

WOMEN'S LEGISLATIVE LEADERSHIP AND SUBSTANTIVE REPRESENTATION IN THE RETAILING OF THE TPKS LAW

Rafifrian Evandio*, Cecep Hidayat

Universitas Indonesia, Indonesia

*Email: rafifevandio@gmail.com**

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Abstract

Increasing women's representation in parliament is often assumed to be directly proportional to the birth of gender-responsive policies. This article challenges this assumption by analyzing women's legislative leadership in the enactment of the Sexual Violence Crime Law (TPKS Law) through the perspective of substantive representation. Different from previous studies that emphasize descriptive representation or the role of civil society advocacy, this article offers a novelty by positioning women's legislative leadership as institutional actors working through formal authority and legislative mechanisms. This research uses a qualitative approach with policy analysis methods, based on a documentary study of minutes of DPR RI meetings, institutional releases, and media coverage related to the TPKS Law legislative process. The analysis is conducted by linking empirical findings to Hanna Pitkin's indicators of substantive representation, including agenda management, political decision-making, policy outcomes, and leadership consistency. The research findings indicate that the enactment of the TPKS Law was the result of political actions and strategic decisions by DPR leaders who were able to maintain the continuity of legislation amidst ideological resistance. This article emphasizes that women's substantive representation is not inherent to gender identity but is mediated by institutional structures and formal authority in the legislative process.

Keywords: Women's Legislative Leadership, Substantive Representation, TPKS Law

A. INTRODUCTION

Increasing women's involvement in formal politics is often positioned as an indicator of democratic progress and the inclusiveness of the political system. In Indonesia, these efforts are institutionally realized through affirmative action policies in the form of quotas for women's representation in legislative candidacy (Ningsih et al., 2025). However, various studies show that quantitative increases in women's representation do not always translate into substantive transformations in the policy-making process, particularly policies that address women's interests and lived experiences (Pitkin, 1967; Mar'iyah, 2011). In this context, procedural democracy often results in symbolic representation, while the substantive interests of the groups represented are not fully accommodated in public policy (Anjasari & Pustaka, 2025).

The debate over the quality of women's political representation becomes increasingly relevant when confronted with the issue of sexual violence. Sexual violence is a structural issue that is not only related to gender-based power relations but also reflects the state's limitations in providing adequate legal protection for victims (Daulay et al., 2025). For years, the absence of comprehensive regulations regarding sexual violence crimes has demonstrated a weak state response to the needs of victims, despite this issue having long been a concern for women's movements and civil society organizations (Walby, 2000). This situation indicates that the

presence of women in formal political spaces does not automatically guarantee the presence of policies responsive to gender-based vulnerabilities (Khurun'in & Damayanti, 2023).

The legislative process for the Draft Law on Sexual Violence Crimes (RUU TPKS) clearly demonstrates this dynamic. Since its initial proposal, the bill has experienced lengthy delays due to ideological resistance, normative debates, and competing political interests in parliament (Adpenalia, 2022). Rejection of the TPKS Bill is based not only on technical legal considerations but also on the construction of moral and cultural values that question the definition of sexual violence and the position of victims within the criminal legal system (INFID, 2024). The stagnant deliberations on the TPKS Bill over several legislative periods demonstrate that the women's protection agenda is often relegated to secondary positions within state policy priorities (Wafiuddin, 2022).

The enactment of the Sexual Violence Crime Law in 2022 marked a significant shift in the landscape of women's protection policy in Indonesia. This change is inextricably linked to increasing public pressure, the consolidation of civil society movements, and political dynamics within the Indonesian House of Representatives (Amirullah et al., 2025). However, the legislative process for the TPKS Law also demonstrated the central role of the DPR leadership in managing the legislative agenda, determining the pace of deliberations, and securing the decision-making process until enactment (DPR RI, 2022; Hukumonline, 2022). In this context, legislative leadership is not neutral, but rather functions as a strategic arena that can accelerate or hinder the enactment of certain policies.

The presence of women as top leaders in legislative institutions opens up a deeper analysis of the relationship between female leadership and the quality of policy representation (Hia, 2025). Normatively, female leadership is often associated with greater sensitivity to gender issues. However, this assumption is not always empirically confirmed. Therefore, it is important to avoid an essentialist approach that automatically links a leader's gender to policy bias (Soetjipto, 2024). Instead, analysis needs to be directed at the concrete actions and political decisions taken in the legislative process, especially when female leaders exist within institutional structures still imbued with patriarchal power relations.

From a theoretical perspective, Hanna Pitkin (1967) asserted that political representation cannot be reduced to the question of who represents them, but rather must be seen in how those representatives act to advance the interests of those they represent (acting for). Substantive representation positions political actions and policy outcomes as the primary indicators of representation quality. Thus, analysis of women's legislative leadership should not be limited to symbolic presence or electoral legitimacy, but should also focus on the extent to which such leadership contributes to the realization of policies that reflect women's interests.

To date, studies on women's politics in Indonesia have been dominated by discussions of representation quotas, structural barriers to candidacy, and women's descriptive representation in parliament (Idris, 2010; Mar'iyah, 2011). Meanwhile, studies specifically positioning women's legislative leadership as a key variable in generating substantive representation are relatively limited. Studies on the TPKS Law itself have emphasized the role of civil society advocacy and the dynamics of social movements, rather than analyzing the role of the formal authority of the DPR leadership in determining the direction and outcomes of legislation. This gap highlights the need for an approach that positions policy as the outcome of the interaction between institutional leadership and broader political dynamics.

Based on these arguments, this article attempts to analyze women's legislative leadership in the enactment of the Sexual Violence Crime Law through the perspective of substantive representation. Using Hanna Pitkin's theory of political representation as the sole conceptual framework, this study positions policy as the primary indicator of substantive representation. The analysis focuses on the role of the leadership of the Indonesian House of Representatives

(DPR RI) in managing the legislative agenda and political decision-making that enabled the enactment of the TPKS Law. Through this approach, this article argues that the quality of women's representation in parliament can only be fully understood if analyzed through the resulting political actions and policies, rather than merely through the symbolism of leadership or gender identity.

Unlike previous studies that emphasize descriptive representation or the role of civil society advocacy, this article specifically positions women's legislative leadership as an institutional actor in the legislative process. Thus, this article fills a gap in the literature regarding how the formal authority of parliamentary leaders mediates the realization of substantive representation in pro-women policies.

B. LITERATURE REVIEW

Theoretical Concept: Substantive Representation

The concept of political representation in this article draws entirely from the thinking of Hanna Pitkin (1967), particularly the idea of substantive representation. Pitkin differentiates political representation into several forms, but emphasizes that the essence of representation lies not in the mere presence or identity of the representative, but rather in the representative's concrete actions in advocating for the interests of the party they represent. Therefore, substantive representation implies that a political representative is said to represent if they actively engage in the decision-making process and produce policies that align with the interests of the group they represent.

In the context of female legislative leadership, the concept of substantive representation is crucial to avoid essentialist approaches that automatically link gender identity with policy bias. Female leadership in legislative institutions does not automatically guarantee the presence of policies responsive to women's interests. Therefore, analysis of women's representation needs to focus on political practices and policy outcomes, rather than merely on symbolic presence or electoral legitimacy.

Referring to Pitkin's framework, substantive representation positions public policy as the primary indicator of representative action. In this context, the legislative process of the Sexual Violence Crimes Law (TPKS Law) is understood as an empirical arena for assessing the extent to which female legislative leadership functions as agents of substantive representation. The TPKS Law is not merely viewed as a legal product, but as the result of a series of political actions, agenda management, and strategic decisions that reflect a commitment to the interests of women as a group experiencing structural vulnerability.

Therefore, the concept of substantive representation in this study is used to assess how female legislative leadership acts in the legislative process, particularly in setting agendas, making political decisions, and ensuring the implementation of policies to protect victims of sexual violence. This approach allows for a more critical analysis of the quality of women's representation in parliament, by placing policy as the primary empirical measure.

Indicators of Substantive Representation

First, political action on the legislative agenda.

This indicator refers to the active involvement of the Indonesian House of Representatives (DPR RI) leadership in including and maintaining the discussion of the TPKS Bill on the legislative agenda. This action includes efforts to maintain the continuity of the bill's deliberations, prevent its removal from the priority agenda, and ensure that the issue of sexual violence receives adequate space for discussion in parliament. Within the framework of substantive representation, this action reflects the initial form of acting for, namely, fighting for the recognition of women's interests as a legitimate political agenda.

Second, political decision making in the legislative process.

This indicator assesses the strategic decisions of the House leadership in addressing political dynamics and resistance to the TPKS Bill. Decision-making includes political stances in responding to inter-factional opposition, regulating deliberation mechanisms, and determining the timing of ratification. These decisions demonstrate how legislative leadership actively directs the legislative process toward desired outcomes.

Third, policy results as a form of substantive representation.

This indicator positions the TPKS Law as a policy output reflecting the success of substantive representation. The ratification of the TPKS Law is understood as a concrete manifestation of representative action, as the policy provides a more comprehensive legal framework for protecting victims of sexual violence. From Pitkin's perspective, policy outcomes provide the strongest empirical evidence that representation goes beyond symbols or political rhetoric.

Fourth, the consistency of legislative leadership in championing policies.

This indicator assesses the sustainability of the attitudes and actions of the House of Representatives (DPR) leadership throughout the legislative process of the TPKS Law. This consistency includes continued support for sexual violence issues, the ability to maintain political commitment amid changing political dynamics, and the role of DPR leadership in overseeing the policy through to the enactment stage. This consistency demonstrates that substantive representation is processual and not incidental.

Conceptual Affirmation

Through these concepts and indicators, this study confirms that women's substantive representation is not measured by the identity or number of women in parliament, but rather by the political actions and policies produced by female political actors in strategic positions. By using the TPKS Law as the primary indicator, this article positions policy as empirical evidence of the quality of substantive representation of female legislative leadership.

C. METHODOLOGY PENELITIAN

Research Approaches and Types

This research employs a qualitative approach with policy analysis. The qualitative approach was chosen because this research aims to deeply understand the political process, actors' actions, and the dynamics of decision-making in the legislative process of the Sexual Violence Crimes Law (UU TPKS). Policy analysis is used to examine how female legislative leadership plays a role in agenda management, political decision-making, and the achievement of policy outcomes as a form of substantive representation.

Objects and Units of Analysis

The object of this research is the process of ratifying the TPKS Law in the Indonesian House of Representatives (DPR RI). The research analysis focuses on female legislative leadership, specifically the role of DPR RI leaders in the legislative process. This analysis encompasses political actions, strategic decisions, and the involvement of DPR leaders in overseeing the deliberations of the TPKS Bill until its enactment into law.

Data Collection Sources and Techniques

Research data was collected through documentation studies, utilizing relevant and academically sound secondary data sources. The data sources in this study include:

Online mass media reporting

News from national media outlets containing information on the deliberation process, political dynamics, and statements by House leaders regarding the TPKS Bill. Media coverage is used to trace the chronology of events and the political stances of legislative actors.

Official links and releases of the Institute

Press releases and official statements from the Indonesian House of Representatives, the government, and related institutions containing information on policies and institutional decisions in the legislative process of the TPKS Law.

Meeting documents and legislative archives

Official documents from the Indonesian House of Representatives, such as meeting minutes, discussion agendas, plenary session decisions, and other supporting legislative documents related to the ratification of the TPKS Law. The use of various data sources is intended to obtain a comprehensive picture of the legislative process and to increase data validity through cross-source comparisons.

Data Analysis Techniques

Data analysis was carried out qualitatively with the following stages:

Data inventory and classification

All data from news, official releases, and meeting documents were collected and classified based on the stages of the TPKS Law legislative process, as well as based on the roles and actions of the leadership of the Indonesian House of Representatives.

Data reduction and selection

The classified data was then selected by considering its relevance to the research focus, namely women's legislative leadership and substantive representation.

Thematic coding based on indicators

Data were analyzed using established indicators of substantive representation, namely political action in the legislative agenda, political decision-making, policy outcomes, and consistency of legislative leadership. Each piece of data was linked to these indicators to assess the form of substantive representation.

Interpretation and conclusion

The final stage of analysis was conducted by interpreting the data findings within the framework of Hanna Pitkin's theory of substantive representation. The interpretation aimed to explain how female legislative leadership contributed to the enactment of the TPKS Law as a women's protection policy.

D. RESULT AND DISCUSSION

Women's Legislative Leadership and Management of the Legislative Agenda for the TPKS Law

From the perspective of Hanna Pitkin's (1967) substantive representation, political representation can only be said to work if representatives actively act to advance the interests of those they represent (acting for). This research finding indicates that female legislative leadership in the process of ratifying the TPKS Law played a crucial role at the legislative agenda management stage. Agenda management is a crucial phase in the policy process, as it determines whether an issue receives space for discussion or is pushed aside by other political interests.

Based on official documents from the Indonesian House of Representatives (DPR RI) and national media coverage, the TPKS Bill experienced stalled deliberations for several legislative periods due to ideological debates and normative resistance from several factions (DPR RI, 2022; Hukumonline, 2022). This situation indicates that the presence of an issue in the parliamentary chamber is not automatic but rather highly dependent on the decisions of key actors with institutional authority. In this context, the role of the DPR RI leadership is significant because it has the authority to set discussion priorities and the legislative rhythm.

The DPR leadership's actions in maintaining the continuity of deliberations on the TPKS Bill demonstrate a form of substantive representation in the early stages of policymaking. By

ensuring that sexual violence remains on the legislative agenda, female legislative leadership contributes to the state's recognition of the structural vulnerabilities experienced by victims of sexual violence. This aligns with findings by INFID (2024) and the National Commission on Violence Against Women (2025), which emphasized that the absence of comprehensive regulations for years reflects the state's weak prioritization of sexual violence.

Political Decisions in the Legislative Dynamics of the TPKS Law

Beyond agenda management, substantive representation in the TPKS Law legislative process is more sharply reflected in political decisions made amidst unstable parliamentary dynamics. The TPKS Bill deliberations took place within an arena of intense ideological contestation, marked by intense debate over the definition of sexual violence and rejection based on moral and cultural values from a number of political actors (Hukumonline, 2022). This situation demonstrates that the TPKS Law legislation is not merely a technocratic process, but rather a political conflict arena that directly determines whether victims' interests can be institutionalized as legal policy.

In this context, the decision of the House of Representatives (DPR) leadership to continue deliberations and direct the legislative mechanism has decisive political significance. Minutes of DPR meetings show that the continuation of the TPKS Bill deliberations is highly dependent on strategic decisions regarding the selection of forums, timing, and decision-making mechanisms (DPR RI, 2022). These decisions reflect the use of formal authority as a political instrument, allowing the issue of sexual violence to remain on the legislative path despite facing resistance that could potentially derail the entire process. Thus, the decision of the House leadership cannot be understood as a mere administrative procedure, but rather as a form of political intervention that directly impacts the fate of policy.

Within Hanna Pitkin's (1967) substantive representation framework, this political decision constitutes a concrete form of acting for, as it is directed at achieving the interests of victims of sexual violence through binding legal policies. This finding also confirms that substantive representation lies not in the symbolic expression of women's leadership, but in the capacity of institutional actors to manage conflict and prevent legislative deadlock. Implicitly, this indicates that without formal authority and strategic decision-making space, women's leadership risks being reduced to symbolic representation without policy power.

The TPKS Law as a Policy Output and Indicator of Substantive Representation

The enactment of the TPKS Law in 2022 is the most concrete indicator of the success of substantive representation in the context of legislative politics. From Pitkin's perspective, public policy represents the end result of a series of political actions and decisions, thus serving as the primary empirical measure of the quality of representation. The TPKS Law not only fills the legal gap related to sexual violence but also broadens the definition of the crime and strengthens the protection and redress framework for victims (Komnas Perempuan, 2025).

Analysis of the substance of the TPKS Law reveals a shift in the state's approach from a moralistic paradigm to one based on the protection of victims' rights. This shift is inseparable from long-term civil society advocacy but only gains binding force when facilitated by political decisions at the legislative level. In this context, the leadership of the House of Representatives (DPR) serves as a link between public pressure and policy institutionalization, enabling social demands to be translated into formal legal norms.

By positioning the TPKS Law as a policy output, this study emphasizes that women's substantive representation does not stop at the deliberation process but must be evaluated based on the resulting policy impact. This argument reinforces criticisms of quantitative approaches that measure representation through the number of women in parliament, without considering institutional capacity and resulting policy outcomes (Pitkin, 1967; Mar'iyah, 2011).

Analytically, this finding implies that strengthening women's representation requires a clear policy orientation, not simply increasing symbolic representation.

Consistency of Legislative Leadership and Implications for Substantive Representation

Substantive representation is processual and requires consistent political action throughout the legislative cycle. Research findings indicate that female legislative leadership was able to maintain consistency in overseeing the deliberations of the TPKS Law until its enactment, despite constantly changing political dynamics between factions and ideological resistance. This consistency is crucial, given that many policies fail to be institutionalized due to weak long-term political commitment.

However, this research also shows that substantive representation is not individualistic. The successful enactment of the TPKS Law resulted from the interaction between legislative leadership, civil society pressure, and the configuration of power in parliament. Therefore, substantive representation needs to be understood as a product of institutional relations, not merely a personal attribute of female leaders. This perspective also prevents analysis from falling into the trap of gender essentialism.

Analytically, the influence of female legislative leadership on the enactment of the TPKS Law operates through institutional mechanisms, namely control over the legislative agenda, setting the pace of deliberations, and the symbolic legitimacy inherent in the authority of the DPR leadership. These mechanisms enable the issue of sexual violence to remain on the parliamentary agenda despite facing ideological resistance. These findings imply that strengthening women's substantive representation in parliament will only be effective if accompanied by real access to formal authority and strategic decision-making structures. In other words, substantive representation is not about who is present in parliament, but rather how power is institutionalized and used to shape policy.

E. CONCLUSION

This research shows that women's legislative leadership in the enactment of the Sexual Violence Crime Law (TPKS Law) represents a form of substantive representation, as defined by Hanna Pitkin. This representation is not manifested through gender identity or the symbolic presence of women in power structures, but rather through concrete political actions in managing the legislative agenda, making strategic decisions, and leveraging formal authority to ensure policy sustainability and outcomes.

The main findings of this research emphasize that the enactment of the TPKS Law cannot be understood as an automatic consequence of increased female representation in parliament. Rather, the success of this policy depends on the relationship between institutional leadership, institutional structures, and the power dynamics that shape the legislative process. In this context, the leadership of the Indonesian House of Representatives (DPR RI) plays a key institutional role, capable of articulating public pressure and civil society advocacy into formal decision-making mechanisms.

Thus, these findings confirm that substantive representation is not inherent to gender identity but is mediated by institutional structures and formal authority within the legislative process. Women's representation in parliament is processual and policy-based, not inherent to the gender of political actors. This argument simultaneously rejects essentialist approaches that assume a linear relationship between female leadership and pro-women policies.

Theoretically, this research makes an important contribution to the study of women's political representation by strengthening the understanding of substantive representation as an institutional practice, not a personal attribute. By operationalizing Pitkin's concept through policy indicators and political actions, this article demonstrates that substantive representation can only be empirically verified through policy outputs and the accompanying legislative

processes. These findings enrich the literature, which has tended to focus on descriptive and symbolic representation analysis.

Furthermore, this article shifts the analytical focus from the question of "who represents" to "how power operates in enabling representation." Thus, women's leadership is understood not as a normative guarantee for pro-women policies, but as a variable whose effectiveness depends heavily on institutional position, formal authority, and the political configuration of parliament.

Practically, this research demonstrates that strategies to strengthen women's representation cannot be achieved simply by increasing the number of women or by merely providing symbolic affirmation. The state and political parties need to ensure that women have access to strategic positions within legislative institutional structures that enable them to influence policy agendas and decisions. In addition, transparency of the legislative process and open public access to policy documents are important prerequisites for ensuring that claims of substantive representation can be critically and accountably tested.

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