



WAHANA PUBLIKASI



Legal Framework on Women's Participation in Legislative Elections in Indonesia: A Normative Analysis of the Role of Political Parties

Mirela Maria Ribeiro Guterres^{1*}, Anak Agung Sagung Laksmi Dewi²

¹ Faculty of Law, Universidade da Paz, Manleuana, Dili, Timor-Leste

² Faculty of Law, Universitas Warmadewa, Denpasar, Bali 80239, Indonesia

Email: mariaribeiro@gmail.com

Article info	Abstract
Received: 29 Mar 2025	Women's participation in legislative elections is one of the key indicators of the success of substantive democracy in Indonesia. The Indonesian Constitution guarantees equality between men and women in all aspects of state life. However, women's representation in legislative bodies remains far below expectations, despite the existence of several legal regulations governing quotas and women's participation in politics. This article examines two main issues: (1) the legal framework regulating women's participation in legislative elections in Indonesia, and (2) the implementation of these regulations by political parties in the legislative nomination process. This research employs a normative juridical method using a statute approach and an analytical approach. Data were obtained through an examination of the Constitution, statutory regulations, regulations issued by the General Elections Commission (KPU), and relevant academic literature. The findings show that the regulation of women's participation in legislative elections is embedded in various legal instruments, such as Articles 28H and 28I of the 1945 Constitution, Law Number 7 of 2017 on General Elections, and KPU Regulation Number 10 of 2023. However, in practice, the implementation of these provisions continues to face several challenges, particularly relating to political party structures, entrenched patriarchal culture, and the limited institutional commitment to gender equality. It can be concluded that although the normative framework governing women's participation is adequate, its implementation remains ineffective. Political parties require internal political reform, and stronger oversight from electoral management bodies is necessary to ensure that women's representation is not merely formalistic but also substantive.
Accepted: 02 June 2025	
Published: 01 Aug 2025	
Keywords: Women, Legislative elections, Political parties, Gender equality, Election rules	
Doi: https://doi.org/10.59011/vjlaws.4.2.2025.70-86	

* Corresponding Author

E-mail address: mariaribeiro@gmail.com

Copyright © 2025 The Author(s)

CC BY-NC 4.0 License

1. Introduction

Women play a strategic role in social, political, and economic development because they constitute half of the population and possess intellectual capacity, leadership, and contributions equal to those of men. In the context of political empowerment, women's involvement is crucial to ensuring that public policies reflect the needs of all citizens, not just the perspectives of the majority group.² Global research shows that increasing women's representation in legislative bodies contributes to more inclusive policymaking, particularly in the areas of education, reproductive health, child protection, and family welfare.³ Furthermore, the presence of women in political leadership positions can reduce gender bias, strengthen democracy, and enhance the legitimacy of government institutions.⁴

In the areas of education, health, and economics, women's empowerment has been proven to improve the welfare of society at large.⁵ Women with higher education are more likely to participate in the labor market, earn independent incomes, and make important family decisions, including those related to nutrition, children's education, and reproductive health.⁶ These impacts are intergenerational: children raised by educated mothers tend to have a better quality of life and greater economic opportunities. In the economic sector, increased female participation directly increases national productivity, expands the labor force, and encourages sustainable economic growth.⁷ Thus, women's empowerment is not only an issue of equality but also an effective development strategy for driving national progress. Women's participation in legislative bodies is not only an embodiment of equal rights but also an indicator of democratic quality.^{8,9}

The Indonesian Constitution, particularly Article 27(1) and Article 28H of the 1945 Constitution, affirms that every citizen is equal before the law and the government without discrimination. However, empirical evidence shows that women's representation in the Indonesian parliament has not yet reached the minimum target of 30 percent as mandated by various national regulations and international conventions.¹⁰

According to Indonesia's 2024 Gender Inequality Index (GII),¹¹ several dimensions, such as education, empowerment and legislative representation, health, and labor participation, show a general improvement over the past four years (see Table 1). However, when examined individually, men remain dominant. Moreover, when

² UN Women, "Facts and Figures: Women's Leadership and Political Participation."

³ Halim et al., "Women's Political Empowerment and Investments in Primary Schooling in India."

⁴ Högström and Lidén, "Does the Level of Descriptive Representation of Women Have Any Consequences for Policy Spending?"

⁵ Widanti, "Gender Equality Issues and Women's Empowerment Policies From 2000 To 2022: A Bibliometric Analysis."

⁶ Goryunova and Madsen, "The Current Status of Women Leaders Worldwide."

⁷ Cameron, "Gender Equality and Development: Indonesia in a Global Context."

⁸ Dwijayanti et al., "Two Decades Of Women's Affirmative Action in Indonesia: Some Reflections and Recommendations."

⁹ See also Belo, "Are Politically Engaged Woman Participation Gender- Based, Equally and More Democratic on Policies? A Glimpse From Timor-Leste."

¹⁰ Wildianti, Hurriyah, and Khairunnisa, *Potret Keterwakilan Anggota Legislatif Perempuan Hasil Pemilu Tahun 2024*.

¹¹ BPS, *Indeks Ketimpangan Gender (IKG) 2024*.

compared to international data on the 2025 Global Gender Gap Index,¹² women’s position, particularly in political empowerment, remains unequal compared to men (see Figure 1 and 2).

Table 1. Trends in Indonesia’s Gender Inequality Index (GII) from 2020–2024.

Dimension / Indicator	Gender	2020	2021	2022	2023	2024
Reproductive Health	Female (MTF)	0.181	0.271	0.163	0.263	0.154
	Female (MHPK20)	0.265	0.126	0.258	0.094	0.248
Empowerment – Legislative Representation (%)	Male	78.91	78.11	78.26	77.86	77.54
	Female	21.09	21.89	21.74	22.14	22.46
High School Education and Above (%)	Male	41.63	41.30	42.06	42.62	43.78
	Female	34.63	34.87	36.95	37.60	37.64
Labour Market – Labour Force Participation Rate (LFPR) (%)	Male	82.41	82.27	83.87	84.26	84.66
	Female	53.13	53.34	53.41	54.52	56.42

Note: MTF = births not delivered in health facilities; MHPK20 = first live birth before age 20.



Figure 1. Indonesia’s Profile in the Global Gender Gap Index 2025

Source: World Economic Forum

Compared to the Global Gender Gap Index 2024 edition,¹³ Indonesia was previously ranked 100th. However, the 2025 edition shows that Indonesia has moved up to rank 97 with a score of 0.692. Indeed, the overall gender parity score increased from 68.6% to 69.2% over the same period (see Fig. 1). Unfortunately, women’s representation in

¹² World Economic Forum, *Global Gender Gap Report 2025: Insight Report*.

¹³ World Economic Forum, *Global Gender Gap Report 2024: Insight Report*.

parliament remains low, particularly when compared to other subindices, as illustrated in Figure 2.

Indicator	Rank	Score*	Compare with Global average	Difference F-M	Female vs Male	Min Max
Economic Participation and Opportun...	90th	0.668		-		
Labour-force participation rate %	116th	0.649		-28.84	53.39	82.23
Wage equality for similar work 1-7 (best)	21st	0.751		-	-	
Estimated earned income int'l \$ 1,000	119th	0.503		-9.17	9.28	18.45
Legislators, senior officials and managers %	82nd	0.494		-33.82	33.09	66.91
Professional and technical workers %	1st	1.000		1.85	49.08	50.92
Educational Attainment	103rd	0.978		-		
Literacy rate %	80th	0.979		-2.00	95.00	97.00
Enrolment in primary education %	118th	0.961		-3.71	90.40	94.11
Enrolment in secondary education %	1st	1.000		2.74	94.67	97.41
Enrolment in tertiary education %	1st	1.000		9.77	40.12	49.89
Health and Survival	80th	0.968		-		
Sex ratio at birth** %	115th	0.943		-	-	
Healthy life expectancy** years	87th	1.026		-	-	
Political Empowerment	103rd	0.153		-		
Women in parliament %	96th	0.280		-56.21	21.90	78.10
Women in ministerial positions %	112th	0.143		-75.00	12.50	87.50
Years with female/male head of state (last 50)	46th	0.069		-43.51	3.25	46.75

Global Gender Gap Report 2025 215

Figure 2. Indonesia’s Global Index and subindices Scores and Individual Comparisons (Male and Female) in 2025¹⁴

Figure 2 shows that Indonesia’s overall index and subindices in 2025 rose by three positions from rank 100th in 2024. However, when examined individually across all subindices, except for Health and Survival, women remain positioned at a marginal level, where men continue to dominate across all components, especially in Political Empowerment. Within this component, Indonesia ranks 103rd globally.

The legal framework governing women’s involvement in politics has been an integral part of the national electoral system since the 1998 reform era.¹⁵ Efforts to increase women’s participation began with the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)¹⁶ through Law Number 7 of 1984, which obliges the state to take affirmative measures to enhance women’s involvement in public decision-making processes.¹⁷ In the context of legislative elections,

¹⁴ World Economic Forum, *Global Gender Gap Report 2025: Insight Report*.

¹⁵ Suryawati, “The Implementation Of Political Women’s Rights In State Of Republic Indonesia Would Be Have Democracy.”

¹⁶ United Nations Human Rights, “Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979.”

¹⁷ Marcoes, “After 36 Years, Who Still Remembers CEDAW?”

this affirmative commitment is reflected in the regulation requiring a 30 percent quota of women's representation in the list of legislative candidates.¹⁸

The women's quota policy aims to address the longstanding gender imbalance in politics.¹⁹ However, its implementation in practice does not always align with the intended goals. Many political parties still include female candidates merely to meet administrative requirements rather than based on merit or electoral viability.²⁰ This phenomenon creates a gap between ideal legal norms and pragmatic political practices. As a result, although women are formally provided space on candidate lists, their representation in legislative seats remains low.

Within Indonesia's legal framework, efforts to strengthen women's political roles are also stipulated in Law Number 7 of 2017 on General Elections and KPU Regulation Number 10 of 2023 on the Nomination of Members of the House of Representatives (DPR), Provincial Legislative Councils (DPRD Provinsi), and Regency/Municipal Legislative Councils (DPRD Kabupaten/Kota).²¹ These regulations require political parties to include at least 30 percent female candidates in their list of prospective legislative nominees in each electoral district. Nonetheless, the effectiveness of this policy remains questionable due to the absence of firm sanctions for political parties that fail to meet the requirement.²²

Based on the background, this study examines two main issues: (1) the legal framework governing women's participation in legislative elections in Indonesia, and (2) the implementation of these regulations by political parties in the recruitment and nomination process.

2. Legal and Literature Studies

2.1 Legal basis for women's representation in politics

The regulation of political rights and women's participation in political processes in Indonesia has a clear constitutional and legislative foundation. For instance, Indonesia ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) through Law Number 7 of 1984, which mandates the state to take affirmative measures to enhance women's participation in public decision-making.²³ At the national level, the 1945 Constitution, particularly Article 27(1) and Article 28H, stipulates that every citizen has equal standing before the law and the government, thereby providing the constitutional basis for women's political rights.

Furthermore, the legislative electoral framework regulates women's participation through mandatory minimum quotas for female legislative candidates, as stipulated in

¹⁸ Failaq and Monati, "Assessing the Probability of Affirmative Action Women's Quota for Members of the Regional Representative Council (DPD)."

¹⁹ Prihatini, "On The Same Page? Support for Gender Quotas among Indonesian Lawmakers."

²⁰ IPU, *Political Leadership Roles in 2025: Men Continue to Dominate*.

²¹ Mulyana, Herman, and Muthia, "Public Perception of Women's Political Participation in the 2024 Legislative Election (Case Study of Dapil 2 and Dapil 4 in Palu City)"

²² Lestari et al., "Beyond Legal Frameworks: Uncovering the Hidden Impact of Gender Violence in Indonesia's 2024 Political Recruitment."

²³ Marcoes, "After 36 Years, Who Still Remembers CEDAW?"

Law Number 7 of 2017 on General Elections, which obliges political parties to meet a minimum threshold for female candidates. Research indicates that women's political representation in legislative elections is explicitly governed by Law 7/2017.

Nevertheless, criticisms persist that despite the existence of these legal norms, implementation and legal certainty remain weak, particularly concerning the lack of sanctions for political parties that fail to meet the quota, as well as the low number of women elected as members of the legislature.²⁴ Empirical data show that women's representation in parliament continues to fall below the 30% target (a commonly accepted threshold), illustrating a persistent gap between legal norms and actual political outcomes.²⁵

2.2 Gender affirmative action and substantive justice theory

In political and legal theory, gender affirmative action represents a systematic effort to correct historical inequalities in women's political participation and to realize substantive justice. The policy of women's quotas (such as the requirement of "at least 30% female candidates") is a concrete form of affirmative action aimed at fostering more inclusive representation.²⁶ Failaq (2023) notes that quota policies in Indonesia were first implemented in the 2004 General Election to improve women's representation in parliament.²⁷

The theory of substantive justice emphasizes that formal equality (the right to run for office or to be elected) is insufficient; what is required are conditions that enable women to participate meaningfully.²⁸ For example, even when female candidates are included on party lists, if parties place them in non-strategic positions or fail to provide adequate support, the outcome remains inadequate. Research on "Application of Women's Representation" highlights that the 30% quota must be accompanied by internal party strengthening mechanisms and a supportive electoral system so that women's representation is not merely symbolic.²⁹

In the Indonesian context, gender affirmative action is also linked to the principles of inclusive democracy, voting rights, and the right to be elected. Thus, efforts to enhance women's representation through regulation are not solely about numerical targets but concern substantive justice, which demands structural and cultural transformations within the political system to ensure that women's representation is effective and meaningful.

²⁴ Widjiastuti and Kartiko, "Legal Framework for Minimizing Electoral Barriers to Women's Representation in Indonesian Elections."

²⁵ Suma and Harsanti, "Analysis of Women's Representation in Parliament in Indonesia Using Robust Regression Estimation-S."

²⁶ Prihatini and Siregar, "Gender Quotas in Indonesia: Re-Examining the Role of International NGOs."

²⁷ Failaq and Monati, "Assessing the Probability of Affirmative Action Women's Quota for Members of the Regional Representative Council (DPD)."

²⁸ Aspinall, White, and Savirani, "Women's Political Representation in Indonesia: Who Wins and How?"

²⁹ Muharam et al., "Application of Women's Representation As Election Supervisors in the Election Supervisory Board in the Indonesian Election Law."

2.3 The role of political parties in strengthening women's representation

Political parties play a pivotal role in implementing regulations on women's participation in legislative elections, as they are the primary institutions responsible for candidate nomination. As noted in the study, although female candidate quotas have been established, political parties often place women in less advantageous positions on candidate lists or include them merely to satisfy administrative requirements.³⁰

Furthermore, internal party mechanisms, such as candidate selection, training, allocation of campaign funds, and political networking, significantly influence whether women truly have equal opportunities to be elected. Suma and Harsanti in their research emphasize that without genuine commitment from political parties to empower female candidates, quotas alone are insufficient to achieve meaningful representation.³¹ In addition, external oversight of political parties is essential: electoral regulations and election management bodies must ensure that parties comply with quota requirements and impose incentives or sanctions when they fail to do so. The General Elections Commission (KPU), in one of its official communications, observed that achieving the 30% female candidate quota does not automatically lead to an equivalent proportion of seats won, thereby necessitating an evaluation of party practices and nomination mechanisms.

3. Method and Legal Materials

This study employs a normative juridical method, which is a legal research approach that focuses on positive legal norms found in legislation, court decisions, doctrines, and scholarly views. This method is chosen because the issue of women's participation in legislative elections is directly related to formal legal regulations at the constitutional, statutory, and implementing levels. Normative legal research aims to examine law as a system of norms that regulates human behavior within society.³²

The approaches used in this study include: (1) The statute approach, which examines legal provisions regulating the role and participation of women in legislative elections, including the 1945 Constitution; Law Number 7 of 2017 on General Elections; and the General Election Commission (KPU) Regulations governing legislative candidacy. This approach is applied to assess the coherence among regulations and the consistency of norms within the national legal hierarchy.³³ (2) The conceptual approach, which reviews relevant legal concepts and theories, such as affirmative action, substantive equality, and women's political representation. This approach provides philosophical and theoretical foundations for understanding how electoral regulations facilitate women's representation. (3) The analytical approach, which focuses on a critical analysis of legal norms and their implementation in political practice.³⁴ This approach is essential for

³⁰ Halim et al., "Women's Political Empowerment and Investments in Primary Schooling in India."

³¹ Suma and Harsanti, "Analysis of Women's Representation in Parliament in Indonesia Using Robust Regression Estimation-S."

³² Soekanto and Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*.

³³ Marzuki, *Penelitian Hukum*.

³⁴ Ibrahim, *Teori Dan Metodologi Penelitian Hukum Normatif*.

evaluating the extent to which the rule requiring a minimum 30% participation of women has been implemented by political parties in the legislative nomination process.

The data sources for this research consist of: (1) Primary legal materials, including the 1945 Constitution, Law No. 7/2017, General Election Commission (KPU) Regulations, and international instruments such as CEDAW. (2) Secondary legal materials, including books, journal articles, official reports, and academic literature examining gender affirmation and the role of political parties. (3) Tertiary legal materials, such as law dictionaries, legal encyclopedias, and other relevant supporting references.

The technique for collecting legal materials is conducted through library research, which involves examining primary, secondary, and tertiary legal materials to obtain relevant information. Library research is the main technique in normative legal studies for producing prescriptive-analytical legal data.³⁵ The analysis of legal materials is carried out using qualitative analysis, which involves systematically interpreting legal provisions, doctrines, and relevant theories to address the research problems. The analysis is conducted by considering the consistency of regulations regarding women's participation in elections and the extent to which political parties implement these regulations. This technique enables the development of logical and comprehensive legal arguments related to the effectiveness of affirmative policies in legislative elections.

4. Results and Discussion

4.1 Regulation on Women's Participation in Legislative Elections

The legal framework governing women's participation in legislative elections in Indonesia has undergone significant development. One of the key regulations is Law Number 7 of 2017 on General Elections (Law 7/2017), which mandates that the list of legislative candidates submitted by political parties must include at least 30% women candidates.³⁶ Furthermore, Law 7/2017 introduces the zipper system, which requires that for every three candidates, at least one must be a woman, ensuring that women are not consistently placed at the bottom of candidate lists.

Despite these established norms, the number of women who actually secure legislative seats remains far below 30%. For instance, a report by the Indonesian Women's Coalition indicates that the results of the 2024 General Election show that women's representation still falls short of the minimum 30% threshold.³⁷

From a regulatory hierarchy perspective, these provisions align with the principles of gender equality enshrined in the 1945 Constitution, particularly Article 27(1) and Article 28H, which guarantee equal standing of all citizens before the law and government. Thus, the electoral norms mandating a quota for women have strong constitutional grounding. However, critics argue that despite the existence of these norms, their effectiveness remains limited due to the absence of clear monitoring mechanisms or sanctions that

³⁵ Prastyowati and Prakoso, "Legal Protection of Intellectual Property Rights in the Digital Era."

³⁶ See Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum

³⁷ Dwijayanti et al., "Two Decades Of Women's Affirmative Action in Indonesia: Some Reflections and Recommendations."

ensure proper implementation. The quota system has not been accompanied by sufficient structural reforms within political parties or within the electoral system itself. Accordingly, it can be concluded that while the regulatory framework is formally adequate, there remain substantial gaps in its operational implementation.

The total number of registered voters listed in the Permanent Voter List (DPT) for the 2024 General Election is 204.807.222 people, consisting of 102.588.719 female voters (50.09%) and 102.218.503 male voters (49.90%).³⁸ The number of female voters is slightly higher compared to male voters, as revealed in Table 2 below.

Table 2. Voters by Sex and Voting Location 2024

Sex	Domestic	Foreign	Total Voters
Male	101,467,243	751,260	102,218,503
Female	101,589,505	999,214	102,588,719
Total	203,056,748	1,750,474	204,807,222

Source: Kemenpppa RI

4.2 Implementation of Regulations on Women’s Participation by Political Parties

The implementation of regulations regarding women’s participation in legislative elections is heavily dependent on the active role and commitment of political parties. The study “An Analysis of Women’s Representation in Parliament” shows that although quotas have been established, political parties often apply them only symbolically, frequently placing women in positions with low electability or providing them with insufficient campaign support.

In general, the number of women elected as legislative members in the 2024 General Election increased compared to the 2019 election, particularly in the DPR RI and DPD RI. The distribution of legislative seats for the 2024–2029 period is as follows:

- DPR RI: Out of a total of 580 legislative members, there are 127 women (22%) and 453 men (78%).³⁹
- DPD RI: Out of a total of 152 legislative members, there are 56 women (37%) and 96 men (63%).⁴⁰
- Provincial DPRD: Out of a total of 2,372 legislative members, there are 446 women (19%) and 1,926 men (81%).⁴¹

In practice, data from the General Elections Commission (KPU) indicates that achieving the 30% quota for women candidates has not translated into proportional representation in parliament. Structural factors within political parties constitute major obstacles, including non-transparent candidate selection processes, unequal allocation of campaign funds for women candidates, and deeply rooted patriarchal norms within party

³⁸ Wildianti, Hurriyah, and Khairunnisa, *Potret Keterwakilan Anggota Legislatif Perempuan Hasil Pemilu Tahun 2024*.

³⁹ See Keputusan Komisi Pemilihan Umum Nomor 1206 Tahun 2024 Tentang Penetapan Calon Terpilih Anggota Dewan Perwakilan Rakyat Dalam Pemilihan Umum Tahun 2024

⁴⁰ See berdasarkan Keputusan KPU No. 360 Tahun 2024, belum mengakomodasi perubahan akibat Pemungutan Suara Ulang (PSU) di Provinsi Sumatera Barat dan penggantian anggota terpilih

⁴¹ See berdasarkan Keputusan KPU No. 360 Tahun 2024, belum mengakomodasi perubahan akibat Pemungutan Suara Ulang (PSU) dan penggantian anggota terpilih

organizations (see Table 3).⁴² Research demonstrates that without substantial internal reform, quota policies alone are insufficient to produce meaningful increases in the number of women holding legislative seats.

Table 3. Composition of Candidates for the Indonesian House of Representatives (DPR RI) by Gender in the 2024 Election

No.	Political Parties	Male Legislative Candidates	Percentage %	Female Legislative Candidates	Percentage %	Total
1	PKB	376	64.83%	204	35.17%	580
2	Partai Gerindra	370	63.79%	210	36.21%	580
3	PDIP	388	66.90%	192	33.10%	580
4	Partai Golkar	383	66.03%	197	33.97%	580
5	Partai Nasdem	380	65.52%	200	34.48%	580
6	Partai Buruh	370	63.79%	210	36.21%	580
7	Partai Gelora	253	63.89%	143	36.11%	396
8	Partai PKS	367	63.28%	213	36.72%	580
9	PKN	327	62.29%	198	37.71%	525
10	Partai Hanura	298	61.44%	187	38.56%	485
11	Partai Garuda	334	58.60%	236	41.40%	570
12	PAN	364	62.76%	216	37.24%	580
13	PBB	277	58.94%	193	41.06%	470
14	Partai Demokrat	378	65.17%	202	34.83%	580
15	PSI	355	61.21%	225	38.79%	580
16	Perindo	348	60.10%	231	39.90%	579
17	PPP	366	63.10%	214	36.90%	580
18	Partai Ummat	307	59.96%	205	40.04%	512
Total		6.241	62.93%	3.676	37.07%	9.917

Source: General Election Commission Regulation (Keputusan KPU)

Table 3 shows that the representation of women among DPR RI candidates remains in a minority position compared to men across all political parties. Although there are variations in percentage among the parties, the trend is consistent: the number of male candidates is significantly higher, reaching approximately 62.93%, whereas women account for only 37.07% of the total 9.917 legislative candidates. Some parties indeed demonstrate more progressive proportions, such as Partai Garuda, PBB, Perindo, and Partai Ummat, yet overall, women still do not attain equal levels of representation. These findings underscore that political parties continue to be dominated by male candidates, and although the 30% affirmative action target for women is met quantitatively, it has not translated into substantive gender balance. However, according to the mandate of Law No. 7 of 2017 and KPU Regulation No. 10 of 2023, the minimum 30% representation of women in candidate lists should apply not only at the national aggregate level but also in

⁴² Keputusan Komisi Pemilihan Umum Nomor 1562 Tahun 2023 tentang Daftar Calon Tetap Anggota Dewan Perwakilan Rakyat dalam Pemilu Tahun 2024

every electoral district (Dapil).⁴³ In reality, in the 2024 election, only 84 electoral districts for DPR RI fulfilled the requirement of at least 30% women's representation in the party candidate lists.

Furthermore, from the total 580 seats in the Indonesian House of Representatives (DPR RI), only eight political parties won seats in the DPR RI out of the 18 parties participating in the 2024 election, as shown in Table 4 below.⁴⁴

Table 4. Seats Obtained by Political Parties in the Indonesian House of Representatives (DPR RI) from the 2024 General Election

No.	Political Parties	Total Seats	Male Seats	%	Female Seats	%
1	Demokrat	44 (7,59%)	35	80%	9	20%
2	Gerindra	86 (14,83%)	67	78%	19	22%
3	Golkar	102 (17,59%)	82	80%	20	20%
4	Nasdem	69 (11,90%)	48	70%	21	30%
5	PAN	48 (8,28%)	40	83%	8	17%
6	PDIP	110 (18,97%)	83	75%	27	25%
7	PKB	68 (11,72%)	54	79%	14	21%
8	PKS	53 (9,14%)	44	83%	9	17%
Total		580 (100%)	453	78%	127	22%

Note: Seats=DPR RI

Table 4 demonstrates that, of the 580 DPR RI seats for the 2024–2029 period, male candidates won 453 seats (78%), while female candidates secured only 127 seats (22%). The political party with the highest number of seats won by women is PDIP, with 27 out of 110 seats (25%), followed by the Nasdem Party with 21 out of 69 seats (30%), and Golkar with 20 out of 102 seats (20%). Meanwhile, the political party with the lowest number of seats won by women is PAN, with only 8 out of 48 seats (17%).

Moreover, Indonesia's open-list electoral system amplifies challenges for women candidates, as intra-party competition often benefits male candidates with stronger voter bases. Comparative studies confirm that such systems tend to weaken the effectiveness of gender quotas.⁴⁵ Consequently, there is a need to strengthen monitoring mechanisms and establish sanctions for parties that fail to meet the quota or fail to implement it genuinely. Without these measures, the regulation risks becoming a mere administrative requirement without real impact on party structures. Thus, the analysis indicates that implementation by political parties remains weak.⁴⁶ While the formal regulatory framework exists, its effectiveness in increasing women's legislative representation is still limited.

Based on the analysis, it can be concluded that there is a significant gap between normative provisions and actual outcomes: the 30% quota and zipper system have been

⁴³ Wildianti, Hurriyah, and Khairunnisa, *Potret Keterwakilan Anggota Legislatif Perempuan Hasil Pemilu Tahun 2024*.

⁴⁴ Keputusan Komisi Pemilihan Umum Nomor 1562 Tahun 2023 tentang Daftar Calon Tetap Anggota Dewan Perwakilan Rakyat dalam Pemilu Tahun 2024

⁴⁵ Hillman, "The Limits of Gender Quotas: Women's Parliamentary Representation in Indonesia."

⁴⁶ Dwijayanti et al., "Two Decades Of Women's Affirmative Action in Indonesia: Some Reflections and Recommendations."

enacted, yet women's representation remains far below the target. Political parties, being the frontline actors in the nomination process, hold a decisive role; without party commitment, the regulations cannot be effectively applied. Additionally, the electoral system and internal party culture act as structural barriers⁴⁷: the open-list system, inequitable selection mechanisms, and insufficient support for women candidates reduce their chances of election.⁴⁸ Strengthening sanctions and oversight mechanisms is therefore crucial to prevent the regulations from becoming mere formalities. Enhanced KPU supervision, party transparency, and political education for women are essential factors. These findings suggest that sound legal regulations alone are insufficient; effective implementation and institutional reform within political parties are necessary to ensure that women's participation in legislative elections is not merely symbolic but meaningful and effective.⁴⁹

5. Conclusion

The regulatory framework governing women's participation in legislative elections in Indonesia rests on a strong and multi-layered legal foundation,⁵⁰ ranging from the Constitution to statutory laws and technical regulations issued by the election management body. Law Number 7 of 2017 on General Elections serves as the primary regulation requiring political parties to nominate at least 30% women on their legislative candidate lists. This provision is further reinforced by the application of the zipper system, which mandates the placement of at least one woman in every three candidates to prevent the marginalization of women's positions within the list. These regulations are consistent with the constitutional principles of the 1945 Constitution, particularly Article 27 paragraph (1) and Article 28H, and align with human rights principles and affirmative action measures aimed at promoting substantive equality in politics.

However, the effectiveness of these regulations remains suboptimal. The failure to achieve the 30% target for women's representation in election outcomes is attributed to various structural factors within political parties. These obstacles include non-transparent candidate selection processes, entrenched patriarchal cultural biases, unequal allocation of campaign resources, and weak enforcement mechanisms and sanctions against parties that fail to comply with quota requirements.⁵¹ In addition, the open-list proportional representation system further undermines the effectiveness of affirmative action, as female candidates face intense internal competition against male candidates who generally possess stronger political bases and greater resources.

Thus, a significant gap exists between progressive legal norms and their practical implementation. Although the regulatory framework designed to increase women's

⁴⁷ See Dahl and Nyrup, "Confident and Cautious Candidates: Explaining under-Representation of Women in Danish Municipal Politics."

⁴⁸ See Permana, Mulia, and Prasetyo, "Pancasila and the Politics of Representation: From Quotas to Quality in Post-Reformasi Indonesia (2019-2022)."

⁴⁹ Firdaus and Wulandari, "Implications of Low Women's Representation: Strategies and Challenges Towards Gender Equality in Indonesian Politics"

⁵⁰ Prihatini and Siregar, "Gender Quotas in Indonesia: Re-Examining the Role of International NGOs."

⁵¹ Rahmi, "The Problems of Women's Participation in Political Parties."

participation in legislative elections is relatively comprehensive, its impact on enhancing women's representation in parliament remains limited. This condition indicates that the success of affirmative action policies is determined not only by formal regulations but also by the political structures and practices within political parties, as well as the electoral system itself.

Based on the findings of this study, several recommendations can be proposed. First, enforcement mechanisms, including sanctions and incentives, must be strengthened to ensure political parties comply with gender quota requirements, preventing the regulations from becoming mere administrative formalities. Second, transparency, accountability, and meritocracy in political party recruitment and candidate selection processes must be enhanced. Third, women's political capacity and education should be systematically strengthened to improve their electability. Fourth, an evaluation of the effectiveness of the open-list electoral system should be conducted in relation to affirmative action policies. Lastly, oversight by election management bodies must be tightened to ensure that the implementation of these regulations adheres to legal standards and does not deviate from the objective of strengthening women's political representation.

Conflict of Interest

The authors declare that there is no conflict of interest in the writing of this research.

Author Contribution

The authors state that they made a substantial contribution to the conception and design of the research. The authors are responsible for data analysis, interpretation, and discussion of the findings. The authors have read and approved the final version of the manuscript.

References

- Aspinall, Edward, Sally White, and Amalinda Savirani. "Women's Political Representation in Indonesia: Who Wins and How?" *Journal of Current Southeast Asian Affairs* 40, no. 1 (2021): 3–27. <https://doi.org/10.1177/1868103421989720>.
- Belo, Joao da Silva. "Are Politically Engaged Woman Participation Gender- Based, Equally and More Democratic on Policies? A Glimpse From Timor-Leste." *Indonesian Journal of Social Development* 2, no. 4 (2025): 1–16. <https://doi.org/10.47134/jsd.v2i4.3842>.
- BPS. *Indeks Ketimpangan Gender (IKG) 2024*. Jakarta: Badan Pusat Statistik, 2025.
- Cameron, Lisa. "Gender Equality and Development: Indonesia in a Global Context." *Bulletin of Indonesian Economic Studies* 59, no. 2 (2023): 179–207. <https://doi.org/10.1080/00074918.2023.2229476>.
- Dahl, Malte, and Jacob Nyrup. "Confident and Cautious Candidates: Explaining under-Representation of Women in Danish Municipal Politics." *European Journal*

- Of Political Research* 60, no. 1 (2020): 199–224. <https://doi.org/10.1111/1475-6765.12396>.
- Dwijayanti, Yulia, Yuda Satria Amanda, Nandito Putra, and Andhik Beni Saputra. “Two Decades Of Women’s Affirmative Action in Indonesia: Some Reflections and Recommendations.” In *2nd International Conference on Gender, Culture and Society*, 2024:316–23. KnE Social Sciences, 2024. <https://doi.org/10.18502/kss.v9i23.16734>.
- Failaq, Muhammad RM Fayasy, and Rahmatika Monati. “Assessing the Probability of Affirmative Action Women’s Quota for Members of the Regional Representative Council (DPD).” *Jurnal Bina Praja* 15, no. 3 (2023): 621–37. <https://doi.org/10.21787/jbp.15.2023.621-637>.
- Firdaus, and Ratih Agustin Wulandari. “Implications of Low Women’s Representation: Strategies and Challenges Towards Gender Equality in Indonesian Politics.” *Indonesian Journal of Religion and Society* 5, no. 2 (2023): 138–53. <https://doi.org/10.36256/ijrs.v5i1.383>
- Goryunova, Elizabeth, and Susan R. Madsen. “The Current Status of Women Leaders Worldwide.” In *Handbook of Research on Gender and Leadership*, edited by Susan R. Madsen, 1–22. Cheltenham, UK: Edward Elgar Publishing, 2024. <https://doi.org/10.4337/9781035306893.00010>.
- Halim, Nafisa, Kathryn Yount, Solveig Cunningham, and Rohini Pande. “Women’s Political Empowerment and Investments in Primary Schooling in India.” *Social Indicators Research* 125, no. 3 (2016): 813–51. <https://doi.org/10.1007/s11205-015-0870-4>.
- Hillman, Ben. “The Limits of Gender Quotas: Women’s Parliamentary Representation in Indonesia.” *Journal of Contemporary Asia* 00, no. 00 (2017): 1–17. <https://doi.org/10.1080/00472336.2017.1368092>.
- Högström, John, and Gustav Lidén. “Does the Level of Descriptive Representation of Women Have Any Consequences for Policy Spending?” *International Journal of Comparative Sociology* 66, no. 2 (2025): 235 –261. <https://doi.org/10.1177/00207152241263493>.
- Ibrahim, Johnny. *Teori Dan Metodologi Penelitian Hukum Normatif*. 7th ed. Malang: Banyumedia Publishing, 2013.
- IPU. *Political Leadership Roles in 2025: Men Continue to Dominate*. Geneva: Inter-Parliamentary Union, 2025. <https://www.ipu.org/news/press-releases/2025-03/political-leadership-roles-in-2025-men-continue-dominate>.
- Keputusan Komisi Pemilihan Umum Nomor 857 Tahun 2023 tentang Penetapan Rekapitulasi Daftar Pemilih Tetap Tingkat Nasional dalam Penyelenggaraan Pemilu 2024 [Keputusan Komisi Pemilihan Umum Nomor 857 Tahun 2023 tentang Penetapan Rekapitulasi Daftar Pemilih Tetap Tingkat Nasional dalam Penyelenggaraan Pemilu 2024].
- Keputusan Komisi Pemilihan Umum Nomor 1206 Tahun 2024 Tentang Penetapan Calon Terpilih Anggota Dewan Perwakilan Rakyat Dalam Pemilihan Umum Tahun 2024

- [General Election Commission Decree Number 1206 of 2024 Concerning the Determination of Elected Candidates for Members of the People's Representative Council in the 2024 General Election].
- Keputusan Komisi Pemilihan Umum Nomor 1206 Tahun 2024 Tentang Penetapan Calon Terpilih Anggota Dewan Perwakilan Rakyat Dalam Pemilihan Umum Tahun 2024 [General Election Commission Decree Number 1206 of 2024 Concerning the Determination of Elected Candidates for Members of the People's Representative Council in the 2024 General Election].
- Keputusan KPU No. 360 Tahun 2024, belum mengakomodasi perubahan akibat Pemungutan Suara Ulang (PSU) di Provinsi Sumatera Barat dan penggantian anggota terpilih [KPU Decree No. 360 of 2024 does not accommodate changes resulting from the Re-vote (PSU) in West Sumatra Province and the replacement of elected members].
- Keputusan Komisi Pemilihan Umum Nomor 1562 Tahun 2023 tentang Daftar Calon Tetap Anggota Dewan Perwakilan Rakyat dalam Pemilu Tahun 2024 [General Election Commission Decree Number 1562 of 2023 concerning the Permanent List of Candidates for Members of the People's Representative Council in the 2024 Election].
- Keputusan KPU No. 360 Tahun 2024 dan dibuat pada proses perselisihan hasil pemilu sedang berlangsung di Mahkamah Konstitusi sehingga terdapat potensi adanya perubahan data berdasarkan hasil perselisihan pemilu. Data ini juga belum mengakomodasi perubahan pasca Pemungutan Suara Ulang (PSU) di beberapa daerah [Based on the General Election Commission Regulation (Keputusan KPU) Number 1562 of 2023 concerning the Final List of Candidates for the House of Representatives in the 2024 General Election].
- Komisi Pemilihan Umum. (2023). Peraturan KPU Nomor 10 Tahun 2023 tentang Pencalonan Anggota DPR, DPRD Provinsi dan DPRD Kabupaten/Kota. Jakarta: KPU [General Elections Commission. (2023). KPU Regulation Number 10 of 2023 concerning the Nomination of Members of the DPR, Provincial DPRD, and Regency/City DPRD. Jakarta: KPU].
- Lestari, Puji, Aprila Niravita, Erisandi Aritama, Ayup Suran Ningsih, Moh. Aris Munandar, and Zuraini binti Jamil Osman. "Beyond Legal Frameworks: Uncovering the Hidden Impact of Gender Violence in Indonesia's 2024 Political Recruitment." *Jurnal Suara Hukum* 7, no. 2 (2024): 350–78
- Marcoes, Lies. "After 36 Years, Who Still Remembers CEDAW?" *The Jakarta Post*, 2020. <https://www.thejakartapost.com/academia/2020/07/25/after-36-years-who-still-remembers-cedaw.html>.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Cet. XIV. Jakarta: Prenada Media Group, 2019.
- Muharam, Ricky Santoso, Ari Pradhanawati, Fitriyah, and Supratiwi. "Application of Women's Representation As Election Supervisors in the Election Supervisory Board in the Indonesian Election Law." *Jurnal Bina Praja* 15, no. 3 (2023): 507–20.

- <https://doi.org/10.21787/jbp.15.2023.507-520>.
- Muliyana, Reski, Sitti Rabiatul Wahdaniah Herman, and Muthia. "Public Perception of Women's Political Participation in the 2024 Legislative Election (Case Study of Dapil 2 and Dapil 4 in Palu City)." *Jurnal Aristo (Social, Politic, Humaniora)* 14, no. 2 (2026): 603–25
- Peraturan Pemerintah Pengganti Undang-Undang Republik Indonesia No. 1 Tahun 2022 tentang Perubahan Atas UU No. 7 Tahun 2017 tentang Pemilu [Government Regulation in Lieu of Law of the Republic of Indonesia No. 1 of 2022 concerning Amendments to Law No. 7 of 2017 concerning Elections].
- Permana, Aditya, Debora Priyanka Mulia, and Ardian Prasetyo. "Pancasila and the Politics of Representation: From Quotas to Quality in Post-Reformasi Indonesia (2019-2022)." *Bhinneka Tunggal Ika: Pancasila Jurnal Internasional Berbahasa Indonesia* 2, no. 1 (2025): 1–29.
- Prastyowati, Fanni Choirul, and Andria Luhur Prakoso. "Legal Protection of Intellectual Property Rights in the Digital Era." *The Indonesian Journal of International Clinical Legal Education* 6, no. 1 (2024): 81–110. <https://doi.org/10.15294/ijicle.v5i3.2157>.
- Prihatini, Ella S. "On The Same Page? Support for Gender Quotas among Indonesian Lawmakers." *Asian Social Science* 14, no. 5 (2018): 48–59. <https://doi.org/10.5539/ass.v14n5p48>.
- Prihatini, Ella Syafputri, and Wahidah Zein Br Siregar. "Gender Quotas in Indonesia: Re-Examining the Role of International NGOs." *Ex Aequo*, no. 40 (2019): 31–47. <https://doi.org/10.22355/exaequo.2019.40.03>.
- Rahmi, Atikah. "The Problems of Women's Participation in Political Parties." *International Journal Reglement & Society* 3, no. 2 (2022): 100–106.
- Soekanto, Soerjono, and Sri Mamudji. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. 18th ed. Jakarta: Rajawali Pers, 2018.
- Suma, I Gede Dewangga Jati, and Titik Harsanti. "Analysis of Women's Representation in Parliament in Indonesia Using Robust Regression Estimation-S." *Jurnal Politik* 10, no. 2 (2024): 66–94. <https://doi.org/10.7454/jp.v10i2.1207>.
- Suryawati, Nany. "The Implementation Of Political Women's Rights In State Of Republic Indonesia Would Be Have Democracy." *JournalNX- A Multidisciplinary Peer Reviewed Journa* 6, no. 6 (2020): 362–68.
- Undang-Undang Dasar Republik Indonesia 1945 [The 1945 Constitution of the Republic of Indonesia].
- Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum [Law Number 7 of 2017 concerning General Elections].
- United Nations Human Rights. "Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979." Human Rights, 1979. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.
- UN Women. "Facts and Figures: Women's Leadership and Political Participation." unwomen.org, 2025.

- Widanti, Ni Putu Tirka. "Gender Equality Issues and Women's Empowerment Policies From 2000 To 2022: A Bibliometric Analysis." *Public Policy and Administration* 22, no. 2 (2023): 238–251. <https://doi.org/10.13165/VPA-23-22-2-09>.
- Widjiastuti, Agustin, and Nafis Dwi Kartiko. "Legal Framework for Minimizing Electoral Barriers to Women's Representation in Indonesian Elections." *Fiat Justisia: Jurnal Ilmu Hukum* 18, no. 3 (2024): 267–86. <https://doi.org/10.25041/fiatjustisia.v18no3.3556>.
- Wildianti, Delia, Putri Ramadhana Hurriyah, and Alya Eka Khairunnisa. *Potret Keterwakilan Anggota Legislatif Perempuan Hasil Pemilu Tahun 2024*. Jakarta: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak RI, 2024.
- World Economic Forum. *Global Gender Gap Report 2024: Insight Report*. Cologny/Geneva: World Economic Forum, 2024.
- . *Global Gender Gap Report 2025: Insight Report*. Cologny/Geneva: World Economic Forum, 2025.