

Book Review " The Law's Eye, Women's Eye": Gender Legal Literacy and Responsiveness of Indonesian Legal System

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Abstract

The Indonesian legal system still contains gender bias embedded in the substance, structure, and culture of law. This community service activity aims to: (1) enhance gender legal literacy among academics, legal practitioners, and the general public through a book review; (2) disseminate empirical findings on gender injustice in the Indonesian legal system; and (3) promote the Mubadalah perspective as an alternative framework in Islamic family law reform. The book review activity of "Mata Hukum, Mata Perempuan" was conducted on November 9, 2025, in North Lombok, involving keynote speakers, the author, and three reviewers from various disciplines. This book integrates legal feminism with the Mubadalah perspective to analyze gender bias in marriage law, the juvenile criminal justice system, child marriage prevention, and women's participation in state administration. The activity results showed high enthusiasm among participants in understanding structural gender injustice in Indonesian law. Discussions generated concrete recommendations for more gender-responsive legal reform, including revision of the Marriage Law, strengthening dual accountability mechanisms in the juvenile justice system, and empowering local customary institutions in preventing child marriage. The Mubadalah perspective proved effective as a bridge for dialogue between feminism and Islam in the context of Indonesian Muslim society.

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1. INTRODUCTION

The Indonesian legal system, despite constitutional guarantees of equality before the law as stipulated in Article 27(1) and Article 28H(2) of the 1945 Constitution, continues to perpetuate structural gender inequalities through its substance, institutional structure, and legal culture. Feminist legal scholarship has long critiqued the purported neutrality of law, revealing how legal systems worldwide often embody masculine perspectives that marginalize women's experiences and perpetuate patriarchal power relations (MacKinnon, 2021; Smart, 2020). In Indonesia, this critique is particularly relevant given the intersection of state law with customary law (adat) and Islamic law, creating a complex legal pluralism where gender discrimination operates at multiple levels (Bowen, 2023; Nurlaelawati, 2022).

Recent empirical research has documented persistent gender bias across various domains of Indonesian law. Studies on family law reveal how marriage regulations continue to subordinate women through provisions that designate husbands as household heads and wives as homemakers, legitimize polygamy under permissive conditions, and create unequal divorce rights between men and women (Salim & Parker, 2022; Afrianty, 2023). Research on the juvenile criminal justice system demonstrates a lack of parental accountability mechanisms, particularly regarding gender-equitable parental responsibilities (Mardiyah & Kusuma, 2021). Investigations into child marriage prevention efforts highlight the challenges of transforming deeply embedded

patriarchal norms even when formal legal prohibitions exist (Jones et al., 2024; Rumble et al., 2020).

The book "Mata Hukum, Mata Perempuan: Membaca Ulang Relasi Gender, Keadilan, dan Responsivitas Hukum di Indonesia" (The Law's Eye, Women's Eye: Re-reading Gender Relations, Justice, and Legal Responsiveness in Indonesia) by Suci Ramadhani Putri represents a significant scholarly contribution to Indonesian feminist legal studies. The book integrates feminist legal theory with the Mubadalah perspective a progressive Islamic hermeneutical framework developed by Faqihuddin Abdul Kodir that emphasizes reciprocity and equality in gender relations based on contextual reading of Islamic texts (Kodir, 2019; Rinaldo, 2022). This integration is particularly important in the Indonesian context, where approximately 87% of the population identifies as Muslim, and where feminist advocacy must navigate complex negotiations between secular human rights frameworks and Islamic religious authority.

The Mubadalah perspective offers a theological framework that legitimizes gender equality claims within Islamic tradition, thereby potentially reducing resistance from conservative religious constituencies who often view feminism as a Western secular ideology incompatible with Islamic values (van Doorn-Harder, 2021; Rinaldo, 2022). By demonstrating that principles of equality, reciprocity, and justice advocated by feminism are consistent with fundamental Islamic values when texts are read contextually and holistically, the Mubadalah approach opens possibilities for productive dialogue between feminism and Islam in Indonesia's legal reform discourse.

This community service activity through a book review aims to: (1) enhance gender legal literacy among academics, legal practitioners, and the general public by disseminating the book's key findings and arguments; (2) facilitate critical dialogue about gender injustice in the Indonesian legal system through structured discussion with diverse expert reviewers; and (3) promote the Mubadalah perspective as an effective alternative framework for Islamic family law reform that is both religiously legitimate and gender-responsive. The book review format was chosen as an effective pedagogical method for public legal education, allowing for in-depth examination of complex legal-social issues through expert analysis and participatory discussion (Harahap & Lubis, 2023; Wahyuni et al., 2022).



Figure 1. Book review of Mata Hukum, Mata Perempuan (The Eyes of the Law, the Eyes of Women) by Suci Ramadhani Putri

Previous literature on gender and law in Indonesia has primarily focused on specific legal domains family law, criminal law, or constitutional law often without integrating multiple areas into a comprehensive systemic analysis (Nurlaelawati, 2022; Afrianty, 2023). Moreover, most studies have approached the issue from either a secular feminist perspective or an Islamic legal perspective, rarely integrating both frameworks systematically. This book and the associated community service activity address these gaps by providing a holistic analysis of gender bias across multiple legal domains while integrating feminist legal theory with progressive Islamic hermeneutics through the Mubadalah framework. This integrative approach is particularly

relevant for Indonesia's pluralistic society, where legal reform must be both rights-based and culturally legitimate to be effective and sustainable.

2. RESEARCH METHODS

This community service activity employed a structured book review format conducted on November 9, 2025, at a public venue in North Lombok Regency, West Nusa Tenggara Province. The event was organized by Yayasan Pendidikan Aksara Cendikia in collaboration with PKC PMII Bali-Nusra. The activity involved approximately 120 participants comprising academics, law students, legal practitioners including judges and prosecutors, local government officials, women's rights activists, religious leaders (ulama), and community members. The book review employed a panel discussion format featuring one keynote speaker (Dr. Syahrir, M.Pd., Director of Akademi Bisnis Lombok), the book's author (Suci Ramadhan Putri, M.H.), and three expert reviewers from diverse disciplinary backgrounds: Dr. Irpan Suriadiata, S.H.I., M.H. (legal scholar and Vice Rector of Universitas Nusa Tenggara Barat), Lina Komalasari (women's rights activist of KOPRI), and Agus Jasmani, S.I.P. (legislator and Chair of North Lombok District People's Representative Council). Each reviewer provided a 20-minute critical analysis of the book from their respective expertise, followed by a 60-minute moderated discussion with audience participation. The activity was documented through audio-visual recording, participant observation, and collection of written feedback forms. Data analysis followed qualitative content analysis procedures to identify key themes emerging from the reviews and discussions.

3. RESULTS AND DISCUSSION

Enhancement of Gender Legal Literacy through Structured Book Review

The book review activity successfully enhanced participants' understanding of structural gender bias in Indonesian law through systematic presentation of empirical evidence and theoretical frameworks. Pre-activity assessment indicated that approximately 65% of participants had limited awareness of how gender bias operates within legal systems beyond obvious discriminatory provisions. Post-activity evaluation showed significant improvement, with 87% of participants demonstrating enhanced ability to identify subtle forms of gender bias in legal language, institutional structures, and legal culture. The keynote speaker, Dr. Syahrir, emphasized the importance of legal literacy as a foundation for democratic citizenship, arguing that citizens cannot effectively claim their rights if they lack understanding of how legal systems operate and how laws affect their daily lives.

The book's methodological approach combining socio-legal research with feminist analysis proved particularly effective in making abstract legal concepts accessible to non-specialist audiences. By grounding theoretical arguments in concrete empirical cases from North Lombok and other Indonesian regions, the author demonstrated how gender bias manifests in lived experiences from housewives being classified as "unemployed" in population administration documents, to mothers bearing disproportionate blame when children commit crimes, to female election workers facing double burdens unacknowledged by institutional structures. These empirical illustrations helped participants, particularly those without legal training, understand that gender bias in law is not merely about explicitly discriminatory provisions but operates through seemingly neutral categories, administrative procedures, and institutional cultures that systematically disadvantage women.

Dr. Irpan Suriadiata, reviewing from a legal scholarship perspective, commended the book's integration of feminist legal theory with Indonesian legal doctrine, noting that most Indonesian legal scholarship remains doctrinalist and positivist, rarely engaging with critical theoretical frameworks. He highlighted how the book's critical approach challenges the assumption of legal neutrality that dominates Indonesian legal education, arguing that law faculties must incorporate gender perspectives into their curricula to produce legally educated professionals capable of identifying and addressing systemic injustice. His review generated discussion among law faculty participants about potential curriculum reforms to integrate gender perspectives across

substantive law courses rather than confining gender issues to elective courses on women's rights or family law.

Dissemination of Empirical Findings on Gender Injustice in Indonesian Law

The book review effectively disseminated key empirical findings from the author's multi-year research program (2022-2025) examining gender and law in North Lombok and broader Indonesian contexts. Lina Komalasari, reviewing from a women's rights activist perspective, emphasized the importance of research-based advocacy, noting that civil society organizations often struggle to influence policy without solid empirical evidence. She highlighted several research findings with significant policy implications: the prevalence of forced consent in polygamy permissions, where first wives approve second marriages under duress or threats of divorce; the double accountability gap in juvenile justice, where parents particularly fathers escape accountability for neglect contributing to children's delinquency; and the effectiveness of empowering customary institutions like Majelis Krama Desa in preventing child marriage when combined with gender-sensitive training.

The finding regarding housewife stereotypes in population administration generated particularly intense discussion. The book documents how Indonesia's population administration system categorizes "mengurus rumah tangga" (household management) as equivalent to unemployment, rendering millions of women's reproductive and care labor invisible in official statistics. This administrative classification reflects and reinforces the ideology of state ibuism (state-sponsored motherhood ideology) that defines women primarily through domestic roles while devaluing their economic contributions. Participants from local government agencies acknowledged that administrative categories are often adopted uncritically from national standards without considering their gender implications. Several participants from women's economic empowerment programs shared how this administrative invisibility creates barriers for women seeking access to microcredit programs or business development support, as they cannot document their work experience or demonstrate their economic contributions.

The comparative analysis of family law reform in Indonesia and Tunisia provided valuable insights into different reform pathways. While Tunisia adopted a radical top-down secularization approach through the 1956 Code du Statut Personnel that abolished polygamy and granted equal divorce rights, Indonesia has pursued a gradual, participatory approach involving religious scholars, civil society, and women's organizations. The author argues that Indonesia's approach, though slower and producing compromises that remain imperfectly gender-just, has greater legitimacy and sustainability because reforms emerge from deliberative processes rather than state imposition. However, reviewers debated whether gradualism adequately protects women experiencing injustice in the present, with some arguing that certain fundamental rights such as freedom from polygamy should not be subject to prolonged negotiation.

Promotion of Mubadalah Perspective as Alternative Framework for Islamic Legal Reform

A distinctive contribution of this book and the associated community service activity is the systematic integration of the Mubadalah perspective as a theological framework for Islamic family law reform. Developed by Faqihuddin Abdul Kodir, Mubadalah (reciprocity) is a Qur'anic hermeneutical method emphasizing that relationships between men and women in Islam should be characterized by equality, reciprocity, and partnership rather than hierarchy and subordination. The Mubadalah approach reads Qur'anic verses about gender relations by paying attention to linguistic structures that employ reciprocal and balanced formulations, contextualizing verses within their socio-historical circumstances, and extracting universal principles of justice and human dignity that should guide contemporary applications.

During the book review, the author presented several examples of Mubadalah analysis. Regarding polygamy, the Mubadalah reading of Qur'an 4:3 (often cited to permit polygamy) contextualizes this verse within the post-Battle of Uhud crisis when many Muslim men had died, leaving widows and orphans without protection in a highly patriarchal society where women's survival depended on male guardianship. Polygamy in this context was a social welfare solution, not a license for male sexual gratification. The verse also sets an extremely strict condition the

ability to act justly which Qur'an 4:129 explicitly states humans cannot fulfill: "You will never be able to be just between wives, even if you desire to do so." Reading these verses together, the Mubadalah approach concludes that Islam's actual preference is monogamy, with polygamy permitted only as an emergency dispensation under conditions nearly impossible to fulfill. This reading challenges patriarchal interpretations that treat polygamy as a religious right or even a recommended practice.

The religious scholars (ulama) present at the book review expressed diverse responses to the Mubadalah perspective. Several progressive ulama enthusiastically endorsed this approach, sharing that they have independently arrived at similar contextual readings but lacked a systematic methodological framework and terminology to articulate their views. They welcomed Mubadalah as providing both methodological tools and rhetorical legitimacy for progressive interpretations. One ulama noted that in his Friday sermons, using the term "Mubadalah" and citing Faqihuddin Abdul Kodir's work has helped him introduce gender-equitable interpretations more effectively than when he simply presented his own views, as the reference to established scholarship lends authority.

However, some conservative religious scholars expressed concerns that contextual reading approaches risk relativizing divine texts according to contemporary social trends. They argued that if revealed texts can be reinterpreted based on changing social conditions, the permanence and authority of divine law become undermined. The author and progressive ulama responded that contextualization does not mean arbitrary reinterpretation but rather distinguishing between universal principles (such as justice, compassion, and human dignity) that are permanent, and specific rulings that were appropriate for particular socio-historical contexts but may require different applications in changed circumstances. They emphasized that classical Islamic jurisprudence (fiqh) itself has always recognized the principle that rulings can change with changes in time, place, and circumstance (taghayyur al-ahkam bi taghayyur al-azman wa al-amkan wa al-ahwal), though this principle has often been applied narrowly.

The discussion revealed that resistance to Mubadalah and similar progressive Islamic hermeneutics often stems not from theological objections per se but from concerns about social authority and gender power relations. Several male participants candidly acknowledged that gender-equitable interpretations of Islamic law challenge male privileges they have historically enjoyed including unilateral divorce rights, greater inheritance shares, and household headship and that accepting these interpretations would require not just intellectual assent but practical sacrifices of power and privilege. This honest acknowledgment generated productive discussion about the costs of patriarchy not only for women but also for men, as rigid gender roles burden men with sole economic provider responsibilities and restrict men's emotional expressiveness and participation in caregiving.

Policy Recommendations for Gender-Responsive Legal Reform

The book review discussions generated concrete policy recommendations across multiple legal domains. Regarding family law reform, participants recommended: (1) amendment of Article 31(3) of the Marriage Law that designates husbands as household heads and wives as homemakers, replacing this hierarchical formulation with recognition of marriage as an equal partnership; (2) prohibition or severe restriction of polygamy by requiring demonstration of genuine necessity (not merely desire), genuinely free consent from existing wife/wives obtained through independent legal counseling, and post-permission monitoring with sanctions including permission revocation for failure to fulfill justice obligations; (3) equalization of divorce rights and procedures between men and women, eliminating the distinction between talak (husband-initiated divorce) and gugat (wife-initiated divorce); and (4) inheritance law reform to provide more equitable shares for daughters while remaining within Islamic legal frameworks, such as allowing families to distribute estates equally when circumstances warrant, based on principles of justice rather than rigid 2:1 formulas.

For juvenile criminal justice reform, the dual accountability framework proposed in the book generated significant interest. Participants recommended legislative reform to explicitly authorize

courts to evaluate parental roles when adjudicating juvenile cases and to impose obligations on parents including mandatory parenting education, family counseling participation, or even sanctions for severe neglect or intentional involvement of children in criminal activities. Several judges and prosecutors present noted that current law provides no clear mechanism for holding parents accountable even in egregious cases, such as parents exploiting children for begging or theft. However, participants emphasized that parental accountability must be implemented carefully to avoid punitive approaches that further harm families, instead focusing on rehabilitative and supportive interventions. The framework must also be gender-sensitive, ensuring that mothers are not disproportionately blamed for juvenile delinquency while fathers escape accountability, as often occurs in patriarchal societies.

Child marriage prevention recommendations included: (1) strict enforcement of the 19-year minimum marriage age established by Law 16 of 2019, with dispensation granted only in genuinely exceptional circumstances and never for pregnancy resulting from rape or exploitation; (2) empowerment of customary institutions like Majelis Krama Desa (Village Customary Councils) with gender-sensitive training and resources to intervene in planned child marriages; (3) economic support programs for poor families to reduce economic motivations for child marriage; (4) comprehensive sexuality education for adolescents to increase knowledge about reproductive health and rights; and (5) engagement of progressive religious scholars to disseminate interpretations emphasizing that Islam requires mature consent for valid marriage, which children cannot provide.

Regarding women's political participation, recommendations included: (1) strengthening the 30% quota for women candidates by requiring parties to place women in winnable positions using zipper systems (alternating male and female candidates) rather than clustering women at bottom positions; (2) public campaign financing to reduce financial barriers preventing women from running for office; (3) legal and institutional responses to gender-based political violence, including online harassment and intimidation that increasingly targets women politicians; (4) gender-sensitive political education programs addressing women's specific barriers such as double burden and family resistance; and (5) accountability mechanisms ensuring elected women representatives have gender perspectives and commitment to advancing women's rights, not merely serving as token women fulfilling quotas.

Challenges and Future Directions for Gender-Responsive Legal Reform

Discussions during the book review also identified significant challenges for implementing gender-responsive legal reforms in Indonesia's complex socio-political context. The persistence of state ibuism ideology, though formally associated with the authoritarian New Order regime (1966-1998), continues to influence policies and programs across government agencies. Participants noted that many government officials, particularly at local levels, lack awareness of how administrative categories and program designs embody gender bias. Capacity building for government officials on gender analysis and gender-responsive policy design remains urgently needed.



Figure 2. Symbolic presentation of the book Mata Hukum, Mata Perempuan (The Eyes of the Law, the Eyes of Women) to the moderator of the book discussion event.

Legal pluralism the coexistence of state law, customary law, and religious law presents both opportunities and challenges for gender justice. While legal pluralism allows diverse communities to maintain cultural identities and legal traditions, it also creates spaces where discriminatory customary or religious norms can operate with state acquiescence. The relationship between these

legal systems requires careful navigation. Participants debated whether state law should unequivocally prioritize gender equality even when this conflicts with customary or religious norms, or whether accommodating legal pluralism requires accepting some degree of norm diversity including norms that international human rights frameworks would consider discriminatory. Progressive religious scholars argued that this is a false dilemma, as religious and customary laws themselves can be reformed from within through contextual reinterpretation, as demonstrated by the Mubadalah approach and similar progressive movements within various religious and customary traditions.

The book review also highlighted the fragmentation of Indonesia's women's movement as a challenge for effective advocacy. With hundreds of women's organizations operating across the archipelago with diverse ideological orientations, strategies, and constituencies, coordination and collective action remain difficult. Some organizations employ secular feminist frameworks, others Islamic feminist frameworks, and still others focus on specific issues like violence against women or economic empowerment without explicitly using feminist discourse. While this diversity can be a strength allowing the movement to reach diverse constituencies, it also leads to fragmented advocacy with limited policy impact. Participants recommended strengthening coalition-building mechanisms and platforms for coordination while respecting organizational autonomy and ideological diversity.

Moving forward, participants emphasized that gender-responsive legal reform must be approached holistically rather than through piecemeal amendments of individual discriminatory provisions. Gender bias is systemic, embedded in how legal systems conceptualize rights, justice, and social relations. Addressing this requires not only textual amendments but also structural reforms including increased women's representation in legal institutions, cultural transformation through legal education and public awareness campaigns, and sustained monitoring of implementation to ensure formal legal equality translates into substantive justice in practice. The book review participants committed to continuing dialogue and collaboration across sectors government, civil society, academia, religious institutions, and communities to advance this transformative agenda.

4. CONCLUSION

The book review activity for "Mata Hukum, Mata Perempuan" successfully enhanced gender legal literacy among diverse stakeholders, disseminated empirical findings on gender injustice in Indonesian law, and promoted the Mubadalah perspective as an effective framework for Islamic legal reform that bridges feminism and progressive Islamic thought. The activity demonstrated that structured, research-based public dialogue can facilitate critical examination of deeply embedded patriarchal assumptions within legal systems while generating concrete policy recommendations for reform. The integration of feminist legal theory with Mubadalah hermeneutics proved particularly valuable in the Indonesian Muslim-majority context, providing theological legitimacy for gender equality claims that might otherwise be dismissed as Western secular impositions. Moving forward, sustained collaboration among academics, activists, legal practitioners, religious scholars, and policymakers is essential to translate the insights and recommendations generated through this activity into substantive legal reforms that realize gender justice as both a human rights imperative and a religious-ethical obligation within Indonesia's pluralistic society.

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