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Women's Rights and Gender Equality: Legal Frameworks and Implementation Challenges

Yuddin Chandra Nan Arif[1], Zain Nizam[2], Nina Anis[3]
[1]Universitas Muhammadiyah Bima, Indonesia
[2]Universiti Malaysia Sarawak, Malaysia
[3]Monash University, Malaysia

ABSTRACT

Background. Women's rights are widely recognised in international and domestic law, yet formal guarantees often coexist with barriers to effective protection.

Purpose. This study examines how national legal frameworks translate gender equality commitments into institutional responsibilities, accessible complaints, and enforceable remedies.

Method. A qualitative doctrinal and comparative design was applied to legal instruments, selected judicial decisions, and secondary indicators concerning Indonesia, South Africa, and the United Kingdom.

Results. The Women, Business and the Law 2026 data show differences between legal-framework scores and expert assessments of enforcement in all three jurisdictions. Judicial evidence further illustrates distinct forms of legal change: Indonesia's marriage-age reform followed constitutional review; South Africa's Bhe decision invalidated discriminatory succession rules; and the United Kingdom's Asda ruling clarified permissible equal-pay comparisons without determining final entitlement. These findings indicate that stronger legal provisions cannot independently establish effective implementation or improved lived experiences.

Conclusion. The study concludes that gender equality depends on how institutions translate formal rights into usable procedures and meaningful remedies. Its proposed framework offers a structured basis for comparative assessment, while further empirical research is needed to examine compliance and women's actual access to justice.

KEYWORDS

Gender Equality, Legal Frameworks, Women's Rights

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Correspondence:

Yuddin Chandra Nan Arif,
myycna@gmail.com

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INTRODUCTION

Women's rights are integral to international human rights law and constitutional commitments to equal citizenship. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires participating states to confront discriminatory laws and practices. Its obligations extend beyond recognition of equality to effective legal protection and institutional action (Ferguson, 2024; Graaf, 2023).

Legal reforms have expanded formal protections in employment, family relations, education, political participation, and freedom from violence. Progress remains uneven across these fields. The United Nations' Gender Snapshot 2025 documents continuing inequalities despite legislative advances, suggesting that changing legal texts

does not necessarily change the conditions in which women exercise their rights.

The World Bank's Women, Business and the Law 2026 assessment reports an average legal-framework score of 67 out of 100 across 190 economies, compared with 47 for supportive frameworks and 53 for perceived enforcement. These distinct measures concern economic opportunity, yet they illustrate a broader difficulty: legal recognition and practical protection can diverge.

The primary problem is the persistent distance between gender equality commitments and women's ability to claim and exercise corresponding rights. Anti-discrimination provisions may coexist with inaccessible courts, weak complaint mechanisms, inadequate public services, or inconsistent administrative decisions. Measuring reform solely through adopted legislation therefore risks obscuring the effectiveness of legal protection (Coy, 2024; Quintero, 2023).

Implementation challenges also differ between legal sectors. Employment discrimination may depend on inspection and workplace remedies, whereas violence prevention requires responsive policing, survivor protection, and coordinated services. Family and inheritance disputes may involve overlapping statutory, customary, or religious norms. These variations complicate general claims about whether a national legal framework delivers substantive equality (Arkell, 2023; Kholidah, 2023).

Unequal access to remedies introduces a further problem. Rural residence, poverty, disability, migration status, and other social circumstances can shape the costs and risks of seeking protection. A formally neutral rule may produce unequal outcomes when institutional practice disregards these circumstances. The central question becomes how legal obligations translate into accessible and enforceable rights.

This study aims to examine how international women's rights standards are incorporated into national legislation and implemented through public institutions. It assesses the relationship between treaty obligations, constitutional guarantees, sector-specific laws, and mechanisms of accountability, without assuming that ratification establishes effective domestic compliance (Tually, 2022; Zhllima, 2023).

The analysis seeks to identify recurring barriers to implementation, including regulatory inconsistencies, limited institutional coordination, unequal access to justice, and insufficient monitoring. It also considers how public authorities, courts, equality bodies, and civil society actors influence enforcement. Attention to these mechanisms enables a more precise explanation of variation between legal promise and institutional practice.

A further objective is to develop a comparative analytical approach for distinguishing formal equality, institutional readiness, and practical accessibility of remedies. Rather than ranking countries on an undifferentiated scale, the study seeks to identify where rights protection is interrupted and which legal or administrative responses may address the interruption (Blikhar, 2023; Wakgari, 2025).

Scholarship has established that legal reform is shaped by political and social forces. Love, (2022), for instance, demonstrate the importance of autonomous feminist mobilisation in explaining variation in policies addressing violence against women. Their findings illuminate the origins of policy change but do not, by themselves, establish whether individual claimants subsequently obtain effective remedies.

International monitoring and comparative datasets offer further insights. The Tchoukou, (2023) separately measures legal frameworks, supportive systems, and perceived enforcement in women's economic participation. This approach provides valuable cross-national evidence,

although its economic focus and reliance partly on expert perceptions cannot fully capture rights enforcement across every legal domain or individual experience.

The remaining analytical need is to connect normative commitments with identifiable institutional duties, complaint pathways, and documented remedial outcomes across different fields of women's rights. This is not an assertion that implementation has been neglected in previous research. The proposed gap concerns the integration of existing approaches into a legally traceable, cross-sector explanation of implementation challenges.

The proposed contribution is an implementation-chain perspective that follows a right from international obligation through domestic legislation, responsible institutions, claim-making procedures, and remedial response. Unlike a simple comparison of legal provisions, this perspective asks where an enforceable entitlement emerges, which authority must act, and what evidence demonstrates institutional follow-through.

Its distinctive emphasis is on combining doctrinal analysis with contextual evaluation of accessibility and accountability across legal sectors. Intersectional barriers are considered alongside statutory protections rather than treated as secondary social concerns. This design could distinguish legal gaps, institutional failures, and obstacles experienced by rights holders without treating them as interchangeable explanations (Huis, 2024; Moscoso, 2023).

The research is justified by the practical consequences of confusing formal legal equality with substantive protection. A more traceable assessment can clarify reform priorities for legislatures, courts, equality institutions, and advocates. Its contribution remains an analytical proposal until tested against carefully selected jurisdictions, reliable implementation records, and evidence from women's experiences (Retnowulandari, 2024; Taufiqurrohman, 2024).

RESEARCH METHODOLOGY

This study adopts a qualitative, doctrinal, and comparative legal research design to examine the relationship between women's rights legislation and its practical implementation. Doctrinal analysis establishes the scope of legal obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), national constitutions, and implementing statutes. Comparative analysis examines how different institutional arrangements translate those obligations into enforceable protections. The study treats legal recognition and implementation as separate questions, avoiding assumptions that ratification or statutory reform necessarily improves women's everyday experiences (Chervenak, 2024; Jalili, 2024). The analytical framework traces four stages: normative recognition, institutional responsibility, access to complaints, and documented remedial action. Analysis concentrates on employment discrimination, gender-based violence, and equality within family relations, while considering intersecting barriers related to disability, poverty, and location.

The documentary population comprises international human rights instruments, domestic laws, judicial decisions, government implementation reports, and credible institutional assessments addressing women's rights. Indonesia, South Africa, and the United Kingdom constitute purposively selected comparison cases because their legal traditions, constitutional arrangements, and equality frameworks differ. For United Kingdom legislation, the geographical application of each statute is assessed explicitly; provisions of the Equality Act 2010 are examined principally in relation to Great Britain, rather than presumed to apply identically in Northern Ireland.

Criterion-based sampling prioritises authoritative, publicly accessible sources that address at least one selected rights domain and identify a legal duty, responsible institution, procedural mechanism, or implementation outcome. Domestic materials from 1996 through October 2026 form

the principal review window; earlier foundational instruments, including CEDAW and Indonesia's 1984 ratification law, remain eligible. Selected decisions include both rights-protective and restrictive interpretations to reduce confirmation bias. Academic scholarship and the World Bank's Women, Business and the Law 2026 report provide contextual evidence, not substitutes for primary law.

The principal instrument is a structured legal-document extraction matrix recording jurisdiction, document type, issuing authority, date, applicable provisions, legal status, affected rights, institutional duties, complaint procedures, and available remedies. Each entry includes an official source link and pinpoint reference. A corresponding coding guide classifies normative recognition, institutional responsibility, procedural accessibility, and remedial response as clearly evidenced, partially evidenced, unsupported, or indeterminate, according to predefined documentary criteria. Missing information is recorded rather than interpreted as proof of institutional failure (Beninger, 2022; Eyongndi, 2022).

A second analytical sheet captures possible implementation barriers, including conflicting legal norms, administrative fragmentation, costs of legal assistance, and accessibility concerns. Claims about actual enforcement require court records, official monitoring findings, or other independently identifiable evidence. Expert-perception indices are interpreted as perceptions, not direct observations of women's experiences. These safeguards maintain distinctions between law on the books, implementation arrangements, and demonstrated outcomes. Ambiguous codes require consultation of adjacent provisions and authoritative judicial interpretations.

The procedure begins with targeted searches of the United Nations Treaty Collection, OHCHR materials, national legislative repositories, judicial databases, and official equality-body publications. Searches combine country names with terms such as "CEDAW implementation," "sex discrimination," "gender-based violence," "family equality," and "access to justice." Retrieved records undergo title and full-text screening against the eligibility criteria. Duplicate versions, superseded texts without historical relevance, and unverified commentary are excluded, with decisions documented in a screening log.

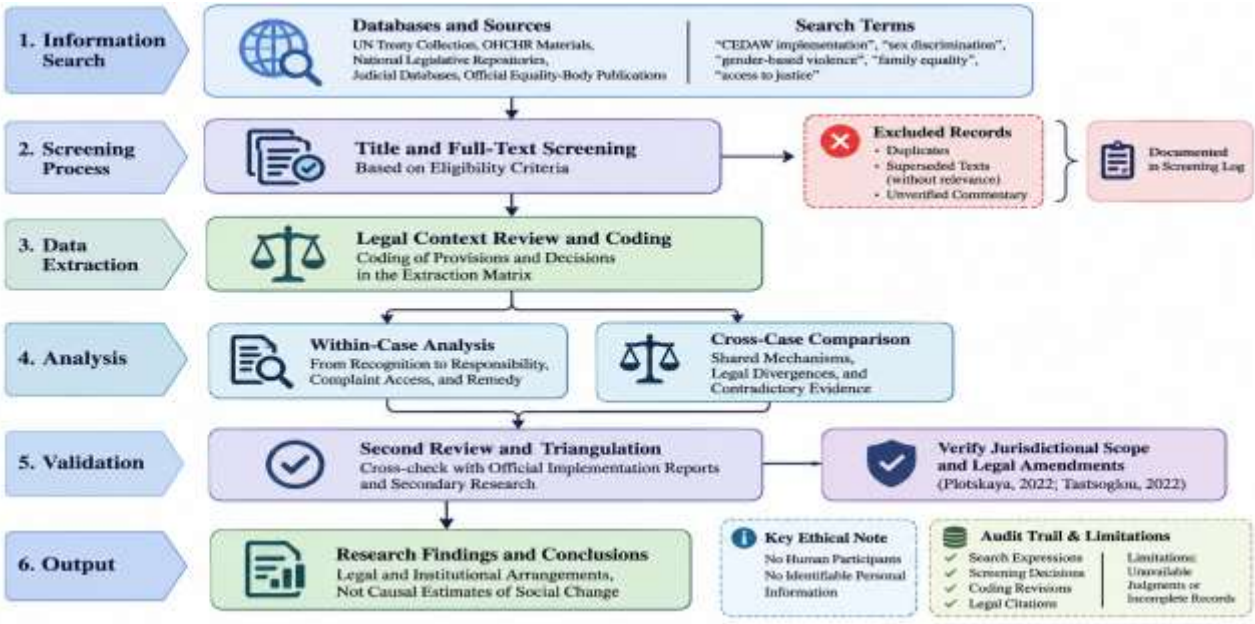


Figure 1. Research Flowchart of Legal Document Analysis and Cross-Jurisdictional Comparison

Eligible sources are read for legal context before provisions and decisions are coded in the extraction matrix. Within-case analysis reconstructs how a right moves from recognition to

institutional responsibility, complaint access, and possible remedy. Cross-case comparison identifies shared mechanisms, legal divergences, and contradictory evidence. A second review of coded passages checks interpretive consistency; unresolved ambiguities remain flagged. Findings are triangulated against official implementation reports and secondary research, with jurisdictional scope and legal amendments verified (Plotskaya, 2022; Tastsoglou, 2022).

The study uses no human participants and collects no identifiable personal information. Its conclusions concern documented legal and institutional arrangements, not causal estimates of social change. An audit trail preserves search expressions, screening decisions, document versions, coding revisions, and legal citations to support transparency and reproducibility. Limitations arising from unavailable judgments or incomplete administrative records are disclosed rather than concealed through unsupported claims of effective enforcement.

RESULT AND DISCUSSION

The documentary comparison combines national legal materials with the World Bank's Women, Business and the Law 2026 (WBL) dataset, which evaluates 190 economies across ten areas of women's economic opportunity. Three indices distinguish binding legal frameworks, supportive policies and institutions, and experts' perceptions of enforcement. Globally, their respective scores are 66.97, 46.83, and 53.31 on a scale from zero to 100. The enforcement average concerns economies with sufficient expert responses, whereas the other pillars cover the full sample. These measures provide context for, rather than comprehensive assessments of, women's human rights.

Indonesia recorded 56.20 for legal frameworks, 56.68 for supportive frameworks, and 45.33 for enforcement perceptions. South Africa scored 76.35, 62.00, and 61.19, while the United Kingdom registered 88.98, 80.18, and 69.02. Table 1 presents these published values without treating expert assessments as direct observation of enforcement. All three countries exhibit differences between their written legal provisions and reported conditions for giving those provisions effect. The United Kingdom leads this selected comparison on each index, but the purposive selection does not establish a global ranking or causal explanation.

Table 1. Women, Business and the Law 2026: Comparative Index Scores

Jurisdiction	Legal frameworks	Supportive frameworks	Enforcement perceptions
Indonesia	56.20	56.68	45.33
South Africa	76.35	62.00	61.19
United Kingdom	88.98	80.18	69.02
Global average	66.97	46.83	53.31

Source: World Bank (2026). Scores are not measurements of the same underlying phenomenon; enforcement scores reflect expert perceptions.

The WBL indices indicate that laws, supportive arrangements, and enforcement assessments need not advance at identical rates. Indonesia's supportive-framework score marginally exceeds its legal-framework score, illustrating why institutional measures should not automatically be understood as consequences of a stronger legislative score. South Africa's legal score exceeds both supporting and perceived enforcement measures. The United Kingdom exhibits the widest difference between the legal-framework and enforcement-perception scores among the selected countries. Differences reflect the indices' distinct constructions and cannot independently reveal which individual statutes are implemented successfully.

The numerical patterns remain relevant when interpreted within their methodological boundaries. WBL concentrates on economic opportunity, including safety, work, pay, marriage, childcare, and assets; it does not comprehensively measure political representation or every form of discrimination. Country profiles use standardised assumptions, while enforcement scores rely on expert judgements rather than representative surveys of women. Consequently, the scores identify areas warranting investigation, not actual percentages of rights realised. Institutional documentation and judicial decisions are necessary to establish how particular protections operate in practice and whether remedies exist.

The legal materials show different routes for translating women's equality commitments into domestic obligations. Indonesia ratified CEDAW through Law No. 7 of 1984 and subsequently enacted legislation addressing marriage and sexual violence. South Africa's Constitution prohibits unfair discrimination on grounds including sex and gender, while its equality legislation addresses discriminatory practices. In Great Britain, the Equality Act 2010 consolidates major protections relating to employment, equal pay, and other regulated activities. Its territorial scope cannot simply be extended to Northern Ireland, where relevant provisions differ.

The instruments also establish different forms of accountability. Constitutional review can invalidate discriminatory rules, statutory claims can provide a route to compensation or other relief, and specialised agencies may support complaints or oversight. Their existence does not establish accessibility for rural women, low-income claimants, survivors of violence, or people facing intersecting disadvantages. Examination of publicly available legal texts identifies formal procedures but provides less consistent evidence about waiting times, affordability, legal assistance, and compliance with remedies. These missing observations are retained as evidentiary limitations rather than coded as institutional failures.

Comparative legal inference suggests that effective protection depends on the interaction between enforceable duties and accessible procedures, rather than the existence of general equality declarations alone. A constitutional guarantee may support invalidation of discriminatory legislation, whereas workplace equality claims require satisfying statutory evidentiary and procedural rules. The WBL country scores are consistent with implementation gaps across different institutional configurations, but they cannot verify which mechanism explains any particular score. Three purposively selected jurisdictions provide insufficient observations for regression, statistical significance testing, or population-level causal conclusions.

A descriptive subtraction reinforces this limitation. The gaps between legal-framework and enforcement-perception indices are 10.87 points for Indonesia, 15.16 for South Africa, and 19.96 for the United Kingdom. These figures represent differences between two distinct indices, not measured declines from enacted rights to actual compliance. A larger numerical gap cannot reasonably establish worse implementation without examining index components and their measurement uncertainty. The defensible inference is narrower: stronger written protections may coexist with lower assessments of enforcement, including in jurisdictions with well-developed equality legislation.

A recurring relationship emerges between normative recognition, designated institutions, complaint pathways, and remedial action. Equality provisions establish standards against which conduct can be assessed; institutions determine how complaints are handled; courts clarify contested obligations; and governmental or employer responses influence subsequent outcomes. These stages may reinforce one another, but the present documents do not establish a uniform sequence. A favourable judgment can alter legal rules without demonstrating immediate social change, while administrative protection may operate independently of reported landmark litigation.

The evidence also indicates that legal domain matters. Marriage law engages age thresholds and family decision-making, inheritance disputes require reconciliation of customary practices with constitutional guarantees, and pay litigation depends on comparison rules and evidence of work value. Administrative capacity, financial resources, and intersecting disadvantage may modify each pathway, although their effects are not directly measured here. The analytical relationship is therefore conditional: comparable commitments to gender equality can generate different remedies because the legally relevant questions and institutional responsibilities are different.

Indonesia's Constitutional Court decided Case No. 22/PUU-XV/2017 in December 2018, finding the statutory marriage-age distinction constitutionally unacceptable and directing legislative revision. Law No. 16 of 2019 subsequently set the general minimum marriage age at nineteen for both women and men, subject to judicial dispensation provisions. South Africa's Constitutional Court, in Bhe v Magistrate, Khayelitsha (2004), held discriminatory intestate-succession rules and male primogeniture unconstitutional, providing an alternative succession framework. Both decisions show the capacity of constitutional adjudication to reshape family-related legal rules.

The United Kingdom supplies an employment-focused example. In Asda Stores Ltd v Schmitz, (2022), the Supreme Court confirmed that predominantly female retail workers could compare their terms with those of predominantly male distribution workers for purposes of pursuing equal-pay claims. The decision resolved a preliminary comparator issue, not whether the claimants had established work of equal value or ultimately deserved compensation. Table 2 records the strictly documented judicial effects. Different subject matters preclude treating the three decisions as equivalent evidence of substantive equality.

Table 2. Selected Judicial Cases and Documented Legal Outcomes

Jurisdiction	Case and year	Domain	Documented judicial outcome
Indonesia	Marriage Age, 2018	Family law	Constitutional finding prompted legislative revision
South Africa	Bhe, 2004	Inheritance	Discriminatory succession rules invalidated
United Kingdom	Asda v Brierley, 2021	Equal pay	Cross-establishment comparators permitted

The Indonesian case shows how judicial intervention can trigger legislative change while leaving questions about application unresolved. Equalising the statutory threshold addresses an explicit sex-based distinction, but the availability of dispensations means that assessment of actual child-marriage prevention requires separate administrative and demographic evidence. The South African judgment similarly converted constitutional equality principles into operative succession rules, although its reported holding does not reveal whether all affected heirs later obtained property, legal assistance, or effective enforcement. Both cases establish doctrinal consequences more clearly than distributional outcomes.

The British judgment illustrates how procedural interpretation can determine whether a discrimination claim proceeds at all. Permitting comparison across establishments removed one threshold obstacle, but the claimants still had to establish the remaining elements of equal-pay entitlement, subject to available defences. This distinction between access to adjudication and success on the merits is central to evaluating implementation. Across the three jurisdictions, judicial decisions identify enforceable possibilities while exposing the need to trace later litigation, administrative compliance, and the circumstances of rights holders.

The comparative evidence supports a differentiated account of women's rights implementation. Legislative commitments and constitutional guarantees provide necessary legal reference points, but their practical significance depends on institutional duties, procedural accessibility, and enforceable responses. WBL data illuminate disparities across legislative, supportive, and perceived enforcement dimensions, while the cases establish specific judicial mechanisms for contesting discriminatory rules. Neither source can independently demonstrate comprehensive improvement in women's lives or directly attribute national reforms to CEDAW obligations.

The principal result is a traceable implementation framework rather than a claim that one national legal system has achieved gender equality. Normative recognition, institutional responsibility, complaint accessibility, and remedial action should be assessed separately and then connected through case-specific evidence. The comparison identifies promising points for further scrutiny, particularly remedy accessibility and follow-through after judgments. Stronger conclusions require systematically collected implementation records, longitudinal observations, and evidence from women who attempt to exercise the rights recognised in law. These records should distinguish procedural availability from the actual accessibility of meaningful remedies for women (Jancic, 2025; Saraswati, 2022).

The comparison identifies a persistent distinction between legal recognition of women's rights and the mechanisms through which those rights can be exercised. Women, Business and the Law 2026 reports legal-framework scores of 56.20 for Indonesia, 76.35 for South Africa, and 88.98 for the United Kingdom. These figures describe economic-opportunity regulations, not the full condition of gender equality within each society.

The corresponding supportive-framework scores were 56.68, 62.00, and 80.18, while enforcement-perception scores were 45.33, 61.19, and 69.02. Differences among these measures suggest that formal regulation, institutional support, and assessments of enforcement need not coincide. Their distinct construction prevents the numerical gaps from being interpreted as percentages of unenforced rights or direct measurements of women's lived experiences.

The judicial cases reveal different forms of legal change. Indonesia's Constitutional Court rejected a discriminatory marriage-age provision, followed by legislative equalisation of the general minimum age. South Africa's Bhe judgment invalidated discriminatory inheritance rules. The British Supreme Court's Asda decision permitted particular cross-establishment pay comparisons without deciding the ultimate merits. Each ruling clarified rights, but none independently demonstrates comprehensive implementation.

The integrated findings support an implementation-chain framework connecting normative recognition, institutional responsibility, accessible complaint procedures, and remedial response. Each stage creates opportunities for rights protection while introducing distinct points of vulnerability. Documentary analysis establishes these legal pathways more reliably than it establishes behavioural change. Comparative conclusions must therefore remain confined to identifiable instruments, judicial reasoning, and available institutional evidence.

The observed distance between legal rules and enforcement assessments is consistent with the Kocemba, (2025) broader distinction between law, supportive systems, and perceived implementation. The present study adds a doctrinal explanation by examining how courts and lawmakers define actionable claims. Unlike the global index, however, the three-country comparison cannot support cross-national estimates of regulatory effectiveness or causal effects.

Jamwal, (2023) demonstrated the importance of autonomous feminist movements in shaping policies against violence toward women across countries. Their explanation highlights social

mobilisation, whereas the present study concentrates on legal authority and remedies. These perspectives are complementary rather than competing: sustained advocacy may help generate reforms, but identifying its contribution to the selected judgments would require independent evidence of mobilisation.

Awais, (2025) argued that substantive equality entails correcting disadvantage, confronting stigma, enabling participation, and transforming structures. The findings accord with this multidimensional understanding because formal equality in marriage, inheritance, or employment does not settle questions of accessibility or distribution. The study contributes a narrower institutional tracing method, not a replacement for Fredman's normative theory or a complete measure of substantive equality.

Fernández, (2023) emphasised intermediaries who translate international rights concepts into local settings, while Golo, (2023) criticised single-axis accounts of discrimination. These approaches expose a limitation of document-centred comparison: judicial rulings capture visible legal disputes, not necessarily the experiences of marginalised women. Makhmudova, (2023) likewise questioned whether marriage-age reform alone prevents child marriage when judicial dispensations remain available.

The findings indicate that legal equality operates as an institutional process rather than a completed legislative achievement. Written commitments establish standards, but the significance of those standards depends on their interpretation and practical availability. A high legal-framework score can coexist with lower enforcement perceptions without demonstrating outright legislative failure. It may instead identify an area where implementation deserves closer empirical scrutiny.

Indonesia's marriage-age reform signals the capacity of constitutional adjudication to correct explicit statutory distinctions between girls and boys. The continued possibility of marriage dispensations illustrates why formal harmonisation should not be equated with prevention of early marriage. Evaluation must address how exceptions are assessed, who can seek judicial protection, and whether decisions actually reflect children's welfare and equal treatment.

South Africa's Bhe judgment shows that constitutional equality can displace discriminatory succession arrangements, including practices previously supported by statutory and customary rules. Its doctrinal effect is clear, but the selected judgment cannot establish that affected families successfully redistributed property. Meaningful evaluation requires attention to estate administration, accessible advice, and compliance, particularly where power within households shapes claims to inheritance (Saffanah, 2024; Suganya, 2022).

The Asda ruling similarly signifies the importance of procedural gateways in equality litigation. Recognition of permissible comparators allows an equal-pay claim to advance but does not determine equal value, lawful defences, or compensation. Taken together, the judgments demonstrate that legal opportunity and substantive resolution are different achievements. Their separation is a prerequisite for credible claims about women's rights implementation.

For lawmakers, the central implication is that equality reforms require implementation planning at the moment of enactment. Legislative reviews should identify responsible institutions, accessible complaint routes, funding requirements, and remedies capable of correcting violations. Marriage-age provisions demand scrutiny of dispensation procedures; inheritance reform requires workable estate processes; pay regulation requires intelligible evidentiary standards. Formal alignment with international commitments is insufficient as an evaluation criterion.

For courts, the results underscore the value of precise reasoning about what a judgment decides and what remains unresolved. Decisions that invalidate discrimination differ from rulings permitting a claim to proceed. Clear explanations of remedial scope help litigants, governments, and

researchers distinguish legal change from actual relief. Judicial accountability should also include attention to accessibility without presuming courts can solve structural disadvantage alone (Bazaanah, 2024; Logie, 2023).

For administrative institutions, women's access to justice requires attention to geography, costs, language, legal knowledge, and protection from retaliation. CEDAW General Recommendation No. 33 identifies accessibility, quality, remedies, and accountability as essential dimensions. Agencies should monitor whether eligible claimants can navigate procedures and obtain decisions within reasonable periods. Such indicators would complement, rather than duplicate, legislative and expert-perception indices. These measures should be disaggregated to reveal whether disadvantaged groups encounter systematically different procedural outcomes.

For scholarship, the findings caution against using a single composite score or landmark case as a proxy for substantive equality. The framework proposed here encourages researchers to connect legal obligations with implementing authorities and evidence of outcomes. Comparisons should separate expert assessments from observed enforcement, control for differences among rights domains, and report missing implementation records rather than interpreting silence as noncompliance.

Legal architecture partly explains the diversity of judicial outcomes. Indonesia's constitutional review permits scrutiny of discriminatory legislation, South Africa's constitutional equality protections support challenges to inheritance rules, and British employment law establishes procedural conditions for pay comparisons. These institutional arrangements determine what courts may examine and which remedies they can provide. They do not alone establish how frequently women succeed in practice.

The substantive characteristics of the disputes also matter. Raising a marriage threshold concerns legislative standards and exceptions; inheritance litigation concerns property distribution and potentially competing normative orders; equal-pay litigation requires workplace comparators and detailed evidentiary assessment. Different legal questions generate different judicial responses even where equality principles converge. Attributing every variation to national commitment would therefore ignore the structure of the underlying claims (Amir, 2025; Kadir, 2023).

Institutional resources offer another plausible explanation, although the documentary evidence cannot test it directly. Legal aid, trained personnel, administrative coordination, and reliable records affect the feasibility of rights claims. Courts may clarify entitlements while applicants confront procedural costs or delays. The WBL supportive-framework index helps identify institutional conditions, but its values do not establish which resources caused the outcomes in these cases.

Social context may likewise shape the translation of formal rights into practice. Household authority, workplace hierarchies, community expectations, and economic insecurity can influence whether a woman pursues a remedy. Merry's account of local translation and Crenshaw's analysis of intersecting disadvantage illuminate these possibilities. Their contribution remains interpretive here because the study collected neither interviews nor individual-level evidence from affected women (Campelia, 2024; Khaleel, 2024).

An immediate policy priority is to undertake sector-specific implementation audits rather than rely on headline declarations of equality. Authorities could map applicable legal rights, complaint requirements, decision-making bodies, remedial powers, and foreseeable access barriers. Published findings should distinguish gaps in the law from failures of administration. Reforms would then address the particular institutional step where protection becomes ineffective or inaccessible.

Judicial and administrative monitoring should follow cases beyond initial rulings. Marriage-dispensation decisions, succession administration, and equal-pay proceedings offer opportunities to examine whether legal protections translate into determinate outcomes. Consistent reporting could document processing times, appeals, costs, remedies awarded, and compliance. Disaggregated information must be gathered ethically and protected against misuse, especially when claimants face stigma or retaliation (Bazaanah, 2024; Sękowska-Kozłowska, 2022).

Future research should combine comparative doctrinal analysis with longitudinal administrative records and interviews with rights holders, lawyers, and implementing officials. A larger selection of jurisdictions and more closely matched rights domains would support stronger explanations of institutional differences. Process tracing could test whether advocacy, judicial interpretation, or administrative reforms preceded measurable changes, while acknowledging alternative causes and the limits of observational evidence.

The implementation-chain framework should ultimately be evaluated against women's experiences of obtaining information, initiating claims, receiving fair hearings, and securing effective remedies. Such evidence would establish whether the proposed dimensions explain outcomes rather than merely organise documents. The present comparison offers a cautious starting point: rights become meaningful through sustained institutional action, not through legislative recognition or favourable judgments in isolation.

CONCLUSION

This study demonstrates that recognition of women's rights in national legislation does not ensure their effective protection. Comparative evidence from Indonesia, South Africa, and the United Kingdom reveals relationships among legal frameworks, institutional support, and perceived enforcement. The Women, Business and the Law 2026 indicators show that stronger formal protections may coexist with lower assessments of implementation, although these measures cannot establish actual compliance or causal effects. Judicial examples provide a picture of legal change. Indonesia's marriage-age litigation prompted equalisation of the minimum marriage age, South Africa's Bhe decision invalidated discriminatory inheritance rules, and the United Kingdom's Asda judgment clarified access to equal-pay comparisons without resolving the underlying entitlement. The central finding is that legal recognition, access to adjudication, and realised remedies are distinct achievements that should not be treated as interchangeable evidence of gender equality.

The study's contribution is an implementation-chain framework connecting four dimensions: normative recognition, institutional responsibility, accessible complaint procedures, and remedial response. Conceptually, this framework clarifies where legal commitments become actionable rights and where protection may weaken between formal guarantees and enforcement. Methodologically, it combines doctrinal examination of international and domestic instruments with structured cross-jurisdictional comparison, judicial decisions, and secondary indicators. This integration offers a transparent alternative to assessing gender equality through ratification counts, legislative provisions, or composite scores alone. It distinguishes demonstrated legal outcomes from expert perceptions and unverified assumptions about women's experiences. The framework does not propose that any single national model guarantees substantive equality; rather, it provides a systematic way to identify institutional bottlenecks, compare legal pathways, and formulate questions that can be tested against evidence of implementation.

Several limitations qualify these conclusions. The analysis focuses on three selected jurisdictions and judicial disputes involving different areas of law, limiting generalisability and direct comparison. Documentary sources establish what statutes and courts require but offer

incomplete information about compliance, service delivery, litigation costs, administrative discretion, and the experiences of disadvantaged women. The economic focus of the World Bank indicators and the perception-based enforcement measure further restrict inferences about gender equality. Future research should examine more jurisdictions using comparable rights categories and longitudinal records of complaints, decisions, remedies, and compliance. Interviews with claimants, legal practitioners, and institutional actors could clarify how poverty, geography, disability, and social expectations shape access to justice. Testing the framework through mixed legal and empirical methods would establish whether its dimensions explain improvements in protection rather than merely documenting formal legal change.

DECLARATION OF AI AND AI ASSISTED TECHNOLOGIES IN THE WRITING PROCESS

During the preparation of this work the author(s) used Google Assisted to assist in improving grammar, language quality, and overall readability of the text. After using this tool/service, the author(s) reviewed and edited the content as needed and take(s) full responsibility for the content of the publication.

AUTHORS' CONTRIBUTION

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; In-vestigation.

Author 3: Data curation; Investigation.

DECLARATION OF COMPETING INTEREST

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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