

Repositioning the Subaltern: An Indigenous Feminist Analysis of Indigenous Women's Resistance to Territorial Dispossession

Fenny Tria Yunita¹ & Dien Vidia Rosa²

¹Faculty of Law, University of Jember, Jember, Indonesia

²Faculty of Social and Political Sciences, University of Jember, Jember, Indonesia

fennytriayunita@unej.ac.id

Manuscript Chronology: accepted 1 April 2026, revised 7 May 2026, approved 10 June 2026

Abstract

Indigenous women play a crucial role in safeguarding their customary territories and the environment of their communities. However, they are often positioned as subaltern subjects marginalised within legal discourse as well as within the narratives of resistance themselves. This study integrates Indigenous Feminism and subaltern theory to analyse Indigenous women's resistance to territorial dispossession. Existing scholarship has often subsumed such resistance within generalised ecofeminist discourses, thereby neglecting the specific cosmological, spiritual, and cultural logics that underpin Indigenous women's actions. Through a qualitative socio-legal approach, this research examines the resistance practices of Indigenous women in Mollo (East Nusa Tenggara), Kendeng (Central Java), and Enggros (Papua). The findings demonstrate that Indigenous women's resistance does not always manifest in overtly confrontational or formal legal forms, but rather through everyday practices, cultural regeneration, and spirituality. The dominance of modern epistemology tends to overlook these forms of resistance, resulting in the delegitimisation of Indigenous women's voices. Therefore, repositioning the subaltern must involve recognising Indigenous women's knowledge and political practices, both within their communities and in state policy discourse.

Keywords: Indigenous feminism, indigenous women, subaltern, deprivation of customary territory

Introduction

Indigenous women have played a vital role in the movement to defend indigenous territories against various forms of dispossession carried out in the name of development. In Mollo, East Nusa Tenggara, Aleta Baun and other Indigenous Mollo women staged a 'weaving sit-in' at a marble quarry for several months. They used their bodies and traditions as a means of resisting the destruction of their ancestral forests (Selan et al. 2025). In the Kendeng Mountains in Central Java, the *Sedulur Sikep* women held a 'cement-feet' protest outside the State Palace to resist the construction of a cement factory that threatens their karst ecosystem and springs (Jaklyn 2020). Meanwhile, in the villages of Enggros and Tobati in Papua, Indigenous women maintain a spiritual, ecological relationship with the mangrove forests, which they regard as sacred spaces, or women's forests. However, these forests are now under threat due to infrastructure development projects (Kompas 2024).

Despite being at the forefront of the struggle for land and living space, the voices of Indigenous women

are often marginalised in advocacy narratives. Their distinctive traditional practices and knowledge are frequently deemed irrelevant by both state-recognised resistance movements and the communities themselves. Within Indonesia's Indigenous institutional structures, Indigenous women are often trapped in a patriarchal community that positions Indigenous men as official representatives and the only legitimate decision-makers acting in the name of customary law. For example, in the Indigenous council system of East Sumba, women are excluded from customary deliberations, even in cases of violence against women (Nurtjahyo 2020). A similar situation occurs within the Dayak Benawan Indigenous community in West Kalimantan, where women are excluded from collective decision-making regarding the clearing of agricultural land, despite their in-depth knowledge of the local area and cosmology (Niko 2019). On the other hand, the state lacks affirmative measures that specifically recognise Indigenous women as subjects in the process of recognising and protecting their collective rights. Gender-neutral policies and regulations, such as those in the Draft Bill on Indigenous

Peoples, overlook long-standing inequalities (Wibowo & Demadevina 2021).

This pattern of marginalisation puts Indigenous women in a subaltern position. This means that they experience structural injustice and are silenced in spheres of knowledge production and policymaking. They are rarely given the opportunity to express their experiences and epistemologies in their own language and logic. This paper therefore examines patterns of resistance among Indigenous women within the narrative of territorial struggles through the lens of Indigenous feminism. Indigenous feminism is rooted in the distinctive experiences, values and relationships of Indigenous women with their customary territories as living spaces. Previous studies by Rosa and Prasetyo (2023) and Gultom (2025) have made significant contributions to discussions about the position of Indigenous women within customary structures and society. Drawing on Spivak's concept of the subaltern, Rosa and Prasetyo's study explores the role of Indigenous women as a quasi-elite in Tengger society. They play a part in preserving cultural identity through rituals and customary structures, yet they still lack formal representation in customary decision-making processes (Rosa & Prasetyo 2023). Meanwhile, Gultom's research employs a Foucauldian approach to biopower and biopolitics to demonstrate how Indigenous women in North Sumatra are marginalised by state and corporate discourses of power (Gultom 2025). The practice of biopower, exercised through Foucauldian biopolitics — the focal point of Gultom's research — is reflected in the regulation of people's lives by the state or those in power in terms of the body, reproduction, and population. This regulation occurs not only through direct violence, but also through policies and regulations (Means, 2022). This has been experienced by Indigenous women in the Batak Toba, Karo, and Simalungun communities, who have been marginalised because of state policies that disregard their existence.

This paper makes a new contribution to the field by repositioning Indigenous women from Mollo, Kendeng and Enggros as active subjects who resist land grabs and challenge dominant narratives surrounding resistance, law, and development. By examining these three communities in more detail, this research reveals specific patterns of ecological, spiritual, and political resistance, and constitutes a form of alternative

knowledge production not previously explored in earlier studies.

Furthermore, the paper aims to expand the scope of the concept of subalternity to encompass Indigenous women who are confronted with multiple structural, cultural, and ideological issues. To what extent, for instance, do territorial conflicts render Indigenous women subaltern, and how can their resistance be perceived as an act of self-liberation that gives them a voice and makes them visible and recognised? By disseminating knowledge, this study seeks to find solutions and reposition Indigenous women as subalterns.

Research Methodology

This research focuses on three communities: the Indigenous Mollo women of East Nusa Tenggara, the Kendeng women of Central Java, and the Enggros women of Papua. These communities were selected because they exhibit distinctive patterns of resistance and represent different geographical, ecological and cultural contexts. Their resistance is examined through a socio-legal approach, supplemented by critical legal discourse analysis. This approach considers law to be not only written norms, but also living social practice (living law), which is influenced by power relations, culture, and social structures (Reza and Max 2005). Secondary data sources, including legislation (i.e., the 1945 Constitution of the Republic of Indonesia, the Job Creation Law, the Mineral and Coal Law, and the Forestry Law), as well as court rulings and policies relating to development, investment, and natural resources, were used to examine the gap between normative law and its implementation. Secondary data also includes journals, books, and reports from civil society organisations, such as AMAN (the Alliance of Indigenous Peoples of the Archipelago), KPA (the Agrarian Reform Consortium), and WALHI. A content analysis of relevant online media was also conducted to explore the experiences of women resisting in the Mollo, Kendeng, and Enggros communities.

Furthermore, critical discourse analysis was used to analyse the data and unpack the discourse produced by language as a social practice, which encompasses power relations and ideology (Fairclough 2015). Norman Fairclough's approach to critical discourse analysis

views discourse as a social practice comprising three dimensions: text (micro), discursive practice (meso), and socio-cultural practice (macro) (Fairclough 1995). This study focuses on the micro level, analysing texts from documents and media reports concerning cases involving Indigenous women from Mollo, Kendeng, and Enggros. The texts were categorised based on keywords relating to resistance, local knowledge (weaving, land, and forests) and the Indigenous women themselves. Documentary and news sources were selected based on their support for Indigenous women or positive portrayal of their struggles. Furthermore, the study juxtaposes language used in state policies, including terms such as 'state assets', 'natural resources', and 'the public interest', with the terminology used by Indigenous communities, including 'ancestral land', 'living space', and 'Mother Earth'. This comparison aims to identify how the battle over meaning within the state's development discourse can marginalise the voices of Indigenous women.

This research uses a theoretical framework that combines Gayatri Spivak's theory of the subaltern with Kim Anderson's Indigenous feminism. This framework is used to understand how the law should function within the complex realities of Indigenous women's lives. This includes the courtroom, as well as the narratives, bodies, symbols, and living spaces with which they engage daily. While employing Spivak's framework descriptively, the research also critiques its limitations in portraying subaltern women as 'speechless' subjects. It demonstrates that Indigenous women produce forms of resistance through symbols, everyday practices, and ecological relationships. Indigenous feminist perspectives complement this framework by emphasising Indigenous women's role as active agents in safeguarding their communities' knowledge, culture, and sustainability.

Forms of Resistance and Feminist Discourse

Discourses of resistance often emerge in response to systems or power structures that oppress, marginalise, or dispossess people based on differences in class, gender, or ethnicity (Jalil 2019). However, within feminist discourse, patterns of resistance are often seen as examples of female disobedience (Phillip 2025). These forms of resistance are often overlooked in formal discussions on resistance, which tend to demand more

confrontational and explicit acts of defiance. Resistance does not always manifest itself through explicit language of defiance such as sabotage, demonstrations, or legal challenges; it can also take the form of rituals and cultural symbols.

As a theory, methodology and practice, feminism provides instruments of resistance based on power, enabling women to access and navigate power. Power feminism posits that resistance is achieved by focusing on women's ability to attain power autonomously, rather than merely being victims or tools of power (Wolf 1993). The narrative of resistance by Indigenous women in certain regions of Indonesia is constructed using an approach that prioritises emancipatory consciousness to transform their own destinies and those of their communities. This is an effort to secure political recognition and shape the discourse on the struggles of Indigenous women.

According to James C. Scott's concept of 'everyday forms of resistance', marginalised groups such as peasants, women and labourers typically engage in resistance through seemingly minor and hidden strategies that carry political significance (Scott 1989). In various historical cases, such as the practice of poaching in England — once a means of survival for poor peasants but criminalised by the state — and *zakat* evasion by farmers in Malaysia as a form of resistance against unfair distribution, symbolic resistance takes place without declaration yet continues to challenge the oppressive system. Similarly, during major wars in America, Russia and France, conscripts deserted to avoid becoming tools of the elite's war machine. In socialist states such as China and the Soviet Union, farmers resisted collective farming by hiding their harvests, falsifying production data, and secretly working on private land (Scott 1989). Such forms of resistance are also evident in the practices of Indigenous women in Indonesia. These can be seen in the various regenerative, spiritual and ecological actions that sustain the community's way of life. The following profiles three such practices carried out by women in Mollo (East Nusa Tenggara), Kendeng (Central Java), and Enggros (Papua), demonstrating how the body, space and culture can be used to resist exploitative development projects.

Resistance in Mollo: Weaving Rituals as Boundary Markers and the Preservation of Customary Practices

The struggle of Indigenous women in Mollo, East Nusa Tenggara (NTT), is a unique example of ecological and cultural resistance, stemming from their spiritual and cosmological connection to the land and traditional territories. The movement reached its peak in the early 2000s, when several marble mining companies — including PT So'e Indah Marmer, PT Karya Asta Alam, PT Setia Pramesti, PT Semesta Alam Marmer, PT Sagared Mining and PT Teja Sekawan — began operating in the Gunung Naususu area of South-Central Timor Regency, NTT. These activities threatened the traditional rituals of the Mollo community (Dalupe 2020). For the Mollo people, nature is understood as the human body. Stone is bone, earth is flesh, water is blood, and the forest is skin and hair (*fatu, nasi, noel, afu, amsan, a'fatif, neu, monit, mansian*) (Maimunah 2016). According to this belief, destroying nature is equivalent to harming one's own body. When marble mining licences were issued in the 1990s without consulting the Indigenous community, sacred stones such as *Fatu Naususu* were exploited. Believed to be a source of water and the centre of traditional rituals, continued exploitation of *Fatu Naususu* led to landslides which threatened the survival of these rituals. These circumstances sparked the collective resistance of the Mollo Indigenous people in defence of their living space.

The Mollo community's resistance to mining companies was fuelled by fears of losing their Indigenous identity and cosmological roots. In this context, women have become pivotal figures in the resistance, shouldering the burden of environmental degradation, especially regarding water, food, and domestic labour. In a form of regenerative resistance, over a hundred women occupied the mining area, relocating their daily activities, such as weaving, cooking and celebrating Christmas, to the vicinity of the rocky mountain (Maimunah 2016). In Mollo tradition, weaving symbolises identity and resistance because all the materials, tools, and colours used are sourced from the surrounding natural environment (AMAN 2013). By adopting weaving as a form of action, Mollo women affirm that protecting nature is essential to safeguarding the sustainability of life, culture and the future of their Indigenous community.

The struggle of Mollo women to stop the expansion

of marble mining is inextricably linked to the strong leadership of Mama Aleta Baun. This Indigenous woman has mobilised solidarity across genders and generations in the defence of their ancestral lands. However, this resistance movement is not without risk. Mama Aleta and other Indigenous Mollo women face physical violence, sexual threats, eviction, and persecution at the hands of mining groups. Furthermore, the social stigma attached to women appearing in public spaces has placed additional pressure on Mama Aleta, who has been labelled a 'woman of the night' and accused of immorality for frequently being away from home (Saturi 2013). Nevertheless, all of this is done in the name of the collective honour of the Mollo community.

Kendeng Resistance: The 'Cemented Feet' Protest as a Symbol of Sustainability of Land and Water

The Kendeng women's movement in Rembang, Central Java, is an example of how Indigenous women are resisting the seizure of the karst landscape on which their communities' livelihoods depend. The Kendeng Mountains, stretching across the districts of Rembang and Pati and the surrounding areas, have long supported local farmers. This is because the unique karst ecosystem acts as a natural sponge, absorbing water and carbon while supplying nearby towns with water (Hasanah & Oktaviana 2024). As women are primarily responsible for family farming, they perceive threats to the karst ecosystem as a direct threat to food security, household economic sustainability and community well-being.

The Kendeng women's resistance movement began following the Governor of Central Java's issuance of an environmental permit for mining activities and the construction of a cement factory by PT Semen Gresik (now PT Semen Indonesia) in 2012 (Hasanah & Oktaviana, 2024). The company's permit was issued without the community's consent. Furthermore, the residents' opposition was based on strong legal grounds. The plan to build the factory was not included in Central Java Provincial Regulation No. 6 of 2010 concerning the 2009-2029 Provincial Spatial Plan (RTRW) (KPA 2017). This prompted the farmers to take legal action by filing a lawsuit with the Administrative Court (PTUN), a lengthy process. Ultimately, the farmers and WALHI won the case following a Supreme Court review, which ordered the Governor of Central Java to revoke the environmental permit decree for the cement factory.

However, following the Supreme Court's ruling, the Governor of Central Java issued a new environmental permit for the same project (WALHI 2017). This sparked more protests, including the 'cemented feet' demonstration outside the State Palace by nine women from Kendeng in 2016-17 (Pasaribu 2016). By encasing their feet in cement, the women were making a visual metaphorical statement that their lives were being 'imprisoned' by the government's extractive policies, which disregarded both the environment's carrying capacity and the voices of local communities. When government representatives warned that this was a dangerous act, the women replied, 'The risk we are taking is far smaller than the threat posed by the construction of a cement factory to our children and grandchildren' (Keller & Klute 2016). For them, the land is not merely a source of livelihood, but an irreplaceable legacy. To this day, despite new permits being issued, resistance to mining in the Kendeng Mountains persists. Road blockades and various forms of symbolic protest are manifestations of the community's distrust of a government that flouts regulations and disregards court rulings (Liputan6.com 2023).

Enggros' Resistance: Safeguarding the 'Women's Forest' as a Sacred Space

On the northern coast of Youtefa Bay in Papua, there is a mangrove area known as the 'Women's Forest' (Flassy et al. 2024). According to customary law, this forest is a sacred space that can only be accessed by local Indigenous women — specifically those belonging to the Enggros, Tobati, and Nafri tribes — who have a spiritual connection to their environment and living space (EcoNusa 2020). For the Enggros women in particular, the forest provides them with food and serves as a place for preserving cultural knowledge passed down through generations. Consequently, when coastal reclamation projects and infrastructure development began to threaten the forest's existence, the Enggros women took the lead in protecting it.

Their resistance is not without cause; it stems from their experience of ecological and cultural degradation within their living spaces. Over the past two decades, threats to the women's forest have become increasingly evident. Mangrove areas have shrunk drastically due to infrastructure development around Youtefa Bay, including coastal reclamation and the widening of

access routes. Furthermore, these sacred spaces are now littered with plastic waste and household rubbish, causing them to lose their ecological and spiritual significance (BBC 2021). This situation has sparked the Enggros women's resistance movement, which views environmental destruction as an ecological crisis and an assault on their identity and ecological knowledge.

The form of resistance practised by the women of the Enggros tribe embodies James C. Scott's concept of 'everyday resistance', as seen in the 'Tonot' or 'Tonotwiyat' tradition. Derived from 'Tonot' (mangrove forest) and 'wiyat' (invitation), the term 'Tonotwiyat' signifies an invitation for the Indigenous women of the Enggros-Tobati tribe to visit the mangrove forest. During these visits, the women converse, exchange ideas, and sing songs in the Enggros language. Another unique aspect of this tradition is that the women forage for shellfish without wearing any clothing. This tradition affirms the privacy and exclusivity of women's spaces (Salsabila & Soertikanti 2024).

Consequently, the destruction of mangrove areas threatens the ecosystem, food sources, privacy and the *Tonotwiyat* tradition. This damages the socio-cultural order that forms the foundation of Enggros women's identity. Their resistance, whether through ritual actions, mangrove forest restoration or advocacy, constitutes an effort to safeguard the sustainability of life, which is inseparable from the community's cultural and spiritual regeneration. Although these actions may not seem formal, they challenge the logic of development which disregards the relationship between Indigenous women and nature. At the same time, they uphold traditional knowledge and the sovereignty of Indigenous territories.

Double Subalternisation of Indigenous Women: Reading the Subaltern through Spivak's Lens: "Can Indigenous Women Speak?"

The term 'subaltern' refers not only to poverty or minority status, but also to those excluded from mainstream political, legal and cultural representation due to structural factors. Gayatri Chakravorty Spivak borrowed the term from Antonio Gramsci to describe marginalised social groups who lack access to structures of power, whose voices go unheard or unacknowledged within the dominant discourse (Spivak 1988). Spivak's question, 'Can the Subaltern Speak?', provides a fitting

basis for examining whether indigenous women in the three cases (Mollo, Kendeng, and Enggros) can truly speak for themselves in a discourse dominated by colonial, patriarchal and capitalist power structures. Spivak generally argues that although subaltern women express themselves through their actions and language, dominant structures often reinterpret and oversimplify these, thereby reducing their original meaning. Spivak also argues that, in social semiosis, forms of cultural resistance are often merely read as ‘collective action’, which the state then interprets and represents as a form of ‘resistance’ (Spivak 1988).

The phenomena of ‘double effacement’ and ‘gender subalternity’, which Indigenous women experience in their struggle to reclaim their territory, are evident in Spivak’s statement: “If, in the context of colonial production, the subaltern has no history and cannot speak, the subaltern as female is even more deeply in shadow” (Spivak 1988). This statement is relevant in illustrating that subaltern women are erased within both the state’s discourse of power and the patriarchal structures of their own communities. Firstly, structurally, Indigenous women are marginalised from formal policymaking mechanisms, where decisions regarding land, forests, and natural resources are often made without their meaningful participation. Secondly, culturally, gender stereotypes position women as secondary figures in social movements, reducing their actions — such as the Mollo women’s weaving, the Kendeng women chaining their feet outside the State Palace, and the *Tonotwiyat* guarding the Enggros — to domestic or symbolic activities rather than political resistance in defence of Indigenous traditions.

When viewed through Spivak’s subaltern lens, it becomes clear that the state and other entities that strictly apply a patriarchal framework have failed to understand and incorporate subaltern knowledge into the discourse of resistance. This results in the identities and experiences of Indigenous women being marginalised and denied full participation (Hendrastiti & Setiahadi 2022). Subaltern voices — specifically, those of Indigenous women — have never truly been incorporated into the state’s legal framework. Spivak’s perspective is therefore crucial for analysing issues of hegemonic power and the representation of indigenous women, indicating that colonial structures persist in the form of neocolonialism. Although Indonesia has

historically emerged from colonialism, more subtle forms of colonial-style power relations continue to operate through development policies, the law and the exploitation of natural resources. In this context, subalternity no longer refers to a position within the classical colonial structure, but rather to the position of groups that remain marginalised within contemporary power relations.

The experiences of Indigenous communities in Mollo, Kendeng, and Enggros demonstrate that they are not facing direct colonial power, but rather a new form of colonialism. This is perpetuated by the state and corporations through the logic of development and investment. This causes the voices of Indigenous women to be continually silenced in the name of public interest under terms such as development, food security, economic stability, and general welfare. However, Spivak’s pessimistic perspective, which emphasises the silenced voice of the subaltern, can lead to an impasse in interpreting Indigenous women’s resistance. This resistance can spark a wider social movement extending beyond the Indigenous community itself. This paper adopts and builds upon Spivak’s framework. Rather than merely diagnosing an ‘inability to speak’, it demonstrates how Indigenous women do speak, albeit in ways that are not always recognised by law, the state, or dominant discourse. In other words, this paper aims to find solutions to the silencing of the subaltern by drawing on the experiences of Indigenous women in resisting this silencing.

To address these limitations, Leela Gandhi and Kim Anderson broaden the perspective, emphasising that the subaltern is not only silenced but also capable of developing a collective consciousness through memory and cultural practices. In her book *Postcolonial Theory: A Critical Introduction*, Gandhi defines the subaltern as individuals marginalised from mainstream history and lacking collective awareness of their oppression. One way to foster this awareness is by engaging in ‘remembering’ as a political act of resistance against patriarchal ideology and culture (Gandhi 1998). In the context of Indigenous communities, preserving traditions, maintaining a relationship with the land, and upholding cultural symbols can be understood as a form of ‘remembering as resistance’ that renegotiates their position within the dominant power structure. Consequently, even though the state does not provide

ample opportunity for participation, Indigenous women can create opportunities to break free from, or at least shift, the subaltern position imposed on them for so long by engaging in alternative resistance movements that can, in turn, become part of the global narrative.

National Law and the Invisibility of Indigenous Women

Although Indigenous communities are legally recognised by the constitution (Article 18B of the 1945 Constitution of the Republic of Indonesia), Indigenous women have never been included in discussions about regulations, policies and decisions. The crux of the problem is that the national legal framework, including the Mining Law, the Forestry Law, and the Job Creation Law, is solely focused on accelerating investment. Meanwhile, mechanisms to protect and empower Indigenous women have not been strengthened. Consequently, the resistance of Indigenous women in these three cases appears to be confined to the socio-cultural sphere and is not recognised as part of the legally valid decision-making process. From Spivak's perspective, this situation reflects the fact that the subaltern is not only silenced but also excluded as subjects within formal structures of representation. This invisibility demonstrates that national law plays a role in reproducing power relations that marginalise Indigenous women, rather than serving as an instrument of protection.

In the mining sector, for instance, the provisions for granting mining business licences (IUPs) under Law No. 3 of 2020 on Minerals and Coal (the Minerba Law) do not require the meaningful participation of affected communities, especially Indigenous women. This creates an opportunity for their interests to be disregarded. Similarly, Law No. 41 of 1999 on Forestry demonstrates the state's dominance in determining the status and function of forests, as seen in the concept of 'state forests' in Article 1(4) and state control over forest

areas in Article 4(1). This often disregards the relationship between Indigenous communities, particularly women, and these areas.

Furthermore, despite the enactment of the Job Creation Law, the forestry legal regime still embodies the idea that the state has exclusive authority over forest areas. While Constitutional Court Decision No. 35/PUU-X/2012 ruled that customary forests were no longer part of state forests, but instead came under the control of Indigenous communities, this has not substantively addressed issues relating to the resilience of customary territories, particularly with regard to Indigenous women's involvement in safeguarding them (Meiliana & Firdaus 2024). Recognition of Indigenous communities requires legal formalities such as formal registration documents or local regulations, so the issue of the status of customary forests remains problematic. These do not automatically guarantee safe spaces for women and their customary territories.

The situation is further exacerbated by Law No. 11 of 2020 on Job Creation and subsequent amendments (Law No. 6 of 2023), which streamline investment licensing and weaken the Environmental Impact Assessment (EIA) mechanism by removing 'meaningful participation'. Public participation, which was previously a key requirement in the EIA process, has been scaled back, thereby reducing the scope for engagement by affected communities, particularly Indigenous women, who have long been overlooked as key actors in environmental management.

Meanwhile, the wording of the draft Indigenous Peoples Bill (RUU MA) remains gender-neutral and does not explicitly recognise Indigenous women as bearers of traditional knowledge and primary stewards of natural resources. Consequently, the draft Bill risks perpetuating the invisibility of Indigenous women within patriarchal structures that marginalise women. The following analysis examines articles that overlook Indigenous women, which may lead to the marginalisation of their voices.

Table 1.
Articles that Marginalise Indigenous Women in National Law

Regulations/ Legislation	Article/Provision	Substance of the Provision	Impact on Indigenous Women
Law No. 3 of 2020 on Mineral and Coal	Article 35 and Article 37 (repealed)	Granting of IUPs by the Central Government.	Licensing decisions are top-down and centralised. There is no requirement for Free, Prior and Informed Consent (FPIC), particularly from Indigenous women.
	Article 99	Obligation for post-mining reclamation.	Indigenous women are not involved in the process of environmental and customary territory restoration.
	Article 162	Penalties for parties who “disrupt” mining activities.	Potential criminalisation of Indigenous women who engage in acts of resistance.
Law No. 41 of 1999 on Forestry	Article 1(4)	Definition of state forest	Disregarding claims to customary forests, thereby threatening Indigenous women with the loss of their living space.
	Article 4(1)	The state exercises control over all forest areas.	This erases the ecological relationship between Indigenous women and the forest.
	Article 67	Recognition of indigenous communities through local regulations.	This recognition is of a purely technical, administrative and formal nature. No specific recognition of women → patriarchal bias within the community remains unaddressed.
Law No. 6 of 2023 on Job Creation	Article 22: Amendments to Articles 25–27 of the Environmental Protection and Management Act	Preparation of Environmental Impact Assessments (EIA).	Public participation is restricted to only those communities directly affected, meaning that Indigenous women are increasingly excluded.
	Article 7	Risk-Based Business Licensing.	The determination of risk levels disregards consultation with Indigenous communities, particularly Indigenous women.
	Article 13	Simplification of Licensing: Environmental Consent.	Environmental consent is more difficult and complex to challenge in court than an environmental permit because it forms the basis of the business licence.
Law No. 6 of 2014	Article 54	Village Deliberations.	Does not guarantee the representation of Indigenous women in village deliberations, even though one of the matters under discussion is investment activities entering the village.
	Article 95	Village Customary Institution.	Gender-neutral wording, which means that Indigenous women are often not involved in village customary institutions.

Source: Compilation of primary legal materials by the author

The table above illustrates some of the legal rationales that continue to disadvantage women. Furthermore, the analysis of legislation and government policies concerning the livelihoods of Indigenous communities can be open to multiple interpretations, opening the door to new forms of domination. Regulations that profess equality and guarantee for all citizens, including Indigenous communities and both sexes, can be exploited by certain decision-makers and vested interests. The dissemination of ideas through culture and the media can hinder access to rights-based services. For example, sexism can affect how women are perceived in leadership roles, making it more difficult for them to secure public office or become state officials — a phenomenon known as a 'hegemonic domain' (Sadikin 2023). Thus, while indigenous communities are recognised by law in principle, the existing regulatory framework reinforces their marginalisation through technocratic and exclusive mechanisms. The lack of explicit recognition of Indigenous women as legal subjects, coupled with the scarcity of meaningful participation opportunities, demonstrates that national law fails to protect Indigenous women and perpetuates their subordinate position within the power structure.

Indigenous Feminism as An Interpretation of Resistance and Critique of Western Feminism

Unlike mainstream feminism, indigenous feminism considers not only gender, but also spiritual, cosmological and ecological relationships. This includes the double subalternation experienced by women, which forms an integral part of their identity and resistance movements. Indigenous feminism emerged as a critique of Western feminism, which is overly individualistic and focuses solely on equality between men and women, failing to consider the colonial context, land/territory, spirituality and indigenous communities (Anderson 2020). The concept of indigenous feminism was developed by Kim Anderson, an academic of *Métis* descent and a mother. She explores the experiences of Indigenous women, particularly *Cree* and *Métis* women, in cultural regeneration, spiritual practices, and kinship systems erased by colonialism and patriarchal systems. This includes the Western feminist paradigm, which obscures the role of motherhood within the family. Anderson argues that women's resistance in the context of Indigenous feminism should not erase their roles as grandmothers, mothers, or aunts. She argues that

it is the experiences of motherhood, domestic labour, kinship relations, and social responsibilities that give rise to Indigenous feminist praxis: a fusion of traditional knowledge and Indigenous cultural regeneration practices aimed at safeguarding community sustainability (Anderson 2020).

This paradigm is highly suitable for analysing the resistance strategies employed by women in Mollo, Kendeng, and Enggros. The sit-in weaving protests organised by the Mollo women around the mining site combine cultural identity, domestic labour and local knowledge (the idea that stone is bone, earth is flesh, water is blood and forests are skin and hair) to form a form of political resistance that defends their customary lands. Meanwhile, the Kendeng women's act of having their feet encased in cement is an embodied practice that uses their bodies as a site of resistance against land grabbing. The *Tonotwiyat* tradition, carried out by the Enggros people, is an ecological practice that revitalises women's sacred spaces and protects their ecological domain. All three demonstrate how local knowledge, which is often regarded as domestic, can become a resource for resistance. While Spivak argues that Indigenous women cannot 'speak' within the framework of colonialism and patriarchy, Indigenous feminism asserts that they are already doing so through their respective praxis. Indigenous feminism provides a space to shift the subaltern paradigm from 'the subaltern cannot speak' to 'the subaltern speaks differently'. Indigenous women need not step outside their roles as mothers, grandmothers, or aunts to become key agents of resistance in safeguarding the sustainability of their communities.

Repositioning the Subaltern: From Confrontation to Regeneration

The subaltern is a voiceless subject who is marginalised to the greatest extent and experiences the greatest oppression. The nature of the subaltern is multi-layered and hierarchical, leaving no room for recognition or remembrance within systemic efforts. Repositioning the subaltern aims to maximise the available space and access to enable recognition, remembrance, and most importantly, acknowledgement of the subject. This requires material narratives and practices of resistance carried out by these subjects to create an effective discourse of resistance. In this context, self-

aware subalterns practise resistance by utilising local knowledge and methods deeply rooted in their identity as Indigenous women. Indigenous feminism, closely associated with the concepts of ‘mother’ and ‘earth’, has been legitimised by customary law as a means of providing sustainable protection.

What needs to be done is to deconstruct the knowledge inherited from colonialism, particularly that dominated by patriarchal ideology. Boaventura de Sousa Santos explains that the continuous effort to dismantle the dominance of Western knowledge and elevate local knowledge, which has long been marginalised, is referred to as decolonisation (de Sousa Santos 2014). Furthermore, de Sousa Santos states that the world must recognise the knowledge and experiences of the Global South to demonstrate the vast diversity of knowledge and ensure that legitimate knowledge is not confined solely to the Northern or Western hemispheres. This has led to the emergence of a Southern epistemology as a means of decolonising Northern epistemology.

Recognising that knowledge not rooted in local traditions carries the potential to marginalise Indigenous communities is a crucial agenda, given that knowledge derives its legitimacy from Western (European/Northern) standards. According to de Sousa Santos, the emergence of the coloniality of knowledge has perpetuated a Western epistemological paradigm that portrays European culture as rational and subject-centred, while deeming other cultures to be irrational and reducing them to objects. Consequently, these cultures are treated as inferior and reduced to mere objects of knowledge and/or domination (Quijano 2020). Therefore, Indigenous communities’ knowledge, particularly that which forms part of Indigenous women’s daily practices of resistance, must be supported, encouraged, and developed to establish a trajectory for local knowledge that can become a subject.

In the context of the resistance of subalternised Indigenous women, repositioning the subaltern involves changing how Indigenous women are perceived, shifting them from objects of protection to subjects of knowledge and resistance. Until now, the law, the state and wider society have often only recognised legal claims and confrontational actions as formal resistance, disregarding Indigenous community practices as a form of political resistance with roots in

Indigenous cosmology. Repositioning the subaltern requires listening to the voices of Indigenous women and recognising their traditional knowledge as a political practice that can safeguard their territorial sovereignty. This effort at recognition involves viewing Indigenous women as agents who can deconstruct claims of interest in development and provide a framework for the reproduction of autonomy based on their knowledge (Hendrastiti & Irianto 2025).

The most urgent action at present is to establish a legal framework that protects and legitimises the specific forms of resistance practised by Indigenous women from the three communities mentioned above. Previous discussions on the invisibility of Indigenous women have revealed that Indonesia’s constitutional basis for recognising Indigenous communities and their traditional rights (Article 18B(2) of the 1945 Constitution of the Republic of Indonesia) has failed to protect Indigenous women or ensure their meaningful participation, particularly in managing natural resources controlled by these communities. Drawing on the historical experiences of Indigenous communities in countries such as the Philippines, Bolivia, Ecuador, and Canada, legal frameworks responsive to the needs of Indigenous women have been created in response to discrimination against them. In the Philippines, for example, Indigenous women in the Cordillera region have long been involved in reclaiming their land from mining operations endangering their rice fields. Many of these women joined the New People’s Army (NPA) to resist military oppression and the threat posed by multinational corporations to their territories (IWGIA, 1990). Following a long struggle, the Indigenous Peoples’ Rights Act (IPRA) of 1997 (Republic Act No. 8371) was enacted — a law recognising the collective rights of Indigenous peoples to land, culture, and resources, and introducing the concept of free, prior and informed consent (FPIC).¹ Although the dominance of local elites often undermines its implementation, the IPRA remains an important legal instrument as it provides a formal basis for Indigenous women to demand meaningful participation in decision-making processes.

Meanwhile, Bolivia made significant progress with its 2009 Constitution (Rousseau 2011), which established the country’s status as a plurinational state. Indigenous women, particularly those organised under the Bartolina Sisa movement, successfully campaigned for gender

parity, thereby securing significant representation within political institutions (Farthing & Grisaffi 2024). The Constitution recognises Indigenous communities collectively, incorporating cosmology and the principle of 'Buen Vivir' (living well) (Alcoreza 2010) as the basis for state governance, with Indigenous women at its centre. A similar situation exists in Ecuador, the first country in the world to recognise the rights of nature in its 2008 Constitution. This establishes 'Sumac Kawsay' (Alcoreza 2010) as a development paradigm. This framework recognises the important role of Indigenous women as guardians of the community's ecological balance and spirituality.

Meanwhile, Canada offers a different lesson. The deeply entrenched gender discrimination of the 1876 Indian Act, which stripped Indigenous women married to non-First Nations men of their legal status, was eventually abolished. However, these reforms were brought about through Bill C-31 (1985) by a long-standing movement spearheaded by figures such as Mary Two-Axe Earley and the Native Women's Association of Canada (Cannon 2005). From this point onwards, Indigenous feminism emerged as a significant movement, strengthening the position of Indigenous women in formal politics, knowledge production, and regeneration. The experiences of these four countries demonstrate that a legal framework responsive to Indigenous women did not emerge spontaneously, but rather through a long struggle against colonial discrimination, patriarchy and structural marginalisation.

Whereas Indigenous women were previously positioned as 'unheard subjects' or merely regarded as bearers of culture, gender-responsive legal recognition elevates their status to that of legitimate political actors. This approach recognises the resistance of Indigenous women — such as the weaving in Mollo, the 'cemented feet' protests in Kendeng, and women's forest guardianship in Enggros — as important political, ecological, and cultural contributions rather than merely cultural expressions or traditions. In other words, the repositioning of the subaltern through a gender-responsive legal framework enables Indigenous women to 'have their say' and recognises their unique forms of resistance as integral to democracy, environmental justice and sustainable development.

Closing

Although Indonesia's legal framework recognises the existence of Indigenous communities, particularly through Article 18B(2) of the 1945 Constitution and Constitutional Court Ruling No. 35 of 2012, the framework itself remains gender neutral. This means that it fails to recognise the knowledge systems, vulnerabilities and central role of Indigenous women as agents of resistance, all of which are rooted in indigenous practices and knowledge. This omission perpetuates a condition of subalternity, rendering the voices and resistance of Indigenous women invisible. This is evident in the weaving protests in Mollo, the 'cemented feet' demonstrations in Kendeng, and the ritual defence of the mangrove forests in Enggros. As discussed in this paper, Indigenous feminism provides a critical lens through which these actions can be reinterpreted as legitimate political resistance rather than mere cultural fragments. The first step towards repositioning the subaltern is to establish a legal framework for the Gender-Responsive Recognition of Indigenous Peoples (GR-RIP) within the draft Bill on Indigenous Peoples (RUU Masyarakat Adat). This legal framework would elevate Indigenous women from 'silent subalterns' to legally recognised subjects and agents of cultural resistance. This would also align Indonesia with global best practices, as seen in the Philippines' Indigenous Peoples' Rights Act, the constitutional enshrinement of 'Buen Vivir' in Bolivia and Ecuador, and the reforms led by Indigenous women in Canada. Incorporating GR-RIP into national legislation would protect Indigenous territories by safeguarding the traditions practised by Indigenous women, while also ensuring that their knowledge, spirituality and political practices are recognised as being vital to the nation's ecological democracy and sustainable development.

Bibliography

- Alcoreza, R. P. 2010. *Buen Vivir as a Model for State and Economy*. https://www.tni.org/files/download/beyonddevelopment_buenvivir.pdf.
- AMAN. 2013. *Mama Aleta di Gunung Batu*. <https://www.aman.or.id/news/read/Mama%20Aleta%20di%20Gunung%20Batu>.
- Anderson, K. 2020. On Seasons of an Indigenous Feminism, Kinship, and the Program of Home Management. *Hypatia*, 35(1), pp. 204-213. <https://doi.org/10.1017/hyp.2019.10>.

- BBC. 2021. Hutan Perempuan di Papua, 'surga kecil yang dirusak manusia'. *BBC News Indonesia*. <https://www.bbc.com/indonesia/indonesia-56276719>.
- Cannon, M. J. 2005. BILL C-31—AN ACT TO AMEND THE INDIAN ACT: NOTES TOWARD A QUALITATIVE ANALYSIS OF LEGISLATED INJUSTICE. *Canadian Journal of Native Studies*, 25(01). https://cjns.brandonus.ca/wp-content/uploads/25-1-cjns25no1_pg373-387.pdf.
- Dalupe, B. 2020. DARI HUTAN KE POLITIK STUDI TERHADAP EKOFEMINISME ALETA BAUN DI MOLLO-NTT. *JURNAL POLINTER: KAJIAN POLITIK DAN HUBUNGAN INTERNASIONAL*, 5(2), pp. 31-51. <https://doi.org/10.52447/polinter.v5i2.4056>.
- de Sousa Santos, B. 2014. *Epistemologies of the South: Justice Against Epistemicide*. Routledge: New York.
- National Forestry Council & UN-REDD Programme Indonesia. 2011. *Rekomendasi Kebijakan: Instrumen Free, Prior Informed Consent (FPIC) bagi Masyarakat Adat dan atau Masyarakat Lokal yang Akan Terkena Dampak dalam Aktivitas REDD+ di Indonesia*. <https://www.un-redd.org/sites/default/files/2021-09/FPIC%20Indonesian%20version%20%28419844%29.pdf>.
- EcoNusa. 2020. Hutan Perempuan, Pelestarian Ekosistem Bakau oleh Perempuan Enggros (Bagian I). *EcoNusa*. <https://econusa.id/id/ecoblog/hutan-perempuan-pelestarian-ekosistem-bakau-olehperempuan-enggros-bagian-i/>.
- Fairclough N. 2015. *Language and Power: Relasi Bahasa, Kekuasaan, dan Ideologi (translation)*. Pustaka Pelajar: Yogyakarta.
- Fairclough, N. 1995. *Critical Discourse Analysis: The Critical Study of Language*. Longman. <https://www.felsemiotica.com/descargas/Fairclough-Norman-Critical-Discourse-Analysis.-The-Critical-Studyof-Language.pdf>.
- Farthing, F. & Grisaffi, T. 2024. Breaking Barriers: The Political Empowerment of Bolivia's Indigenous Women. *North American Congress on Latin America (NACLA)*. <https://nacula.org/breakingbarriers-political-empowerment-bolivia-indigenous-women/>.
- Flassy, M. et al. 2024. Sistem Pengetahuan Kaum Perempuan Suku Enggros Mengenai Hutan Mangrove di Kota Jayapura. *ETNOREFLIKA: Jurnal Sosial dan Budaya*, 13(2), pp. 316-327. <https://doi.org/10.33772/etnoreflika.v13i2.2620>.
- Gandhi, L. 1998. *Postcolonial Theory: A Critical Introduction*. Allen&Uswin: London.
- Gultom, E. S. 2025. Kami Bukan Hanya Penjaga Hutan: Marginalisasi Perempuan Adat di Sumatera Utara dan Politik Kuasa dalam Perspektif Foucault. *Zaheen: Jurnal Pendidikan, Agama dan Budaya*, 1(3), Article 3. <https://jurnalinspirasi.com/index.php/Zaheen/article/view/191>.
- Hasanah, A. W. & Oktaviana, A. 2024. Analisis Konflik Pembangunan Pabrik Semen di Pegunungan Kendeng Menurut Prespektif Hukum dan Masyarakat. *Jurnal Ilmiah Wahana Pendidikan*, 10(23), Article 23. <https://jurnal.peneliti.net/index.php/JIWP/article/view/9267>.
- Hendrastiti, T. K. & Irianto, S. 2025. Gerakan Perempuan Tanpa Label: Menemukan Feminis Subaltern di Indonesia Pra-Reformasi. *Jurnal Perempuan*, 30(1), pp. 53-61. <https://doi.org/10.34309/jp.v30i1.1139>.
- IWGIA. 1990. *Indegenous Women on the Move*. https://iwgia.org/images/publications/0158_66_omen.pdf.
- Jaklyn G. 2020. *EkoFeminisme dan Perlawanan Nirkekerasan Srikandi Kendeng terhadap Pembangunan yang Menindas*. WALHI Sulsel. <https://walhisulsel.or.id/2978-ekofeminisme-dan-perlawanannirkekerasan-srikandi-kendeng-terhadap-pembangunan-yangmenindas/>.
- Jalil, A. 2019. Resistensi Tradisi terhadap Modernitas. *Umbara*, 2(2). <https://doi.org/10.24198/umbara.v2i2.20451>.
- Keller, A. & Klute, M. 2016. *Dirty Cement: The Case of Indonesia*. Heinrich Böll Foundation Southeast Asia. <https://th.boell.org/en/2016/12/09/dirty-cement-case-indonesia>.
- Kompas. 2024. *Petronela Merauje, Ekspresi Perempuan dalam Menjaga Hutan Mangrove*. Kompas.id. <https://www.kompas.id/baca/tokoh/2024/05/10/petronela-merauje-menjaga-hutanmangrove-sebagai-ekspresi-kebebasan-perempuan>.
- KPA. 2017. Konflik Agraria dalam Pusaran Pembangunan. *Konsorsium Pembaruan Agraria - KPA*. <https://www.kpa.or.id/2017/07/konflikagraria-dalam-pusaran-pembangunan/>.
- Liputan6.com. 2023. *Pengusaha Tambang Ingkar Janji Lagi, EmakEmak di Pegunungan Kendeng Pati Blokade Jalan*. liputan6.com. <https://www.liputan6.com/regional/read/5376507/pengusahatambang-ingkar-janji-lagi-emak-emak-di-pegunungan-kendengpati-blokade-jalan>.
- Maimunah, S. 2016. Perempuan Pejuang Tanah Air: Wawancara Siti Maemunah dengan Aleta Baun. In *Merayakan Ibu Bangsa*, pp. 102-119. Direktorat Jenderal Kebudayaan Kementerian Pendidikan dan Kebudayaan. <https://repositori.kemendikdasmen.go.id/29956/1/MERAYAKAN%20IBU%20BANGSA.pdf>.
- Means, A. J. 2022. Foucault, Biopolitics, and the Critique of State Reason. *Educational Philosophy and Theory*, 54(12), pp. 1968-1969. <https://doi.org/10.1080/00131857.2021.1871895>.
- Niko, N. 2019. Kemiskinan Perempuan Dayak Benawan di Kalimantan Barat sebagai Bentuk Kolonialisme Baru. *Jurnal Pemikiran Sosiologi*, 6(1), Article 1. <https://doi.org/10.22146/jps.v6i1.47467>.
- Pasaribu, Q. 2016. Tolak Semen, 9 Perempuan Kendeng Nekat Bertahan Hingga Jokowi Datang. KBR. KBR.ID. https://kbr.id/articles/indeks/tolak_semen__9_perempuan_kendeng_nekat_bertahan_hingga_jokowi_datang.
- Quijano, A. 2000. Coloniality of Power, Eurocentrism, and Latin America. (M. Ennis, Trans.). *Nepantla: Views from South*, 1(3), pp. 533-580.
- Republic Act No. 8371, Legis. No. 8371. 1997. <https://ncip.gov.ph/wp-content/uploads/2020/03/IPRA-LAW.pdf>.
- Rosa, D. V. & Prasetyo, H. 2023. DAPATKAH QUASI ELITE PEREMPUAN ADAT BERBICARA? *Prosiding Konferensi Nasional Sosiologi (PKNS)*, 1(2), Article 2.
- Rousseau, S. 2011. Indigenous and Feminist Movements at the Constituent Assembly in Bolivia: Locating the Representation of Indigenous Women. *Latin American Research Review*, 46(2), pp. 5-28. <https://doi.org/10.1353/lar.2011.0020>.

Sadikin, U. 2023. Sinergi Politik Harapan: Interseksionalitas Politik Pemuda dalam Feminisme. *Jurnal Perempuan*, 28(2), pp. 133-147. <https://doi.org/10.34309/jp.v28i2.850>.

Salsabila, A. P. & Soertikanti, H. K. 2024. Peranan Tradisi Tonotwiyat Suku Adat Enggros—Tobati dalam Menunjang Konservasi Hutan Mangrove Teluk Youtefa: Studi literatur. *Asian Journal Collaboration of Social Environment and Education*, 1(2), pp. 52-58.

Saturi, S. 2013. Mama Aleta: Berjuang Mempertahankan Lingkungan, Melawan Tambang dengan Menenun. *Mongabay.co.id*. <https://mongabay.co.id/2013/04/15/mama-aleta-berjuangmempertahankan-lingkungan-melawan-tambang-denganmenenun/>.

Scott, J. C. 1989. Everyday Forms of Resistance. *The Copenhagen Journal of Asian Studies*, 4(89), pp. 33-62. <https://doi.org/10.22439/cjas.v4i1.1765>.

Selan, I. I. et al. 2025. Gerakan Ekofeminisme Perempuan Adat Mollo dalam Menolak Tambang Marmer: Studi: Penolakan Tambang Marmer di Desa Fatumnasi, Kabupaten Timor Tengah Selatan. *Terang: Jurnal Kajian Ilmu Sosial, Politik, dan Hukum*, 2(4), pp. 309-324. <https://doi.org/10.62383/terang.v2i4.1490>.

Spivak, G. C. 1988. Can the Subaltern Speak? In C. Nelson & L. Grossberg (eds.), *Marxism and the Interpretation of Culture*. Urbana/Chicago: University of Illinois Press.

WALHI. 2017. *Perjuangan Petani Kendeng, Memperkuat Gerakan Penyelamatan Kawasan Karst di Indonesia*. WALHI. <https://www.walhi.or.id/perjuangan-petani-kendeng-memperkuat-gerakanpenyelamatan-kawasan-karst-di-indonesia>.

Wibowo, A. & Demadevina, N. 2021. Laporan AMAN: *Hak-Kolektif Perempuan-Adat*. <https://aman.or.id/wp-content/uploads/2021/01/Hak-Kolektif-Perempuan-Adat.pdf>.

Wolf, N. 1993. *Fire with Fire: The New Female Power and How It Change the Twenty-First Century*. Random House: New York.

Footnote

- 1 FPIC (Free, Prior and Informed Consent) process enables indigenous peoples and/or local communities to express whether they agree or disagree with activities, projects or policies that have the potential to impact their land, territories, resources, and livelihoods, and that are to be implemented within their living space. For further details: (National Forestry Council & UN-REDD Programme Indonesia, 2011, p. 3).

