took this for expressing their interests.

Since the commencement of the reform era in 1998, the establishment of new political institutions (i.e. electoral reform and a new chamber in parliament) has introduced a more dynamic legislation-making process. International development agencies were also directly involved in the creation of these new democratic paths. These agencies deployed some political participation programs to increase public awareness in new democratic era. New political actors and their more experienced counterparts were involved in several crucial events in developing these new institutions during the country's initial transition to

democracy (1999-2004). During this phase, major CSO activists worked vigorously to support the establishment of the political reform agenda and to negotiate with their counterparts in both the parliament and executive branch. In the next phase between 2005 and 2012, a number of regulations and laws that had been previously launched were officially implemented, although a few required revision and modification. For electoral issues, politicians recognized the importance of investing party's interests in electoral regulations which they regularly revised before the elections commenced. At the same time, CSO activists have continued to observe and provide input into the policy-making process, some even considering whether or not to accept offers from parties to become electoral candidates. In this phase, some CSO activists decided to remain in the middle, acting both as CSO activists and politicians, while others took either a partisan or non-partisan approach to their interactions with parties. During this period, it is not only new era for women to establish gender equality issues in the state and parliament, but also a wide opportunity for women's CSOs to reflect their strategies to influence parliamentary parties. In summary, both CSOs and parties have been influenced by external factors in response to the needs of new political institutions as well as internal factors to either co-operate or maintain their distance.

For internal factors, historically, it is difficult to explain political representation and its linkage to both actors. In the early stages of liberal democracy in the 1950s, strong political streams (*aliran*) were present and parties and their social groups were linked to them. Afterwards, during the authoritarian rule that lasted for three decades (1967-1998), parties disconnected from their social and political bases. Therefore, in this period, parties were the backbone of the state while also drawing closer together and, at the same time, the state formed the CSOs into corporatist organizations. Since the democratic breakthrough in 1998, political parties have been the prominent actors in parliament and the government. However, the de-alignment of parties, as a political consequence of the Suharto regime, is one factor in explaining the weakening connection between parties and their social base. Even though political parties and CSOs have ongoing historical linkages, these relationships have not been used effectively to promote social/political reform agenda. In fact, these cooperative links have been manipulated by politicians to increase votes and to expand their material benefits from the state.

Indonesian CSOs are historically under-developed in terms of close linkage to parties and maintain their separation and independence outside the political arena. However, most personal actors of CSOs are involved in political activities such as advocacies, lobbies, or nomination as election candidates. This relationship also means that political party elites and

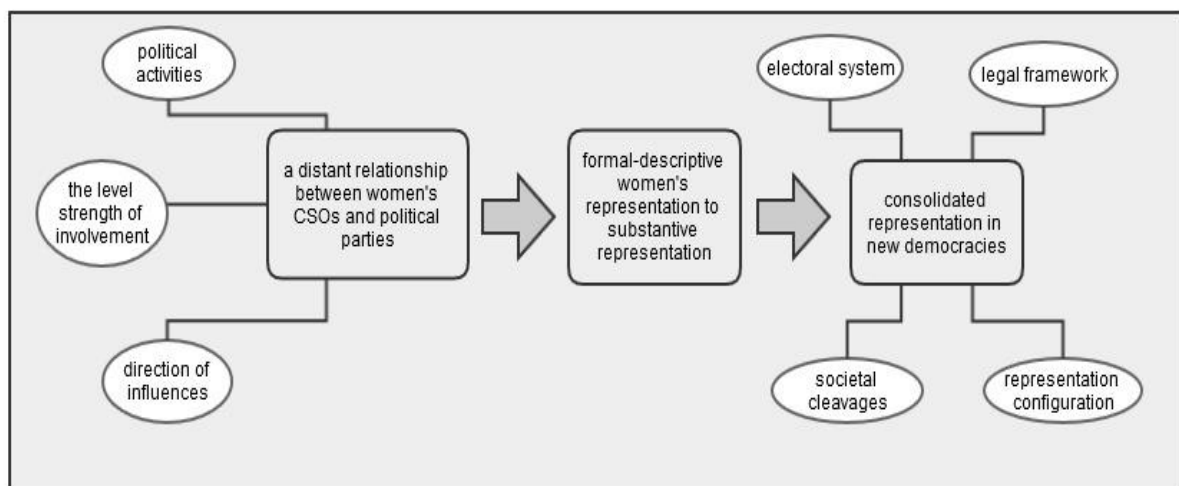
CSO leaders do not provide an institutional design. In particular, women's CSOs and parties have not reached any political agreements and are open to any political preferences in order to support gender policies and to increase the number of women's representatives in the House. However, they prefer to support multiple reform agendas based on personal relationships. This leads to another hypothesis: the informal and distant relations between women's CSOs and political parties have contributed to the development of women's political representation in the post-Suharto era. Thus, extensive and intensive dimensions explain the numerous and various women's CSO and political party linkages that have emerged. These dimensions can be considered when identifying the factors that have shaped the relationships between these two groups. To add to these dimensional aspects, it is important to discuss the organizational autonomy of CSOs from the party perspective.

In this work, the intermediary function of civil society between the state and society is the main point of discussion to provide an explanation of democratic representation from individual case analyses. There are four variables that need to be considered when analyzing the contribution of women's CSO-parties relations in consolidated democracy: 1) the electoral system, which helps to focus the major representational function of women's CSOs and parties in a democratic regime; 2) the legal framework for interest groups, which defines the normative and legal approach for the examination of the relationship between CSOs and parties; 3) societal cleavage that defines social fragmentation and its occurrence among parties and CSOs, which must deal with social conflicts to stabilize democratic institutionalization in society; and 4) the development of a representative structure configuration that configures the structure of representation in CSOs and parties to promote or handle constraints in democratic consolidation. All of these variables help explaining representation consolidation (Merkel, 1998), that is, how CSOs and political parties use their representation roles and their relationships with one another to consolidate democracy.

Therefore, the establishment of descriptive, formal and substantive representation was recognized as part of new paths in Indonesian democracy. It started to introduce the legal framework of gender quotas in parliament as part of the installation of new electoral system. Controversial deliberation during law-making process in 2003 and 2007 were well-known as new adaptation for male and female politicians and also voters to arrange this in society. Therefore, there is no denial that came from party leaders, however, the achievement of gender quota is difficult recently while there are social and political burdens in between women candidates.

In summary, the study attempts to explain the distant relationship between women's CSOs and political parties in the consolidated representation under new democracies, like Indonesia (see diagram 2.1). To provide an extensive explanation, the study traces how formal-descriptive women's representation acts to influence substantive representation and provide an intervening variable between the distant relationship variable and consolidated representation variable.

Diagram 2.1  
*Theoretical framework design*



## 2.7 Methodology

### 2.7.1 Case study methodology

The main methodology for this study is qualitative-based. In particular, this research uses a case study approach that investigates a contemporary phenomenon within its real-life context and shows how different “parts” of a case are interconnected with each other (Yin, 2003; Gerring, 2008; Ragin, 2000). A case study can either be defined as the study of a single case with multiple embedded unit analyses (Yin, 2003: p.45-8) or a single case study with synchronic and diachronic variations<sup>10</sup> (Gerring: 2007: p.28). This study describes the phenomena of women's CSOs and political parties in Indonesia after the democratic

<sup>10</sup> These observations could be constructed in two varying ways: diachronic (observation over time) or synchronic (observation of a single point of time).



breakthrough of 1998 and considers the various and dynamic political contestations that occurred among key actors in previous regimes. This study uses a single case with a synchronic and diachronic variations methodology.

Andrew Bennett (2001: pp.37-8) illustrated that there are three principal reasons for choosing the single-case research design: First, a case study can be a “crucial, most-likely and least-likely” case that becomes a closed model with one or more related theories; second, a case study can easily trace any possible variables that are missing in existing theories; and third, a single case-study may supply other theoretical development gaps, which can provide a set of data that can be tested systematically for the generation of hypotheses. Moreover, a case study is used more frequently for social research, such as testing theories using a unique and holistic approach. It can also be used to validate conceptual problems and explain causal mechanisms on an individual level (van Evara, 1997: p.51; George & Bennett, 2005: pp.19-25; Verschuren, 2003: p.128). Based on these reasons, this study explains the development of party-society linkages in new democracies, in particular their role in political representation for strengthening democracy from the perspective of women groups. Therefore, this study aims to test the relationships through a civil society- political party theory from women’s groups’ perspective and how this theory could be applied to women’s political representation in new democracies.

In recent case study literature, three major methods are usually applied by political scientists: co-variational analysis, causal-process tracing, and congruence analysis (Blatter and Haverland, 2012; see also George and Bannett, 2005). This study uses a combined co-variational analysis and causal-process tracing to explore suitable inquiries. Therefore, it is important to emphasize the application of both methods for generating and analyzing data.

According to Blatter and Haverland (2012: p.33), co-variational analysis (COV) provides “empirical evidence of the existence of co-variation between an independent variable X and a dependent variable Y to infer causality.” Process tracing methods (which Blatter and Haverland refer to as causal-process tracing (CPT)) identify “the intervening causal process—the causal chain and causal mechanism—between an independent variable (or variables) and the outcome of the dependent variable” (George and Bennett, 2005: p.206). Process-tracing functions similar to detective work in seeking any single piece of evidence that is relevant to the central hypothesis (Gerring, 2007: p.173). Blatter and Haverland identified COV as “X-centered research” and CPT as “Y-centered research,” highlighting how each method uses different approaches to examine specific variables. Most scholars, however, used CPT to complement COV techniques in cases where there is a lack of

causality inquiries to explain specific cases. The primary reason why this study combines both methods is to test how the internal validity of a causal assumption that has been developed from the evidence and how theories about the COV method can be used effectively (Blatter and Haverland, 2012: p.210). Furthermore, results obtained using the CPT method can strengthen or weaken the first method. As such, this study requires an intervening variable (women's political representation mechanism) between the women's CSOs and political parties relations and consolidated representation as the independent and dependent variables to explain the Indonesia case.

### **2.7.2 Case selection**

Indonesia has been selected as this study's case. The country is a new democracy with a fascinating social development and economic growth (BTI, 2010). It is not only the country with the largest Muslim population in the world, but also one where major social and political observers in Western countries are curious to understand the relationship that exists between religion and democracy. It is also a country that deserves more in depth explanation of the dynamic institutions and key political actors that shape democratic consolidation within it. Since the democratic breakthrough in 1998, political parties and CSOs have become key players in establishing democratic values in the country.

On the gender equality issues, women in CSOs and political parties are easily identified when they have intensive communication and political interaction. In particular, because women politicians believe they act as beneficiary actors on the implementation gender quotas, these women feel more comfortable to cooperate with women's CSOs. Meanwhile, women's CSOs also realize that they could not able to implement this quota without any corporation with parties, including their women members.

As this study can be categorized as a single case study, there are two sets of observations that will be used to frame the analysis: observations of law-making processes for women's issues and that of women's political representation roles. Observations of the interactions between women's CSOs and political parties in terms of gender and politics issues can help to shed light on the close or distant relationships that exist between both organizations. In the first set of observations, two main policy issues will be stressed in the analysis: electoral issues, exemplified by Electoral and Political Party laws on the women's quota in parliament, and the gender issue, exemplified by the Gender Equality and Justice Bill and the law against domestic violence. These laws involved the interaction between women's CSOs and parties in the law-making process between 1999 and 2009, although the

new Gender Equality and Justice bill has yet to be passed. The second observation focuses on how women's groups supported the women's quota in parliament and managed their engagement with female politicians in parties to optimize their support of the affirmative action for women's representation in parliament. This observation covers two events: 1) women's activist CSOs struggles to nominate women during three national elections (1999, 2004, and 2009) and these female candidate's attempts to win seats in parliament; and 2) an explanation of the selection of candidates and other mechanisms in each party in support of the women's quota.

To define actors, this work uses Ibrahim's (2007) three categories of CSOs, all of whom work on women's issues. The first category contains two non-governmental organizations (NGOs), namely LBH APIK (Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan/ The Legal Aid Institute of Indonesian Women's Association for Justice), an organization that works for women's rights, especially women's violence issues, and CETRO (Pusat Reformasi Pemilu/Centre for Electoral Reform), an electoral reform NGO. The second category is mass-membership organizations. This category includes two of the largest religious mass-based organizations, Nahdlatul Ulama (NU) and Muhammadiyah. Both the organizations have women's wings, Fatayat NU and Aisyiyah Muhammadiyah, respectively, which are active in grassroots activities and the promotion of women's issues to change public opinion. Some of the elite members of these organizations are involved in political parties and are members of parliament. The third category is women's movements, which were established to support or observe several issues as they relate to women, such as electoral reform. Members of these movements are not just NGO activists, but include members of parliament, with similar interests. These movements include the KPI (Koalisi Perempuan Indonesia/Indonesian Women's Coalition), which has been chosen to represent a women's movement that is active in electoral issues and the JANGKA PKTP (Jaringan Advokasi Kebijakan Penghapusan Kekerasan Terhadap Perempuan/ Network for the Advocacy of Policies to Eliminate Violence against Women) which represents other gender issues, including domestic violence. In the Indonesian context, women's movements have tended not to be involved in advocating specific issues; instead, they tend to be more of an umbrella for many organizations to handle issues. Some NGOs are more effective in endorsing legislation rather than mass membership organizations and women's movements. This study further describes the successful strategies used by seven women's CSO activists who ran as national election candidates between 2004 and 2009 representing major political parties in parliament. While some of these women failed to be elected to parliament, a few

indeed successfully gained DPR seats. In general, women's CSOs in this study refer to both organizations and specific actors.

In addition this study also considers the seven major parties in parliament from the post-Suharto period: Golkar Party (Golongan Karya: Functional Group Party); PDI-P (Partai Demokrasi Indonesia Perjuangan, Indonesian Democratic Party - Struggle); PPP (Partai Persatuan Pembangunan, United Development Party); PKB (Partai Kebangkitan Bangsa, National Awakening Party); PAN (Partai Amanat Nasional, National Mandate Party); PKS (Partai Keadilan Sejahtera, Prosperous Justice Party); and PD (Partai Demokrat, Democratic Party). In the Suharto regime, only three parties were allowed to participate in elections: the Golkar Party as the ruling party, PDI (predecessor of PDIP), and PPP as the opposition parties. As such, other parties or newcomer parties established after the Suharto regime took time to become established. All the parties mentioned have seats in the national parliament (DPR, Dewan Perwakilan Rakyat/House of Representatives). PKB and PAN were established in 1998. PKS was first established as the Partai Keadilan (Justice Party) in 1998, but changed its name to PKS for the 2004 election. Meanwhile, PD was established in 2003.

This study focuses on the post-Suharto era as the main critical juncture, which began in 1998 with the democratic breakthrough or *Reformasi* and the study concludes in 2012. This period divides itself into two specific phases period. The first phase, from 1998 and 2004, is characterized by the occurrence of crucial moments for democratic institutionalization and the establishment of some key new political institutions and processes, such as the Constitutional Courts (Mahkamah Konstitusi/MK) and the new direct presidential election. In this period various progressive bills were debated and, in some cases, passed, which addressed women's issues such as the women's quota. The second phase, from 2004 and 2012, is characterized by attempts to stabilize the democratic regime. In the second phase, however, some new regulations and laws proved difficult to implement, as the structure of the political system adjusted with every new law enacted. As such, some laws and regulations were revised following their implementation and politicians sought to invest in these amendments as a means to secure electoral votes in the future. At this stage, it is fascinating to see how women's CSOs adjusted their political behavior when they had to interact with political parties. Given its historical institutionalist perspective, this study considers further an additional timeframe, which predates the *Reformasi* era. This timeframe covers two historical periods, that of the Suharto regime (1967-1998) and the period under Sukarno's leadership (1945-1967). Furthermore, the study reviews the period between 1900 and 1945 when Indonesia was struggling to achieve political freedom from Dutch rule and Japanese

occupation. During these early timeframes, women's CSOs and political parties had radically different experiences in dealing with and negotiating political arrangements. Therefore, this study traces three pre-Reformasi periods in Indonesia (prior to the independence revolution, the Sukarno regime and the Suharto regime) to provide some historical evidence of party-society groups relationships. Drawing on this valuable evidence, the study emphasizes why these relationships still occupy distant linkages during the current post-Suharto era.

In general, to capture all of the phenomena in this study, there are three dimensions that can explain the research questions: 1) the political activities of CSOs— lobbying, supporting policy, and aiding parties' capacity-building—explain the interactions between CSOs and politics; 2) the level of strength, which seeks to identify how both actors manage links based on historical and social factors; and 3) the direction of influence to understand the power of influence among them. These dimensions help to portray the two events under discussion in this study that have affected women's issues and determined the meaning of the relationship between CSOs and political parties in Indonesia.

### **2.7.3 Analysis and data collection methodology: combining co-variational analysis and causal-process tracing**

This study refers to Blatter and Haverland (2012) as a means to differentiate data collection, data analysis, and the study generalization, which seeks to clarify the elements of the study that use COV and CPT. The main character of the study's observation is a single case study that requires spatial and temporal sequences to explain causes (CPT). However, it also requires some explanation of specific dependent variables (which Blatter and Haverland referred to as the control variable) from other cases. The results of this study provide causal chains for the two elements that make up representational consolidation in terms of the relationship between CSOs and political parties. In this data analysis, a combination of co-variation explanation (from the relationship variables and democratic consolidation elements) and comprehensive storyline (from the law-making process and political representation) identifies the cause and the effect for the case. In the end, the COV approach attempts to generalize cases to bring them into CSOs and political party studies. The CPT method describes generalizations that might have an impact on the outcome (to develop democratization studies).

For data collection purposes, this study is based on semi-structured interviews with 55 individuals from different groups, including politicians, civil society actors, bureaucrats, and academics, which took place during three field research visits to Jakarta and Bandung,

Indonesia (June, 2011; February-April 2012; and November-December 2012) and one visit to Amsterdam, the Netherlands (April 2012). The political party actors can be categorized as members of national boards, women elite members, and members of the House. Meanwhile, civil society actors include actors from women's groups, electoral reform groups, and other senior civil society expert groups. This study involves bureaucrats and academics who have actively participated in the political sphere and made observations about particular issues. The use of semi-structured interviews with elite actors in process-tracing serves to recreate the decisions and actions that were involved in an event or series of events (see Tansey, 2007; Leech, 2002). Furthermore, these semi-structured interviews tend to capture respondents' perceptions, motivations, and emotional feelings about their involvement in such events. To complement the data obtained from the interviews, literature and archival research based on multiple sources, such as books, reports, newspapers, magazines, minutes from meetings, websites, journals, and other information, were used to support the interview data.

## **2.8 Summary**

To explain the relationship between women's CSOs and political parties in post-Suharto Indonesia, this study follows historical institutionalism as the foundation of the research. This study assumes that women's CSOs and parties activities and interactions shape the close or distant relationships. Therefore, to answer this assumption the establishment of relationships can be traced the dynamics of both organizations and their historical backgrounds. Therefore, this study also considers women's CSO strategies to create connections with parties based on their historical paths.

The main argument set forth in this study about civil society and political parties in new democracies pertains to how to discuss the political representation in the party changes era. In this context, the study assumes that civil society groups continue to have a strong influence in the regime for establishing new political reform agendas and for monitoring the implementation of policies. Therefore, it is important to emphasize the strategic choices that women's CSOs make when establishing linkages, as women's groups need to maintain their independent and distant relations with parties. Additionally, to explore political activities, the meaning of relationships (close or distant), and direction of relationships, this work considers women's political representation in the parliament, which ranges from the creation of gender-oriented laws to monitoring their implementation.

As discussed above, representation consolidation provides some elements to explain structures and institutions in Indonesia. This outcome demonstrates a distant relationship

between women's CSOs and political parties is caused by the lack of women's representation mechanism. At the same time, the relationship between both forms of organization considers dimensional aspects such as activities, level of strength, and direct interactions in political representation. In order to describe these relationships in greater depth, observations of particular events are needed (law-making process and women's political representation roles). In the law-making process, women's groups use several strategies to help create new gender policies, such as the gender quota in parliament, policies pertaining to violence against women, and gender equality. When women participated in elections, women's CSOs provided several activities to support female candidate's nomination so that women could gain national parliamentary seats. Accordingly, this study presents the story of women and their candidacy in elections.

## **CHAPTER THREE**

### **Civil Society Organizations (CSOs) and political parties in Indonesia**

As a country with around 240 million inhabitants as well as hundreds of ethno-linguistic groups, Indonesia is a diverse society that spreads across two million square kilometers and 18,000 islands. There are several large ethnic groups that live on the five largest islands, including the Javanese, Sundanese, Minangkabau, among others. The Javanese, the largest ethnic group in Indonesia, are prominent constituents in social, economic, political and cultural discourses. Furthermore, in Indonesia, religion also factors into these discourses as the country is recognized as the most populous Muslim country in the world. It is therefore important to consider social and political issues in terms of Islam and the Javanese ethnic group, from the making of the nation state in the twentieth century until today.

Prior to the declaration of independence in 1945, two significant periods recalled that help to explain how the nation state was built and why massive mass organizations emerged to support the nation-building movement. The first period from 1908 and 1928 marked the emergence of Indonesian-based political movements and parties. Some of the first Indonesian political movements and parties were established, including Boedi Oetomo (Pure Endeavour), Sarekat Dagang Islam (Association of Islamic Traders), Indische Partij, Partai Komunis Indonesia (PKI/Indonesian Communist Party), Partai Nasional Indonesia (PNI/Indonesian Nationalist Party), and Nahdlatul Ulama (NU/Renaissance of Islamic Scholars). Of particular significance was the emergence of the first cultural-nationalist movement, the Boedi Oetomo, in 1908 a popular movement for the revival of Javanese culture (Kahin, 1952/2003). Although the Dutch government restricted the scope for political organizations, these organizations broadly emerged with various agenda and gained massive support in different regions to awaken the nationalist spirit of the Indonesian people (Kahin 1952/2003). In 1928, various young nationalists and women groups declared the Sumpah Pemuda (Youth Pledge),



a critical event in the nationalist awakening for Indonesian cultural and political movements to pronounce themselves united behind the vision of the nation of Indonesia. In this juncture, these groups firstly affirmed themselves as Indonesians and secondly as Javanese, Sundanese, Muslims, or whatever (Ricklefs, 2001). In particular, various local women groups also clearly stated that they were part of the nationhood organizations (Martyn, 2005).

In the second period (1928-1945) the conceptualization of the nation state arised. In this period, ideas about how best to achieve freedom from Dutch colonial rule were discussed and contested amongst political leaders. Some believed that close and effective cooperation with the Dutch colonial rule, or later the Japanese occupation, was the best way to quickly achieve independence. Other leaders felt that the realization of freedom for Indonesia should be organized by the people themselves without any help from the government. As the period progressed, a strategy of physical confrontation with armed supporters, involving all the political groups in the country, became part of the grand design to gain independence. It is therefore not surprising that the nationalist movement gained traction during the period, and that it ended with the Indonesian War of Independence in 1945.

These two events (the emergence of social and political organizations and the contestation strategies to gain independence) helped to set the stage for the Indonesian politics of the post-war period. A key element was the pronouncement of the Pancasila (Five Principles) of the state ideology and the UUD 1945 (*Undang-undang Dasar 1945/1945* Constitution) after the declaration of independence in 1945. It coincided with a serious dialogue between Islamic and nationalist groups that sought to determine the shape the state would take. Sukarno, Indonesia's first president, and Mohammad Hatta, his vice president, shared political powers among parties and groups in cabinet and parliamentary seats. Therefore, it is essential to trace the divergence of societal cleavages in Indonesia in order to explain the vigorous of social and political organizations.

In the decades that have followed Indonesian independence, social cleavages have become increasingly rooted across the archipelago. These cleavages remain in the political representation configuration that has influenced ideational contestation in the parliament. Political structures (e.g. the electoral system and civic organizations rules) have reflected these cleavages in their legislation and regulations. This chapter will explain three points pertinent to understanding why Indonesian CSOs and parties have a distant relationship. First, it will outline the historical legacies of the relationships between CSOs and parties. This

discussion focuses on the first decades of the twentieth century, when many CSOs and political parties formulated their respective visions of how independence should be achieved. This section will further highlight the role that social cleavages, such as ethnicity and religion, play in the Indonesian political context. It will provide an historical background and explain the establishment of various religious organizations during or prior to that period. The discussion will focus on the types of representative structures that were successfully developed. The second aim of this chapter is to describe the rules of the game that have governed the interaction between CSOs and parties from the Sukarno era until today. Here, it is critical to identify the legal frameworks used during each regime in terms of the political environment of each organization and how it relates to legal aspects. Finally, the chapter will explore the dynamics between CSOs and parties over two major eras: from the beginning of the twentieth century until the end of the Suharto regime in 1998, and from the beginnings of *Reformasi* in 1998-1999 until current day.

### **3.1 The historical legacies of the relationships between CSOs and parties in Indonesia**

When the idea of the Indonesian nation state was taking shape, it was clear that the would-be independent nation was home to multiple social and cultural diversities. Therefore, the founding of the Indonesian nation faced a multitude of complex dynamics that existed between diverse social groups. Each group had their own interests that needed to be translated into the country's political system. Therefore, the channels of representation were key paths for Indonesian CSOs and political parties in their historical legacies. As such, this section not only discusses such legacies, it also identifies relevant social and political cleavages, the configuration of representative structures, and the rules of the game that helped to trace CSOs-parties relationship in some crucial events in the country. These historical causal explanations will lead to have a description of current political representation in Indonesia in which CSOs and parties are part of discussion.

#### **3.1.1 Societal cleavages in Indonesian politics**

To understand how societal cleavages were translated into political cleavages in Indonesia, this study, based on Lipset and Rokkan's approach (1967), refers to several contextual arguments set forth by Andreas Ufen (2008; 2013). Lipset and Rokkan (1967: p.14) described four types of social cleavages that emerged from two Western European revolutions:

(1) a national revolution, which included two conflicts, the conflict between the central nation-building culture and subject population on the periphery's resistance to it, and the conflict between the state and the church; and 2) an industrial revolution, which also included two conflicts, the conflict between landed interests and the rising industrial entrepreneur class (rural and urban interests) and the conflict between the owners and employers and tenants, laborers, and workers.

In his critique of Lipset and Rokkan's thesis, Ufen (2008, p. 8) argued that several changes and flexibilities led to the emergence of social and political cleavages. Some changes, such as new typologies of cleavages, the political de-alignment phenomena, the development of political cartels, and the professionalization of parties, are also applicable for countries beyond Western Europe. Furthermore, he argued that the conceptualization of cleavages highlights political actors that are primarily involved in the development of embedded cleavages in society (Ufen, 2013). Nonetheless, in order to be applied to the Indonesian context, the concept of social cleavages requires further revision. For example, Ufen proposed that country-specific paths need to be identified in order to fully analyze cleavages, rather than discussing revolutions that will differ foreseeably in terms of Indonesia's and European countries' historical experiences.

Additionally, Rokkan (1977: p.142) stated that there was organizational *verzuiiling* that could be seen as the societal cleavages' path of translation into political cleavages. *Verzuiiling* denotes the representation of the "degree of interlocking between cleavage-specific organizations active in the corporate channel and party organizations mobilizing for electoral action." If these cleavages attempt to translate their interests into a political system, political cleavages may occur. Thus, Ufen (2013) traced Lipset and Rokkan's four political cleavages at three critical junctures in Indonesian politics: the early formation of nationalist organizations and political parties, the phase of hibernation of political cleavages during the New Order, and the post-*Reformasi* 1998 era to date.

Indonesian historians and anthropologists (i.e. Kingsbury, Elson, and Geertz) have underscored the diversity that Indonesia has in terms of ethnicity and religion. In his treatment of religion in Java, Clifford Geertz (1963) described the interaction between Java and Islam in Mojokerto, East Java. He argued that there were three streams (*aliran*) that exist on the island of Java, connecting religion and culture between Islam and Hinduism: *abangan*,

*priyayi* and *santri*<sup>11</sup> and using different forms of competition and conflicts to survive. According to Geertz, competition for political power between the Javanese people, Islam, and Hinduism emerged during the long colonial period. Moreover, Geertz argued that the real political conflict that characterized the early phase of the independence struggle occurred between intra-Islamic groups (Masyumi and NU) and was expressed in the political arena during the 1955 election (1960: p. 366).

At the beginning of the twentieth century, students and traders in different regions in Indonesia as well as the Netherlands started to establish independence movements. Boedi Oetomo, the first independence movement, was established by young students in Batavia in 1908. Traders founded another movement in 1909, Sarekat Dagang Islam (SDI), and recruited other groups, such as peddlers, Islamic teachers, peasant farmers, and urban workers, to spread the spirit of independence across the country. The SDI, which later changed its name to SI (Sarekat Islam, Islamic Union) in 1912, became the largest mass organization in the world at that time with almost 2 million members (Lane, 2008: p.17). Between 1913 and 1923, students in the Netherlands, Soewardi Soerjaningrat, Tjipto Mangoenkoesoemo, and Iwa Koesoemasoemantri as well as Dr. Soepomo, used the *Indonesische Vereeniging* (Indonesian Association) to promote their vision of a united Indonesia and declare themselves anti-colonialist.

At that time, Indonesian social groups shared a single common enemy, the colonialists; colonialism represented a barrier to political freedom across all Indonesian societies. Under this common platform, Suwardi Suryaningrat, a Javanese education movement leader, believed that freedom of the state could be achieved by realizing the people's desire for nationhood, which was not necessarily aligned with any particular ethnicities or religions (Elson, 2008: p. 153). As such, ethnic diversity was not a large problem for Indonesian political movements at that time.

How were these social cleavages (ethnic and religious) institutionalized in the political arena? Ufen (2013) stated that three particular cleavages presented at the beginning of the twentieth century translated political aspirations into political parties. The PNI, which

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<sup>1</sup> Geertz explains the three aliran thus: "Abangan, representing a stress on the animistic aspects of the over-all Javanese syncretism and broadly related to the peasant element in the population. Santri, representing a stress on the Islamic aspects of the syncretism in general related to the trading element (and to certain elements in the peasantry as well), and prijaji, stressing the Hinduist aspects and related to the bureaucratic element..." (1960: p.6).

supported a nationalist approach to independence, for instance, was founded in 1927 by the *abangan* group. At the same time, the Islamic groups were represented by two cleavages in Indonesian society: Muhammadiyah (modernist-urban mass organization), which was founded in 1912, and the Nahdlatul Ulama (traditionalist rural mass organization), founded in 1926. Later, in 1945, these Islamic organizations were influential in the establishment of the Masyumi (Majelis Syuro Muslimin Indonesia/ Muslim Executive Board Indonesia) as an Islamic political party. Nahdlatul Ulama, however, withdrew its membership in Masyumi in 1953 because of disagreements with Muhammadiyah over various principles.<sup>12</sup> According to Ufen, ‘capital’ and ‘labor’ cleavages, translated into the communist movement’s opposition to the bourgeoisie during industrialization. Thus in 1927, PKI was founded in order to bring this movement’s concerns into the political arena. In general, Ufen identifies that independence movements, which were represented by the PNI, Islamic groups, and PKI, mobilized the masses against the colonial government.

The translation of cleavages into electoral results in the first general election in 1955 is a fascinating situation for analysis. Four major political parties successfully elected more than three-quarters of their representatives in the new House of Representatives (DPR): PNI (22 percent), Masyumi (21 percent), Nahdlatul Ulama (18 percent), and PKI (16 percent). Some prominent Indonesian scholars, such as Herbert Feith (1962) and Daniel Lev (1966), argue that there was a strong connection between the results and existence of political parties in the 1955 election and the *aliran* mentioned above. PNI had strong support from both the old and new bureaucrats (*priyayi*) in the Sukarno administration, particularly the Javanese elite and aristocracy. PNI voters largely comprised individuals from the *priyayi* and *abangan* groups. At the same time, Masyumi and Nahdlatul Ulama, as the Islamic groups’ political representatives, were split into two parties. This resulted not only from their differing views about Islam but also from the different voters that were attracted to each movement. Voters in

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<sup>12</sup> In principle, there are several aspects of Islamic thought where Muhammadiyah and NU take different approaches, such as *ijtihad* (a term referring to critical thinking and independent reasoning) and *taqlid* (acceptance of legal rulings). NU represents the traditional view in Islamic society, while, Muhammadiyah is well known for its modernist view (Bush, 2009). In general, both of these traditions are evident in Islamic societies around the world. Additionally, from a perspective that considers NU as an organization, it is apparent that it was frequently unfairly treated when negotiating several political positions both inside and outside the Masyumi political party. Thus, NU decided to resign from Masyumi and declared itself a new political party after several highly intense political debates about NU and political parties amongst *ulama* and *kiai*. (See Fealy, 2003: pp. 93-128).

East Java and traditionalist Islamic bureaucrats voted for NU, while Masyumi's voters came from the outer islands and West Java, and those that had a more modernist Islamic view. Furthermore, NU's voters tended to live in rural areas and villages, whereas Masyumi's voters primarily came from urban areas. Accordingly, it seems that the *santri* group was transformed into two parties: the modernist Masyumi party and the traditionalist NU party. The PKI received strong support from Central and East Java, particularly among people who lived in villages and urban slum areas. Most PKI voters were peasants and urban workers that were also active in the *abangan* group.

While such social cleavages were being translated into politics, the New Order regime, Suharto's authoritarian government that came to power in 1966, created ineffective political parties and interest groups to channel the people's voices. Under this regime, political parties were merged as two parties: the PDI (Partai Demokrasi Indonesia, Indonesian Democratic Party) which was created by the fusion of PNI, Partai Katolik (Catholic Party), Parkindo (Partai Kristen Indonesia, Indonesian Christian Party), IPKI (Ikatan Pendukung Kemerdekaan Indonesia, League for the Upholding of Indonesian Independence), and Partai Murba (Murba Party); and the PPP (Partai Persatuan Pembangunan, United Development Party), which included Islamic parties from NU, Parmusi (Partai Muslimin Indonesia, Indonesian Moslem Party), Perti (Persatuan Tarbiyah Indonesia, the Islamic Education Movement), and PSII (Partai Syarikat Islam Indonesia, Islamic Association Party of Indonesia). A third party, the functional group, Golongan Karya (Golkar), was created to represent other interest groups, such as workers, peasants, labor, and women. The state banned any other political parties, including the socialist and communist parties in its response their reaction to the 30 September 1965 tragedy<sup>13</sup>.

In his description of Suharto's political power between 1971 and 1977, Suryadinata (2002) still describes that the presence of the three *aliran*. Golkar and PDI, which were primarily supported by Javanese voters, were represented by *abangan*. Furthermore, Golkar

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<sup>13</sup> The Thirtieth of September Movement is defined by the Indonesian National Armed Forces as an abortive coup d'état that marked the assassination of six generals on the early morning of 1 October 1965. It also led to the subsequent killing of hundreds of thousands in the reaction to the alleged coup. The Armed Forces identified the PKI as the mastermind of the supposed coup. Other scholars such as Anderson and McVey (1971), as cited by Crouch (1978/2007), denied that the PKI had masterminded the coup, claiming instead that internal rivalries in the army had caused the coup. Crouch (1978/2007) claimed there was strong evidence indicating the involvement of PKI, such as the confession and testimony of key PKI leaders. Suharto, as a senior military commander at the time, took control of the Armed Forces to crush the PKI, and subsequently as president banned all socialist and/or communist elements from Indonesia, including parties.

also received strong backing from the outer islands, such as Sulawesi and Sumatera, and, as the ruling party, it was also encouraged by the army and bureaucracy officers, the *priyayi* group. The *santri aliran* was represented by the PPP, which identified itself as the Islamic party.

In order to maintain political stabilization and protect it from any social and political conflicts, Suharto's regime applied the “floating-mass” policy.<sup>14</sup> Nevertheless, based on the concept of state corporatism, the Suharto regime permitted functional groups such as teachers and peasants to hold mass gatherings in the public space. However, these groups only expressed their political views through Golkar, their formal political vehicle. During this regime, Golkar's domination as the ruling party was phenomenal. National polls taken every five years between 1971 and 1997 show that Golkar consistently won the majority of seats in the DPR. Meanwhile, it was difficult for PDI and PPP to gain more than 10 percent of the vote in each election because of their limited political accessibility.

After the collapse of the Suharto regime in 1998, cleavages arose in other forms. Post-Suharto elections present quite a different picture than politics under the previous regime. The election in 1999 marked the beginning of a high-point for highly competitive multi-parties. Forty-eight parties participated in the 1999 election, while 24 and 32 parties registered candidates to participate in the 2004 and 2009 elections, respectively. Furthermore, Ufen (2008: p. 14) explained that two prominent cleavages emerged: the secular and Islamic parties. The secular parties included the PDI-P (Partai Demokrasi Indonesia Perjuangan, Indonesian Democratic Party - Struggle)<sup>15</sup> and Golkar. PDI-P was associated with the nationalist party in the past as well as the charisma of the first president, Sukarno. Golkar, which had acted as the ruling party during the New Order, attempted to revise the party's old image. Golkar's voters and members came from traditional functional groups, such as bureaucrats, technocrats, teachers, farmers and others. However, both Golkar and PDI-P were

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<sup>14</sup> “Floating-mass” refers to the fact that political parties were not allowed to manage any lower level branches. However, this policy was ignored by Golkar, which was allowed to expand its branches and was supported by bureaucratic apparatus at the lower administrative levels such as villages.

<sup>15</sup> In 1993 PDI elected Megawati Sukarnoputri, Sukarno's daughter, as its leader. The party had been fragmented by the military's political intervention into the organizational party mechanism during the late Suharto era. Between 1993 and 1998, two factions emerged in PDI, that of Megawati and Suryadi (a Suharto supporter). Later, PDI Megawati created a new party named PDI-P in order to participate in the 1999 election.

associated with hardline and loyalist regional voters: Golkar has loyalist supporters outside Java while PDI-P gains the majority of its support from the Javanese.

The Islamic parties, PKS (Partai Keadilan Sejahtera, Prosperous Justice Party), PPP, PKB (Partai Kebangkitan Bangsa, National Awakening Party), and PAN (Partai Amanat Nasional, National Mandate Party) are backed by three different groups. The largest Islamic group, Nahdlatul Ulama (NU), did not officially endorse any party, although it did have a strong and long history with two parties, PPP and PKB. Nevertheless, in the New Order era, even though NU had supported PPP in the mid-1980s, it decided to reestablish itself as a non-partisan, or Back to Khittah 1926, organization.<sup>16</sup> At the beginning of *Reformasi*, some of NU's leaders and ulama declared support for the new party, PKB, but the two entities did not merge.<sup>17</sup> A similar situation was seen with Muhammadiyah, the second largest Islamic group, as it sought to reestablish itself in 1998; although Muhammadiyah supported the creation of PAN, it did not integrate with the party.<sup>18</sup> The former chair of Muhammadiyah, Amien Rais, decided to become the chair of PAN and ran as a presidential candidate in 2004 after he resigned his chairmanship in 1998. The network of *jemaah tarbiyah* groups (groups for Islamic education), which worked to promote Islamic values in some major universities in Indonesia during New Order, established the Partai Keadilan (PK/Justice Party) in 1999, the antecedent of the PKS (Partai Keadilan Sejahtera, Prosperous Justice Party). PKS is well recognized as a cadre party due to its membership base, which comprises young western and Islamic educated individuals. Although it identifies itself as an Islamic party, in its party platform, it does not profess any plans to realize *shari'a* (Islamic law).

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<sup>16</sup> In 1983 NU decided to withdraw its membership from PPP and concentrate on Back to Khittah 1926 (the organization's basic commitment to social and religious activities). See Marijan (1992: pp. 132-44).

<sup>17</sup> According to Bush (2009: p. 121), the NU Chairman, Abdurrahman Wahid (Gus Dur), believed that NU should not become a political party but should instead act as a part of civil society. Nevertheless, he soon discovered that there was a high demand from *ulama*, the NU chamber in many regions, and some NU autonomous bodies for direct political participation. Thus, Gus Dur supported the creation of PKB as a party for NU voters to avoid any fragmentation of NU votes in the 1999 election.

<sup>18</sup> Like NU, Muhammadiyah is recognized as having strong links to the creation of political parties. According to Nashir (2008), Muhammadiyah always stressed its *khittah* as a society organization not as a political party in several muktamar (meeting or convention) occurring in 1956, 1969, 1971, 1978, and most recently in 2002. Muhammadiyah has clearly declared that since 1978 it does not have any relationships with political parties, however it allows its members to make their own decisions in the political arena. Thohari (2005) however asserted that the establishment of PAN in 1998 had a strong correlation with Muhammadiyah as most of PAN's leaders at the national and local levels had been active leaders of Muhammadiyah.



PD (Partai Demokrat, Democrat Party) exists in the middle of the two cleavages; it classifies itself as the nationalist-religious party. However, the party's voter base is primarily comprised of Susilo Bambang Yudhoyono supporters, who come from many levels of society and both nationalist and secularist groups. The personalization of president Yudhoyono appeared strong in all the party campaign materials, including media coverage. Two other personalized parties:<sup>19</sup> Gerindra (Gerakan Indonesia Raya, Greater Indonesian Movement Party) and Hanura (Hati Nurani Rakyat, People's Conscience Party) emerged as well in this period. Although both parties were dependent on military leaders and resisted the ruling coalition, they had different characteristics. Gerindra's leader, Prabowo Subianto, led the Association of National Farmers and was interested in agriculture and village development. In contrast, Hanura, established by retired General Wiranto, lacked clear key in its party platform.

One prominent cleavage has been translated into the current political parties: secular groups that consist of Golkar and PDI-P and Islamist groups that are represented by PKS, PPP, PAN and PKB. Other parties, such as PD, Gerindra and Hanura, are also classified as secular groups; however, the personalization of its leaders is stronger than societal cleavage. Additionally, the organizations NU and Muhammadiyah, each having more than 30 and 20 million members, respectively, have not attached themselves to any particular party. However, their members are permitted to affiliate with any existing parties.

### **3.1.2 Configuration of representative structures**

Merkel (1998: p.49) stated that it was important to distinguish two channels of representation in democratic consolidation: political parties and interest groups. These channels interact alongside societal cleavages. The first channel, political parties, is connected to the electoral political system, which links aspirations and transforms how people can vote and be elected. It also contributes to the country's configuration of representative structures. As such, the fragmented character of political parties in new

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<sup>19</sup> These parties were founded by retired military generals: Lieutenant General (ret.) Prabowo Subianto and General (ret.) Wiranto. Both of these main figures are associated with Suharto; Prabowo Subianto was his former son in law and Wiranto was his personal military adjutant. Currently, Subianto is well known as a successful businessman and politicians. These parties started to participate in the 2009 election and both of the parties' leaders ran as vice-presidential candidates for different coalitions in the same year.

democracies is also noteworthy. Furthermore, in the Indonesian case, it is not only interest groups, the second channel, that actively endorse political interests in the system, but state actors as well, such as bureaucracy apparatuses and military officers. It is therefore important to understand Indonesian representative structures in order to fully comprehend the connection that exists between interest groups, state actors, and political parties in the electoral system. The following discussion of the configuration of representative structures covers the period from the early independence period until the post-Reformasi era.

After Indonesia declared its independence in 1945, the establishment of representatives in the new political system did not appear immediately. Sukarno and Mohammad Hatta were elected respectively as the first president and vice president of Republic of Indonesia by the Committee for the Preparation of Indonesian Independence.<sup>20</sup> The first election was, however, not held until 1955.<sup>21</sup> Therefore, to establish the new government, President Sukarno considered several parties that had both influence and wide popular support, such as PNI, Masyumi/Parmusi and PKI, in order to determine who would act as representatives in the parliament and cabinet ministers.

The first 1955 election successfully provided representation in terms of members of the House of Representatives (DPR) and *Konstituante*.<sup>22</sup> This election adopted a proportional representation system across 15 regions in which parties and individual candidates could both nominate and be nominated for election themselves (Ellis, 2005). Voters cast their vote using a list of party nominations or individual candidate nominations. Based on this electoral result, President Sukarno reformed his cabinet in order to reflect the new political powers: PNI, PKI,

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<sup>20</sup> At the transition period of the independence event, around June-August 1945, some prominent Indonesia leaders, such as Sukarno, Supomo, Muhammad Yamin and others, held intensive discussions on how to prepare the concept of the nation-state, including how to find a model of representation for the state. They decided to choose a presidential system as outlined in the *UUD 1945*, but that also preserved national values like *musyawarah mufakat* (*mutual deliberation and consensus*).

<sup>21</sup> Between 1945 and 1949, the new government faced several threats from the Dutch army in various regions, as the Dutch did not recognize Indonesian independence. After various stages of international negotiations, the Dutch finally acknowledged the sovereignty of Indonesia in 1949. At that time, Indonesia was recognized as a newly emerged nation state and was able to formally organize its state structures, and plan the holding of elections.

<sup>22</sup> The *Konstituante* (Constituent Assembly) was built to prepare and replace the *UUD 1945*, which was only designed and promulgated as a temporary constitution.

Masyumi, and NU.<sup>23</sup> However, it was not only the failure of members of the *Konstituante* to review the interim UUD 1945 but also regional rebellions that took place between 1955 and 1957 that led Sukarno to apply martial law in 1957. At this point, President Sukarno took over the legislature under the policy of “Guided Democracy,” in which all formal political institutions came under the control of his leadership (Anderson, 1983).<sup>24</sup> Although, the results of the 1955 election justified the need for a political representation structure in parliament, Sukarno limited it in later years.

During the Guided Democracy period (1959-1965), Sukarno focused on balancing power among political parties as well as military leadership in his cabinets. Over these six years, Sukarno maintained control over this political configuration. In his analysis of Sukarno’s leadership style, Crouch (1979: p. 574), argues that he followed patrimonial state leaders of the past, seeking to maintain political resources from different groups in order to extend his power. For example, Sukarno appointed army leaders to various ministerial posts and as governors in several provinces because of their contribution to the formation of the state in 1945. At the same time, PKI, which had successfully mobilized rural peasantry to strike against Dutch rule, enjoyed a close relationship with Sukarno in 1964 (Crouch, 1979: p.574). As such, both the military and PKI drew on support from rural areas and both desired to eliminate the other. The army believed that PKI needed to be prohibited from spreading the communist ideology at the grassroots level. In general, during Guided Democracy political parties and the army attempted to attract Sukarno’s attention in support of their political interests while the President controlled all formal political institutions (executive, legislative, and court).

In 1964, various military elites founded a new organization, the Sekber Golkar (Sekretariat Bersama Golongan Karya/Joint Secretariat of Functional Groups). The goal of this organization was counterbalancing power from military initiatives and responding quickly to PKI’s increasingly powerful influence on the political landscape (Tomsa, 2008).

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<sup>23</sup> Even though President Sukarno desired to appoint some PKI leaders in various cabinet posts, several parties and organizations, such as Masyumi, NU and PNI, opposed his wishes. See Fealy and McGregor: 2010: p.40

<sup>24</sup> According to Anderson (1983) and Crouch (1979), the army was the main supporter of the establishment of Guided Democracy because the army not only intended to prevent the spread of communism, but also had an opportunity to expand its political role in society.

The concept, “functionalist group,” was also developed during Guided Democracy.<sup>25</sup> Therefore, although various groups, such as laborers, peasants, youth, business owners, Islamic groups, among others, were represented in the DPR GR (House of Representative in Guided Democracy regime), these groups were not affiliated with any political party. By 1968 under Suharto, according to Crouch (2007: p.266), 249 organizations had joined Sekber Golkar, led by various army generals. Golkar was recognized by Suharto's authority as a social and political organization (orsospol) rather than a political party. Nevertheless, it participated in the 1971 election and Sukarno's proposed “functional group,” translated into a “political party,” becoming the backbone of the New Order regime.

In 1968, Suharto was elected as the second president to replace Sukarno at the Plenary Session of the MPR (Majelis Permusyawaratan Rakyat/ People's Consultative Assembly).<sup>26</sup> The new government was scheduled to conduct an election in 1968. However, the election was delayed until 1971 as the DPR was engaged in serious debate about the design of the electoral system and what forms the DPR and MPR should adopt (Harris, 2003: p.22; Suryadinata, 2002: pp. 28-9). It was agreed by general consensus that the political system should include an accommodated, proportional electoral system in order to solve the problem of representation and balance the discrepancies between Java and other regions. Both the government and parliament also agreed that the DPR ought to consist of 460 representatives, 360 of which were to be elected and the remaining 100 would be appointed. Shortly after this agreement, the 1971 election was held and nine parties plus Golkar participated in the election campaign.<sup>27</sup> However, Suryadinata (2002: p. 30) argues that this system was difficult to administer fairly, as the government had control of the entire election process. The

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<sup>25</sup> Since 1945, Sukarno had a deep political interest to build a one party nation. When he developed PNI as the main party of the country, he referred to USSR (The Soviet Union) and China's experiences. He developed the concept of the functional groups not only to respond to the failure of parties to play their roles, but to also develop strong leadership in Indonesian democracy. Sukarno believed that functional groups were an alternative to representation by parties, as the latter had not well demonstrated how to represent the people. Workers, peasants and teachers were some of the groups that also desired to have representation within the political arena, including the parliament. See Lev, 1965 and Reeve, 1985.

<sup>26</sup> In March 1966 following the bloody tragedy of 1965 Sukarno was tactfully compelled to transfer effective authority to General Suharto. However, it was not until 1968 that Suharto was elected president and had the power to appoint his own cabinet.

<sup>27</sup> The ten parties were Golkar, PNI, NU, Partai Katolik, Parkindo, Partai Murba, PSII, IPKI, Parmusi, and Perti. The PKI was banned by Suharto's military regime. Masyumi and PSI were also banned by Sukarno because of their involvement in the rebellion in 1958. In 1968 Masyumi rebuilt itself to become Parmusi. See Suryadinata, 2002: p. 31.

government essentially took on two roles in the election: participant and referee. Under Suharto, elections were conducted regularly every five years without the presence of independent observers to monitor the process.

During the Suharto regime, it was necessary to manage all the social and political forces endorsed by the state as well as simultaneously providing for the plurality of societies under authoritarian rule. Some Indonesian observers refer to this phenomenon as corporatism,<sup>28</sup> and similar patterns can be seen in Latin America and other regions (Hadiz, 2004; Porter, 2002). According to Hadiz (2004: p. 122), this corporatist regime used different political actions to maintain its political supports. These actions were a set of corporatist laws to limit political parties, de-mobilization of masses and groups in political action, promotion of the importance of *Pancasila* as the basic regulation of daily activities, etc. Similarly, Porter (2002) contended that this regime's policies were used to control social and political everyday life. Other policies included crafting state-dominated national organizations, such as KNPI (Komite Nasional Pemuda Indonesia/National Committee on Indonesian Youth) and PGRI (Persatuan Guru Republik Indonesia/Association of Teachers Republic of Indonesia). Although, these corporatist regime's policies were applied during the post-Suharto regimes, they still affect the representation configuration structure, especially some existing federation organizations such as ICMI, KNPI, among others.

Over the three post-Suharto elections (1999-2009), two points of discussion are important to consider in terms of the establishment of the electoral system in the newly democratic country and its link to the configuration of the representation structure. First, the models of political representation system differed for each election. During the 1999 election, a proportional district-based representation system was used to elect the 462 members of the DPR (Reynolds, Reilly & Ellis, 2005). In this system, parties decided who was eligible to be nominated and campaign for a seat in parliament. In the 2004 election, Indonesia adopted a new semi-open proportional representation system with multi-member districts, in which voters could choose one candidate from an open party list. However, to determine who could be elected to parliament, the party selected the candidate ranked top on the party list. The 2004 elections introduced a plural district system for the DPD (Dewan Perwakilan Daerah/the House of Regional Representatives) election. In 2009, the proportional representation system

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<sup>28</sup> According to Wiarda (1997: p.ix), corporatism means "a system of social and political organization in which major societal groups or interests (labor, business, farmer, military, ethnic, clan, or patronage groups, religious bodies) are integrated into the governmental system..."

moved away from this semi-open list to a more open one. In the open list system, voters could choose a candidate from the list of party candidates for their district. Successful candidates had to achieve a 30 percent minimum vote, or if not achieved the seat was then allocated to the candidate at the top of the party list (Sherlock, 2009). However, this was later annulled after protest by the Constitutional Court (Mahkamah Konstitusi/ MK) who ruled that the successful candidate was the one who gained the majority of votes.

The second point of discussion is that the electoral threshold restricted the ability of political parties to participate in subsequent elections and/or limited the number of parliament seats allotted to one single party. In the 1999 election eighteen parties secured seats in the DPR. To participate in the following 2004 election any of the eighteen parties with less than the mandatory minimum two percent of DPR seats was required to merge with other parties or create a new party. In the 2004 elections, sixteen of the twenty-four parties who campaigned for election gained seats in the national parliament, but only eight parties, less than 2.5 percent of DPR seats, were participants from the 2009 election. In the 2009 elections there was a national parliamentary threshold of 2.5 percent of popular votes required to gain seats in the DPR. Thus, nine parties were elected to the DPR. In the current 2014 elections the national parliamentary threshold has been increased to 3.5 percent of the popular vote. In general, the electoral threshold has contributed to strengthening the political party system, ensuring that the parliament had fewer minor parties than before.

The post-Suharto electoral system has created a new representation configuration based on a changing electoral system and restriction on parliamentary parties. The electoral system uses an open list proportional representation system, and each candidate must work hard to obtain popular votes to win a seat in a district. Therefore, since 2004, political parties have attempted to recruit popular candidates, from both inside and outside the party. Although the parliamentary threshold has been successful in reducing the number of parties in the DPR, at the same time, this threshold has not been able to unite the minor political parties into several larger parties.

### **3.1.3 The legacies of the actors**

The three backbones of the Suharto regime — the army, bureaucracy, and Golkar — transformed their support for the regime following *Reformasi*. At the beginning of the

Suharto regime, these three groups used their power to stabilize social and political dynamics and prevent any potential destruction to the regime (see Crouch, 1979 and Liddle, 1985). However, since 1998, the Golkar party has continued to participate in the elections, while the other two groups have demonstrated a strong commitment to a professional non-participatory stance as state apparatuses, uninvolved in political practices. The army has accepted it no longer has functional representatives in the DPR and MPR. In addition there are strict criteria to anyone wishing to become a politician. New regulations have disallowed army officers and civil servants from using government facilities during electoral campaigns. This is because many retired military officers and retired civil servants have participated as personal actors in direct local elections of government heads (*pilkada*) and national and local legislative elections as candidates for various parties.

Many new political opportunities became available after 1998 so that most Indonesian CSOs worked independently in various groups (Nyman, 2009). Human rights NGOs have voiced their concern about the state's inability to resolve various issues stemming from the previous regime. Women's NGOs have assisted many gender violence victims in the court. At the same time, other mass membership organizations work to empower their members' micro-economic development. Furthermore, other groups seek to control the degree to which Islamic law is applied in society in a manner often intolerant of other religious groups. Therefore, scholars, such as Beittinger-Lee (2010) and Hadiwinata (2009), defined the two paradoxical faces of civil society groups that highlight the character of these organizations: Indonesian civil society exhibits flourishing democratic values, while it also faces threats to freedom in the public space.

There are some organizational legacies apparent in current political issues. First, Golkar, which was established as the federation of interest groups, remains one of the country's two major political parties. Second, the bureaucracy and military groups that had provided institutional support to the Suharto decided to retreat from political practices. Although these groups do not organizationally support a particular party, individual actors from these groups still participate as electoral candidates, albeit as retired officers. Third, due to the changes enacted to the electoral system, elections have emerged as a tough competition in which each candidate must strive to obtain a seat. Therefore, as Merkel (1998: p.51) warned, it was difficult to apply a purely majoritarian system as a means to solve various ethnic and social conflicts in new democracies that exhibit multiple social cleavages. Fourth, fragmented and independent civil society groups contribute to the creation of a new space of representative

configuration. Although most CSOs have kept their distance from political parties, some CSO figures are well known as political actors in the national and local context because of their interactions with the state. As such, some scholars contend that the territorial representation of political parties should be complimented with functional representation from civil society groups (Merkel, 1998: p. 53).

### **3.2 The rules of the game: the legal framework**

CSOs and political parties need a clear legal framework that outlines the basis of interaction among institutions. As such, an explanation of the rules of the game is necessary to clarify how these democratic institutions work. Therefore, this section discusses the problems associated with the legal framework as well as the actors' interests in the implementation of rules of the game.

According to Schulte-Nordholt, as cited by Eldridge (1995: p. 46), a legal framework that drew on the social interactions between the state and communities or groups was first drawn up by Sukarno with the Lembaga Sosial Desa (LSD/Village Community Institutions) program. In establishing LSD, cooperation between the government and voluntary organizations facilitated the realization of grass-root social development activities. In 1971, the Suharto government tightened community-based development programs by placing them under the responsibility of the Ministry of Home Affairs (Departemen Dalam Negeri/Depdagri). In contrast to previous programs that had been conducted by the Ministry of Social Affairs (Departemen Sosial), Depdagri used a bottom-up approach for the administration of this program. At the same time, Depdagri kept a strict watch on NGO activities as they had been labeled a threat to the regime's political stability. Therefore, NGOs and other groups that worked intensively on social development and came to criticize the state were closely monitored.

From 1973 the government began to closely regulate the various technical cooperation agreements of international agencies that wanted to establish development aid cooperation with the state. Most NGOs realized that the government was attempting to increase its control of development issues related to the international community, particularly given that most



NGO funds came from these agencies.<sup>29</sup> As such, in 1985, the regime passed a restrictive law, the Law on Societal Organizations Number 8/1985 (Undang-undang Organisasi Kemasyarakatan Nomor 8/1985). The Law was known as the Ormas Law, which sought to control and monitor any social and political organizations. Several components of this law hampered social and political freedoms. First, it required every societal organization, including NGOs and other civil society groups regardless of sector, to register at Depdagri. If an organization failed to register, it risked losing the opportunity to request funds and other facilities from the state. Furthermore, all registered organizations were required to submit an annual report on their activities to Depdagri. Second, this law stipulated that organizations should implement *Pancasila* as their sole foundation. Therefore, Islamic organizations were required to revise their founding principles so that they aligned with *Pancasila*. Third, based on its authority enshrined within this law, Depdagri reserved the right to dissolve any groups that did not follow the rules and were suspected of being a threat to the state. Moreover, Depdagri and other law enforcement agencies maintained the right to watch, monitor, and control all activities of an organization. As such, all mass organizations required government permission to hold an event.

Between 1973 and 1978, the Suharto regime used repressive tactics to crack down on student movements and other rebellious groups. According to Aspinall (2005), student movements from prominent universities in Indonesia had demanded that the state increase the transparency of any government policies. In particular, those policies were seemed to be associated with political corruption activities among Suharto's inner circles. In response, the military repressed student demonstrations, sending students back to their respective campuses. From 1978, the Ministry of National Education applied various strict regulations to university and college students who wanted to organize political activities. Additionally, the Ministry issued a policy of NKK/BKK (Normalization of Campus Life/ Bodies for the Coordination of Student Affairs), to restrict student organization-led activism, with the main objective of banishing political activism from the campus.

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<sup>29</sup> Another reason why the state controlled social and political life was the many student demonstrations and social riots that occurred during 1973-1974, demanding transparency for government policies in economic development and protesting about collusion in government projects. From the perspective of the state, NGOs actors were involved in organizing these riots. Therefore, the state required some preventive measures to discontinue the NGO political activities.

Islamic groups, including NU and Muhammadiyah, also actively opposed the regime and were critical of the mandatory role of *Pancasila* as the sole foundation for each organization.<sup>30</sup> Islamic organizations faced an internal dilemma as to whether they should accept and apply this new regulation. A.R. Fachruddin, the chairman of Muhammadiyah in 1985, suggested that *Pancasila* be accepted as part of a political strategy in order to negotiate Islamic groups' interests with the government (Jurdi, 2010). Other groups, like the HMI (Himpunan Mahasiswa Islam/ Islamic Student Associations), fragmented into two organizations because of their response to the *Pancasila* regulation.

It was not only Islamic groups that resisted the imposition of Pancasila as well as other aspects of the Ormas Law, NGOs were also opposed to it. NGOs criticized it for its restrictions on freedom of expression and freedom of organization (Ganie-Rochman, 2002). These NGOs preferred to register their organizations as foundations rather than as *ormas* (societal organizations) as a direct response to these restrictions, a practice that continues today.

The state not only restricted the involvement of social organizations in political space, it also endorsed the fusion of political parties. The idea to merge parties arose when the authorities wanted to consolidate power while maintaining social and economic stabilization. After the ruling party, Golkar, won the first election in 1971, the government proposed that two groups of political parties would be merged: the Democratic Development Group (became PDI) and the United Development Group (became PPP). In 1975, the DPR included these two parties (PDI and PPP) and one social and political organization (Golkar) as the formal political parties in the country under the new political parties and functional groups Law No. 3/1975 on Political Parties and the Functional Groups (UU No. 3/1975 tentang Partai Politik dan Golongan Karya). Therefore, the New Order regulated all societal and political organizations under two laws: the Political Parties and Functional Groups Law 1975 and the Societal Organizations Law 1985.

Syamsuddin Harris (2003: p.24) notes there are four New Order institutional boundaries that should be considered. First, the limitations restricted elections to three parties and prohibited new parties from participating. The second aspect is related to the first in that

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<sup>30</sup> Muhammadiyah replaced the *Pancasila* as the sole base in its Muktamar Semarang 1985. NU also did the same thing, although it was a rather complicated process as there were fierce internal debates over this issue. See, Harun, 1986 and Marijan, 1992.

Depdagri controlled every political party and social and political organization. The Ministry acted as a political tutor for every organization and actively monitored the political behaviors of party elites. Third, PPP and PDI were allowed to have organizational branches at district/city levels, but were barred from branching out into villages at the lower level. This policy involved the de-politicization of public awareness or 'floating mass' throughout the country. However, Golkar, as the ruling party, was given an unfair advantage in that it was allowed to expand at all administrative levels. Fourth, government officers and military officers' families, as members of Golkar, were required to maintain mono-loyalty (*monoloyalitas*) in terms of politics and voting.

In general, during the Suharto regime, a legal framework governing societal organizations was erected to ensure the regime's stabilization. Military officials and bureaucrats implemented repressive legislation and regulations to control the daily activities of every organization in society. The nature of this authoritarian regime with its corporatist approach explains how civic groups adapted to the external environment in their organizational behavior. During elections, the New Order strongly applied limits and unfair conditions to parties; while it was difficult for PPP and PDI to gain more votes, Golkar, as the ruling party, was given many advantages.

CSOs are framed by three possible legal models: *Perkumpulan* (associations), *Organisasi Kemasyarakatan* (mass/societal organizations) and *Yayasan* (foundations). In establishing an association, two considerations are essential: the organization has to determine whether it will be an association *with* or *without* a legal entity. If a group of individuals seeks to establish an association without a legal entity, such an organization should be registered as a societal organization and registered under Depdagri. However, if individuals want to start an association with a legal entity, this association should register with the Ministry of Law and Human Rights (Depkumham/Departemen Hukum dan Hak Asasi Manusia) under the old Dutch statute that governed the creation of associations, Staatsblad 1939 No.570. Both associational models are recognized by the state. Mass societal organizations are governed by the 1985 Societal Organizations Law discussed above. There are other provisions that govern the establishment of a foundation, concerning organizational structure and funds as well as proposed activities. According to Foundation Law/ 2004 all foundations should be registered with the Ministry of Law and Human Rights. Foundation administrators are bound by regulations to ensure their boards and membership are both responsible and accountable for an organization.

Most NGOs prefer to take the form of a legal entity, association or foundation, as it ensures that managing officers can report their respective organization's activities to members and the board without any intervention from the state. If they choose to adopt the form of a mass organization, routine reports are required to be made to the state. Essentially, as an association or foundation, NGOs are assured that they will be able to run their own activities.

Lately, members of the House of Representatives have enacted a revision to the Mass Organizations Law of 1985.<sup>31</sup> This revised bill was subject to ongoing discussions from 2007 until it was finally passed in 2013. It is generally accepted that the 1985 law did not effectively regulate current mass organizations. Since *Reformasi* 1998, there has been a huge increase in the number of societal organizations and this has been difficult for the government to control. As a consequence of political freedom, many mass organizations have been built lacking clear vision, and some intolerant of other groups. Depdagri therefore requires strong authority to intervene where necessary. However, from an NGO perspective, Depdagri has strong sectoral interests in maintaining its authority to monitor mass organizations. Other ministries, like Depkumham, are responsible for approving groups that have greater control over their organizations, such as parties and foundations (personal communication with Ronald Rofiandi, NGO activist, March 11, 2012). According to Rofiandi, members of the House and their parties lack a clear definition of mass organization and it is therefore difficult to separate their social and political activities. As such, it is important to strengthen the governing of legal entities, such as foundations and associations, rather than use the legislation designed for mass organizations. However, one senior NGO activist, Rustam Ibrahim, who supported the revision of the 1985 Ormas Law, believes that it is necessary to have a clear legal identity for every CSO, whether or not they are registered with the Depdagri or Depkumham, one that can be used to search for any potential grants (personal communication, March 18, 2012). As part of this strategy, Ibrahim believes that CSOs should negotiate registering their organization with a state agency like Depdagri rather than avoid cooperation.

Since 2009, the government has applied a non-legally binding document, the Jakarta Commitment, signed by various donor countries and multilateral agencies, to better align

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<sup>31</sup> After the Bill was rejected by several CSOs, such as Muhammadiyah and NU, and political parties in the DPR such as PAN, Gerindra, and Hanura, the Bill was finally enacted in 2 July 2013 through the personal voting method as proponents were unsuccessful in their attempts to strike a political deal. See Kompas, 02.07.2013.

foreign aid with Indonesian government programs under the Paris Declaration 2005 on Aid Effectiveness (Jakarta Post, 09.02.2010). This gave the government broad opportunities to develop and harmonize any aid from any agency that operates within Indonesia. From the government's perspective, this means that the state can manage the transfer of any funding from foreign agencies to recipient organizations across the archipelago. For example, in the 2009 election, the government developed cooperation with foreign agencies under the Ministry of National Development Planning (Kementrian Perencanaan Pembangunan Nasional/Bappenas) and the United National Development Program (UNDP). Any NGO or mass organization that sought funding for electoral monitoring were required to cooperate with the state and UNDP under this scheme. Previously, in the 1999 and 2004 elections, various foreign agencies had made direct partnerships with local NGOs and organizations. However by 2009, some NGOs, movement organizations, and other groups experienced difficulties, as their organization must be registered with the government to receive direct funding.

According to Juni Thamrin, a senior CSO activist, donor agencies currently have shifted their paradigm from supporting the development of civil society to strengthening the effectiveness and efficiency of the state in delivering public services (personal communication, February 10, 2012). As such, it seems to be the right moment to improve the state's capacity after various political rights and freedoms have been achieved. Thus, donor agencies feel that it is urgent to support education and health programs, which could increase literacy indicators and reduce maternity mortality indicators. Thamrin also believes that many NGOs are seeking funding from economic development programs for survival rather than rights-based reasons.

In this post-Suharto period, there are numerous political institution changes that have been successfully applied. The main goal of these reforms has been to increase public participation. They enabled the formation of new political parties and mass organizations as well as the establishment of freedom of press agencies, which had been prohibited in the Suharto's regime. Another crucial political reform was the amendment of the UUD 1945 constitution formulated under the previous regime. During 1999-2002, the MPR worked to revise several crucial issues, such as the foundation of the state, the maximum term of the president, and revision structures of DPR and MPR, which had not been discussed in the Suharto era (Subekti, 2008; Isra, 2010). In 2003, electoral reform packages introduced

women's representation quotas in election and political party laws, while a Constitutional Court was also established to arbitrate electoral conflicts and review any judicial decrees.

Unfortunately, the establishment of the political reforms discussed above does not guarantee the creation of an effective and efficient government, as political parties and their apparatuses have not implemented these reforms seriously. For example, in party financial institutionalization, rules have been developed to determine how parties should finance their election campaigns and account for their finances in reports. Nevertheless, according to the ICW (Indonesian Corruption Watch) report, parties do not strictly adhere to these rules (Tempo, Laporan keuangan partai masih ditutupi, 28.05.2013). One indication of money politics is the frequency of vote buying that has occurred in many national and local elections cases. In the national context, several members of the House and ministers in the Yudhoyono cabinet were arrested by the KPK (Komisi Pemberantasan Korupsi, Corruption Eradication Commission) on suspicion of receiving bribes from ministries' projects.

This sub-section has discussed the legal framework of CSOs and the activities of political parties in Indonesia. Various CSOs, such as NGOs, mass organizations, and interest groups, choose to be regulated in different ways: some prefer to become a foundation, while others believe their nature to be more of that of a mass organization. The DPR has revised the 1985 Mass Organization Law but seems to lack a clear vision. Major political laws have attempted to strongly regulate political parties, their institutions, and behavior of their members. However, the basic problems lie with each actor's capability to follow the rule of the law in addition to their political pragmatism.

### **3.3 CSOs and parties: their relationship periods**

This subsection discusses the characteristics of both CSOs and political parties in Indonesia as well as the degree of autonomy that exists between the two entities. Two periods are covered: the pre-*Reformasi* era, which began in the early 1900s and lasted until 1998, and the post-Suharto era. This discussion will help explain why CSOs and parties exist and contribute to social and political development.

The rise of social and political organizations in the early 20<sup>th</sup> century is related to the so-called Dutch Ethical Policy (1901-1942) that supported social and political changes for the Dutch colony. During the first two decades of the twentieth century western-educated

Indonesian leaders campaigned for political freedom from Dutch rule in various ways. The paths were both through raising public awareness and through the creation of new political organizations. One of the first, the Indische Partij (1912-1913) issued the revolutionary slogan: “The Indies for the Indiers [sic]” (Shiraishi, 1990: p. 35). These organizations were not the only ones striving for national independence, some ethnic groups and trader groups, such as Arabic and Chinese associations, were also involved.

During the Nationalist Movement Era (Zaman Pergerakan, 1908-1942), these pioneering organizations faced several political dynamics from inside and outside the organization. As the largest organization, Sarekat Islam (SI) was recognized as being politically opposed to the colonial government in Indonesia. The government therefore offered legal status to the SI in order to gain control of the organization’s activities. However, one of the threats that the SI faced was the rise of Muhammadiyah in 1912, as many SI members transferred to this new association. In 1917, at the opening of the *Volksraad* (House of Representatives), the Dutch government asked several leaders of social and political organizations, including Boedi Oetomo, Sarekat Islam, and the Indische Partij, to become members of the *Volksraad* (Shiraishi, 1990: p. 96).<sup>32</sup> SI and other political organizations therefore realized there were dilemmas related to being both cooperative and non-cooperative in response to the many Dutch colonial offers.

At this point, there was a growing awareness among Indonesian leaders that independence should be gained as soon as possible. Political events, like the 1928 Youth Pledge, were held where leaders announced there were associations in the political realm fighting for the independence. The PNI was also established at this time by Sukarno and others to achieve independence for Indonesia through popular struggle against the Dutch (Feith, 1962). Indonesian leaders and their various organizations united to fight for political freedom.

However, following the Japanese Occupation (1942-1945) and the declaration of independence in 1945, potential fragmentation in social and political organizations became apparent. In mid-1945, ideological conflict among political leaders emerged during discussions about the fundamentals of the state and the form the temporary constitution, the

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<sup>32</sup> Shiraishi adds that these organizations transformed their identities to become political parties.

UUD 1945 would take. Debate between Islamic and Nationalist groups<sup>33</sup> occurred because Islamic groups insisted on a phrase being included in the preamble to the constitution obliging adherents of Islam to follow Islamic law. Nationalist groups, however, refused to accept such demands. This cleavage represented deep-rooted ideological conflicts, which were evident in the struggles experienced by pioneer organizations, like Sarekat Islam. Between 1917 and 1921, as SI membership was increasing and the organization expanded, SI was involved in political conflicts. These conflicts were fueled by the communist group, located in Semarang, and the Islamic group, located in Yogyakarta (Feith, 1962: p. 4).

During the early years of Independence, 1945-1946, various political parties were established in order to prepare for the first election, which was originally to be held in January 1946 (Reeve: 1985, Anderson: 1972). Voters were attracted to political parties through their campaigns. Some leftist parties, such as PKI and PSI (Partai Sosialis Indonesia/Indonesia Socialist Party), strongly endorsed various land reform issues, nationalization of land, and the freedom of organization for labor and peasants. At the same time, the Islamic party, Masyumi, offered Indonesian development from an Islamic legal and moral (Reid, 1974: p. 84). Anderson (1972: p. 223) has compared the economic programs of Masyumi and PSI and how they supported citizens. The last nationalist party was PNI, which had no clear platform or program, but instead depended on Sukarno's charismatic performance.

The elections were eventually held in 1955 and, as discussed above, four major political parties were elected: NU, PNI, Masyumi, and the PKI. Despite the political dynamics of these major political parties, Sukarno expressed his disappointment in their performance in and the conflict that emerged between them in parliament (Reeve, 1985). On 17 August 1956, Sukarno requested that the leading political parties, who had received the majority of seats in parliament and comprised his cabinet, become partners in government. A week earlier, in one of his speeches he had alluded to the weak performance of parties in the parliament. In October 1956 his speech about burying political parties clearly signaled his critical disappointment at the party system. In February 1957, Sukarno proposed the idea of functional groups as an alternative to the chaotic political situation, whereby "the functional groups held out the promise of channels of representation that stood above ethnic, social,

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<sup>33</sup> Feith (1962: p. 574) addresses these ideological conflicts from two societal cleavages between "Javanese-aristocratic" (as the Nationalist groups) and "Islamic-entrepreneurial" (as the Islamic groups).



religious, and ideological cleavages as compared to the factitious and divisive party system” (Reeve, 1985: p.121). Sukarno's desire was that these functional groups would create “commonalities within society,” which could be then integrated in the state (Reeve, 1990: p. 164). The functional groups were not viewed as a political party but a system deployed to preserve Indonesian democracy. Sukarno attempted to persuade major party leaders that half the seats in parliament should be reserved for the functional group. However, the major parties negotiated that they maintain two-thirds of the seats, while the functional group would take the remainder of the seats (Feith, 1962: p. 591).

Sukarno attempted to balance political power during this period between the nationalists, the communists, the Muslims and the military. This balancing act was as important to Sukarno as his idea on functional groups. Major actors, such as the PNI, Masyumi, PKI and NU, as well as military leaders all attempted to influence government policies. According to Feith (1962: pp.113-22), two types of groups were needed during the early stages of the country's development: “administrators” and “solidarity makers”.<sup>34</sup> Feith categorized PNI and Masyumi's leaders as ‘administrators’ and ‘solidarity makers’, whilst Murba Party and PSII leaders were categorized as ‘solidarity-makers’. However, he also argued that this categorization varied according to the changing and dynamics of constituency in the political field.

Some mass organizations transformed and supported political parties. For example, Masyumi was founded in 1945. This party was supported by several Islamic groups, such as Muhammadiyah and NU. Its primary goal was to build one Islamic party that consisted of several Islamic associations and groups. The resignation of NU from Masyumi in 1953 led to the fragmentation of the Islamic power bloc. Shortly after, in the 1955 election, NU became one of the four leading political parties, along with PNI, Masyumi, and PKI, all of which had received numerous seats in parliament.

In general, even though there was frustration with political party behavior, Sukarno allowed nine parties and the functional group (originally known as Sekber Golkar and later shortened to Golkar) to exist. Any party that indicated any support for Sumatran and Sulawesi

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<sup>34</sup> An administrator group is western-educated and trained and has good skills in development. Solidarity makers are leaders, who have fought in wars, regional leaders, and other propagandists. In general, this concept was criticized by Harry Benda. Benda argues that there were some sociological and ideological aspects from outside the country that influenced Indonesian politics. He does not agree with this concept based on its parallels with western countries. See Benda, 1964.

separatist unrest, such as Masyumi and PSI, were, however, prohibited (Reeve, 1985: p.164). It was deemed critical that parties be controlled to ensuring the political stability of the regime.

The bloody coup, which occurred on 1 October 1965, led to the subsequent fall of Sukarno. This coup emerged at the height of the political conflict between PKI and the army. Following the coup, the military strategy was to eradicate the communist presence in Indonesia in the name of national security. In cooperation with various Islamic groups and other community leaders, the soldiers arrested and killed hundreds of thousands of people, who were suspected of being PKI sympathizers and detained many more.

During the New Order regime (1967-1998), which was characterized by the authoritarian and powerful personal leadership of President Suharto, the role of political parties was once again marginalized. Liddle (1985: pp.72-3) stated that during this period, Suharto successfully endorsed several political institutions to maintain his presidency: the first, *Kopkamtib* (Operational Command for the Restoration of Security and Order), the state military apparatus under the Department of Defense and Security, which had the mandate to arrest anyone suspected of subversive activity; the second, the DPR and MPR, which acted as the “the rubber stamp” for any bills proposed by the government; and third, some corporatist and quasi-corporatist organizations, for example MUI (Majelis Ulama Indonesia, Indonesian Council of Islamic Religious Teachers) and Kadin (Kamar Dagang dan Industri, Chamber of Trade and Industry), which were established in order to maintain communication between the state and specific groups. Liddle argued that the state endorsed the concept of *pembinaan* (state guidance) to facilitate communication between these various civic groups with all government agencies as well as how the state should be reacted to society's aspirations.

In the 1970s NGOs and opposition groups criticized the unequal and unfair governmental policies in the area of social and economic development, especially as related to poor and marginalized groups (Eldridge, 1990: p.506). According to Eldridge (1994), there were four typologies of NGOs in the New Order. They had different political approaches to governmental, social, and economic development programs: 1) high level co-operation grass roots development; 2) high-level politics grass root mobilization; 3) empowerment from below; and 4) radical criticism. Aspinall (2005) listed three NGO strategies to cultivate a relationship with the state: 1) direct engagement; 2) advocacy; and 3) mobilization. Aspinall stressed how NGO activists should demonstrate competency in making negotiations and have

both a close and distant relationship with politicians. Therefore, these NGOs activists need to be flexible in their movements to achieve their own interests. As Eldridge stated, “Indonesian NGOs play[ed] both political and development roles” in order to survive during the authoritarian regime.

Muhammadiyah and NU in particular as the two largest mass organizations in Indonesia, were faced with the dilemma of how to respond to political demands during the regime. Muhammadiyah, in 1969, decided not to support the creation of the new party, Parmusi, designed to replace Masyumi. During the period 1956-1971, Muhammadiyah had clearly stated that it would return to its foundations by serving economic, educational, and other social activities, rather than supporting a particular political party (Nashir, 2008). Thus Muhammadiyah did not formally channel its own political aspirations into a single party, but instead remained an independent Islamic mass organization. Therefore, the organization allowed members and followers to join the party of their choosing, such as Parmusi and Golkar. Hajriyanto Thohari, Muhammadiyah member of and Golkar representative in the DPR, stated that Muhammadiyah's political orientation shifted: firstly, it was nonpolitical from 1912 until the end of Masyumi; secondly, it became involved with the PPP following Naro<sup>35</sup>'s coup in 1990 until the late 1990s (2005: pp.164-5). Thohari thus revealed Muhammadiyah's experiments in the political arena. The first, termed active neutrality, meant that Muhammadiyah could be involved as a special member of Masyumi and Sekber Golkar as well being involved in the creation of Parmusi. However, the second role, which he called passive neutrality, refers to the organization's belief that its role is best to serve people in the social and economic fields rather than in the political arena. Therefore, Muhammadiyah both played a role in social and economic developments and supported some political actions in particular parties.

NU also experienced a dilemma in its attempts to orient its organization on the political stage. Although Sukarno had allowed NU to be a party, and this continued in the early years of the New Order regime, the merging of the Muslim parties caused NU to rethink their involvement in the political arena. For NU, merging with PPP recalled memories of when NU became part of Masyumi between 1945 and 1953 (van Bruinessen, 1994). At that time, NU had difficulties in speaking out against policies due to internal political conflicts in

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<sup>35</sup> Djaelani Naro was the leader of PPP from 1979-1990. He was replaced as leader because he failed to maintain the balance between Islamic groups in PPP.

the Masyumi organization. Regardless of such concerns, NU accepted a merger with PPP because it felt that the merger could represent a means for the organization to maintain its political sources (Irsyam, 1984: p.56). Within the PPP body, NU, in comparison to the other parties such as Perti, PSII, and Parmusi, remained a large party with 18 percent of the popular vote in the 1971 election.<sup>36</sup>

This relationship lasted until 1984, when NU declared, after several years of intense internal discussions, that it would no longer act as a party (Anam, 2010). It announced its separation from PPP and its plan to reinvent itself as a social and religious organization, returning to its original founding purpose statement that dated back to 1926 (Kembali to Khittah 1926).

Discussions over the Back to Khittah 1926 decision were problematic for the organizations' leaders as some opposed while other supported the policy (see Irsyam (1984), van Bruinessen (1994) and Bush (2009: pp. 68-78)). Some proponents of Back to Khittah 1926 believed that the organization's political role was ineffective at delivering and accommodating their Islamic values in policies when the organization was part of the political parties. Therefore, it was the right moment to focus on the principle ideas of the organization from 1926. At the same time, some opponents believed that there were many good policies that had been made by NUs politicians, such as the religious curriculum in the education system. Therefore, NU should have continued its participation as a political party. The decision to leave the PPP was sparked by several internal events that provoked NU to leave the party. Some provocative occasions were the unfair ranking of NU candidates on the party lists for the 1982 election and the way PPP leaders from other elements attempted to reduce NU's influence in the party (van Bruinessen, 1994; Irsyam, 1984).

Since the imposition of the 1985 Societal Organizations Law, NU and Muhammadiyah concentrated on establishing Islamic social, economic, and educational programs in the community. Both associations clearly allowed their members, wishing to become politicians or members of parliament, the freedom to decide for themselves which party they would join. However, such members had to understand that a clear distinction existed between the organizations (NU and Muhammadiyah) and political parties, that is,

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<sup>36</sup> Parmusi, Perti, and PSII received five percent, 0.6 percent, and two percent of popular votes, respectively.

members were not allowed to hold official positions in two separate entities. Thus, some NU members were also Golkar or PPP members of the parliament, as were Muhammadiyah members.

During Suharto's final years, various mass organizations and NGOs leaders, such as Amien Rais (Muhammadiyah) and Abdurahman Wahid (NU), expressed critical views about the state restrictions on people's political activities. Muhammadiyah, under Amien Rais' leadership, raised discussion of national succession plans after political riots unfolded between 1995 and 1996. Even though Rais was part of the corporatist state's ICMI (Ikatan Cendekiawan Muslim Indonesia/ Indonesian Moslem Scholars Association), he expressed a need for political reform. Wahid also played a similar critical role in that he developed the oppositional group, Forum Demokrasi (Fordem/Democratic Forum), to accelerate criticism of Suharto's leadership and to move it into public discourse. Furthermore, in 1998, these two prominent leaders together with other opposition leaders endorsed the resignation of Suharto during the legitimacy crisis.

The number of NGOs has risen since the democratic breakthrough in 1998. These organizations work on various reform issues, such as environment reforms, political institution reforms, labor reforms, etc. Meanwhile, others groups concentrate their efforts on advocating resolutions to land conflicts and the establishment of labor rights as well as educating citizens about their rights. As NGOs and social movements were able to use their political opportunities during the transition period towards democracy, they can now, in direct contrast to the previous regime, freely pursue their social and political reform agenda.

In 1998 the two mass membership organizations, NU and Muhammadiyah, had hard but firm political decisions to make during the transition to democracy. Amien Rais and Abdurrahman Wahid supported the creation of two different new political parties, PAN and PKB, respectively. Due to Muhammadiyah's rule about not holding an official capacity in more than one organization, Rais, who was elected as the new chair of PAN, resigned as the chair of Muhammadiyah. In contrast Wahid, who was one of the founding members of the PKB, still served as chairman of NU until he was elected as the President of Republic of Indonesia in 1999. In general, although neither Muhammadiyah nor NU issued any organizational directions regarding their "parties," most officials from the national to local level in PAN and PKB have also been members of Muhammadiyah or NU respectively. Therefore, most of the voters for both parties in the 1999 election came from Muhammadiyah

and NU. This case helps explain why large mass organizations, such as Muhammadiyah and NU, cannot organizationally refrain from political attachment in Indonesia. However, both organizations apply tight regulations to prevent members using the organization as a political vehicle to gain votes. Members of Muhammadiyah who become party officials and legislative candidates must resign their organizational position, as must members of NU<sup>37</sup>. Recently, for example, members of the House, as the decision-making body for the selection of commissioners to such bodies as the KPU, KPK, Komnas HAM and Komnas Perempuan, compared the social connections of commissioner candidates from NU and Muhammadiyah in deciding the best candidates.

Slamet Effendy Yusuf, an NU official and former Golkar member of parliament from 1999 to 2004, explained how NU values could be transported by NU members to their respective political parties and then translated into deliberations of bills. He said that NU MPs belonged to various parties, but had one voice in discussions about the basic foundation of the state in the amendment of the constitution (personal communication, November 13, 2012). However, in other cases, such multiple party membership presented difficulties, as was evident in the nomination of NU cadres for presidential candidacy, which was complicated in terms of choosing a single actor to represent the organization as a whole. For example, during the first direct presidential election in 2004, two NU leaders were nominated for vice president: Hasyim Muzadi (NU Chairman) and Solahuddin Wahid (Abdurrahman Wahid's brother). PKB in coalition with Golkar, supported Sholahudin Wahid as the PKB vice presidential candidate alongside Wiranto Golkar's presidential candidate, and received good support from the NU heartland. PDI-P Presidential candidate Megawati Sukarnoputri finally elected Hasyim Muzadi as her vice president candidate.

The role of the NGOs at the national level is not only to endorse bills but also facilitate and provide capacity building for citizens and legislative stakeholders, such as members of parliament and legislative researchers. Indeed, some laws were enacted due to the positive cooperation between NGOs and members of parliament in their deliberation, such as the Freedom of Public Information Law No. 14/2008, which guaranteed free access to public information. Another example can be found in political institutional reforms; after

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<sup>37</sup> However, in practice this regulation is less strictly applied within NU, the Fatayat Chair is a PKB party member, elected to parliament.

proposed amendments to the constitution were accepted in 2002, a direct presidential election law was passed in 2003 due to direct backing by the NGOs of the electoral reform.

Moreover, local NGOs have replicated the national organizations' strategies of policy-making procedures at the local level. For example, the Freedom of Public Information Law 2008 was duplicated in various cities, such as Semarang and Surakarta, and endorsed by local NGOs. Recently, state agencies at the national and local levels recognize that NGOs have both information and technical capacities to share with the government.

In other political arenas, various NGOs leaders have directly participated in elections (Ichwanuddin, 2010). According to CSO informants, however, it is difficult to establish an agreement between NGO leaders and communities in terms of endorsing candidates for elections. These actors have difficulty in expanding their potential voter base beyond their basic constituency due to limited finances and restricted access to the political elite. Therefore, in both the 2004 and 2009 legislative elections NGO candidates were easily and randomly distributed in any electoral district. For instance, Binny Buchori, a senior NGO activist was deployed to the unfamiliar electoral district of Yogyakarta during the 2009 election (personal communication, February 14, 2012). However, at the national level, there have been some inspiring stories about leaders of NGOs and their respective organizations that have been able to ensure that organizational and community interests have been brought to parliament.<sup>38</sup> Parties have requested that NGO actors participate in elections because they have the knowledge and experience to stimulate community development programs. Unfortunately, these NGO actors, as newcomers in the party, did not receive any special treatment in the party, especially at the local electoral district. Members of parliament often support NGO actors in their applications to become commissioners in such monitoring agencies as the KPK and KPU (National Election Commission).<sup>39</sup>

Nevertheless, some NGO actors have been motivated to move into the political arena due to their own personal initiatives to facilitate the development of cadreization and the

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<sup>38</sup> For example, Hetifah, senior NGO activist and Golkar MP, stated that she developed cooperation between herself and her organization to bring several issues to parliament. She created some activist networks in her electoral district in East Kalimantan to support her campaign in the 2009 election (personal communication February 12, 2012)

<sup>39</sup> For example, in 2012, there were many NGO activists who transformed their identities as state agency commissioners, including Hadar Gumay, an activist in electoral reform and KPU commissioner and Bambang Widjajanto, a corruption and human right activist and KPK commissioner.

recruitment of political parties, such as Golkar and PDI-P, as was the case for Binny Buchori (Golkar) and Warsito (PDI-P). Both believe that large parties like Golkar and PDI-P need to reform their political recruitment process because these parties have strong roots and therefore have a good outlook for the future.

In general, a dynamic relationship has existed between CSOs and political parties during different critical junctures in Indonesian politics. Under Sukarno's leadership, some CSOs transformed their organizational identities from civil society to political party and others became part of the functional group (Golkar). These transformations could be understood as a survival strategy during the high level of heated political conflict during the final years of the Sukarno regime. Meanwhile, during the Suharto regime a corporatist approach was applied to silence critical organizations. Whilst the regime imposed martial law on any perceived political threats, in response students, critical NGOs, and other mass organizations maintained underground oppositional movements. Accordingly, most CSOs preferred to maintain distant relations with the state. At this time the three political parties were unable to maximize their representative role with other groups. Under the political openness ushered in by the post-Suharto regimes, the state and political parties welcome constructive engagement with CSOs and cooperation in many activities. However, most CSOs still prefer to maintain distant relations rather than having a close engagement with the state and parties. Due to the relationships developed under former regimes as described above, the characteristics of Indonesian CSOs and parties post- *Reformasi* are as follows. Firstly, these organizations are fragmented amongst various sectoral issues for CSOs and a high number of parliamentary parties. Secondly, major CSOs describe themselves as non-political partisan organizations, however, they have strong societal links and personal linkages with major political parties. Lastly, parties understand the reasons behind their distant relationship with CSOs, but nevertheless politicians still desire political support from these CSOs. In certain cases, some parties and CSOs have developed an engaged relationship.

### **3.4 Conclusion**

This chapter has traced the reasons behind the dynamic relationship between CSOs and parties in post-Suharto Indonesia that has developed since the early 20<sup>th</sup> century. The establishment of social and political organizations between 1900-1945 was part of the effort to reach the goal of being an independent state. Most of these organizations promoted



political freedom from Dutch rule and Japanese occupation as their main issues. Furthermore, because of societal cleavages, some disagreements between Islamic groups and nationalist groups occurred during the creation of the fundamental components of the state's national identity. In particular, large mass organizations such as NU and Muhammadiyah, joined in the establishment of the Muslim party Masyumi in 1945, however, later, both organizations pulled their political activities back to their basic commitment to social empowerment.

In order to manage a diversity of social and political groups in the political system, Sukarno endorsed a corporatist approach in the establishment of the functional group party Golkar. Nevertheless, during his Guided Democracy leadership, 1959-1968, Sukarno did not successfully stabilize political conflict among groups; in fact, disputes worsened. In many ways, Suharto continued to apply the concept of Sukarno's functional groups. He successfully developed Golkar as his main political vehicle from his ascendancy to the presidency in 1967 until he stood down in 1998.

In the first period of Suharto's regime, from 1966 to 1979, the government successfully guaranteed the longevity of the regime through the merger of political parties and the application of the "floating mass-policy." Following student protests in response to political issues between 1974 and 1979, the government started to apply restrictive measures on any potential activities that could harm political stabilization. The military arrested some key leaders of these groups in order to put pressure anti-government movements and such practices continued until the regime fell in 1998.

Many opposition leaders consolidated their anti-government movements between 1980 and 1998. Accordingly, some NGOs that had actively criticized government policies and voiced their opinion in international forums were banned by the state. As Aspinall (2005) and Eldridge (1994) described NGOs in the New Order, most NGOs preferred to criticize the government and run development programs independently rather than cooperate with the state. Additionally, the two Islamic mass organizations, NU and Muhammadiyah, attempted to adhere to a moderate approach to any government policies. These organizations accepted some restrictions, however their leaders, Wahid and Rais, were also active in various opposition groups and forums that actively criticized the government.

Therefore, during this period, many CSOs developed key critical relations with the authoritarian state. The state also reacted negatively to social and political demands from CSOs, especially in the later years of the Suharto regime. Mistrust of the state was a common

sentiment shared by NGO activists; many NGOs actors were arrested and jailed for rebelling against the state. At the same time, political parties, as the formal channel of representation, could not effectively maximize their function in parliament, as they had become a rubber stamp for state proposals.

After the New Order collapsed in 1998, civil society actors took the lead in order to ensure that former Vice-President Habibie's transition government was on the track of *Reformasi*. Unfortunately, they did not have a grand design for the reform of political institutions, which would have required the agreement of all opposition groups as well as the transitional government. Some opposition groups created political parties and decided to compete in the 1999 election, as it signaled an open political climate. However most prominent NGO actors prefer to work within their respective fields and criticize the government rather than become a politician. For example, various NGO actors have consistently requested investigations into the human rights violations that occurred at the end of the New Order era. Therefore, no new political institution agenda emerged from opposition groups during the transition period.

Since *Reformasi* 1998, CSOs, state and political parties have attempted to develop positive and constructive communication. For example, on some sensitive issues, such as human rights, elections, and the rule of the law, where most NGOs still work hard to monitor progress, some political parties share a similar interest in the management of such issues. These parliamentary parties have realized that cooperation with NGOs is necessary in order to reach a good solution on such issues. In other circumstances, parties have strong interests in issues that might affect votes, such as election issues. However, given NGO criticism of the weak performance of parliamentarians in fulfilling their representative role, NGOs actors have experienced difficulties in being accepted by other political parties.

Since the first direct presidential election was held in 2004, and other direct local elections were held in 2005, political opportunities to contest in a given election have widely increased. Thus, any candidates with strong social networks and supporters and ample campaign logistics can compete well in any national and local election. Some CSO actors have exercised this right to varying results; in CSOs activists' forays in politics few have succeeded. Those few CSO actors who have become politicians have tried to persuade their respective parties to pursue various reforms. To be involved in the political arena as

legislative candidates, most CSO actors are motivated by personal desires rather than a political agreement between community groups and candidates.

From tracing the relationship between CSOs and political parties, this chapter has showed that Indonesian political representation is still consolidated. The Indonesian polity provides a strong societal cleavage, which is represented by a divergence of political parties and fragmented CSOs. The application of the open-list proportional representation electoral system and certain compliance problems with election laws, the Ormas Law, and other regulations related to party-CSO linkages are further evidence. The distant connection between CSOs and parties can be further traced by firstly the varied, numerous political activities of each organization, but rare close communication. It is indicated by many political interactions between both organizations in parliament and other political fields, but a lack of constructive dialogues to communicate their points of difference. The second feature is a weak, non-formal connection between CSOs and parties, despite the personal, non-formal connection maintained between individual actors in both organizations. A strong societal cleavage and non-political partisanship stance, which can both be historically traced, are two strong supporting arguments for this situation. The third feature is the limited direction of influence as indicated by insufficient formal organizational support from CSOs to any particular parties.

## **CHAPTER FOUR**

### **Women and the law-making process**

This chapter discusses the relationship between women's CSOs and political parties in the law-making process. It begins with an examination of the social and political structures that women in various groups have faced. In particular, women's CSOs have attempted to adapt to and negotiate with state agencies and relevant actors in the political system. The next sub-chapter examines women's representation issues in political package laws from 1999-2009. It considers both women's struggles to support the implementation of the women's quota in parliament as well as the contestation of gender equality ideas about the election system developed by political parties. The subsequent sub-chapter explores discussions about the anti-domestic violence law, which was deliberated for nearly eight years. Further discussion focuses on the topic of gender equality in order to provide observations of current relevant deliberations. The final sub-chapter discusses the relationship between women's CSOs and political parties as viewed from three law-making processes and the patterns and political positions that emerged between these two groups. In its conclusion, this chapter describes the relationships between women's CSOs and political parties in terms of gender mainstreaming laws in social and political fields.

#### **4.1 Women in Indonesian social and political structures**

Susan Blackburn (2004) asserted that cultural inheritances, such as patriarchies and the patrimonial relations, were critical issues in discussing gender and democracy development. Blackburn (2004: p.9) stated that cultural traditions on gender relation, such as those of the Minangkabau (West Sumatera), Batak (North Sumatera) and Javanese, revealed different perspectives of interpersonal relations between male and female groups. At the same time, Islamic values affect gender concepts in each cultural tradition, such as the interpretation of polygamy within marriage. Moreover, in the political structure, cultural traditions that defined a woman's role as wife and mother in the family unit became key issues in the New

Order era. This limited view of the women's role known as *Ibuism* (Suryakusuma, 2011)<sup>40</sup> continues to affect government institutions in the post-Suharto era and such cultural and structural legacies continue to affect the debate on gender and politics in Indonesia.

Among 148 countries surveyed worldwide, 2012 UNDP indexes, such as the Human Development Index (HDI) and Gender Inequality Index (GII), ranked Indonesia in a middle range. The trends in the three component indices to the human development index (HDI) — a long and healthy life, access to knowledge, and a decent standard of living — indicated a median score of 0.624. This score was below other Asian countries, such as China and Thailand, although the Indonesian HDI value has increased consistently from 0.422 to 0.624 between 1980 and 2012. Moreover, on the 2012 GII, which measures reproductive health, empowerment, and economic activity, Indonesia scored 0.494 points, ranking it 106 out of 148 countries and below Asian countries, such as China (35) and the Philippines (77) (UNDP, 2013). This comparative data indicates that, with regard to gender and human development, Indonesia lags behind other Asian countries.

The low status of both gender and human development in Indonesia can be traced from the nation's early beginnings. The main question to be addressed requires some empirical explanations of political constraints to overcome gender issues in the state. At the beginning of the 1900s, nationalist groups and women's organizations brought suffrage issues to the Dutch government. Following the Indonesian revolution for independence in 1945, under Sukarno's Guided Democracy regime the struggle for women's equality in public institutions competed with other agencies, including those of the political parties and the military. During this time, some notable gender issues, such as education and marriage, emerged within parliamentary debates, where women had been assigned unequal status in society. In the Guided Democracy parliament prior to the birth of the New Order in 1967, some women's wings of political parties participated in debates inside and outside parliament about women's roles in society. Under the authoritarian New Order government of President Suharto gender issues were handled within the context of the regime's economic development framework.

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<sup>40</sup>The concept of *Ibuism* attempts to describe how women act and behave in a traditional family in a patriarchal society. In this context, women work inside the house and are not part of the social and political activities of their husbands or fathers. This means that women are only recognized as somebody's wife, not as a person, and there is no space for woman to expand her capabilities. However, the state allows women to take on activities that can support their husband's career with women positioned in women's organizations in many departments and government agencies according to their husband's rank. See Suryakusuma, 2011 and Oey-Gardiner, 2002.

Therefore, women's organizations experienced difficulties in promoting a gender reform agenda, as this could be interpreted as a threat to the government. After the New Order collapsed in 1998 women's organizations gained an excellent opportunity to promote gender reform, such as anti-discrimination and gender equity issues.

Nowadays, the country has various gender policies that require implementation. Unfortunately, law enforcement agencies and other state departments experience difficulties in this gender policy implementation because they lack the necessary gender capacities. In 2011, for example, the National Commission on Violence against Women (Komnas Perempuan) stated in its report entitled *Stagnansi Sistem Hukum: menggantung asa perempuan korban* (Stagnation of the Legal System: hopes of female victims in the balance) that there is a high amount of violence perpetuated against women, specifically, sexual, physical, and psychological violence (Komnas Perempuan, 2012 and these cases of violence are frequently not swiftly followed up by law enforcement agencies and the courts. Therefore, Komnas Perempuan has expressed disappointment at the state's apparent inability to resolve such violence and its lack of understanding about gender and violence issues.

To understand the history of gender and development in Indonesia, this study examines the policy-making process that had involved women's organizations. This struggle can be traced from the beginning of *Zaman Pergerakan* (Nationalist Movements Era) in the 1920s. The first women's organization in Indonesia, Poetri Mardika, was established by some activists from Budi Utomo in Jakarta in 1912, and was focused on women's education. From December 1928 for the next 16 years, Poetri Mardika and 20 other women's organizations held an annual Women's Congress. During the first congress, women formed a non-political, secular, and nationalist coalition, the PPI (Perikatan Perempuan Indonesia, Indonesian Women Association). Between 1910 and the 1920s, most nationalist organizations had women's wings (Martyn, 2005) to help bring topics such as unequal positions in marriages and education problems into public discourse. According to Martyn, however, women's organizations avoided debates about various controversial and sensitive issues, including polygamy and marriage. Instead, initial political discussions focused on how to achieve national freedom for society as a whole.

Blackburn (1999) explained how women's suffrage struggles in the middle of the 20<sup>th</sup> century were connected between women's groups achievement and an award by the male politicians in the Netherland. In 1918, the first people's council, *Volksraad*, was established

as an advisory board of the Governor General. The Governor General appointed all members of the *Volksraad*. The first *Volksraad* rejected women's memberships after a long political debate among members. In 1935, however, Governor General De Jonge appointed C.H. (Cor) Razoux Schultz-Metzer<sup>41</sup> as its first female member (Locher-Scholten, 2000: p.166). Later Dutch female politicians, such as Razoux Schultz-Metzer and Neuyen-Hakker, who replaced Razoux in 1940, collaborated with Indonesian women organizations to convince the government of the necessity of women's rights in the *Volksraad*. In 1941, European women were allowed to vote for municipal councils and by November, four months before the Japanese occupation of Indonesia, the *Volksraad* decided to allow all women of 'suitable' background (with similar property and education as men) the right to vote for municipal councils (Blackburn, 1999: p.209).

Between 1945 and 1955, the women's movement debated whether women should be represented in the new political party system (Martyn, 2005: p.103). Martyn's study explored debates that emerged prior to Indonesia's first parliamentary general election in 1955. In particular, Martyn explained women's participation in elections and politics as well as the positioning of women as insiders or outsiders in the government (Martyn, 2005: pp.106-7). Some women's organizations were directly affiliated with political parties, for instance, Gerwani (PKI), Muslimat Nahdlatul Ulama (NU), and Wanita Demokrat Indonesia (PNI). In Blackburn's observation (2004) Gerwani (Gerakan Wanita Indonesia, the Indonesian's women movement – an organization of communist women active in the 1950s and 1960s) and Perwari (Persatuan Wanita Republik Indonesia, Women Association of Republic of Indonesia) were more active in the political arena than Islamic women's organizations. In the coalition Kowani (Kongres Wanita Indonesia, Indonesian Women Congress), the different political views of women's organizations concerning marriage issues caused some friction (Blackburn, 2004: p. 23). Nevertheless, Wanita Katolik (Catholic Women's Organization) decided to act not as a political organization, but as individual members that supported the Partai Katolik Indonesia (Indonesian Catholic Party). Additionally, the government gave various political rewards to women's groups that had contributed to the independence struggle. Some women were accepted and nominated for various public office positions, such

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<sup>41</sup>According to Locher-Scholten (2000), Governor General De Jonge was a conservative person, but he actually attempted to accommodate the women's movement during this time. Razoux Schultz-Metzer was a well-known female activist without political ambition. However, Governor De Jonge was close to her which was why she was chosen for the position.

as members of parliament at the provincial and municipal levels. They were also given the opportunity to take positions in the office of the Prime Minister's Secretariat and in the offices of state judges (Martyn, 2005: p.104).

Like other women's organizations that focused on social and economic activities, the women's organizations of the two Muslim mass organizations Aisiyah of Muhammadiyah and Muslimat of Nahdlatul Ulama attempted to raise awareness about women's issues.<sup>42</sup> These organizations felt that their members required education, health, and economic empowerment programs during this time. Four female members from Aisiyah and Muslimat were elected to the House of Representatives during the 1955 election. Both organizations used the newfound political openness to channel their voices in the parliament.

In the Guided Democracy era that began in 1959 women's organizations in general did not attempt to contest critical gender issues due to the high level of political risk, with the exception of Gerwani, which was closer to President Sukarno. Before that, however, in 1952-1959, women's organizations involved a high intense debate on marriage law. Perwari and other nationalist groups were attempting to fight polygamy issues and also the marriage bill.<sup>43</sup> Furthermore, after 1959, most female activists expressed discontent towards Sukarno following his confession that he was in a polygamous relationship. In contrast, both Gerwani and the PKI supported Sukarno's pro-polygamy stance. Women's groups followed Sukarno's proposal for the establishment of functional groups, as discussed in the previous chapter, without exception. Women's organizations were, once again, faced with the dilemma of how best to respond to the political changes of the time by working with the state or criticizing from the outside.

The New Order used ideologies of gender and sexuality referred to as State Ibuism by researcher Julia Suryakusuma as a form of social control, depicting the role of women as the ones responsible to create a happy and harmonious family. This ideology has strong connection with housewifization. It means that "women should act and serve for their husband, children, family, community, and the country" (Suryakusuma, 2004: p.360).

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<sup>42</sup>Nahdlatul Ulama has two main women's organizations: Muslimat and Fatayat. Fatayat were created in 1940. Muslimat is generally known for its activities aimed at adult and senior women, while Fatayat focuses on younger women. This distinction is blurred however because many NU women activists are members of both organizations.

<sup>43</sup>According to Martyn (2005: pp.125-130), there were three major groups that were contesting this issue: opposition to the draft legislation from a liberal feminist perspective, like Perwari; viewing it from a "democratic" socialist feminist position, like Gerwani; and defending the faith from the viewpoint of Islamic groups, like Muslimat NU and Aisiyah Muhammadiyah. Nevertheless, the law was eventually passed in 1974.



Therefore, according to Suryakusuma, women should give their helpful hands to this society without any rewards. To support these women's activities, the government facilitated social and economic development programs. For example, Fatayat NU and Aisiyah Muhammadiyah received funds from the Ministry of Religion and the Ministry of Health to conduct religious education training and women's health classes related to reproduction for teenagers and young mothers. The state supported any women's organizations activities that were connected with ministries programs. Other important women's groups, such as "wife's organizations" conducted similar activities within some state ministries.<sup>44</sup> At the grassroots level, the state endorsed the PKK (Family Welfare Movement) as a mass organization comprised of state officials tasked with conducting mother and child and literacy programs as well as offering information about family planning. However, according to Rahayu (2004: p.427), these wife's organizations (Dharma Wanita and PKK) did not have a clear vision to solve women's problems in society. They just thought that their activities should connected with the successful task of their husband as state apparatus.

During the New Order women's organizations experienced difficulties; if they wanted to maintain sustained influence, it appeared that they would have to follow and support government programs. This was the strategy adopted by, for example, Aisiyah Muhammadiyah and Muslimat/Fatayat NU. In some cases, prior to the New Order, several women's NGOs such as Kalyanamitra (also known as the Women's Communication and Information Center) had criticized the various restricted government policies that had bound women's activities in public spaces.

By the end of the New Order in 1998, women's organizations were actively involved in supporting the *Reformasi* movement in several ways. Suara Ibu Peduli (SIP, Voice of Concerned Mothers) was one prominent coalition formed by mothers, housewives, academics, activists in response to the economic crisis to voice concern over the high price of milk and other basic goods and its impact on lower income on mothers and their children (Robinson, 2009). SIP has successfully delivered strong messages to the state with some attractive and extensive demonstration and some of SIP leaders were jailed because of these political

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<sup>44</sup> The government-sponsored women's group for wives of civil servants called "*Dharma Wanita*" [*Women's Duty*] was formed in 1974 to support state agency programs, especially health and education programs for the community. Their members were therefore also loyalist members of the government party, Golkar. Marthyn (2005) calls this group as "wife's organization". With similar organizations in different ministries and armies, these women contributed their energy to the economic and social development programs that were coordinated by Suharto's wife and the wives of the ministers and generals.

actions. In May 1998, SIP supported the student's occupation of the DPR building by delivering food and drinks. Following the May 1998 riots women's NGO activists demanded that President Habibie's transitional government investigate the rapes and violence against women that had occurred. Habibie in response supported the establishment of a national commission, known as Komnas Perempuan (National Commission on Violence against Women) to monitor violence against woman across the country. At the end of 1998, Indonesian women's organizations gathered to discuss and formulate women's issues that should be addressed by the new democratic regime. These women's organizations formed a new alliance, the KPI (Koalisi Perempuan Indonesia, Indonesian Women's Coalition).

During the transitional reform government period 1998-2004, women's CSOs used the opportunity presented by the state's need to develop new political institutions to affirm its gender-oriented agenda to the parliament and state agencies. At the same time, women's rights activists appreciated the government and parliament's openness in responding to various gender and politics debates (personal communication with Ani Sucipto, March 14, 2012). The collaboration of government agencies, women's CSOs, and female members of the House produced several reform gender policies, such as female representation in parliament, an anti-domestic violence law, and an anti-trafficking law. These new policies were not produced without intensive political debate and the women's CSOs also employed other political strategies to influence the political arena.

In general, women's CSOs have drawn four different gender strategies from women's historical experiences in Indonesia in order to promote gender issues to the state. The first strategy focuses on cooperation where the state provides economic resources and other facilities. This cooperation strategy emphasizes a dilemma that was mentioned before. Where women's CSOs are independent organizations delivering public services they can criticize government policy, on the other hand, when confronted by funding difficulties the state can be a helpful partner in removing financial barriers. For example, in the early 20<sup>th</sup> century some organizations felt that becoming a member of the *Volksraad* presented a great opportunity for representing their organizations. However, other women's CSOs, such as Aisyiah Muhammadiyah and Muslimat/Fatayat NU, considered their role in child and health programs as an intermediary arena between the state and the community because both offered similar programs. As such, how an organization interpreted cooperation, depended on its primary goal and what it was setting out to achieve.

The second strategy focused on co-optation, where the state attempts to incorporate mass and social organizations into itself. The Guided Democracy regime offered most organizations the opportunity to merge into one functional group that was an easily-controlled functional group. Therefore, the New Order regime positioned Golkar as a “federation” of different organizations in the “functional group” strategy. This co-optation strategy strengthened state power, as it allowed the state to address the various voices that found expression in Golkar. Thus, some women’s organizations in Golkar supported any gender development programs that were conducted by the state.

The third strategy is engagement, where outsiders are linked into the decision-making process as a means to weave their interests into policies. In this way, activists bring their programs to the decision-making process in their capacity as state officials such as members of parliament or of a presidential cabinet. Since the beginning of the *Reformasi* era, activists have benefited from policies that seek to accommodate women as public officials. As such, it seems that the use of political opportunities to push a gender reform agenda in the public sector has indeed expanded.

The final strategy involves acting as an outsider as part of civil society, and therefore positioning the organization as a monitor of the state. Many women’s CSOs adopt this strategy as they feel it is better to be independent from any potential power as aligning with the state could be harmful to their own interests. These arguments explain why women’s groups as well as other NGOs have a low degree of trust in the state’s public service.

From the explanation of women in Indonesian social and political structures above, this study attempts to demonstrate the mode of relationships between women’s CSOs and political parties in three bills: parliamentary quotas for women, domestic violence law, and the bill on gender equality. With reference to women’s strategies and some external/internal factors that set the development gender issues in Indonesia, the three bills involve a diversity of political interaction among key actors.

#### **4.2 Parliamentary quotas for women: Election and Political Party Laws (1999-2009)**

This subsection discusses several strategies used by women’s CSOs to pursue the enactment of gender quotas in parliament. It not only describes how women’s CSOs

successfully delivered new gender institutions through elections, it also illustrates how political behavior among actors has become a point of conflict.

The issue of female representation was part of the electoral reform packages introduced in 2002 under President Megawati. At the time, the MPR recommended that the President create new guidelines guaranteeing a minimum of 30 percent female representation in state agencies (Keputusan MPR, 2002). Prior to the 1999 election, women activists had preferred to develop a voter education program. The program's objective was to prepare women for the new political opportunity of the post Suharto reform era, which stood in stark contrast to the New Order elections. During Suharto era, the regime pushed voters to elect the quasi-government party Golkar. In the new reform era towards the start of the 1999 elections, women started to work on electoral issues and continued to be involved with electoral reforms in the following years.

The government coalition was elected in 1999 and was able to cooperate with opposition groups and was open to discuss the new electoral process. There are four critical points that should be considered when reviewing the 1999 elections, the first free and fair election in Indonesia since 1955. First, the election law-making process presented a negotiated consensus between the previous regime and opposition groups for Indonesians. Andrew Ellis, a member of the international team of experts that assisted in drafting the new electoral mechanism, described the new electoral system as a unique "proportional system with district characteristics" (2008: p.67). The electoral system was negotiated between parties loyal to the Suharto legacy and the multitude of political demands that had emerged from outside the state. Drastic revisions of old electoral laws were required. A compromise on the revision of electoral laws was reached to allow new reform era political parties to compete on a fair level with older pre-existing parties. Second, the voting mechanism was also noteworthy as a closed PR system. The electoral system required that in order to elect members of the 1999 People's Representative Council or DPR (462 of 500 seats),<sup>45</sup> voters could only vote for parties not candidates. Based on votes received in each provincial district

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<sup>45</sup>The 1999 DPR consisted of 462 elected members from political parties and 38 appointed members from the military and the police. In establishing the new electoral system and new legislative chambers, there was tense debate over how many military seats were to be allowed in the legislative. Opposition groups, such as students and NGOs, entirely rejected the appointment of military members, while the military demanded the preservation of their seats. However, as a political negotiation, the number of seats for the military and police were reduced from 75 to 38 and it was agreed that they would not be represented at all in the DPR in the next 2004 election.

the party then determined who would be elected to the DPR based on who was ranked top on the party candidate list. Third, it was the first general election in Indonesian history that was monitored by a Panwas (Panitia Pengawas, Monitoring Committee) as well as various NGOs, mass organizations, universities, and international observers. Several election-monitoring bodies were established and aligned with other groups, such as UNFREL (University Network for Fair and Free Election), HMI (Himpunan Mahasiswa Islam, Association of Islamic Students), and mass organizations like NU and Muhammadiyah. Lastly, to comment on the role of women in the 1999 general elections, a disappointing number of women were elected to the DPR (9 percent of 500 seats). Following the elections women activists met to evaluate and consolidate their strategies to ensure greater representation for women during the next election. This was also spurred by Megawati losing her race for the presidency during the MPR plenary,<sup>46</sup> which was largely attributed to her gender and opposition by Islamic groups to a female president.<sup>47</sup>

There are two main institutional changes that were deliberated between 1999-2003: the amendment of the 1945 constitution and the political bill package (Election Law, Political Parties Law and Structure of Legislative Bodies Law<sup>48</sup>). Deliberations began with the amendment of the 1945 constitution, and it was followed by discussions about the political bill package. The political contestation that occurred among actors concerning constitutional reforms was similar in terms of particular issues such as the women's quota in parliament but differed on how these issues should be addressed.

The Indonesian constitution (UUD 1945) was a short document conceived as a temporary one. The founding fathers assumed that this constitution would be amended; yet

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<sup>46</sup> In 1999, the president and vice president were separately elected in the MPR (Majelis Permusyawaratan Rakyat, People's Consultative Assembly) plenary season. This MPR plenary season was only held to elect the president and vice president.

<sup>47</sup> Megawati Sukarnoputri was the chair of PDI-P, the party that won the most votes in the 1999 general election. She lost the presidential race against Abdurrahman Wahid, but was instead offered the position of vice president which she accepted. During the MPR plenary season debate over presidential candidates, Islamic groups, led by Amien Rais, successfully convinced the assembly that Wahid was a better candidate than Megawati, even though her party had the most seats in the MPR. In 2001 there was no opposition to Megawati replacing Wahid as president when he was impeached. See, Blackburn, 2004: p.107.

<sup>48</sup> The political bill package was introduced by New Order regime to revise all laws related to the election and parliament. Therefore, it was continued after the Reformasi in which DPR revised all election, party politics and parliament in one package deliberation. This bill concerned the composition of the national, provincial and regional legislatures.

President Suharto attempted to maintain the constitution in its original form as a sacred document in order to maintain his power. With the arrival of the reform era in 1999, there was massive demand from opposition groups and other movements to amend the UUD 1945.

The MPR, which had been given the authority to amend the constitution, began to debate possible changes in 1999. The discussions revolved around two main issues: direct presidential elections and strengthening the legislative chambers as a means to collect party ideas about the revisions to the political bills package that would follow the amendments to the constitution. According to Crouch's observation (2010: p.52-4), there were two competing groups of reformers: First, the PDI-P and military, which were categorized as "nationalist" and, second, another group comprised of Golkar, PPP, PKB, PAN and small outsider groups<sup>49</sup>, known as "vocal democratic reformers." Nationalist groups, which had a strong emotional attachment to the foundations of the state and its first national constitution, felt that the distorted implementation of the UUD 1945 constitution was the crucial problem that needed to be addressed and not the wording of the constitution itself. Therefore, they supported only minor revisions. In contrast, vocal democratic reformers argued that the constitution required a complete revision, which needed to be deliberated by the working team known as the constitution commission. As such, the MPR agreed to make particular and critical revisions to the constitution but did not feel that the preamble ought to be revised as it recognized this section was the country's historical statement.

On the issue of presidential elections, the basic question focused on how the president should be elected. In the beginning, PDI-P and the military rejected direct presidential elections, while Golkar, PPP, PAN, PKB, and some other small parties expressed their support for the system. In highly intense debates between nationalist and reform groups, political parties put forward several points for negotiation such as the requirements for presidential candidates and how to determine the winner of an election (Subekti, 2008). First, when it came to defining and listing criteria for a presidential candidate, PDI-P and PKB rejected various requirements that could potentially hinder their presidential nominations. On the other hand, Golkar and PDI-P, as the two parties with the largest number of seats in the House, attempted to establish a high threshold of votes based on previous elections in order to ensure that their respective candidates could be nominated. Other medium-sized party groups,

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<sup>49</sup>*Outsider* groups refers to electoral reform NGOs and some activists from different backgrounds, such as academics and journalists.

such as PAN, PKB, and PPP, took a moderate approach and sought to negotiate their demands with the larger parties on issues like the requirements for presidential nomination. As such, these medium-sized parties offered a coalition of parties for presidential nominations seeking a lower threshold of popular votes or parliamentary seats. Second, the means to define how a winner would be decided were debated. Both the large parties and the middle and small parties put forward proposals. The large party group proposed that the winner should be determined according to who received the largest amount of votes in a minimum of half the total provincial district seats. The middle and small party group did not agree with this proposal. At the same time, there was debate with larger parties such as Golkar and PDI-P seeking the most advantageous presidential election system to their needs. For example, both parties define electoral success based on their different basic constituent regions, that is, on Java and in the outer islands. As a compromise, all parties accepted the majoritarian system, which meant the winning candidate in the presidential election would be the one who received the greatest number of votes.

On issues related to the strengthening of the legislative chambers, focus was placed on checks and balances between the executive and legislative branches. In the previous regime, the domination of Golkar and its supporters in the House had led it to successfully co-opt the DPR's functions, including legislation and monitoring. The DPR and MPR were known as the regime's rubber stamp that lacked any form of constructive criticism of the Suharto regime.

In principle, most of the parties agreed that the Indonesian legislative chambers should be reformed. Even though there were two dissenting groups—the nationalists and vocal reformists—all groups accepted that deliberation on this issue should focus on the political structures of MPR, DPR, and the new proposed chamber of regional representatives, the DPD.<sup>50</sup>

In the DPR structure, it was necessary to strengthen the legislative function, as this had been significantly influenced by the executive branch during the previous regime. This function was to be strengthened by a legislative process that considered bills from two sides:

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<sup>50</sup> Following the 2004 elections the MPR was defined as a bicameral parliament, with the creation of the Regional Representatives Council (*Dewan Perwakilan Daerah, DPD*) as its second chamber in an effort to increase regional representation as the upper house of the MPR. The lower house is The House of Representatives (*Dewan Perwakilan Rakyat, DPR*), which has 550 members, elected for a five-year term by a proportional representation electoral system. See Rich (2013) for further discussion of the role of the DPD.

the government and the legislature. During deliberation on this DPR issue, all groups in the MPR agreed that the authority of DPR as an elected body should be strengthened and extended.

Hot debate also arose in the over the authority of the MPR given a direct presidential election. At the end of deliberations on this issue, all groups accepted that the MPR should have limited authority and rejected the role that it had taken in the New Order era. There was considerable support for the idea to form a new legislative chamber, similar to the Senate in the American political system, to represent regional areas. On this issue, there were three political stances: 1) Golkar's preference to create a bicameral chamber; 2) a rejection of Golkar's proposal by the nationalist groups, such as PDI-P and the military; and 3) a proposal to establish a body with limited legislative authority in the form of a new chamber, which found support from reformist moderate group, such as PAN, PPP, PKB, and functional groups.

In the end, Golkar and nationalist groups accepted the reformist moderate group's proposals: to create a second chamber, the DPD (Regional Representatives Council/Dewan Perwakilan Daerah). This chamber is to represent the regions with limited legislative functions enabling it propose bills but lacking the power to deliberate and approve laws. The new Indonesian legislative structure consisted of the DPR (representing parties) and DPD (representing the regions), both chambers assembled as a bi-cameral MPR.

During the deliberations over constitutional amendments, two points emerged in connection to the role of women in the policy-making process. First, political contestation on these issues was not significantly influenced by political party's platforms, but was instead determined by the issue that was being debated. For example, parties, such as PDI-P and Golkar, took inconsistent political stances, on direct presidential election issues. The conservative PDI-P calculated that it would be successful in the next presidential election regardless of whether or not it was a direct or indirect election. In contrast, the moderate reform party group, including PAN, PPP, PKB, and other small parties, were influenced by external voices such as electoral reform NGOs during the creation of new political institutions. Second, the political openness and constructive support provided by the state and other old parties played a significant role as well. Although more ideas for constitutional change came from the reformist group, in some cases such as the bicameral chamber, Golkar



made the proposal for change. This conducive political environment was a significant factor in enabling the relative ease of amendments to the UUD 1945 constitution.

Two Indonesian scholars, Wahidah Siregar (2008: pp.64-6) and Ani Soetjipto (2003: p.7), explained the necessity of female representation in the political structure. The first point they make is that as women make up half the population of Indonesia they should therefore have equal representation in parliament. The need to address women's concerns constituted the second point, namely that as men and women are different, their respective needs cannot be adequately understood and represented by men. The third point, which is related to democratization, states that women should use this political openness to become involved in decision-making processes and ensure that gender-oriented laws and policies will work.

Statistical data also supports the necessity of women's involvement in public offices, particularly that at the beginning of *Reformasi*, women were under-represented in public office. Soetjipto (2004: p. 41) reported that there were no women in the BPK (Badan Pemeriksa Keuangan, National Audit Agency) and no female provincial governors in 2001. Furthermore, woman accounted for less than ten percent of those active in several political institutions, such as MPR and DPR, in 2001. Additionally, at the local parliamentary, provincial, and regency levels, there were only a few chairwomen active in 2000 (Oey-Gardiner, 2002: p. 107). Similar poor representation was evident at the highest level in the civil service, where women represented only 12 and 5 percent of echelon I and echelon II, respectively.

Based on these reasons, when it came to electoral issues, the women's movement, which consists of NGOs, political party caucuses, academics, and journalists, worked to support increases in female representation as a part of the Indonesian commitment to the CEDAW<sup>51</sup> ratification of the Beijing Platform in 1995. These women's groups believed that it was important to support any legislative product that guaranteed gender quotas, which could serve as a strategic choice to place an increasing number of women in national and local legislatures (Bessell, 2010: p. 228). This was particularly urgent, as a party that did not have enough women in its official organization would find it difficult to promote certain numbers of women members in the party to become legislators in the House. As political

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<sup>51</sup> Indonesia ratified the UN Convention on the Elimination of All Forms and Discrimination against Women (CEDAW) in 1984. However, neither parliament nor the government had seriously implemented these measures because of concerns of the male political elite (Notosusanto, 2003: 24). In 1995, Indonesia participated in the Beijing Convention to ratify the CEDAW.

parties were the sole authority who nominated candidates, this also had to be considered in the reforms. Thus, the women's movement addressed this issue simultaneously with two bills: concerning political parties (passed as Political Party Law 31/2002) and the election (passed as Election Law 12/2003) bill.

The main reason to revise the 1999 Political Parties Law was to strengthen party organizations and party system. Under the new Political Party bill to establish a new party, representation in a minimum two-thirds of 27 provinces and two-thirds of Indonesia's regency/city in each province was required. This proposal was not favorable for small parties and anyone looking to create a new nationwide party in a country with a large population like Indonesia. In this bill, financial party and official party recruitment were regulated. To secure funding, a party or organization was permitted to earn a certain amount of Rupiah in one fiscal year from a personal account as well as a business account. At the same time, the party should recruit officials and candidates based on democratic values, like accountability, that reflected party decisions rather than the party leader's decisions. Female party members pushed for specific changes to party's political recruitment policies, to ensure that women were considered viable candidates. In general, the Political Party bill expressed a national consensus about the critical role of democratic political parties in a new democratic country like Indonesia (Tan, 2002: p.497). In Section VII, Article 13 of the bill a 30 percent quota for women's representation<sup>52</sup> on political party boards was required.

One of the major issues for women's representation centered on, and continued to return to, the notion that political parties experience difficulties in their attempts to find "qualified women" for the job (Soetjipto, 2002: p.9). Ani Soetjipto (2002: p.10) stated that parties and their affiliates used many sources for recruitment. For example, the PKB has a women's wing as well as a strong connection with NU's Fatayat and Muslimat. Many women's NGOs have a strong connection with voters and communities, such as KPI and GPSP (Women's Voices Empowerment Movement/Gerakan Pemberdayaan Suara Perempuan). Soetjipto reported that the participants at a conference on women's representation in Indonesia felt that there was a general lack of political willingness to endorse women for positions, including candidacy. Seda (2002: p.48) stated that these unfair conditions, particularly in terms of elections, were the result of men's involvement with the

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<sup>52</sup> The 30 percent women's quota was a point of critical mass to ensure a certain number of women in parliament could endorse gender-oriented policies (Duhlerup, 2002).

selection process. As such, one of the main obstacles to women's involvement in politics was the party organization.

Women's organizations began to campaign strongly for increased female representation in politics. Siregar (2008: pp.68-9) noted that several organizations used different strategies to increase awareness about this representation issue. For example, Aisyyah Muhammadiyah worked on voter education, while Muslimat and Fatayat NU advocated the establishment of female quotas and fundraising to support female candidates financially. The KPP RI (Kaukus Perempuan Parlemen Republik Indonesia, Caucus of Women in the Parliament of Republic of Indonesia) pressured their party organizations to accept a 30 percent female representation quota in the political party and election laws. Electoral reform NGOs like CETRO (Centre for Electoral Reform) have created a database of potential female candidates for elections and have provided scholarly support for women's quotas. Female journalists and academics in YJP (Yayasan Jurnal Perempuan, Women's Journal Foundation) have produced journal articles and a broadcast radio program about this issue.

Ani Soetjipto realized, however, that female attention had been focused on the political party bill rather late, as women, at that time, did not seriously follow the discussion process on a daily basis (personal communication, March 14, 2012). Some female members of the House worked on the team that developed the bill and they were open to external input. However, by the time female activists began to offer advice, it was too late to catch up or reverse crucial issues that had already been passed (Kompas, September, 23, 2002). The 30 percent women's quota for political parties' official boards had already been substantially discussed.<sup>53</sup> The Kompas national daily newspaper reported that during the first debate on 1 November 2002, Golkar and PKB, the supporters of the 30 percent women's quota, were able to successfully influence other parties, with the exception of PBB, to agree to the quota (Kompas, November, 11, 2002).<sup>54</sup> However, in the final debate, most parties preferred to accept the government's proposal and reject the 30 percent female quota for each political party because the implementation of such a requirement would influence the state body's

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<sup>53</sup>Number 81 on the Problem List (DIM) of the 2002 political party bill from the government mentions that "gender justice and equality are one way to increase female representation at a minimum 30 percent for each party's board up to the regency/city level". All parties agreed to discuss this issue during the deliberations.

<sup>54</sup>HM Zubair Bakry (PBB) argued that every citizen (man and woman) has the same rights under the law. He could not accept that the quota only referred to women (Kompas, 26.09.2002).

structure (Kompas, November, 11, 2002)<sup>55</sup>. Female members of the House, such as Aisiyah Amini (PPP) and Eka Komariah (Golkar), attempted to convince the session that women should be guaranteed a place on each official board for any given party.

Aisiyah Amini (PPP) was disappointed by the deliberations that took place on 4 November 2002, when the chairman of the Political Party Bill working team decided to revisit the debate on female representation of the official party boards, which led to the rejection of the 30 percent quota. Amini, the only female member of the team, was not present at the session. Although she filed a complaint about the session, and was supported by other female activists as well as male politicians in the House and journalists, the plenary session of the DPR decided nonetheless to accept this controversial revision of Section VII, Article 13 (Kompas, November 29, 2002). Nursyahbani Katjasungkana, general secretary of KPI (Koalisi Perempuan Indonesia, Indonesian Women Coalition), indicated that male politicians feared about the implementation of the 30 percent quota. This quota would require that they not only compete against women but also share political power with them (Kompas, November 11, 2002). The Law was revised to state “the executive boards of political parties at every level are to be chosen democratically through political parties’ discussion forums according to each party’s constitution and internal rules considering gender equity and fairness” (Political Party Law 31/2002, Section VII, Article 13).

Learning from this setback CETRO and KPI attempted to reformulate their women’s quota strategies when it came to determining candidate ranking in the 2004 election. Upon reflection, women’s NGOs stated that the MPR decree in 2002, which referred to female representation, did not guarantee support during the deliberation of the Political Party bill. Women activists believed that because of male domination in parliament, the legislation process was male-oriented, and this reflected the strength of patriarchal ideologies within politics (Siregar, 2008: p.79). The feelings of disappointment, caused by the failure of the previous 2002 Political Party Law to address female representation spread among women’s CSOs and women’s wing party organizations and was transformed into feelings of solidarity between the organizations. Specifically, the women’s wing of different parties attempted to influence their respective male colleagues by any means possible, including demonstrations,

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<sup>55</sup>Golkar was the only party that pushed this issue consistently in small team discussions, while others, such as PKB, accepted the government’s proposal.

strikes, lobbies, etc., in order to convince them to give their support to women's quotas (personal communication with Ani Soetjipto, March 14, 2012).

When it came to the 2004 Election bill deliberations, women's groups focused their lobbying activities on supporting the implementation of the 30 percent quota of women candidates on political parties' nomination lists. Based on their bitter experience with the 2002 Political Party Law, women's groups placed increasing pressure on the legislation process in various ways, including developing strong arguments, expanding public mobilization, and intense internal lobbying for each party. Therefore, in general, all groups in the House accepted this proposal.

Members of the House questioned the main objective of the 2004 Election bill, which sought to establish a 30 percent quota of female candidates. Ferry Mursyidan Baldan, Golkar's (male) member on the election bill's working team, requested that women activists provide clear arguments about the necessity for female representation (personal communication, February 8, 2012). He believed that the election system should not be defined by gender. Furthermore, Baldan questioned whether female voters would actually vote for a female candidate. He stated that this issue was part of the electoral reform agenda that was focused on the implementation of direct elections. Therefore, Baldan was persuaded to consider women's representation in the nomination process, but did not agree to a 30 percent quota for women in either the national or local legislatures.

This corresponds with Fithriati's (2005: 198) argument that it was primarily male politicians in the DPR who had rejected the implementation of the women's quota in the Political Party Law because they thought this quota would be similar to India's reserved seat model.<sup>56</sup> When women's groups examined the election system, there were a few potential options for female representation, such as a required percentage for female candidate's nominations on party lists and reserved seats (personal communication with Hana Satryo, February 20, 2012). Although there were several different possibilities for female representation, Satryo and other women's activists felt that the only way the 2003 Election bill could increase female representation was to ensure that female candidates were included on party lists.

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<sup>56</sup> A reserved-seat model requires that a number of seats in the parliament be allocated to marginal groups like women. India uses this model (See Krook, 2009).

At the first draft of the 2003 Election bill, there were several factions that clearly supported increased female representation in politics: Golkar and PKB. These two factions explicitly stated that their party policy supported the implementation of a women's representation quota of around 20 percent (PKB's draft) and 30 percent (Golkar's draft) of the total seats in the House (Setjen DPR, 2008). PKB's draft proposed that each political party's nomination process should adhere to a minimum 20 percent of women candidates. Golkar's draft on gender equality, supported an increased number of women's seats in the DPR, as well as a 30 percent female candidate nomination quota for each party.

Many female politicians felt it would be difficult to convince their colleagues to accept the quota. Marwah Daud Ibrahim and Iris Indira Mukti (both female Golkar politicians), who were intensely involved in the deliberations on the Election Law, argued that the International Parliament Forum (IPU) should pay significant attention to increasing the number of women in policy making positions (Setjen DPR, 2008). On the other hand male politicians were divided on the implementation of a women's quota in parliament. Opponents stated that it was not necessary to include a 30 percent women's quota in the Election bill because it had already been set in the Political Party law. In contrast, supporters felt that the representation quota size should be explicitly identified. Other supporters believed that women's rights should be considered and that this opportunity could be used to prove the fact that women were indeed politically capable. Some politicians who had a neutral position on the women's quota, requested that the issue be addressed in its own working team discussion so that it could be further elaborated upon.

Unfortunately, the first female president and the chairwoman of PDI-P, Megawati Sukarnoputri, did not agree with the need for a women's quota. On Mother's Day, 22 December 2002, she called on women to fight for the equal rights guaranteed under the 1945 Constitution rather than "beg" (Jakarta Post, December 24, 2002). Megawati's statement was supported by women's activists like Ratna Sarumpaet, who argued that women should increase their skills and change the adverse culture if they wanted to compete with males professionally and achieve a better position in society (Jakarta Post, April 23, 2002). This meant that women, including the first female president, were among those opposed to the quota as they felt women should rely upon their personal qualities rather than a quota to get elected.

Nevertheless, women's groups felt that the use of public demands and internal party pressure would be a key to ensuring that women could reach this target. As such, two women political caucus networks were established to promote communication among women politicians and NGOs. (Siregar, 2008: pp.76-7) The KPPI (Kaukus Perempuan Politik Indonesia), established on 17 August 2000, is a group for female members of political parties, both in and outside the House. Seven main parties, PDI-P, Golkar, PAN, PPP, PKB, PK, and PBB, created this caucus and more party members joined it. The KPP RI (Kaukus Perempuan Parlemen Republik Indonesia), established on 19 July 2001, is a group that only allows female politicians from the DPR and MPR to join. Both caucuses merged into the large women's political network of NGOs, academics and women's mass organizations and so on known as Kelompok Perempuan Peduli Politik (KPPP, Group of Women Concerned with Politics). The KPPP coordinated groups of female politicians to share updated information about the political package laws' deliberations, despite the fact that KPP RI and KPPI continue to advocate separately for women's issues.

Nia Syarifuddin, a member of the lobby team, described her lobbying activities to gain the political attention of male politicians, and the difficulties she experienced trying to gain their attention (personal communication, February 23, 2012). Before Syarifuddin contacted a number of targeted persons, she sought detailed information about them from female party members. Syarifuddin found it useful to know how best to initiate conversations with these persons. For example, Syarifuddin began her discussions with male politicians who had strong local values by discussing the theme of local female heroes during Dutch colonial rule. Others were approached through discussing the role of institutions, as these politicians were interested in the rule of law, such as Indonesia's ratification of CEDAW at the 1995 Beijing conference. However, when lobbying was not successful in creating a dialogue with key persons in the Pansus (Panitia Khusus, Special Committee), Syarifuddin used party seniority to overcome communication problems. Aisiyah Badhowi, a senior member of Golkar and a female representative in the House confirmed that she had encouraged Ferry Mursyidan Baldan (vice-chair of Pansus from Golkar) to arrange a meeting with female women activists (personal communication with Aisiyah Badhowi, March 11, 2012). In general, Syarifuddin believed that cooperation between women's CSOs and female members from each party was immensely helpful during the deliberations, as it fostered both internal party dialogue as well as support for the issues specific to each party. She mentioned that some key male politicians in PAN, PKB, Golkar, PPP, and PDI-P established themselves as partners of the women's

groups in order to ensure their colleagues' political position on the issue. However, women's CSOs did not seek to approach parties and factions that were unsupportive of the notion of increasing female representation in politics.

Male politicians who strongly supported the women quota, such as Ferry Mursyidan Baldan, requested further explanation about how female representation in the House would function as a grand design. Nonetheless, opponents of the plan were found in each political party. Ferry Mursyidan Baldan asked the women to provide a time estimation about when the 30 percent quota would be realized. He proposed that the goal be gradually implemented over time as he felt that it would be difficult to immediately implement it. In principle, some of the interviewees (Ani Soetjipto, Nia Syarifuddin, and Hana Satriyo) admitted that their experience in supporting the 2003 Election law were most valuable and emphasized the need for a clear reform agenda to persuade opponents to accept its goals.

Many NGOs and women's mass organizations conducted seminars, public hearings with members of parliament in several cities, and used radio programs and television commercials to facilitate voter education. Election NGOs, like CETRO, conducted research, campaigned on electoral reform issues with other groups in mass media, and lobbied key persons to advocate these issues (personal communication with Hadar Gumay, March 27, 2012). At the same time, Fatayat NU was actively involved as part of a women's organizational network to advocate affirmative action in the Political Party and Election Laws (PP Fatayat, 2005 p.168). These advocates for increased female representation were supported by international NGOs and donor agencies, such as the Asia Foundation, UNDP, AUSAID, CIDA, and others. For example, Hana Satriyo, Director of Gender and Women's Participation for the Asia Foundation in Jakarta, confirmed that in 2002-2003, the Foundation supported several CSO programs for electoral reform, including advocating affirmative action for women in the political package laws (personal communication February 20, 2012). Women's mass organizations, such as Aisiyah Muhammadiyah, received funding from the UNDP and the Canada Fund to educate its members prior to the 2004 election (PP Aisiyah, 2004). In general, women's CSOs mobilized their resources for different activities in order to achieve their goals.

The DPR enacted affirmative action in the form of a 30 percent quota for women on each party list on 18 February 2003 in response to the strong demands received from women's CSOs, female party members, and the mass media (Kompas, February 19, 2003).



At the early morning DPR plenary session, four factions (Golkar, PPP, PKB, Reformasi, and KKI<sup>57</sup>) referred to the implementation of the 30 percent quota. Other factions (PDI-P, the military,<sup>58</sup> PDU,<sup>59</sup> and PBB) and the government expressed their disagreement to the quota implementation, as these groups preferred “to consider women representation.” Surprisingly, PDI-P, the biggest faction, that same day changed its political position to support the 30 percent quota after intense party discussions held by female members of PDI-P.<sup>60</sup> Ida Fauziyah (PKB parliamentarian) and Ani Soetjipto believed that pressure from the media and NGOs as well as from female party members were a crucial element for attaining this goal (Siregar, 2008: p.88). Article 65 of Election Law No.12/2003 states:

Every political party participating in the election may propose candidates for members of the national, provincial and local parliaments for each electoral district with consideration of at least 30 % of women's representation.

Due to the use of an open list proportional representation during the 2004 election, each political party nominated and displayed its candidate on each party's respective electoral district list. However, political parties were required to adhere to specific electoral rules on how to win a seat.<sup>61</sup> Successful candidates had to win a required proportion of the BPP (Bilangan Pembagi Pemilih, vote per seat number) in their district to win a seat; if unsuccessful, their selection depended on the candidates' rank on the party's list. Each party employed a different system to rank their candidates. Some were ranked by seniority of party

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<sup>57</sup> Faction KKI (Kesatuan Kebangsaan Indonesia) consisted of several small parties in the DPR period of 1999-2004, such as PDK, PKPI and others. The political orientation was nationalist.

<sup>58</sup> The military faction consisted of the armed forces and the police.

<sup>59</sup> Faction PDU (Partai Daulat Ummat) consisted of PPNU and other Islamic parties. The political orientation was Islamist.

<sup>60</sup> On this day, Nia Syarifuddin stated that some senior PDI-P politicians and other senior women figures, such as Supeni and Herawati Diah, were invited by women activists into the plenary session in order to speak to members of the PDI-P faction and question why PDI-P did not agree with this issue. Syarifuddin described the high emotions among women activists and female members of parties after the DPR endorsed this article (personal communication February 23, 2012).

<sup>61</sup> The Vote Per Seat Number (Bilangan Pembagi Pemilu, BPP) represents the total valid votes gained by all political parties in one district divided by the number of seats available in that district. Where a candidate did not achieve this required proportion, selection depended on the candidates' rank on the candidate list (Electoral Commission 2009) from Novi Rusnarty Usu: Affirmative Action in Indonesia: The Gender Quota System in the 2004 and 2009 Elections, AsiaOnline Flinders Asia Centre Occasional Paper 1, March 2010. p. 9.

candidates, others by popularity of candidates. Unfortunately, most women candidates across all parties were ranked in the middle or lower on the party list and thus unlikely to be elected.

After the poor results of female candidates in the 2004 election, women's CSOs assessed the results and particularly the implementation of affirmative action in political parties and the 2004 election itself (Puskapol UI, 2007). This assessment identified three points pertinent to the role of women in politics in Indonesia. First, Article 65 in Electoral Law No.12/2003 did not guarantee the election of women because political parties only loosely followed it as no political or administrative penalties had been developed to address noncompliance issues. Second, the women's quota in the Election Law lacked the support of other supporting legislation. Importantly, the Political Party Law No 31/2002, which could have facilitated the entry of women in politics, had only urged that women be included in party boards as part of a larger democratic mechanism and there were no guarantees that women would be elected to a party's board. As such, this mechanism was interpreted by political leaders in various ways and it was difficult for the national electoral commission (Komisi Pemilihan Umum/KPU) to monitor the process. Therefore, each party considered informal criteria to select its candidates, such as personal accessibility and funding resources rather than formal requirements, and male politicians were more able to easily meet these informal requirements. Third, female candidates lacked social networks, funds, and access to media in their attempt to win parliamentary seats during the 2004 election. This point could largely be attributable to the parties' lacking gender perspective and ability to support women in its organization. As women have limited opportunities to be involved in activities that could provide them with a basis for political candidacy, such as participation in mass organizations, many parties favor male candidates. Moreover, the party pragmatically preferred candidates with a large supporter base in an electoral district, rather than merely choosing candidates by their knowledge or merit. Women also tended to lack the sufficient funds required to mobilize political campaigns as they are often financially dependent on their spouses. Furthermore, the CSOs found that female candidates failed to maximize their use of mass media as a valuable partner for attracting voters.

In 2007, the DPR proposed the revision of the political package laws. In this revised draft, the major point of discussion was the promotion of an effective and efficient party system to create a system of checks and balances between the president and the DPR. Thus, discussion on the electoral system, allocation of electoral districts, and mechanisms to elect top candidates arose as significant issues as well as requirements allowing parties to

participate in an election. Once again, the DPR did not give any serious attention to the women's quota revisions.

Puskapol UI (2007b), the Center for Political Studies at the University of Indonesia, politically mapped the seven main parties to isolate their political statements on the electoral system, party system, and women's representation during the early stages of the deliberations in 2007. There were three topics of discussion around the electoral system: the system, the method for deciding the election of candidates, and methods of allocating seats in electoral districts. Therefore, some issues pertaining to party institutionalization and election participation for parties involved discussing the revision of the Political Party Law. Discussions about affirmative action centered on legislation to improve female representation in political parties and elections and methods for nominating male and female candidates on party lists. These issues described the political debates among parties that had emerged in mass media and this political mapping was confirmed by interviews with party elites.

To amend the electoral system, principal political parties attempted to respond to public awareness that the 2004 election had used similar methods as the New Order's election system. The system had allowed parties to have the greatest authority in terms of choosing which candidates could be elected. In particular, voters preferred to vote for a party's image rather than for a specific candidate as they lacked information about the candidate's profile. Two large parties, Golkar and PDI-P, led discussions about electoral system reform, as both of these parties intended to deliver a majoritarian system for building a simple multi-party state. From both parties' perspectives, it was necessary to develop strong and effective governance in the future, which could be developed through the use of an effective electoral system. However, these parties understood that the majoritarian system would be rejected by middle and small parties. Furthermore, as debate about proportional representation emerged, it focused on open and closed lists for party nominations.

Golkar and PDI-P accepted the proportional representation provisions. However, they preferred an open list with a large number of small-sized electoral districts. Both parties realized that this electoral system model suited their vision for a majoritarian election system. Nevertheless, to accommodate voices from middle and small parties, they agreed to a minimum 25 percent vote per seat quota (BPP) that would decide the elected candidate. This proposal protected a party's authority to control its candidates, while providing voters with the right to cast votes for popular candidates.

Puskapol UI identified different formulations the proportional representation system could take, as proposed by the seven main parties in the DPR (see Table 1). First, Golkar and PDI-P proposed an open-list proportional representation (PR) with specific requirements on electoral districts. Second, PKS and PPP preferred a closed-list PR because both parties felt it was necessary to provide voters with quality, competent candidates rather than merely popular ones. Third, PD and PAN devised a majority vote PR system in which the candidate with the most votes is elected without requiring candidate ranking or BPP. Fourth, PKB and a number of Golkar and PDI-P politicians proposed an open-list PR, with a 25 percent BPP to decide the successful candidate.

Table 4.1

*Political statement mapping from the seven main political parties on proportional representation in 2007*

Party	Electoral system issues	
	Election system and methods of deciding elected candidates	The electoral district
Golkar	<ul style="list-style-type: none"> <li>Preferred a district system, but supported open-list PR with 25 percent BPP to decide the elected candidate.</li> </ul>	Proposed that the number of electoral districts be kept between 120 and 150 with 3-6 candidates for each district to increase candidate accountability and reduced campaign costs.
PDI-P	<ul style="list-style-type: none"> <li>Considered open-list PR with 25 percent BPP to decide the elected candidate to accommodate middle and small parties' voices. It preferred a district system.</li> </ul>	Argued for 138 electoral districts with 3-7 candidates. Later, the party proposed 120 electoral districts with 3-12 candidates.
PKB	<ul style="list-style-type: none"> <li>Supported an open-list PR with a certain percentage to decide the elected candidate.</li> </ul>	Sought to add numerous electoral districts but did not provide exact figures. Later, the party supported 3-10 candidates per district.
PAN	<ul style="list-style-type: none"> <li>Open-list PR with majority votes</li> </ul>	Believed that the electoral districts should remain unchanged (69), but possibly more be added to accommodate regional expansion. It supported 3-12 candidates per district.
PKS	<ul style="list-style-type: none"> <li>Proposed the use of a closed-list PR, but was not opposed to debates about the open-list PR with 25 percent BPP to decide the elected candidate.</li> </ul>	Supported moderate numbers of electoral districts as large number of districts would provide unfair advantage to larger parties. It preferred 5-9 candidates per district.

		Also supported previous regulations on electoral districts and candidate numbers.
PD	<ul style="list-style-type: none"> <li>Considered the implementation of open-list PR with 25-30 percent BPP to decide the elected candidate.</li> </ul>	Agreed to maintain the current electoral districts (69), with the possibility to add more. It supported 3-12 candidates per district.
PPP	<ul style="list-style-type: none"> <li>Endorsed the closed-list PR with rankings but realized this was an unpopular New Order legacy. Thus, then supported an open-list PR with 10-25 percent BPP to decide the elected candidate.</li> </ul>	Proposed adding electoral districts without providing any concrete candidate numbers.

Source: Compilation of party statements from Puskapol UI (2007b) and minutes from the deliberations of the revisions to the Election Law (Setjen DPR, 2008).

The major rationale for amending the 2004 electoral system was to provide an accountable government and checks and balances between the executive and legislative branches. However, these amendments led to some political changes. First, the checks and balances mechanism proved to be difficult to establish as there was no clear political distinction between the ruling party and the opposition groups in parliament. Mietzner (2013) notes that this phenomenon was also evident under the previous governments of President Wahid (1999-2001), President Megawati (2001-2004), and the last President Yudhoyono (2004-2014) who used their large party coalition strategy to determine their presidential cabinets. Yudhoyono's cabinet coalition was formed from the parties (PD, PPP, PAN, PKS, PKB, and Golkar) that supported his presidential race and was a weak coalition wracked by internal and external conflicts. The coalition's performance was questioned, for example, during the government's controversial bailout of the privately-owned bank, Bank Century, which was supported by the Finance Minister, Sri Mulyani, and Vice President, Boediono. Two ruling party members, Golkar and PKS, and opposition parties, such as PDI-P, Gerindra and Hanura, put pressure on the Yudhoyono administration to investigate this case (see Mietzner, 2013). This case is now under investigation by the Corruption Eradication Commission (KPK). Meanwhile, coalition party members have been accused of being involved in "the paradox of indiscipline" (Sherlock, 2010: p.173-6). Sherlock identified the Bank Century scandal and anti-pornography bill in 2006-2007 as exemplifying a lack of consistency and discipline on the part of coalition members to defend their political position.

Second, party leaders never seriously developed their party as an institution. Although most parties understand their political roles in society, such as political education, political recruitment, cadreization, and so on, these roles were not effectively functionalized. While

direct local elections have been held since 2005, parties act as the “market” bridging the elite party interests and those wishing to run as party candidates. Therefore, in order to conduct their activities, parties seek funding through ministry and other government projects and facilitate closer relationships with local and national businesses. Currently, parties are advised by political communication experts and consultants on how they and their candidates can best communicate to voters through various media (see Ufen, 2010). They therefore rely more on communication experts rather than local party branches to woo potential voters. This is in keeping with the claims of the Indonesian cartel party phenomenon as discussed by Slater (2004) and Ambardi (2008). Meanwhile, Mietzner (2013) argued that the lack of institutionalization of party that lead parties to get closer with the state for party’s survivals. These political observations have strongly emphasized the institutionalization of party problems in contemporary Indonesia.

In line with this institutionalization of party argument, the seven major parties have highlighted the urgency for party system reform (Puskapol UI, 2007b) to establish a more simplified multi-party system. Regulations for participation in the 2009 election were tightened to support this system, such as requiring the party to be represented by branch offices in at least three-quarters of the provinces of Indonesia. However, some medium-sized parties like PKB and PD warned that establishing a party is the right of every citizen and as voters, citizens should scrutinize which party to vote for in the general election. Thus the smaller parties attempted to reject the large parties’ proposal that would limit party participation.

The low contribution that women make to their respective parties, and the low number of female candidates elected to parliament, is supported by various data. During the 2005-2010 period, few women sat on the national party board structures (Puskapol UI, 2007b). Only PKB had a high number of women involved in its executive, constituting 26 percent of its national board. Of the total number of board members, 6 percent of elite positions (the Syuro council and Tanfidz council) were filled by women. The other parties, including PPP, PAN and PD, had reached between 9 to 10 percent female representation, as Table 2 illustrates. In general, most parties placed women in the non-elite positions, the women’s, welfare, and education sections, rather than in elite and strategic positions, such as the General Secretary or the recruitment and cadreization sections.

Table 4.2

*Number and positions of women on national party board structures 2005-2010*

Party	Total board members	No. of women (percentage)	Women's political position in structures
Golkar	108	13 (12%)	Advisory board, head of section, women's wing, departments
PDI-P	27	4 (14.8%)	Chairwoman, vice-general secretary, vice-treasurer, head of section
PKB	50	13 (26%)	Syura council (advisory board: vice-secretary and six female members), Tanfidz board (executive board: three women as head of sections, general secretary, two women as vice-general secretary).
PAN	50	5 (10 %)	Head of section, vice-general secretary, treasurer
PPP	22	2 (9 %)	Head of section and treasurer
PD	77	8 (10%)	Head of section, vice-general secretary, departments
PKS	68	4 (5.8%)	Women's section

Source: Puskapol UI, 2007b: p. 17

As a normative statement, each of the major parties accepted the quota applied to female representation in the election and political party laws. However, problems with the implementation of this affirmative action are still apparent in each party. Most parties believed that the term “consideration” was enough to accommodate women’s voices rather

than having to use stronger words and phrases like “obligation” and “have to.”<sup>62</sup> Women activists believed that this affirmative article should be strengthened with a clear statement. Thus, they proposed a “zipper or zig zag” system for the nomination of male and female candidates on each party list<sup>63</sup>. In response to early comments from the leading parties on the revision of the political package law, Puskapol UI (2007), reviewed mainstream party views about female representation and outlined parties’ responses to the idea of a “zig zag” ranking of candidates. This research also covered all political statements from these parties from early DPR discussions of the 2008 Electoral bill. The mapping of party views is outlined in Table 3 below.

Table 4.3

*Mapping of the seven major political parties views on women’s representation and “zig zag” candidate ranking*

Party	Women’s representation in parliament and political parties	“Zig-zag” candidate ranking
Golkar	<ul style="list-style-type: none"> <li>• Believed more women would be elected with closed list proportional representation, as used in the New Order.</li> <li>• Believed that a quota could increase women’s representation in parliament; felt that implementing an open-list PR with a 25 percent seat quota would be difficult.</li> <li>• Supported the 30 percent women’s quota on party official boards as regulated by party law.</li> </ul>	<ul style="list-style-type: none"> <li>• Admitted it had considered this idea but believed it difficult to accommodate the party’s main goal to gain maximum votes with the endorsement of more women in parliament, unless combined with a closed-list PR system.</li> <li>• Nevertheless, it supported the zigzag ranking idea in DPR discussions.</li> </ul>
PDI-P	<ul style="list-style-type: none"> <li>• Argued that affirmative action should be regulated for the election of the party’s official board as well as general election nominations. 30 percent women’s quota had been implemented for local branch boards but not yet for the</li> </ul>	<ul style="list-style-type: none"> <li>• Believed that it could be a serious problem but supported it in combination with a closed-list PR to guarantee an increase in women’s representation in parliament.</li> </ul>

<sup>62</sup> These terms were frequently used when gender quotas were deliberated. See also the meeting minutes on this Bill in Risalah DPR, 2002.

<sup>63</sup> The zipper or zig zag system is a method by which male and female candidates are placed on party lists, like a zipper or zig zag lines. For example, every second candidate on a list should be a woman. In the context of this debate, women proposed using a 1:3 system, which would mean that of three candidates, one had to be female. If there are ten candidates, the positions taken by female candidates are, for example, 3, 6, 9 or 1, 4, 7.



national board.

- The closed-list PR was viewed as the ideal system to encourage parties to rank women at the top of the list. However, this was not popular in general with cadres.

- Believed that an open-list PR combined with a 25% women's quota could increase the number of women elected, but warned of difficulties in implementation in several regions.

- Did not issue a final statement on the women's quota at the beginning of the DPR deliberation session.

PPP

- Hoped that seven women would win and be placed on the national board after the 2009 election.

- Requested a mandatory 30 percent female representation at all levels.

- Believed this idea would be difficult to apply because the party must accommodate different aspirations from different candidates.

PKB

- Believed that this issue should be further debated.

- Supported discussions of the 30 percent women's quota legislation with regard to the electoral law.

- Said the idea was an alternative option for endorsing female representation, but many variables should be considered. Believed that its party had strong control of its representatives.

PAN

- Supported affirmative action and currently has 25% female representation on its board.

- Targeted 100 seats in the 2009 election with 30 percent to be won by women, depending on the PR system.

- No final statement issued on the women's quota at the beginning of the DPR deliberations.

- Supported a goal of 30 percent of women on the party board and in elections. Preferred a majority vote in the PR.

PKS

- Believed there were no substantial problems to female representation. Female representation on party boards at all levels remained at around 10-11 percent.

Did not oppose this idea, provided female candidates were nominated based on competency, not collusion and nepotism.

- No final statement issued on the women's quota at the beginning of the

DPR deliberations.		
PD	<ul style="list-style-type: none"> <li>• Supported a revision of Article 65.</li> <li>• Felt that it was difficult to find competent women.</li> </ul>	Had not decided how to respond to this issue. Candidate nominations were highly competitive in election nominations rather than placement on party boards.

Source: Compilation of political statements collected from parties by Puskapol UI, 2007b: pp.11-15 and data tabulated from the minutes of deliberations of revisions to the Election Law (Setjen DPR, 2008).

During the 2008 deliberations on revisions to the Electoral Law, both male and female members of the House accepted the need for women's quota. However, some small parties like PBR (Partai Bintang Reformasi, the Reformation Star Party) and PDS (Partai Damai Sejahtera, Prosperous Peace Party) continued to be reluctant to accept this new legislation. Most parties were concerned about the mandatory obligations and the sanctions should the requirements not be met. Others stressed that parties were unable to fulfill the 30 percent women representation quota, as it was difficult to successfully recruit qualified women. Female members of the House who were actively involved in these deliberations, such as Andi Yuliani Paris (PAN) and Lena Maryana Mukti (PPP), countered their male colleagues' arguments. These women stated the importance of rewarding parties that nominated more women so that they could be successfully elected (Setjen DPR, 2008). Therefore, they also suggested that the KPU could announce the parties that had fulfilled—as well as those that did not—the 30 percent women's quota.

Despite these concerns, given that parties were largely familiar with and supportive of the concept of affirmative action, the discussion did not encounter much opposition. They knew that this opportunity should be widely available for all women. However, most parties confirmed that this affirmative action could not be fulfilled the next year, as most party congresses would not be held until after the 2009 election. Furthermore, the implementation of a women's quota for party boards could be monitored for each party following the 2009 election.

In response to the proposed electoral systems, women's CSOs believed that each of the PR systems (closed lists, open lists with majority votes, and open lists with a set percentage of seats) presented its own set of consequences when it came to affirmative action. These groups felt that, for women, a closed-list PR system was the best choice. This system gave the party the authority to nominate and allocate candidates based on robust criteria, such as merit systems, political experience, and party affirmative action policy. However, political

parties realized that the closed PR system was viewed as an unpopular legacy from the New Order. Therefore, the only option for a fresh new electoral system was the open list where candidates nominated to represent the party are listed on the ballot papers. All the parties believed that an open-list PR system was a better system for increasing the accountability of both candidates and party organizations. Deciding the winner of a given seat would be easier by majority vote rather than by rankings in the list and other vote quotas. Nevertheless, some parties, like Golkar and PDI-P, resisted, preferring to retain authority over their members in the DPR, which was less likely in the open-list PR system where individual party candidates were elected by popular vote.<sup>64</sup> Thus, most parties argued that it was important that a set percentage be used to determine the seat quota, for example, 30 percent, to decide the winner of a given parliament seat.<sup>65</sup> If no candidate was available to fulfill the 30 percent seat quota, the party could choose one by their ranking on the candidate list. Women accepted this proposal because it provided the opportunity for female candidates to be elected if women were placed at the top of the party list (Wardani, 2009: p.55). Moreover, the zipper system was introduced to protect women's affirmative action issues because it guaranteed more women would be elected if each party placed at least one woman at the top of a three-candidate list. Thus, there were two bargaining issues identified during the deliberations: (1) the 30 percent quota on open-list PR; and (2) the zipper system for nominating candidates for each party list.

Mapping political actors on this issue is not overly difficult because most of the actors were involved in the previous year's debate (2002-2003). However, in 2007-2008, some theoretical arguments and data from research institutions such as Puskapol UI were given strong consideration by leading politicians and elite parties. Groups such as the KPI and women's party caucuses (KPPRI and KPPI), supported closed list PR and attempted to bring these issues into public discourse as well as internal party debates. Together with party women's wings, these NGOs once again used the opportunity to share their insights with

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<sup>64</sup> Later, at the end of the DPR deliberation session, PKB and the government supported this option. Furthermore, it was also supported by medium-sized parties.

<sup>65</sup> This percentage was a point of negotiation, as candidates experienced difficulties in winning a majority seat quota. It was only PAN that continued to insist on supporting the open list with the majority votes system. This system was also encouraged by CETRO. However, by the end of the deliberations PAN agreed to support open lists with a 30 percent seat quota

parties in order to gain political support.<sup>66</sup> CETRO and other election monitoring groups consistently promoted the open-list PR with a majority vote electoral system.<sup>67</sup> Thus women's groups believed that these groups challenged their support for closed-list PR. Women's wings of mass organizations such as Aisiyah and Fatayat played the role of familiarizing their members about these affirmative action issues. Nevertheless, although there were sharp differences between views on the closed and open list system between women's groups, it was the good personal communication between women's activists across their respective groups that facilitated the implementation of these issues in the DPR's deliberations.

Not many male politicians from the seven main parties explicitly supported affirmative action. However, some key figures in these parties understood the struggles women faced in their attempts to implement this goal. Saifulloh Maksum (PKB) declared his personal support for affirmative action during the deliberations and attempted to monitor this issue in its entirety. Ferry Mursyidan Baldan (Golkar) set forth a similar argument albeit with more constructive criticism of the women's movement. Other figures did not clearly state their position in public forums but personally supported the women's movement in informal statements. No male politicians came forward to oppose the women's quota.

Both the Ministry of Women Empowerment and Ministry of Home Affairs supported this issue in different ways. Formally, the Ministry of Home Affairs represented the government's position on all political package laws. Specifically, the Ministry of Women Empowerment was involved with special issues of female representation. This ministry was more active in establishing contact among women both inside and outside the House. This agency also held some seminars and conferences and even participated in lobby activities (personal communication with Kasmawati, March 12, 2012). As a representative from the

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<sup>66</sup> Nia Syarifuddin admitted that female politicians had been unable to strongly influence key party figures on this same issue in 2002 (personal communication, February 23, 2012).

<sup>67</sup> Led by CETRO, this open list PR with a majority vote group attempted to convince the DPR of the importance of accountability and close relations between politicians and their voters. On the women's issue, CETRO believed that the number of women in parliament would increase automatically once this system was implemented (personal communication with Hadar Gumay, March 27, 2012). After the 2004 election, CETRO faced organizational problems, and as such, some prominent women activists were not a part of this organization.

Ministry of Women Empowerment attended every single working team (Panja) session<sup>68</sup>, some women's NGOs were able to easily access the restricted information from these meetings. Thus, women's CSOs knew who had supported and who had opposed the idea of affirmative action.

Donor agencies supported affirmative action with limited funds, which was a very different situation to what happened in the 2004 elections. These days, the country was recognized as a new democratic regime and was receiving large amounts of recovery funding for Aceh following the 2004 Tsunami. Therefore, most donor agencies recalculated their funds for political institutional support during the 2009 election. Indonesia also began to implement the Paris declaration of cooperation between state and donor agencies in Indonesian's development programs. Thus, promotion and campaigns for the women's quota and women's voter education in public space was more limited to regional coverage compared to previous years (2002-2004).

The passage of two revised legislations—the Political Party and the Election laws—took place in early 2008 after the DPR had discussed these bills for almost an entire year. In the Political Party Law No. 2/2008, a 30 percent women's representation quota was legislated under Article 20 party boards at the national, provincial and regional level and was also listed as one of the conditions for new parties in Article 2 and Article 5. Pre-existing parties were also obliged to register their new party board after their party congress had elected it. This meant that all parties had to adhere to a 30 percent women's representation quota in their respective party's charters.

30 percent affirmative action was also legislated under Election Law No.10/2008, which set out three major points. First, each party wanting to participate in the general election was required to agree that a 30 percent women's representation quota would be implemented for the national party board management. Second, parties must also provide a 30 percent women's representation quota for candidates nominated on their list in every electoral district. Furthermore, each list should use the zipper system (1:3) to regulate the order of males and females on its candidate lists. Third, the KPU announced the 30 percent women's nomination quota for each party to the public. In addition to these points, the law

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<sup>68</sup> The Panja session was a crucial session for negotiations between the political parties and government representatives. Once discussion of the bill was finalized in this session, it would continue to a formal plenary session to obtain formal agreement of DPR members. See Sherlock, 2010.

also required the election should use an open-list PR system with seat quotas of 30 percent. For women activists, this meant that their affirmative action proposals for the Election Law had been successfully implemented.

Good cooperation and intense communication among different women's groups are two explanations for the successful implementation of 30 percent women's representation quotas under the two laws. Most of the NGO and party interviews provided the same reasons for the policy's success. In 2003, women's activists used various activities to pressure politicians in accepting the quota, including strong pressure that originated outside the House, such as demonstrations, media reports, and strong lobbying of key party figures. Ferry Mursyidan Baldan, the chair of the special committee (Pansus), admitted that the presence of such pressure, particularly as it was directly related to woman's issues, greatly influenced the legislation process in the committee report of the DPR Plenary Meeting (Setjen DPR, 2008). Sri Budi Eko Wardani, the executive director of Puskapol UI, contrasted these women's groups and parties' cooperation with the failure of other electoral advocacy issues, such as political party financing and the regulation of electoral districts endorsed by election monitoring groups (personal communication with Wardani, March 25, 2012). For female members of the House, like Lena Maryana Mukti (PPP), it was a magnificent achievement when the DPR accepted the women's parliamentary quota proposal without any hostility (personal communication, February 17, 2012).<sup>69</sup> Hadar Gumay, the executive director of CETRO and the current commissioner for KPU (personal communication, March 27, 2012), offered a different opinion. Gumay stressed the strong emotions present among women from all groups, which stemmed from the complicated discussion that took place about critical issues during the deliberations. According to Gumay, women's NGOs had not realized that there was a conflict in women's interests when women's party activists and women's group activists were deliberating this issue.

Prior to the 2009 election the Constitutional Court (MK) accepted a judicial review of how the decisions about who won elections were made (Mahkamah Konstitusi, 2008). The review had been requested by three individuals who had felt aggrieved by the electoral

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<sup>69</sup> Mukti emotionally described her struggle to monitor all women's issues during the deliberations, as she had suffered a miscarriage at the time.

system at the end of 2008. These individuals<sup>70</sup> had asked that the MK review two points of the Election Law No. 10/2003: first, the method of employing the 30 percent seat quota to decide a winner; and second, the method for ranking candidates on the party list. They felt that the way in which the law determined how the winner was determined contradicted the principle of sovereignty for the people and the principle of equality for each citizen in the country, both of which had been enshrined in the Constitution (UUD 1945). These three individuals believed that the legislation concerning ranking candidates was discriminatory as being nominated to the list was difficult.

Having reviewed the claimants' views, the DPR's arguments, the government's position, and expert insights, the MK decided to revoke the legislation that had been established to determine the winner of elections that contradicted the UUD 1945. The MK argued that it was hard to accept and decide upon a successful candidate based on ranking and percentage quotas, when the majoritarian electoral system had been in place since the first direct presidential election in 2004. Moreover, the MK determined a majority vote system should be used to determine the successful candidates for each party. However, it rejected the applicants' claims that the nomination lists discriminated against particular candidates. The MK argued that it was positive discrimination to increase the number of women represented in parliament, as Indonesia had ratified international agreements on female participation in politics. Thus, it accepted the sections of those laws that pertained to the 30 percent women's quota and the zipper positioning system for women on each party list.

Election candidates, members of the House, party officials, and women activists were shocked when this decree was passed by the MK. For the parties, this decree presented a dilemma in terms of implementation. On one hand, the decree removed the complexity associated with decisions about who had indeed won a particular seat. On the other hand, it presented difficulties for parties in being able to predict candidate winning strengths due to the free competition between candidates (both within and outside the party). Based on these reasons, members of the House were disappointed because the decree gave the impression that the new electoral system was now essentially meaningless. Women's activists were critical of the decree as it essentially meant that their systematic dream to achieve a 30 percent women's representation quota was crushed (Wardani, 2009: p.58). It was apparent

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<sup>70</sup> There were three persons who requested this judicial review: two of them were PD national election candidates from East Java districts who had been ranked number one and eight on the list and the other was a voter.

that the MK did not object to the application of affirmative action. Nevertheless, open-list PR with majority votes allowed all candidates to maximize their resources and capabilities in a free election market. The design of the election system accommodated the principles of representation, proportionality, and the protection of marginalized groups, but had not allowed for free competition. Female candidates were shackled by their lack of experience and resources compared to those their male counterparts could draw on (Jakarta Post, 26.12.2008). Therefore, during the rest of the 2009 election campaign period, all the candidates reformulated their individual strategies to win a seat rather than gather votes for the party.

The result was the number of elected women increased. 103 seats from of the 560 available (18 percent) in the DPR went to female candidates for the period between 2009 and 2014. This was a marked increase in comparison to the previous periods of 11 percent (2004 election) and 9 percent (1999 election) (see Table 4). In the 2004 and 2009 elections, female candidates were able to reach 33 percent and 34.7 percent of all national DPR candidates for DPR, respectively. This meant that political parties had successfully met the target 30 percent of women candidates on their lists, although this did not necessarily correlate with the number of women elected.

Table 4.4

*Comparison of national legislative (DPR) election results from 1999-2009 based on male and female elected representatives.*

<b>Election</b>	<b>Number men elected to the DPR</b>	<b>Numbers of women elected to the DPR</b>
1999	455 (91.2 %)	44 (8.8 %)
2004	485 (89 %)	65 (11 %)
2009	457 (82 %)	103 (18 %)

Source: National Election commission (KPU)

Wardani et al. (2010) explored women's experience with the 2009 election from two key aspects of the gender quota. First, there was a strong correlation between lower rankings on the list and the electability of each candidate. Forty-four percent of elected women were ranked first on the list, 29 percent were ranked second, 20 percent were ranked third, and 7 percent were ranked higher up on the list. This meant that 73 percent of elected women were



listed near the top of the list. In comparison, 69 percent of male candidates were ranked first. Second, the parliamentary threshold rule<sup>71</sup> contributed to an increased number of women in parliament at national and local levels. There were nine parties that met the parliamentary threshold to win seats in the DPR: PD, Golkar, PDI-P, PPP, PAN, PKB, PKS, Gerindra, and Hanura. The parliamentary threshold does not apply at the regional level, but these nine parties had seats reaching more than 2.5 percent in most regions. These nine parties contributed 90 percent and 80 percent of women in the local House of Representative at provincial levels and regency/city levels (Kemitraan, 2011: p. 20).

One interesting question arose after the electoral results were revealed. Who were these elected women? Wardani et al. (2010) investigated the profile of these elected women in national DPR and several provincial DPRD. 26 percent of women members of DPR were found to have strong family network relationships with leading political figures at the national and local levels. At the DPRD level, 64 percent of these women stated their families were involved in a political party and helped them during the nomination process. In addition, the family strongly supported these women in their attempts to become members of the House. Moreover, 71 percent of these women were new figures in the national DPR and being a member of the legislature was a new experience for them. At the DPRD level, women's involvement in political activities was more varied than at national levels because some of these women had prior experience as members of the House. It seems that female members of the House are supported by family connections in the party rather than by their strong capacity to be nominated and win seats. These women had access to sufficient financial assistance and social networks in order to gain seats in parliament (Hartiningsih, 2009). However, most lacked knowledge about sensitive gender information and did not work with women's organizations on democratization issues. As such, some scholars have highlighted the difficulty of achieving transformation in gender equality issues when most of these women did not yet understand the issues (Soetjipto, 2011).

In conclusion, discussion of affirmative action policy and its enactment in law reveals three crucial points. The first point is that political contestation of gender quotas in the Political Party and Election Laws was influenced by women's groups demands. Meanwhile, most parliamentary parties responded to electoral reforms and gender quota issues to best

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<sup>71</sup> The parliamentary threshold requires a party to have achieved more than 2.5 percent of the popular vote to be permitted to have seats in the national legislative (DPR).

pragmatically ensure election victory. The second point is although women's groups successfully endorsed gender quotas in parliament and political parties via different policy paths in 2003 and 2008, they could not avoid the unexpected intervention of the MK decree prior to the 2009 election. The last point concerns the relationship between women's CSOs and parties during the parliamentary gender quota legislation process. It was a strong, close relationship among female individual actors (CSOs and parties), but it was hard to interest male politicians in affirmative action. It is interesting to track the similarities of these crucial points to the domestic violence legislative process in 2004 as described in the following section.

### **4.3 The Domestic Violence Law (2004)**

Discussions about the need for a domestic violence law began in November 1997 when LBH APIK<sup>72</sup> held a workshop that explored domestic violence against women in Indonesia. During this workshop, attended by several religious figures and representatives of NGOs, mass organizations, and state agencies, LBH APIK presented facts and figures about domestic violence against women that it had collected while providing legal assistance in this field since 1995. According to LBH APIK, victims of domestic violence against women had experienced various forms of domestic violence, such as marital rape, psychological, and economic violence, which was often perpetuated by family members. One of the critical points that emerged from this workshop was the necessity to have clear legislation that could protect the victims of such violence. Some articles in the Indonesian Criminal Code (KUHP, Kitab Undang-undang Hukum Pidana) state that general violence may result in a legal sentence but this does not apply to cases of domestic violence. Munti (2008: pp. 44-6) described one domestic violence case<sup>73</sup> in which LBH APIK assisted to bring the case to court, explaining the difficult nature of the process. Most cases where LBH APIK and other

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<sup>72</sup> Seven female lawyers in Jakarta founded the Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan (The Legal Aid Institute for Indonesian Women Association for Justice, LBH APIK) in 1995. APIK was founded to help women to gain justice in a discriminative and repressive legal system. Some of APIK's well-known founders are female politicians and members of parliament such as Nursyahbani Katjasungkana (PKB), Ria Latifa (PDI-P), and Tumbu Saraswati (PDI-P). See Katjasungkana, 2003.

<sup>73</sup> This case occurred when a woman was the subject of ongoing violence at the hands of her husband for a number of years, yet she never reported the incidents. At one point, in 1995, she asked LBH APIK to assist her case against her husband because her husband's violence was continuing and he had had an affair with another woman (Munti, 2008). Most law enforcement officers had suggested she drop the case for family and religious reasons. Finally, the court sentenced her husband to eight months imprisonment, but the sentence was suspended on a one-year good behavior bond. See other stories in Munir (2005)

women's NGOs seek to assist the victim eventually do not proceed to court because the victims refused to continue the legal action. Katjasungkana (2003) described six reasons why most of these cases never make it to court: religious reasons, family honor, career and occupation of husband, economic dependence, ignorance of domestic violence as a crime, and the commitment of the perpetrator/husband not to repeat their violent behavior. This workshop stressed that such a law would act as an effective instrument to protect these victims. From LBH APIK and other women's groups, which focused on violence against women and women's rehabilitation issues, raised public awareness of the issue of domestic violence in the public sphere and drafted a bill.

Article 356 of the Criminal Code states that an individual may be charged with assault of family members, but such violent action is not considered domestic violence. The concept of family members under this article is interpreted as the nuclear family – two adults and their children only. However, the legal treatment of domestic violence requires a broader concept of relationships that includes both extended family and work relationships. In most Indonesian families, there are many individuals who live in the family home, including parents, children, wives, uncles, aunts, and housemaids, etc. Based on this cultural phenomenon, domestic violence should be extended to include the extended family as well as sexual relationships (Katjasungkana & Damanik, 2004: p.4). Moreover, violence against women is not treated separately in the Criminal Code; where such crimes are mentioned they are often defined as immoral crimes (Katjasungkana, 1999: p.53). For example, in rape cases, the court is only able to charge the man if the victim is not his wife. There is, however, no law that covers marital rape, as society believes that the wife should obey her husband under any circumstance, including sexual consent. This meant that, under Indonesian law, there was no legislation that would guarantee justice to victims of domestic violence (Kompas, September 4, 2000).

There are some social and cultural reasons that offer an explanation of the persistence of domestic violence (Kalibonso, 2002: pp. 7-17). First, in a patriarchal society like Indonesia, there is a large gender gap between the roles of the husband and the wife in a family. Husbands are traditionally perceived as the head of the household with expectations of providing financial support for the family and making the major decisions in the household. Traditionally the wife and any women in the household are seen as subordinate to the authority of the men within the family unit. If there is conflict between the husband and wife, which leads to mistreatment of the wife, the wife tends to feel that she is at fault, as her

mindset tends to be one of respect for her husband's authority. Other family members believe that husband-wife conflicts can be reconciled in the name of family harmony. In this context, domestic violence should be addressed in terms of family harmony rather than through criminal proceedings. Second, domestic violence is considered a private family matter, along with financial problems, that does not require outside intervention. As a result, law enforcement officers should not be involved in the resolution of such private issues. Therefore, because there was no legislation against domestic violence, law enforcement officers responding to cases of domestic violence had different understandings of how to respond. However, the religious affairs office (KUA, Kantor Urusan Agama) stated that one of its functions is to manage Islamic marriages and that it has the authority to provide advice on the resolution of family discord. Most domestic violence victims do not report incidents to law enforcement agencies because of differing views about how such cases should be resolved.

According to Munti (2008: p.52), LBH APIK assisted 111 domestic violence cases in 1997. In 2001, this increased to 927 cases, which consisted of 254 cases of physical violence, 62 cases of sexual violence, 279 cases of economic violence, and 332 cases of psychological violence. Very few of these cases made it to court. Kalyanamitra stated that it had a similar experience in that only 19 of the 109 domestic violence cases the organization supported reached the courts. It appeared that most of the domestic violence cases that had been brought to LBH APIK and Kalyanamitra were resolved internally by the victim's family.

Led by the LBH APIK, The Elimination of Violence against Women Policy Advocacy Network (JANGKA PKTP/ Jaringan Advokasi Kebijakan Penghapusan Kekerasan Terhadap Perempuan) was established in 1998. JANGKA PKTP consisted of three groups: a substantive team, a campaign team, and a lobby team.<sup>74</sup> The network's initial task was to finish the draft of the domestic violence bill that would be used as in campaign materials and promoted in numerous cities across the country. The draft had been discussed at various seminars and forums. Scholars from various universities were involved in strengthening the draft. The network also campaigned on anti-domestic violence issues in 17 provinces. The campaign, which involved members of the DPR, sought to inform people about the issue of domestic violence, but at the same time, the campaigners also received numerous complaints

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<sup>74</sup> Usually in proposing a draft bill to the DPR the NGOs employ three teams: a 'substantive tam' to prepare the arguments and the working paper, a campaign team to mobilize support and a lobby team to lobby the DPR and government.

about violence. Members of the House were part of the lobbyist team and sought to convince other politicians of the importance of domestic violence issues. The network spread social awareness and absorbed insights from different perspectives and cultures while campaigning across the archipelago. Furthermore, religious figures were also asked to participate in deliberating the issue from a religious perspective. Between 1998 and 2002, this network consolidated its organization and received funds from donor agencies like USAID before delivering a draft of the bill to the House.

Under the presidency of Abdurahman Wahid (1999-2001), the Ministry of Women Empowerment had a strong commitment to support several gender policies. For example, the Ministry introduced a gender mainstreaming policy for all government organizations, including local bureaucracies, and initiated policies that addressed violence against women and children (Parawansa, 2002: p.75). Working together with women's NGOs and other women's organizations, the Ministry supported facilities for examining victims of violence at police stations, hospitals, and other crisis centers. Moreover, the state founded Komnas Perempuan in 1998 to deal with basic human rights of women in Indonesia, notably all sorts of violence against women, in conflict as well as peace situations. It developed concepts, standards, instruments and mechanisms intended to prevent, handle, and abolish all forms of violence against women<sup>75</sup>. The issue of violence against women arose in post 1998 Reformasi period, partially triggered by the rapes that occurred in the May 1998 riots. State agencies and women's groups actively responded to the issue to create an institutional base in the constitution as well as support the promulgation of legislation address domestic violence.

There were a number of issues addressed in the bill (Munti, 2008: pp.58-60). First, it set out a definition of domestic violence. The term domestic, as proposed by JANGKA PKTP, referred to a household. Household violence was defined as follows:

Every act against a woman or other subordinate party that results in misery or physical, sexual, economic, and psychological distress, including threats to commit force or deprivation of liberty in the scope of the household.

By creating this definition, the coalition delivered on two urgent issues: identifying the victim and defining specific terms. In the above definition the victim is described as a woman

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<sup>75</sup> <http://www.wluml.org/contact/wrrc/content/komnas-perempuan-national-commission-violence-against-women> (accessed in 28 June 2014)

or other subordinate party. The term was not limited to wife. Subordinate parties could be the maid for example or even the male chauffeur. Furthermore, several categories of violence were provided by the coalition in the definition, including economic and sexual violence. Economic violence refers to actions that result in the loss of economic security in the house. Meanwhile sexual violence has a strong correlation with sexual harassment where the victim does not consent to sexual activities. Both these issues were the subject of heated debate in the deliberations of the lawmaking process in the DPR. The bill also defined the scope of the household. The coalition determined the term “household” to refer not only to the nuclear family — the husband, wife and children —but also includes couples — married and unmarried — and people who work for the family and who stay in the house for various reasons. This broad definition of the term household was needed to ensure the protection of all potential victims of violence rather than a limited group. The bill’s scope extended beyond merely the basic principle of protecting victims; it served to both prevent and eliminate domestic violence in society. The bill required government agencies to facilitate the provision of counselors, emergency services, and other free services for victims. Furthermore, the bill sought to ensure that law enforcement training include a gender perspective and that cooperation with other institutions would be restructured. All these institutional developments were to be supported by procedures and mechanisms guaranteeing protection for victims and strict sanctions for perpetrators. The bill introduced counseling and numerous services for victims prepared to take their case to court. The bill ensured that the state and social groups provide these facilities as a part of the victims’ rights.

The primary actors supporting the domestic violence bill included NGOs and their partners in cooperation. Some women’s NGOs, such as LBH APIK, Kalyanamitra, Mitra Perempuan, and Rifka Annisa, focused on crucial issues of violence against women and psychological and legal assistance. Other groups worked on similar issues in different institutions such as women’s crisis centers in various hospitals in Jakarta. Additionally, the former policewomen’s association (Derap Warapsari) worked with the network to help draft the bill and organize social campaigns. Fatayat and Muslimat NU were also involved in the network. Many public figures, who were personally connected with women's rights issues, were also involved in this network. Additionally, vast national support from many provinces across the country signified the rising political demands that this issue be addressed in the law-making process.

However, political parties did not raise this issue during their 1999 election campaigns. To increase public focus on the issue, JANGKA PKTP requested that members of the House speak at seminars or public discussions to increase awareness in the political arena.<sup>76</sup> Members of two political parties, PDI-P and PKB, were involved in several discussions held by this coalition. Tumbu Saraswati, a DPR member from PDI-P known as one of the founders of LBH APIK, introduced this bill to parliament. PKB members held major roles in the Ministry of Women of Empowerment and dealt with deep-seated gender sensitivity issues between 1999 and 2004. Starting from these two parties, the coalition commenced political dialogue with other factions.

Between 1999 and 2004, the Ministry of Women Empowerment had a strong commitment to implementing mainstream gender issues in all development sectors, including paying attention to the issue of domestic violence (Komnas Perempuan, 2002: p. 271). Despite the regime change that took place in 2001, followed by a change of minister for the Ministry of Women Empowerment, the office promised to maintain its focus on this issue and cooperate with other state agencies, such as the Ministry of Law and Human Rights and Komnas Perempuan. JANGKA PKTP involved representatives from ministries, the national police, prosecutors, and judges in its seminars and workshops to help remove any bureaucratic obstacles that might prevent the just resolution of domestic violence cases. Nevertheless, some women's NGOs continued to be cognizant of remaining obstacles when they assisted victims reporting cases of violence to law enforcement agencies.

31 members of DPR formally introduced the draft domestic violence bill to parliament in September 2002. It had been adapted from the draft composed by JANGKA PKTP after thorough reviewed by academics from Brawijaya University Malang. JANGKA PKTP requested that scholars at Brawijaya University write the academic paper required in support of the bill.<sup>77</sup> The first deliberations of the draft domestic violence bill took place in May 2003, and the DPR plenary session agreed that it would be deliberated in the next session

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<sup>76</sup> The coalition not only asked female lawmakers to join the discussion, they also requested that some prominent male lawmakers critique the draft, such as Lukman Hakim from PPP (see Jakarta Post, November 29, 2002).

<sup>77</sup> In the Indonesian law-making process, each bill attaches an academic paper as a rationale for the bill. The bill can be introduced by members of the House or a representative for the government. In this case, as the bill was proposed by the House, the government should have asked the Minister of Women's Empowerment to act as its representative during discussions of the bill. See law-making process details in Sherlock, 2010

(Kompas, May 26, 2003). The Ministry of Women of Empowerment was then charged with preparing the final draft of the bill. One year later, in June 2004, the President determined the Ministry should draft the government's position for the deliberations. This was in response to public pressure by JANGKA PKTP and organized demonstrations that took place around April and May 2004. However, the DPR's term ended in September 2004 and the bill remained unfinished (Kompas, February 16, 2004).<sup>78</sup> Senior women NGO activists, such as Nursyahbani Katjasungkana, met Megawati in the Presidential Palace to explain the urgency of this bill and asked the government to reply to DPR's request on the Domestic Violence Bill (personal communication with Ratna Bantara Munti, February 17, 2012). The domestic violence bill was not easily implemented because the president herself did not have a commitment to gender issues, despite the substantial time and energy invested by NGOs in the bill.

The DPR deliberations of domestic violence bill only took three months (June-September 2004), quite a short period compared to other bills such as the Election and Political Party bills, which had taken over a year to deliberate. No key debates emerged in the deliberations between members of the House and government representatives. This can be explained by several reasons. First, prominent DPR members who were involved in the deliberations lacked significant knowledge of gender issues. This legislation process revealed that members of the House debated the components of the bill among themselves (Bunti, 2008: p. 84). Indeed, the DPR questioned its own draft. Second, during deliberations, limited opposition was heard, with the exception of one member of the military faction who expressed his disagreement, arguing that he had the right to beat his wife and would kill anybody who intervened in his personal and family conflicts. Nonetheless, not every faction in the DPR was given the opportunity to express their political views on domestic violence. They were also not given the chance to offer a perspective on the new law or debate the principal terms among the House members, including the government's position. The progressive ideas in the bill were all directly adopted from the JANGKA PKTP draft. Third, the government had attempted to include different perspectives in this bill, especially regarding protection. However, after 1998, the government was unable to strongly justify its

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<sup>78</sup> The Ministry of Women of Empowerment refused to make any negative statements about the inter-department discussions on this bill that would reveal that they had in fact been complicated. In reality, according to Abdul Aziz Hoessein, a deputy in the Ministry, the discussion was still in process, and almost finalized. One crucial issue in the bill was the definition of "couple" that was open to multiple interpretations. See Kompas, 16.02.2004.



position. Therefore, it preferred to follow mainstream discussions among parties rather than defend its own arguments.<sup>79</sup> Fourth, the coalition NGOs received international support from The United Nations Special Rapporteur on Violence Against Women, Yakin Erturk, when she visited Jakarta on 30 July 2004 (Jakarta Post, July 31, 2004). She stated that the government, media, politicians and NGOs should pay attention to this issue during the deliberations. Given the complexities surrounding the deliberations of the bill, it was affirmed without any real opposition. Some politicians feared that the bill represented the influx of Western culture and was the direct result of globalization. However, in general, the DPR and the government agreed to accept the bill as in keeping with Indonesian social and cultural values.

Nevertheless, during the deliberations four issues provoked heated debate among members of the House. Although these issues did not emerge publicly as a major issue in the mass media, however, the contestation of ideas among members of the House was similar to what occurred over other gender issues and religious-non-religious issues. This firstly concerned the scope of the definition of household violence. Most factions agreed that blood relatives as well as relatives by marriage should be included under the scope of household violence. However, some Islamic groups, such as the Reformasi faction, rejected this broad interpretation of the term household. These groups suggested the definition should be restricted to blood relatives and family and not include others, such as former spouses or unmarried couples, as these were not acceptable according to religious norms. Their concern was that the definition seemingly condoned couples living together outside of marriage, which was against religious and cultural norms. Most factions, including the government, supported the broader definition. PDI-P attempted to persuade the other groups that the broad definition of household did indeed include unmarried couples, domestic workers, tenants as well as others. It was also important that domestic workers, such as maids, be included under the bill's definition of household, as many Indonesian families employ maids and register them on their Family Card. Ratna Bantara Munti from JANGKA PKTP stated that the goal of this bill was to remove any biased perceptions and violence in the household, which justified

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<sup>79</sup> For example, the DPR's proposed draft noted that the title was "the Bill Against Household Violence," while the government's proposed draft title was The "Protection of Victims of Household Violence." There was debate in defence of both of these titles; however, both agreed to accept a new concept for eliminating household violence. Furthermore, the bill's title was to be changed to "Elimination of Household Violence." Another example was that the government weakly criticized the concept of economic violence. Therefore, it accepted the DPR's argument without any defense. See Risalah DPR, 2004.

the broad definition to cover working, intimate, and social relationships (Jurnal Perempuan, August 25, 2004).

Secondly, the bill's definition of household violence also came under debate. All parties agreed that it was important to ensure that the bill stipulate that it was not only women but also men who could fall victim to domestic violence. Nevertheless, the debate focused on the definitions of the type of violence that was associated with domestic altercations. Although the government had provided a specific definition of economic violence in its draft, most factions requested that a more transparent definition be included. Economic violence had been defined in general in the DPR draft as any act that would reduce a family's economic activities. If a husband kept his wife from working outside the home or pushed her to find a job, it could be considered a form of domestic violence. Questions were therefore raised as to whether a husband is obliged to provide for his family and various members of the DPR requested that this issue be discussed. In terms of sexual violence, the definition in the bill focused on the marital rape that occurs between a husband and wife. Although rape may occur in many varied circumstances, the debate was largely limited to marital rape as a specific form of sexual violence.

Third, the notion of protecting victims also required clarification, as the DPR's draft only provided a general concept of protection for victims as facilitated by the government and society. The government's draft mentioned that law enforcement agencies were required to protect all victims, but it did not provide any information about the situations that would require police protection. Therefore, members of DPR argued that it was critical for the bill to adapt and reformulate this idea and identify the requirements for temporary protection provided by the state or other social organizations. Some questions, however, arose about when the state would have to provide temporary protection for private cases, such as those that involved domestic violence. Clarity was required on whether a victim should receive protection from the state or any other institution during the legal process.

Fourth, debates emerged about the mechanisms and procedures that should be used for reporting violence. On this technical issue, members of the DPR and representatives of the government explored how the police, the prosecutor, and the court should play their roles effectively and create new procedures for handling crime. For example, in an ordinary criminal case, a person could be declared a suspect once the police received two pieces of authentic evidence. However, in cases of domestic violence, the statement of the victim, that

is, a single piece of evidence could be used to start the legal process. Some members of the DPR accepted this issue, while others felt that it was necessary to reconsider it, as such procedures were not covered by the Criminal Code. Another issue that caused ambiguity during the deliberations was the possibility that medical officers could report violence to the police. The DPR draft proposed that medical officers and psychiatrists should report such incidents to law enforcement officers. However, during deliberations, once again, some members of the DPR and the government referred to other laws in considering this issue. One crucial debate among members of the House was over whether this bill was a “general” or “specific” law. In this context, where lawmakers issued new criminal legislation, it could not be easily implemented when pre-existing legislation still existed.

These crucial issues were intensely deliberated in working group sessions. Women’s groups that monitored the legislation process commented that lawmakers did not want to elaborate on many issues and consolidate these issues into one deliberation session (Jurnal Perempuan, August 31, 2004). Instead, lawmakers preferred to bring these issues to a working group. It can be understood that members of the DPR had difficulty finishing the deliberations for two reasons: first, they felt that they were under a great amount of pressure from women’s organizations to create an effective law; and second, they were only given a limited amount of time to finalize all of the deliberations in the last session of the DPR for the 1999-2004 term. Furthermore, lawmakers were willing to accept the proposals from women’s organizations in order to find a short-term solution and to limit crucial debates about the bill.

Rita Kalibonso, executive director of Mitra Perempuan and the government’s technical expert, admitted that several progressive articles had indeed been accepted by lawmakers. Unfortunately, several essential articles were rejected because of a lack of comprehensive deliberation. For example, a victim could request protection from violence, but such measures needed to be approved by her family. However, by definition the perpetrator of violence is defined as a family member, and as such, any requests for protection from violence could not be realistically subjected to family approval. In the JANGKA PKTP draft it was suggested that other institutions or organizations could possibly represent the victim. Kalibonso felt that this article had been rejected because lawmakers had not attempted to fully understand the real social needs (Jurnal Perempuan, August 27, 2004).

During the last deliberation session, the factions remained split between two political stances, although the general components were accepted and the law enacted. The Reformasi

faction objected to its implementation based on three crucial points. First, although there was a sanction against marital rape, both parties (PAN and PKS) suggested that the couple should be encouraged to maintain their marriage; second, this faction believed that Islamic laws and norms should cover sexual violence cases caused by “*perzinahan*” (adultery) prior to any such case being brought to court; and third, it felt that the court should attempt to apply appropriate sanctions for the crime that would support unity within the family rather than cause fragmentation.

In the end, all factions accepted the bill and it was passed on 14 September 2004. PDI-P clearly stated that the legislation process was long and hard and that such a process could not have taken place without the involvement of NGOs and other women’s groups.<sup>80</sup> PDI-P called this law “Karya Peduli Bersama,” which means a good and meaningful cooperation between political parties, the state, and NGO groups. Ratna Bantara Munti, a representative of JANGKA PKTP, believed as a civilized country, Indonesia had a responsibility to promote women's rights. She also argued that “this law has demonstrated the long struggle of Indonesian feminist groups to state, the ‘personal is political.’” The state should intervene in all cases of violence in both private and public spheres in order to protect citizens and enforce human rights. (Jurnal Perempuan, September 15, 2004). Munti stated that almost 80 percent of the domestic violence law was adopted from the bill drafted by JANGKA PKTP. Therefore, most of the fundamental ideas, such as victim protection, witness evidence, the definition of violence and sanctions, were successfully accepted as new rules.

According to Ichwanuddin, Perdana, and Fitri (2006: pp. 22-5), the enactment of the law impacted policy in two different ways. The first was a procedural impact, in that most of law enforcement agencies implemented the new law and combined it with other laws as well in order to determine sanctions. Nevertheless, there was a lack of coordination among victim rehabilitation service institutions, despite the issuing of government regulation — PP (Peraturan Pemerintah/state regulation) Number 4/2006—on the implementation and coordination of household victim rehabilitation for any state rehabilitation service. Munti stated there was an urgent need to develop an integrative procedural system in order to pursue domestic violence as a part of the law process (personal communication, February 17, 2012). The second impact was structural; the government not only needed to promote the law at all

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<sup>80</sup> At the same time, Aisyah Baidhowi, Golkar speaker, also mentioned the same thing to the media, as reported by the Jakarta Post. (Jakarta Post, September 15, 2004).

bureaucratic levels, they also needed to provide special treatment facilities for victims in hospitals and police offices. As such, since 2004, a special room has been set aside in police stations and hospitals for the examining victims. Moreover, mass media has supported the broadcast of information about victims of violence across the country in order to increase people's awareness about the issue. These developments mark a positive sign in terms of the understanding of domestic violence in Indonesia (Komnas Perempuan, 2011).

In conclusion, the domestic violence law-making process case shows that a solid women's network worked intensively to advocate against domestic violence in many cities across the country for nearly eight years. Although JANGKA PKTP had successfully promoted the new law against domestic violence, some male politicians and Islamist parliamentary party groups were resistant. In particular, informal and personal relations between women NGOS activists and politicians provided smooth political communication during the law-making process. Therefore, it is interesting to note any patterns affecting the law-making process in the current bill on gender equality.

#### **4.4 The Gender Equality and Justice Bill**

Since 1998, several prospective human rights laws and other government regulations were developed to deal specifically with women's rights, including the ratification of CEDAW (the Convention on the Elimination of All Forms and Discrimination against Women), the elimination of domestic violence, anti-trafficking, etc. Additionally, Komnas Perempuan and Komnas HAM, were established to ensure the implementation of human rights. Many of these legislative products have some problems such as a lack of supporting regulations and a lack of gender perspective officers to run gender programs. In 2003, for example, the Minister of Home Affairs issued a regulation that called for every state agency to allocate a minimum five percent of expenditure to implementing gender mainstreaming programs (Idrus, 2012). This regulation was, nonetheless, ineffective in various agencies as the gender mainstreaming policies were not comprehensive and depended on the authority of the individual minister.

The DPR indeed faces major law-making challenges. Soetjipto, Wardani, and Panjaitan (2010: p.103) argued that parliamentarians' autonomy was unclear, as it was the parliamentary parties that appeared to have the strong legitimacy to determine policy. On the

one hand, parliamentarians adhere to party's guidelines and rarely express an opinion that differs from their party. However, on the other hand, DPR members identify strongly with one of the eleven parliamentary commissions,<sup>81</sup> which they support rather than their respective parties (Sherlock, 2012). For gender issues, although there is a women's caucus in the DPR, this group has not effectively cooperated to ensure a women's agenda is achieved. Perhaps this is due to a seemingly limited gender perspective among female members to encourage the prioritization of women's issues within the DPR. Therefore, the onus is on women's NGOs to deliver their gender agenda, as the House itself has no real vision about gender-oriented legislation development, including the recent and controversial the Gender Equality and Justice bill.

According to Rena Herdiyani, executive director of Kalyanamitra, the need for a Gender Equality and Justice bill was first raised in 2009 during a training workshop on gender mainstreaming held by UN Women in cooperation with the Ministry of Women Empowerment (personal communication, November 12, 2012). At the end of this workshop, there was a consensus among the Ministry, UN Women, and various organizations to endorse a new procedure for implementing the integration of the CEDAW commitments into the entire social and political system. The Minister prioritized the acceptance of the Equality and Justice bill for deliberation in the House. In order to prepare the legislation, the Ministry requested that several organizations and universities develop a substantial draft and academic paper. Handayani, however, expressed her disappointment with the Ministry's draft as it was developed as a gender-mainstreaming program but did not adhere to the framework established by the CEDAW guidelines. Thus Kalyanamitra and other women organizations agreed that they would develop another draft that took a different perspective than the one developed by the Ministry.

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<sup>81</sup> The Commissions and areas of responsibility include: Commission I : Defense, Foreign Affairs and Information; Commission II: Domestic Governance, Regional Autonomy, State Apparatus and Agrarian Affairs; Commission III: Legal Affairs and Laws, Human Rights and Security; Commission IV: Agriculture, Plantations, Maritime Affairs, Fisheries and Food; Commission V: Transport, Telecommunications, Public Works, Public Housing, Village Development and Disadvantaged Area; Commission VI: Trade, Industry, Investment, Cooperatives, Small and Medium Businesses and State-owned Companies; Commission VII: Energy, Natural Mineral Resources, Research and Technology, the Environment; Commission VIII: Religion, Social Affairs, the Empowerment of Women; Commission IX : Demographic Affairs, Health, Manpower and Transmigration; Commission X: Education, Youth Affairs, Sports, Tourism, Art and Culture; Commission XI: Finances, National Development Planning, Banking and Non-bank Financial Institutions, <http://ksap.dpr.go.id/puic2012/page/detail/id/15> [accessed June 2014]

Following Indonesia's acceptance of the Declaration and Platform for Action established at the fourth World Conference on Women in Beijing in 1995, the government has been politically committed to pursuing the implementation of gender equality in governmental policy and programs. Indonesia is also required to report its gender development progress to the United Nations at least every four years (UN Women, 2011). Amnesty International (2012), as an independent assessor of Indonesia's CEDAW achievements, has stated that there are still barriers to human rights law, policy, and practice, preventing the effective implementation of CEDAW instruments in Indonesian society. In its briefing to the UN Committee on the Elimination of Violence against Women, Amnesty International suggested that a number of laws covering gender-based violence, access to sexual and reproductive health rights, and domestic and migrant workers should be evaluated as such legislation acted as barriers to Indonesia's compliance with the Convention.

The House accepted a draft gender equality and justice bill from the Ministry of Women Empowerment in August 2011. Members of the House deliberated this rough draft. Furthermore, discussions about the draft filtered into public discourse. From 18 October 2011 to 21 June 2012, the House received insight, comments, and critiques from the different perspectives provided by social organizations, government agencies, experts and religious figures. Some supporters of this bill believed that this presented the perfect moment to regulate a gender mainstreaming agenda for the whole ministries. However, some opponents rejected the bill because of various elements that contradicted Islamic values and cultural traditions. In the end, the House concluded that this draft needed to be revised in order to accommodate opponents' opinions before being deliberated in the next session.

There were some controversial issues in the government's draft. First, the definition of gender, which is not a commonly used word in the Indonesian language, was not popular. Several Islamic groups disagreed with using a "Western" definition of this word; in fact, all "Western" gender ideas contained in the draft were perceived to contradict Islamic values. For example, the concepts of equality and justice examine the balance between the social status of males and females, and this was met with opposition as, in the conservative Islamic approach, males and females have a proportional rather than equal relationship. Second, the foremost Indonesian women's organizations working on issues such as health, economy, and migrant labor, expected the bill to provide a general rule for regulating gender issues. The bill, however, presented technical rules to be implemented by state agencies but did not well regulate the private sector where much of the unequal treatment and discrimination of women

occurs. It had indeed been hoped that, in recognition of the many varied regional perspectives and different treatment of legal cases involving women, the bill would become an umbrella law for any kind of ruling on gender and women. Third, some terminology in the bill was viewed as open to misinterpretation. For example, in Article 12, the bill stated that every person has the right to freely choose a spouse and marry. The term “freely” here was criticized by Islamic groups as the legalization of same-sex marriage, which is forbidden in Islamic law. Therefore, there was a need to rethink certain linguistic understandings and terminologies. Another example was the concept of “justice.” Adian Husaini (2012), a researcher at INSIST (Institute for the Study of Islamic Thought and Civilization), described the concept of “justice” as referring to quantitative equality between males and females. He argues that females are forced into the political field with a 30 percent women’s quota in executive, judicatory, and legislative branches. Husaini believed that this misunderstanding of “justice” placed women in development in terms outside her household, which could also impacted on perceptions of her position in the domestic sphere.

When field research for this study was conducted in 2012, there were two groups that were actively involved in discussions of this bill. First, Islamist groups, which consisted of PKS, Hizbut Tahrir Indonesia, INSIST, among others, declared that the bill should be reconsidered in deliberations during the next session. PKS attempted to make careful statements because the bill still contained controversial definitions on gender equality and some of the articles in the bill had been adopted from other laws (personal communication with Ledia Hanifa, November 15, 2012). Moreover, PKS stated that this bill did not clash with the country's culture and Islamic values (Kompas, April 23, 2012). However, Hizbut Tahrir Indonesia and INSIST rejected this bill because it did not align with Islamic ideas and tended to accommodate Western ideas about male-female relationships (DPR RI, 2012). Second, there were two groupings amongst supporters: some women’s groups accepted the government's draft, while others preferred to propose their own draft for the DPR. Some organizations, such as KOWANI and IWAPI (Ikatan Wanita Pengusaha Indonesia, Indonesian Businesswomen’s Association), stated their support for the gender equality bill in the House's public hearing. IWAPI stressed the need for equal opportunity for all workers, which should be matched in the Manpower Law. Other organizations, such as Komnas Perempuan, the Women Caucus in Parliament, and CWGI (Cedaw Working Group Indonesia), agreed on the general idea of gender equality, but believed that the CEDAW commitment should be pursued as part of the general agreement to the bill. Other women’s groups, like Aisiyah



Muhammadiyah and Fatayat NU, stated that this bill should be redrafted again given that some words and definitions were subject to multiple interpretations. There is concern that the Gender Equality and Justice bill, drafted in 2010, may not be passed before the current parliament's term ends.

Kalyanamitra, which supported CWGI to prepare an alternative draft of this bill, stated that the drafting process occurred in 2011. The main objective was to include the 16 women's rights from the CEDAW convention and Beijing Platform Action into this draft version and also identify mechanisms to implement these rights. The drafting team was not only assigned the task of ensuring supporting research activities, it also consulted women's organizations, community organizations, and state agencies in order to obtain further insight into the bill (Kalyanamitra, 2012). At the end of 2011, CWGI proposed a new draft of the bill to the House. Thus, the House had two separate drafts of the bill that still had to be debated by lawmakers: one the government draft prepared by the Ministry and the other, the CWGI draft.

There are several points in the CWGI draft that substantially differ from the government draft. First, the title of the bill was changed from the "Gender Equality and Justice" bill to "Equality and Justice for Women." The group stressed women's rights in the substance of this bill based on the multitude of injustices that many women experienced in society. The bill explored all the women's rights in the CEDAW convention and the need to create procedures and mechanisms to solve structural and cultural obstacles.

Second, 16 women's rights from the Beijing's Platform Action commitment were the focus of this bill: (1) women's rights in political and public life; (2) women's rights to work and have a decent life; (3) women's rights to education; (4) women's rights to health; (5) women's rights to economic and social benefits; (6) women's rights to equality before the law; (7) women's rights to freedom from violence against women; (8) women's citizenship rights; (9) women's rights to a sustainable environment; (10) the rights of marginalized women; (11) women's rights in conflict and disaster areas; (12) women's rights to freedom from sexual exploitation and trafficking in persons; (13) women's rights to participate at the international level; (14) women's rights to marry and have a marital and family life free from discrimination; (15) women's rights to be free from stereotypes and bodily exploitation in media; and (16) the rights of women in minority groups. All these rights were included in the bill and a discussion of the major problems the inclusion of these rights were deliberated in an academic study of the bill by the CEDAW Working Group Initiative (Sagala, 2011).

Third, to protect and prevent women from violence, the bill explored different categories of violence, such as sexual violence, that could occur in the domestic and public sphere as perpetrated by individuals, organizations, or even the state. Therefore, the bill provided mechanisms to regulate the law based on evidence, witnesses, and victims. Additionally, as mentioned in the Domestic Violence Law (2004), this bill stressed the need for victims' rehabilitation and empowerment in the big picture of protecting women from violence.

Fourth, the bill clearly stated the need for affirmative action in order to improve women's rights in society. The main goal of these actions was to ensure social opportunities and equal treatment that would ensure women's success at any given time. The affirmative action not only covered representation in the House, but also special treatment in terms of budgeting and fund allocation, employment recruitment, regulations, etc.

Fifth, the bill explored how mechanisms that would deliver these gender ideas would be implemented at the state level. Therefore, it was vital to identify each state agency's role in their implementation, especially in terms of government agencies. In order to monitor all programs of equality and justice for women, the bill appointed an independent national council. The council would differ from other government agencies, such as Komnas Perempuan, in that the former was focused on violence against women, whereas the new council would be focused on women's rights.

House members realized that this bill was a controversial bill that would lead to heated debate in the House and community. Controversy had already been created by the Anti-pornography bill in 2006-2008, which had fragmented supporters and opponents both inside and outside parliament (Sherlock, 2008). The bill was controversial because it introduced the concept of "porno-aksi" (pornographic actions), that is, the bill gave the state the right to ban any activities in the public space that could be categorized as exploiting sexuality in pornographic materials. Some modernist Islamic groups, such as PKS, PPP and Muhammadiyah, supported this law to protect families from pornographic materials. Based on issues of religious morality and cultural norms, other parties, including Golkar, PD, PKB, and PAN, also declared their political support for this law. At the same time, PDI-P and various different groups, such as women's NGOs and other liberal groups, became opponents of this law. In general, these groups agreed that pornography, as included in the definition of sex crimes, should be regulated in the law. However, they did not accept the wide-ranging

definition of “porno-aksi”, which could be applied to various cultural activities, such as dancing, painting, sculptures, etc., which were exhibited in the public sphere. Therefore, the House passed the law without PDI-P support.

Learning from this experience, the House has attempted to take a more careful approach in introducing the new bill as bills related to morality were certain to lead to heated debate both among members of the House and the general public. The interactions of the CSOs and political parties in supporting the legislation process of the Gender Equality and Justice Bill are uncertain at this stage because the House is still finalizing the final draft of the bill. In the House, only PKS with the support of other Islamic groups, is attempting to criticize the draft of the bill. The other parties are still waiting for the final draft and studying the political mapping of this issue. Some female members of the House have had the opportunity of study visits to other countries to understand their gender laws but their parties have issued no public reactions. Kalyanamitra and CWGI delivered the CSO draft of the bill to the House in 2011 after these groups expressed their dissatisfaction with the government’s draft. Other women’s organizations have commented and provided input on the government’s draft in the DPR’s public hearing forum as have opponents to the bill. The House is still discussing the final draft bill and considering the multitude of comments and opinions that have been presented to the government about its implementation.

#### **4.5 The relationship between CSOs and political parties in the law-making process: patterns and political positions**

In the three law-making processes described above, women's representation, domestic violence, and gender equality and justice, this study bases its analysis on Beckwith's four women’s movements strategies to examine these issues in the deliberations in the House: autonomy-state involvement, inside-outside positioning, separatism-coalition building, and discursive political-interest seeking. First, Beckwith (2007: p. 320) explored the concept of autonomy from state and independent activities to develop organizations and provide services within society. State involvement refers to how movements seek to cooperate with the state in order to support policy changes, extend new rights, and employ feminist language and values (Beckwith, 2007: p. 322). The scenarios of Indonesian domestic violence and gender equality and justice present two examples. These cases are evidence of the autonomy that women's organizations have when advocating women's rights and seeking to achieve policy changes in

the country. The seven-year law making process leading to the enactment of the Domestic Violence Law can be described in the context of an involvement continuum strategy, where NGOs provide assistance to victims of violence as well implement anti-domestic violence policies. The ongoing law-making process associated with the Gender Equality and Justice Bill shows that there is an opportunity to accommodate women's rights as a path to achieve new values in Indonesia. The issue of women's representation was a new target to increase women's participation in the political arena, including the legislative and executive branches.

Secondly, the inside-outside strategy when compared to the first autonomy-state involvement strategy, has three differences: the nature of feminist movements, strategic interaction with the state, and limited access (Beckwith, 2007: p. 323). In the cases presented in this study, there are some critical arguments from Beckwith's strategies that apply to its analysis. First, there is no clear political mainstream in Indonesia to help determine the nature of movements. Therefore, in contemporary Indonesian politics, it is difficult to describe the political continuum of women's movements as well as the parties' ideologies. For example, with regard to the women's quota, some Islamist parties, such as PKS and PPP, and other nationalist parties, accepted this new rule and applied the 30 percent women's quota to their national boards. Nevertheless, when various religious issues enter public discourse, these Islamist parties express more conservative religious sentiments. Second, it is necessary to discuss the state and party actors' personal attachment or interaction to particular issues. All of these cases expose a strong personal connection between party members and CSO actors. In the Gender Equality and Justice bill the JANGKA PKTP coalition placed their actors in three different groups: women's organizations outside the parliament, female members of the House and one technical expert who was part of the Ministry's team. The House member who initiated the deliberations on the Domestic Violence bill also helped develop the CSO proposal. However, in the issue of women's representation, women's CSOs played the outsider strategy in order to maintain distance from political parties' interests in the election. Third, the state in all three cases was relatively weak in defending its political stance, which was not typically the case for other issues, such as national security and human rights. The state, in these cases represented by the Ministry of Women Empowerment and Ministry of Home Affairs, tended to accommodate discussion and wait and see how deliberations progressed among members House.

In the early stages of bringing these cases to the House, NGOs and women's movements realized that there were no potential partners to help them channel their voices.

Essentially, the outsider strategy was recognized as a possible strategy at that time because women had never previously intervened in the law-making process. Therefore, women's NGOs, such as LBH APIK and electoral reform CETRO, requested that members of the House be involved as speakers at any seminars and public discussions related to these NGOs issues. With these cooperation strategies, women were able to gain access to insiders, to help serve and bring their voices into the deliberations, as well as party officials that could help with any technical assistance and information they would need for the bill. To form a women's representation alliance, women's organizations outside the parties attempted to channel women's participation issues into party women's wings. In fact, the women succeeded in establishing three women caucuses in the political arena: the KPI as representation in civil society, the KPPI as representation in political society, and the KPPRI as the representation of female members of DPR and DPD. In general, women have attempted to combine outsider and insider strategies in this legislation process. Meanwhile, in the ongoing deliberations of the bill on Gender Equality and Justice, the women's movement is positioned as an insider because of its assistance in helping to resolve cases of violence against women, which is still problematic under the current rule of law.

Thirdly, the separatism-coalition building strategy refers to how women can deliver their agenda with or without other groups. In general, these three cases can be classified as typifying separatism strategies, meaning that the women's movements worked alone and not part of a larger coalition. In women's representation, the women's affirmative action quota was a provision under the Election Law and the Political Party Law. Election monitoring NGOs participated in this law-making process. CETRO, as the leader in monitoring election preparations in 2002-2003, coordinated all advocacy and substantive campaigns during the election and political party law-making processes, including the women's quota. However, it did not advocate or campaign in such a manner during the deliberation session in 2007. CETRO and other electoral NGOs worked on general election issues, while, women's organizations advocated in various ways for a women's quota. Therefore, it is not surprising that there was the lack of communication among these coalitions during crucial debates on the topic of a proportional representation electoral system. Additionally, some NGOs leaders admitted that the biggest issues they faced was the unclear management of funding projects, which threatened the electoral legislation advocacy process.

The domestic violence and equality and gender issues also employed the separatism strategy for the following three reasons. Firstly, there was no crucial deliberation on any

domestic violence law issues in 2004; Second, there was a coalition of NGOs that worked to monitor the House's performances, however, the coalition was not actively involved in the domestic violence deliberations. Thirdly, since the draft domestic violence bill was prepared in 2003, the JANGKA PKTP realized that this network could work without the full support from political parties. However, women's suffrage groups and women's transitional justice groups advocated their group's issues in separate ways during the same legislative sessions in 1999-2004. This meant that there was no federation of women's networks to address women's issues in the law-making process. Additionally, there were no other women's rights legislation proposals during the 2009-2014 period when the Gender Equality and Justice bill was being discussed.

The final strategy, the discursive political interest-seeking strategy, describes a pendulum swing from one side, introducing new ideas and new values into society, to the other, focusing on isolating political interests from these new ideas. Both domestic violence and gender equality issues affect the discursive political strategy, as changing political structures are the objective of the women's movements. Specifically, it is hard to deliberate on such gender concepts as violence against women and the meaning of gender equality in a patrimonial society. For female activists, making domestic violence a public issue in society was an objective to not only increase awareness of the meaning of violence against women but to also describe equality and justice from a gender perspective. Therefore, some women activists believed that endorsing gender policy changes at the structural level was a crucial step to reconstructing gender relations in society. At the same time, women's representation can be seen as a structural change that supports the participation of women in politics as an interest politics strategy. This is because both male and female politicians, as the subjects of the Election and Political Party laws, were trying to calculate the benefits to them in supporting this legislation. Some female politicians hoped the affirmative action would extend their political opportunities in enabling them to obtain a parliamentary seat. It is thus easy to understand the objections of male politicians to the women's quota proposal, in that supporting women's political interests could discriminate against them within the electoral process.

The relationship between women's CSOs and political parties in regard to the three issues is based on three dimensions identified by USAID: their activities with political parties, the level of strength of connections, and direction of influence. These three dimensions cannot describe the relations between every single women's organization and party as no

ideological linkages exist between these organizations and parties. However, women's CSOs do distribute support to all parties rather than to one particular party, which explains the general pattern of relations. It is difficult to capture the closeness and distance of the relationships in general because it depends on the issues involved with each law-making process. It appears that women's CSOs and parties have short-term close relations aimed at delivering their particular gender issues. Meanwhile, strong political affiliations are indicated by personal, cultural, and emotional relationships between women's CSOs and parties that are also noticeable in all three issues.

In discussing relationship activities, the three indicators identified by Allern and Saglie — extensiveness, autonomy, and intensiveness — can help describe the connection between women's CSOs and parties in Indonesia. As this study focuses on the civil society perspective, it is vital to see how women's CSOs influence a party's position in the law-making process. The issue of women's representation can be discussed from the perspective of these three indicators, but these indicators cannot be applied as comprehensively to the other two issues of domestic violence and gender equality and justice. However, these activity levels can be applied in examining the connection between CSOs and parties, such as lobbying, information provision, candidate training, resources, etc.

With regard to women's representation, these activities indicators—extensiveness, autonomy and intensiveness — reveal the following. While women's organizations proposed the 30 percent quota in 2002, positioning the CSO to work from the outside with autonomy from national party boards was recognized as the first step of this movement. Nevertheless, women's CSOs realized that they could not work alone, as the subject of the law was the political party with whom the female member was associated. Therefore, extensive activities such as public seminars and campaigns were held in order to raise public awareness in the female parliamentarians' discourse on affirmative action. Women activists attempted to influence affirmative action debates during the deliberations of the election and political party laws. Not only were female members of the House the target of intense influence, women's CSOs also sought to influence key male political party leaders. Some women's mass organizations, such as Aisiyah Muhammadiyah and Fatayat NU, attempted to promote the idea of affirmative action among their members, but they did not attempt directly persuade the parties to which they were linked, PAN and PKB. Although women's CSOs advocated female representation in parliament and aligned with women politicians' interests, their autonomous activities indicated a wider support of all political parties.

When it comes to domestic violence and equality and justice gender issues, some women's organizations provided information, engaged in public discussions, and pursued private conversations with members of various parties. Like other gender development issues, material on violence against women and gender equality was distributed in order to increase public awareness about these issues. In terms of domestic violence, the JANGKA PKTP coalition worked for more than eight years to advance the issue and advocate the new legislation to a larger audience. To attract politicians' attention, the coalition not only involved them in public discussions, but also lobbied key figures in factions and from national board parties. Fortunately, key party figures, like Nursyahbani Katjasungkana and Tumbu Saraswati, had worked in CSOs before they were elected as members of the House. On the issue of gender equality, women groups from different perspectives provided whatever valuable information they could to the House as the issue became one of hot topics in the DPR deliberations during 2012.

The second dimension, the level of strength of connections, refers to how CSOs and parties assess their relationship based on closeness and range of exclusivity. With specific reference to Allern (2010) on the closeness of relationship, all of these cases rely on unorganized links for contact; they used various informal contacts between individual CSO actors and politicians. In the women's representation and domestic violence issues, women's CSOs provided support to all factions in the House. The women's representation movement in 2003 and 2008 did not attempt to establish any close relationships with individual parties; nevertheless, such closeness did indeed emerge in the discussions about domestic violence. Close and personal relationship between some female members of the House and particular NGOs and mass organizations were developed and subsequently supported smooth informal political communication between a number of CSOs and various parties rather than relying on formal meetings. Therefore, women's CSOs chose to use the same communication and advocacy strategies to endorse the Gender Equality and Justice bill in the House.

The final dimension, the direction of influence, refers to the direct influence a CSO may have on a party. Countries like Australia and United Kingdom, where there is a strong correlation between labor unions and the Labor Party, are good examples of this dimension. This relationship is not, however, present in Indonesia. Additionally, political parties may lack strong political ideologies in terms of programs but pay more respect to religious and cultural values when determining their preferred legislative outcomes. Therefore, for example, where there are groups or mass organizations supporting or opposing a bill due to religious



sentiments, some Islamic parties and other secular-religious parties will attempt to accommodate these arguments rather than reject them as the best course of action. Thus, cleavage linkages between parties and CSOs are still emerging in the legislation process.

This relationship between women's CSOs and parties that has recently emerged in the law-making process is due to the post-cartel party phenomena. Parties in the DPR do not have a clear vision of how to accommodate the aspirations of the varied groups of voters, including women's groups. It is more advantageous for them to respond to mainstream demands from the community to win votes. Competition among parties to defend their political stances in policy-making was not considered to be an urgent priority for these parties (Katz & Mair, 2009). All the laws in the study were initiated by CSO groups and parties responded these issues based on their particular interests to gain electoral votes. Nevertheless, deliberation of laws could consider political cleavages among parties and CSOs (Kitschelt, 2000). Although the societal connectedness of parties can be identified by tracing historical close relations between women's CSOs and some parties (e.g. PKB and Muslimat NU) (see also Mietzner, 2013), these three law-making process cases show an overall weak connection. It is personal linkages that are the crucial factor in the successful support of legislation related to women's issues.

#### **4.6 Conclusion**

Indonesian women have gathered in association with one another since the early 1900s. At that time, women's organizations focused on several urgent and controversial issues, such as marriage and education. However, during the 1955 election women also faced political dilemmas in how to respond so that female involvement could be implemented and gender issues could be given a voice. This dilemma continued during the Guided Democracy era and the beginning of the New Order regime in which major women's organizations preferred to be silent and co-operate with the state in order to be allowed to quietly run their social economics development programs. Since *Reformasi* began in 1998, as the main critical juncture in the study, women's organizations have had numerous opportunities to independently endorse gender policies in the law-making process. Therefore, women have been able to strategically organize themselves to respond to social and political changes in the country.

In examining three cases of law-making related to women's issues, the study finds two relationship paths between women's CSOs and political parties. The first path relies on informal, personal relationships between key actors in both organizations to constructively intervene in the law-making process. The second path requires consideration of societal cleavages for CSOs and political parties in communicating with each other over the drafting of bills. Because essentially women's CSOs can easily access and connect with any party in the DPR, this second path is one of wide support from a single CSO to all political parties. In general, although women CSOs have been well-organized and capable of introducing gender issues into the law-making process in DPR, nevertheless they have not been able to avoid the fragmented nature of civil society.

Currently the major problem of the female representation and domestic violence laws is the commitment to implement the legislation at all levels<sup>82</sup>. The government has a lack of gender capacities to take action against existing domestic violence. At the same time, parties are not yet fully willing to adopt affirmative provisions into their internal organizations, while women's CSOs require the implementation of these laws and the resolution of any technical gender problems in the field. Therefore, Indonesia is experiencing difficulties in assuring the implementation phase of gender legislation passed several years ago. The next chapter will examine how gender quotas can be implemented by women's CSOs and women politicians in the elections.

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<sup>82</sup> The Gender Equality and Justice law has not yet been passed

## **CHAPTER FIVE**

### **Women and political representation**

This chapter focuses on the relationship between women's CSOs and political parties with regard to the women's representation issues discussed in the previous chapter. It depicts several women's CSO activists' nomination as candidates for the national legislative elections in 2004 and 2009. Additionally, the chapter describes how these candidates dealt with their respective organizations.

The chapter is divided into five subchapters. The first subchapter depicts the problems associated with candidate selection mechanisms, particularly from a female perspective in terms of the elections held in 2004 and 2009. It begins with a discussion of the theoretical background of descriptive-formal representation and candidate selection before moving on to obstacles to female candidacy. The second subchapter identifies the role women's CSOs played in endorsing female candidates in the 2004 and 2009 elections. The third subchapter explores the strategies employed by female candidates with a CSO background to gain parliamentary seats, while the fourth discusses the relationship patterns between these women's CSOs and parties in endorsing the representation of women in the DPR. The relationship between women's CSOs and political parties in Indonesia are depicted in the model presented in the final subchapter.

#### **5.1 Female candidate selection problems: 2004 and 2009 elections**

This subchapter concerns the problems female candidates faced during the nomination period for the 2004 and 2009 national general elections. During these elections, Indonesian political parties were required to adhere to a gender quota in both their candidate selection process and choice of national party board members, with the latter being connected to the former in the sense that it encouraged a more gender-equal party agenda and greater enforcement of increased female membership in political parties. The subchapter begins with

a brief review of the theory of formal-descriptive representation and candidate selection in terms of the implementation of gender quotas in each political party. It concludes by identifying how these gender quotas are implemented in both electoral rules and candidate selection against the backdrop of the 2004 and 2009 elections and Indonesia's initial experimentation with ensuring female representation in the DPR.

The previous chapter discussed the gender quotas and electoral rules for the 2004 and 2009 elections. As Indonesia adopted a semi-open proportional representation system in 2004, which allowed voters to nominate a single preferred candidate running on the selected party's list, each political party was given strong autonomy in deciding the placement of each candidate on the party list. Most female candidates were found to be placed on the bottom of parties' respective lists, resulting in a lower likelihood of being elected. During the 2009 election, conversely, an open-list proportional representation system was used, which allowed for majoritarian mechanisms to decide the winner of the seat. While female candidates had a higher possibility of being elected with the zipper scheme, once again, most were placed in less secure positions.

Scholars who have studied gender quotas, such as Leslie Schwindt-Bayer (2010), Mona Lena Krook (2007, 2009) and Manon Tremblay (2008), argued that the adoption of gender quotas can be difficult because political, cultural, and socio-economic barriers to gender quota implementation still exist in electoral systems. Yet importantly, gender quotas can lead to improved female representation. Schwindt-Bayer (2010, p. 17–20) argued that the common experience of subordination shared by women as well as a feeling of being “surrogate” representatives — women feeling obligated to represent women — were the primary reasons why female legislators may better represent the female voice in the legislative process than male legislators. In a number of Latin American countries, she found that in contrast to male legislators, female legislators place a higher priority on gender equality. There are contrasting ideas about how to properly implement gender quotas among democratic countries; as such, the barriers to female representation and the recognition of the importance of female voices are not unique to the Indonesian case.

Krook (2007, p. 370–3) identified four key explanations as to why many countries adopt gender quotas, three of which were valid for the Indonesian context: (1) the use of gender quotas as a means to increase female representation; (2) gender quotas are consistent with the emerging idea of representation; and (3) international support for the implementation

of gender quotas. Despite the argument that the implementation of a gender quota has strategic advantages, many politicians in Indonesia refuse to recognize its values largely due to the continuing—albeit diminished—patriarchal attitudes in both the Indonesian political sphere and Indonesian society as a whole. The implementation of Schwindt-Bayer's descriptive-formal representation in the electoral system is therefore more effective than substantive representation because it will take more time for Indonesian electorates to demand politicians become more responsive to gender issues. Currently, the experience and wishes of female Indonesians are not fully reflected in substantive representation as compliance with gender quotas are only applied to particular policies and are in their relative infancy in Indonesia.

In each party's candidate selection process, there are four dimensions, candidacy, the selectorate, decentralization, and the appointment and voting system, used to nominate candidates for election (Hazan & Rahat, 2010). These processes are similar regardless of gender and it is therefore important to consider the patterns of candidate selection in recent Indonesian politics before analyzing the selection process in terms of female candidates. Contemporary studies on Indonesia's political parties, such as those by Mietzner (2012a), Honna (2012), Tomsa (2008, 2013), Hidayat (2012), Noor (2011), Harjanto (2010), and Fionna (2008), concluded that the institutionalization of the country's political parties, which includes recruitment, was relatively weak. However, these studies did not specifically discuss candidate selection. Accordingly, this section attempts to answer some of the questions posed by candidate selection and how it relates to women's representation.

Hazan and Rahat (2010) listed a number of candidacy criteria in different countries: age, party membership, incumbency, and other requirements (such as a monetary deposit or fee, or enrollment in an educational program). In the Indonesian context, these requirements are governed by the Election Law Number 2/2008, which lists the following basic requirements for election candidates: (1) a minimum age of 21 years; (2) evidence of party membership in the form of a copy of the candidate's card; (3) a letter from a judge confirming that the candidate has never been convicted of any criminal activity requiring more than five years' imprisonment; (4) a letter of resignation as a member of any state body organization; and (5) a pledge not to practice and serve as a public accountant, lawyer, state official, or perform any other service whose budget expense is financed by the state during the elected term. As such, in Indonesia, a candidate is defined as a party member who is at least 21 years

old, who does not have a major criminal record, and is no longer tied to the state in an employee-employer function.

These regulations seek to ensure that abuse of authority is prevented at the beginning of the election process, candidacy. Although there are only two confirmed cases (in Jambi and Malang regency) where these regulations were violated, including a diploma fraud during the 2009 elections (Kompas, May 8, 2009; Tempo, July 1, 2009), undocumented violations have, nevertheless, occurred in Indonesia. As not all parties are able to verify each of their own candidate's requirements, the KPU is tasked with announcing temporary candidate lists, which are modified after a period of feedback from the public that ensures that all candidates meet the regulations outlined by the law and validates their candidacy.

The second element, the selectorate, pertains to the different nomination styles parties use to decide candidacy: voters or party members may select the candidates. Moreover, Hazan and Rahat (2010: p.36) differentiated three methods used to select candidates: the assorted, the multistage, and weighted.<sup>83</sup> Most Indonesian political parties delegate their candidate selection responsibilities to party officials and elites on national and local boards. Each party has a candidate selection team at every electoral level, which selects and nominates candidates at its own level. For example, the national team is responsible for selecting candidates for the House of Representatives, while the local team selects candidates for the local House. Although a few parties, such as the Gerindra Party, opened their party candidate nominations to the public and invited popular figures to nominate for the 2014 election, most parties still nominated candidates from their cadres (Vivanews, January 28, 2013). Therefore, candidate selection in Indonesian parties is determined by the party elite and members.

Several major Indonesian parties, like PKS and Golkar, require potential candidates to attend party leadership courses at several levels (i.e. national or regional) as the main

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<sup>83</sup> The assorted selection candidate method requires different candidates to face different selectorates because candidates differ from their selection groups. For example, Hazan and Rahat mention that Belgian parties used the assorted method from the 1960s to the 1990s to select candidates. In one party, some candidates were selected by party members, while others were selected by delegates of party members or the party's elites. The multistage method demands that the same candidates face a multistage selection process. The British Conservative and Labour parties, as two examples, appointed the special committee to screen and select their candidates according to this method. The final method, the weighted method, weighs the choices of two or more selectorates for the same candidate or candidates before making the party's final determination on this selection. The Labour Party in New Zealand, for instance, considers different weighted methods (from delegates of constituencies, delegates from party agencies and party's elites) before it determines the final candidates.

assessment tool for nominations, along with attendance at other party events and the ability to make material contributions to both the party and the election campaign (Fionna, 2008). As a result, most parties place a higher priority on retaining incumbent members of the House. According to candidate interviews, some parties also managed to change each candidate's electoral district, a complex and morally ambiguous method of ensuring candidate electability and favoring party elites and preferred candidates. In the 77 national districts, public opinion surveys in the 2014 election were considered a selection tool by parties like Golkar to ensure that a candidate is electable.<sup>84</sup> In comparison to the other major Indonesian political parties, only PKS combines the two separate nomination processes, an internal election at the district level that decides which candidates are presented to their elite selectorate, which has the final say in who is selected.

Some parties, like PDI-P and PAN, not only require that their candidates participate in several meetings or in an initial course before officially accepting a nomination (personal communication with Dewi Coryati, a PAN official, February 19, 2012), they also request that candidates take a psychological and drug test as part of the nomination process (Republika, June 3, 2012; Tribunnews, January 28, 2013). Through such methods, Indonesian parties attempt to reform their candidate nomination requirements in order to deliver the best-qualified members of parliament as demanded by Indonesian electors (Kompas, August 10, 2012).

Decentralization in terms of candidate selection consists of territorial and social aspects (Hazan & Rahat, 2010). Territorial decentralization means that all candidates in different territories can be nominated as candidates for local and national elections by local branches. This selection method can also apply for some centralized party types like those found in Indonesia. However, the critical purpose of decentralization is to accommodate different social and territorial aspects in the selection process. Although the final decision falls on the national board team, local branches have the authority to display and nominate local candidates for their districts based on electability and popularity. Social decentralization in the candidate nomination process involves the consideration of different groups in both

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<sup>84</sup> Based on some informal conversations with Golkar officials, the use of surveys has been in effect since the 2009 election, but was not part of the candidate selection process. Currently, according to Idrus Marham, the General Secretary of Golkar, the survey is used to consider the electability of candidates (Tribunnews.com, February 21, 2013).

societies in general and the party in particular. In the case where parties are keen to increase popular votes, competent popular figures from beyond the party's official membership can also be nominated.

Older parties, such Golkar, PDI-P, and PPP, have a long tradition of recruiting and nominating their party and other groups' members under their umbrella organizations. For example, Golkar, during the Suharto era, considered particular agricultural or labor groups as part of the party's membership or a branch of it. Moreover, to appoint Golkar's candidates to public offices, Golkar's top leaders invited the Minister of Home Affairs and the Commander of the National Army to run for the party, reassuring the political agreements with its three main supporting organizations, MKGR, SOKSI and KOSGORO<sup>85</sup> (Azwar, 2008). Since 1998, according to Golkar official Rully Azwar, the party has implemented a candidate selection based on merit, such as party loyalty, success in developing the community, and experience with gaining public support. This means that the party prefers to provide all candidates with equal opportunities to be nominated. Nevertheless, Azwar does not deny that political factors can be the primary obstacles to institutionalizing a merit system in candidate selection.

At the same time, newer parties, such as the PKS, PD, PKB, and PAN, recruited many public figures at both the national and local level as well as in other social and political strata. Although the parties prioritize the level of each candidate's involvement in party activities, major parties are open to any unaffiliated potential candidates, especially if they are capable and popular. According to the seven leading parties officials, around 5 – 30 percent of candidates were previously unaffiliated and included NGO leaders, businessmen, entertainers, and former athletes. Ida Fauziyah (personal communication, February 15, 2012), a PKB official, admitted in an interview that parties also need competent figures from different professional backgrounds, who may bring benefits to the party electorally.

As Fionna (2008) illustrates, in four local parties in the Regency of Malang, members of post-*Reformasi* parties did not have a clear career development path within the party. In the

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<sup>85</sup> Golkar was formed by major federal organizations, including three main organizations (MKGR (Musyawarah Kekeluargaan Gotong Royong, Mutual Assistance Families Association), SOKSI (Sentral Organisasi Karayawan Swadiri Indonesia, Central Organization of Indonesian Workers) and KOSGORO (Kesatuan Organisasi Serba Guna Gotong Royong, Union of Mutual Cooperation Multifunction Organizations)). However, because Golkar served as the ruling party in the New Order regime, any crucial party decisions involved other groups such as the army and bureaucrats.



writer's observations of the PPP's women's nomination for 2009 election, he confirms that the party elites preferred to nominate a public figure from one of the Jakarta districts rather than a senior party cadre who had worked in the district for several years. Only PKS has clear recruitment programs and supports decentralization in the selection process for its local branches (Noor, 2012). Moreover, although major Indonesian parties have mass organizations as their social representation groups, they do not have clear regulations about nominating members from affiliated organizations as potential candidates. For example, Ida Fauziyah<sup>86</sup> (Chairwoman of Fatayat NU) and Siti Noordjannah Djohantini<sup>87</sup> (Chairwoman of Aisiyah Muhammadiyah) permit their members to be personally nominated as candidates by any parties, as both organizations do not have particular regulations that pertain to the election candidate process. In general, most parties still evaluate candidates based on popularity and their relationship with party board officials (i.e. nepotism).

As the selectorate was appointed by the party elite, most Indonesian parties use an appointment method to choose candidates, including their position on district lists. Even though PKS, along with most other Indonesian parties, considers party members' votes, it seemingly bestows party elites with the authority to make the final decision when it comes to selecting candidates. As such, the fourth element identified by Hazan and Rahat (2010), the voting system, plays only a minimal—if any—role in Indonesia. Candidates are not chosen based on the party's popular vote, instead, they are nominated based on what the party feels best for it and not necessarily based on a voted-upon nomination. Therefore, some problems remain, including, for example, central decision-making for candidate selection for the 2014 election. Mamun Murod Al Barbasy, a PD cadre, mentioned several party nomination violations occurred (Rakyat Merdeka, May 4, 2013). He states that nepotism among the inner circle of the Yudhoyono family strongly influenced the selection of candidates, although there is a technical regulation that the party should nominate a qualified cadre as an election candidate in a suitable district.

With regard to women's representation in Indonesia, all of the aforementioned elements are visible, with selectorate problems being the most prominent. Candidacy requirements, used by parties since the first post-Suharto election in 1999, do not appear to discriminate against specific groups of citizens. The social aspects of decentralization and

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<sup>86</sup> Personal communication, February 15, 2012

<sup>87</sup> Personal communication, November, 12, 2012

appointment mechanisms have, however, directly affected the implementation of gender quotas in the nomination process. Unfortunately, the selectorate team, which is normally appointed by the chair of the party for the election, plays a crucial selection role in the placement of female candidates on the list and their possibility to be voted for and secure the seat. Since the gender quota was implemented during the 2004 election, female party members have been included on each selectorate team as a guarantee that female candidates will have a proper position on election lists. This mechanism means that in order to ensure the placement of female representatives on selectorate teams, as Dewi Coryati (PAN) has admitted, women have been asked by their male colleagues to be more active in party activities rather than simply asking that they be chosen because of the gender quotas (personal communication February 19, 2012).

In order to satisfy the requirements of the gender quota, thirty percent of candidates on the party's candidate list have to be female. Parties approached this quota using different strategies and rules in order to prepare for the 2004 election (Siregar, 2008, p. 139–40). The PBB Party Decision No. 029/2003 stipulated that "at least one female candidate should be placed number one on the list of candidates in an electoral district for the national, provincial, or local parliament with four or more representatives". The PPP did not explicitly regulate that thirty percent of candidates be women, instead it insisted that at least one woman be included on the candidate selectorate team. PD did not specifically describe their recruitment rules. PAN sought to nominate 30 percent of female candidates on the list, stating that "of the 120 percent<sup>88</sup> of candidates nominated for each electoral district, 40 percent could be given to society leaders, and 20 percent to female community leaders". PKB did not regulate the 30 percent, but the party stated that it would consider female representatives and the electability position of female candidates on the list. PKS did not refer to affirmative action for female candidates in its recruitment regulations, but rather stated that female candidates should have a permission letter from their husbands in order to be accepted as a nominee. PDI-P stated that it would consider the 30 percent quota for women in its candidate selections at the national, provincial, and local levels. Finally, (8) Golkar felt it would follow both the 30 percent female representatives rule as well as the order placement of women on its lists. Therefore, overall when viewing these parties' strategies for the 2004 election, it does not

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<sup>88</sup> Indonesian election law allows for each political party to nominate its candidates for a maximum 120 percent of the number of seats allocated to a particular district. For example, in an electoral district with 10 seats, a party can nominate 12 candidates.

seem they seriously supported the implementation of the thirty percent women's quota as mandated by the Election Law.

Based on the numbers of candidates for each selected party in the 2004 and 2009 national elections (Table 5.1), there were only three parties in 2004 — PKS, PKB, and PAN — that nominated more than 30 percent female candidates. By 2009, only one party, PPP, did not manage to meet the 30 percent quota for candidate selection. The highest contributor of female candidates in both elections was PKS, with over 40 percent and 37 percent in 2004 and 2009, respectively. These data suggest that, in general, all parties surveyed have indeed shown a commitment to endorsing gender quotas.

One concern remains: while the selected parties were able to successfully fulfill the 30 percent requirements, the electability of female candidates at the top of party lists (number one and number two) remained very low. Only a very small number of female candidates had their names appear first or second, while the rest were placed on the middle or bottom of the lists. In the 2004 election, PKS, even though 40.3 percent of its list comprised female candidates, placed just 4.5 percent of women at the top of their ballot lists, while Golkar and PPP had 2.6 percent and 2.8 percent, respectively. Although, parties made corrections to their approach to nominating female candidates, which in turn increased the number of female candidate at the top of ballot lists in the 2009 election; the percentage remained low in terms of election success when compared to the previous election. For example, PKB and PPP, whose lists comprised of 34 percent and 27 percent female candidates, had 26.6 percent and 23.6 percent of female candidates at the top of their lists, respectively. PKS, who was recognized for the success of its female nominees, placed 4.6 percent of its female candidates at the top of the list in 2009 despite the fact that only 37.1 percent of its candidates were female. There is an irony to these results, with the high contribution of women to the total number of candidates in all districts being countered by their low electability. Other parties had similar experience as PKS, regardless of their efforts to increase female representation.

According to Pemilu Asia ([www.pemilu.asia](http://www.pemilu.asia)), the number of female candidates recorded at the top of party lists increased slightly between 2004 and 2009 from 15 to 18.2 percent. The number of women elected also increased during this period from 11 percent in 2004 to 18 percent in 2009. Most selected parties successfully increased the number of women

elected into the DPR<sup>89</sup>. In 2009 large parties, such as PD, Golkar, and PDI-P, elected more women to the House than other medium-sized parties. Although the PKB only received 5 percent of the popular vote, 25 percent of the women elected to the DPR came from its ranks. These results indicate a positive correlation between an increased number of votes in a large electoral district and the number of women elected from major parties as well as the application of parliamentary threshold in the 2009 national election<sup>90</sup>. Although there is no strong relationship between the top-of-the-list candidate's electability and the open list proportional representation, it seems that Indonesians still believe that it is important to place potential candidates on the top of the list.

As Table 5,1 shows, however, the 30 percent quota for female candidates did not have an impact on the electability of female candidates. The insignificance of the women's quota was largely driven by the fact that political parties neither seriously endorsed the nomination of female candidates nor persuaded them to pursue a seat in the House of Representatives in the 2004 and 2009 elections. Despite female candidates receiving a significant number of the popular votes in their electoral districts, they failed to gain seats because of their placement in the middle and bottom of their parties' lists. The results also indicate that parties placed female candidates on their nomination lists merely to comply with the electoral rules. Moreover, comparisons of the election results from 2004 and 2009 suggest that the application of gender quotas to two different electoral systems during both elections—the semi-open and open-list proportional representation system — did not guarantee that the 30 percent quota would be translated into women's election success. Most parties chose not to comply with the gender quotas rules as the unsuccessful result for women. Although many gender quota studies have suggested that the implementation of a closed-list proportional representation system would increase the number of women in parliament, the Indonesian case requires further explanation about how the political parties comply with quota regulations. As the party is specifically responsible for the nomination of female candidates, candidate selection in each party did indeed contribute to the resulting number of female seats in the House.

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<sup>89</sup> . Only one party saw a decrease, PKS, from 10.4 percent in 2004 to 5.2 percent in 2009.

<sup>90</sup> Since 2009, the parliamentary Threshold (PT) has been used. The PT is an electoral threshold for party representation in the DPR. In 2009, the PT was 2.5 percent. However, for the next election in 2014, the PT is higher at 3.5 percent. Because major parties, such as PD, Golkar and PDI-P, received a greater number of seats, the number of women elected from these parties also increased.

Table 5.1

*Female candidates in seven major parties during the 2004 and 2009 general elections*

PARTY	2004 ELECTION			2009 ELECTION		
	FEMALE CANDIDATES (%)	FEMALE CANDIDATES AT THE TOP OF THE LISTS (NO.1 AND NO.2) (%)	ELECTED FEMALE CANDIDATES (%)	FEMALE CANDIDATES (%)	FEMALE CANDIDATES AT THE TOP OF THE LISTS (NO.1 AND NO.2) (%)	ELECTED FEMALE CANDIDATES (%)
PD	27	4.6	14	33.2	13.2	22,9
GOLKAR	28.3	2.6	14.2	29.8	16	16,9
PDI-P	28.3	3.1	11.1	34.8	10.4	18
PKS	40.3	4.5	10.4	37.1	4,6	5,2
PAN	35	4	14.2	30.1	16.1	15,2
PKB	37.6	5.3	13.2	34	26.6	25
PPP	22.3	2.8	5.2	27	23.6	15,7

*Note.* Adapted from data provided by the National Election Commission (KPU) for the 2004 and 2009 elections. The calculation of the data was aided by Kevin Evans (<http://www.pemilu.asia>), who provided this precise data. The election data for the 2004 election data was retrieved from E.B. Subiyantoro “Keterwakilan Perempuan dalam Politik: Masih menjadi kabar burung,” *Jurnal Perempuan* (34, 2004), pp. 71-3. The 1999 election data could not be analyzed because candidate lists used the closed-list method and did not mention gender identity on each party list. Moreover, in this election, parties decided the elected candidates using their closed-lists, which are not accessible to the public.

Before the implementation of the gender quota in 2004, the debate concerning the number of women in the House was largely nonexistent. However, the cooperation between the women’s movements and women’s party wings was crucial for placing the female formal-descriptive representation in the Indonesian House of Representatives. In that context, the increased number of female representatives in the House can be considered an outcome of the formal-descriptive representation (gender quotas) and parties’ candidate selection. Furthermore, these results stemmed from cooperation between civil society actors and politicians who shared the desire to increase women’s political presence in society.

## 5.2 Increasing female candidates in an election: the role of civil society organizations

### 5.2.1 Developing a strategy of cooperation between parties and women's CSOs

As the previous chapter mentioned, a specific cooperation strategy on gender equality issues exists between women’s CSOs and political parties’ women’s wings. This sub-chapter explores how women’s CSOs endorse female representation in political parties as a means to increase the number of female candidates. To achieve this goal, women’s CSOs take on three roles in Indonesia: (1) profiling potential women candidates; (2) providing some capacity

building courses or workshops on how to win elections; and (3) assisting female candidates' election campaigns. As women's CSOs believed that gender quota advocacy was not effective enough to guarantee the implementation of gender-based legislation, these roles acted as a means to ensure that the female representation would increase. These organizations were therefore responsible to ensure that each political party observed stipulated gender quotas. These women's groups used their own networks to intervene in the selectorate during candidate selection in order to make sure the gender quotas were implemented.

In general, the women's CSO's political orientation and its orientation toward the party system are partisanship and electoral politics (Young, 1996, p. 232-8). Once such cooperation between women's CSOs and parties is established, their shared political ideology influences cooperative activities such as supporting specific policies and guaranteeing electoral votes. For example, some leftist women's organizations are able to easily communicate with left-leaning parties as they share the egalitarian leftist ideology (Caul, 1999, p.82). Accordingly, leftist parties are recognized for supporting marginalized groups, including women. In this context, the close relationship between women's CSOs and parties is defined in partisan terms. However, this relationship is not exclusive to a single party or party ideology, and such cooperation, as Young (1996) illustrated, prefers to take on a multi-partisan orientation.

In the Indonesian context, however, such cooperation is limited. There are no strong connections between left-wing parties or women's organizations. Women's CSOs, such as Fatayat NU and Aisiyah Muhammadiyah, tend to disperse their political support to several political parties without establishing an institutional political commitment.<sup>91</sup> Indeed, even at the level of religiously-oriented cooperation, in Indonesia there is only a slight collaboration between several Islamic women's organizations like Fatayat NU and PKB. Fatayat NU distances itself from PKB as an organization, declaring itself a non-political organization that merely supports the involvement of women in politics although it is involved in the selection of PKB candidates.<sup>92</sup>

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<sup>91</sup> This statement is a conclusion based on the author's communication with Ida Fauziyah (Fatayat NU) and Siti Noordjanah Djohantini (Aisiyah Muhammadiyah).

<sup>92</sup> This was the response of Ida Fauziyah, the chairwoman of Fatayat NU to NU's chairman and PKB's leader, upon the latter's enquiries about the role of Fatayat NU in the political field (Metrotvnews, February 22, 2013).

In a study on gender quotas in Asia, Ballington and Bylesjö (2003) identified skill development workshops and women's networking and mobilization as two separate factors that may empower women in politics. These factors are attributable to the difficulties that women encounter in terms of political competition from male politicians as they often lack political capability and networking skills. For example, Bjarnegard (2009) noted this limitation in the Thai case, as female candidates do not vote in canvasser networks. Within parties, female politicians should pass two filters in the electoral process: they are "to run for" a ticket as a candidate and "to achieve" popular votes in the election (Kunovich & Paxton, 2005, p. 507). Therefore, women require party affirmative action in the electoral process in order to guarantee the implementation of the legislation, even if the female candidate performs well in the party's nomination process. Accordingly, parties not only consider the gender quotas when selecting females for their nomination lists, they also try to predict how these females would gain a seat in the House.

### **5.2.2 CSO profiling of potential women candidates**

In the previous chapter, male politicians identified that there were only a limited number of female members in their parties that were able to become candidates in an election. In reality, females had limited opportunity to become candidates, regardless of numbers. Before the implementation of the gender quota in 2004, few female party members were given decision-making roles, and they consequently found it difficult to become members of the selectorate team or to nominate as electoral candidates. Scholars such as Kunovich and Paxton (2005) illustrated that by endorsing more women elites in the party, women's representation would also likely increase. Where women hold higher positions in the party, particularly as part of the selectorate, these female elites would be endorsed by their colleagues and this would increase female member's potential to garner the top position as election candidates. By being part of the party's elite, potential female candidates can demonstrate their loyalty and political performance to the party and thereby increase their attractiveness to the party. This subchapter attempts to describe the profiling of potential women candidates' activities that were conducted by women's groups.

Leading up to the 2004 election, CETRO and GPPI compiled a list of twenty-five potential female candidates with different social and political backgrounds that could be matched with parties as potential nominees. This nomination means to alleviate fears that the

number of available female candidates would be insufficient (Kompas, April 24, 2004). These potential female candidates were not only prominent figures in their respective fields, they were also committed to gender equality. Furthermore, these NGOs cooperated with several fashion and cosmetic companies to provide each candidate with some campaign funds, a move that symbolized that the women's movement was capable of using the private sector in order to leverage women's status in politics. Some of these candidates, such as Maria Ulfah Anshor (PKB) and Eva Sundari (PDI-P), used these funds to build clean water infrastructure in their electoral districts. These candidates believed that this cooperation between CSOs, political parties, and the business community was an important step in both connecting female candidates to voters and proving that there were potential women candidates who deserved the electorate's vote. Although not all potential female candidates identified by the CSOs' efforts were nominated by their parties, as each party's selectorate team considered multiple candidacy requirements before it made its decision, nevertheless some credited the cooperation for their nomination. For instance, Eva Sundari admitted that she had been nominated by PDI-P when the House intensified its implementation of a gender quota in the election process at the end of 2003 (personal communication, March 1, 2012). That was her first year as a politician, after she decided to step away from lecturing and civil society activities to focus on politics. Therefore, the list of potential women candidates had successfully attracted the party's attention to these women.

In 2008, Puskapol UI and Puska Gender UI (Centre for Gender Studies, University of Indonesia) had a similar idea to profile potential female candidates for major political parties at the national and local levels. These profiling databases were more comprehensive than CETRO and GPPI's in 2004; they combined two women's political groups in different fields: female members in each party and women's CSO leaders. Puskapol worked the female party members, while Puska Gender made a list of candidates' names from a pool of women's CSO. The organizations sought to highlight the different backgrounds of the potential candidates as a means to overcome the parties' failure to identify which potential female party member to endorse as candidates. Enabling both cooperation with the women's wing in each party and informing the party elites about potential female candidates was not an easy process for two seemingly conflicting reasons: on the one hand, many female party members were interested in being nominated as candidates; while on the other hand, many others had no intention of being endorsed as candidates. As such, the lists created by these research centers facilitated the women's wings' endeavor to promote more female candidates based on political party's



nominations. Furthermore, by identifying potential candidates among the members of women's CSOs, the organizations provided direct access to many potential candidates. They also pushed parties to seek nominees outside of their own membership with the knowledge that these candidates had experience with reputable women's organizations.

The compilation of these separate databases took place in two steps. First, Puska Gender UI collected input from civil society actors, including NGOs, mass organizations, and group movements about the terms of the nomination. It was not easy for the research center to collect the names of potential female candidates because the majority of activists rejected the offer to be included. Second, Puskapol UI requested information from two sources from political parties to effectively compile the figures: women's wing organizations and management party's boards. Party boards refused to release the names because they had yet to start their own selection procedures and had also not seriously prepared for nominating female candidates. As such, Puskapol UI preferred to collect the figures from women's wing organizations and other women's party elites.

Most female members in this database were not, on any level, involved in the party's management boards. More than forty percent of the list was not nominated during the 2004 election, despite the fact that almost a thousand potential female candidates had successfully been collected by Puskapol and Puska Gender UI (Sindo, February 29, 2008). This potential database had been made available to seven major political parties. As such, it appears that the lists did little to change these party's priorities in terms of candidate selection. By profiling candidate activities, these potential candidates were merely delivered as part of the selection process and neither research center was unable to influence the parties.

### **5.2.3 Training for female candidates**

One of the main tasks for a political party is to prepare all its candidates to ensure that the party gains the maximum amount of seats in the House, including those for their female candidates. However, most political parties have, and continue to, fail to take such preparations seriously. While training and workshops were held for party members at various levels, the party's women's wing, such as the WPP (United Development Women – PPP's women's wing) for example, only recognized the importance for women to attend every training and workshop instead of actually discussing gender equality themes (Adelina, 2006,

p. 109). It appears that parties do not pay particular attention to their endorsement of candidates, including women, particularly in terms of guaranteeing their ability to win their electoral district. Specifically, Adelina pointed to a weakness in women's departments in major political parties in preparing female members to be successful candidates. It appears, therefore, that female party members are unable to influence the candidate selection process because party elites fail to show a willingness to support their own party's women agendas.

Most parties had realized that improving the low political competency of their candidates was an immediate concern, especially in cases where female candidates were experiencing their first election. Therefore, in 2008, some women's organizations and other research institutes, such as KPI and Puskapol, conducted practical courses and workshops for female candidates. These workshops would increase women candidates' ability to win the election at the national and local levels. Specifically, Puskapol's candidate workshops' main concern was based on its assessment of the application of gender quotas in which political parties did not seem to have clear strategies to support the increased female quota for women in parliament. An additional concern was that their nomination process lacked transparency, which resulted in low female participation and limited competent females in the party (Sucipto et. al, 2008). Training provided technical preparation about how to win the election, such as conducting an effective campaign and maximizing candidate's popular votes. However, this training unpacked participant's knowledge about the women's perspective in politics, informing them of the urgency of injecting gender equality into contemporary Indonesian politics.

Practically, Puskapol's training encouraged participants to map their strengths and weaknesses in each electoral district in terms of how they could gain the potential seat based on previous election data assumptions. The use of mapping strategies method meant that, in order to win, female candidates required more practical and strategic information about how they could effectively organize their teams and wisely use their social capital and other resources. The training also taught them how to communicate effectively using mass media based on several practical examples. Moreover, Puskapol also provided the gender and election reference book as practical guidelines about how to win seats in the House.

Unfortunately, changes made to the electoral system by the MK decree three months prior to the 2009 election had a profound impact upon the real battle for women candidates. At the beginning of the training, most female participants believed that they needed to

compete against their male and female colleagues on the party lists in order to gain seats in the election because of the semi-open PR system. After the MK decree was enacted in December 2008, this was no longer the case and elections became free-for-all competitions to win seats. This meant that the substantial training provided to female candidates had been based on a false assumption and was therefore relatively obsolete. These training sessions were, however, helpful for preparing female candidates for the election.

Over the course of this study, participants who attended Puskapol's training were identified and results were mixed. For instance, two former Puskapol training participants and NGOs activists, Hetifah and Dini Mentari, had contrasting election experiences; Hetifah was elected as a Golkar MP, while Dini Mentari, from PPP, was unable to gain a seat. Both women stated that the training program had been a great experience and had provided them with practical information about how they could win a seat in the House.<sup>93</sup> However, Dini Mentari admitted that she had not seriously implemented all the methods discussed during the program in her campaign because she was only half-heartedly competing in the election (personal communication, February 23, 2012). In contrast, Hetifah applied several methods, such as mapping constituents and researching her new electoral district as well as utilizing the NGOs networks in that area (personal communication, February 2, 2012). Additionally, Hetifah also recognized the importance of monitoring the vote count for every election committee regardless of territorial level from the training she received and she therefore applied this practice during her election campaign.

#### **5.2.4 Assisting female candidates with campaigning**

Since the gender quota was established in 2004, some women's organizations, such as LBH APIK, KPI, and Fatayat NU, supported female candidates, particularly those who were closely aligned with the organization's activities, during their election campaigns in the districts. These organizations share a similar political commitment to affirmative action, but differ in how they practice it on their organizational level. The establishment of gender quotas was not only supported by these women's organizations, female candidates were also

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<sup>93</sup> Leya Cattleya, an independent reviewer of this project, has successfully received a wide range of comments from national and local participants, in which most of them were satisfied with the training. See her report in Cattleya (2010).

provided assistance by Puskapol UI and a German political foundation, the Friedrich Naumann Stiftung (FNS).

According to Ratna Batara Munti (PDI-P's candidate in the 2009 election and executive director of LBH APIK), LBH APIK provided full support to any member who wanted to participate in party activities and who intended to be nominated as a candidate (personal communication, February 17, 2012). During the 2009 election, three members of LBH APIK were nominated. Ratna Batara Munti explained that organizationally, LBH APIK planned its community's programs based on financial support from international agencies and decided to support any female candidates' elections campaigns in particular districts. This was similar to what Munti did in some regencies in East Java. Moreover, when the interview was conducted in February 2012, fellow members of the LBH APIK had asked Munti to begin preparations for community planning in her districts in the lead up to the 2014 election.

Eva Sundari (MP for PDI-P) also acknowledged that she had been assisted by KPI's regional chamber in her electoral districts in the Blitar and Kediri regencies in East Java (personal communication March 1, 2012). Unfortunately, assistance from these KPI regional offices was insignificant as the organization boasted a policy of non-partisanship and therefore supported all female candidates. Thus, according to Sundari, the KPI did not support particular female candidates in these districts but instead preferred to campaign under the slogan "women vote for women." This non-partisan KPI stance was confirmed by Masruchah, former general secretary of KPI from 2004 to 2009, who stated that the organization had agreed not to support particular political parties or presidential candidates since its first congress in 1998 (personal communication, March 29, 2012). Masruchah also indicated that while using the organizations' constituents as potential voters is permissible, the restriction requires that the organization's infrastructure is used to support all candidates' campaigns, regardless of party affiliation.

Similarly, Fatayat NU allows its members to run in elections as candidates for various parties; however, Ida Fauziyah, strongly encouraged Fatayat NU members to seek nominations as PKB candidates if they passed the party's selection process (personal communication, November 20, 2012). Therefore, it seems that Fatayat NU not only provides a political channel for its members to move into PKB, some Fatayat NU members have also

proven that the organization is politically linked to PKB.<sup>94</sup> However, in practice, Fatayat NU is unable to assist election candidates as it has organizational and political commitments to its head organization, the NU, that assert non-partisanship.

In contrast, some candidates received beneficial assistance from agencies. For instance, Puskapol provided its political services to each major women's party wings so that they could predict the possibility of a female candidate gaining a seat in parliament. This was completed in each electoral district, based on the results of previous elections (personal communication with Sri Budi Eko Wardani, March 25, 2012). Ledia Hanifa, PKS parliamentarian, admitted that Puskapol's projects had been advantageous for her and these programs had helped to rationalize the party's target to win seats in the 2009 election (personal communication, February 8, 2012). Similarly, FNS ran "a democracy school program" for young politicians from several parties in different regions and successfully trained over 1300 legislative election candidates for the 2009 election (Aspinall, 2010: p.5). Additionally, FNS created various young politicians' networks in major cities, and Munti and other female politicians with activist backgrounds were actively involved (personal communication, February 17, 2012).

Generally, women's organizations such as LBH APIK, KPI, and Fatayat NU assisted members of their organizations who ran in the elections using differing approaches. LBH APIK provided support in the form of the organization's programs, while KPI and Fatayat NU, in order to maintain their official non-partisan stance, facilitated the candidate's mobilization of the member's constituency without using the organization's formal infrastructure. At the same time, other organizations such as Puskapol and FNS supported female candidates in order to assess women's electability and to create political networks. Due to the impact that such activities had on elections, female candidates — both party members and non-party affiliated women alike — were provided assistance during their attempts to join the electoral campaign.

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<sup>94</sup> Ida Fauziyah is the chairwoman of Fatayat NU (2010-2015) and PKB parliamentarian (2009-2014). Previous chairwoman of Fatayat NU (2005-2009), Maria Ulfah Anshor, was also a former PKB member of parliament. Fatayat NU's oldest sister organisation, Muslimat NU, has followed a similar path. Currently, the chairwoman of Muslimat NU, Khofifah Indar Parawansa, is a former PKB parliamentarian and former Minister of Women's Empowerment.

Three women's CSOs activities that support women candidates in their nomination as electoral candidates have described the cooperation strategies between women's CSOs and individual women actors in parties and certain women's wing parties. Therefore, the following subchapter describes women activists who competed in 2004 and 2009 national elections to gain parliamentary seats.

### **5.3 Women's CSO activists and elections: strategies and tactics for winning seats**

In this sub-chapter, several female candidates' personal experiences are depicted in order to highlight the problems associated with representation and affirmative action in Indonesia. Seven women activists from different CSOs were chosen to reflect the variety of CSOs and political parties as well as female candidate's electability in the national election (see Table 5.2). Four main points of discussion are presented to capture these women's experiences: social backgrounds, motivation, path of power ambition, and the impact of the women's position.<sup>95</sup> Social background is discussed in terms of three main concerns: education, working and capability experiences, and social cleavages. Motivation is discussed in terms of political desires, and in particular why these women chose to pursue a different career path. Power ambition exposes their capacities and experiences in terms of election success and how they were able to work within the party structure. The last indicator, the impact of the women's position, pertains to the presence of women in the respective parties and what they have done with regard to their role in the gender mainstreaming issue. These narratives contribute to the explanation of women's CSOs struggles to realize the gender quota in parliament.

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<sup>95</sup> This study employs two of Schwindt-Bayer's (2011) indicators about social backgrounds and the path of power in order to examine the role women politicians play in the electoral competition. Pippa Norris (1997; cited by Pitre 2003) argues that political motivation is important in terms of why candidates seek nominations. Scholars such as Norris and Lovenduski (1993) present other explanations of motivation, such as interest and ambition. The final indicator, the impact of women's position, is inspired by scholars such as Anna Philips (1995) who insist that studies take notice of the urgency of female involvement in politics.

Table 5.2

*Women's CSOs activist profiles as general election candidates*

NO	Name	CSOs	Parties	Elected/ defeated
1	Dr. Hetifah Sjaifudian	AKATIGA Bandung (Research think tank)	Golkar	Elected in 2009 election
2	Eva Kusama Sundari	NGO consultant, former lecturer at the Airlangga University	PDI-P	Elected in 2009 election Elected in 2004 election
3	Ratna Bantara Munti	LBH APIK (national NGO)	PDI-P	Defeated in 2009 election
4	Dini Mentari	PATTIRO (Center for Regional Information and Studies, national NGO)	PPP	Defeated in both 2004 and 2009 elections
5	Nursyahbani Katjasungkana	KPI (women movement)	PKB	Elected as a member of MPR 1999, elected as a member of DPR 2004, defeated in 2009
6	Binny Buchori	PRAKARSA (national NGOs)	Golkar	Defeated in 2009 election
7	Ratu Dian Hatifah	IPPNU (Association of Female Students of Nahdlatul Ulama), Fatayat NU (mass organization)	Golkar	Defeated in 2004 and 2009

Source: Author's interviews.

### 5.3.1 Social backgrounds

In general, the female candidates portrayed in this subchapter share a similar occupation as social entrepreneurs in different areas. Despite this, a closer look at their backgrounds exposes differences between these candidates. With reference to the educational background, all seven female politicians have a minimum education of at least a bachelor's degree from reputable universities across the country. One candidate holds a PhD in public policy from a university in Australia, five candidates have a master's degree in social sciences and/or development issues from various universities in Indonesia and abroad, and one has a bachelor of law degree. Additionally, these women have also been trained within and are connected to international networks because of their previous work experience as CSOs activists. Most of these female activists have similar work experience as advocates and technocrats in social development and women's issues. Lawyer and women rights defender, Nursyahbani

Katjasungkana, has been working on gender awareness in several development sectors since 1990s while Binny Buchori has been acting as an advocate for social policy issues. Ratu Dian Hatifah, former leader of the NU student organization at the beginning of the Reformasi period (1999-2003), was directly involved in the formation of the PKB's women's wing around the same time. The other candidates have experience in government sectors and women's right issues before Reformasi commenced in 1998. Accordingly, these candidates were able, through their political interaction with the legislative chamber and bureaucracies, to use their previous experiences to their own advantage when making the decision to run for a nomination or not. Therefore, these women were invited by party leaders to join the party as members or directly as candidates.

In general, most of these women have political linkages with a particular party in different ways. Eva Sundari, for example, has a strong political connection with the GMNI (Gerakan Mahasiswa Nasional Indonesia), a student mass organization that has supported PDI-P since the party was established. Ratu Dian Hatifah had a similar experience when she was in PKB. When she moved to Golkar, however, she realized that, although the party was linked to NU, the connection was not strong enough. Dini Mentari realized that ITB (Bandung Institute of Technology) and PPP were connected via the ITB alumni' association. In contrast, other female activists such as Nursyahbani and Binny had different stories. For these activists, it was not their organization's connections that encouraged them to join a party but it was their cultural linkages and family reasons that led them to their party of choice. Both women recounted that their fathers had been members of PNI and Sukarno loyalists<sup>96</sup>, but they did not share their political stance. As such, Nursyahbani decided to join the PKB and Binny worked with Golkar. Although their organization did not encourage them to join a particular party, these women emphasized that there were still social/political linkages that influenced their decision to choose a particular party.

Additionally, these women had already been involved with social and economic development in the country. For example, Nursyahbani and Ratna worked on issues such as violence against women as well as women's political participation. Moreover, NGOs

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<sup>96</sup> According to Nursyahbani, Taufik Kiemas, one of the influential PDI-P leaders, offered her to join the party. Kiemas attempted to convince Nursyahbani based on the fact that her late father was close friends with Sukarno and had been a member of PNI. She refused Kiemas's offer, however, because several founders of APIK were active within PDI-P. Binny's late father, Mochtar Buchori, was a respected figure in education and was also active in the PDI-P, but Binny preferred to join Golkar because she shared a similar vision with the party at that time.



technocrats such as Dini Mentari and Hetifah were well known for their support of local government's attempts to develop effective and efficient public policy programs. Eva and Binny were also experienced in social policy issues, women's empowerment, and other strategic developmental issues. Therefore, among donor agencies, these women had provided long-term contributions to development issues. Even though Ratu Dian did not share a similar experience, her political advocacy for increased women's representation in political parties was a great contribution to party development. Thus, given these women's political experiences with serving their community and involvement in several development projects, they were invited to serve as candidates for election.

### **5.3.2 Motivations**

Most of these activists admitted that their decision to become a politician was influenced by their own long-standing self-reflection and assessment of their previous working experiences. One of the biggest concerns identified by these activists was CSO actors' inabilities and limitations to effectively push policies in the development and implementation of laws. They therefore realized that as activists they had endorsed a reform agenda but they were in the end unhappy with the limited progress the reforms brought about. Given their dissatisfaction with what they could do as activists, they were driven to join formal politics.

Hetifah highlights that her previous experience helped her to recognize that it was the right moment for her to move into the political arena:

The process [to become a politician] unfolded over time, not in fast thinking. When I worked in Akatiga, we were conducting several good research projects, but the reports were not read and there was no follow up...In the end, I began to think that we were working outside the government. It was very tiring. We had developed changes but [the results] it was a long time to wait.

.....since that time, there has been a willingness to influence some important things. But, I did not know how to do that. Therefore, I wrote that there are three possibilities for NGOs in politics. First, we can officially endorse a good person for politics. This means that NGOs act as a campaign team. Second, we nominate independent candidates, not party candidates. Third, we develop a new party or join a party. Many activist friends have joined a political party..... In 2008, I was endorsed by other activists as a nominee for mayor of Bandung [West Java]. There were three motivational reasons: first, there was no women's representation in the nominations; second, we could develop a party and civil society collaboration in which we could offer a good activist to the party; and third, we needed a competent leader in Bandung city... When we offered our candidate to the parties,

we realized that political parties had many different political attitudes... since that moment, I have learned about the political process that led me to decide to move into a political party.

Dini Mentari explained that her choice not only stemmed from self-assessment of the influence of her political activities on policy makers but also coincided with PPP's offer to join the party and the gender quota debate that emerged in 2003. Dini accepted the PPP's offer because she believed that political parties had a greater ability to realize change and could deliver technical mechanisms for governance reform, as had been the case with Brazil's successful political reform.<sup>97</sup> Indeed, she had been asked to join the party by a former colleague at ITB, which is part of PPP's network and a few members of this party had been ITB alumni. For Dini, motivation therefore came from her reflection on her own role and the opportunity to join a specific party.

Senior CSOs activists such as Nursyahbani Katjasungkana and Binny Buchori were invited by party leaders to join their party. Abdurrahman Wahid, former President of the Republic of Indonesia and former leader of PKB, in 1999 had asked Nursyahbani several times to join PKB. In 2003, after she had finished her service as KPI General Secretary, Wahid asked her once again. At that time, she had been promised that she would be later nominated as a party candidate. She was unable to reject the offer not only because of her close relationship with Wahid<sup>98</sup> but also because the decision had been influenced by her reflection on her role as a CSO activist. During the transition period from 1999-2004, Nursyahbani was not involved in the party as a civil society actor but was elected as a representative for women activists in MPR.<sup>99</sup> Given her experience, she was well aware of the urgency for female activists to take on a role in the parliament.

Jusuf Kalla, former Indonesian Vice President and former Golkar chairman, invited Binny to discuss the application of the welfare state concept to the Indonesian context.

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<sup>97</sup> According to Dini, she admired a well-known Brazilian experiment on participatory budgeting that she considered to be a good example of participatory democracy. Dini added that she believed that such reform ideas would be important for political parties.

<sup>98</sup> Nursyahbani reported during interviews that she and Wahid had been involved in many civil society activities, especially human rights issues during the 1980s and the 1990s. Both Wahid and Nursyahbani were members of the MPR from functional groups before he was elected President in 1999.

<sup>99</sup> Nursyahbani was nominated by LBH APIK and elected as a representative by an NGO group in a functional group in the 1999 MPR. (Kompas, 07.10.1999).

According to her, Kalla was enthusiastic about their discussion as he felt that his experience would be beneficial, especially the knowledge he had gained while he had served as the Coordination Minister for Welfare in the previous Megawati regime (2001-2004). She recalled that her communication with Kalla had been brought about after she had been recommended by the budget-monitoring network in Kalla's home region of South Sulawesi. Her motivation to become a politician was also inspired by Demos' research on the importance of pro-democracy actors joining the political arena as well as the gender quota. Therefore, in the following year, she was nominated as a candidate for the election.

Ratu Dian Hatifah recounted a similar story. Akbar Tanjung, the chairman of Golkar in 2003, had invited her to join the party. At that time, Akbar requested that former members of the 1998 student movement join a political party if they were interested in making political changes and Ratu Dian and other student activists had accepted this offer. She had previously been involved in the formation of the PKB women's wing in early 1999 and had registered as a member of PKB. However, due to a conflict that emerged within PKB around 2002, Ratu Dian felt uncomfortable in the party and decided not to remain a member. As such, she accepted Golkar's offer in 2003 as she had realized that, in contrast to PKB, Golkar had successfully managed its internal conflict. In this context, Ratu Dian's motivation was not only to use her political opportunity to become a potential party candidate, but also an attempt to find a suitable party in order to realize her vision of change.

In Ratna Batara Munti's case, her name had been included in the Puska Gender UI's potential female candidate's database established for the 2009 election. At the same time, Taruna Merah Putih, a new PDI-P youth wing, was seeking a female activist who could chair its women's empowerment section. Thus, Ratna was offered the chance to fill that position. She accepted the offer because she felt that it was the perfect time to join a political party in order to increase female representation in parliament. Since that time, she collaborated with Eva Sundari and other women activists who had already joined PDI-P to actively endorse the gender quota in the party.

Some female candidates such as Ratna Batara Munti and Eva Sundari admitted that their decision to move into the realm of politics was inspired by Nursyahbani Katjasungkana and some of Ratna's other colleagues at LBH APIK. Eva stated that there were a few women who are recognized as NGO representatives within various parties, including Nursyahbani in PKB. Eva Sundari felt that her ability to run development programs would be suited to the character of an opposition party like PDI-P. Moreover, Ratna realized that her senior

colleagues at LBH APIK, such as Nursyahbani, Tumbu Saraswati, and Ria Latifah, supported the idea of women activists like her entering the political realm rather than pushing for change from outside the parliament.

Among CSOs activists there is, however, one major barrier to formal political action: the debate about partisanship and non-partisanship. Many CSOs activists in different sectors were reluctant to accept their colleagues' desire to join political parties. Even though Nursyahbani has spoken quite frankly in many forums about the urgency for partisanship in the changing regime, she has also expressed her understanding that it is not easy to encourage all CSO actors to join this debate (personal communication, April, 12, 2012). Given the difficulties presented by partisanship, when Eva Sundari declared her intention to become a politician, she faced numerous objections from her colleagues:

When the election nominations took place in 2003, a few of my NGOs colleagues disagreed with my nomination. Human right activists, as I was one of them, did not support my nomination. I don't know why they responded like that. However, when one colleague wanted to register as Human Right Commissioner, she asked me [to help her during the nomination process in the DPR]. I helped her. .... They supported the *Reformasi* agenda, and afterwards they declared themselves anti-state. It was funny. Asmara (Demos) called it a democratic deficit. It was strange. They wanted the regime changed, but they rejected becoming involved with it.

In conclusion, three motivational factors encouraged these female activists to join political parties: self-reflection, political opportunity, and the comfort of the transition. In terms of self-reflection, most female activists agreed that they were drawn to politics because of a lack of progressive reform politicians in the House. It was therefore not enough to simply endorse social and political changes from outside the government. This led them to transform themselves into politicians when they realized that their work with CSOs was limited in the political arena and required cooperation with political parties. Although many CSO activists still harbor negative views about the state and political parties, these female activists believed that it was more effective to be involved than to remain an outsider and watch what the parliament was doing.

The motivation to join formal politics was not only catalyzed by the institutional reform projects that emerged during the transition period from 1999-2004 but also by the debate about the gender quota that began in 2002. The activists made it clear that female representation needed to be increased and they used this opportunity to enter politics. At the same time, political parties began to look for potential female candidates and CSOs facilitated their search by linking parties with candidates. Yet, the affirmative action encouraged by the

gender quota was not totally relevant, as it did not provide limitless opportunities for nominating potential female candidates.

It was urgent for these women to find parties that had similar social backgrounds, such as family and ethnic relationships, college alumni networks, or connections with other mass organizations. Furthermore, these women were drawn to parties that were led by individuals with the same values and visions as the activists and those that had limited internal conflict. The party's general election success played a role as well.

### **5.3.3 Women's paths to achieving political ambitions**

This path explains how female candidates in different parties dealt with their campaign team and their parties in order to gain targeted seats. It also describes how these women used their previous organization and personal connections as a base in their attempts to win their seat in the district. This sub-section depicts three main paths that should be considered in terms of female candidates: problems related to the selection of the candidate, the managing campaign team, and other internal party problems that influenced the election process.

On the first path, some women participated for the first time in 2009, while other candidates had previous election experience in 2004. Only one candidate struggled to win a seat in the same district for two elections, while others were unable to repeat their success because their district had changed. The candidate's detailed election information is depicted in Table 5.3 below.

Table 5.3

*Female candidates and election data*

No	Candidate's name		Party	2004 Election		2009 Election	
				Listed number	District <sup>100</sup>	Listed Number	District
1	Dr. Sjaifudian	Hetifah	Golkar	-	-	2	East Kalimantan
2	Eva Sundari	Kusuma	PDI-P	3	East Java 5	3	East Java 6
3	Ratna Batara Munti		PDI-P	-	-	3	East Java 7
4	Dini Mentari		PPP	9	West Java 2	3	West Java 2
5	Nursyahbani Katjasungkana		PKB	2	East Java 2	1	East Java 3
6	Binny Buchori		Golkar	-	-	2	Yogyakarta
7	Ratu Dian Hatifah		Golkar	6	Banten 2	3	Banten 3

Source: Author's interview

In Golkar, the selectorate gave Hetifah, Binny, and Ratu Dian the chance to select their potential districts. Hetifah refused to be posted in the Bandung district in West Java, where she lived and was knowledgeable about the contestation between political groups. She accepted instead an unfamiliar district where she had the potential to win, East Kalimantan, as she believed that the other female Golkar candidates in this district had equal political opportunities for gain the seat. She added that this district had potential voters for Golkar, but female candidates from Jakarta did not desire to be placed in here. Therefore, according to her, it was challenging to gain a parliamentary seat as a new politician based in a completely different region.

Binny, on the other hand, requested that she be posted in her home region, East Nusa Tenggara, where she had strong social and political networks. Her CSO colleagues in the party advised her to select another district because it had been dominated by one of Golkar's elite from Jakarta for several decades. Thus, she asked that she to be nominated in Yogyakarta, where she had gained her bachelor's degree. Unfortunately, the district was not a stronghold for Golkar supporters, there was only one potential seat and Binny was posted second on the list after the local leader of Golkar in that province. Ratu Dian shared a similar experience with Binny. Ratu Dian was posted in one of the three Banten districts, a province that is well known for the domination of local family in public offices. In all Banten districts, Golkar

<sup>100</sup> A district in the national parliament election is a combination of several cities and/or regencies from one province. For example, the Province of East Java has eleven districts. East Java 2 district consists of two cities: Pasuruan and Probolinggo.

itself gained only four seats of the twenty-two seats available for the national DPR in two elections. Therefore, Ratu Dian did not have much hope of being nominated when she was positioned nine on the ballot list.

In PDI-P, despite the fact that non-cadre female candidates like Eva and Ratna were given the chance to choose their own election districts and placement numbers, the selection of candidates was still centralized in the central board's decision for the national legislative election. Eva was posted to East Java 5, which included the City of Malang, Regency of Malang, and City of Batu, in which the central board's selectorate assumed she had "die hard voters" that would fully support her candidacy in the 2004 election. She said that her competency in managing development programs in Malang were well known and were often referred to by CSOs and government agencies. At the same time, Ratna, who had been actively involved as a member of the selectorate team for the specific task to fulfill the women quota, was posted to one of the potential districts in East Java 7, which included five cities and regencies. This district has been well known for PDI-P support. Therefore, Ratna admitted that she was asked by one of the central board's leaders to join him as a winning PDI-P candidate in the district while other candidates spent more money to be posted in this district. Nevertheless, both Eva and Ratna were placed number three on the district list because the party strongly prioritized the seniority of candidates in each district.

PPP and PKB used a similar selection process, according to Dini Mentari and Nursyahbani Katjasungkana, they used centralization to select their election candidates. These parties posted female candidates based on their district of origin and their ethnic group; Dini comes from Bandung, West Java, while Nursyahbani comes from Pasuruan, East Java. Dini was posted number nine and number three for 2004 and 2009 elections, respectively, in the Bandung district where the party was not strong enough to gain additional seats. Nursyahbani was placed number two in the 2004 election in East Java 2, but she was moved to East Java 3 in the 2009 election. In 2004, Nursyahbani had been able to gain enough votes to be elected because of the party's popularity in her district. In contrast, Dini found it difficult to be elected in her district as she had not been placed high on the list. Nursyahbani, specifically, was not sure how one went about being nominated as a PKB candidate, as in the 2004 election all her candidacy documents had been prepared by a member of the selectorate candidate team that had been chaired by Khofifah Parawansa, former Minister of Women Empowerment during the Wahid presidency. This illustrates that the party had a strong degree of authority to decide its candidates.

These women activists pushed their parties to place their names on the top of the district's party lists in order to secure their election. Hetifah and Binny confirmed that Golkar had considered their request and placed Hetifah second on the list in the East Kalimantan district while Binny was placed second in the Yogyakarta district for the 2009 election. Eva Sundari and Ratna Batara Munti had a similar experience in PDI-P and were placed third on their district's lists. In contrast, although Ratu Dian Hatifah (Golkar) had urged the selection team to put women at the top of the list, her request was not granted. She was placed sixth on the district Banten II list in 2004 election and was placed third for the 2009 election in the same district. According to Ratu Dian, because Banten was recognized as "political dynasty region" dominated by a local family elite (Buehler, 2013), it was difficult for a candidate like her who did not have any family networks in the region to be elected in this district. In this context, despite the fact that women could push affirmative action in each party, candidate's political struggles depended on the political environment in the district like Banten. Moreover, when women candidates were new cadres in the party and were deployed from Jakarta to other unfamiliar districts as candidates, it was difficult for them to be successful if there were strong leaders or local family elites in the district. This is similar to what happened to Binny in her unfamiliar district, Yogyakarta.

In managing their electoral campaigns, these women agreed that changes to the election system in 2009, which moved it from a semi-open list PR to an open list PR, had destroyed their strategic planning in terms of winning a seat. Before the MK decree that had amended the electoral legislation, some female candidates followed party instructions to cooperate with their male colleagues in the district to ensure that the party, not the individual, would gain the seat. By the beginning of 2009, when the decree was implemented, candidates were expected to compete freely without acknowledging any cooperation between candidates. Candidates who had participated in the two elections realized the differences between the two systems and the difficulties the change presented for them to win a seat. These female candidates complained about the expenditures, which were higher than they had been in the 2004 election. Furthermore, some of them did not understand why voters would choose to vote for candidates merely on the basis of financial incentives to do so.

In her recollection about the changes to the electoral system and voter's behavior, Eva said:

My experience in the 2004 election was easier compared to 2009. [In 2004] I was a new member. Because of the number rankings on the list, political finance had a very low budget. At that time, we [the top candidates] would meet together. [At the meeting it was decided] that Eva



would take this [the district] and Pramono [one of the top PDI-P leaders] would take the other region. Our orientation was to gain voters. I spent 225 million Rupiah (16,000 Euro), of which 75 million Rupiah (5,500 Euro) was given to the party and the rest I used for my own campaign. I received 36,000 votes. I always visited the district. The costs were very cheap because I prepared meals and t-shirts in proper volumes. I had segmented voters and the voter's behavior was not corrupt. Because they just only said thank you for visiting us. For them, it was enough and they were happy. And I received good votes in the election results because I always visited them. I very much enjoyed this.

When the decision for popular votes came [in 2009], I was dead! I had spent more than one billion Rupiah (73,000 Euro). My district was moved to Kediri city [it had previously been in Malang]. Once again I had to fight against Pramono [the general secretary of the central board]. Pramono had some money left, but what did I have? Finally, I had to visit some cultural members<sup>101</sup> because the structural [board] party in this region had an order to support Pramono. Pramono had told these members: I am the party symbol, so I have to win. Pramono had warned that for any structural official who did not support him, there would be party sanctions. This conversation had been recorded by some of the local cadres who helped me. Then, they were pulled back from me. Finally, I sent a message to Pramono to complain about this and he gave me an opportunity to take Kediri city and one sub-district region [*kecamatan*]. Yeah, I was very lucky because my mother's family is from Tulangagung [near Kediri]. I pushed and maximized this family and other cultural networks.

(In my opinion), this election system was destroyed by internal and external factors [of the party]. There was an elected candidate who instantly took my shot away and never visited the district. Because [this candidate] had prepared the money before the Election Day to bribe the electoral commissioners and other officials [he had an advantage]. Some of my GMNI's connections in the local election commission admitted taking money from candidates, but they promised to monitor my votes.

At the same time, Hetifah reported that she was depressed about remaining part of the electoral campaign after the MK decree was announced. Nonetheless, she continued to prepare for the election competition. She said:

[In 2008] a closed [semi-open] system was used. They [the parties] needed more women to be placed at numbers one to three. And the parties were confused as to how to apply this rule. Moreover, women [in Golkar] did not want to be placed in Kalimantan.

[First of all] I was surprised when the rule was changed to require that a candidate received the majority of votes. The announcement was made December 2008. [At that time], I was quiet and did not do anything. Then, in January 2009, I had to decide to continue or to pull back. That moment happened after I had already received [women candidates'] training in Ancol. [Before that], I was hesitant and asked: what should I do? Women need support, really need it. And of course we need motivation. If we do not get it, we can't do anything. That training had allowed us to move forward. It was very helpful because we could see how to start it.

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<sup>101</sup> Cultural members are members of the party who are closely attached to the party's founding organizations such as GMNI or former PNI.

Eva and Hetifah successfully gained their seats in parliament with hard work that required them to not only manage their campaigns but to also ensure that their winnable votes were secured. However, Ratna, who lost the election, shared the following experience:

If there had not been an MK decree, it could have been possible for me to win, yeah, because I had been placed in the district of East Java 7, which was a strategic district [for PDI-P]. It was a red<sup>102</sup> district and included a wet [potential] district. However, at that time, PD's winning phenomena was incredible.... I received 26,000 votes. It was a great number because the party's total votes was also huge. Like Hasto [one of the party leaders on the central board], he had fought in the MK to gain the rest of the votes, but unfortunately he lost. When we competed internally, PDI-P was confused: how can we defeat candidates who have a lot of money? Parties did not become a political machine, but the individual candidate's success teams were the machine. PD had the fortune to receive the majority of the votes because the party comprised candidates with money, but the party machine did not work.

Therefore, based on free competition between candidates, both in terms of internal and external competitions, it becomes clear why some female candidates such as Ratu Dian, Dini, and Binny explicitly did not fight to their fullest ability to win the parliamentary seats in their districts. They considered their limited budget to finance the campaign and desire to avoid money politics during the campaign as the main reasons for their half-hearted effort.<sup>103</sup> When these female candidates were nominated in the middle of 2008, they were optimistic that they could be elected because of the semi-open list PR system and the affirmative action rules. For example, Hetifah stated that in terms of her confidence, she felt that she could win a seat in her potential district if the electoral system provided for the electability of women. However, Ratu Dian and Binny explained that their status as outsiders was harmful to their success. Ratu Dian faced difficulties in terms of the Banten family dynasty that held high-positions of political power, while Binny had to compete against a strong local party leader in Yogyakarta. In this context, popular figures are more important than other material elements of campaigns in the majority election system. These candidates did not, however, give up their political aspirations and continued their candidacy after some reflection and reconsideration. Some attempted to maximize all their potential social and political resources, while others were unable to mobilize additional resources.

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<sup>102</sup> The red color is closely associated with the national flag and attributes of the PDI-P.

<sup>103</sup> Binny admitted that she had spent a lot of money on the election during an interview with *Kompas* Newspaper. She added that many people in her district have very frankly requested money to vote for her and other things as well (Kompas, 19.03.2009, Caleg Aktivis, Habis-habisan dan kini tambah miskin). Some Indonesian election studies confirm the existence of this vote buying attitude and the very high costs that election campaigns for legislative and local elections can accrue. See Mietzner, 2007 and Ufen, 2010.

However, three female candidates, Hetifah, Ratna, and Eva, asked their civil society networks to help them in different ways. In order to prepare her candidacy, Hetifah sought out some NGO actors from East Kalimantan in a national NGO forum. She had realized that she needed to find some way to have greater access in the new region. In the end, she was able to manage her campaign team that comprised her colleagues in Bandung, Kebumen, Batam, and new friends in East Kalimantan, and encouraged them to work together in the district. At the same time, Ratna and Eva attempted to communicate with local KPI branches in their districts in order to help their campaigns. As identified above, the KPI's main concern was to maintain neutrality vis-à-vis election candidacies, and therefore candidates such as Eva Sundari found it difficult to link their candidacy with KPI's political action. Additionally, Ratna and Eva also requested the support of other NGO actors from LBH APIK and Migrant Care as they had previously enjoyed a close relationship with these NGOs. According to Ratna, the NGO partners that did, in the end, help her campaign, not only provide several funds for the campaign but also helped her with community programs or provided other support. For example, the Tifa Foundation reprinted Ratna's book about gender violence and prepared several book discussions in the district. In addition to the support they received from NGOs, Ratna, Hetifah, and Eva also believed that campaign support from party members in each district was essential; their campaign goal was after all to increase the entire party's portion of the vote. The local party support not only provided structural party events and meetings in the region, but also mobilized constituents to support the candidates. Therefore, Hetifah identified that the "the party's structure [support] is important. This party's machine was established and could work. In some strong vote regions, like Kutai Kertanegara, it was important to be backed up by the party."

Elected candidates such as Hetifah and Eva shared similar experiences. They were able to monitor how they would perform in the election by way of election polls released by the national election commission. Their competitors, both external and internal party candidates, attempted to deceive voters using elaborate methods to block these candidates from winning the election. Therefore, Hetifah and Eva not only relied on the party's officers to monitor their votes, they also managed their primary election teams that they had developed based on their own personal networks. Moreover, successful candidates stressed that one reason they were able to gain votes was the combination of strong personal networking and a genuine capability to identify potential voters based on their mapping of districts. Both Hetifah and Eva had successfully mapped any potential regions and figures

that should be approached and used a low-cost media campaign device like short visits, which in turn improved their electability. Hetifah was able to quickly learn about the social problems as well as the local figures in the districts. She is therefore now considered a member of parliament who has impressive knowledge about the district. Even though Eva was placed in a new district, she was also able to communicate with two different groups that made up the basis of PDI-P supporters: the party's structural officers and the cultural party members such as Sukarno's loyalists and GMNI alumni. To maximize their personal networking in the district, Eva used her mother's foster children who were dispersed across regencies to support her team. Hetifah brought her NGOs colleagues from different cities to establish her campaign team in East Kalimantan. In the context of successful campaigns, both elected women candidates were able to show their fighting spirit and their desire to gain parliamentary seats based on their own ability.

In conclusion, these candidates' struggles along the path to realizing their political ambition followed three steps: the candidate selection process, campaign management, and the difficulties associated with internal nomination in the party. During the candidate selection process, all candidates considered in this study were invited by political party leaders to join a particular party in order to fulfill the gender quota rules for nominating women as candidates for a seat in parliament, which had been regulated by law. These women were also selected as parties sought to use their capabilities in the political arena to the benefit of the party. However, not all of these women found themselves at the top of the party's nomination list in their respective districts for both elections. As such, many of the female candidates depicted above had to struggle to be successful in the election; they had to negotiate and compromise in order to win their seats. Therefore, in some cases, these female candidates attempted to reconsider their nomination because of their limited funds and the difficulties they faced when the election system was changed. In this context, Eva Sundari referred to the 2009 election as the liberal election, whereby each candidate felt that their main objective was the free competition between candidates. For both the 2004 and 2009 elections, affirmative action in the form of the gender quota for party lists was successfully applied; nevertheless, the results of the elections did not lead to the election of more qualified and competent women to the House.

In order to manage their campaign teams during the 2009 elections, these female candidates organized different teams: a structural party and a personal team.<sup>104</sup> As the 2009 election required that every candidate reach a maximum number of votes in order to be elected, it seems that each candidate required both teams. This managing campaign type was, however, totally different to that of the previous election in which candidates could cooperate with a party colleague in order to secure votes for the party in the district. The 2009 election case relied on an individual's ability to attract voters to the party. Most of these female candidates also requested CSO activists, as part of their personal team, to help their campaigns. Organizations such as KPI, could support all female candidates, even if this approach to politics was interpreted differently by candidates. Candidates like Ratna used any potential funding agencies available to support her campaign activities in the district.

As a consequence of the changes made to the political system prior to the 2009 election, political parties were no longer able to ensure that their candidates would be elected. As the new regulations created a free competition for each candidate, these women used different means to negotiate their presence in the electoral competition with limited financial support and other political benefits from their parties. For example, successful candidates such as Hetifah and Eva Sundari had personally monitored their electoral success by using representatives to ensure that the vote count was valid and reliable from the voting polls to the KPU in Jakarta. Defeated candidates rationalized their loss by referring to the fact that their lack of financial resources and limited political access to gain the maximum number of votes could predict their loss before the election. Moreover, most of these female candidates were unhappy about the political attitudes among voters who expected payment to ensure that they voted for the candidate.

#### **5.3.4 The impact of women activist candidates**

This subsection depicts the influences of these female candidates in their parties. It not only highlights their contribution to the party in terms of gaining a parliamentary seat, but also their ability to encourage gender-positive changes in the party. The subsection discusses three themes: the candidates' activities following the election; their role in the party to

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<sup>104</sup> The structural team is the party's support system that organizes party events and meetings with voters. The personal team is a more specific unit used to help the candidate to gain votes.

promote the gender quota; and, finally, their contribution to overcome the struggle associated with gender development issues.

Some of the defeated female candidates remained dedicated to their party in many ways following the 2009 election. Binny Buchori, for example, was asked by the party leader to lead the cadreization section of the central board. Furthermore, Binny was able to gain further experience with political competition in the internal organizations as well as with the political mapping of actors in order to augment her position in the party. Therefore, Binny was grateful for her presence in this party because she could use her abilities to directly contribute to the party's development. She realized that in terms of politics she had little political experience when she had first entered the party. Dini Mentari accepted a position as part of the central board's second layer as the vice-general secretary for legal issues. At the same time, she has expanded her NGOs' presence in Indonesia and continues to play two different roles as politician and NGO activist. Ratu Dian also sought to increase her link to organizations such as MKGR and AMPI, which are currently the party's primary supporters. Ratna focused on her party's youth wing and supported the women's program in the party.

Female candidates who were elected, such as Eva and Hetifah, were able to successfully contribute to parliamentary work. Since Eva was elected in 2007, she has attempted to increase NGOs and other mass organizations' political access to parliament. Therefore, she was able to collect input, comments, and demands from several NGOs about varied issues such as human rights, the environment, or even tolerance and interfaith harmony. In this context, Eva admitted she was trying to channel NGOs' aspirations into the appropriate parliamentary committee and government ministries. Thus, in her role as one of the defenders of human rights in parliament, her actions in parliament are covered by mass media. However, her profile not only highlighted knowledge about human rights issues, she also had a great amount of experience with governance and economic issues.<sup>105</sup>

Hetifah, as a new cadre in Golkar and member of the House, attempted to take careful steps in order to assert her political stance over the course of her first year of her service. She realized that she needed a strong political connection to the party if she wanted to survive as a

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<sup>105</sup> When she was interviewed by *Kompas* Newspaper, she stated that her ambition was to become a member of the budget and finance commission because of her educational background in economic development. See *Kompas*, Eva: Saya tidak mau menjadi politisi, 19.04.2011

politician, and, therefore, she focused her time on developing relationships with several major organizations in Golkar, such as MKGR. When she was interviewed in 2012, she seemed completely satisfied that she was filling several leadership positions in the party, including that of DPR party faction, and was able to increase her influence in the House. She also attempted to channel NGO voices into parliamentary debates with other members of the party and her colleagues in different parliamentary commissions. In her current communication with the media, she is vocal in her opinions about various issues, especially if they are related to her district. She is also more ready to criticize policies, as she feels more secure now that her political position has already been established in the party. She was particularly appreciative when she was appointed to represent Golkar at the DPR infrastructure commission because she could endorse and criticize infrastructure development in her district.

Nursyahbani had a similar experience when she was a member of the House between 2004 and 2009. She used her position to grant NGOs access to parliament so that they could deliver their messages to the DPR. She admitted that she had provided information about legislative plans to ensure that any changes could be deliberated while she was a member of the legislation committee. Through their activities following the election, these three elected female candidates (Eva, Hetifah and Nursyahbani) managed to maintain their links to their former CSO colleagues in order to channel their community's voices to the parliament and to reinforce the delicate relationship between the government and CSOs.

According to Ratna and Eva, some reformist politicians in PDI-P including themselves, are attempting to bring about some institutional changes such as reforming cadreization. The party would like to re-develop Sukarno's ideas about Indonesia and bring these ideas to the party as a whole. Although Eva has been designing the full ideology curriculum for the cadreization program since the last party meeting in 2010, it has met with some resistance from party members who are against any type of reform, including anti-corruption campaigns. The reason is clear. Many DPR members from PDI-P have been suspected or identified as being involved in the corruption scandals that emerged in Indonesia, a phenomenon Eva cannot ignore. Therefore, in encouraging party cadres to become members of parliament, not only their popularity should be considered but knowledge and ability of how to solve social development problems. This, according to Eva, was the prime reason behind designing the new cadreization program to reduce the pragmatism and

transactional politics that occur each election as well as to increase women's participation in the party.

Dini maintained her role as a women activist in PPP where she facilitates several gender development programs and also encourages her female colleagues to express their opinion in the media. In this context, Dini employs her communication skills to converse with the public. Ratu Dian has focused her political commitment on developing female representation issues among the members of the political party coalition, which she chairs. In the party, she has also collaborated with Binny in some cadreization training, and in particular she is trying to implement the use of facilitation dialogue training methods that are often used for many CSO activities.

For elected candidates Hetifah and Eva, and former DPR member (2004-2009) Nursyahbani, it was clear that increasing other groups' impact in parliament was important. Furthermore, these women successfully used their time in parliament to collaborate with other women and support several gender development issues. Hetifah was actively involved in the KPPRI as were Eva and Nursyahbani. Between 2004 and 2009, Eva and Nursyahbani developed several specific teams in the parliament to respond to special issues such as migration and citizenship. These women delivered gender content in the development of new laws like those pertaining to citizenship. These women do not, however, particularly believe that the KPPRI's program is as effective as the women coalition in parliament; the organization's structure is not flexible and tends to follow the parliamentary structure where the dominant parties have the most authority. Therefore, Eva and Nursyahbani preferred to develop personal networks in parliament rather than the factions tied to the KPPRI to encourage debate on sensitive issues.

Eva's contribution to channeling NGOs' aspirations and voices has been recognized by the media. The human rights activist NGO KontraS (The Commission for the Disappeared and Victims of Violence) has always channeled any human right advocacy issues that have become stuck at the governmental level through her in order to their smooth resolution. Likewise, Eva, as a member of the House, is aided by these NGOs colleagues in monitoring the implementation of human rights policies when she cannot rely on her DPR personal team and support system. For example, Eva took on a leadership role in confronting Islamic groups over the opposition to pluralism with regard to the GKI Yasmin (Christian Church Taman Yasmin) Bogor, West Java, and the disbanding of an Ahmadiyah sect in 2011 (Jakarta Post,



23.4.2012; Jakarta Globe, 26.12.2011). Despite the difficulties associated with such bold actions, she chose to engage rather than remain silent like most other politicians and parties.

Hetifah, member of the infrastructure development commission in the House, believes that her presence in this commission is important as there are only a few women members and she can raise many key issues from her perspective. Furthermore, she feels that the commission should be closely monitored as many of the members are courted by housing and road infrastructure entrepreneurs. Therefore, she uses her knowledge about technology and policy issues to strengthen the substance of parliamentary debates about legislation and to advocate for her district.

Dini prefers to be involved within the party and work together with other female party members to encourage party adherence to the gender quota rather than be nominated as a candidate. As such, she can influence many internal and external political debates from within the party and consistently call for affirmative action in connection to specific gender issues. For example, when her female colleague from the PPP spoke on television of the problems migrant housemaids face, Dini arranged a meeting of her colleague with NGO migrant women to obtain further information on this issue. She remains hopeful that NGOs, members of the House, and female PPP politicians will come together to discuss such problems. In general, she admitted that her role in the party was to raise gender issues so as to increase awareness by female PPP colleagues in the House, which was not an easy task. She had hoped that these female members would ally with her, which would facilitate the promotion of gender mainstreaming in parliament. In this way the modern party ideal that Dini dreams of could be achieved can only happen if PPP implements the idea of “the big house” for everyone in society.<sup>106</sup>

The women faced several specific dilemmas in their attempts to define themselves as politicians. Ratna admitted that it was not easy for her to become a fulltime politician, in particular to transform her “activist mindset” into a “political” one. She also recalled the difficulties she experienced when trying to adopt a “political attitude.” Ratna explained that many CSO activists feel that political parties are the tools they can use to realize the people’s desires. In contrast, politicians consider the party tool to gain power. This creates a dilemma for NGO and CSO activists, that the party might use them just to win popular votes. Dini, for

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<sup>106</sup> PPP has declared itself as the “big house” for Islamic society, a status it had achieved during the Suharto era.

example, explained that if a party cadre created a successful program, some politicians would attempt to claim the credit for its development. This style of politics was unfamiliar for CSO and NGO activists as they tend to be more generous and do not take credit for the hard work of others. Given the politicians' tendency to claim, Ratu Dian believed that female politicians who should resort to using informal meetings and lobby activities to drive support for the programs they wish to establish, thereby removing it from center stage to be less of a target.

In this context, Ratu Dian stressed the importance of communication styles to establish political trust and honor for every politician, not only with their constituents but also among party officials. This, however, can often be problematic in terms of gender and status in the party; the late night meetings, the gentleman's sphere where such networking takes place, are often off limits to women. Moreover, Dini added that as a female politician, physical appearance — glamorous, stylish clothes — was also important for formal events. Furthermore, the party leader's family dynasty, tended to be given priority at any formal party occasion, in various ways including seating arrangements. Nevertheless, Dini believes that her experience in running a successful NGO was eventually recognized as a valuable part of her membership in PPP after she gained more prominence at party occasions. Once she reached this level, her gender was no longer a major factor as she was viewed as a party member.

When she was defeated in 2009, Nursyahbani preferred to serve as a gender consultant and continue her work with LBH APIK.<sup>107</sup> She recalled that it was difficult for her to remain with the organization she had belonged to prior to the election. Nursyahbani's story highlights another dilemma: women activists often have a limited role within the party and find it difficult to use their knowledge to its fullest potential. According to Ratu Dian, up to the time of her interview in 2012, it remained difficult to collaborate with former women activists in the party. This was not only attributable to the weak leadership of the women's wing, but was also typical of female Golkar members' preference to advance their own personal agenda. In 2012, she remained hopeful that constructive communication among these women activists could be established. Ratu Dian's desires for a strengthened collaboration are evident in PDI-P, as women activists in the party act as a collective and support the gender quota and other gender issues in parliament. Even though Eva and Ratna admitted that the party leader, Megawati Sukarnoputri, is often reluctant to accept gender

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<sup>107</sup> Until today, PKB still lists her name as the vice chairman of the national board.

reform issues, including those that have to be implemented in the party itself, many young and talented female politicians supported by Megawati's daughter, Puan Maharani, are making progress in the party.

In conclusion, female members of the House like Eva and Hetifah play a role as mediators between NGOs, parliament and other government agencies. Candidates who were defeated in the elections maintain their activism by running their own personal programs in order to enhance the participation of women in their parties. Specifically, both major parties, Golkar and PDI-P, are supporting party reforms especially in terms of developing new cadreization programs as a prerequisite to establishing a modernized party. In this context, female candidates from both parties remain actively involved in the creation and facilitation of programs that encourage participation. Activists in other parties also continue their efforts to increase women's standing in Indonesian politics. For instance, Dini Mentari continues to endorse particular changes and movements that emerge from female members of PPP.

From these women activists' experience with participation in elections, this study finds that women have successfully influenced the current Indonesian political landscape in terms of the gender quotas. These women did, however, admit that because of their participation in the election it became increasingly difficult to gain parliament seats. They therefore required more political space to adapt gender reforms in the party. Given this situation, some of the women were able to take on a political position in the DPR and/or in their parties, while the rest had to expend their energy to be recognized as capable politicians. These intricate experiences show that women's CSOs and parties need strong co-operation in order to foster democratization.

#### **5.4 The relationship between CSOs and political parties during electoral competitions: patterns and political positions**

It was argued in Chapter Two that there are three dimensions to the relationship between the CSOs and political parties: 1) activities connecting the two organizations; 2) the closeness of their relationship; and 3) the relationship's direction of influence. The first dimension requires political activities to ensure that gender quotas in parliament can be filled by strong, qualified female candidates. Meanwhile, the second dimension refers to the closeness of the relationship required between both institutions to enable the 30 percent

female quota in parliament to be reached. The last dimension refers to how the relationship explains the connection between them. This chapter discusses female candidates' political experience, different female roles in politics (Kunovich & Paxton, 2005) and the informal influence (Cheng & Tavits, 2009) that shapes how CSOs and political party during election campaigns.

Based on Schwindt-Bayer's (2010) approach to women's representation, this study argues that the Indonesian case is clearly one of formal-descriptive representation. The establishment of a proportional representative system with a gender quota in the 2004 election was essential to guarantee that the state could increase women's representation in parliament. Schwindt-Bayer also suggests that it is important to place greater emphasis on substantive representation, which identifies how women act on behalf of women in legislative activities, such as their political preferences, policy-making processes, leadership in committees, and working in their districts to deliver women's voices. In this study, Eva Sundari, Hetifah, and Nursyahbani, members and former members of the House, respectively, have provided insight into how they presented themselves as women's representatives in the parliament and how they attempted to effect change in terms of gender issues.

For example, both Nursyahbani and Eva were involved in working with women's NGOs that focused on human rights and other women's issues in the parliament between 2004 and 2009, including the Anti-Pornography and Citizenship Laws. Thus, although to date there have only been a limited number of female members of parliament who can be categorized as reformist with a clear gender orientation, their influence in the legislative process and other advocacies has been successful.

Despite such influence, substantive representation has yet to be fully achieved by the female members of parliament, as they do not present themselves as a single group. Although female members of parliament have indeed formed a coalition, it has failed to establish a cohesive vision for women in parliament. This has been due to several factors. First, there has been an obvious weakness in candidate selection processes in terms of seeking strong and capable female candidates as well as the lack of potential female elites in the party. Second, some key informants from political parties and CSOs in this study argued adamantly that the legislation process has changed the content of debates because members' capacity to both discuss and have strong debates during deliberations have diminished. Despite their widely acknowledged competence as legislators, some MPs, such as Nursyahbani, Ferry Mursyidan

Baldan, Andi Yuliani Paris, and Saefullah Maksum, were not re-elected in the 2009 election because of the changes to the electoral system. Finally, members now feel the need to follow party guidelines, which further restricts the members' ability to enact progressive change in parliament. In general, substantive representation for women requires greater strategic and comprehensive movements to develop gender-mainstreaming policies that should be endorsed by female politicians regardless of party.

CSOs can play a role in bringing Indonesia closer to substantive representation for women in politics. Indeed, the cooperative strategies used by both women's CSOs and political parties to ensure the application of gender quotas during the nomination process, such as profiling, training and assistance, were discussed above. Although these activities were initiated by women's CSOs in order to increase the number of women in parliament, political parties supported for individual female candidates. No official institutional agreement was made between the parties and CSOs, rather the CSOs made their programs available for any female candidate who wanted to improve her ability to run a political campaign. For example, Puskapol UI and Puska Gender UI provided their potential female candidates' database to any party as part of their responsibility to encourage the nomination of potential capable female candidates during the election. As parties are limited in terms of their gender-specific assistance, CSOs filled the gap by providing female candidates who were embarking on their first campaign and lacked political expertise with specific training. As such, some women's NGOs, research institutes, and women's movement groups collaborated informally with female elites in the party and women's wings to ensure that such training was made available to the new candidates.

These activities also highlighted the existence of other programs to support the candidacy of these female activists. For example, CETRO raised funds for their potential female candidates and some international NGOs and foundations provided direct support in the form of printing and distributing books on gender issues and organizing gender development programs in certain electoral districts. Some female candidates stressed the importance of the material and moral support they had received from their previous organizations. Given the fact that CSO activists are divided over partisanship, many potential candidates asked for their organizations' blessing before they agreed to become active in politics. LBH APIK is a good example of a women's NGO that clearly supports its activists in the political arena with gender development programs and other organization facilities, although the organization does not request that they join a specific party.

However, it is a fact that some women NGOs and other women's groups have established gender-oriented programs, but they do not offer systematic support for women's activists who wish to win seats in the national parliament. Although women's CSOs believe in the importance of women participating in politics, few attempt to systematically encourage their activists and leaders to gain parliament seats or to win local executive positions. Instead, based on the author's observation and some statements from civil society actors, CSOs relied on general training to assist women in their attempts to win parliamentary seats. Although there were many training and assistance programs offered for female candidates, some of these programs were difficult to access because they were held only months before the election day. Unfortunately, many female candidates did not seriously participate in the training, even if it was their first election, as they were unable to see the significance it would have in terms of winning or losing the election. Therefore, two problems remained: women's CSOs lack of systemic support for successful candidates and the fast changing electoral system in 2008.

The female candidates that participated in this study indicated that there was an intersection between the party's need to fulfill the gender quota and the candidate's personal motivations to expand their roles in political parties. Nonetheless, NGOs were not able to fully intervene in the candidate selection process as the final decision was the party's prerogative. Therefore, based on the stories recollected by the female candidates, the acceptance of women as candidates was based on personal relationships between party leaders and the candidate and the final selection decision was largely influenced by party leaders' invitations. Informal influence was therefore more effective, as it ensured that female candidates' nominations were fast tracked. However, the party itself did not see any political advantages in accepting these women as nominees as they were not necessarily the popular choice and often lacked strong support in the district, with the exception of Eva Sundari. Thus, given the final authority of the selectorate team, these women could be moved to different districts without voter objections.

According to Cheng and Tavits (2009), informal influence plays a role in the selection of female candidates. Political parties seek out any potential female nominees as election candidates through various means, including through the personal relationships that exist between CSOs actors and politicians. Moreover, Cheng and Tavits' conclusions indicated that the historical relationship of the candidate with the district and the nomination of female candidates from the district was important (2009: p.466). For candidates such as Eva Sundari,

selection for the 2004 election was based on her close relationship with the district electorate. However, this closeness only plays a role insofar as it is advantageous for the party. When candidates such as Binny Buchori requested that she be able to run in her preferred district, she was told to be more realistic about her selection because a male candidate had historically dominated the district and had always secured votes for Golkar.

Nursyahbani also indicated that the party's needs played an important role in her candidacy. In 2004, she was selected to run in a district she had known little about. The leader of PKB's selectorate was able to effectively organize her placement in the district. Nursyahbani admitted that because she was considered a suitable candidate for the district, she was not required to pay the registration fee for candidacy in the party. She was also not provided any political mapping information about the district for which she had been selected as a candidate because the party felt that her election success was guaranteed. Her success can largely be attributed to PKB's party leader, Abdurrahman Wahid, who knew how to recruit strong potential female candidates and to ensure that these candidates would be influential in parliament. In this context, the party leader's motivation not only led to the nomination of female candidates but also ensured that these women are strong candidates.

For political changes to occur for gender issues, it is important to encourage party leaders to accept these new norms. Of the seven major parties in Indonesia, only three, PKB, Golkar, and PDI-P, are serious about the substantive representation of women and adhering to gender quotas during the nomination process. These parties' approach to female candidates depends on the party leaders' stance as it is not officially institutionalized. PKB's leader, Wahid, supported the involvement of many women cadres and non-cadres from CSOs, including from cultural entities like NU in the party. At the same time, Golkar's party's leaders such as Akbar Tanjung and Jusuf Kalla, were also widely known for their acceptance of reformers and progressive figures in the party, including female leaders from different organizations. Furthermore, although PDI-P's leader, Megawati, is recognized for her conservative views, her successor and daughter, Puan Maharani, has attempted to accommodate many reformers from inside and outside the party to make progressive changes to the PDI-P, including nominating women activists for candidacy. Other party leaders, however, are not as committed to increasing female participation.

Party influence was not the only factor that determined the candidates' election success. During their recollections of the 2009 election campaign, these female candidates

complained that their campaign had been affected by changes to electoral legislation that required the transition from a semi-open to an open list. Their main objection was that the open list allowed election candidates to compete freely for a seat with loose party control over candidates from within and outside their own party. According to several candidates, many party local boards supported, rich and powerful candidates in the districts. Furthermore, the open list meant that each candidate preferred to maximize any individual potential they had to win the seat rather than working with party teams.

However, some female candidates admitted that they were involved in several campaign activities, not for the purpose of winning the seat for themselves but in order to contribute to the party. They said that the current electoral system has encouraged voters, candidates, and election commissioners to become materialists. This finding supports some Indonesian scholars' interpretation of the election, such as Ani Soetjipto, who argues that the closed list PR system is the most suitable electoral system for increasing the number of women elected to parliament as it guarantees that the party would secure that its candidates are elected (personal communication with Ani Soetjipto, March 14, 2012). This electoral behavioral evidence further supports the notion that voters are often pragmatic during an election and when they realize that the party has little to offer to voters, they make their decisions based on a candidate's personality.

To ensure that female candidates are successful in the open list system, it seems that cooperation is needed between NGOs and female candidates. Such programs have taken on various forms: LBH APIK's community programs that were used to support Ratna Batara Munti's campaign; KPI's events for all female candidates; the provision of funds such as CETRO's fundraising for female candidates' campaigns in the 2004 election. Moreover, successful candidates such as Eva and Hetifah indicate that formal cooperation with women's networks in the district with their party colleagues or with other civil society actors is seemingly invaluable for election campaigns.

Despite these candidates' assertions, a question remains: Is the cooperation between female candidates and their CSOs supporters effective? If women's groups are able to meet two conditions, the answer is a definite yes. First, women's CSOs and political parties need to establish a clear cooperation in order to ensure that the number of women in parliament increases. Second, women's CSOs need to be involved in other electoral strategies used by female candidates, such as working with the media and developing some effective campaigns.



The results of the 2009 election and the dissatisfaction many female candidates felt about their campaigns were largely tied to the fact that they had to work alone during the election and found it difficult to access mass media that would have helped them to enhance their profile in their constituency. The candidates felt that the most important factor for enhancing their campaigns was to maximize their personal networks, including with any CSOs.

Most of these candidates did not plan to become politicians at the beginning of their careers. Before they decided to join a party, they were leaders of different organizations and were engaged in social development projects. Therefore, when they transformed their social identity from activist to politician, these women's CSO activists required knowledge about how they could survive within party politics. As Hetifah and Eva explained, as new parliamentary candidates they needed more time to adapt to the political environment. They held three different roles: female party elite, female candidate, and elected candidate. These three positions, as Kunovich and Paxton (2005) identified, highlight how these female activists play different roles to increase political opportunities for women in political parties.

The first role that of the female party elite, requires that women facilitate changes in party policies to support women's representation in the party itself as well as in the parliament. Ratna took on this role when she joined the party for the first time. She was not only involved as a member of the young party wing, other reformers in the party, such as Eva Sundari, proposed her as a candidate for the 2009 election. Binny's role in her party was similar, particularly after the 2009 election when she was assigned leader of the cadreization training unit in the party, a prestigious institution that seeks to create high-caliber cadres. Hetifah's survival in the party required not only performing well as a member of the House but also led her to connect with primarily Golkar associations like Kosgoro, which is similar to how Ratu Dian sought to increase her internal party connections. After taking on this role, Hetifah was able to influence reform in the parliament while Ratu Dian was able to support women's programs in her party. Dini was also able to use her position in her party to assist other female colleagues and to influence public opinion in the media, particularly after she was assigned a crucial party position as one of the vice-general secretaries. Nursyahbani was actively involved in managing conflict among members of the party's board between 2008 and 2010. In other words, these women, in their roles as female party elites, required additional political space to complete their mission in politics, especially to increase female participation in the party. Even if these women's political achievements were not major, they

were able to foster some changes in the parties and to encourage them to increase the number of female party members.

According to Kunovich and Paxton (2005), the existence of female elites in the party is a crucial step to increase the number of female candidates available for elections. Therefore, Kunovich and Paxton identified two mechanisms that can be used to enhance the presence of women in a party: mediation and interaction. Mediation refers to how women transfer their political aspirations into political outcomes. In order to achieve such influence, some women rely on the mediation process within party politics while others prefer to nominate themselves independently of parties as election candidates. Interaction relates to how political parties attempt to apply different electoral systems to ensure that women are included on party nomination lists. As this is a party-oriented process, women who have reached the level of party elite are able to use their influence to develop strategies to increase a female candidate's ability to win a parliamentary seat.

On an organizational level, there are three different women's party organizations: each party's women's wing, the coalition of women of political parties (KPPI), and the coalition of female members of the House (KPP RI). As mediators these organizations are less effective than female members had hoped as their organizational hierarchy was similar to the structures of political parties. Furthermore, these organizations lack clear political communication to facilitate the support of women's issues in the parliament. However, compared to 2001, these three groups are now more able to work successfully together with women's civil society groups and some state agencies on several issues. Specifically, cooperation between these organizations led to the creation and implementation of gender quotas for the 2004 and 2009 elections.

Since the great cooperation of 2008, these political networks have reduced their work on women's issues. The women party wings, KPPI, and KPP RI, are currently trying to manage their own institutional problems. For example, in several women wings, the party nominated women's CSO activists as candidates due to the insistence of party elites rather than their own recommendation. The parties' top leaders indeed prefer to personally intervene to endorse potential candidates rather than calling upon institutional support. Furthermore, the party's institutional change is hindered by the lack of women at the party elite level.

Due to their institutional limitations, KPPI and KPP RI are not fully effective. For example, the members of each organization require the approval of their party central board

to support issues. Thus the KPP RI faces a dilemma in its attempts to support certain women's issues in parliament, in particular where the proposed resolution runs counter to party faction policy. As such, the KPP RI is finding it increasingly difficult to represent women in parliament and to achieve cross-party consensus. Aisyah Baidhowi, the former KPP RI Chair, has argued that the group received little institutional support from the House and the party fractions (Jurnal Perempuan, 63/2009: p. 157). The KPPI faces similar problems to its partner the KPP RI and needs to focus more on expanding its collaboration with other women's groups and other state agencies. Therefore, according to Eva Sundari, women generally seek to engineer change beyond the institutional framework. Women ranked among the party elites are able to directly organize events for women at the party level and to bring female members of parliament together as advocates of women issues, such as the selection of candidates for public office (Jurnal Perempuan, 63/2009: p.139). However, the lack of institutionalization of women's issues is sometimes difficult. Eva insisted that women in parliament require figures who can effectively mobilize their colleagues to take a common front to the issues they face.

When these women presented themselves as election candidates and as elected members after the polls, they had two goals: to bring the organizations from which they came as partners into the election process; and to voice the community's demands and advocate for many groups in the political arena. Therefore, in some women's narratives about the involvement of CSOs' in their campaigns, it was clear that some of these organizations, such as LBH APIK and KPI, were actively involved in the campaigns of some female candidates. Yet other candidates, for instance Dini Mentari, did not receive the full support of their organization during the election. Regardless of the level of support received from CSOs and NGOs during the election, these women were approached, in their roles as members of parliament and as members of the party elite, by NGOs activists that needed their support for various issues. Additionally, the CSOs wanted to increase the awareness of elected members of important issues in their electoral district.

The DPR implemented the open list proportional system for the 2014 election, which means candidates should consider their best strategies to suit this free competition system. The electoral system also continued to enforce the 30% gender quota for nomination lists. Thus female candidates faced similar political battles and required strong financial and

logistic support if they want to be elected<sup>108</sup>. However, political networks for women, both within and beyond party politics, remain weak and unable to establish an intra-party coalition aimed at increasing the number of women elected to parliament. Thus, the interaction mechanism identified by Kunovich and Paxton seems to have led to the establishment of gender quotas in the electoral system without a strong mediation mechanism that guaranteed an increased number of women in future parliaments.

A clear account of the impact of the implementation of gender quotas is needed in order to determine how it has affected the development of Indonesian democracy. To identify the links between descriptive and substantive representation in terms of gender quotas, Franceschet and Piscopo (2008) described two effects that have stemmed from the gender quota implemented in Argentina: the mandate effect and the label effect. The mandate effect results from the female legislators' belief that their presence in parliament requires them to act on behalf of women. However, Argentinian female candidates disagree on whether a gender quota should be implemented, as many women support the preferential treatment of being listed at the top of the party list. They are concerned at the label effect, that in fact the quota system encourages the belief that women elected under the quota system are less experienced and hence leads to negative perceptions of their capability and autonomy. In the case of Indonesia, both effects are visible in the debate about gender quotas and descriptive and substantive representation.

Franceschet and Piscopo's findings about Argentina's mobilization of women in political and civil society (2008: pp. 407-8) are applicable to this study. Their narrative about the process of supporting women's political mobilization particularly in terms of a gender quota is comparable to the Indonesian women's struggle. Gender quotas proponents in Argentina shared similar beliefs to those highlighted by the Indonesians in this study, namely that gender quotas would help women gain support and get elected. In both countries, the gender quota acted as a motivational factor for women and actively encouraged more women to become involved in the political arena.

In terms of the label effect, the Argentinian case stresses informal influence in the nomination process, which can result in under-qualified women being elected as members of the parliament. A similar process was evident in Indonesia, leading to the emergence of

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<sup>108</sup> This dissertation was completed shortly after the 2014 election and could not comment on the actual results of the 2014 election.

negative stereotypes, which was also identified in Franceschet and Piscopo's research about the gender quota.

Some political actors were reluctant to introduce gender quotas. Most of them were men who feared it would create a label effect where women were privileged in obtaining candidate nominations. Some women activists, including Megawati, the PDI-P chairwoman, did not see the need for gender quotas during early deliberations. The strong patriarchal patronage culture of Indonesian party elites indeed led to selection of female candidates strongly tied to the nominating party's clientele network, as indicated by the 2009 election results. In other words, the professionalism and competence of the female candidates were less important in the selection process, and in order to be selected women activists needed to seek the political patronage of a particular party to be nominated.

Findings from the interviews with women's representatives emphasize that the relationship between CSO actors and political parties—profiling, training, and assisting women candidates—expose the personal and non-formal connections that exist between women's CSOs and political parties. In general, women's CSOs support female candidates from any party to fulfill the gender quotas that parties are required to meet during the nomination process. Therefore, a close relationship does not exist between parties and CSOs; the two groups do not even come together on a temporary basis subject to a formal agreement. Instead, CSOs tend to adhere to a strict non-partisan relationship with political parties when supporting women's issues. Nevertheless, political links between individual activists and parties are often facilitated by connections between female actors in both political organizations.

The three indicators of relationship in political activities - extensiveness, autonomy, and intensiveness – can also be observed in this study's findings, albeit in different terms. Party response to the need for profiling, training, and assisting female candidate activities was often weak and limited in scope. The autonomy of women's CSOs to support their party colleagues prepare for their nomination was therefore urgent to balance the weak party support in the nomination process. CSO assistance was particularly important for increasing the capacity of women to be elected and win parliamentary seats.

Similar findings were also evident in the candidate selection process whereby women's CSOs attempted to support the nomination of women in each party, while parties did not respond overly positive to the CSOs' initiatives. This was despite a concern from the party

elite that there were insufficient prospective female candidates, especially well-qualified ones. Therefore, women's CSOs offered to profile, train, and assist women with their nomination, while maintaining their autonomy. Female CSOs realized their inability to directly intervene in the selection of candidates for each party and therefore chose to use informal communication channels with the party elite to intervene in candidate selection. Thus this study indicates that the connection between CSOs and parties does exist but it is limited and rather informal in nature.

These informal relationships were not, however, translated to the institutional level as the party leaders required political power to protect their party from being influenced by any potential competition between groups. In general women's groups do not have strong political power in most Indonesian parties. Therefore, these findings suggest that these informal connections, because they are not fully institutionalized by the CSOs or the party, are often too weak to support political change on gender issues. The evidence suggests that political parties only endorsed women as candidates because the gender quota had been mandated by law, not because they wished to further the women's representation cause. Nevertheless, these informal connections among women's groups have potential political power in each party if there is a common gender platform and an inter-party leader that can bring gender issues to the party.

The final dimension, the direction of influence, is not evident in this study as none of the CSOs has direct political influence over a party. Even though some women's CSOs such as Fatayat NU and Aisiyah Muhammadiyah are closely culturally aligned with PKB and PAN, they do not intervene in or exert influence on PKB and PAN's candidate selection process. Female candidates in this study preferred to use a more personal approach and establish informal communication with party leaders to ensure that they would be nominated. These informal connections were often established based on links between the female activist and the party or her personal achievements. For example, Dini Mentari was asked to join PPP by her colleague at ITB while Eva Sundari was requested to join the PDI-P because of her GMNI connection and proven experience. Ratna Bantara Munti's motivation to seek nomination as a candidate was inspired by some women activists from LBH APIK who had decided to join PDI-P and become legislative candidates. Thus, even though no formal organizational influence exists between CSOs and parties, there are personal cases where women activists were encouraged by their organization to become more active in party politics.

In the post-cartel party perspective, these findings demonstrate that political parties consider women groups as a key source of candidates in complying with affirmative action quota. Although at the beginning of the implementation of the gender quota, many parties were reluctant to obey the new legislation, the stronger sanctions brought in for the 2014 election has brought many political parties to the realization of their weak performance in supporting female candidates during the nomination process. It also means, that political parties are being pushed by the gender quotas rules to consider women's representation in the election nominations and also on the party's boards because of outside demands for gender equality.

## **5.5 Conclusion**

Several conclusions can be drawn from the findings presented in this chapter about female candidates and their party nomination. First, with regard to party female candidate selection and the application of gender quotas in the legislative election process, it seems that major political parties are indeed more faithfully following the legislation in implementing positioning of women on party nomination lists. Given that political parties were attempting to adhere to the gender quota, female candidates with full support from CSOs also put pressure on party elites to follow the gender quotas regulations. However, the adoption of the gender quota itself in political parties required additional strategic cooperation between women's CSOs and the women wings of the parties for its successful implementation.

Second, some political activities such as profiling, training, and assisting women candidates in the election occurred in collaboration between women's CSOs and elements of political parties. Unfortunately, this cooperation was not institutionalized and was based instead on informal cooperation between female party elites with several NGOs. Even though there was little support for these activities from the major parties, most female candidate enthusiastically embraced the cooperation as they recognized its value in increasing their knowledge, experience and electability. Thus, some organizations such as the KPP RI and KPPI (political party organizations) and the KPI (from the CSOs) should collaborate to bridge support between political parties and women's CSOs in order to support gender issues in the parliament and parties.

Third, based on women candidates' narratives about their parliamentary success, this study concludes that there is an urgent need for the strengthening of political communication (formal and informal) between women CSOs and political parties in all political fields. The weak representation of women's issues in parliament stems from the poorly optimized political linkages between political parties and women's CSOs. Nevertheless, the female candidates profiled in this chapter were able to help deliver multiple changes through their different roles in the House and as party members, and these changes are indirectly attributable to the impact of the adoption of gender quotas in political parties.



## **CHAPTER SIX**

### **Enabling Environmental factors shaping the relationship between political parties and women's CSOs in post-Suharto Indonesia**

Findings in previous chapters have evidenced the relationships between political parties and women's CSOs in certain political activities in post-Suharto Indonesia. Strong personal connections between key individual civil society actors and politicians that translated as effective communication paths formed the major evidence in previous chapters. Other evidence stemmed from the distance linkages and non-formal institutional relations between women's CSOs and parties shown in this case.

This chapter focuses on factors shaping relationships between women's CSOs and parties in Indonesia. The chapter further argues that these factors affect the development of women's political representation in democracies. The second sub-chapter presents the ways in which CSOs and political parties shaped post-Suharto Indonesia. This is followed by a sub-chapter that explains authoritarian legacies in Indonesian contemporary politics that have affected the development of women's CSO and party relationships. The fourth sub-chapter presents the impact of these relationships in women's political representation. The chapter concludes with an explanation of how the collective evidences from these countries contributes to an understanding of women's CSOs and parties in women's representation in democracies.

#### **6.1 Factors shaping the relationship between CSOs and political parties in post-Suharto Indonesia**

This subchapter discusses some factors that explain the relationship between CSOs and political parties in post-Suharto Indonesia, and the established political connections between women's CSOs and political parties. This subchapter also provides a comparative perspective to explain the Indonesian case.

As the essence of relationships between CSOs and parties requires causal explanations drawn from various strategic interactions for different issues (Allern, 2010), this study

emphasizes both external and internal environmental factors in contemporary Indonesian politics. The development of democracy in the country also requires the contestation of ideas about continuity and change. These debates are often explained by environmental factors that affect the formation of any strategies CSOs and parties use to establish linkages. External factors relate to the entities that support Indonesian CSOs and political parties in their attempts to create democratic development linkages. Furthermore, since the democratic breakthrough in 1998, socio-economic changes and international development support have also catalyzed the establishment of a relationship between CSOs and parties. Internal factors, in terms of policy-making interactions and connectivity through political representation between CSOs and political parties, have also shaped Indonesia's democratic development.

External factors became increasingly important when Indonesia began its transition to a democratic country. The *Reformasi* in 1998 is recognized as a critical juncture that created new opportunities and facilitated political change in Indonesia. The fall of Suharto's regime coincided with massive demands for change to Indonesia's social, economic, and political spheres. Habibie's transitional government (1998-1999), as the successor of Suharto's regime, absorbed these demands. His government was committed to reviewing democratic laws and institutions, including elections, political parties, and freedom of the press as well as guaranteeing civilian control of the military. Furthermore, in terms of women's issues, Habibie accepted some women's groups' demands that the state take responsibility for investigating the violence that had occurred against women during the social and political riots in several major cities in May 1998. Between 1999 and 2003, Indonesia had successfully amended the constitution (UUD 1945) with some substantial changes, such as the establishment of new democratic institutions including the regional legislative chamber (DPD) and constitutional Supreme Court (MK).

Prior to the fall of Suharto's regime and the economic crisis in 1997, Indonesia had experienced strong economic growth that led to the growth of the middle class in major cities. Accordingly, because of the increased number of educated citizens, the emergence of a well-informed society, and the expansion of technology and its increased use in society, people's propensity to criticize the authoritarian regime was amplified. This was evident in the increased number of critical and underground organizations and the multitude of people's protests in major cities during 1997-1998 criticizing the state. For example, in mid-1998, when protests broke out across the country in reaction to Suharto's economic policies, some women's groups also took to the streets to protest the high price of milk for children.

Students from various main cities protested the shooting incident to student

demonstration in Jakarta which also accelerated the oppositional groups of Suharto's regime to confront their position to the state. The final event during May 1998 was the presidential resignation statement from Suharto and made his vice-president Habibie to continue his presidential tasks until the next election of 1999. This new political opportunity was captured by opposition leaders such as Amin Rais, the leader of Muhammadiyah and Abdurrahman Wahid, the leader of NU, to negotiate some political institutional changes with Habibie as the new president. Therefore, this critical juncture of May 1998 was a new beginning for placing new path for Indonesian democracy.

International support, which accelerated social and political changes with numerous development programs following the 1998 student protests, is the final external factor. During the period between 1999 and 2009, many international development agencies became involved in a wide range of development sectors across the country. In the democratic institution development projects, for example, many agencies helped to increase political participation and to establish political accountability in different areas: grass-roots communities, political parties, civil society, state agencies, etc. They also sought to develop new democratic institutions that had not existed in previous regimes, such as the MK (Constitutional Court), the DPD, and the introduction of the majority plural presidential election.

Working together with major mass organizations and NGOs in Indonesia's transitional period to develop critical awareness of community and to design new political institutions, international agencies have successfully embedded their mission in that country<sup>109</sup> (Aspinall, 2010). Nevertheless, Aspinall noted that although there have been many political institutional reforms, the government itself did not try to seriously implement these reform agendas. Meanwhile, many community groups across the country were aware of their local public spheres. Therefore, to accept international development assistance programs during Indonesian transition term was a positive path in order to increase people awareness and participation in any political activities which were never allowed in previous regimes. In CSOs perspective, to shift people awareness in politics is not an easy way while during authoritarian regime the state carefully watched any suspicious political activities that threatened political stability in country. After that, CSOs have been asked by their community groups to assist them in any political and social activities.

In terms of the internal factors that play a role in the development of relationships

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<sup>109</sup> See the perspective on democracy assistance in Carothers, 2009.

between women's CSOs and political parties, particularly those based on policy-making interactions and connectivity in political representation, the relationships in the post-Suharto era can be described as distant with some constructive interactions. Both groups have separate political interactions with the state and other groups like business communities. Women's CSOs maintain a distant relationship with legislators when they advocate their interests and provide substantial input during the policy-making process. However, at the same time, women's CSOs leaders have allowed themselves and their members to become part of the state apparatus in different positions. This is part of the CSOs' engagement with the state as well as election candidates. This "critical engagement" also defines CSOs' autonomy from state and political parties, as they are free to criticize these political entities.<sup>110</sup> This engagement often takes two forms. In the legislation making process, there is critical cooperation between women's CSOs and all parliamentary parties. Meanwhile, there is no clear cooperation for political representation as individual choices are made based on partisanship. This engagement path is chosen by CSOs leaders to demonstrate their autonomy position from the state or any political groups.

Moreover, political parties believed that distant and critical engagement with CSOs has a strong correlation to Indonesian history and is embedded as social cleavages. Historically, Indonesian political parties and civic organizations emerged at the same time, during the early national independence movement. Therefore, both organizations remained separate from each other in contrast to European countries where there has been a close relationship between labor unions and labor parties. As such, Indonesian political parties respected CSOs' independent and non-partisan positions, particular as two large mass organizations, NU and Muhammadiyah, have a great deal of experience to share. They endorse CSOs activities that could potentially benefit the party and that they could not take on themselves, such as developing technical development expertise in the legislation making process.

These internal factors explain two crucial paths for the distant relationships between CSOs and political parties: (1) the lack of institutionalization of both organizations; and (2) the strong legacy of patronage politics, including clientelism and informal relations.

The lack of institutionalization is caused by several factors. Current scholarly work on political parties (Ufen, 2008; Mietzner, 2008) and a few studies on CSOs (Beitinger-Lee,

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<sup>110</sup> Some NGOs leaders, based on several interviews and informal talks with these leaders, believe that this strategy is critical for engagement with the state during the current administration.

2010) confirmed that both parties and CSOs in Indonesia can be categorized as weak institutions. This study supports these findings based on the political involvement of CSOs and political parties with gender issues. Women's groups in Indonesia tend to be fragmented and atomized organizations. For example, although women's CSOs have endorsed gender-related legislation in the DPR, they tend to be separated into particular issue-based groups, such as women's suffrage groups and women's transitional justice groups (personal communication with Ruth Indah Rahayu, February, 7, 2012). Rather than a joint campaign to influence DPR Commission VIII on Religion, Social Affairs, the Empowerment of Women and its members on a particular issue, the groups tend to work individually and lack a formal, institutionalized agreement.

A further example of the lack of consensus between well-structured, well-established organizations and the varied views concerning the gender quota can be found in the affirmative action discussions in the DPR. In this case, however, fragmentation was easily overcome when some leaders of the women's groups came together as a united front with a similar gender perspective. It is evident that women's CSO leaders are not only involved in one single organization but are often involved in others as well. Therefore, Nur Iman Subono, a gender observer, believed that the internal dynamics of women's organizations, including conflicts and fragmentation, is part of the learning process as women's groups attempt to regroup after their period of repression under the preceding authoritarian regime (personal communication, April 2, 2012). It is also relevant to say that women's CSOs, and other CSOs, are not ready to respond to any political changes after democratic breakthrough. Most of CSOs preferred to exercise this openness political opportunities for showing their identities in public arena.

One of the findings of this study is that these women's organizations as well as other NGOs are able to advocate, to campaign, and to lobby members of the House to help drive their own agenda in the political sphere. However, if we look beyond the surface of political lobbying during the policy making process, some organizational weaknesses are evident, such as the lack of substantial arguments for supporting and rejecting specific issues and sporadic political approaches with politicians. Thus, female activists have yet to enhance their role as lobbyists by fully mapping the political mapping networks inside and outside parliament to influence other key actors in order to gain support for their agendas. During 1999-2004, not only utilizing campaign strategy in different media, women's CSOs also learnt how they adopt their political strategy in various political groups in parliament. Moreover, during the next period, 2005-2012, they were able to develop political networks and write a promising

evidence-based policy papers. All of these activities were increased their capabilities as intermediary actors between society and the state during transitional era.

In this study, the weak institutionalization of political parties was evident in several phenomena: limited programmatic-oriented agendas, the domination of personal and informal influences on party decisions, loose ties between political parties and mass organizations, and weak party discipline during the policy-making process. Parties that have limited programmatic-oriented agendas are identifiable by their unclear political agendas to prioritize bills in the House as well as their vague platforms in terms of their political activities (Ufen, 2008). Argama et al. (2011) illustrated that the House was hardly productive in terms of its ability to create laws, as it only produced 38.6 pieces of legislation per year between 2004 and 2009. At the end of 2010, only 17 of 70 proposed bills had been passed and only 8 of these 17 bills represented substantially new and relevant legislation. The remaining 9 bills were routine bills and amendments to international conventions. Although the party system's social cleavages are divided along religious as well as regional lines, most parties try to make their party fit all concerns in order to attract as many voters as possible. Therefore, it is difficult to associate a political party with a particular ideology and to connect their activities in society with their political stance in the House. Only several sensitive issues, such as tolerance and religious freedoms, are clearly defined in terms of party politics and the party's stance during the deliberation of laws pertaining to such themes.

The domination of informal influences is indicated by the role political leaders play in deciding important party policies with some input from members of the national board. All major parties, with the exception of Golkar, rely on their party leadership structures (the chairman or the advisory board) for the determination of any crucial party policies. PDI-P's Megawati is highly personalized and her personality is mirrored in her charismatic leadership (Mietzner, 2012). Other parties such as PKS, PPP, and PD are also similar to PDIP in that they limit party decisions to the main political leader with strong patronage (Hidayat, 2012; Sukmajati, 2011; Honna, 2012). PAN and PKB have attempted to transform their personalistic party into a more pragmatic structure but they remain, to a certain degree, dependent upon clientalism and flexibility and inconsistent party procedures (Sugiarto, 2006; Noor, 2012). Although Golkar does not have charismatic leaders and is linked to major supporting groups, the party lacks a pragmatic strategy to increase its electoral success (Tomsa, 2012).

Loose ties between CSOs and political parties indicate two things: first, while both organizations would rather not have political institutional agreements with each other, they

would, second, allow and support members who are involved in the political sphere. Despite the fact that a cultural and emotional relationship does exist between major religious organizations, such as NU and Muhammadiyah, and parties, such as PKB and PAN, organizationally, NU and Muhammadiyah declare themselves to be non-partisan regardless of political activities. Nonetheless, NU and Muhammadiyah allow their members to affiliate with any political party. A similar situation is also evident among many NGOs and other movements, such as LBH APIK and KPI, that prefer to remain non-partisan but allow their members to seek out their own political affiliations. These evidences show that both parties and CSOs realize their nature of organizations which is unable to incorporate into single association; however, in the same situation, these organizations are depended each other to have collaborative works in promoting democratic values.

Furthermore, party discipline in the law-making process and other parliamentary activities is weak. During the policy making process, members of the House take on the role of member of a commission rather than representative of a particular party in order to make decisions about or monitor particular policies (Sherlock, 2012). Party functions only exist when urgent and sensitive issues emerge as controversial debates in the media and when parties need to control members who are not following the party political line. As such, members of the House face a political contradiction: on one hand, their voices are regulated by their respective party to avoid any distortion of the party's political stance, while on the other hand, the party accepts the autonomy of the commission for any political decision of the House. The weakness of political parties stems from their inability to provide a firm political stance where they could take a leadership role on the commission. Therefore, at the end of policy deliberations, faction leaders prefer to arrive at a consensus to settle a deadlock and they expect that party members follow their lead. Such contradictory dynamics reflect that parties tend to maintain a collusive approach to make policy rather than develop political accountability.

At the same time, clientelism and informal relations are embedded in both CSOs and political parties, which can largely be attributed to the authoritarian legacy of the New Order. To some extent, these attitudes dominate the decision making process and weaken members' participation in both organizational structures. Political party leaders use their charismatic leadership to run the organization; most CSOs, especially mass organizations and movement groups, share a similar pattern.

Antlöv, Brinkerhoff, and Rapp (2010) have highlighted the capacity problems of several Indonesian NGOs whose leadership, management structures and procedures do not fully

support their attempts to interact with other organizations. In the study, most NGOs leaders are described as “passionate and technically skilled and experienced” and “highly committed to their reform agendas, energetic, and enthusiastic” (Antlöv, Brinkerhoff and Rapp, 2010: p.426). However, at the same time, as the majority of NGOs are relatively small organizations, the centralization of decision-making is difficult to avoid. Moreover, Achwan and Ganie-Rochman (2009: p.817) stressed that CSO leaders prefer to expand their personal networks which conflicts with the organization’s focus on developing its programs and resources rather than networks. Thus, although CSOs campaign for democratic values such as openness and responsibility to their community groups, it is seemingly difficult for them to apply these values themselves as they lack transparency and accountability (Ibrahim, 2006) and have weak democratic leadership.

In summary, major political representation problems in Indonesia stemmed from the weakness of the formal channel of representation, the political party, and the political party’s inability to properly govern its organizations. As the authoritarian legacy of the New Order is embedded in most Indonesian parties, this study concludes that Indonesian political representation remains a work in progress that has yet to find an idealistic path. The delicate internal dynamics that are evident in both CSOs and political parties highlight these difficulties. Major Indonesian CSOs and parties rely on a leader’s strong personality for any decision-making processes rather than focusing on the organizations’ merits. Thus, if there are particular institutional reforms in both organizations, they could stem from the leader’s initiative and not the organization’s consensus. Although, there are political opportunities that are inspiring CSOs to actively involve in many political activities such as engagement with the state, however, these activities still receive internal organization burdens.

In the Indonesian case, the dynamic relationship between women’s CSOs and political parties can be described as descriptive and substantive representation. In descriptive representation, cooperation strategies are maintained by both groups to support, for example, gender legislation in the DPR and the Ministry of Women's Empowerment’s programs. Despite the fact that cooperation strategies have not been officially institutionalized due to the fragmented nature of women’s groups and their specific interests, some progress and reform policies have been made. In substantive representation, women are presented with a dilemma between the mandate and label effects, which were discussed in the previous chapter. This descriptive and substantive representation path is feasible because of two reasons: first, a wide opportunity for women politicians that should be responded into their political action quickly to become women candidates, party officials or other public officials. These days,



this affirmative action is part of gender equality agenda that is seriously considered by each party; second, female activists from NGOs and other groups prefer not to be nominated as candidates because they are discouraged by the presence of money politics and strong clientelism in party politics. There are not many potential women politicians and activists who are able to use this opportunity because most of them realize not only high political costs to become election candidates, but also they have weak political networks to gain supporting voters. Furthermore, although some CSOs activists mention critical engagement as a new path for strategic relationships between the state, political parties, and CSOs, such engagement remains, particularly in women's issues, a work in progress. Women's CSOs need to adjust to political changes in the parliament and other political arenas such as bureaucracy and party politics before they attempt to increase their influence.

Since *Reformasi* in 1998, Indonesian women have become increasingly engaged in the political arena. Based on Indonesian women's history, although women organized as a collective as early as the women's congress in 1928, they were unable to successfully maintain their solidarity during the Sukarno (1959-1967) and Suharto (1967-1998) regimes. Because of the high political volatility evident in the Sukarno era and the political repression of any opposition group in the Suharto era, women's organizations were rather silent and did not engage in politics. Therefore, once the Suharto regime fell, women's organizations used their political opportunity to support and expand gender issues. They began to advocate and deliver some gender issues into parliament and the state as well as to involve in several human rights demonstration during the early of *Reformasi*. Later on, after the installment of changing electoral system including gender quotas in parliament, women were considered to become part of the state and member of the parliament. However, authoritarian legacies, such as clientelism and patriarchy, remain problematic in terms of engendering the Indonesian political sphere.

## **6.2 Authoritarian regime legacies in Indonesian contemporary politics**

Before this study proceeds to its final conclusions about how the relationships between CSOs and political parties affect the development of Indonesian democracy, it is important to discuss the changes and continuities evident in Indonesian politics since *Reformasi* 1998. The country continues to work through some legacies of the authoritarian regime, while at the same time it negotiates multiple changes as a new democracy. The post-Suharto regimes have required social and political adjustments between actors, institutions, and behaviors from these continuities and changes to ensure democratic governance. Although a multitude of

changes have unfolded in the relationships between CSOs and political parties, these changes remain dynamic.

There are three main critical junctures that could be considered in analyzing the effect of authoritarian regimes to the development of democratic institutions, including relationships between CSOs and parties (see table 6.1). The first juncture, prior to this during Sukarno's Guided Democracy and the pre-independence era, CSO-political party relationships did not seem to significantly affect the regime, as political contestations were dominated by three key actors: Sukarno, the army and the PKI (see Lev, 1966). Because of the high-level of political volatility, most mass organizations, including women's organizations, were silent on many issues. However, the secular stream of the women's movement was vocal in its opposition to polygamy and the debate on the government's pro-polygamy marriage bill from the early 1950's. An anti-polygamy marriage bill was proposed in 1958 which was supported by the socialist/communist parties but it was opposed by male and female parliamentarians from Islamic parties (Martyn, 2005). The marriage law was not passed and debate continued into the early 1960's and the change of regime.<sup>111</sup> However, during the pre-independence era, both parties and CSOs from cross-sectoral groups began to cooperate, including in armed and revolutionary struggles and along diplomatic paths. Such cooperation could be attributable to the existence of a common goal: independence.

Second, in the New Order regime, CSOs and political parties were opposed to each other. Some religious groups like NU and Muhammadiyah did try to establish mutual cooperation with the state and major parties such as Golkar and PPP, both organizations maintained a distant relationship. Nevertheless, the majority of key oppositional actors who had founded critical NGOs and media tended not to form any type of cooperation with the state or parties. There are three reasons for this. First, the state preferred to work with cooperative corporatist organizations rather than opposition groups and second, given the lack of trust among state agencies (or parties) and NGOs during that period, communication between the two groups proved difficult. The last reason is that major NGOs were disappointed with the state's apparent despotic attitude in responding to criticism, while the state itself resisted any opposition groups.

Third, after *Reformasi* 1998, most CSOs attempted to shift their political strategies from being the government's watchdog to being more cooperative and directly involved in politics. They increased their political involvement not only because of the wide array of political

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<sup>111</sup> The marriage was finally passed in amended form under the Suharto government in 1974.

opportunities but also as part of a larger pragmatic concern related to surviving in a competitive society. This pragmatic stance of CSOs actors is understandable as civil society jobs such as community organizers and NGO advocates are not secure sources of livelihood. Being a politician or political lobbyist guarantees a greater earning capacity. Thus CSOs may remain silent on monitoring certain state agency projects because some of their members are involved, although they can easily mobilize their local community groups to support or oppose the projects. These CSO social networks need to continually criticize the state as well as guard a robust freedom of press and demand access to information and accountability. Although CSOs and political parties may have a distant, moderate or close relationship, most CSOs actors prefer to choose a non-partisan, marginalized political stance.

Table 6.1

*Three main junctures in explaining CSOs and parties relations*

Critical junctures	Form of relations/activities
<b>Before Suharto era (Sukarno's Guided Democracy and pre-independence era in 1950s until 1966)</b>	<ul style="list-style-type: none"> <li>• To cooperate for gaining independence</li> <li>• To respond on silent position because of the high-level of political volatility</li> <li>• To respond on vocal position in term of anti-polygamy marriage</li> </ul>
<b>Suharto era (1966-1998)</b>	<ul style="list-style-type: none"> <li>• To oppose to the state</li> <li>• To establish mutual cooperation and to maintain a distant relationship</li> </ul>
<b>Post-Suharto era (<i>reformasi</i> in 1998 onward)</b>	<ul style="list-style-type: none"> <li>• To watchdog government</li> <li>• To cooperate with government and parliament</li> <li>• To involve in political arena</li> </ul>

Source: author compilation

Several historical legacies remain embedded in Indonesian democracy. These legacies still continue to influence power relations and interactions among political actors. The first legacy is the oligarchy groups defined as business-entrepreneur groups (see Robison and Hadiz, 2004), and other clientelism groups<sup>112</sup> from the Suharto regime. Both groups continue

<sup>112</sup>Clientelism groups can be defined by ethnicity, religion, or alumni from specific universities.

to influence the decision-making process in the legislative and executive bodies. These groups have inter-relations networks with different politicians in all parties. The second legacy is the social and political structures, for instance, the combination of proportional and majoritarian electoral systems, multi-political parties, patronage and patriarchal personal relationships. This structure enables politicians, CSOs actors, bureaucrats or political consultants to consider different strategies for having effective communication each other. The third legacy is the fragmented and weak institutionalization (for example, flexible and personalized rules and procedures) present in most Indonesian organizations which tends to lead to low compliance with any internal organizational agreements among these institutions. The fourth legacy is related to a clear separation between civil organizations and political parties, which has led to a distant relationship between CSOs and political institutions. All these legacies are reflected in the dynamic processes of Indonesian politics and also affect the emergence of new political institutions in the young democracy of Indonesia.

The influence of these legacies can be seen in recent political interactions between CSOs and parties, when viewed from the type of issue and the group responding to the issue. For example, when considering sensitive issues such as tolerance and pluralism in a multicultural society, liberal civil society groups face multiple political constraints when attempting to exert their demands in seminars and public forums (see also Hamayotsu, 2013 and Lim, 2013). When these groups attempt to endorse certain policies, there are three different groupings of political parties that respond. The first group, composed of the PDIP and liberal civil groups, is recognized for its political commitment to resisting the Islamization tendencies of its political rivals, the Islamic political parties. The second group, that includes Islamic party groups such as PKS, PPP, PKB and PAN, tends to counter any liberal ideas that are opposed to strong Islamic values.<sup>113</sup> The final group, that includes Golkar, PD, Gerindra, and Hanura, attempts to negotiate a more mainstream position.

However, if we examine other political issues, such as the management of electoral bodies and the electoral system, which affect the party's ability to survive, coalitions among these parties have become more fluid and dependent on what they consider to be crucial issues. Given these considerations, it is women's CSOs that are best placed to support and bring gender issues to the House, as most political parties have not articulated any strong electoral benefits or perceived community support for major gender issues such as women's equality. There is robust support for the eradication of corruption. Any legislator or law

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<sup>113</sup>PKB and PAN tend to take a more moderate stance in response to such issues.

enforcement agent accused of corruption faces strong calls for their investigation by the KPK from both NGOs and social movements. However, gender themes, particularly when associated with politically sensitive issues such as racial tolerance and religion, can lead to heated political debates. Thus, secular and non-secular cleavages remain among Indonesian CSOs and political parties on such sensitive issues as can be seen by the ongoing debate of the gender equality bill.

In general, although women's CSOs and political parties tend to have weak institutions (as indicated by fragmentation and strong clientelism relations) in facilitating democratic governance, the distant relationship between them has contributed to increasing women's political representation in democratic society. It also means that women are able to continue their collaborative works in gender equality issues while they also maintain their distant relations. Moreover, the factors that shape the relationship between women's CSOs and political parties also help explain why problems exist in political representation in Indonesian democracy. Both organizations find it difficult to express their representative functions to their community base. Political parties spend much effort in presenting voters' voices to the legislative and executive bodies, whilst the connection between parties and voters is diminishing. Women's CSOs also have conceptual and empirical boundaries in the political field as most civic organizations still continue to debate their partisan or non-partisan nature. At the same time, both organizations are not skilled at creating reform legislation and critical engagement with state policy. When parliamentary parties have been able to garner electoral benefits from gender laws, women's CSOs can successfully influence the debate and passing of such laws. Although both organizations have been successfully involved in the production of gender legislation, the process has been difficult because it relies on informal, personal-based cooperation. Meanwhile, there are insufficient numbers of progressive female members of the House to endorse gender bills in the parliament due to insufficient numbers of women's CSO actors in parties. These problems are caused by the continuities and changes evident since *Reformasi* 1998. In dealing with authoritarian legacies and meeting new democratic values in society, Indonesian politics remains a progressive democracy despite its weak rule of law. If we are expecting an increased numbers of women in parliament that can endorse the numbers of gender laws, it also means how to negotiate authoritarian legacies and new democratic values in society.

In addition, the establishment of affirmative action on women's representation issues in parliament is a path that could be maintained by both women's CSOs and political parties. During the early phase of affirmative action introduced in 2003, women's CSOs understood

this path could be resisted by male politicians. Because women's CSOs were able to convince this path as a new way to increase women's political participation in each party to their political leaders, then they gained supports from their leaders. However, it is not also easy way when it was deliberated again in 2007. Once again, women did similar ways to convince and influence these male politicians. After that, when there was discussion of similar issues in 2012, male politicians easily accepted other adoption of this issue in parliament. This evidence shows that not only women are strongly solidified on their common interests, but it is important to notice their adaptive position to deliver policy when there were challenges in policy-making process. Therefore, because women gained their interests in establishing new path in gender equality, women's CSOs could maintain their distant interactions to parties in more suitable ways.

### **6.3 The impact of relationships on women's political representation**

In order to examine substantive representation, this study has identified two possible schemes for increasing the quality of political interactions between women's CSOs and political parties. These alternative ways focus on two main activities, the law-making process and women's representation, and consist of (1) a non-interventionist fundamental mechanism for both organizations and (2) systemic organizational intervention.

The first path, the non-interventionist fundamental mechanism, is one where women's CSOs and political parties develop a basic informal mechanism to increase the number of women in each political party without direct institutional interference. This means that any women's CSOs actor can apply to join any political party and receive support from its leaders. As previous chapters have illustrated, this path is currently visible in the Indonesian political sphere. However, political parties require female activist candidates with the ability to manage social and community activities and strong links to grassroots groups and community leaders. Thus political parties should recruit talented female CSOs activists based such standard requirements. Additionally, women NGOs and mass organizations could prepare and allow their best members to be recruited by parties. In general, this pathway depicts informal cooperation between talented political headhunters and women's CSOs.

In addition to encouraging the recruitment of strong female candidates, female party leaders should encourage a broader discussion of gender issues in their party. Therefore, if there are more female politicians in powerful positions who can facilitate change in their respective parties, this path predicts that positive relationships between parties and CSOs can be institutionalized. The party itself can develop cooperation and engagement by

transforming personal into institutional linkages and agreements between female party members and women's CSOs.

The second pathway highlights the necessity to systematically develop mutual co-operation between women's CSOs and political parties, through such intermediary groups as the KPI (from CSOs) and KPPRI and KPPI (from parties). This study's findings show that these intermediary groups do not have any strong political influence on coalition members. They should, however, be given the support they require to work effectively and to become a powerful bridge for delivering gender issues from both organizations. Therefore, it is important to develop mutual agreements among these female actors (in CSOs and parties) in order to create strategic paths that could increase the number of women who are participating in politics. This strategic path highlights the need for systematic policy changes in the social and political structures as well as increased political awareness in women's grassroots communities and other women's sectoral groups. If the three above-mentioned intermediary groups can create systemic recruitment and intervene in the candidate selection for all parties and guarantee the involvement of female politicians in each party's candidate selection, it would facilitate the party recruitment of women with clear gender agenda. This pathway also requires the active participation of women from these groups to realize policy changes to mainstream gender issues.

These two paths could lead to increased numbers of CSO women activists in parties as party officials, election candidates and members of the House. The paths could enable women activists in parties and CSOs to reach political agreements over gender mainstreaming issues or other social development programs. In this manner, formal and descriptive representation would lead to substantive representation in the parliament.

In addition further support is required to ensure that more capable and talented young politicians are given a voice in the political arena. For instance, currently Nia Syarifuddin and Masruchah, two women's CSO activists, are developing workshops to address gender issues for several youth membership organizations such as HMI, GMNI, and others. They both agree that external campus organizations for young people can also contribute to the emergence of young politicians in major political parties such as Golkar, PD, PDIP, and PKB. Therefore, this study also recommends that, as part of the second pathway, youth organizations should be given a role in the development of gender issues. This could emerge if intermediary groups become aware of the potential of such a strategy to increase women's political resources.

In general, these pathways are not only proposed for gender issues, but these could be

replicated for other issues. Currently the high degree of fragmentation within both organizations (CSOs and political parties), as well as the lack of institutional agreements between them, makes it difficult to develop pathways for political representation in these new democracies. Most points of intersection between political parties and NGOs or other civic groups on different strategic issues, such as human rights, corruption and the environment exhibit similar organizational challenges, thus there is a need to develop such pathways. For example, strategic paths could be developed in terms of cooperation and collaboration (between particularistic, issue-based coalitions and political parties) in order to fully make use of public officials' political opportunities. To conclude, the most important agenda that should be addressed by these CSO actors is the establishment of a general consensus among all CSOs in terms of their political activities and their role as partisan politicians. If this occurs then these strategic paths could be easily developed. However, it is also important to ensure that CSOs remain autonomous and maintain their distance from political parties to avoid the emergence of the overly-close relations between CSO actors and parties that have been noted by many South Korean observers (Eui Young Kim, 2009).

#### **6.4 Conclusion**

This chapter has discussed environment factors that help explain the mode of linkages between women's CSOs and parties. It also presented some empirical evidence from these countries that a variety of women's CSOs and parties relationships have influenced the increase of women's political participation in democracies. A distant and critical engagement between women's CSOs and parties in Indonesia is evident in some progressive gender policy reforms in parliament but still weak implementation of these laws in society.

Indonesian environmental factors support post-cartelization arguments that party-society links are distant because of the weak and fragmented nature of party and CSO institutions. Political parties that have grown too close to the state and patronage politics within the party system also weaken party autonomy. However, parties require political linkages with CSOs and other groups to maintain their constituents. Although societal links and political cleavage between CSOs and parties still exist in term of policy-making process, political partisanship among women's CSOs leaders is also growing. Therefore, a distant and critical engagement relationship can be found in the interaction between women's CSOs and parties.

Some authoritarian legacies in structures and values have contributed to the relationship building between women's CSOs and political parties in different activities such as law-making process and electoral competitions. This chapter suggests there are two different



mechanisms to promote the recruitment of women CSOs activists into political parties. Although this study has not attempted to draw generalizations from other sectoral issues, nevertheless recognition of these political structure legacies and organizational caveats and their impact on political interactions between the two organizations may be fruitful for the development of similar paths for other issues. Therefore, if CSO actors are able to critically engage with parties and the state, women's political representation in new democracies may be strongly enhanced.

## **CHAPTER SEVEN**

### **Conclusion**

CSOs and political parties play important roles in democratic countries. Despite the fact that democracies have been confronted by various social and political changes over the course of the last twenty years, both institutions continue to embed democratic values in society in several ways including spreading accountability norms for state agencies as well as within their own organizations. With regard to gender issues, women activists and politicians face both political and cultural challenges in their attempts to support gender and democratic development in society. In Indonesia, both organizations have continued to experience shortcomings due to the legacies of preceding authoritarian regimes and the impact on the development of democratic institutions. Therefore, researchers should examine the role of both Indonesian CSOs and political parties in their Indonesian democratization studies.

The study delivers main question: How does the distant relationship between women's CSOs and political parties affect selected gender equality issues in post-Suharto Indonesia? Moreover, this study wants to answers these two sub questions: (1) To what extent have Indonesian women's CSOs been linked with political parties since the fall of Suharto in 1998? (2) How do distant relationships between women's CSOs and parties contribute to the development of women's political representation in Indonesia?

The main purpose of this study is to test CSOs and parties relationship theories from various democratic contexts as they have been affected by recent party changes. Because CSO's nature of organization is independent and autonomy from political society, both organizations are hardly able for being incorporated. Moreover, all of organizations in this study confirmed that they do not have close relations with any parties. They have spread political supports or have delivered progressive to all parties, not for particular parties in law-making process. However, recently, political parties need more capable candidates for legislative and executive elections which are difficult to have from their members. Therefore, parties request potential candidates, including women, from CSOs. In this sense, some of CSOs, NU and Muhammadiyah, allow their members to become politicians and election

candidates for particular parties such as PKB and PAN, while there is emotional attachment among these organizations. Therefore, that means there is a distant of relationship between women's CSOs and parties in post Suharto Indonesia.

This study confirms that a distant relationship has been maintained between CSOs and political parties following the decline of the Suharto regime, due to their limited relationship in the political sphere, weak connections, and limited direct influence. CSOs offered potential women candidates and progressive gender issues, but it seems that the parties were hardly accommodating these offers to be considered. Although there have been multiple opportunities for both organizations to form closer relationships, CSOs prefer to maintain their distance from both the state and political parties. Closer connections were developed through mutual consensus among women's CSOs and political parties on women's issues. However, they were only established for the short term and no systematic and comprehensive paths were maintained. The strong personal relationships that exist between women's CSOs and particular politicians enabled the development of such linkages but they were not maintained due to the weak institutional base of CSOs and political parties.

Although the distant relationship between women's CSOs and parties in Indonesia appears to support a picture of weak institutionalized party and fragmented CSO, however the autonomy of each organization in terms of their political interactions needs to be balanced to succeed. A weak institutionalized party means that party leaders are dominant in organizational decision making and poor of political platforms, and a decreased party loyalty from its members. Meanwhile, a weak institutionalized CSO means strong dependency to their leaders, fragmented into various organizations that work in similar issue, and weak capability for opposing to the state. A distant relation does not appear from their nature organizations to be independent and autonomy, but it is also influenced by the adoption of organizations in their enabling environments. Furthermore, to have consolidated representation in democracy, this distant relationship requires an intervening variable which is the women's political representation mechanism. This women's political representation issue provides political contestation and intensive interaction among these women from CSOs and parties to capture in what situation a distant relation existing.

Based on this main thesis, there are two major findings that have been answered from hypotheses. The first is enabling combination of environmental factors (external and internal) to shape the distance of the relationship. These external factors are the social-economic changes in post-Suharto era and the international development programs that have supported and affected the development of political institutions. The arrival of *reformasi* in 1998

provided wide political opportunities for every citizen to participate in political action. These opportunities were part of the result of the progressive social development and growing economic development. International development programs accelerated the increase of public awareness in political fields. In the early of *Reformasi* 1998, women's CSOs preferred to deliver gender equality issues into parliament and criticized any gender policies. International agencies also supported these gender law-making processes with some development program aids for increasing women awareness in these political activities. Moreover, during 2005-2012, women's CSOs were highly experienced for delivering gender laws in parliament. However, they considered this path was not enough to influence gender laws much better. Therefore, because of the implementation gender quota in parliament, some of women's CSOs leaders were invited by party leaders to become legislative election candidates in 2009.

Meanwhile, internal factors leading to weak institutionalization and the strong legacy of patronage politics both contributed to form a distant relationship between women's CSOs and political parties. Weak CSO institutionalization can be explained by the fragmented approach of women organizations in advocating gender issues in parliament. However, at the same time, this fragmentation is fluid one because women activists share similar gender perspectives and strong personal ties. Meanwhile, weak party institutionalization is evident from the domination of party leaders in any party decisions. Some weak institutionalized party and CSOs indicators are evidenced by the strong legacy of patronage politics. These legacies are difficult to avoid. Therefore, these environmental factors contribute to the formal-descriptive representation evident in the substantive representation mechanism below.

The second finding is that women's CSOs and party links in the law-making process and certain representation roles are informed by informal and personal relationships. In the law-making process, women's CSOs leaders attempt to influence policy-makers through their personal relationships, whilst at the same time communicating with all political parties leaders to endorse their ideas. The female politicians, in representing women's issues in their political parties and parliament, also developed personal connections with fellow women activists, inter-party female colleagues and friends. These links were particularly important when these female politicians were competing in elections to support their candidatures. Other issues that stem from this finding are (1) that critical engagement between women's CSOs and parties still sustain certain women issues in parliament; (2) weak mandate and label effects result in the slow progress of women's political representation mechanism from descriptive representation to substantive representation. Although there have been some

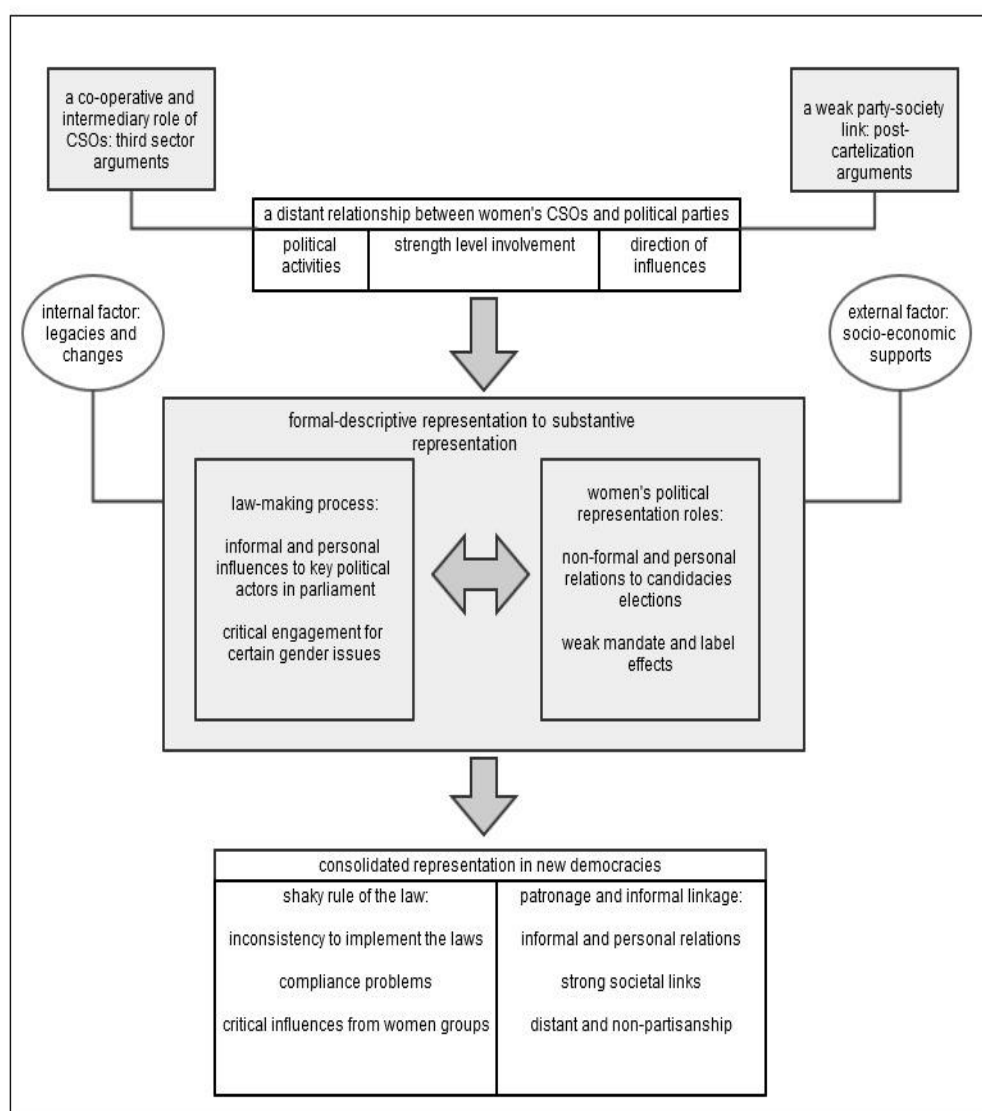
revisions of gender quotas in parliament, this has yet to result in a satisfactory number of women in parliament or success to gender reform programs.

Therefore, there are two challenging features that women's CSOs are facing recently: the shaky rule of the law and patronage and informal linkages. The shaky rule of the law can be traced by inconsistent implementation of gender laws and weak compliance of those laws. It is also clear that parliament and the government too easily revise laws or replace them before they can be properly implemented and systematically evaluated. Meanwhile some gender quota evidence reveals the difficulty political parties had in fulfilling the 30 percent female quota in the candidate list. Patronage and informal linkages strongly encourage female politicians and women activists to maintain personal and informal connections. The women also prefer to communicate with each other for political purposes because of their strong social links. At the same time, the women's critical influences in parliament and the state are typified by distant and non-political partisanship to any political parties. Therefore, on the one side institutional problems, such as the shaky rule of the law, patronage and informal linkages present challenges to the consolidated representation within democracy; whilst on the other side, civic groups are attempting to maintain an autonomous and distant position from any political partisan activities.

These two major findings indicate a distant relationship between women's CSOs and political party interactions over certain gender equality issues (see Figure 7.1). From tracing several Indonesian historical events and focusing on the late post-Suharto period, the study confirms that this distant relationship has been caused by certain post-cartelization phenomena and weak institutionalization phenomena.

Figure 7.1

*The distant relationship between women CSOs and parties in post-Suharto Indonesia*



The Indonesian political landscape is characterized by political cleavages between ethnicities, religions, and diverse social groups, thus the relationship between CSOs and parties reflects the political context of the country. The legacies of the Suharto regime remain the existence of patronage and clientelism relationships, strong patriarchy in male-female relationships, and the weak institutionalization of political organizations, all of which have flowed into the regimes that followed. These legacies are mirrored in examples, such as the close personal relationships that exist between party elites, continuing discrimination against female participation in the political arena, and the inability of parties to fully functionalize their representative roles in the legislative chamber as well as the lack of CSO accountability

to their grassroots community. Thus, these legacies continue to affect the formation of CSO and party relationships characterized by a weak institutional base and lack of agreement on key issues.

To consider the application of historical institutionalism in this study, there are two main arguments for examining these distant relations: first, three main critical junctures in this study have shown that CSOs are adaptive to different political structures. Therefore, it recognizes that their decision to have a distant with parties is part of their reflection and experiences in previous political activities in different junctures. Second, the establishment of gender quotas and other gender equality issues in parliament identifies as an effective of path dependent for women groups. It is not only their success for mainstreaming gender equality in policies, but also it expands their chances to be more active in political fields. Recently, there is no denial from party leaders or other male politicians for deliberating some adoption of new gender quota in parliament.

This study also argues that, due to the ongoing impact of New Order legacies on Indonesian political structures, the women's political representation mechanism is just one variable to explore the link between CSOs and political parties. This link could be explored through examining other issues. As this study has expanded on theoretical arguments about the crisis of representation and party change phenomena, it suggests that critical engagement between the two organizations could be developed alongside distant relationships. For example, to enhance the number of female political representatives, women CSOs could use their channels and identify potential female leaders for all political parties. These women could then be appointed as candidates.

Therefore, this study supports the findings of several democratization studies (Linz & Stepan, 1996; Morlino, 1998; Merkel, 1998) about the contribution of civil society and political parties to the development of political representation in democracies. Specifically, based on the empirical findings of this study, discussions about consolidated democracy should take authoritarian legacies into account and the many social and political changes that occur after democratic institutions have been established. The civil society views presented in this research contribute to explanations about how politically involved CSO actors should be in attempts to engage with, or even confront the parties and the state. Similar arguments can also be made for political party ambitions to strategically develop multiple political interactions with the state and other civic organizations, and in particular, to enhance the systematic mechanisms to engender policies at the grassroots and state levels. The development of cooperative links between CSOs and political parties is key to improving

these relationships.

What are the implications of this study in terms of the development of democratization theory? First, this study has contributed to the CSO political party linkage theory developed by Thomas (2001), USAID (2004), and Allern (2010, 2012). This contribution is not limited to theoretical confirmation, as the study has also developed a particular approach—focusing on specific issues such as gender and politics. Moreover, the study highlights the importance of informal institutions and the effect that personal and patron-client relationships have on the development of CSOs and political party relationships. In this sense, although informal institutions and weak institutionalization party and CSO present as the main arguments for explaining a distant relation, it seems that CSO-party relation debates could consider these findings. Especially, it confirms the development of new gender mainstreaming pathways in Indonesia.

Secondly, this study also supports the claim that the role of civil society is to strengthen democratic representation. It also underscores the importance of political parties, as the formal representative agency in democratic society, as distinct from any suggestion that parties be replaced as the representatives of the people. This study proposes instead that the importance lies in the development of a cooperative relationship between CSOs and political parties to allow both groups to play their respective roles, political parties as the elected representative of the people and CSOs as the intermediary agency between society and the state. Furthermore, the findings of this study have supported the post-cartelization arguments that political parties still require societal root links to win elections. Therefore, the study rejects the cartelization party explanation of the CSO party relationships.

Third, this study has presented discussions of gender and political theory, particularly in relation to Pitkin (1967)'s three models of political representation: formal, descriptive, and substantive. Although this study has not provided a comprehensive discussion of these models, it has, however, presented an explanation of the relationships between women CSOs and parties in terms of these framework analyses. As such, this study has illustrated that these frameworks can be used for other causal explanations, including the relationship between women CSOs and parties. Using historical institutionalism approach in this issue, it is clear that the development formal, descriptive and substantive representation in Indonesia works.

Another important contribution of this study has been to provide new insight to Indonesian contemporary politics from three aspects. The first aspect has been an updated description of women's political participation after *Reformasi* 1998, particularly with regard to women's political representation issues. The second aspect has been the introduction of a



new debate seeking better understanding of party-society relations through the exploration of various cases at the national and local levels. The last aspect has been the provision of several political contestation narratives of the law-making process, women's equality and women's representation that are useful for understanding actor behaviors in parliament, political parties and CSOs.

This study therefore proposes two areas for future research. Firstly, it is suggested that democratization studies require further exploration into the role that authoritarian legacies play in political institutions. It was not possible in this study to fully explore and explain how the roots of authoritarian legacies from the history of Indonesian democracy are still embedded in society today. Such research could focus on the development of religious organizations such as NU and Muhammadiyah which have close attachment with parties and individual politicians until these days. A second rich area for future research is the development and support of empirical political involvement mechanisms for civil society. Research on this topic could enhance the political awareness of civil society and improve the potential political capital of grassroots communities in addition to strengthening political party reforms in the realm of effective engagement and communication with voters, for example. This study believes that both CSOs and political parties require organizational reforms in order to enhance democratic participation in Indonesia.

## Appendix 1: List of Interviewees

No	Name	Institution/affiliation	Interviewed date
1	Mrs. Ruth Indah Rahayu	Woman NGO freelance activist/ writer/ facilitator	7 February 2012
2	Mr. Didik Supriyanto	PERLUDEM/Election NGO activist	8 February 2012
3	Mr. Mustafa Kamal	PKS/ chairman of party group in the parliament	8 February 2012
4	Mrs. Andi Timo	PD/ member of the parliament/ chairwoman of KPPRI	6 February 2012
5	Mr. Ahmad Yani	NGO activist/ community organizer	6 February 2012
6	Mrs. Ledia Hanifa	PKS/ member of the parliament	8 February 2012 15 November 2012
7	Mr. Ferry Mursyidan Baldan	Former member of the parliament from Golkar party (2004-2009)	8 February 2012
8	Mr. Juni Thamrin	NGO activist/ facilitator	10 February 2012
9	Mrs. Hetifah Syaifudian	Golkar/ member of the parliament	12 February 2012
10	Mrs. Binny Buchori	Golkar/ Head of cadre development unit	14 February 2012
11	Mr. Ganjar Pranowo	PDIP/ member of the parliament	14 February 2012
12	Mrs. Nurul Arifin	Golkar/ member of the parliament	15 February 2012
13	Mrs. Ida Fauziyah	PKB/ member of the parliament PP Fatayat NU/ chairwoman	15 February 2012 20 November 2012
14	Mrs. Ratna Batara Munti	PDIP/ LBH APIK	17 February 2012
15	Mrs. Lena Maryana Mukti	PPP/ party official/ former member of the parliament 2004-2009	17 February 2012
16	Mr. Mardani	PKS/ spokesperson/ member of the parliament	19 February 2012
17	Mrs. Dewi Coryati	PAN/ member of the parliament	19 February 2012
18	Mr. Saefulloh Maksum	PKB/ party official/ former member of the parliament (2004-2009)	19 February 2012
19	Mrs. Hana Satriyo	The Asia Foundation	20 February 2012
20	Mr. Bob Hadiwinata	Professor political science at the University of Parahyangan Bandung	21 February 2012

21	Mr. Viva Yoga	PAN/ member of the parliament/ party official	22 February 2012
22	Mrs. Nia Syarifuddin	Women NGO activist	23 February 2012
23	Mrs. Dini Mentari	PPP/ party official	23 February 2012
24	Mr. Anton Prajasto	DEMOS	26 February 2012
25	Mr. Sebastian Salang	FORMAPPI	26 February 2012
26	Mr. Hanif Dhakiri	PKB/ member of the parliament	27 February 2012
27	Mr. Syamsuddin Harris	LIPI/ political scientist	28 February 2012
28	Mr. Kuskridho Ambardi	LSI/ political scientist	29 February 2012
29	Mrs. Eva Kusuma Sundari	PDIP/ member of the parliament	1 March 2012
30	Mrs. Meuthia Ganie-Rochman	University of Indonesia/ social organization specialist	4 March 2012
31	Mrs. Ajeng Kusuma	NGO activist/ lobbyist	4 March 2012
32	Mr. Johny Allen Marbun	PD/ member of the parliament/ vice chairman of the party	4 March 2012
33	Mrs. Reni Marlinawati	PPP/ member of the parliament	6 March 2012
34	Mr. Hans Antlov	Civil society consultant	7 March 2012
35	Mr. Nico Harjanto	Rajawali Foundation/ political scientist	7 March 2012
36	Mrs. Aisyah Baidlowi	Golkar/ former member of the parliament (2004-2009)	11 March 2012
37	Mr. Ronald Rofiandi	PSHK	11 March 2012
38	Mrs. Kasmawati	Former Deputy in Ministry of Women Empowerment	12 March 2012
39	Mr. Eko Bambang Subiantoro	Women NGO activist/ Polmark consultant	12 March 2012
40	Mr. Abdul Azis Husein	Former Deputy in Ministry of Women Empowerment	13 March 2012
41	Mrs. Ani Sucipto	University of Indonesia/ gender and politics scientist	14 March 2012
42	Mr. Iwan Gardono Sujatmiko	University of Indonesia/ sociologist	15 March 2012
43	Mr. Rustam Ibrahim	Civil society consultant	18 March 2012
44	Mr. Warsito Eillen	PDIP/ party official/ former FNS program manager	19 March 2012
45	Mrs. Sri Budi Eko Wardani	PUSKAPOL UI	25 March 2012
46	Mr. Ismail Fahmi	Election NGO activist	25 March 2012
47	Mrs. Ratu Dian Hatifah	Golkar/ party official/ chairwoman of KPPI	26 March 2012
48	Mr. Hadar Nafis Gumay	Election NGO activist/ commissioner of KPU	27 March 2012
49	Mr. Danang Azis Akbarona	PKS/ expert staff in the parliament	28 March 2012
50	Mrs. Masruchah	Women NGO activist/ commissioner of Komnas	29 March 2012

		Perempuan	
51	Mrs. Fransisca Fitri	YAPPIKA	2 April 2012
52	Mr. Nur Iman Subono	University of Indonesia/ gender and politics scientist	2 April 2012
53	Mrs. Nursyahbani Katjasungkana	LBH APIK/ former member of the parliament from PKB	12 April 2012
54	Mrs. Retna Handayani	Kalyanamitra	12 November 2012
55	Mr. Slamet Effendy Yusuf	Nahdlatul Ulama/ Former member of parliament from Golkar	13 November 2012
56	Mrs. Nordjanah	Chairwoman of Aisyiyah Muhammadiyah	22 November 2012

## Appendix 2: The Interview guide

### CATEGORY OF RESOURCE PERSONS AND EXPECTED OUTPUT

NO	RESOURCE PERSONS	OUTPUT
1	POLITICIANS (PARTY OFFICIALS AND MEMBER OF PARLIAMENTS)	<ul style="list-style-type: none"> <li>• Electoral system</li> <li>• Configuration of representative structures</li> <li>• societal cleavage</li> <li>• legal framework</li> <li>• autonomy of relations</li> <li>• character of CSOs</li> <li>• nature of party system</li> <li>• function of parties in law making process</li> <li>• party organization</li> <li>• recruitment and candidate selection</li> </ul>
2	MEMBER OF PARLIAMENTS (POLICY MAKERS)	<ul style="list-style-type: none"> <li>• the logic of legislation process</li> <li>• relationship with CSOs in legislation process</li> <li>• formal, descriptive and symbolic representation</li> </ul>
3	CSOs ACTIVISTS AND WOMEN ACTIVISTS	<ul style="list-style-type: none"> <li>• Electoral system</li> <li>• Configuration of representative structures</li> <li>• societal cleavage</li> <li>• legal framework</li> <li>• autonomy of relations</li> <li>• character of CSOs</li> <li>• nature of party system</li> <li>• function of CSOs in law making process</li> <li>• the logic of legislation process</li> <li>• relationship with parties in legislation process</li> <li>• formal, descriptive and symbolic representation</li> <li>• CSOs activists candidacy in election</li> </ul>
4	FOREIGN DEVELOPMENT AGENCIES	<ul style="list-style-type: none"> <li>• Electoral system</li> <li>• Women issue</li> <li>• Democratization in Indonesia</li> </ul>
5	WOMEN CANDIDATES	<ul style="list-style-type: none"> <li>• Electoral system: quota system</li> <li>• Candidate selection</li> <li>• Electoral campaign</li> <li>• Women activists in parties</li> </ul>
6	GOVERNMENT OFFICERS	<ul style="list-style-type: none"> <li>• the logic of legislation process</li> <li>• relationship with parties in legislation process</li> <li>• formal, descriptive and symbolic representation</li> </ul>
7	ACADEMICIANS/ EXPERTS	<ul style="list-style-type: none"> <li>• Political representation</li> <li>• relationship CSOs and parties in Indonesia</li> </ul>

		<ul style="list-style-type: none"> <li>• characteristics of CSOs</li> <li>• nature of political party</li> <li>• political culture</li> <li>• women in politics</li> </ul>
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#### POLITICIANS (PARTY OFFICIALS AND MEMBER OF PARLIAMENTS)

NO	QUESTIONS
1	In your opinion, can you explain the electoral problems in Indonesia after Reformasi?
2	What is your opinion about the fragmentation of parties and also societies (groups) in Indonesia after reformasi? (another question: how do you describe parties and groups in Indonesia after reformasi)
3	What is your opinion about civil society organizations or other interest groups in Indonesia after Reformasi? (to probe: is that getting positive or negative in your opinion? )
4	In what legal framework occasion that parties and CSOs connect each others? (to probe: is there any legal problem on this situation?)
5	Do you think parties are important in consolidation of democracy in Indonesia? And how we can achieve it? (another question: how do you see the role of parties in Indonesian democratization?) related on question no.7
6	How do you describe the relation of parties and CSOs? Dependent or independent?
7	In more specific, How do you think the function of parties in the policy making process?
8	How do you describe your party's role on women's representation issue? What kinds of achievements that your party have on this issue? (to probe: what is the positive and negative aspects on each parties)
9	What is your opinion about party organizations in Indonesia? In more specific, what is your opinion on your parties? In general, what do you think about party organizations? In your party, is it decentralized or un-decentralized organizations?
10	How your party recruits and selects the candidates in national elections? Is there any special policies on this recruitment?

#### MEMBER OF PARLIAMENTS (POLICY MAKERS AND EX-POLICY MAKERS)

N O	QUESTIONS
1	How do you describe the process of legislation based on your experiences?
2	What is your opinion on the involvement of CSOs in the process of legislation?
3	How do you assess the process of legislation, regarding on accessibility

	and accountability?
4	Could you describe the process of Anti-Discrimination Law? What were the challenges that occurred on this process? Was there any political negotiation among politicians and women's groups? Is there any evaluation that has been discussed?
5	Could you describe about the process of Election and Parties Law on 2002 and 2007? What were the challenges that occurred on this process? Was there any political negotiation among politicians and CSOs? Is there any evaluation that has been discussed?

## CSOs ACTIVISTS AND WOMEN ACTIVISTS

NO	QUESTIONS
1	In your opinion, can you explain the electoral problems in Indonesia after Reformasi?
2	What do you think about the fragmentation of parties and also societies (groups) in Indonesia after Reformasi? (another question: how do you describe parties and groups in Indonesia after reformasi)
3	What is your opinion about political parties in Indonesia after Reformasi? (to probe: is that getting positive or negative in your opinion? )
4	In what legal framework occasion that parties and CSOs can connect each others? (to probe: is there any legal problem on this situation?)
5	Do you think CSOs are important in democratization consolidation in Indonesia? And how we can achieve it? (another question: how do you see the role of CSOs in Indonesian democratization?) related on question no.7
6	How do you describe the relation of parties and CSOs? Dependent or independent?
7	How do you think the function of CSOs in the policy making process?
8	What is your opinion about CSOs in Indonesia before and after Reformasi? Is there any changes?
9	In your opinion, based on the party system that we adopt right now, how the CSOs can make connection or relation with party or parties?
10	What is your assessment on the process of legislation in Indonesia after Reformasi? In more specific, how do you have accesses and interventions to the process?
11	What kinds of situation that CSOs initiated the Anti-Discrimination Law and Quotas in Election Law? What kinds of interactions that politicians and CSOs activists have made on these issues?
12	Is there any impacts and evaluation that has been discussed and implemented after the Law enacted?
13	What is your opinion about the CSOs activists that ran as the candidate in election? Is that good enough for supporting Indonesian democratization?

14	Is there any political support or any negotiation among CSOs activists on the involvement of CSOs in electoral candidacies?
15	Do you think how far we can see the importance of women in politics in Indonesia?

#### FOREIGN DEVELOPMENT AGENCIES

N O	QUESTIONS
1	What is your opinion on electoral issue in Indonesia after Reformasi?
2	What is the main problem of women issue in Indonesia?
3	Is there any progress or other achievement on Indonesian democratization?
4	Why your organization still supports the development and democracy program in Indonesia?

#### Women Candidates in Election

N o	QUESTIONS
1	What is your opinion about electoral law in Indonesia regarding on the women's participation in election?
2	Why did you decide to become a candidate in election? What're goals that you want to achieve?
3	Could you tell me your experience about your candidacy in the party?
4	Could you tell me how did you organize your campaign?
5	Was there any political support or political negotiation between your community groups or other CSOs and your party to win the seat?
6	Based on your experience, what is the main challenge of women's activists in political practice such like election?

#### GOVERNMENT OFFICERS

N O	QUESTIONS
1	In your opinion, how do you see the process of legislation after Reformasi?
2	In general, what is the biggest challenge in the process of legislation in Indonesia?
3	How do you see the involvement of CSOs in the policy making process?
4	What is your opinion regarding the women's participation in politics? And what kinds of program that government supports on its?
5	What is the challenge of the gendering program in policy, based on government perspective?



## ACADEMICIANS/ EXPERTS

N O	QUESTIONS
1	What is your assessment on representative democracy in Indonesia recently?
2	What is your opinion on relationship parties and CSOs in Indonesia after Reformasi?
3	What is the characteristic of CSOs in Indonesia before and after Reformasi?
4	What is the party nature in Indonesia before and after Reformasi?
5	How do you describe the political culture in Indonesia after Reformasi that could influence the relationship parties and CSOs?
6	What is your assessment on the women's participation in politics, more specifically on the policy making process and electoral competition?

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