



Assessing the Effectiveness of Gender Quotas in Indonesia's Electoral System

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Abstract

Women's representation in legislative elections constitutes a critical indicator of an inclusive and equitable democracy; however, its realization in Indonesia remains suboptimal. This study aims to examine the implementation of regulatory provisions on women's representation and to identify the key factors contributing to its limited attainment from a constitutional law perspective. The research employs a normative juridical approach, complemented by empirical insights derived from a review of secondary data and relevant literature. The findings reveal that, although affirmative action policies are supported by a robust legal framework, their implementation continues to encounter structural, cultural, and institutional constraints. The persistently low level of women's representation is influenced by weak enforcement mechanisms, the dominance of party elites, features of the electoral system, and entrenched patriarchal norms. This study concludes that strengthening regulatory frameworks and advancing political reform are essential to achieving substantive women's representation.

Keywords: *Women's Representation; Elections; Constitutional Law.*

Abstrak

Keterwakilan perempuan dalam Pemilu Legislatif merupakan indikator penting dalam mewujudkan demokrasi yang inklusif dan berkeadilan, namun implementasinya di Indonesia masih belum optimal. Penelitian ini bertujuan untuk menganalisis pelaksanaan ketentuan keterwakilan perempuan serta mengidentifikasi berbagai kendala yang memengaruhi rendahnya keterwakilan tersebut dari perspektif Hukum Tata Negara. Metode yang digunakan adalah pendekatan yuridis normatif dengan dukungan analisis empiris melalui studi kepustakaan dan data sekunder. Hasil penelitian menunjukkan bahwa secara normatif kebijakan afirmatif telah memiliki dasar hukum yang kuat, tetapi implementasinya masih menghadapi hambatan struktural, kultural, dan institusional. Rendahnya keterwakilan perempuan dipengaruhi oleh lemahnya penegakan hukum, dominasi elit partai, sistem pemilu, serta budaya patriarki. Penelitian ini menyimpulkan bahwa diperlukan penguatan regulasi dan reformasi politik untuk mewujudkan keterwakilan perempuan yang substantif.

Kata kunci: *Keterwakilan Perempuan, Pemilu, Hukum Tata Negara*

1. INTRODUCTION

The principle of equality constitutes a fundamental basis for ensuring the recognition and protection of the political rights of all citizens without discrimination, including on the basis of gender. This principle extends beyond formal equality before the law to encompass substantive measures aimed at guaranteeing equitable access and opportunities for all social groups within the political process. Women's representation in legislative institutions serves as a critical indicator for assessing the quality of an inclusive, participatory, and equitable democracy. The presence of women in political decision-making not only reflects the fulfillment of constitutional rights but also contributes to the formulation of public policies that are more responsive to gender-specific needs and interests.

As a state governed by the rule of law, Indonesia has demonstrated its commitment to strengthening inclusive democracy through the adoption of affirmative action policies aimed at enhancing women's political participation. One notable manifestation of this commitment is the establishment of a minimum 30 percent quota for women's representation in legislative candidacies, as stipulated in various statutory instruments, including Law Number 7 of 2017 on General Elections and its implementing regulations. This policy represents a strategic effort to address structural inequalities that have historically constrained women's participation in politics, while simultaneously promoting more proportional representation in legislative bodies.

Despite the existence of a robust normative framework, the implementation of this policy reveals significant shortcomings. Data from the 2024 legislative elections indicate that women's representation in parliament remains approximately 21.9 percent, falling short of the mandated minimum threshold of 30 percent. This condition suggests that affirmative action measures have not yet ensured substantive representation. In other words, a discernible gap persists between the expectations embedded in legal norms and their realization in political practice.

These challenges are evident not only in electoral outcomes but also during the candidate nomination process. In practice, not all political parties are able or willing to comply fully with the prescribed quota for women. In some instances, quota fulfillment appears largely administrative, lacking a substantive commitment to ensuring equitable competition for female candidates. The placement of women in less competitive positions on party lists, coupled with limited political support, further diminishes their electoral prospects. Beyond institutional and systemic factors, sociocultural dimensions also play a significant role in shaping the low level of women's representation.¹ Deeply entrenched patriarchal norms within Indonesian society continue to influence political

¹ Pamela Paxton and Melanie Hughes, *Women, Politics, and Power: A Global Perspective*, 2nd ed. (SAGE Publications, Inc., 2014), <https://doi.org/10.4135/9781452275482>.

perceptions and preferences, often privileging male leadership.² This dynamic contributes to lower public confidence in women's political capabilities, thereby affecting both their participation and electability. Additionally, restricted access to economic and political resources, along with limited political education, constitutes further barriers for women in electoral contests.

Developments in electoral governance also affect the effectiveness of policies aimed at enhancing women's representation. Variations in the interpretation and implementation of technical regulations—particularly those concerning quota calculation and sanction mechanisms—reflect inconsistencies in the application of legal norms. Such inconsistencies generate legal uncertainty and risk undermining the objectives of affirmative action policies. Accordingly, the issue of women's representation cannot be examined in isolation; rather, it must be understood through a comprehensive lens that accounts for the interplay between legal frameworks, institutional arrangements, electoral systems, and broader sociocultural conditions.

The study of women's representation within political systems, particularly in legislative institutions, has attracted considerable attention across legal, political, and sociological scholarship. Broadly, existing studies affirm that affirmative action measures—such as the adoption of a minimum 30 percent quota—constitute a critical instrument for advancing inclusive and equitable democratic governance. Nevertheless, the effectiveness of these policies in practice remains subject to ongoing debate.

Research by Abu Yazid Bustami Harahap demonstrates that, from a normative standpoint, Indonesia's regulatory framework is relatively progressive in securing women's representation through quota provisions under Law Number 7 of 2017 and its implementing regulations. Employing a juridical-normative approach, the study reveals that the existence of formal legal provisions has not been matched by optimal implementation. Political parties frequently treat quota requirements as administrative formalities, rather than embedding them within systematic cadre development strategies. Moreover, the placement of female candidates in less competitive positions on electoral lists further diminishes their likelihood of election.³

Consistent with these findings, Andi Muhammad Syaql Aswad Syadzili (2024) reports that, despite incremental increases in women's political participation, representation levels remain below the 30 percent threshold. This underscores a persistent gap between the normative aspirations of affirmative action policies and their empirical realization. Utilizing a qualitative descriptive approach, the study emphasizes

² Muahammad Faisal et al., "2 Dekade Affirmative Action Keterwakilan Perempuan Dalam Politik Indonesia: Hambatan Perempuan Dalam Budaya Patriarki," *Rechtsnormen Jurnal Komunikasi Dan Informasi Hukum* 3, no. 1 (2024): 55–60, <https://doi.org/10.56211/rechtsnormen.v3i1.628>.

³ Abu Yazid Bustami Harahap, "Implementasi Undang-Undang No 7 Tahun 2017 Terhadap Keterwakilan Perempuan Dalam Pemilu Di Indonesia," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 4 (2025): 3776–84, <https://doi.org/10.61104/alz.v3i4.1997>.

that the success of such policies depends not only on regulatory design but also on political commitment and broader societal awareness.⁴

From a more institutional perspective, Anwar et al. highlight the role of political parties and electoral system design. Their policy evaluation analysis identifies the open-list proportional representation system as a key structural constraint on women's electability. In addition, sociocultural barriers—particularly entrenched patriarchal norms—continue to shape voter preferences. Psychological and economic constraints, including limited access to resources and reduced self-confidence, further weaken women's competitiveness in electoral contests.⁵ Earlier research by Heriyani Nurul Hidayah Tumadi Nabila Istafhana reinforces these conclusions, demonstrating that compliance with the 30 percent quota at the nomination stage does not necessarily translate into electoral success. Through a socio-legal approach, the study identifies both internal and external barriers, including limited political education, restricted organizational experience, and insufficient party support.⁶

From a regulatory and institutional standpoint, Ida Budhiati et al. examine the role of the General Elections Commission in operationalizing legal norms through technical regulations. Their findings reveal inconsistencies in quota calculation methods across electoral cycles, resulting in legal uncertainty. This suggests that challenges to women's representation are not confined to the political domain but also extend to regulatory and institutional frameworks.⁷ Similarly, Touwanda Rezky Mirandi, in a study of women's representation within the General Elections Commission, identifies comparable constraints at the level of electoral management bodies. Patriarchal cultural norms, time constraints faced by women, and persistent social stigma emerge as key obstacles, underscoring the multidimensional nature of the issue, which encompasses structural, cultural, and social dimensions.⁸

Further, Bagus Anwar Hidayatulloh emphasizes the deep-rooted influence of patriarchal culture in Indonesian society, particularly within enduring patrilineal kinship systems. Such cultural structures shape social norms that position women in

⁴ Andi Muhammad Syaql Aswad Syadzili, "Keterwakilan Perempuan Dalam Politik Sebagai Bentuk Penerapan Demokrasi Dan Pemenuhan Hak Politik Di Indonesia," *Peshum: Jurnal Pendidikan, Sosial Dan Humaniora* 4, no. 1 (2024): 685–94, <https://doi.org/10.56799/peshum.v4i1.6769>.

⁵ Khoirul Anwar et al., "Analisis Kebijakan Partai Politik Memenuhi Ketentuan 30% Keterwakilan Perempuan Dalam Pencalonan Anggota Legislatif: Studi Pada Pemilihan Umum Tahun 2024 Di Kabupaten Ngawi," *Jurnal Pemerintahan Dan Politik* 10, no. 2 (2025): 306–23, <https://doi.org/10.36982/jpp.v10i2.5256>.

⁶ Heriyani Nurul Hidayah Tumadi Nabila Istafhana, "Implementasi Ketentuan Kuota 30% Keterwakilan Perempuan Di Dewan Perwakilan Rakyat Daerah Kabupaten Tanjung Jabung Barat Pada Pemilu 2019 Berdasarkan Undang-Undang Nomor 7 Tahun 2017," *Siyasab: Jurnal Hukum Tata Negara* 2, no. 2 (2019): 15–24.

⁷ Ida Budhiati et al., "Norma Tanpa Sanksi: Polemik 'Kuota Gender' Dalam Undang-Undang Dan Implikasinya Terhadap KPU Sebagai Self-Regulatory Body," *Electoral Governance: Jurnal Tata Kelola Pemilu Indonesia* 6, no. 1 (2025): 93–113, <https://doi.org/10.46874/tkp.v6i1.1317>.

⁸ Touwanda Rezky Mirandi, "Implementasi Keterwakilan 30% Perempuan Di Komisi Pemilihan Umum (KPU) Kota Pekanbaru Berdasarkan Undang-Undang Nomor 7 Tahun 2017 Tentang Pemilihan Umum" (Universitas Islam Negeri Sultan Syarif Kasim Riau, 2023), <https://repository.uin-suska.ac.id/73063/>.

subordinate roles, including within the political sphere, thereby constituting a fundamental barrier to their participation and representation in legislative institutions.⁹

In contrast, Nanda Muntazza offers a more optimistic perspective, demonstrating that at the local level—such as in the establishment of the Voting Organizing Group (KPPS) in Tanjung Padang Village—women's representation can exceed the prescribed minimum threshold. These findings suggest that the effectiveness of affirmative action policies is highly context-dependent, influenced by local institutional commitment and the presence of supportive social environments.¹⁰

From a normative–constitutional perspective, Kurniawan emphasizes that affirmative action policies must remain consistent with the principle of popular sovereignty. The establishment of gender quotas should not compromise voters' fundamental right to freely select their representatives. Accordingly, the implementation of such policies must be carefully calibrated and proportionately situated within a democratic framework.¹¹

Existing scholarship has predominantly focused on normative analyses, sociological perspectives, or partial policy evaluations, including aspects such as candidate nomination processes, the role of political parties, and cultural determinants. However, relatively few studies have undertaken a comprehensive approach that integrates normative–constitutional analysis with the empirical realities of women's representation in legislative elections, particularly in light of the most recent regulatory developments surrounding the 2024 electoral cycle. This study seeks to address that gap by examining, in a holistic manner, the disjunction between legal norms and their practical implementation from a constitutional law perspective. It further explores the interrelationship between regulatory design, electoral systems, and political behavior in shaping the effectiveness of women's representation.

Building upon the foregoing background and problem formulation, this study pursues the following objectives:

- 1) to comprehensively examine and analyze the implementation of legal provisions governing women's representation in legislative elections in Indonesia, from both normative and practical perspectives; and

⁹ Bagus Anwar Hidayatulloh, "Implementasi Sistem Keterwakilan Perempuan Dalam Pemilu: Studi Pada Masyarakat Patrilineal Di Indonesia," *Supremasi Hukum* 3, no. 1 (2014).

¹⁰ Nanda Muntazza, "Implementasi Ketentuan Keterwakilan Perempuan 30% Dalam Keanggotaan KPPS Pemilihan Umum 2024 Desa Tanjung Padang," *Qaumiyah: Jurnal Hukum Tata Negara* 5, no. 2 (2024): 167–82, <https://doi.org/10.24239/qaumiyah.v5i2.151>.

¹¹ Nalom Kurniawan, "Keterwakilan Perempuan Di Dewan Perwakilan Rakyat Pasca Putusan Mahkamah Konstitusi Nomor 22-24/PUU-VI/2008," *Jurnal Konstitusi* 11, no. 4 (2016): 714–36, <https://doi.org/10.31078/jk1146>.

- 2) to identify and analyze the range of factors contributing to the persistently low level of women's representation, including legal, institutional, electoral system, sociocultural, and political-economic dimensions.

2. RESEARCH METHODOLOGY

This study adopts a normative juridical approach, complemented by limited empirical analysis (normative–empirical), in order to develop a comprehensive understanding of the implementation of women's representation in legislative elections in Indonesia. The normative dimension focuses on the examination of legal norms within the framework of constitutional law, while the empirical component serves to substantiate the analysis by reflecting the practical realities of affirmative policy implementation.

The research is descriptive-analytical in nature, aiming to provide a systematic and accurate account of existing legal provisions while assessing the effectiveness of their implementation. Several analytical approaches are employed. First, a statute-based approach is used to examine relevant legal instruments, including the 1945 Constitution of the Republic of Indonesia, Law Number 7 of 2017 on General Elections, and regulations issued by the General Elections Commission (Komisi Pemilihan Umum). Second, a conceptual approach is applied to explore key theoretical constructs, such as democracy, gender equality, and political representation. Third, a case-based approach is utilized to analyze electoral dynamics, with particular reference to the 2024 legislative elections.

The study draws upon primary, secondary, and tertiary legal materials. Data collection is conducted through a comprehensive review of the literature, as well as an examination of official documents, reports, and statistical data. Data are analyzed using a qualitative descriptive-analytical method, involving the interpretation of legal norms and their comparison with observed practices. The validity of the findings is ensured through source triangulation and a systematic-logical mode of analysis, thereby enabling the formulation of objective conclusions and contextually relevant recommendations for strengthening democratic governance.

3. RESEARCH RESULT AND DISCUSSION

3.1. Implementation of Provisions on Women's Representation in Legislative Elections in Indonesia

This study aims to examine and analyze the implementation of legal provisions governing women's representation in legislative elections in Indonesia, from both normative and practical perspectives within the context of state governance. The primary focus lies in assessing the extent to which the affirmative policy mandating a minimum 30 percent quota for women in legislative candidacies can be effectively

realized within Indonesia's democratic system, as well as its consistency with constitutional principles, particularly those relating to equality, popular sovereignty, and the protection of human rights.

Indonesia has established a relatively progressive legal framework to promote women's representation. The requirement of a minimum 30 percent quota for women on legislative candidate lists, as stipulated in Law Number 7 of 2017 on General Elections, constitutes a concrete form of affirmative action aimed at addressing structural inequalities within the political system. This policy reflects the state's commitment to substantive justice by providing targeted measures for historically marginalized groups, in this case women.

From a constitutional perspective, this affirmative policy possesses strong legitimacy, as it aligns with the principle of equality before the law and the protection of citizens' political rights as guaranteed under the 1945 Constitution of the Republic of Indonesia. In this regard, the state functions not only as a regulator but also as a facilitator responsible for ensuring equal access to political participation for all citizens, including women. Accordingly, the adoption of gender quotas should not be construed as discriminatory, but rather as an instrument for achieving substantive equality within a democratic framework.

Notwithstanding this normative foundation, women's representation in legislative institutions has yet to reach the minimum threshold of 30 percent. This condition indicates that affirmative action policies, although formally established, have not been fully effective in producing substantive outcomes. In practice, compliance with quota requirements by political parties often remains administrative in nature, lacking a genuine commitment to enhancing the quality and competitiveness of female candidates.

The shortfall in achieving representation targets cannot be attributed solely to deficiencies in the regulatory framework, but rather to weaknesses in implementation and the limited political commitment of key actors. Political parties, in particular, play a strategic role as gatekeepers in the process of political recruitment. Without meaningful internal reforms toward more inclusive and gender-responsive structures, affirmative action policies are unlikely to achieve their intended objectives.

More broadly, this situation reflects the persistence of a procedural rather than substantive conception of constitutional democracy in Indonesia. Democratic quality should not be measured solely by the existence of free and fair electoral mechanisms, but also by the extent to which such systems ensure inclusive representation across all segments of society. In this context, women's representation must be understood as an integral component of democratic consolidation.

The findings of this study are consistent with prior research. For instance, Abu Yazid Bustami Harahap demonstrates that the implementation of affirmative action

policies continues to encounter structural and cultural barriers, particularly in relation to the limited support of political parties for women's empowerment.¹² Similarly, Anwar et al. identify the electoral system and entrenched patriarchal norms as key constraints on women's electability.¹³ Meanwhile, Heriyani Nurul Hidayah Tumadi Nabila Istafhana confirms that compliance with quota requirements at the nomination stage does not automatically translate into increased representation within legislative institutions.¹⁴

The implementation of provisions governing women's representation in legislative elections in Indonesia continues to function largely as a formalistic compliance mechanism and has yet to fully realize substantive justice. Addressing this gap requires a series of strategic interventions, including strengthening the regulatory framework, reforming political party structures, enhancing women's political capacity, and transforming prevailing sociopolitical norms. These efforts must be pursued in an integrated and sustained manner to ensure that affirmative action policies operate not merely as symbolic commitments, but as effective instruments for achieving meaningful and substantive representation of women in legislative institutions.

The effectiveness of women's representation depends not only on the existence of legal norms, but also on the quality of political institutions and the democratic culture that evolves within society. Accordingly, a holistic and multidimensional approach is essential for achieving optimal women's representation within Indonesia's constitutional system.

3.2. Obstacles Contributing to the Low Level of Women's Representation in Legislative Elections in Indonesia

This study seeks to identify and analyze the range of factors contributing to the low level of women's representation in legislative elections in Indonesia, including legal, institutional, electoral system, sociocultural, and political-economic dimensions, while also formulating potential measures from a constitutional law perspective. The analysis extends beyond a descriptive account of these constraints to evaluate the extent to which legal norms guaranteeing political equality are effectively realized in constitutional practice.

The findings indicate that the barriers to women's representation are multidimensional and deeply interconnected. From a legal standpoint, although the regulatory framework establishes a minimum 30 percent quota for women in legislative candidacies, this provision is not supported by effective enforcement mechanisms.

¹² Abu Yazid Bustami Harahap, "Implementasi Undang-Undang No 7 Tahun 2017 Terhadap Keterwakilan Perempuan Dalam Pemilu Di Indonesia."

¹³ Anwar et al., "Analisis Kebijakan Partai Politik Memenuhi Ketentuan 30% Keterwakilan Perempuan Dalam Pencalonan Anggota Legislatif: Studi Pada Pemilihan Umum Tahun 2024 Di Kabupaten Ngawi."

¹⁴ Heriyani Nurul Hidayah Tumadi Nabila Istafhana, "Implementasi Ketentuan Kuota 30% Keterwakilan Perempuan Di Dewan Perwakilan Rakyat Daerah Kabupaten Tanjung Jabung Barat Pada Pemilu 2019 Berdasarkan Undang-Undang Nomor 7 Tahun 2017."

Existing electoral laws and their implementing regulations lack clear, consistent, and binding sanctions for political parties that fail to comply substantively with quota requirements. Consequently, affirmative action policies are often reduced to administrative compliance rather than functioning as substantive instruments for achieving political equality.

From an institutional perspective, the internal dynamics of political parties constitute a significant constraint. Candidate recruitment and selection processes remain largely controlled by male-dominated party elites, thereby perpetuating gender bias in candidate nomination.¹⁵ Women are frequently assigned to non-competitive positions on party lists or included merely to fulfill formal quota requirements.¹⁶ This suggests that political parties, as central actors in democratic governance, have yet to perform their cadre development functions in an inclusive and gender-responsive manner.

In terms of the electoral system, the adoption of an open-list proportional representation system intensifies individual competition, favoring candidates with strong political, economic, and social capital.¹⁷ Under such conditions, women are often disadvantaged due to their relatively limited access to these resources. This structural feature indirectly reinforces the dominance of male candidates, who have historically benefited from greater access to political networks and institutional power.

From a sociocultural perspective, entrenched patriarchal norms continue to pose a substantial barrier to increasing women's representation. Prevailing social values that confine women to the domestic sphere contribute to lower levels of public confidence in women's political leadership.¹⁸ These perceptions not only shape voter preferences but also affect women's willingness to participate in politics. Social stigma, the persistence of dual domestic and public roles, and limited support from family and community structures further constrain women's political engagement.

From a political-economic standpoint, limited access to financial resources represents a significant obstacle. The high costs associated with electoral competition, including campaign financing and voter mobilization, disproportionately disadvantage female candidates, who generally possess fewer economic resources than their male counterparts. This condition exacerbates disparities in electoral competitiveness and outcomes.

¹⁵ Nazrina Zuryani, "Paradise Fabricated: Networking of Local Strongmen in Bali," in *Security, Democracy, and Society in Bali*, ed. Andrew Vandenberg and Nazrina Zuryani (Springer Singapore, 2021), https://doi.org/10.1007/978-981-15-5848-1_6.

¹⁶ Elin Bjarnegård, *Gender, Informal Institutions and Political Recruitment: Explaining Male Dominance in Parliamentary Representation* (Palgrave Macmillan, 2013).

¹⁷ Andi Luhur Prianto et al., "Prices Never Lie: Political Parties Contribution to High Cost of Election in Indonesia," *Politicon: Jurnal Ilmu Politik* 7, no. 1 (2025): 1–29, <https://doi.org/10.15575/politicon.v7i1.43970>.

¹⁸ Tiffany D. Barnes et al., "Gender Stereotypes and Election Coverage in South Korea: An Exploratory Analysis in Presidential and Seoul Mayoral Elections," *The Review of Korean Studies* 19, no. 2 (2016): 165–93, <https://doi.org/10.25024/REVIEW.2016.19.2.007>; Michela Cella and Elena Manzoni, "Gender Bias and Women's Political Performance," *European Journal of Political Economy* 77 (March 2023): 102314, <https://doi.org/10.1016/j.ejpoleco.2022.102314>.

Taken together, these findings reveal a persistent disjunction between legal norms guaranteeing equality and their practical implementation. From a constitutional law perspective, this gap reflects the incomplete realization of the principles of the rule of law and constitutional democracy in substantive terms. While the state has established formal guarantees for women's political rights, it has yet to ensure that these rights are effectively accessible and exercisable in practice.

These conclusions are consistent with prior studies. Anwar et al. identify patriarchal political structures and cultural norms as primary constraints on women's representation.¹⁹ Similarly, Abu Yazid Bustami Harahap emphasizes that political parties frequently treat quota provisions as administrative formalities.²⁰ Moreover, Heriyani Nurul Hidayah Tumadi Nabila Istafhana demonstrates that both internal and external factors—including limited political capacity among women and insufficient party support—contribute to the persistently low level of women's representation.²¹

This study offers a more comprehensive contribution by integrating these diverse factors within a unified constitutional law framework. Rather than identifying constraints in isolation, it elucidates the causal relationships among legal structures, institutional arrangements, electoral system design, and political culture in shaping the realities of women's representation. In doing so, the study advances a more holistic understanding of the complexity underlying the persistence of this issue.

The findings indicate that the failure to achieve optimal levels of women's representation cannot be attributed solely to deficiencies in the regulatory framework, but rather to weaknesses in implementation and the limited political commitment of key actors, particularly political parties. Moreover, entrenched patriarchal social structures and the highly competitive nature of the electoral system further exacerbate these challenges. Accordingly, any proposed solutions must be comprehensive and address the full spectrum of contributing factors.

Several strategic measures may be advanced. First, strengthening the regulatory framework through the imposition of clear, firm, and consistently enforced sanctions on political parties that fail to comply substantively with gender quota requirements. Second, reforming political party systems to become more inclusive and gender-responsive, including the development of sustainable and systematic cadre-building mechanisms for women. Third, enhancing women's political capacity through targeted political education, leadership development programs, and economic empowerment initiatives. Fourth, fostering a transformation in political culture through the broader

¹⁹ Anwar et al., "Analisis Kebijakan Partai Politik Memenuhi Ketentuan 30% Keterwakilan Perempuan Dalam Pencalonan Anggota Legislatif: Studi Pada Pemilihan Umum Tahun 2024 Di Kabupaten Ngawi."

²⁰ Abu Yazid Bustami Harahap, "Implementasi Undang-Undang No 7 Tahun 2017 Terhadap Keterwakilan Perempuan Dalam Pemilu Di Indonesia."

²¹ Heriyani Nurul Hidayah Tumadi Nabila Istafhana, "Implementasi Ketentuan Kuota 30% Keterwakilan Perempuan Di Dewan Perwakilan Rakyat Daerah Kabupaten Tanjung Jabung Barat Pada Pemilu 2019 Berdasarkan Undang-Undang Nomor 7 Tahun 2017."

socialization of gender equality norms. Fifth, reinforcing state support through the adoption of more progressive and outcome-oriented affirmative action policies.

Women's representation in legislative elections in Indonesia continues to face complex and interrelated challenges. Existing affirmative policies have not fully addressed these constraints, as their application remains largely confined to formal normative dimensions without effective implementation. Consequently, a more comprehensive and integrative approach is required—one that simultaneously advances legal reform, institutional restructuring, and cultural transformation.

Substantive women's representation necessitates not only progressive legal frameworks but also strong political commitment, inclusive institutional arrangements, and a broader shift in societal norms that support gender equality. From a constitutional law perspective, this constitutes an essential component of realizing a form of democracy that is not merely procedural, but substantively grounded—one in which all citizens are afforded equal opportunities to participate in political processes and public decision-making.

4. CONCLUSION

This study aims to provide a comprehensive examination of the implementation of legal provisions governing women's representation in legislative elections in Indonesia, while also identifying the range of factors contributing to its persistently low level from a constitutional law perspective. The findings indicate that, at the normative level, the affirmative action policy mandating a minimum 30 percent quota for women is supported by a robust legal framework and reflects the state's commitment to advancing political equality. However, in practice, the implementation of this policy remains ineffective and is often reduced to a matter of administrative compliance.

The results further demonstrate that the low level of women's representation is shaped by a set of multidimensional factors, including weak enforcement of legal norms, the dominance of political party elites, the competitive nature of the electoral system, entrenched patriarchal cultural norms, and women's limited access to economic and political resources. This condition reflects a significant gap between legal norms and constitutional practice, thereby hindering the substantive realization of democratic principles.

This study contributes to the academic discourse by providing a critical basis for evaluating affirmative action policies within the framework of constitutional law. Nonetheless, it is not without limitations, particularly with respect to the limited use of empirical field data. Accordingly, the study recommends strengthening regulatory enforcement, promoting internal reforms within political parties, and enhancing political education for women. Future research is encouraged to adopt more extensive empirical approaches in order to further enrich the analysis and deepen understanding of the issue.

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