

Analisis Hukum Kewajiban Pemenuhan Kuota 30% Keterlibatan Perempuan Dalam Pemilihan Umum Menurut Uu Nomor 7 Tahun 2017 Tentang Pemilu Berdasarkan Perspektif Ham = Legal Analysis Of The Obligation To Fulfill The 30% Quota For Women's Involvement In General Elections According To Law Number 7 Of 2017 Concerning Elections Based On A Human Rights Perspective

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Abstrak

Penelitian ini menganalisis aspek hukum ketentuan kuota 30% keterwakilan perempuan atau affirmative action dalam pemilihan umum di Indonesia dari perspektif hak asasi manusia. Tulisan ini disusun menggunakan metode penelitian doktrinal. Meskipun UU No. 7 Tahun 2017 tentang Pemilihan Umum mewajibkan partai politik mencalonkan minimal 30% perempuan, tidak adanya sanksi tegas menjadikan ketentuan ini kurang efektif. Analisis dilakukan menggunakan kerangka hukum internasional seperti CEDAW dan Deklarasi Beijing, serta teori keterwakilan deskriptif dan substantif. Penelitian membandingkan praktik di Indonesia dengan negara lain seperti Amerika Serikat, Filipina, dan Jerman yang telah menunjukkan kemajuan signifikan dalam partisipasi politik perempuan. Temuan menunjukkan pentingnya penerapan sanksi, dukungan finansial dan logistik, serta kampanye kesadaran untuk meningkatkan efektivitas kebijakan afirmatif. Peningkatan partisipasi politik perempuan dapat memberikan perlindungan hak asasi manusia terhadap kelompok rentan dengan menekankan kepastian hukum dan implementasi yang efektif, sambil mempertimbangkan tantangan kultural dan struktural yang masih dihadapi. Diperlukan penguatan kebijakan afirmatif, peningkatan pendidikan politik, dan perubahan persepsi budaya tentang peran perempuan dalam politik.

.....This research analyzes the legal aspects of the 30% women's representation quota or affirmative action in Indonesian elections from a human rights perspective. This paper is compiled using doctrinal research methods. Although Law No. 7 of 2017 on General Elections requires political parties to nominate a minimum of 30% women, the absence of strict sanctions makes this provision less effective. The analysis is conducted using international legal frameworks such as CEDAW and the Beijing Declaration, as well as theories of descriptive and substantive representation. The research compares practices in Indonesia with other countries such as the United States, Philippines, and Germany that have shown significant progress in women's political participation. Findings indicate the importance of implementing sanctions, financial and logistical support, and awareness campaigns to increase the effectiveness of affirmative policies. Increasing women's political participation can provide human rights protection for vulnerable groups by emphasizing legal certainty and effective implementation, while considering the cultural and structural challenges that still exist. Strengthening affirmative policies, enhancing political education, and changing cultural perceptions about women's roles in politics are needed.