

FULFILLMENT OF WOMEN'S POLITICAL RIGHTS IN A DEMOCRACY GOVERNMENT

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Informasi artikel

Received: August 2022;

Revised: August 2022 ;

Accepted: August 2022

Keywords:

Female

Human Rights

Political Right

Democracy

Government

ABSTRACT

Citizen rights are an authority possessed by citizens to do something according to the laws and regulations. The type of research used in this study is qualitative, the data collection technique is triangulation, the data analysis carried out is inductive. Based on informants' statements in in-depth interviews, it was found that the embodiment of women's political rights in a democratic society has pros and cons. So that the fulfillment of women's political rights is still not fully achieved. From the explanation above, we can also see that we should not distinguish between genders because we are all equal before God. Women and Men are Equal before God. Everyone has the right and opportunity to enter the government. human rights are natural rights, basic human rights, absolute rights. Democracy is a choice of a political system where the power to govern comes from those who are governed, namely a government that actively involves all members of society in decisions taken by those who are authorized.

I. INTRODUCTION

Human rights are natural rights, basic human rights, absolute rights (HAMansyur Effendi). According to Jan Matenson, human rights are rights inherent in humans, without which it is impossible for humans to live as humans (Baharudin Lopa, Al-Qur'an and human rights of PT Dana Bhakti Prima Yasa Yogyakarta 1996). According to Lopa, human rights are rights that are given directly by God the Creator (natural rights). Therefore, there is no power in the world that can revoke it (Baharudin Lopa Alqur'an and the human rights of PT Dana bakti Prima Yasa Yogyakarta 1996).

In the MPR RI Decree Number: XVII/1998 it is stated that human rights are basic rights inherent in human beings which are natural, universal and eternal as a gift from God Almighty and function to ensure the survival, independence, development of humans and society which should not be ignored, confiscated or contested by anyone. Meanwhile, in Law number 39 of 1999, it is emphasized that human rights are a set of rights that are inherent in the nature and existence of humans as creatures of God Almighty and are His gifts that must be respected, upheld and protected by the state, law, government and everyone. for the honor and protection of human dignity.

From this formulation it is clear that human rights coincide with basic human obligations. Starting from the thought and formulation of human rights above, in essence human rights consist of two of the most fundamental basic rights, namely the right to equality and the right to freedom. From these two basic rights, other human rights are born. In other words, without these two basic rights, it is difficult for other human rights to be enforced. Usually human rights are divided into two types, namely: individual rights and social rights (Theo Huijbers Philosophy of Law, Kanisius, Yogyakarta 1995).

Citizen rights are an authority possessed by citizens to do something according to the laws and regulations. In other words, the rights of citizens are a privilege that requires citizens to be treated according to these privileges. While the obligation of citizens is a necessity that should not be abandoned by citizens in the life of society, nation and state.

The obligation of a citizen can also be interpreted as an attitude or action that must be done by a citizen according to the privileges that exist in other citizens. Closely related to these two terms, there are several other terms that require explanation, namely: the responsibilities and roles of citizens. Citizenship responsibility is a condition that obliges a citizen to perform certain tasks. The responsibility arises as a result of having received an authority. Meanwhile, what is meant by the role of citizens is the dynamic aspect of the position of citizens. If a citizen exercises the rights and obligations according to his position, then the citizen carries out a role (Soerjono Soekanto Sociologi an Introduction, PT Raja Grafindo Persada, Jakarta 1990).

A democratic state is a form of state that is highly coveted for the advocates of freedom. Humans are born as individuals, live in the midst of nature and their fellow human beings, then will return to being individuals. The individual is the final and absolute person in charge of his deeds, so personal independence is his first and very basic and fundamental right, which cannot be done arbitrarily (Tarigan, 2007: 127).

In a democratic country, public participation is a measure of the success of the political system, the more citizens participate, the more successful the political system is, but if citizen participation is low, it can be said that the political system is not good, this means that many citizens lack character and attention to state problems. (Miriam Budiardjo, 2008).

Political education in English is known as political socialization, political education. The term political socialization if interpreted literally into Indonesian means political socialization. In academic circles, experts also often synonymize the term political education with the term political socialization, because both have almost the same meaning. In other words, political socialization is political education in a narrow sense. Political education is often referred to as political forming or politische bildung (Kartono, 2009).

Political parties aim to form and grow political personalities and political awareness, as well as to develop the ability to participate in positive politics (Prihatmoko, 2004: 180). According to Miriam Budiardjo, political participation is the activity of a person or group of people to actively participate in political life, among others by choosing state leaders and directly or indirectly influencing government policies (Andriyus, 2013).

Differences in people's political choices are natural in a democratic country like Indonesia. Differences in political choices occur due to differences in social status, differences in economic strata, differences in educational background, differences in local culture, and differences in gender. Of these differences, the most sensitive difference is gender. Women's figures are still considered taboo in politics because they are considered incompetent even though Indonesia was once led by a female president and since then the term emancipation has strengthened to demand gender equality in various ways. Gender equality can only be realized

if all parties are willing to work together to build the correct gender perspective (Febrianti, 2017). This means that both men and women have the same rights to participate in politics. Equality of political rights between men and women is a constitutional right granted to each individual.

Constitutional rights are rights inherent in every citizen that are guaranteed, protected, and regulated in the Indonesian constitution (Pattipeilohy et al., 2018). With guaranteed constitutional rights, the Indonesian state can be claimed as a democratic country that adheres to a multi-party or multi-party system, which means more than two political parties. The Indonesian political system has placed political parties as the main pillar supporting democracy (Sitepu, 2016).

Efforts to realize a political act of justice must be able to go through a struggle, namely fighting for the rights of the community both related to material needs and moral needs. Development from below is one way to achieve justice and prosperity. It is nothing but development from below, namely all political efforts, regardless of which field, must be directed at the goal: empowering people so that they can help themselves and develop existing self-help activities (Muller, 2001:29).

Without the existence of political parties that act as a means of controlling power, Indonesia cannot be called a democratic country. Efforts to realize democratic social justice, especially in Indonesia, have been thought about by our freedom fighters. Regarding this matter, Ir. Soekarno stated as follows: if we really want to base our country on the notion of kinship, the notion of mutual assistance, and the notion of mutual cooperation, and social justice, get rid of every thought, every understanding of individualism and liberalism from it (Budiarjo, 2008: 248).

Democracy is a choice of a political system where the power to govern comes from those who are governed, namely a government that actively involves all members of society in decisions taken by those who are authorized. So the legitimacy of the government is the will of the people who choose and control it. Besides that, in a country with a population of millions, citizens also take part in government through approval and criticism that can be expressed freely, especially in the mass media (Hakim, 2011:174).

II. METHODS

This research was conducted in the neighborhood of Kec. Muara Badak New Badak Village Jl. Sultan Hasanuddin Gang Delta RT.06 Kutai Kartanegara. The type of research used in this study is qualitative, namely research conducted on natural objects. Natural objects are objects that develop as they are, not manipulated by researchers and the presence of researchers does not really affect the dynamics of the object. This research was conducted to explore the fulfillment of women's political rights in a democratic government.

III. RESULT AND DISCUSSION

Results and discussion

1. The realization of women's political rights in society

Based on respondents' statements in in-depth interviews, it was found that the embodiment of women's political rights in a democratic society. Political rights among women are well accepted, she said that women must be given the right to vote, be selected, hold universal offices and perform universal functions on the same terms as men, without distinction. whatever, and in its preamble: recognizing that everyone has the right to take part in the government of his country directly or through freely selected representatives and has the right to equal opportunities to be promoted to government positions, and wishes to equalize the roles of men and women in enjoying and exercising universal rights. This clearly implies that the roles of men and women, must be equal, in all the most important fields in politics which of course are contrary to the thoughts of the citizens.

The citizens' view that political life is identical with the life of men, so that the meaning of democracy and the realization of that meaning in reality, is to guarantee political equality for all people, both ordinary and marginalized groups, has not been achieved, as a result many political decisions do not fulfill the principle of justice for all groups of citizens, because groups among women are not represented without restrictions, meanwhile women are also part of the citizens and most importantly are individuals who have basic human rights, and must function in the government system, thus the very principle of democracy The basic principle,

namely in terms of distributing equal rights and roles in all fields, has not been fully achieved. So, there are pros and cons to the realization of women's political rights in society. So that the fulfillment of women's political rights is still not fully achieved.

The political struggle among women or the women's movement is better known as feminism. The arrival of women in the political space is increasingly getting a place in the community, but also finds rejection from the citizens. There are also some countries that are currently opening up space for women to fulfill their political rights. Affirmative action is often referred to as proactive action to eliminate discrimination based on gender or race. Affirmative action for Susan D. Clayton, intended as a step for Nurrahmi NZ & P. Anthonius Sitepu, Women and Politics in Political Recruitment of Legislative Candidates seek progress in terms of equality of opportunity, which is more substantive and not formal, for certain groups such as women or ethnic minorities who are currently under-represented in positions that ensure In society, explicitly consider the specific personality of gender, race or ethnicity which has so far been the basis for discrimination. A political party as an organization means that it activates, mobilizes citizens, represents certain interests and carries out cadres which after that gives birth to a leader has become a necessity. The women's field is one part of the party that has a function as a forum to discuss the problems experienced by women.

The term human rights in English is called human rights, which has the meaning of being a very basic right that is owned by everyone. It is said to be human, because this right is attached to every person who has been brought into the world since birth, and is a gift from God, the creator of nature. Therefore, because this right is innate from the Creator, so that its existence can be maintained by those who have it, and whoever belongs to the country is not allowed to rob or reduce these human rights. Human rights have a general character, and the universality of human rights is indicated by the same characteristics or personality of these rights. Human rights are rights that cause a person to live, survive, have dignity, and have human dignity, and can live his life in the world.

In line with the intention above, Leah Levin reports that human rights are defined as: meaning moral claims which are inalienable and inherent in all human individuals by virtue of their humanity alone. (The rights attached to humans without which it is impossible for humans to live as humans). In other words,

without rights, it is inherent in humans and is carried from birth by someone, so that person cannot live.

To defend one's human rights, one can do anything, let alone one's life can be at stake. In the concept of a modern rule of law, the protection of human rights can be tried by using the features of norms or terms or conditions used to protect the human rights of the people of the country from possible oppression, shackles and or restrictions on the movement of the people of the country by the state. Moreover, in a country of law, respect, fulfillment, and guarantee of protection of human rights are the obligations of the State; Domestic law requires that the State must include human rights in the State Constitution. As it is known that the Constitution is the highest law in the country, thus the recognition of human rights in the constitution is the highest respect of the country for the human rights of its citizens.

The 1945 Constitution is a written constitution which contains the lower provisions or lower norms of state administration, which of course still require more operational implementation provisions which are located below it, namely the law. The law also still needs a more operational elaboration in the form of government regulations that control the intentions of the law as the elaboration of the 1945 Constitution, which is more technical in nature.

One of the fundamental issues concerning the rights of the people of the country is a political right which is classified as human rights, because of its universality as an effort to defend the right to life of every citizen of the country. One of the political rights regulated in the 1945 Constitution is the right to participate in and in the government without discriminating against ethnicity, religion, race and origin, male and female sex, and other forms of discrimination. In their involvement in the field of government, every citizen of the country has the same rights to become state and government officials, as long as they fulfill the requirements.

The democratic government in Indonesia is a government that is based on the sovereignty of the people and is implemented for the 1945 Constitution. People's sovereignty means that the people are sovereign, the people are in power. The personality of this democratic country can be found in the terms of Article 1 paragraph (2) of the 1945 Constitution, which is formulated: Sovereignty is in the hands of the people and implemented for the Constitution. The formulation of the requirements of Article 1 paragraph (2) shows that Indonesia is a country of

nationality, the country of Indonesia adheres to democratic principles and systems so that all aspirations of the citizens can be expressed in a joint decision, so that democracy and integration are as defined in Article 1 paragraph (1) of the 1945 Constitution. can run simultaneously and in balance without clashing the interests of one citizen with another.

Apart from being a democratic country, Indonesia is a state of law, as stated in the terms of Article 1 paragraph (3) of the 1945 Constitution, and as a consequence of the principle of a rule of law, so that every act of the government or its people must be based on law (nomocracy), because democracy without a nomocracy will turn into anarchist and democracy without obedience/adherence to the rule of law, can criticize integration.

Law is everywhere and is found in all human life, both from very elementary, simple things, or in very deep and fundamental matters. Therefore, Del Vasechio's words are very fitting that humans are homo iuridicus (humans of law), namely law and humans during their lives can never be separated if we want to live a calm, comfortable, peaceful, peaceful, just and prosperous life (A. Masyhur Effendi , 2005: 132).

Law can work hard and can also work gently. The softness of legal work is indicated by several names, including deliberation, agreement, good faith and so on. On the other hand, harsh laws include the death penalty and life imprisonment. However, in any citizen or country, regardless of the form and system adopted, the law controls, forces, imposes sanctions for the sake of upholding discipline in the life of the citizens.

In Pancasila which consists of 5 precepts, Belief in One God, just and civilized humanity, Indonesian unity, democracy led by wisdom in representative deliberation, and social justice for all Indonesian people, plus the Preamble to the 1945 Constitution, especially the initial paragraph which states: reported: independence is the right of all nations and colonialism in the world must be abolished. And the second paragraph, the independence of the country brings the people to be free, united, just, and prosperous, indicating that Indonesia is a democratic country, upholds the rule of law and respects and upholds human rights. The initial paragraph of the 1945 Constitution contains a statement of the behavior of all Indonesian people regarding independence, as belonging to all nations and mankind. Colonization is a violation of humanity and justice. This statement has the

same meaning as the first paragraph of the General Preamble of the Declaration of Human Rights which reads: Where as recognition of the inherent dignity and of equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Article 1 of the law also says the same thing, namely: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards in a spirit of brotherhood. What is outlined in the Preamble to the 1945 Constitution is the direction and politics of law in the general order. After that, it is formalized in the form of laws and regulations by political institutions and is operationalized or implemented by state officials or officials in the form of government regulations or other regulations as a guide for bureaucrats.

Therefore, the contents/base or foundation of the country as stated in the Preamble to the 1945 Constitution, the decisions and options of the founding fathers must be the guideline for every government in fulfilling independence, especially those related to human rights. In the 1945 Constitution, both before and after the amendment, human rights occupy a significant position, moreover it has been presented in some organic provisions. Starting with TAP MPR No. XVII/MPR/1998 on Human Rights, there are 44 articles. Starting with the understanding that as a member of the United Nations, you have the responsibility to respect the General Declaration of Human Rights and guarantee and respect the human rights of others as well as an obligation. Therefore, human rights are integrated and attached to humans as individuals, family members, citizens, members of a nation and state community, as well as members of the community of nations. The chapters that contain human rights include the right to life, the right to have a family, the right to self-improvement, the right to justice, the right to independence, the right to data freedom, the right to security, the right to welfare, obligations, protection and promotion.

In the 1945 Constitution, there are 11 articles on human rights, starting from Article 28, 28A to Article 28J. Starting from the right to gather/associate, defend life/life, have a family and protection from violence, self-improvement, guarantees and legal certainty, freedom of religion, freedom of speech/getting data, protection of self/family, as well as dignity and property, inner and outer well-being equality of individual rights/property, right to life and freedom from slavery, and demands

under retroactive law, respect for cultural identity, in the last Article 28J, must respect the human rights of others and be subject to restrictions enacted in the law .

In order to implement it, Law No. 39 of 1999 concerning Human Rights was drafted, the legal spirit that became below was contained in the preamble, especially in weighing. The main consideration that can be noted is the philosophical basis of humans, creatures of God who have the task of managing and maintaining the universe with full responsibility for the welfare of mankind, by Him being granted human rights to ensure dignity, dignity and the environment. Recognition of human rights is a natural right, protected, maintained, and should not be ignored, reduced or taken away by anyone. And it is emphasized that humans have obligations under each other. And as a member of the United Nations, you have a moral and legal responsibility to uphold and implement the Universal Declaration of Human Rights.

In Law No. 39 of 1999, Chapter I of Universal Requirements, Article 1 paragraph 1 explains the meaning of human rights as a set of rights that are attached to the nature and existence of humans as creatures of God Almighty and are His gifts that must be respected, upheld, and protected. by the state, law, government and everyone for the sake of honor and protection of human dignity.

As a balance in human rights, it is necessary to require an obligation such as what is stated in Article 1 paragraph 2 of Law No. 39 of 1999: Obligations under human rights are a set which, if not implemented, will not allow the implementation and upholding of human rights. So in the implementation and enforcement of human rights, it requires an understanding of the obligations that are fundamental in respecting and upholding the human rights of others.

After that, there is also a special body that is competent in the field of human rights which is expected to assist in the enforcement and resolution of problems related to human rights, namely the National Human Rights Commission. Article 1 paragraph 7 of Law No. 39 of 1999 reads: The National Human Rights Commission, hereinafter referred to as Komnas HAM, is an independent institution whose role is at the same level as other state institutions that play a role in conducting studies, research, counseling, monitoring, and mediating human rights.

Komnas HAM was originally established through Presidential Decree No. 50 of 1993 with the tasks of helping, among other things, develop conditions conducive to the implementation of human rights in accordance with Pancasila, increase the

protection of human rights to support the realization of national development, namely full human development and full citizen development. . After that the Presidential Decree was integrated into Law No. 39 of 1999.

Law No. 39 of 1999 concerning Human Rights consists of 106 articles, in detail divided into the right to life, the right to have a family, the right to self-improvement, the right to justice, the right to on individual freedom, the right to comfort, the right to welfare, the right to participate and in government, women's rights, children's rights, obligations under human beings, government obligations and responsibilities, restrictions and prohibitions.

Not only outlining human rights, the emphasis on obligations is also regulated both for fellow human beings and for the government towards citizens. Chapter IV, Articles 34 and 67: Everyone in the territory of Indonesia must comply with statutory regulations, unwritten laws, and international law that overrides human rights that have been accepted by the Republic of Indonesia. Article 69 paragraph 1: Everyone must respect the human rights of others, morals, ethics, and the order of life in society, nation and state.

In exercising rights, there are also restrictions imposed by law such as in Article 70: In exercising their rights and freedoms, everyone must comply with the restrictions imposed by law in order to ensure recognition and respect for the rights and freedoms of others and to fulfill them. just demands are compatible with moral considerations, security, and universal discipline in a democratic society.

In outlining the Obligations and Responsibilities of the Government, it is Article 71: The Government must also be responsible for respecting, protecting, upholding, and promoting human rights regulated in this law, other laws and regulations, as well as international law on human rights that is accepted by the Republic of Indonesia.

2. Criticizing women's rights in a democratic government

Women and Men are Equal before God. Strategic gender interests are born from the subordination of women in the community, which urges the will to create a more gender-just social order. Strategic gender interests are synonymous with feminist issues. An example is providing opportunities for women in politics. One of the women's issues that is well-known in the community and has been highlighted by the mass media is the position of women who are still marginalized

in politics. This issue received attention from various news texts, especially before the 2004 general election and repeated again in 2009 when the quota for women's representation was widely voiced by women activists and anti-violence campaigns against women had been intensively carried out by women activists. From the explanation above, we can also see that we should not distinguish between genders because we are all equal before God. Women and Men are Equal before God. Everyone has the right and opportunity to enter the government.

The development of human rights thought in Indonesia has experienced ups and downs which can clearly be seen through the periodization table of Indonesian history, starting from 1908 to the present. Basically, the concept of human rights is not only a concept of individual human rights, but also the basic obligations that the history of the protection of human rights and the concept of the rule of law accompanies. The period of development of human rights in Indonesia is described as follows:

1. Period 1908-1945
2. period 1945-1950
3. period 1950-1959
4. period 1959-1966
5. period 1966-1998
6. period 1998-present

1. Period 1908-1945

The concept of human rights thought has been known by the Indonesian people, especially since 1908 the birth of Budi Utomo, is the year when an understanding began to emerge about the meaning of making a nation state through various writings in a Goeroe Desa Magazine. The concept of human rights that puts forward the concepts of overriding the right to independence, in the sense of the right as an independent nation that is free to determine its own destiny (the rights of self-determination). However, human rights in the civil sector, such as the right to be free from discrimination in all its forms and the right to generate thoughts and comments have also begun to be discussed. Moreover, the concept of overriding the right to participate in and in government has been put forward by Budi Utomo.

The development of human rights in Indonesia subsequently developed along with the emergence of various movement organizations whose core, as the Indonesian Association championed, was the right to self-determination. In the following periods, the idea of the original democracy of the Indonesian nation, which was put forward by Hatta, among others, strengthened the assumption that human rights were already known and were not new to the Indonesian nation. The growth of human rights thinking faces significant times when there is a debate about the Draft Constitution by Investigating Agency for the preparation of Indonesian independence (IAPII).

Supomo said that human rights stem from a liberal and individualistic method of thinking that places the people of the country against the state, and therefore understanding human rights does not match the integralistik inspiration of the Indonesian nation. For Supomo, Indonesian people are one with their country and therefore it doesn't make sense to want to protect people from the country. This debate resurfaced in mid-July 1945. Sukarno stated that the justice that was fought for the Indonesian nation was not individual justice, but social justice and therefore human rights and the rights of the people of the country had no place in the Constitution. On the other hand, Mohammad Hatta and Muhammad Yamin warned that the country could become a power country and therefore the rights of the people of the country needed to be ensured. The conclusion was reached Article 28 of the 1945 Constitution, where democratic rights such as the right to associate and assemble and to deliver comments were regulated.

Human rights only gained a significant place during the 1949 KRIS and 1950 Constitutions, because both the constitution and the constitution contained detailed human rights. This is because the 1949 KRIS was created after the birth of the 1948 Declaration of Human Rights, on the contrary the 1950 Constitution was a replacement from the 1949 KRIS through Federal Law No. 7 years 1950.

1. Period 1950-1959

Although the age of the RIS was relatively short, which was from 27 December 1949 to 17 August 1950, both the multi-party party system and the parliamentary system of government which was proclaimed in the early period of the enactment of the 1945 Constitution, were still ongoing. The two systems that fostered the liberal/parliamentary democratic political system continued to be

sustainable after Indonesia returned to being a unitary state with the enactment of the 1950 Constitution in the period 17 August 1950-5 July 1959, especially during this period the atmosphere of freedom that became the spirit of liberal democracy was very tolerated, so it can be said If either the idea or the actualization of human rights in this period face the tides and enjoy the honeymoon. Because:

1. The growing number of political parties with various ideologies of each;
2. freedom of the press as one of the pillars of democracy really enjoys its freedom;
3. Universal elections as another pillar of democracy take place in an atmosphere of freedom, fairness and democracy;
4. Parliament or the People's Representative Council as representatives of the people's sovereignty prove their performance and class as people's representatives by exercising control or supervision;
5. Discourses and thoughts on human rights get a conducive atmosphere.

One thing that matters is that all parties, with different ideological views, agree that human rights must be included in a special chapter which has a central role in the body of the Constitution.

2. 1959-1966 Period

Entering the second period of the enactment of the 1945 Constitution, since the issuance of the Presidential Decree 5 July 1959, President Soekarno's ideas or conceptions impinge on guided democracy in terms of the prevailing political system which lies at the base of the President's control/control. In the perspective of human rights thinking, especially civil and political rights, the guided democratic political system does not provide freedom or tolerate freedom of association, assembly and produce thoughts in writing. Under the auspices of guided democracy, the idea of human rights is faced with strict restrictions or restrictions by power, so that it faces a set back as something that is inversely proportional to the atmosphere during the Parliamentary Democracy period.

3. The period 1966-1998

The G30S/PKI Rebellion coincided on September 30, 1966 which was accompanied by an atmosphere of chaos, bringing Indonesia back to face the dark period of national life. President Soekarno produced Supersemar which became the legal basis for Suharto to secure Indonesia. Indonesian citizens are faced with an

atmosphere and condition where human rights are not protected. This is caused by the thoughts of the power elite on human rights. Usually this period is signaled by the idea that human rights are a western product. At the same time, Indonesia is again spurring economic development by using the slogan "development" so that all efforts to promote and protect human rights are considered as obstacles to development. This is reflected in the various legal products issued during this period, which were generally restrictive in nature towards human rights.

On the other hand, citizens are usually represented by NGOs and academics who think that human rights are common. This condition of lack of respect and protection for human rights reached its lowest point in 1998, which was signaled by the resignation of Suharto as President.

Women's rights have been fought for since the 18th century, beginning with the formulation of feminism by a British feminist, Mary Wollstonecraft. In the Wollstonecraft formulation, women's rights are analyzed and women's rights are limited to laws and customs (culture) related to the constitutional system of a country. Feminism for Wollstonecraft has a perspective on the lack of learning for women, so they are unable to exercise their rights which are left behind by men. The role of women in the family at that time in exercising their rights, both as people (as citizens of the country), as mothers, as wives, had to be carried out within the framework of the national legal system of the country concerned (liberal feminism).

Juridically, women's rights in the field of economic, social, cultural, civil and political which are the substance of the CEDAW Agreement, have been recognized internationally, including Indonesia, which ratified the Agreement in 1984 and is also obliged to implement it. After the ratification of the CEDAW Agreement, the meeting of women around the world continued in the 1980 Women's Conference II in Copenhagen, III in Nairobi in 1985 and in 1995 the IV in Beijing. The struggle of women and women activists worldwide continues to be active in exploring the world's growth by exploring international meetings, such as the United Nations Conference on Living Areas in Rio de Janeiro in 1992, Human Rights in 1993, Population and Development in Cairo in 1994 and international meetings held in Cairo. other.

After the CEDAW Agreement is ratified by the participating countries, the country concerned is obliged to periodically notify the implementation of the CEDAW Agreement in the form of a National Report to the Commission on the

Status of Women (CSW), in fact discrimination against women in the world is still ongoing. take place. This matter was reported at the Women's Conference in Beijing in 1995. At the meeting it was agreed to produce the "Beijing Platform for Action" (BPFA), which criticized the critical zones experienced by women worldwide, such as women's rights in the fields of learning, health, employment of children. - girl. Following the Declaration of the Beijing Platform for Action and the Plan for Action (BPFA's Plan of Action) in 1995, the Commission on the Status of Women/CSW in 2000 in the 23rd phase of the UN Universal Assembly informed the growth of the countries participating in the CEDAW Agreement.

Competition in the political arena will be very tough between women themselves considering the 30% quota, then with men in open elections where men are no strangers to the public/political world for citizens. This is where women's skills are tested, especially in areas where the culture is very strong and the energy of acceptance of women who take part in the public world is very low, as well as several other aspects, such as: In terms of culture and culture. Gender inequality or injustice is manifested in the form of marginalization, stereotypes, violence and a double burden (double berden) and gender and violence where women are marginalized from public and political affairs, women are accessories to men's needs, as weak, emotional beings, irresponsible Competition in the political arena will be very tough between women themselves considering the 30% quota, then with men in open elections where men are no strangers in the public/political world for citizens. This is where women's skills are tested, especially in areas where the culture is very strong and the energy of acceptance of women who take part in the public world is very low and several other aspects such as:

Answering etc., which results in women often becoming victims of violence, both violence in the form of physical, psychological, economic, sexual violence, political violence, these things will distort the situation of women themselves, and are considered hard in controlling and participating in developing the country, so that politics does not seem to be women's area.

For Mansur Faqih (1999: 12) gender injustice is a system or structure in which men and women are victims of the system. For how gender comparisons lead to gender injustice, it can be seen through various forms of gender injustice, manifested by gender inequality, which cannot be separated because of succession. The role of

women in fighting for their rights in the DPRD of East Kalimantan Province (Yusriadi) is dialectically influenced, so that in more detail the realization of gender inequality, among others: Marginalization of women, Placement of women in subordination, Stereotypes of women, Violence against women and disproportionate workloads. In terms of research, it is true that there are still obstacles experienced in taking part. Women DPRD members feel that there are those who are marginalized and there are also eleven DPRD members who hope to be heard in conveying their aspirations.

All these cases and injustices concerning women have made feminists angry about the weak immunity given by law to women. Feminists believe that law is not born in a vacuum. Law is the result of the struggle of interests (social, cultural, economic, political) and reflects the standard of values and views of life held by citizens and the power in the process of making it. Feminists believe that patriarchal values and norms underlie how the law is formulated and that things will definitely harm women (Sagala, 2006: 8-9). Feminists want the existence of a legitimate protection that is formulated in the form of provisions in a law. The representation of women as people's representatives is an effort to fight for the interests of women in the legislative arena. Thus, this paper attempts to look at the portrait of women in politics and how anxious feminists are about the case that befell them.

IV. CONCLUSION

The embodiment of women's political rights in society Based on the statements of informants in in-depth interviews, it was found that the embodiment of women's political rights in a democratic society. The women's field is one part of the party that has a function as a forum to discuss the problems experienced by women. In the conception of a modern legal state, the protection of human rights can be tried by using the features of norms or terms or conditions used to protect the human rights of the people of the country from possible oppression, shackles and or restrictions on the movement of the people of the country by the state. One of the political rights regulated in the 1945 Constitution is the right to participate in and in the government without discriminating against ethnicity, religion, race and origin, male and female sex, and other forms of discrimination. The initial paragraph of the 1945 Constitution contains a statement of the behavior of all Indonesian people regarding independence,

as belonging to all nations and mankind. This statement has the same meaning as the first paragraph of the General Preamble of the Declaration of Human Rights which reads: Whereas recognition of the inherent dignity and of equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. Recognition of human rights is a natural right, protected, maintained, and should not be ignored, reduced or taken away by anyone.

Criticizing women's rights in a democratic government Women and Men are Equal before God. Strategic gender interests are synonymous with feminist issues. An example is providing opportunities for women in politics. In the following periods, the idea of a genuine democracy for the Indonesian people, which was put forward by Hatta, among others, strengthened the assumption that human rights were already known and were not new to the Indonesian people. Under the auspices of guided democracy, the idea of human rights is faced with strict restrictions or restrictions by power, so that it faces a set back as something that is inversely proportional to the atmosphere during the Parliamentary Democracy period. On the other hand, citizens are usually represented by NGOs and academics who think that human rights are common. The representation of women as people's representatives is an effort to fight for the interests of women in the legislative arena. Thus, this paper attempts to look at the portrait of women in politics and how anxious feminists are about the case that befell them.

V. REFERENCE

- Adi, R. (2012). *Sociology of law: sociological study of law*. Indonesian Torch Library Foundation.
- DI, MHHP (2014). The Gait of Women in Struggling for Women's Rights in the DPRD of East Kalimantan Province.
- Hermawan, IC (2020). Implementation of Political Education in Political Parties in Indonesia. *Journal of Political Education, Law and Citizenship*, 10(1).
- Herwanto, H. (2018). *Implementation of Political Education in Building Democratic Values at HMI Malang Branch* (Doctoral dissertation, University of Muhammadiyah Malang).

-
- Ikmal, M. (2018). Women in Public Space. *Pioneers of Education*, 10(1), 67-74.
- Kesek, MM (2017). The Role of Political Parties in Providing Political Education to the Community. *Journal of Politico*, 6(2).
- Kiroh, GB (2021). *Citizenship Status of Indonesian Citizens Former Members of ISIS (Islamic State of Iraq and Syria) Based on Article 28D Paragraph (4) of the 1945 Constitution of the Republic of Indonesia* (Doctoral dissertation, University of 17 August 1945 Surabaya).
- Kusniati, R. (2011). History of the Protection of Human Rights in Relation to the Conception of the Rule of Law. *Innovative/ Journal of Legal Studies*, 4(5).
- Kusumah, RA (2019). *Conceptualization of the Authority of the MPR in the Indonesian Constitutional System During the Reformation Period* (Doctoral dissertation, Indonesian Islamic University).
- Mukhammad, W. (2021). *Political Communication Strategy of the United Development Party in Disseminating Islamic Values in Banjarnegara Regency* (Doctoral dissertation, IAIN Purwokerto).
- Nisa, C. (2018). *Political Rights of Non-Muslim Citizens as Leaders in the View of Islamic Law and Positive Law* (Doctoral dissertation, UIN Raden Intan Lampung).
- Nurgiansah, TH (2021). Political Participation of the Sleman Community in the Covid-19 Pandemic Period in the Context of Citizenship Education. *Journal of Civic Law*, 6(1).
- Pambudi, RW (2006). *Implementing Prisoners' Rights in Efforts to Realize Human Rights at the KLAS IIA Balikpapan Correctional Institution* (Doctoral dissertation, Hasanuddin University).
- Sugianto, B., & Kesuma, DA (2020). Human Rights and Obligations of Citizens in the Legal Culture in the Era of Regional Autonomy. *Discipline: Magazine Civitas Academica of the College of Law, Youth Pledge*, 1-9.

-
- Suharyanto, A. (2016). Newspapers are one of the media for delivering political information on public political participation. *Journal of Public Administration: Public Administration Journal*, 6(2), 123-136.
- Suryawati, N. (2017). *Women's political rights in Indonesia in a democratic perspective* (Doctoral dissertation, Universitas 17 August 1945).
- Suryawati, N. (2020). *Women's Political Rights*. Ideas Publishing.
- Talib, NA (2014). Women's Political Rights After the Decision of the Constitutional Court (Material Examination of Article 214 of Law Number 10 of 2008). *Journal of Cita Hukum*, 2(2).
- Tosepu, YA (2018). *New Media in Political Communication (Political Communication in the Virtual World)*. Surabaya. *Jakad's CV*.
- Yasin, J. (2009). Human Rights and the Rights and Obligations of Citizens in Indonesian Positive Law. *Syiar Hukum*, 11(2), 147-160.