

Taking Back the Authority: Epistemic Justice, Sustainability of Life, and the Politics of Indigenous Women

Editorial

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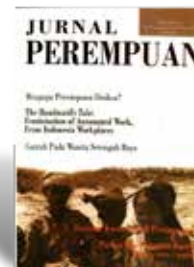
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Taking Back the Authority: Epistemic Justice, Sustainability of Life, and the Politics of Indigenous Women

Amid the global climate crisis, the massive scale of extractive development, and the intensification of various forms of control over living spaces, Indigenous Peoples continue to face threats to the survival of their communities, territories, and knowledge systems. In these circumstances, Indigenous women find themselves in a contradictory position. On the one hand, they are the guardians of life, who ensure the sustainability of their communities through their ecological knowledge, their food systems, their cultural traditions, and their social solidarity. However, they are often excluded from decision-making processes, overlooked within the legal system, and not recognised as legitimate sources of knowledge or political agents.

This issue of *Jurnal Perempuan* focuses on the theme “Taking Back the Authority: Epistemic Justice, Sustainability of Life, and the Politics of Indigenous Women.” This theme is grounded in the realisation that the struggle of Indigenous women is not merely about the recognition of rights, but also involves a struggle for authority: the authority to define knowledge, determine the direction of community life, safeguard their living spaces, and envision a just future for future generations.

In many situations, Indigenous women are treated as objects of policy, development, or protection. However, the eight articles in this issue reveal the contrary. Indigenous women play a vital role as generators of knowledge, leaders within their communities, guardians of sustainable livelihoods, and driving forces behind resistance to injustice, yet they are side-lined and highly vulnerable to violence. In this issue, we view Indigenous women and communities as agents with authority over their own lives and communities, not merely as part of a vulnerable group.

Most of the articles in this issue explore the concept of epistemic justice. For centuries, the knowledge that Indigenous women have concerned the land, food, the sea, forests, health, rituals, and community life has often been regarded as marginal knowledge. It has been deemed less valid than the knowledge of the state, the market, or academic institutions. However, this knowledge forms the foundation of Indigenous community sustainability and provides a vital alternative to development models that cause ecological damage

and social inequality. Therefore, advocating for the rights of Indigenous women as members of Indigenous communities also means advocating for the recognition of the knowledge systems they have created and preserved.

This issue begins with three articles, inviting readers to explore the position of Indigenous women within the legal and political context of national recognition. Ani Widyani Soetjipto reveals that the process of recognising Indigenous communities through the Indigenous Peoples Bill is still rife with problems, particularly with regard to the absence of Indigenous women as fully recognised legal subjects. Meanwhile, Lidwina Inge Nurtjahyo emphasises the importance of critically interpreting customary law through a feminist lens, to ensure that its recognition does not reinforce the subordination of women. Ratih Baiduri and Reh Bungana Beru Perangin Angin explore the lack of participation by Indigenous women in decision-making processes, underscoring the significance of Indigenous women’s leadership and the implementation of CEDAW General Recommendation No. 39 in achieving more just and inclusive recognition.

These three articles demonstrate that the challenges faced by Indigenous women relate not only to representation, but also to issues of power. Who is considered a legal person? Who has the right to speak on behalf of the community? Furthermore, who has the authority to determine the future direction of Indigenous communities? These questions are crucial because recognition that is not accompanied by a transformation of power relations risks perpetuating long-standing injustices.

The second section of this issue invites readers to explore the world of Indigenous women’s knowledge. Articles on *Osing* women by Wiwin Indiarti, *Kei* women by Maemuna Renhoran, and *Kasepuhan Citorek* and *Dayak Iban* women of Sungai Utik by Yayan Hidayat demonstrate the close link between Indigenous women’s knowledge and the sustainability of their communities. Ritual kitchens, coastal areas, seeds, fields, forests, and food reserves serve as physical spaces for generating knowledge that is passed down from generation to generation.

These articles show that Indigenous women are the guardians of tradition and the future. In the face of the climate crisis and threats to livelihoods, Indigenous women's knowledge of natural resource management, food systems, and the relationship between humans and nature offers vital insights into the sustainability of life. In this context, epistemic justice is of paramount importance: without recognition of Indigenous women's knowledge, efforts to achieve sustainability will lose their social and ecological foundations.

The third and final section of this issue examines various forms of resistance by Indigenous women against state-imposed structural repression and encroachment on their living spaces. In their article, Fenny Tria Yunita and Dien Vidie Rosa reveal that Indigenous women cannot be viewed as subalterns with no voice. Adopting an Indigenous feminist perspective, the article demonstrates how Indigenous women continue to assert their existence through their daily activities, a spiritual connection to ancestral lands, and efforts to ensure the sustainability of their communities.

Meanwhile, the article on Bombana, Dolok Parmonangan and Sihaporas, written by Patricia Beata Kurnia, Nada Salsabila, Putri Nurfitriani, and Alifa Putri Yudanti, reveals that state repression occurs not only through physical violence, but also through criminalisation, restrictions on access to resources, and the destruction of living spaces. In such circumstances, Indigenous women play a crucial role in ensuring the survival of their communities through social solidarity,

ecological knowledge, reproductive labour, and various forms of resistance practised in everyday life. In this context, resistance is not always manifested through demonstrations or open confrontation, but also through efforts to care for and protect people and ensure their survival.

The eight articles in this issue reveal that the struggle of Indigenous women is essentially an effort to sustain life amidst various forms of marginalisation. This life encompasses more than just biological survival; it also includes the common thread linking knowledge, culture, the environment in which they live, social relationships, and the future of their communities.

From parliament to the ritual kitchens, from coastal areas to customary forests, and from international forums to agrarian conflicts, Indigenous women demonstrate that they are not only affected by social and ecological change, but also key actors in determining its direction. In a world increasingly confronted by ecological crises, social injustice, and shrinking democratic space, the experiences of Indigenous women offer valuable insights into sustaining life through just relationships between people, communities and nature.

In this issue, we therefore invite you, our esteemed readers, to recognise that the voices of Indigenous women are about more than just increasing representation. They are also about creating new opportunities for a fairer, more sustainable and equitable future. **(Patricia Beata Kurnia)**

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"Double Squeeze": Internal Colonialism, Intimate Exclusion, and Absence of Female Subjects in the Draft Bill on Customary Law Communities

Manuscript Code: DDC 305

Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 1-12, 2 Lists of Tables, 44 References

Indigenous women serve as central custodians of ecological knowledge and social reproduction, yet they are systematically marginalised by a "Double Squeeze": external pressure from state-led extractive expansion and internal patriarchal customary structures. This paper argues that the two-decade stagnation of the Customary Law Communities Bill (RUU MHA) needs to be understood as a manifestation of State Capitalism seeking to secure Indigenous territories as investment assets under the guise of Green Developmentalism. Through a Comparative Textual Analysis of the 2026 House Draft and the 2025 Civil Society version, using the lens of Feminist Political Ecology (FPE). This research reveals how the deliberate erasure of female subjects from legal texts facilitates "Intimate Exclusions". In this process, the state effectively co-opts local patriarchal elites to legitimise land dispossession. The study concludes that passing the Bill without explicit gender affirmation and protection of women's managed areas (*wilayah kelola*) risks legalising the dispossession of Indigenous women's living spaces to ensure investment security. It calls for a fundamental reconstruction of the Bill to recognise women as equal legal subjects and to institutionalise their substantive veto power in land-related decision-making.

Keywords: Indigenous Peoples bill, indigenous women, feminist political ecology, state capitalism, green developmentalism

Lidwina Inge Nurtjahyo

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Reviewing Rules, Roles, and Power in Indigenous Communities from a Feminist Legal Studies Perspective

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In the discussions of Indigenous or customary communities, Indigenous women are rarely mentioned. Research on Indigenous communities using a feminist perspective is rare. Some advocacy products also fail to mention Indigenous women. Scholarly works on Indigenous women often portray them as a single entity. This article is not the result of field research on a group of Indigenous communities nor does it specifically involve Indigenous women. Instead, this article is based on literature research of research articles, advocacy documents, court decisions, and regulations related to Indigenous communities. The focus of this article is on how Indigenous women are recognised by the state, specifically in the legal realm. This article is intended as a conceptual piece that narrates the impact of women's exclusion from decision-making processes in the context of Indigenous communities and strategies for changing these practices.

Keywords: feminist legal studies, Indigenous women, public participation, structural violence

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Indigenous Women's Leadership and the Implementation of CEDAW GR 39 in Advocating for the Indigenous Peoples Bill

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Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 25-38, 55 References

The experiences and contributions of Indigenous women have not been accommodated in legislative policies, despite their strategic role in maintaining living space and community sustainability. This study uses a qualitative method with a descriptive approach through literature review and analysis of various documents, utilising intersectional feminism and feminist political ecology perspectives. The research findings indicate that the Indigenous Peoples Bill does not adequately regulate and protect indigenous women. The Indigenous Peoples Bill does not implement CEDAW GR 39. The absence of explicit regulations regarding indigenous women in the Indigenous Peoples Bill could lead to harm for indigenous women, Indigenous communities, the nation, and the state. Indigenous women are at the forefront of preserving traditional knowledge, especially regarding medicine, natural resources, economic sources, food sources, water sources, culture, and traditions. Therefore, it is crucial to recognise and protect Indigenous women in the Indigenous Communities Bill.

Keywords: CEDAW GR 39, Indigenous women's leadership, advocacy for Indigenous Peoples

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Osing People's Ritual Kitchen: An Epistemic Space of Indigenous Women at Java's Eastern Tip

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Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 39-52, 22 References

This article examines the ritual kitchen of *Osing* people in Banyuwangi as an epistemic space of Indigenous women rather than merely a domestic sphere. Drawing on an ethnographic approach and a critical reading of *olah rasa* practices, the study positions Indigenous women as knowing subjects who actively produce, preserve, and transmit cultural, ecological, and spiritual values. The ritual kitchen is understood as a site of knowledge production that is embodied, relational, and contextual, where knowledge is transmitted through practice, bodily discipline, and adherence to ancestral mandates. Ritual culinary practices analysis reveals that *Osing* Indigenous women's knowledge plays a vital role in sustaining tradition, ensuring local food resilience, and maintaining human-nature relations. Nevertheless, Indigenous women's positions remain frequently marginalised in customary decision-making processes and development agendas, giving rise to epistemic injustice. Thus, recognising the kitchen as an epistemic space is a necessary condition for the gender-just preservation of Indigenous knowledge.

Keywords: Indigenous women, ritual kitchen, epistemic space, *olah rasa*, *Osing* people

Maimuna Renhoran

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The Rights of Indigenous Women in Coastal Life and Knowledge: A Gender Perspective on Kei Women

Manuscript Code: DDC 305

Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 53-64, 37 References

The recognition of Indigenous peoples as legal subjects within Indonesia's legal and policy frameworks is often presented as a progressive step toward social justice, yet such recognition frequently overlooks gendered power relations operating within Indigenous communities. This article examines Indigenous women's rights from a gender perspective, focusing on *Kei* women in Southeast Maluku, to demonstrate that recognising Indigenous communities as collective entities does not automatically ensure the substantive fulfilment of women's rights. Using a socio-legal approach, the article conceptualises rights as social practices negotiated at the intersection of customary law (Larvul Ngabal), state policies, and coastal governance. The analysis centred on three interrelated dimensions: rights to coastal resources, rights to meaningful participation in decision-making, and rights to the recognition of Indigenous women's knowledge. The findings show that *Kei* women's everyday knowledge and practices are central to community sustainability, yet are systematically marginalised by epistemic hierarchies and technocratic, gender-blind coastal policies. The article argues that realising Indigenous women's rights requires a substantive justice approach that transforms the power relations constraining women's agency, not merely formal recognition. This study affirms that Indigenous women's rights must be understood as an integral part of the broader agenda for gender justice and social-ecological sustainability in Indonesia's coastal regions.

Keywords: Indigenous women, women's rights, gender, *Kei* Indigenous community, local knowledge, coastal governance

Yayan Hidayat

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Indigenous Women's Resilience, Knowledge, and Food Sovereignty: A Study of the Role of Indigenous Women from Kasepuhan Citorek in Lebak, West Java and Indigenous Women from Dayak Iban Menua Sungai Utik in Kapuas Hulu, West Kalimantan

Manuscript Code: DDC 305

Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 65-80, 3 Lists of Figures, 23 References

This study aims to analyse the role of Indigenous women in strengthening the resilience of Indigenous communities in *Kasepuhan Citorek* (Lebak) and *Dayak Iban Menua Sungai Utik* (Kapuas Hulu). This study uses a critical paradigm with a multiple case study approach and qualitative analysis, data collected through in-depth interviews, observations, and document studies for 7 (seven) months. Data were analysed using the framework of rights to self-determination and Indigenous feminism. The results of the study indicate that the recognition of Indigenous territories, strengthening the rights of Indigenous women, food sovereignty, and the implementation of self-determination are interrelated in building the sustainability and resilience of Indigenous communities amidst the climate crisis and extractive development. Indigenous women play a central role as guardians of ecological knowledge, managers of food reserves, and decision-makers in the customary system. These findings confirm that strengthening the rights of Indigenous women is inseparable from the original rights of Indigenous communities, and is the foundation of the ecological, social, and political sustainability of Indigenous communities amidst the pressures of extractive development and the climate crisis. The existence of Indigenous women is often invisible and unrecognised. However, as with Indigenous feminism,

gender justice is an inseparable part of recognising the sovereignty and self-determination of Indigenous Peoples. This means that recognising Indigenous Peoples is an integral part of recognising the rights of Indigenous women.

Keywords: self-determination, food sovereignty, Indigenous women, Indigenous territory

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

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Jurnal Perempuan Vol. 31 No. 1, 2026, pp. 81-94, 1 List of Table, 41 References

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

Patricia Kurnia Beata, Nada Salsabila, Putri Nurfitriani, & Alifa Putri Yudanti

Yayasan Jurnal Perempuan, Jakarta Selatan, Indonesia

Repression by State and Indigenous People Fight: A Study at Bombana, Southeast Sulawesi and Dolok Parmonangan and Sihaporas, North Sumatera

Manuscript Code: DDC 305

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Structural repression against Indigenous communities in Indonesia, particularly as part of marginalised communities, continues to intensify through various forms of violence by state actors, including criminalization, dispossessions of living spaces, restrictions on access to natural resources, and physical violence that disproportionately affects Indigenous women and their children. In this article, the authors analyse forms of state repression and Indigenous resistance practices in Bombana, Southeast Sulawesi, as well as Dolok Parmonangan and Sihaporas, North Sumatra. This article employs a qualitative approach using multisited ethnography through in-depth interviews, participant observation, ethnographic reflection, and document analysis. The

analysis in this study draws on Johan Galtung's framework of structural violence, feminist political ecology of Rocheleau, Thomas-Slayter, & Wangari, Crenshaw's intersectionality, and Scott's concept of everyday resistance. The findings in this paper reveal that repression operates through direct violence, permeating everyday life in the form of trauma, surveillance, and uncertainties. In this context, the authors find that the Indigenous women experience multiple forms of repression while

simultaneously playing crucial roles in sustaining their communities through collective solidarity, ecological knowledge, reproductive labour, and everyday resistance practices.

Keywords: Indigenous communities, Indigenous women, state repression, agrarian conflict, intersectionality, Feminist Political Ecology, multisite ethnography

“Double Squeeze”: Internal Colonialism, Intimate Exclusion, and Absence of Female Subjects in the Draft Bill on Customary Law Communities

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Abstract

Indigenous women serve as central custodians of ecological knowledge and social reproduction, yet they are systematically marginalised by a “Double Squeeze”: external pressure from state-led extractive expansion and internal patriarchal customary structures. This paper argues that the two-decade stagnation of the Customary Law Communities Bill (RUU MHA) needs to be understood as a manifestation of State Capitalism seeking to secure Indigenous territories as investment assets under the guise of Green Developmentalism. Through a Comparative Textual Analysis of the 2026 House Draft and the 2025 Civil Society version, using the lens of Feminist Political Ecology (FPE). This research reveals how the deliberate erasure of female subjects from legal texts facilitates “Intimate Exclusions”. In this process, the state effectively co-opts local patriarchal elites to legitimise land dispossession. The study concludes that passing the Bill without explicit gender affirmation and protection of women’s managed areas (*wilayah kelola*) risks legalising the dispossession of Indigenous women’s living spaces to ensure investment security. It calls for a fundamental reconstruction of the Bill to recognise women as equal legal subjects and to institutionalise their substantive veto power in land-related decision-making.

Keywords: Indigenous Peoples bill, indigenous women, feminist political ecology, state capitalism, green developmentalism

Introduction

To date, discussions regarding the Bill on Customary Law Communities (RUU MHA)¹ in Indonesia have so far often been trapped within a normative narrative: concerning human rights fulfilment, constitutional mandates, and law enforcement. While this perspective is valid, it is insufficient to explain why the Bill has suffered from chronic stagnation for more than two decades. This paper argues that the debate surrounding the RUU MHA should be understood as a symptom of State Capitalism intersecting with Internal Colonialism. This phenomenon stems from unequal power relations between the state, the market, and Indigenous communities.

Land holds different meanings and possesses contradictory strategic values for these three actors. In global political economy studies, land is understood by the market as an economic resource for capital accumulation. For the state, land is both a symbol of political sovereignty and an instrument of social redistribution. However, for Indigenous communities, land connects the material, cultural, and spiritual

dimensions of life. It is the foundation of their claims to autonomy, sustainability and the right to self-determination.

Consequently, the agrarian conflicts underpinning the urgency of RUU MHA cannot be understood merely as a matter of resource distribution, but rather as an expression of structural tensions within the global political-economic order (Harvey 2003; Fraser 2009; Coulthard & Alfred 2014). These tensions have intensified alongside the expansion of global capitalism, which places customary land at the crossroads between national development projects, global market integration, and the international human rights regime.

Politically, RUU MHA has been included in the National Legislation Programme (*Prolegnas*) for approximately two to three terms of government, including during the first term of the current administration under President Prabowo Subianto. However, discussions on the Bill have been slow and halting. This delay is in stark contrast to the rapid passage of pro-market legislation, such as the revision of the Mineral and Coal Mining Law (Minerba Law) and the Job Creation Law (Omnibus

Law). This reflects a political reluctance at the domestic level to seriously accommodate the rights and voices of Indigenous Peoples regarding land rights.

But who exactly are Indigenous Peoples, and what rights do they have? The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted in 2007, is the key instrument for upholding Indigenous and community rights within the international human rights framework. The UNDRIP is the result of a long struggle by various actors within the international Indigenous Peoples' movement. Indonesia has been involved in this movement since the Working Group on Indigenous Populations (WGIP) was formed at the UN in 1982.

One of the most important aspects of the UNDRIP is its definition of 'Indigenous Peoples', which recognises historical continuity and territorial ties:

"Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories... consider themselves distinct from other sectors of the societies now prevailing in those territories" (UNDRIP 2007).

In addition to the UNDRIP, another crucial instrument is ILO Convention 169 (Convention Concerning Indigenous and Tribal Peoples) of 1989. Unlike the UNDRIP, ILO Convention No. 169 is legally binding, with strict ratification and monitoring mechanisms. This Convention emphasises the right to land (living space), cultural identity, employment, and substantive participation. ILO 169 obliges governments to consult with Indigenous Peoples in good faith. Unfortunately, to this day, Indonesia has not ratified ILO Convention No. 169, demonstrating an ambivalent stance by accepting a non-binding declaration but rejecting a legally binding convention.

Cross-regional comparative studies show that the effectiveness of international instruments depends heavily on the degree of harmonisation with domestic law. In Latin America, Alva-Arevalo (2019) highlights Peru as a *role model*, where the ratification of ILO Convention No. 169 and the adoption of the UNDRIP have not merely remained on paper, but have become an effective foundation of case law for winning Indigenous land disputes against corporations. Similar success is evident in Asia, particularly in the Philippines, which has successfully translated abstract international principles

into positive law through the Indigenous Peoples' Rights Act (IPRA) 1997, thereby providing legal certainty for ancestral territories. Conversely, developments in Africa serve as a stark warning. Mitchell and Yuzdepski (2019) note that without fundamental agrarian reform, the implementation of the UNDRIP actually triggers new friction as it clashes with national land policies that remain centralised.

These empirical variations imply one crucial point for Indonesia: ratification of or support for global norms will have no substantive meaning without robust domestic legislation (such as RUU MHA) capable of breaking down the rigidity of the state's agrarian regime. Unlike the Philippines, which provides legal certainty through the IPRA, Indonesia insists on maintaining the model of Conditional Administrative Recognition. The government employs a "politics of denial" towards the UNDRIP definition to avoid the obligation to automatically recognise territorial rights. For Indigenous women in Indonesia, this convoluted administrative regime constitutes a form of multi-layered institutional violence. As women often have the least access to bureaucratic literacy, financial resources and formal political spaces at the village level, imposing onerous conditions for recognition is tantamount to shutting the door on legal protection for the territories they manage. This comparative table shows that Indonesia's decision to maintain legal "complexity" is not accidental, but rather a systematic strategy to delay the recognition of rights that ultimately harms grassroots women the most.

Contemporary academic literature on Indigenous women in Indonesia reveals a significant paradigm shift, moving from narratives of victimisation to recognition of 'living agency'. Recent studies collectively challenge the stereotype of Indigenous women as passive objects in the management of natural resources. Rahmatia (2025) and Masruroh (2024), in their research in North Lombok and Banten, found that Indigenous women play a central role as forest guardians and skilled negotiators amidst patriarchal customary rules. These findings are reinforced by Kabes' (2025) documentation of the *Joom Jak Sasi* tradition in Raja Ampat, which demonstrates women's leadership capacity in marine conservation governance. Furthermore, this agency is not limited to the domestic-ecological sphere, but has extended into the realm of substantive politics, as demonstrated

by Dian Ratna Sari, Nur Iman Subono, and Kurniawati Hastuti Dewi (2025) through their analysis of the *PEREMPUAN AMAN* movement, which has been able to articulate political interests in the national public sphere.

However, this optimistic narrative regarding such agency stands in stark contrast to an increasingly oppressive economic and political reality. A second body of literature issues a stark warning regarding the structural vulnerabilities resulting from the expansion of state capitalism. Manoby, Siscawati, and Dewi (2023), as well as Rupita and Niko (2020), argue that the transition in modes of production from subsistence to extractive industries (such as palm oil and mining) systematically uproots the material foundations of Indigenous women, transforming cultural poverty into structural poverty. This process is exacerbated by technocratic interventions in environmental restoration projects which, according to Warah and Hamid (2025), actually erode values of femininity and local wisdom due to their masculine and top-down approach.

The convergence of these two strands of literature implies a critical urgency for the drafting of RUU MHA. There is a clear negative correlation: the greater the penetration of the state and the market without specific legal protection, the weaker the agency of Indigenous women that has developed organically. This research aims to fill this analytical gap by linking international standards, comparative national implementation, and the dynamics of women's agency. Specifically, the paper seeks to understand how shifts in the global political economy (such as Green Developmentalism) influence the substance of RUU MHA, and how Indigenous women—as the most vulnerable group—are positioned within the tug-of-war of interests between the state's ambition to secure investment and demands for the recognition of Indigenous rights.

Research Methodology

This study employs a qualitative approach using a *Critical Policy Analysis* framework. This approach was chosen to unpack the ideological assumptions, power relations, and sociological implications hidden within legal texts (Bacchi 2009). Specifically, the study applies the *Comparative Textual Analysis* method to trace shifts in meaning and the "*politics of omission*" within

the legislative process. This analysis does not view legal texts as neutral documents, but rather as '*sites of contestation*' between the interests of the state, the market, and Indigenous communities.

The primary data forming the main focus of the analysis are two draft legislative documents representing opposing poles of interest: the Draft Bill on Customary Law Communities (House of Representatives Initiative Version) dated 21 January 2026, which represents the state's perspective, and the Draft Bill on Indigenous Peoples (Civil Society Coalition Proposal Version) dated June 2025, which represents the aspirations of social movements. In addition to these legal documents, the research also uses secondary data in the form of *situation reports* from national and international human rights organisations, position papers on *Living Law*, and the latest academic literature on agrarian conflicts. This triangulation of data sources is carried out to provide a robust material context for the textual analysis, ensuring that the interpretation of legal texts is not detached from the sociological realities on the ground.

The data analysis process was carried out in three systematic stages. Firstly, thematic coding was applied to both draft bills to identify crucial keywords, such as 'definition of the subject', 'women', 'customary rights', 'committee', and 'investment'. Secondly, a juxtapositional comparison was carried out by placing equivalent provisions (an 'apple-to-apple' comparison) from both drafts side by side to identify substantive divergences. The primary focus was on the definition clause (Article 1), the recognition mechanisms (Articles 9-14), and the empowerment provisions. Thirdly, these comparative findings were analysed through a theoretical lens using the analytical framework of *Feminist Political Ecology* to explain the implications of the structural marginalisation of Indigenous women.

The State, Capitalism, and the Global Economy from the Perspective of Political Ecological Feminism

To unpack the complexities of RUU MHA, which extend beyond mere legal issues, this paper combines the macro lens of Global Political Economy with the micro lens of Feminist Political Ecology (FPE). A synthesis of these two theories is necessary in order to explain how state policies, driven by global market dynamics, 'land' and impact the bodies and living spaces of Indigenous women.

In this context, the concepts of *State Capitalism* and *Internal Colonialism* are used to examine the role of the state. Since the 2008 global financial crisis, the global political-economic landscape has undergone a fundamental shift with the resurgence of the state's role - a phenomenon referred to as *State Capitalism*. Alami and Dixon (2020) and Bremmer (2010) define *state capitalism* as a strategy whereby the state plays an active role as a key economic actor—no longer merely a regulator (referee), but also as an owner, investor, coordinator, and determinant of market direction. In this model, the state uses instruments such as State-Owned Enterprises (SOEs), Sovereign Wealth Funds (SWFs), and strategic industrial policies to control key sectors such as energy, minerals, and infrastructure.

However, in the Indonesian context, the operation of *state capitalism* intersects with what Soetjipto (2024) terms '*internal colonialism*'. Drawing on postcolonial analyses of Papua, the relationship between Jakarta (the centre) and resource-rich peripheral regions (such as customary territories) replicates patterns of colonialism: the exploitation of natural resources for the benefit of the centre, the imposition of a foreign legal system, and the marginalisation of Indigenous Peoples. Within this framework, RUU MHA can be interpreted as an instrument of internal colonialism designed to 'bring under control' customary territories so that they can be exploited for the accumulation of state capital. The recognition of customary rights is no longer based on the principle of historical justice, but is instead negotiated in a subordinate manner in relation to the interests of national development. The state acts as a *gatekeeper*, determining which territories may be recognised as 'Indigenous territories' and which must be made available for global investment (Peluso & Vandergeest 2011; Li 2014).

The contemporary variant of state capitalism most relevant to RUU MHA is *Green Developmentalism*. This is a development strategy whereby the state combines an economic growth agenda with energy transition and environmental protection (Scoones, Leach, & Newell 2015). However, this strategy often operates within the logic of '*green grabbing*' — or land grabbing under the guise of environmental protection. Projects such as geothermal energy, nickel mining for electric vehicle batteries, and carbon trading require extensive and exclusive territorial control.

Siscawati (2025) offers a sharp critique of this approach, labelling it one characterised by "Gender Blindness". Through the lens of Green Development, forests or customary lands are assessed solely on the basis of formal economic or ecological metrics (carbon stocks, mineral deposits). Subsistence values and women's spiritual relationships with nature, such as the forest as a living pharmacy or a source of water, are deemed "unproductive" or invisible. Consequently, recognition of customary rights is often granted only if the community is willing to integrate into these environmental market schemes, whilst women's claims based on the care economy are marginalised (Fairhead, Leach, & Scoones 2012; Borras et al. 2016).

While the State Capitalism approach explains the state's motives for controlling land, Feminist Political Ecology (FPE) grounds this analysis in the real-life experiences of those most affected: Indigenous women. According to Elmhirst (2011; 2025) and Siscawati (2025), environmental degradation is not gender-neutral; it is specifically experienced through women's bodies (Embodied Political Ecology). In this context, energy transition policies and land use conversion are not merely technocratic macro-level issues, but are phenomena that are experienced directly by women's bodies (embodied). The loss of access to forests due to 'green' concessions means losing living pharmacies and sources of clean water. This automatically increases women's physical and domestic workload, as they must ensure that the community's social reproduction and food security continue amid the pressures of the ecological crisis. As emphasised by Purbandani and Mahaswa (2022), a critical ecofeminist approach is necessary to avoid essentialism, which merely romanticises women's closeness to nature, and instead focus on the political analysis of power inequalities within the ecological crisis.

The central concept used in this paper is "Intimate Exclusions". Elmhirst (2011) shows that the deprivation of women's rights is often not carried out directly by "outsiders" (such as the state or corporations) through physical coercion alone, but is facilitated by patriarchal kinship structures, households, or customary authorities. In the context of RUU MHA, the formalisation of customary law that disregards gender dimensions has the potential to reinforce this "intimate exclusion". When the state grants sole authority to the "Customary Chief"

(who is male) to represent the community in land-release negotiations, it effectively enlists the aid of local patriarchy to exclude women from their management rights.

Furthermore, FPE emphasises the importance of viewing the "Ethics of Care" as a form of resistance. As articulated by Siscawati (2025) and Rahmatia (2025), women's relationship with nature often transcends extractive logic. It encompasses spiritual and subsistence dimensions that ensure the community's survival (social reproduction). However, within the logic of Green Development, this care work is undervalued. Consequently, rather than portraying women as mere victims, FPE's analysis in this paper also highlights how the erasure of their roles in legal texts such as RUU MHA constitutes a systematic attempt to silence non-capitalist alternatives to natural resource management. Thus, FPE serves as an analytical bridge, linking critiques of global capital accumulation with women's local-level struggles.

Customary Land at the Crossroads of Global Geoeconomics

Before analysing the articles of RUU MHA, it is crucial to understand the context of the shifting global political economy that shapes the state's 'appetite' for customary land. The tensions within RUU MHA are a reflection of the fragmentation of the global geo-economy. Over the past two decades, globalisation has proceeded not through the integration of homogeneous markets, but rather through economic fragmentation and reterritorialisation, which are reshaping spaces of production and investment (Sassen 2014; UNCTAD 2023). Geopolitical and economic security considerations have once again become determining factors. The phenomena of reshoring (the return of production activities to the country of origin), nearshoring (relocation to geographically neighbouring countries), and friend-shoring (the organisation of supply chains amongst strategic allies) reflect the efforts of developed nations to protect their supply chains from global uncertainty (OECD 2021; IMF 2023).

The implications for countries in the Global South, such as Indonesia, are significant. To capitalise on these industrial relocation opportunities (such as battery factories or smelters), the state is required to provide

large tracts of land that are legally 'secure' (clean and clear) and free from social conflict. It is this pressure to provide 'ready-to-use' land that is driving the state to tighten its land regime, including through RUU MHA, so that 'unregulated' customary claims can be brought under administrative control.

This shift in the global political economy is also marked by a shift in the world's economic centre of gravity from the West to Asia. IMF data (2024) shows that the Asian region accounts for around 60 per cent of global economic growth. Consequently, Asian countries, including Indonesia and the Philippines, have become strategic locations for infrastructure expansion, resource extraction, and large-scale energy transition projects.

It is in this context that a fundamental paradox arises for Indigenous Peoples, who find themselves caught between two contradictory value systems. Discursively, on the global stage, such as at UN climate forums or in reports by the IPCC (2023) and IPBES (2019), Indigenous Peoples are romanticised and positioned as 'ecological guardians'. Their local wisdom is recognised as a vital pillar of global sustainability for mitigating the climate crisis. This narrative places them on a moral high ground as key allies in saving the planet.

However, the material reality on the ground reveals a diametrically different picture. Their land rights are brutally negotiated under the pressure of market logic and energy security. Indigenous lands are no longer seen as living spaces, but are being targeted as strategic commodities to underpin the global energy transition, from nickel mines for electric vehicle batteries, to giant dams, to energy plantations. Consequently, Indigenous peoples—particularly women—find themselves trapped in a deadly dilemma: they are expected to protect the forests to absorb the world's carbon, yet the land on which they stand is being seized by the state for 'green' projects funded by global investors. Instead of resolving this paradox, RUU MHA risks perpetuating it through mechanisms of selective recognition and market bias.

The Trajectory of Recognition: Indonesia in a Comparative Perspective

Each country responds differently to these global political and economic pressures. The following table

illustrates Indonesia's position compared to other countries with regard to the recognition of Indigenous

land rights, highlighting a distinctive pattern of relations between the state and Indigenous communities.

Table 1.

Pathways to the Recognition of Indigenous Peoples' Land Rights from a Comparative Perspective

Country	Legal Pathway	Dominant Form of Recognition	Main Economic and Political Constraints
Indonesia	Constitutional and sectoral legal recognition	Conditional and administratively fragmented	The logic of the developmental state and extractive accumulation
Philippines	Statutory codification (IPRA 1997)	Normatively progressive, procedurally vulnerable	Market liberalisation and investment pressures
New Zealand	Constitutional pluralism based on agreements	Strongly institutionalised	Neoliberal governance and asset regimes

Source: Author's synthesis based on legal documents and secondary literature, 2025

Indonesia exhibits a pattern of conditional and fragmented administrative recognition. Although Article 3 of the 1960 Basic Agrarian Law recognises customary rights, this recognition is limited by a 'national interest' clause that grants the state the final authority to determine the validity of customary law. Constitutional Court Ruling No. 35/PUU-X/2012 was indeed a normative breakthrough as it distinguished customary forests from state forests. However, its implementation is still being hindered by the sectoral forestry regime and lengthy administrative procedures (Myers et al. 2017).

The administrative verification process carried out by local governments has effectively redefined Indigenous communities' territories as objects of regulatory management, rather than as autonomous jurisdictions. In a number of provinces, this recognition has coincided with the introduction of carbon offset schemes, through which customary lands are incorporated into environmental markets without affecting the centralised authority of the state. The main empirical tension in the Indonesian context lies in the stark disparity between legal legitimacy and material realisation. Data from AMAN (2024) indicates that recognition is proceeding very slowly due to the process of territorialisation: the state's reorganisation of space to expand its control over strategic resources. Indonesia exemplifies the pattern of 'recognition without redistribution' (Fraser 2009) - legal recognition without any real redistribution of power.

Legislative Politics: Asymmetry of Priorities

The most evident reflection of the state's alignment with the logic of State Capitalism is seen in the asymmetry of legislative policy priorities. Politically, RUU MHA has been included in the National Legislation Programme (Prolegnas) for almost three consecutive government terms, including during the current administration of President Prabowo Subianto. However, its deliberation has been slow and halting. Currently, RUU MHA is a House of Representatives (DPR) initiative proposed by the parliamentary groups of NasDem, PKB, and PDIP.

This slow pace stands in stark contrast to the rapid deliberations on the TNI Bill, the Minerba Bill, and the Job Creation Law (Omnibus Law). The enactment of the Job Creation Law has centralised a great deal of authority, with permits for mining, plantations and forestry now being issued without the consent of local governments or Indigenous communities. By broadening the definition of National Strategic Projects (PSN), investments and economic growth interests are often 'disguised' as public interests, leaving Indigenous territories to bear the brunt. The new Minerba Law also removes the requirement for Indigenous communities' consent before mining permits are issued.

It is against this backdrop of inequality that civil society organisations (the Coalition to Monitor the Indigenous Peoples' Law) are advocating for RUU MHA to ensure the protection of both subjects and collective/individual rights. It is crucial to clarify the definition of 'Indigenous Peoples' in order to avoid the perception

that it refers to kingdoms or sultanates possessing colonial feudal privileges. The standpoint of Indigenous women's struggle is respect for the principles of human rights and substantive justice, in order to prevent the resurgence of discriminatory primordialism.

Building on these structural inequalities, the subsequent analysis will examine the text of the draft RUU MHA in more detail to revisit the main issues. This will involve unravelling how the definition of 'Indigenous Legal Communities' is constructed to serve investment interests, examining the plight of Indigenous women caught between regulatory frameworks, and emphasising the urgent need to explicitly protect women's rights in order to prevent a new form of feudalism.

Analysis

Building on the context of State Capitalism and Green Developmentalism outlined in the previous section, this chapter presents an in-depth analysis of the text of the Draft Bill on Customary Law Communities (House of Representatives Initiative 2026), critically juxtaposed with the Draft Bill on Indigenous Peoples (Civil Society Coalition Proposal 2025). This analysis focuses on examining how legal texts are constructed to serve the interests of investment (top-down pressure) whilst simultaneously perpetuating patriarchy (bottom-up pressure), which ultimately leads to the marginalisation of Indigenous women. The most fundamental and ideological difference lies in the terminological framework used to define legal subjects.

Table 2.
Comparison between the Civil Society Coalition's draft Bill on Indigenous Peoples and the House of Representatives' version

Aspects of Comparison	Civil Society Coalition Draft (June 2025)	House of Representatives Draft (January 2026)
Terminology	"Indigenous Peoples"	"Customary Law Communities" (MHA)
Definition of the Subject	Emphasises ancestral origins, strong ties to the land and its resources, and distinct values (Article 1). Adopts the principle of self-identification.	Emphasises the existence of customary legal norms that are observed, clear customary institutions, and independent assets (Article 1).

Source: DPR Initiative (2026) & Civil Society Coalition Proposal (2025)

The shift from the sociological term 'Indigenous Peoples' to the formal legal term 'Customary Law Communities' in the House of Representatives' version is a form of linguistic manoeuvre within the agenda of internal colonialism. The addition of the word 'Law' suggests an absolute requirement for a coercive legal system and a state-like structure. This has particularly severe implications for Indigenous women, as it reinforces a masculine structural bias. In many traditions across the archipelago, 'legal' structures such as customary courts and fines are public spheres that have historically been dominated by male elders. Conversely, Indigenous women often play a central role in everyday practices such as seed preservation, the safeguarding of springs, and planting rituals. These practices are fluid and not codified as rigid 'law'.

Furthermore, the MHA definition also functions as an exclusionary filter. By adopting this definition, the state automatically validates formal, male-

dominated customary structures while marginalising women's livelihood practices. Communities whose legal structures have eroded or become fluid, which often comprise groups of women forest guardians, will fail to meet these administrative criteria. This is the state's strategy for 'screening' claims, whereby only customary communities that are 'orderly' and possess a clear hierarchy, and are thus easier to negotiate with regarding land relinquishment, will be recognised.

The second striking difference concerns the mechanism for recognising the existence of Indigenous communities. The House of Representatives' draft (Articles 9 and 14) establishes a cumbersome bureaucratic regime involving mandatory recognition through the 'Committee on Customary Law Communities', which is chaired by the Regional Secretary (Sekda) and comprises members from relevant regional government agencies (OPD), including those responsible for forestry and mining.

Within the logic of State Capitalism, this Committee functions as a gatekeeper, implicitly tasked with deciding who is entitled to participate in the discussion forum and who is excluded. A Committee staffed by regional bureaucrats has an inherent conflict of interest. These are the same people who issue mining permits, oil palm plantation licences, and forest concessions in the same area, all in the name of Local Own-Source Revenue (PAD).

Rationally speaking, it is impossible to expect this Committee, chaired by the Regional Secretary, to recognise customary territories that overlap with concessions they have already issued or with National Strategic Projects (PSN). This mechanism ensures that the recognition of customary rights will not disrupt 'investment security'. For Indigenous women, who have more limited access to literacy and financial resources compared to the male elite, overcoming the bureaucratic barriers of this Committee is a structural impossibility.

The most ideological and dangerous difference between the two drafts concerns how they treat women as subjects within the body of the legislation. The Civil Society Coalition's draft explicitly refers to 'a group of people, both men and women...' in its definition of a subject. It also contains a specific clause that guarantees the full and effective participation of Indigenous women in decision-making processes. The House of Representatives' draft: The term 'women' is almost entirely absent from crucial clauses. Legal subjects are replaced with gender-neutral terms such as 'Members of the Customary Law Communities' or simply 'Members'.

The House of Representatives' draft requirements for 'own assets' and 'a legal institution that is adhered to' reflect a corporatist logic biased towards men. The state is effectively acting as an agent of local patriarchy through 'Intimate Exclusion'. By only recognising formal, male-dominated customary structures, the state enables male elites to unilaterally mortgage customary territories to corporations - often for National Strategic Projects (PSN) - under the pretence of respecting customary autonomy, which has in reality been co-opted.

In feminist legal theory, laws that claim to be 'gender-neutral' are, in essence, 'male-biased' because they treat

male experience as the universal norm (Stamile 2025). The removal of the word 'women' from the House of Representatives' draft confirms the analysis by Lutfi and Wahyuningroem (2023) that cultural practices and traditions often serve as arenas for the oppression of women's bodies, perpetuated in the name of communal compliance. When plans are made to relinquish customary land rights (for example, for a Food Estate or a nickel mine), corporations need only secure the approval of the "Customary Consultation".

Without an explicit legal mandate stating that "women must be involved and heard", customary consultations will revert to the patriarchal default of being attended only by male tribal chiefs and elders. As Manoby (2023) discovered in Papua, male elites frequently sell sago forests without consulting the women who rely on them for their daily livelihoods. By refusing to recognise women as equal rights holders, the House of Representatives' draft effectively legalises this practice of 'unilateral mortgaging'. The state 'washes its hands' of the matter under the pretext of respecting customary autonomy, while in fact facilitating capital transactions with the patriarchal elite. Without such protection, the creation of a 'safe space', as defined by Astuti, Pasaribu and Anggraini (2024), becomes impossible, leaving Indigenous women vulnerable to sexual and structural violence amidst the pressures of investment.

Another notable aspect is the significant portion of the House of Representatives' draft devoted to the chapter on 'Empowerment' (Articles 25-28), which focuses on economic capacity building. The extent of these empowerment provisions reflects the logic of Green Development, which is presented as a mainstream agenda. Under this regime, forests and Indigenous territories are no longer considered as living spaces but as strategic assets, such as carbon reserves or sources of transitional energy. However, this narrative suffers from acute 'gender blindness' as it values only formal economic metrics while disregarding the 'ethics of care' practised by Indigenous women. Rather than recognising their sovereignty, the draft Bill transforms Indigenous women's role from landholders to providers of cheap labour within global supply chains, such as plantation or mine workers. This attempt at domestication strips women of their political rights

over land, replacing them with hollow promises of market-driven economic growth.

The House of Representatives' draft recognises neither the concept of "Women's Managed Territories" nor "Food Sovereignty". Forests safeguarded by women (for medicine, natural dyes, water) are deemed "unproductive" through the lens of the state's economy. Conversely, such forests become valuable if they are converted into nickel mines (for EV batteries) or energy plantations. The Bill is designed to facilitate such conversion by minimising legal resistance from women's groups, transforming them from "landholders" to "labourers" on their own land.

Closing

This paper's comparative textual analysis, grounded in the frameworks of Feminist Political Ecology and Global Political Economy, suggests that the stagnation and distortion of substance in the draft Bill on Customary Law Communities (House of Representatives version, 2026) is not an administrative coincidence. Rather, it is a structural manifestation of the 'Double Squeeze' on Indigenous women. The first source of pressure is external, stemming from the capitalist structure endorsed by the state and the market. Under the regimes of State Capitalism and Green Developmentalism, the state requires Indigenous lands as strategic assets to accommodate the reshoring of global industry and the energy transition. To this end, the state has created the mechanisms of 'Customary Law Communities' and bureaucratic 'Committees' to filter out Indigenous claims that could impede investment.

Unfortunately, the problem does not end there. The internal sphere - Indigenous communities - is still unable to provide a space for women's equality. Social structures that are subject to patriarchal values are formally legitimised through the 'politics of omission' - namely, when the DPR's draft removes women as subjects from the legal text. This grants the male Indigenous elite state legitimacy to monopolise decision-making over customary lands, enabling 'Intimate Exclusions' when women are excluded from their own living spaces by their own communities. Consequently, rather than serving as an instrument for the protection of human rights, the DPR's version of RUU MHA risks becoming a technology of power that legalises the dispossession of living spaces (legislating dispossession). While it

regulates land administration in the interests of market certainty, it does so at the expense of substantive justice for Indigenous women.

In light of the findings concerning the gender justice deficit and the dominance of market logic in the DPR's draft Bill, the narrative "Pass RUU MHA Immediately" requires critical revision through a series of fundamental amendments. The first and most urgent step is to reconstruct the definition of legal subjects. The phrase "men and women" must be reinstated in the definition of Indigenous communities, as proposed in the Civil Society Coalition's draft. This explicit recognition is not merely a redactionary flourish, but a legal safeguard to prevent a singular, masculine interpretation and ensure that women are recognised as equal rights holders, not merely an adjunct to the community.

In addition to being recognised as legal subjects, women must be granted substantive protection through the affirmation of their right of veto in strategic decision-making processes. Legislation must include a clause requiring the consent of Indigenous women as a collective entity in any plan to relinquish customary rights or reallocate land. This would ensure that the principle of Free, Prior and Informed Consent (FPIC) is not interpreted in a gender-blind manner, but rather requires the inclusive participation of Indigenous women to prevent unilateral decisions by male Indigenous elites, who may be co-opted by corporate interests. Structural reform is also essential, including the abolition of the bureaucratic committee system. The recognition mechanism via the Regional Secretary's Committee, which is rife with conflicts of interest, must be replaced with a self-identification mechanism verified by an independent non-governmental organisation. This shift is necessary to break the chain of gatekeeping at the regional level, which has long held the recognition of customary territories hostage for the sake of Local Own-Source Revenue (PAD) from the extractive sector.

Finally, to ensure the long-term sustainability of women's livelihoods, RUU MHA must provide absolute protection for territories managed by women. Specific utilisation zones, such as water sources, food forests, and ritual areas, must be recognised as customary conservation areas that are off-limits to extractive industry concessions. This will prevent the state's green development agenda from undermining communities'

food sovereignty. However, when formulating such legal protections, the state and policymakers must be careful not to essentialise Indigenous communities. Legal recognition must not fix Indigenous identities as static, anti-modern entities or merely as romanticised “guardians of nature”. This is dangerous because it can be used to deny Indigenous Peoples’ rights when they adapt to changing times or when Indigenous women demand equality that may be deemed “non-traditional” by local elites. Therefore, RUU MHA must be designed as a dynamic instrument, recognising ancestral rights while allowing for democratic and gender-just social transformation within Indigenous communities.

Furthermore, the struggle to incorporate a gender perspective into this Bill is a genuine test of the quality of Indonesian democracy in the post-reform era. Disregarding the voices of Indigenous women reflects a democratic deficit, whereby substantive citizenship is sacrificed for the sake of investment stability and macroeconomic growth. The state can no longer hide behind the pretext of “respecting Indigenous autonomy” when such autonomy is selectively used to perpetuate internal oppression. In fact, state intervention through gender-responsive legislation is necessary to dismantle unequal power relations and ensure that “custom” does not become a shield for patriarchal impunity or an extension of internal colonialism that marginalises women from the process of nation-building.

It is also important to note that recognising women’s managed territories has strategic implications for mitigating the global climate crisis. Studies in Feminist Political Ecology consistently demonstrate that Indigenous women possess unique knowledge of biodiversity, water management, and food security, which is essential for adapting to climate change. Excluding them from the legal framework of RUU MHA would weaken our last line of ecological defence. Without protection for women’s access to and control over natural resources, the government’s much-touted “Green Developmentalism” agenda risks becoming a fragile, exploitative, and unsustainable false solution.

Ultimately, RUU MHA should be the foundation for a new civilisation that prioritises social and ecological justice over profit. We need a legal framework that resolves land disputes and restores the human dignity of Indigenous women, who have long been marginalised

by the double squeeze of the state and tradition. Enacting an inclusive, dynamic, and progressive Bill is a historical debt that must be repaid for the sake of Indigenous women’s welfare and the preservation of our shared living space in the face of a planetary crisis. Protecting women-managed territories is our last line of defence against the climate crisis. Without this protection, the state’s development agenda is nothing more than a fragile, masculine, and exploitative false solution. Therefore, RUU MHA can only be transformed from a tool for the dispossession of living spaces into a true instrument of liberation by integrating these perspectives of gender and ecological justice.

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Footnotes

- 1 This article was written while the House of Representatives (DPR) was still using the term 'Customary Law Communities' in the initial draft of the academic paper and its bill (8 December 2025). In this article, the term 'Draft Bill on Customary Law Communities' is used to highlight the ongoing issues with the DPR's draft bill and its lack of support for Indigenous Peoples, in contrast to the Draft Bill on Indigenous Peoples proposed by the Civil Society Coalition.

Reviewing Rules, Roles, and Power in Indigenous Communities from a Feminist Legal Studies Perspective

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Abstract

In the discussions of Indigenous or customary communities, Indigenous women are rarely mentioned. Research on Indigenous communities using a feminist perspective is rare. Some advocacy products also fail to mention Indigenous women. Scholarly works on Indigenous women often portray them as a single entity. This article is not the result of field research on a group of Indigenous communities nor does it specifically involve Indigenous women. Instead, this article is based on literature research of research articles, advocacy documents, court decisions, and regulations related to Indigenous communities. The focus of this article is on how Indigenous women are recognised by the state, specifically in the legal realm. This article is intended as a conceptual piece that narrates the impact of women's exclusion from decision-making processes in the context of Indigenous communities and strategies for changing these practices.

Keywords: feminist legal studies, Indigenous women, public participation, structural violences

Introduction

In 2025, discussions surrounding the Indigenous Peoples Bill regained prominence in the Indonesian media. On 8 December 2025, the Indonesian House of Representatives (DPR RI) decided to include the Bill on the Protection and Recognition of Indigenous Peoples in the National Legislation Programme (Prolegnas) for 2025–26 (Muazam 2026). Advocacy for the Bill, which had been ongoing since 2003, stalled for some time before gaining momentum again in 2010 (HuMa 2022). However, the Bill was only included in the Prolegnas for the 2025–2026 period. Its passage is supported by several civil society organisations that have joined the Coalition to Monitor the Indigenous Peoples Bill (Muazam 2026).

The HuMa Association notes that a number of court rulings form the basis for drafting and advocating the Indigenous Peoples Bill. These include Constitutional Court Rulings Nos. 10/PUU-I/2003, 31/PUU-V/2007, 35/PUU-X/2012, and 95/PUU-XII/2014. Briefly, Constitutional Court Decision No. 10/PUU-I/2003 was the first to mention and explain the constitutional rights of Indigenous Peoples, as well as affirming the

state's recognition of their existence (HuMa, 2022). The reasoning section of the decision states:

"The provisions of Article 18B(2) of the 1945 Constitution are not intended to divide the state's territory; rather, they affirm the state's obligation to recognise and respect the unity of customary law communities and their traditional rights. These rights remain in force and are in accordance with societal developments and the principles of the Unitary State of the Republic of Indonesia..."

Constitutional Court Ruling No. 31/PUU-V/2007 outlines the three defining characteristics of Indigenous communities. As set out in point 3.15.1 of the 'Considerations' section of the ruling, an Indigenous community is defined as one that is bound by three aspects. Firstly, they are bound genealogically, meaning they have ties formed through blood relations. Secondly, these ties may also be formed through functional relationships based on shared interests and specific functions. It is these shared interests that unite the customary law community in question. Thirdly, a customary law community may also be united territorially, as a consequence of having lived together in a single territory for generations, giving rise to

customary land rights, including the right to utilise land, water, and forests.

The Constitutional Court's ruling referring to these characteristics of Indigenous communities is in line with Ariella D'Andrea's statement that customary law communities possess both subjective and objective characteristics. The subjective characteristics involve a sense of obligation to comply. There is an emotional and psychological attachment to the territory of residence, customs, customary law, and the community itself. The objective characteristics consist of two elements: firstly, customary law functions as a guide to life and a means of social control, and secondly, these regulations are implemented, upheld, preserved, and passed down from generation to generation (D'Andrea 2012).

In addition to the Constitutional Court's ruling on the characteristics of Indigenous communities, the Court issued another significant ruling in 2012 for the advocacy of Indigenous communities. Constitutional Court Ruling No. 35/PUU-X/2012, which reviewed Law No. 41 of 1999 on Forestry, prompted the inclusion of this law in the 2024-2029 Prolegnas for revision. The 2012 ruling recognises customary forests. It states that the state's control and utilisation of land, water, and natural resources must take into account pre-existing rights, including individual and collective rights under customary law (*hak ulayat*), Indigenous Peoples' rights, and other constitutional rights. These include the right to access and traverse such areas, as well as the right to a healthy environment. Consequently, the Panel of Judges concluded that, as a result of this recognition, it is important for the state to acknowledge the existence of customary forests, which must be distinguished from state forests. This means that the government must restore and recognise customary forests.

Furthermore, another significant Constitutional Court ruling concerning the recognition of Indigenous communities in Indonesia was Decision No. 95/PUU-XII/2014, which reviewed Law No. 18 of 2013. This decision specifically amended Articles 50(3)(e) and (i), thereby removing the potential criminalisation of Indigenous communities who live in forests and derive their livelihood from forest resources. This encompasses activities such as felling trees, harvesting, gathering forest products, and grazing livestock in forest areas. However, this removal of potential criminalisation only

applies to Indigenous Peoples who have lived in the forest for generations, and not to commercial activities.

In addition to the Constitutional Court's ruling, the recognition of Indigenous Peoples is also reflected in Law No. 1 of 2023 on the New Criminal Code, which includes a provision on 'living law' within communities. Specifically, Articles 2(1), (2) and (3) provide for the following: 1) Paragraph 1: The provisions referred to in Article 1(1) do not preclude the application of living law within a community that deems an individual liable for criminal punishment, even if the act in question is not addressed in this Law; 2) Paragraph 2: The customary law of the community referred to in Paragraph 1 applies in areas where such law is in force, provided it is not addressed in this Law and is consistent with the values embodied in Pancasila, the 1945 Constitution of the Republic of Indonesia, human rights, and the general principles of law recognised by the international community; 3) Paragraph 3: The procedures and criteria for establishing customary law in society shall be regulated by a Government Regulation.

Paragraph (1) refers to a person's potential prosecution under customary law, despite such rules not constituting a criminal offence as defined in the New Criminal Code. Meanwhile, Paragraph (2) refers to the limitations or conditions of living law that may serve as a basis for prosecuting an act referred to in Paragraph (1) of Article 2. The procedures and criteria for determining what constitutes the 'living law' within a community are regulated by Government Regulation. This 'living law' may refer to a number of customs and/or customary rules.

Both the New Criminal Code and the aforementioned Constitutional Court rulings demonstrate the state's recognition of customary law communities and Indigenous Peoples and their way of life. However, Indigenous women, who are part of these communities, are not yet recognised in many legal instruments and public advocacy materials.

Recognition of Indigenous women and their struggle to defend the rights of Indigenous communities is largely confined to academic works. The number of research findings on Indigenous women within the academic sphere is comparable to that of research on Indigenous communities as a whole. While research on Indigenous women has been conducted from various

academic perspectives, little has explored the presence and challenges faced by Indigenous women from a feminist perspective or from their own viewpoint. This is particularly true when Indigenous women are confronted with legal norms, whether internal customary laws or laws constructed by 'external' parties - in this case, the state. The strategies developed by Indigenous women have also not been discussed enough in the Indonesian academic context. One such discussion is provided by Sulistyowati Irianto, whose work details the challenges that Toba Batak women face with regard to inheritance law, particularly under customary law. In her work, Irianto also reveals her informants' experiences of violence, including physical and psychological abuse, as well as neglect by their extended families (Irianto 2012).

In addition to Irianto, Zuhraeni (2017) also describes the lives of women in the *Sebatin* Indigenous community in Lampung in her article. The patriarchal values they face in everyday life result in *Sebatin* women having limited access to basic rights and even experiencing violence. However, rather than addressing legal issues, her work focuses on describing the daily challenges that *Sebatin* women face due to gender constructions and patriarchal values (Zuhraeni 2017).

Masthuriyah Sa'dan's article describes similar experiences to those narrated by Zuhraeni, but against a different social backdrop and within a different contextual framework. Her work highlights the experiences of Madurese girls who were forced into marriage as children in the name of custom and religion (Sa'dan 2015).

Sieder and Barrera (2017) discuss the experiences of Indigenous women outside Indonesian society. They focus on Indigenous women in the Andes Mountains, who struggle to claim leadership roles or participate in political processes in their regions. Sieder also writes about Indigenous Mexican women fighting for their political rights, who must contend with various state policies and even acts of violence (Sieder 2016). Sieder's writings recount the experiences of Indigenous women advocating for their rights, the challenges they face, and the strategies they use when confronted with values constructed by both internal community authority figures and the state.

Muna Ndulo (2011) conducted research on Indigenous women in South Africa. She found that the

courts had long adopted a passive stance - remaining silent, turning a blind eye, and acquiescing - towards a number of customary practices and provisions that were discriminatory towards women. However, Ndulo also found that, in a number of the court rulings she analysed, judges in the High Court and the Supreme Court recognised and incorporated principles of human rights and/or women's rights into their judgements. The judges stated that discriminatory principles of customary law should no longer apply as they are unconstitutional, invalid, and unacceptable in an evolving society (Ndulo 2011).

The author of this paper has not conducted intensive, time-limited field research focusing specifically on a particular group of Indigenous Peoples or Indigenous women. Instead, it is based on a review of literature and advocacy outputs, such as relevant rulings and regulations, concerning Indigenous Peoples. The paper focuses on discussing how Indigenous women are recognised by the state, particularly within the legal sphere.

The paper is intended as a conceptual article, describing the position of Indigenous women within existing regulations in the context of customary law within their communities and state law. The paper also seeks to reveal the role of Indigenous women in advocacy activities. Furthermore, it attempts to analyse how Indigenous women can access power in both internal and external contexts, for instance when carrying out advocacy activities.

Gender construction is one of the main potential sources of conflict within Indigenous communities, which have their own regulatory systems. It is ironic that the issue of Indigenous women is not specifically addressed by legislative or judicial bodies during the law-making or ruling processes, respectively. Issues concerning Indigenous women appear to be subsumed within the broader issues of state recognition of customary law communities and communities' access to resources. However, Indigenous women themselves are not specifically addressed. Nevertheless, it is undeniable that Indigenous women play a role in advocating for a range of Indigenous peoples' rights in order to restore and/or protect their communities' access to resources.

An analysis of legal texts, such as draft legislation (RUU) or Constitutional Court rulings, reveals that

Indigenous communities are generally viewed very broadly. There is no narrative regarding the experiences of men and women within these communities, which are in fact very different. Nor is there any discussion of how class and gender distinctions within Indigenous communities can lead to discriminatory practices and even violence.

On paper, or at the level of 'law in the book', everyone appears equal. However, in practice, or 'law in society' (Macaulay, Friedman & Stookey 1995), the narrative can shift according to the community's interpretation of the law, or according to the 'discretion' of those in power and/or law enforcement officials. The law may well disadvantage certain groups - in this case, indigenous women. When legal texts are analysed through a feminist lens, disparities become apparent. At the implementation level, experiences of the application of the law will also differ.

Therefore, it is important to conduct an analysis from a feminist legal perspective to highlight the experiences of Indigenous women in various Indigenous community contexts when they are confronted with state law (which does not specifically recognise their existence), and their own customary law, which is shaped by patriarchal biases.

Research Methodology

This paper uses a literature review of a number of articles and books on research into Indigenous women, both in Indonesia and other countries (Ivankova & Creswell 2009). The paper also draws on research by Estrada-Tanck (2018) on women in Indigenous communities in Mexico and by Griffith (1984) on Indigenous women in Botswana. Furthermore, materials from reports by organisations advocating specifically for Indigenous women are utilised, including reports from Jurnal Perempuan, HuMa, and PEREMPUAN AMAN. Keywords used to search for the cited literature are: Indigenous women, Indigenous communities, customary law communities, advocacy for vulnerable groups, and customary law.

In addition to referencing the results of searches for academic articles and data from organisations advocating for Indigenous women, the paper also cites annotations of court rulings, legislation, and academic papers. These annotations are used to illustrate the

advocacy process regarding the rights of Indigenous communities, particularly Indigenous women.

A small amount of field research data was obtained from focus group discussions attended by female religious leaders, pastors, local Indigenous women, and representatives of service-providing organisations. These discussions were carried out by researchers in the Rote and Labuan Bajo regions between 2017 and 2018. This data reinforces the picture of the forms of violence faced by Indigenous women. It sheds light on how women cope with situations where they encounter obstacles and become embroiled in legal cases. The data presented here includes information on marriage, including situations where a marriage is not yet considered valid under customary law. The findings of this research remain significant to this day, as evidenced by the obstacles women still face regarding their marital status.

This paper is not strictly a socio-legal study. However, this does not mean that it is based on a cursory online search. Reliable references that are sufficiently up to date on Indigenous women from a women's narrative perspective are difficult to find. Similarly, specific keywords must be used when searching for court rulings to ensure that the cases in question relate to Indigenous women. By revealing how the law impacts society - in this instance, customary law and how it subsequently affects Indigenous communities - the aspects of 'law in the book', 'law in society' and 'law in action' are fulfilled, meaning this research can be classified as socio-legal research (Banakar & Travers 2010).

Discussion

Building on D'Andrea's thinking, Indigenous communities in Indonesia may form for several reasons. Firstly, they may form due to kinship or hereditary ties. Secondly, such communities may form due to territorial ties. Thirdly, these communities may form as a result of a combination of kinship and territorial ties, or in other words, a blend of the first two factors. It is important to note that not all group-based entities within society can be automatically classified as Indigenous communities, even if such groups declare themselves as such.

Some literature distinguishes between Indigenous communities and customary law communities. These different terms are also used in Constitutional Court

rulings. Customary law communities are considered to possess distinctive characteristics because their legal rules are binding and fully observed by community members. This distinguishes them from Indigenous communities, whose members may live within a particular community but are no longer fully bound by their customary law. They may also reside outside the context of their original territory or region. The same point is raised in the Constitutional Court's ruling on the characteristics of Indigenous communities.

Firstly, members of customary law communities share a common historical experience. They possess stories, passed down orally or recorded in specialised texts, which detail their group's journey from the time of their ancestors to the point at which they settled. Secondly, members of customary law communities have knowledge of their shared origins and understand that their ancestors came from a particular place. This knowledge is passed down through shared folklore, including specific names for ancestral homelands within each community.

Thirdly, distinctive symbols are used to which the same meaning is attached. These include the use of certain concepts and rituals at specific times involving objects of special significance that are understood only by a particular group. These elements are utilised in the process of collective decision-making.

Fourthly, members of customary law communities share a value system that they regard as a guide to life. This value system is used to resolve conflicts amongst community members and overlaps with the state legal system and religious laws, which are applied according to context.

Fifthly, members of customary law communities are bound to their place of residence and possess knowledge of the environment in which they live as an ecosystem. This knowledge is passed down from generation to generation. Furthermore, there are mechanisms governing prohibitions and permissions relating to the management of the environment and natural resources within the community's territory.

Sixthly, the lives of members of customary law communities are organised according to a distinctive legal system based on values deemed important, as previously explained. Community members submit to,

comply with, or at the very least attempt to conform to these rules.

Indigenous communities possess a number of rights, including: 1) representation in decision-making; 2) the right to practise their Indigenous religion, which is recognised by the state and included in legal identity documents. However, Indigenous women often struggle to obtain birth certificates for their children, particularly if they practise traditional beliefs. Marriages conducted within groups of Indigenous faith believers often cannot be registered under state law, meaning that marriage certificates are not issued. Without a marriage certificate, a child's birth certificate can only list the mother's name, meaning the child is deemed to have been born out of wedlock. In some Indonesian communities, this is considered shameful as it affects the child's social status; 3) The right to education; 4) The right to protection during legal proceedings. This issue is exacerbated by a lack of understanding of state law. Law enforcement officials and policymakers largely still fail to understand and/or apply the protection of the rights of Indigenous peoples, particularly those of Indigenous women who come into conflict with the law, whether as complainants or defendants. For example, regarding the right to legal representation. Law enforcement officials often fail to understand that, under Indonesia's procedural legal rules, suspects must be accompanied during investigations. In the context of customary law communities, however, this support should be expanded to include legal, psychological and interpretative assistance. This should include interpreters who understand the local language and can translate it into Indonesian, and vice versa. Consequently, the judicial process can be conducted fairly and impartially, as Indigenous people facing legal proceedings can understand the communication. Support is required not only for suspects, those reported or defendants, but also for Indigenous women who are victims of violence. They need support from people who understand the local language, as well as psychological and legal support; 5) The right of women and children to be free from violence; 6) The right of women to express their opinions and participate meaningfully in decision-making at various levels within society; and 7) The right to access healthcare services, and so on.

Regarding who can be defined as an Indigenous woman, Devi Anggraini of PEREMPUAN AMAN, as cited

by Putu Gadis Arvia Puspa, states that an Indigenous woman is a woman whose life is bound to a particular territory. According to Devi, there are rules, norms, and social roles within the group that form a bond. These communal social bonds also bind Indigenous women (Puspa 2025). This is why Indigenous women's rights are always framed as communal rights. This distinguishes them from women living in major cities, whose experiences differ, as women in major cities tend to focus more on individual rights.

Furthermore, when discussing Indigenous women, it is important to understand that they are not a monolithic group, and that the issues they face are highly complex. These issues are not limited to gender construction, but also involve class dynamics. This raises the question: to which class do these women belong?

Class within Indigenous communities can be determined by factors such as age, lineage (nobility, commoners, or slaves/servants), property ownership, and an individual's role within a community. For example, individuals who are traditional or local religious leaders, or who are considered to possess supernatural powers, will wield a certain influence. Other questions within the scope of 'which women' include: 1) Are women included in the elite group within Indigenous communities based on lineage?; 2) Are women included in the elite group within Indigenous communities based on lineage or genealogy, as well as through marriage?; 3) Are women included in the elite group within Indigenous communities based on financial and social capital?; 4) Are women included in the elite group because they have access to financial and social capital, even if they are not of noble birth (for example, traders with a high turnover and an extensive network of contacts)?; 5) Are women who do not belong to the elite, but who hold land use rights through marriage and/or descent?; 6) Are women who are not of noble descent and who do not have access to land use rights? For example, women from outside the village or Indigenous community who have entered it through marriage or by moving to be with their families, taking into account the full context.

It is important to examine the backgrounds of women within Indigenous communities, rather than viewing Indigenous women as a single entity, since their respective access to rights may vary depending on their community of origin. This is due to Indigenous women's close experience of social exclusion at various levels.

Social exclusion is defined as the process by which certain individuals or groups are wholly or partially excluded from participating fully in various aspects of life in their place of residence (Kabeer 2000).

Exclusion can occur due to patriarchal values, which lead to the development of power relations and gender inequality within society, including in Indigenous communities. These unequal power relations are continuously institutionalised, ultimately limiting women's ability to contribute their perspectives to decision-making processes. Consequently, women - particularly those not belonging to the elite - may find that their experiences are not reflected in local or national policies. In Indigenous communities, women are subordinated in public spheres; for instance, they are often excluded from decision-making processes. This results in a situation where the presence of men at various customary meetings, whether internal or involving external parties such as state representatives or companies, is deemed to adequately represent women's voices. This is evident in processes relating to land use, ownership of natural resources, and the resolution of violence against women. This is not only the case in Indonesia; it is also reflected in the findings of Griffith (1984) and Estrada-Tanck (2018), who noted that women lack access to, or are marginalised in, the management and transfer of land rights.

The exclusion of Indigenous women from public-sector decision-making processes is also evident when Indigenous women are not involved in initiatives aimed at strengthening the capacity of Indigenous communities. This results in assistance that is consistently consumptive and out of step with the environmental and cultural context of Indigenous women (Saragih 2024).

Furthermore, Indigenous women are often excluded from the reporting and handling of cases of gender-based violence. Within the context of state law, this process is not always straightforward. For example, in certain regions, customary councils or courts serve as the primary reporting channels, and strong religious and customary values instruct women to remain silent about domestic violence, as this would bring shame upon the family (Nurtjahyo 2020).

This exclusion relates not only to cases of violence against women in the domestic sphere (within the

family or in personal relationships), but also to decision-making processes in the public sphere. For example, few Indigenous communities allow women to attend customary meetings as observers. This is the case in the *Kasepuhan Banten Kidul* community (Satari 2015).

Most other Indigenous communities exclude women by forbidding them from attending customary meetings. For example, in the *Dayak Maanyan* Indigenous community, decisions regarding the use of customary land for mining and production forests were made without consulting women. Consequently, ecosystems such as forests, land, and rivers have been damaged. Women's access to materials for producing local handicrafts has also been restricted. Traditionally female-produced goods have become scarce, which negatively affects the local community's economic conditions (Satari 2015).

The same applies to decision-making on matters of common interest. The knowledge, experiences, and voices of Indigenous women are often overlooked. Customary law neither considers nor accommodates women's interests. This applies to codes of conduct resulting from decisions made during the decision-making process, or from agreements with external parties or within the Indigenous community itself. It also applies to decisions to impose sanctions for specific actions. Often, decision-making in customary meetings perpetuates patriarchal values. This can be seen in decisions regarding cases of violence against women, such as domestic or sexual violence.

In West Sumatra, for example, decisions were made without involving women, even when they were the victims. Research by Lestari, Tirtawening and Pranoto (2021) found that customary resolutions of domestic violence cases often exclude the victims. Indeed, victims are sometimes asked to reconcile with the perpetrators in order to preserve harmony within the household, the extended family, and the wider community. This means that even when victims are present in customary legal proceedings, they are excluded from decisions that should protect and support them.

This exclusion serves to guarantee the dominance and privilege of certain elite groups within society. It is important to emphasise that patriarchal values and efforts to exclude women from certain groups or classes are not only found in patrilineal kinship societies, which

trace descent through the male/paternal line, but also in matrilineal kinship systems, which trace descent through the female/maternal line, and in bilateral/parental systems.

Practices that exclude women from decision-making processes can result in actions that are detrimental to them. Examples include: 1) The perpetrator marrying the rape victim in an attempt to remove the village's shame (Nurtjahyo 2020); 2) Child marriage (Zuraini 2017; Sa'dan 2015); 3) Maternal and infant mortality due to outdated beliefs and practices regarding health and child-rearing; 4) Forced contractual marriages arranged by the family for economic reasons, where women are seen as a financial burden. The assumption is that by marrying off a daughter, the family's financial burden will be reduced. This constitutes a form of exploitation of women or girls. While women or girls may be included in meetings about marriage, the decision ultimately rests with the parents. Alternatively, marriage may be arranged without their involvement (Sa'dan 2015); 5) Women are excluded from decision-making processes concerning the transfer of land rights for use as mines or production forests, the resolution of disputes over natural resources, and the management of access to natural resources (Satari 2015). In some Indigenous communities, women are present during traditional ceremonies to prepare offerings, arrange the food, welcome guests, and ensure that the ceremonies run smoothly. However, they are not substantially involved in jointly formulating what is considered meaningful and valuable to the Indigenous community as a whole. Only men are considered to have the authority to convey traditional messages (Puspa 2025); 6) Traditional values that fail to protect women and children contribute to culture-rooted violence. For example, forced marriages involving girls or women occur when the perpetrator, whether acting alone or as part of the family, makes a decision without the woman's consent and takes her by force. Research by Nurtjahyo (2020) and Nafi et al. (2015) has revealed cases of wife killing caused by conflicts arising from the payment of a dowry, or 'belis'. The amount of the dowry is often decided without consulting the woman in question; 7) Domestic violence that cannot be reported because it is considered a disgrace (Saragih 2024; Puspa 2025; Pakka 2025; Lestari, Tirtawening & Pranoto 2021). Many customary decisions regarding gender-based violence do not represent women's interests, instead focusing

on restoring reputation or clearing away shame. For example, 'punjung ayam' or village fines. This violence also includes that perpetrated by state officials against Indigenous women; 8) The exploitation of women's labour, such as sending women as migrant workers to finance the needs of extended families or traditional ceremonies; 9) Women's limited access to health services, such as reproductive health and nutrition education (Brahmana 2015); 10) Severe social or customary sanctions imposed on women, whilst exonerating men, in cases of sexual violence (Zuhraeni 2017). This may be due to a lack of understanding and sensitivity regarding gender-based and sexual violence on the part of 'traditional judges'; 11) In Indonesia, marriages often involve numerous stages involving traditional, religious and state roles. If a single requirement under these customary or religious rules is not met, it can cause other processes to be delayed (Nurtjahyo 2020). For example, the 2013 ruling by the Maumere District Court concerning a couple who were cohabiting because they could not marry under customary law, despite already having a child together. By the time the marriage was finalised according to customary law, the woman had ended the relationship and was living with another man (District Court Judgment No. 49/Pdt.G/2013/PN.MMR); 12) In Rote, some women with children from cohabitation do not dare to propose marriage due to the prospect of a church wedding or the difficulty of registering marriages with the Population and Civil Registration Office or the Office of Religious Affairs. Proposing marriage would subject the woman to verbal abuse and physical violence from her partner (Nurtjahyo et al. 2016). This was confirmed in research conducted by the author and her team in several areas of Rote and Labuan Bajo in 2017. This research was based on a number of small group discussions attended by women and female religious leaders. The women shared a number of experiences involving neighbours or congregants regarding customary, religious, and state-registered marriages.

Examining the various cases above raises the following question: Are there any state or customary legal practices that accommodate these experiences and protect women? The practices of women from the *Kasepuhan Karang* Indigenous community, whose territory lies within the Halimun Gunung Salak National Park, provide an answer. The Indigenous women in this

area are fighting for clear rights over the management of entrusted land, forest cover, and cultivated land. This enables them to support their families by sourcing food from the land, which forms part of the Indigenous community's territory within the National Park - a situation that predates the area's designation as a National Park (Halim 2025).

The practices carried out by women in *Kasepuhan Banten* also demonstrate Indigenous women's participation in traditional council meetings. Although they do not attend in person, they have strategies to follow the proceedings and provide input (Satari 2015).

Furthermore, the incorporation of women's experiences in Indigenous meetings, whether during decision-making or the establishment of rules within Indigenous communities, can be examined using Feminist Legal Theory (FLT) (MacKinnon 1989). FLT can analyse a range of societal regulations to determine whether they may be detrimental to women or even result in violence against them. However, legal anthropology reveals that law is produced by society, not merely by the state. Therefore, the laws present within Indigenous communities can also be analysed using FLT. This analytical process seeks to objectively re-examine the impact of the law on women and how these rules can be improved to ensure justice for all in the context of Indigenous communities.

A legal analysis from a feminist perspective draws on theories developed within feminist legal studies to examine how a seemingly neutral legal rule can be detrimental to women. One such theory discusses three perspectives on 'equality': the protective, sameness, and corrective approaches (Kapur 1991). These three distinct perspectives influence the subsequent development of substantive legal aspects, which ultimately impact women.

The hope is that the resulting regulations can be critically re-examined using the FLT analytical method. The aim is to uncover power imbalances, whether already present or potentially arising, so that the inequalities leading to various forms of discrimination or violence can be identified and rectified.

Examining existing legal instruments will reveal unequal power relations, whether already present or potentially arising as a result of implementing regulations, and strategies will be developed to address

these. Affirmative action within state legal instruments or joint decisions by Indigenous communities adopting a gender justice perspective will be formulated and implemented to grant special rights to the most vulnerable groups, thereby strengthening their capacity (Sieder 2017; Picq 2012). Such affirmative action is temporary until a balance is achieved.

Indigenous women should have the opportunity to learn about both customary and state law. They should be involved in drafting customary or village regulations, particularly those relating to the protection of Indigenous women and children within Indigenous communities. Several strategies can be implemented to provide Indigenous women with such opportunities at a grassroots level. For example, in the *Kasepuhan Banten* community, women are initially allowed to attend customary meetings only to listen, but they are gradually encouraged to participate by asking questions and sharing their opinions (Lestari, Tirtawening & Pranoto 2021; Sieder & Barrera 2017; Swenson & Campbell 2016).

It is also important to introduce mechanisms for resolving conflicts and disputes at village level in order to involve women, particularly in cases of violence against women and children. Although this will be a lengthy process, it is hoped that capacity building, covering both substantive issues and procedural knowledge, and involving men as equal partners in the learning process, will achieve this. The communal aspect can be both a strength and a weakness, so a process of mutual learning to build sensitivity is essential. This process could begin with an educational programme to raise awareness of what constitutes violence, involving young people, traditional leaders, and young families. Encouraging the involvement of young people can give them bargaining power and help to create an equal power dynamic within Indigenous communities.

Closing

As a diverse group, women need to be examined in greater depth. Researchers from outside Indigenous communities, as well as policymakers, must recognise that women's access to these communities can vary depending on the location and situation. For instance, women who are not part of the elite may not have their voices represented in decision-making processes.

Furthermore, meaningful participation requires women to be involved in decision-making processes at various levels. To gain access to the protection of their rights, women must participate in deliberations, even at the village level. Men need to play a stronger role in fostering gender sensitivity. This is done in the hope of fostering gender sensitivity. It is hoped that this will lead to a new awareness emerging within society, enabling people to view women's involvement in decision-making processes more positively, whether by those in authority within Indigenous communities or the state. This will, in turn, lead to women being included in decision-making forums and engaging in meaningful public participation. It is crucial to strengthen women's legal literacy in the context of both state and customary law.

Access to natural resources in Indonesia is currently influenced by class and gender biases. Access, which encompasses the management, utilisation and enjoyment of natural resources, requires a new awareness to be fostered through gender-sensitive education. This will emphasise that both women and men have equal rights to access natural resources.

The above points require a comprehensive understanding that there are problems with the construction of customary values which do not accommodate the protection of women (and children). Such constructions lead to various forms of violence rooted in cultural values and even perpetuate discrimination.

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Indigenous Women's Leadership and the Implementation of CEDAW GR 39 in Advocating for the Indigenous Peoples Bill

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Abstract

The experiences and contributions of Indigenous women have not been accommodated in legislative policies, despite their strategic role in maintaining living space and community sustainability. This study uses a qualitative method with a descriptive approach through literature review and analysis of various documents, utilising intersectional feminism and feminist political ecology perspectives. The research findings indicate that the Indigenous Peoples Bill does not adequately regulate and protect indigenous women. The Indigenous Peoples Bill does not implement CEDAW GR 39. The absence of explicit regulations regarding indigenous women in the Indigenous Peoples Bill could lead to harm for indigenous women, Indigenous communities, the nation, and the state. Indigenous women are at the forefront of preserving traditional knowledge, especially regarding medicine, natural resources, economic sources, food sources, water sources, culture, and traditions. Therefore, it is crucial to recognise and protect Indigenous women in the Indigenous Peoples Bill.

Keywords: CEDAW GR 39, Indigenous women's leadership, advocacy for Indigenous Peoples

Introduction

Indigenous Peoples are currently spread across 90 countries worldwide, with an estimated total population of 476.6 million. Over half of them (238.4 million) are women (ILO 2019). Indonesia is one of the countries with a large Indigenous population. It is a nation known for its highly diverse mosaic of ethnicities and customs, comprising 1,340 ethnic groups (BPS 2010).

The existence of Indigenous Peoples is recognised in national and international legal instruments. Initially regarded as tedious in international politics and law, discussions regarding Indigenous Peoples have evolved into a concept with sufficient weight to serve as a basis for group mobilisation, the establishment of international standards, transnational networks and programme activities by intergovernmental and non-governmental organisations (Kingsbury 1998). The issue of Indigenous Peoples' rights in international law provides a valuable insight into the broader question of how law can accommodate diversity (Fodella 2006).

The existence and rights of Indigenous Peoples are explicitly recognised internationally by the United Nations through the United Nations Convention on

Biological Diversity (UNCBD), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and General Recommendation No. 39 (2022) of the Convention on the Elimination of All Forms of Discrimination against Women. In Indonesia, Indigenous Peoples are recognised in the Constitution, particularly in Articles 18B(2) and 28I(3) of the 1945 Constitution of the Republic of Indonesia (UUD 1945). Indeed, Indonesia has recognised the existence of Indigenous Peoples through numerous laws and regulations. They are regulated and protected under the 1945 Constitution, MPR Decrees, Constitutional Court rulings, Laws, Government Regulations, Presidential Instructions, Ministerial Regulations, and Regional Regulations. However, the provisions relating to Indigenous Peoples in existing legislation remain limited, incomplete, and unclear. They are also generally irrelevant and therefore not yet capable of providing adequate protection for Indigenous communities and Indigenous women.

To date, there has been no specific legislation governing Indigenous Peoples. This means that the protection and recognition of their rights depend on various sectoral regulations, such as those relating to land, plantations, and spatial planning. These

regulations often overlap and primarily serve the interests of development and investment. This has led to numerous conflicts involving Indigenous communities across Indonesia (Saswoyo & Pura 2023). Such conflicts frequently arise between Indigenous communities and various plantation and mining companies, as well as large-scale infrastructure projects. These conflicts have been ongoing for several decades and continue to this day. These protracted conflicts not only result in the loss of customary territories, but also threaten the sustainability of Indigenous Peoples' social, cultural and economic systems. Furthermore, such conflicts undermine Indigenous Peoples' ability to safeguard and manage their livelihood resources (Li 2014).

Indigenous women are particularly vulnerable in situations of conflict and legal uncertainty. However, their gender identity is not the only factor contributing to these limitations. Their most significant vulnerability lies in their relationship with livelihood systems that depend on land and natural resources, both of which are becoming increasingly marginalised. Indigenous women continue to lose access to land, forests and food sources. This directly impacts the increased burden of reproductive work carried out by Indigenous women, leading to reduced household food security. Furthermore, traditional knowledge, which has long been passed down through women's roles, is at risk of being lost. Indigenous women are now particularly vulnerable to gender-based violence in the context of extractive and agrarian development (Colfer & Minarchek 2013; Komnas Perempuan 2023).

Indonesia has long been committed to safeguarding women's rights. This commitment is evident through its ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) via Law No. 7 of 1984. However, this commitment has not yet been extended to Indigenous women. For instance, despite the fact that CEDAW issued General Recommendation No. 39 on the rights of Indigenous women and girls (CEDAW GR 39) in 2022, there are still no regulations that explicitly recognise and provide for Indigenous women. In fact, the principles of CEDAW GR 39 have yet to be implemented in the draft law on Indigenous Peoples, despite it being included several times in the Indonesian House of Representatives' National Legislation Programme (Prolegnas).

The Indigenous Peoples Bill contains no specific provisions relating to Indigenous women and girls. In the context of Indigenous communities, it is crucial to recognise and affirm the status and rights of Indigenous women and girls. This is particularly important given that Indigenous communities in Indonesia generally follow a patrilineal system that treats women as subordinate within the social and economic structure (Riangtobi, Andim & Subandi 2025). Under this system, Indigenous women often struggle to secure their rights within their communities.

Without adequate protection for Indigenous women, the leadership they provide in managing traditional knowledge—particularly with regard to medicine, natural resources, economic resources, food sources, water sources, culture, and traditions—will be lost. The loss of Indigenous women's leadership would result in the loss of much of the traditional knowledge of Indigenous communities. This would be detrimental not only to Indigenous women and communities, but also to the nation as a whole. It is therefore vital to provide Indigenous women with protection, as explicitly stipulated in legislation such as the Indigenous Peoples' Bill.

Research Methodology

This study takes a qualitative approach with a descriptive focus. Data were collected through a thorough analysis of various policies, selected for their relevance. Data were also gathered on issues arising within Indigenous communities. These data were analysed from a feminist political ecology perspective. Policy and legal documents were also utilised in this study, including the 1945 Constitution, the Draft Indigenous Peoples' Bill, CEDAW General Recommendation 39 and reports from the government, civil society groups and the National Commission on Violence Against Women (Komnas Perempuan).

The data were analysed using thematic and critical normative analyses. Thematic analysis involved identifying key patterns of gender injustice arising from conflicts over natural resources, particularly with regard to leadership practices within Indigenous communities and gender relations. Critical normative analysis was used to evaluate the Draft Indigenous Peoples' Bill in line with the principles of substantive

equality, meaningful participation and gender equality as set out in CEDAW General Recommendation 39.

Thematic analysis is an analytical technique used to identify, organise and interpret patterns of meaning within systematically organised data. It focuses on interpreting recurring social experiences within a specific context, going beyond mere categorisation of data. Through thematic analysis, researchers can trace how phenomena such as gender inequality are shaped by patterns of social relations, power structures, and cultural practices across various datasets (Braun & Clarke 2006). In this study, thematic analysis is based on the real-world practices of Indigenous women's leadership in Indonesia. The aim is to reinforce the argument for the importance of the CEDAW General Recommendation 39 perspective in the Draft Bill on Indigenous Peoples. As evidenced by various field experiences, Indigenous women play a significant role beyond the domestic sphere. They also play a pivotal role in environmental advocacy, safeguarding Indigenous territories, defending them, and strengthening community social networks. However, their contributions are often inadequately recognised within the national legal framework.

Critical normative analysis is a method used to examine norms or rules in depth with the aim of identifying more appropriate, relevant, and just provisions. By analysing various resource contexts, a range of policies relating to the importance of recognising Indigenous communities and Indigenous women can be identified. Recognising Indigenous women as members of Indigenous communities would promote gender equality and protect them from discrimination. Conducted in early 2026, this research focused on the gender justice agenda and the legal reform process for Indonesia's Indigenous communities.

Referring to the above framework, this paper positions the leadership of Indigenous women as an advocacy practice that operates through three simultaneous pathways: (1) the community pathway (consultation, solidarity and social resilience); (2) the political and legal pathway (recognition of collective rights and protection from criminalisation); and (3) the normative pathway of international human rights (with CEDAW GR 39 serving as a reference for protection and redress). CEDAW GR 39 reinforces the idea that Indigenous women's experiences cannot be treated

as a secondary issue in Indigenous Peoples' policies, but rather as a core issue. Consequently, advocacy for Indigenous women must demand not only recognition of their territories, but also structural policy changes to ensure meaningful participation, access to justice, protection from violence, and gender-sensitive redress (CEDAW General Recommendation 39; National Commission on Violence Against Women 2024).

This theoretical framework also emphasises that recognising Indigenous Peoples without transforming power relations can create a paradox. Formal recognition may coexist with the perpetuation of patriarchy, particularly when structures of representation are male-dominated and women's experiences are not reflected in policy. Therefore, critical analysis of policy substance, including the legislative process for the Indigenous Peoples Bill, must be based on intersectional feminist approach and community-based feminist leadership. The most important question is not merely whether Indigenous communities are recognised, but whether such recognition results in substantive justice for Indigenous women (Cornwall, 2008; Peluso & Lund 2011).

Implementing CEDAW GR 39 in the Context of Advocacy for the Indigenous Peoples Bill

The existence and rights of Indigenous Peoples are explicitly recognised in the United Nations Convention on Biological Diversity (UNCBD). Signed on 5 June 1992, it entered into force on 29 December 1993. Article 8(j) of the Convention affirms this recognition. This article states that all parties shall respect, preserve and maintain knowledge, innovations, and practices of Indigenous embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity. The Convention also emphasises the need for consent, involvement, and equitable sharing in the utilisation of Indigenous Peoples' knowledge, innovations, and practices.

The recognition of Indigenous Peoples and their rights was further reinforced when the UN General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Declaration was adopted on 13 September 2007. The UNDRIP is widely recognised as having significantly influenced the definition of Indigenous Peoples' rights.

In 2022, the CEDAW Committee adopted General Recommendation No. 39, setting out the rights of Indigenous women and girls. CEDAW is an international convention for the elimination of all forms of discrimination against women. Indonesia signed and ratified the convention through Law No. 7 of 1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

Although the international community has pledged to protect Indigenous communities and women, these groups continue to be inadequately recognised and protected in Indonesia. One reason for this is the lack of legislation designed specifically to protect and regulate matters concerning Indigenous communities and women. Such legislation is vital for ensuring their protection, fulfilment, and respect in Indonesia. The 2024 World Indigenous Peoples' Report highlights the disproportionate impact of climate change, resource extraction, and development projects on Indigenous communities, especially Indigenous women. The report also shows that Indigenous women face a unique set of challenges due to the intersection of gender and Indigenous identity, and frequently experience various forms of discrimination (IWGIA 2024).

Indigenous women often have strong and inseparable ties to their communities, land, territories, natural resources, and culture. However, the legal protection of Indigenous women's land rights is weak, leaving them vulnerable to dispossession, eviction, confinement, appropriation, and exploitation. The lack of legal title to Indigenous Peoples' territories makes them more vulnerable to illegal encroachment, as well as to development projects being implemented without their free, prior and informed consent by both state and non-state actors (CEDAW GR 39).

The enactment of legislation on Indigenous Peoples represents comprehensive recognition of Indigenous communities and Indigenous women as being integral to the life of the nation. The passage of the Indigenous Peoples Bill, which protects Indigenous women and girls, is crucial because they are vital guardians of the environment, possessing the local knowledge necessary for sustainable environmental stewardship. At COP30 of the United Nations Framework Convention on Climate Change in Belém, Brazil, in November 2025, Indigenous Peoples were recognised as key actors in the global climate agenda.

Community groups continue to advocate for the Indigenous Peoples Bill. The aim is to strengthen, simplify, make more affordable, and improve the effectiveness of the recognition and protection of Indigenous Peoples. Since 2003, Indigenous communities have championed and proposed the Indigenous Peoples Bill at the AMAN Congress. This legislation is essential for safeguarding the sovereignty of Indigenous communities and achieving social justice for all people in Indonesia. An academic paper of the Bill has been in preparation since 2010 for submission to the Indonesian House of Representatives (DPR RI). Since 2013, the Bill has repeatedly been included in, and then removed from the DPR's Prolegnas. It was also approved by the DPR's Legislative Body in a plenary session on 4 September 2020. However, as of February 2026, the Bill remains at a standstill in the legislative process.

The main obstacle is the tug-of-war over political interests surrounding the Indigenous Peoples Bill within both the executive and the legislature. Furthermore, neither the government nor the Indonesian House of Representatives has shown any goodwill towards Indigenous Peoples. The current bill has also failed to resolve the issue of overlapping regulations, which complicates the recognition of Indigenous Peoples. Substantively, the current Indigenous Peoples Bill continues to face significant criticism from civil society and academics. One such criticism is the lack of adequate provisions for Indigenous women.

The Indigenous Peoples Bill makes no provision whatsoever for Indigenous women. This is in stark contrast to General Recommendation 39, which focuses specifically on Indigenous women and girls. Without substantive reformulation, the bill risks becoming ineffective, meaning there is still a long way to go before it can protect Indigenous communities and women.

CEDAW GR 39 is a significant achievement for Indigenous women and girls. It is a direct response to sustained calls by Indigenous women and girls for a specific international instrument to further promote, protect, and fulfil their rights. It is the first international instrument to use language that focuses specifically on the rights of Indigenous women and girls. It provides guidance on states' obligations to respect, protect, promote, and fulfil the rights of Indigenous women and girls (A Brief Version of CEDAW General

Recommendation No. 39 (2022) for Ensuring the Rights of Indigenous Women and Girls).

Furthermore, CEDAW GR 39 states that discrimination and violence are recurring phenomena in the lives of many Indigenous women and girls, regardless of whether they live in rural, remote or urban areas. Indigenous women in Indonesia also experience these phenomena. They are particularly vulnerable to sexual violence, and this is an ongoing issue (Eddyono 2026). Within Indigenous communities, sexual violence occurs due to the social structure, specifically the hierarchical layers reflecting differing levels of authority (Astuti, Pasaribu & Anggraini 2024). Furthermore, Indigenous communities in Indonesia generally follow a patrilineal system, meaning Indigenous women are not recognised as owners or heirs of the land (Febriana, Kusmayanti & Nugroho 2024). Examples of communities that follow this system include the Batak (Arianty & Rosyadi 2023; Rosyida & Ramadhani 2023), the Balinese (Wulandari & Kusuma 2023), and the Papuan (Hasmiyati, Khairunnisa & You 2025) Indigenous communities. CEDAW GR 39 provides a strong normative foundation demonstrating that Indigenous women and girls require special protection due to facing multiple forms of discrimination. However, in reality, Indonesia has no policies or legal frameworks that prioritise the experiences and needs of Indigenous women.

Problems with the Indigenous Peoples Bill from the Perspective of CEDAW GR 39

The rights of Indigenous peoples have been recognised internationally since 1992 through the UNCBD. This recognition was further reinforced in 2007 with the adoption of the UNDRIP. However, neither of these international legal instruments specifically addresses the rights of Indigenous women and girls. It took three decades after the UNCBD was signed for the interests and rights of Indigenous women and girls to be addressed at the international level. In 2022, the CEDAW Committee adopted a general recommendation setting out the rights of Indigenous women and girls.

At the national level, Indonesia has regulated Indigenous peoples through its 1945 Constitution, MPR decrees, Constitutional Court rulings, laws, government regulations, presidential instructions, ministerial regulations and decisions, and regional regulations. Several of these are closely linked to the

lives of Indigenous women and girls, including the Basic Agrarian Law, the Environmental Management Law, the Forestry Law, the Water Resources Law, and the Mineral and Coal Mining Law. However, none of these laws and regulations contain provisions concerning Indigenous women and girls specifically.

Therefore, it can be concluded that there is currently no Indonesian legislation specifically addressing Indigenous women and girls in accordance with CEDAW GR 39. The same applies to the Draft Law on Indigenous Peoples. Since 2013, the draft law has been included in the DPR's Prolegnas. After being repeatedly added to and removed from the Prolegnas, the bill was approved by a plenary meeting of the DPR's Legislation Body on 4 September 2020. However, it has never been passed in a plenary session of the DPR (Wardah 2021). As of March 2026, the Indigenous Peoples Bill remains at a standstill in the legislative process.

The Bill currently fulfils the Constitution's mandate. This is evident in Article 18B(2), which recognises Indigenous communities and their traditional rights. Furthermore, Article 28I(3) enshrines respect for the cultural identity and rights of traditional communities. While the Constitution recognises Indigenous Peoples and their traditional rights, not a single article specifically mentions Indigenous women and girls. Similarly, the Draft Bill on Indigenous Peoples makes no explicit provision whatsoever regarding Indigenous women. This is in stark contrast to GR 39, which focuses specifically on Indigenous women and girls. Without adequate protection for Indigenous women, the leadership they provide in managing traditional knowledge - particularly with regard to medicine, natural resources, economic resources, food sources, water sources, culture, and traditions - will be lost.

Indigenous Women's Leadership in Advocating for the Indigenous Peoples Bill

According to a number of studies, the recognition of Indonesia's Indigenous Peoples is determined by power relations between the state, the market, and local communities. However, this concept is often misunderstood, failing to consider the history of land dispossession and the power imbalances faced by Indigenous communities. Many people regard recognition as a legal administrative process requiring the fulfilment of formal standards, such as the existence

of customary structures, territories and legal systems (Siscawati 2018). Recognition is often viewed through the lens of capitalist development, with customary territories being regarded as sites of economic accumulation and production (Li 2014). Consequently, Indigenous Peoples' rights to land and resources are denied. Such recognition is often merely symbolic.

Many Indigenous communities face various structural challenges when trying to secure recognition of their customary territories due to the proliferation of plantation and forestry licences. Although Indigenous communities have strong historical claims, the existence of various HGU (right to cultivate) licences and forestry business permits puts them at a competitive disadvantage (Peluso & Lund 2011). This sectoral recognition also contributes to the fragmentation of legal protection. A study by Siscawati (2018) shows that such recognition merely prolongs legal uncertainty as it is subject to conflicting sectoral governance rather than resolving conflicts. In most cases, recognition is based on power dynamics that tend to favour those in power.

From a feminist perspective, these recognition laws structurally reinforce gender inequality. As Colfer and Minarchek (2013) and the United Nations (2022) have stated, recognition processes that focus on the formal structures of customary law tend to overlook the experiences and roles of Indigenous women. Consequently, collective recognition can perpetuate patriarchy within communities. In situations of conflict over resources, Indigenous women are not merely victims of the conflict, but also political actors bearing a double burden. This double burden takes the form of structural violence perpetrated by the state and corporations, as well as by the patriarchal culture within Indigenous communities. Therefore, gender-based advocacy is not just about defending territory; it is also about rejecting the injustices that place women in the most vulnerable, exhausted, and marginalised positions (Agarwal 1992; Rocheleau, Slayter, & Wangari 1996). When advocacy promotes a narrative of gender justice, women reject invisibility and refuse to be excluded from decision-making processes that affect their lives (Agarwal 1992; IUCN 2021).

Ultimately, a gender-based advocacy strategy aims to shift the focus of the struggle from bureaucratic recognition to genuine protection that impacts people's

lives. By forming alliances with civil society and human rights organisations and combining narratives of human rights, gender justice, and the collective rights of Indigenous women, they are asserting something far more fundamental than mere territorial status. They are demanding the right to live without fear, the right to care for their communities without shouldering the burden alone, and the right to determine their own future without facing violence that is legalised in the name of development. When viewed through the lens of feminist political ecology, this struggle becomes a politics of life, stemming from bodies, care work, real wounds, and the voices of women who have long been deliberately marginalised (Rocheleau, Slayter & Wangari 1996; CEDAW 2022).

Selecting the language of the struggle is one of the most strategic steps in advocating for Indigenous women. Advocacy does not thrive on text alone. Nevertheless, it requires tangible networks because the threats faced by Indigenous women are very real. Therefore, forming coalitions with civil society organisations, environmental advocacy networks, and human rights organisations is a crucial strategy. These coalitions can provide legal support, printed and online documentation, capacity building, public campaigns and safe spaces, ensuring that Indigenous women are not fighting alone. Coalitions can serve as the lifeblood of the movement, keeping the struggle alive when political pressure intensifies in situations of extreme power imbalance (WALHI 2024).

Violence against women human rights defenders often takes brutal forms, including physical force, stigmatisation, character assassination, and criminalisation. Therefore, collaboration amongst various stakeholders is essential. According to Komnas Perempuan's 2024 report, women human rights defenders frequently face specific threats. A report by Global Witness (2024) highlights the scale of violence against environmental and land rights defenders across various countries, showing that it is not merely a local issue. This issue underscores the close link between extractivism, criminalisation, and attacks on Indigenous women's communities resisting the seizure of their living spaces. Consequently, an effective advocacy strategy requires cooperation between various groups to foster solidarity across regions, networks, and national borders.

Indigenous women caught up in resource conflicts face a range of structural challenges that cannot be understood as merely technical or administrative issues. These include overlapping concession maps, boundary disputes, and unclear land ownership. Underlying these issues is a socio-political structure that determines who is considered legitimate to represent the community in formal processes and who merely receives decisions. Consequently, conflicts over customary territories, categorised as agrarian conflicts, are arenas of struggle over authority and legitimacy. This involves questions such as who has the right to define the land, regulate access to resources, and determine the direction of social change within the community (Agarwal 1992; Rocheleau, Slayter & Wangari 1996).

According to access theory, control over resources is not always determined by formal ownership. Instead, it is determined by the ability to control various access mechanisms, such as legitimacy, social networks, authority, knowledge and institutional recognition (Ribot & Peluso 2003). While Indigenous women can currently observe and participate in the day-to-day management of resources, they lack the power to determine how these resources are managed. This suggests that men have stronger access to resources as it is underpinned by formal authority structures, while women's access is often precarious as it depends on asymmetrical social relations. This situation highlights the importance of distinguishing between presence and power. Consequently, without a transfer of authority, the same patterns of domination will persist in decision-making processes (Arnstein 1969; Cornwall 2008).

For this reason, the empowerment of Indigenous women should not be confined to increasing their formal representation. Rather, efforts should be directed towards transforming the power dynamics that shape decision-making processes. Recognising customary rights or legalising territories does not automatically result in gender justice if decision-making structures remain masculine, hierarchical and exclusive. In this context, formal recognition without a change in power relations risks institutionalising inequality on a more official scale. Therefore, the gender justice agenda within Indigenous communities must emphasise redistributing authority, recognising women's knowledge as the basis for decision-making, and creating spaces for their substantive participation.

This will ensure that Indigenous women are recognised as political actors in the future of their communities (Cornwall 2003; Sikor & Lund 2009).

Prominent Indigenous women leaders in Indonesia include Aleta Baun, Gunarti, Yosepha Alomang, and Petronela Merauje. Coming from Mollo in South Central Timor, East Nusa Tenggara, Aleta Baun (Mak Aleta) is a prominent Indigenous environmental activist. She is widely recognised for her tenacity and courage in leading the movement to oppose marble mining and protect the Mount Mutis area. She has demonstrated that Indigenous women are capable of fighting for, and leading the defence of, the environment, from which Indigenous communities obtain water and living space (Jurnal Perempuan 2016). She organised peaceful protests involving 'weaving at the mining site'. These actions demonstrated cultural leadership and stewardship, showing that Indigenous women can build solidarity within their communities while influencing environmental policy. In recognition of her dedication to environmental preservation, she received the Goldman Environmental Prize in 2013 and the Yap Thiam Hien Award in 2016 (UNDP 2013; IUCN 2021).

Gunarti is an Indigenous *Samin* woman and leader of the non-violent resistance movement. She has been fighting for environmental protection and farmers' rights, as well as opposing the construction of a cement factory in the Kendeng Mountains in Sukolilo, Pati, Central Java. As a representative of Indigenous women, she plays a strategic role in shaping the narrative of *Samin* identity as 'guardians of the environment' through an ecofeminist approach. By forming women's groups and mobilising social networks, Gunarti has successfully integrated *Sedulur Sikep* teachings with the broader environmental movement, thereby increasing their acceptance (Virencia 2024).

Another Indigenous female leader comes from Papua. Yosepha Alomang is a petite woman with dark skin and curly hair. Yosepha is one of the Indigenous women who has experienced gender discrimination. She was forbidden to speak, express herself, or participate in certain traditional activities. Affectionately known as Mama Yosepha, she belongs to the *Amungme* tribe in Papua. As an Indigenous activist, she firmly defends the human rights and sovereignty of the traditional territory of the *Agimuga* people in Amungme, which has been seized by PT Freeport, the world's largest

gold and copper ore mining company. Mama Yosepha and her community organised the cutting of Freeport's pipelines and a three-day occupation of Timika Airport (Klik Hijau 2019).

Between 1983 and 1994, Yosepha was imprisoned a total of 18 times. In 1994, she was arrested on suspicion of being a member of the Free Papua Organisation (OPM). She continues to fight to protect the environment. In recognition of her efforts, she was awarded the Goldman Environmental Prize in 2001. Despite not having completed primary school, Yosepha delivered her acceptance speech in her native language. In 1999, she received the Yap Thiam Hien Award, which recognises human rights activists. She was also nominated for the Nobel Peace Prize in 2005. Yosepha's struggle has involved not only ecological issues, but also facing violence and criminalisation (Global Witness 2024; Komnas Perempuan 2023). In this context, Indigenous women act as guardians of their communities' sustainability and as defenders of human rights.

Another Indigenous Papuan woman who has successfully led environmental protection efforts is Petronela Merauje, also known as Mama Nela. Coming from Enggros Village in Youtefa Bay, Jayapura, Papua, Mama Nela is renowned as the guardian of the mangrove forest, also known as the 'women's forest'. This forest is a vital source of traditional livelihoods for the local community. She spearheads initiatives to conserve the mangroves, which are under threat from development and land reclamation. She encourages the women of the village to resist environmental destruction while upholding the tradition that the forest is off-limits to men and serves as a space for women's discussions. Her campaign emphasises customary land rights, the prevention of coastal erosion, and ensuring the sustainability of local food sources, such as fish, shellfish, and squid (Patanding 2023). Mama Nela is also campaigning for women's rights in the management of customary living spaces (AMAN 2022; BRWA 2023).

Furthermore, Indigenous Batak Toba women in North Sumatra are defending the Kemenyan Forest in their region. This stems from a conflict that began in 2009, when PT TPL seized land within the forest. The Indigenous *Pandumaan-Sipituhuta* community has seen its women, led by Mrs Lumbangaol, take the forefront in the struggle against PT TPL. The indigenous women of

Pandumaan-Sipituhuta have been hit hardest, as income from frankincense is their main source of livelihood. Consequently, the women of *Pandumaan-Sipituhuta* have been compelled to fight against TPL. This is also to prevent violence that might be directed at the men (husbands and sons). Their long struggle has been fully supported by non-governmental organisations, and in 2021 their efforts bore fruit when the government legally recognised the *Pandumaan-Sipituhuta* customary forest (Baiduri et al. 2025).

These examples demonstrate that Indigenous women require special protection, as they often face discrimination and violence in their daily lives. It is therefore vital to incorporate CEDAW GR 39 into the Draft Bill on Indigenous Peoples.

Intersectional Feminism and Indigenous Women

Intersectionality is an approach that examines various forms of injustice based on factors such as gender, ethnicity and class. These forms of injustice are not isolated phenomena, but are interlinked within the context of social experience. Kimberlé Crenshaw originally formulated the concept to highlight the experiences of women who cannot be reduced to a single category of identity due to the intersection of power structures that produce distinctive forms of marginalisation (Crenshaw 1989; 1991). Rauna Kuokkanen has built on this perspective, emphasising that Indigenous women face multiple layers of pressure ranging from patriarchy and political exclusion to colonialism. This means that their position must be understood within a more complex framework (Kuokkanen 2019).

Intersectional feminism holds that women's experiences of injustice cannot be understood through a single dimension of identity alone. Gender interacts with other factors, such as ethnicity, class, age, region, and historical relations, to shape a person's access to, and position within, the social structure. In the context of Indigenous communities, Indigenous women experience complex forms of vulnerability as they face socio-political regimes that are patriarchal, colonial and capitalist. This vulnerability operates on multiple levels. Indigenous women are often not recognised as primary decision-makers within their communities. They are politically and legally marginalised by the state and, as a group, they rely heavily on ecological spaces for

their livelihoods. They bear the heaviest burden when their living spaces are commodified or seized (Colfer & Minarchek 2013; Li 2014).

The vulnerability of Indigenous women is evident in their close relationship with their communities' livelihood systems. When land and natural resources become the focus of disputes between Indigenous communities and corporations or development projects, the socio-ecological consequences are never gender-neutral. Indigenous women often lose access to forest land and food and water sources, which increases their reproductive workload and reduces household food security. At the same time, Indigenous women are at risk of experiencing gender-based violence in the context of extractive industries and agrarian conflicts. This can include intimidation, criminalisation, and violence targeting women's bodies as a means of social subjugation (Komnas Perempuan 2023; IUCN 2021).

However, viewing Indigenous women merely as a vulnerable group risks perpetuating paternalistic attitudes. Intersectional feminism is crucial to recognise women as political subjects who experience injustice and build collective responses, develop advocacy strategies, and organise movement networks. Within the tradition of feminist political ecology, women are not merely victims of ecological change, but actors who link their everyday experiences to broader political discourses. Therefore, the struggles of Indigenous women can be understood as a form of the politics of life. This is a politics rooted in the body, care work, and efforts to safeguard the sustainability of living spaces for future generations (Agarwal 1992; Rocheleau, Slayter & Wangari 1996).

At the structural level, the injustices faced by Indigenous women can be categorised into three broad dimensions. The first is gender inequality, which operates through the division of domestic and reproductive labour, the normalisation of patriarchy, and the disregard for women's voices in deliberative forums. Secondly, political and economic inequality arises from extractive development, concessions and business licences, as well as the criminalisation of land defenders. Thirdly, the dimension of inequality in recognition. When the state recognises customary law in principle but has not yet established adequate legal frameworks, protection depends on overlapping sectoral regulations (Li 2014; Siscawati 2015).

Consequently, Indigenous women face multiple vulnerabilities, not only due to poverty or powerlessness, but also due to power structures determining who has the right to speak, who is considered legitimate, and who receives protection. This perspective is crucial for explaining why advocacy for Indigenous women requires a framework that can link local experiences to the state's obligations and the international human rights framework (CEDAW GR 39; Komnas Perempuan 2024).

The experiences of Indigenous women are inextricably linked to the history of colonialism and state relations, which have shaped the governance of living spaces. Colonialism bequeathed a worldview that treats land as a commodity to be managed and accumulated. This legacy persists in post-colonial state systems through sectoral regulations that treat Indigenous territories as productive, strategic economic spaces for investment. Policies relating to forestry, plantations, agrarian affairs, and spatial planning often operate in isolation from one another, resulting in chronic, protracted conflicts. In many cases, recognition alone is insufficient to guarantee the collective rights of Indigenous communities without operational legislation (Li 2014).

An intersectional approach emphasises that the injustices faced by Indigenous women are not merely the product of internal community patriarchy, but are also shaped by state structures that frequently reinforce masculine models of representation. The state tends to administer Indigenous communities through formal, hierarchical leadership mechanisms whereby male figures are deemed more suitable for negotiating, signing documents, and liaising with formal institutions. Consequently, women's experiences become less visible in the spheres of recognition and policy. This gives rise to layered exclusion. Women are marginalised within certain social norms, as well as within the legal and administrative processes that determine legitimacy (Sikor & Lund 2009).

Intersectionality provides a clearer analysis of agrarian conflicts as power struggles, such as disputes over the right to define land, regulate access, and determine legality. According to access theory, control over resources depends not only on formal ownership, but also on the ability to control mechanisms of legitimacy, networks, knowledge, and institutional

authority (Ribot & Peluso 2003). In customary contexts, women often possess everyday ecological skills and knowledge, yet still lack the power to determine management policies. This means that, even if they are close to the resources, women do not control the access systems that determine ownership (Ribot & Peluso 2003; Rocheleau, Slayter & Wangari 1996).

Furthermore, intersectionality is also linked to issues of representation and participation. Participation reminds us that women's involvement in forums is not automatically meaningful if there is no transfer of authority. They may be involved merely to lend legitimacy to the consultation process yet still lack the power to make decisions. This situation is often referred to as 'tokenistic participation', or presence without power (Constanta & Christabel 2026). Therefore, it is important to distinguish between procedural and substantive participation to ensure that women can influence decisions affecting their lives (Arnstein 1969; Cornwall 2008).

Within this framework, intersectional feminism positions Indigenous women as both victims of unjust structures and agents who challenge inequality. When indigenous women fight for their living spaces, they challenge definitions of expertise that tend to be limited to legal and technical knowledge. This highlights that at stake are not only the rights to land, but also the authority to define knowledge of the land itself. This raises the question of whose knowledge is considered valid when it comes to defining living spaces, sustainability and the future of the community (Fraser 1990; Rocheleau, Slayter & Wangari 1996).

Potential for Policy Transformation

Various parties continue to call for the prompt enactment of the Indigenous Peoples Bill, including through efforts to revise its content. Such revisions are necessary to ensure more effective protection for Indigenous Peoples, including Indigenous women and girls. The current Indigenous Peoples Bill does not specifically address women and girls, as recommended in CEDAW GR 39. Yet Indonesia is one of the states that has ratified CEDAW. In the context of GR 39, the Bill explicitly adopts only the principles of equality and non-discrimination. The draft Bill on Indigenous Peoples states that recognition, protection, and

empowerment of Indigenous Peoples are based on these principles. However, when compared with CEDAW GR 39, the draft Bill remains gender-neutral and does not recognise intersectional discrimination. It refers only to Indigenous Peoples in general terms and does not distinguish between the experiences of Indigenous women, who face double marginalisation.

While the Draft Bill on Indigenous Peoples generally addresses the rights of Indigenous Peoples as set out in CEDAW GR 39, it does not specifically mention Indigenous women and girls. However, Indigenous communities in Indonesia typically adhere to a patriarchal system that gives men power (Putri & Kamala 2026). To align with the principles of equality and non-discrimination under GR 39, the Indigenous Peoples Bill must adopt substantive equality, ensuring equality not only in legal provisions but also in indigenous leadership, access to land, natural resources, and economic resources. The Bill must explicitly recognise Indigenous women and girls as a vulnerable group and acknowledge intersectionality. It should guarantee the meaningful participation of Indigenous women in decision-making and FPIC (free, prior and informed consent) processes. It should also ensure that Indigenous women and girls have the right to education, health, freedom from violence, and access to justice.

Indigenous women and girls must have access to education so that they can participate in Indigenous decision-making and development processes, thereby reducing economic inequality (Raissa 2026). A 2022 KEMITRAAN survey of Indigenous women in seven Indonesian provinces - Jambi, West Sumatra, Banten, East Nusa Tenggara, Central Sulawesi, South Sulawesi and Central Kalimantan - revealed that, of the 6,728 Indigenous women and female family members surveyed, the vast majority had not received a formal education or obtained any qualifications. The majority also had an average income of less than Rp1 million (Raissa 2026).

Access to healthcare is also crucial for Indigenous women and girls. Adequate access to healthcare protects not only women's reproductive health, but also the quality of future generations and the sustainability of Indigenous communities as a whole (MPH, Khatimah & Sundari 2019). Indigenous women must also be free from violence and have access to justice. When

Indigenous women seek to preserve nature as their living space, they often come into conflict with the authorities, which can lead to their criminalisation. The right to Free, Prior and Informed Consent (FPIC) is also vital for Indigenous women. This is linked to the preservation of Indigenous communities' living spaces. Studies on the impact of environmental degradation show that indigenous women's workload increases by 6-8 times compared to men's whenever water sources are damaged. The additional workload involved in collecting water, foraging for grass, and securing other means of livelihood can result in girls missing out on educational opportunities and experiencing reproductive health issues. It can also lead to rising rates of maternal and infant mortality (Kamim 2023).

Closing

This article reveals that Indigenous women have always played a part in the struggles of their communities. In fact, it is the state that has failed to recognise these efforts, particularly with regard to the leadership of Indigenous women. The marginalisation of indigenous women in community advocacy is not a historical accident, but rather the result of power structures that systematically exclude women's experiences from the legislative sphere. The state has inherited the logic of colonial patriarchy, which recognises authority more readily in men than in Indigenous women. Indigenous women demonstrate their leadership through networks of solidarity, care work, and community resilience.

Indigenous women are always on the front line in resource conflicts. They are the first to suffer the loss of water, food, forests, and land. When the environment is damaged, they are forced to work longer hours to support their families. They also defend their living spaces in the face of intimidation, criminalisation, and violence. Nevertheless, their voices are regarded as peripheral, particularly in policy-making circles. The absence of provisions concerning Indigenous women in the text of the Indigenous Peoples Bill is not merely an editorial oversight, but a form of symbolic violence that normalises erasure.

Indigenous women who defend their living spaces face very real threats. The state must provide them with active legal protection and psychosocial support, as well as effective mechanisms for reporting violence. At

the same time, the state, civil society organisations and Indigenous women's networks should refer to CEDAW GR 39 to open up space for the law, deconstruct national legislation, and shift the centre of knowledge from the state to the experiences of Indigenous women. The law must learn from those most affected by it, rather than merely from bureaucratic desks. For Indigenous women, legislative advocacy is the politics of life. It is not just about fighting for legal provisions, but also about safeguarding the future of their communities. Indigenous women's leadership is a political practice that challenges the status quo of inequality. The Draft Bill on Indigenous Peoples will act as a reflection of the state: will it choose to listen to Indigenous women, or will it once again draft laws without consulting them?

In accordance with CEDAW GR 39, the recognition of Indigenous women in Indonesia is obligatory. The state must explicitly incorporate the principles of CEDAW GR 39 into the substance of the Indigenous Peoples Bill. This is not a moral choice, but a legal obligation. The recognition and protection of Indigenous women as human rights defenders, as well as their rights to land and resources, must be operational provisions, not mere footnotes. Without this integration, the Draft Law on Indigenous Peoples risks perpetuating patriarchy through state law.

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Osing People's Ritual Kitchen: An Epistemic Space of Indigenous Women at Java's Eastern Tip

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Abstract

This article examines the ritual kitchen of *Osing* people in Banyuwangi as an epistemic space of Indigenous women rather than merely a domestic sphere. Drawing on an ethnographic approach and a critical reading of *olah rasa* practices, the study positions Indigenous women as knowing subjects who actively produce, preserve, and transmit cultural, ecological, and spiritual values. The ritual kitchen is understood as a site of knowledge production that is embodied, relational, and contextual, where knowledge is transmitted through practice, bodily discipline, and adherence to ancestral mandates. Ritual culinary practices analysis reveals that *Osing* Indigenous women's knowledge plays a vital role in sustaining tradition, ensuring local food resilience, and maintaining human–nature relations. Nevertheless, Indigenous women's positions remain frequently marginalised in customary decision-making processes and development agendas, giving rise to epistemic injustice. Thus, recognising the kitchen as an epistemic space is a necessary condition for the gender-just preservation of Indigenous knowledge.

Keywords: Indigenous women, ritual kitchen, epistemic space, *olah rasa*, *Osing* people

Introduction

To date, studies of Indigenous communities have largely been dominated by a perspective that marginalises the knowledge of Indigenous women by placing it outside the category of legitimate knowledge. In academic discourse and state policy, Indigenous communities are often represented by men, such as Indigenous elders, ritual leaders and community elites, who are positioned as guardians of tradition and epistemic authorities. Consequently, the knowledge production of Indigenous women is reduced to everyday practices that are considered natural and apolitical. This creates a form of structural epistemic injustice that excludes women as subjects of Indigenous knowledge (Fricker 2007). In this context, the epistemic injustice experienced by Indigenous women can also be understood through the lens of intersectionality when their gender intersects with their status as members of Indigenous communities and as a structurally marginalised group (Crenshaw 1991).

This epistemic erasure operates through the public–domestic dichotomy, a concept that has long been the target of feminist criticism. This dichotomy not

only governs the gendered division of labour, but also functions as a mechanism of power that determines what constitutes knowledge and who is authorised to speak on behalf of Indigenous communities. The public sphere is associated with rationality, authority, and legitimacy, whereas the domestic sphere is confined to social reproduction and considered to have no epistemic value. In the context of Indigenous communities, this logic becomes intertwined with patriarchal and colonial structures that perpetuate the invisibility of women's knowledge (Harding 2004).

In feminist discourse, the kitchen often symbolises women's unpaid and unrecognised reproductive labour, naturalised as a matter of 'human nature' (Mies 1998; Federici 2012). However, this interpretation often stops at an economic and political critique, failing to recognise the kitchen as an arena for the production of knowledge. Mainstream studies of Indigenous cultures tend to overlook the kitchen, particularly the ritual kitchen, in epistemological analyses, despite it being a strategic space where Indigenous women oversee food management, ritual rhythms, and the community's cosmological relationships.

The absence of ritual kitchens in studies of Indigenous customs reveals a political gap in research on Indigenous women. Existing research tends to focus solely on demands for recognition, rights and formal representation. This approach neglects the everyday politics of knowledge production that underpin Indigenous life itself. Consequently, embodied knowledge, operating through women's bodies, senses, collective memory and culinary ritual practices, remains on the periphery of feminist analysis. However, as Haraway (1988) emphasises, knowledge is always situated and rooted in the relations between body, space, and history; it is never a neutral entity, nor detached from women's lived experiences. Consequently, the marginalised domestic sphere can become a site for the production of knowledge and resistance. As bell hooks (1990) highlights, marginal spaces are not merely sites of subordination; they can also serve as strategic spaces in which meaning and agency are produced.

The author has previously documented the practices of cultivating taste and the preparation of ritual dishes within the *Osing* Indigenous community in earlier work (Indiarti 2015; Indiarti & Nurchayati 2019). It focused on descriptions of ritual dishes, the sequence of rituals, and the symbolic meanings within *Osing* culture. Rather than repeating that discussion, this paper takes a different approach by building upon it. While previous works were descriptive and ethnographic in nature, this paper shifts the analytical focus by employing a feminist epistemological perspective to interpret the ritual kitchen as a space for producing Indigenous women's knowledge. Consequently, established practices are not merely reinterpreted as a cultural backdrop, but as an epistemic arena revealing the relationship between the body, knowledge, and women's authority in traditional *Osing* rituals.

Based on this documentation and the remaining analytical gaps, this paper focuses on the ritual kitchen of the *Osing* Indigenous community as an epistemic space for indigenous women. It examines how ritual and culinary knowledge is produced, practised, and passed down through kitchen practices overseen by women during village purification rituals. It also considers the influence of power relations within the Indigenous structure on the recognition of such knowledge. The kitchen is not merely understood as a domestic space that supports rituals; it is also considered the primary

arena for producing embodied knowledge through the bodies, senses, collective memory, and daily labour of Indigenous women. In this sense, the ritual kitchen can be understood as a 'produced space'—that is, a space shaped by social practices and power relations (Lefebvre 1991).

This paper is grounded in a feminist epistemology that rejects claims of neutral objectivity and recognises women's experiences as a legitimate source of knowledge (Haraway 1988; Harding 2004). To analyse the context of Indigenous communities, the paper also adopts a decolonial feminist perspective. This approach views Indigenous communities as dynamic living spaces characterised by negotiation. Additionally, the paper draws on Miranda Fricker's (2007) concept of epistemic injustice to illustrate how Indigenous women's knowledge is recognised in practice yet negated symbolically and structurally.

Taking an ethnographic approach and a feminist epistemology as a starting point, this paper argues that the ritual kitchen of the *Osing* Indigenous community is a strategic arena in which Indigenous women play a pivotal role. They are not only responsible for 'serving' rituals, but also for producing, maintaining, and transmitting the knowledge that determines the community's sustainability. Recognising the ritual kitchen is therefore not merely symbolic; it is also a material prerequisite for achieving epistemic justice and gender-just Indigenous sustainability. This study provides a non-romanticised interpretation of Indigenous traditions by acknowledging the power relations and gender inequalities within them, while also creating space for critique and transformation from the perspective of Indigenous women.

Research Methodology

This paper employs a combination of feminist ethnography and feminist epistemology from a decolonial perspective to examine the ritual kitchen of the *Osing* Indigenous community as an epistemic space for Indigenous women. In this context, ethnography is not merely a data-collection technique; it is also a situated praxis of knowledge that recognises the life experiences, bodily labour and everyday practices of Indigenous women as legitimate sources of knowledge and arenas for the struggle for epistemic justice (Harding 2004; Smith 2012).

The research focuses on three purification rituals within the Indigenous *Osing* community: *Amin Pikin* in the Cungking neighbourhood of Mojopanggung, *Tumpeng Sewu* in Kemiren village, and *Tumpeng Songo* in the Andong hamlet of Tamansuruh village. These rituals were selected due to their consistent positioning of the ritual kitchen as the centre of Indigenous women's labour when preparing offerings, ritual food and communal logistics, all of which are integral to the continuity of the rituals. The three contexts therefore provide a comparative framework through which to analyse the production, transmission, and negotiation of knowledge relating to cultivating taste, managing ingredients, managing time, and arranging ritual offerings in different *Osing* communities.

Data was collected through long-term participatory observation (2019-2026), ethnographic conversations, and in-depth interviews with Indigenous women who were directly involved in the ritual kitchens. The observations focused not only on the culmination of the ritual, but also on other processes, particularly the daily routines leading up to and during the ritual. These included the selection of food ingredients based on the season, cooking techniques, taste refinement through bodily discipline, the division of labour based on gender and age, and the symbolic relationships between food, nature, and *Osing* cosmology. This approach enables the kitchen to be understood as a setting for practising embodied, sensory and repetitive knowledge, rather than merely as an ahistorical domestic space.

In this study, the researcher takes an insider's perspective, offering a reflective and multi-layered view. She is an *Osing* woman living in Cungking, and she serves as Chair of the *Osing* Regional Executive Committee (PHD) of the Alliance of Indigenous Peoples of the Archipelago (AMAN) for the 2022-27 term. She also works as a lecturer in the Faculty of Languages and Arts at PGRI University in Banyuwangi. She regularly participates in rituals as part of her traditional life and the community's advocacy work. This position provides in-depth access to ritual kitchen practices and enables the development of trusting relationships with Indigenous women. However, it also requires critical reflection on power relations, institutional responsibilities, and emotional closeness in the production of knowledge.

In the tradition of feminist epistemology, rather than being considered a bias to be eliminated, the

researcher's position as an Indigenous woman and local academic is viewed as a legitimate source of ethnographic knowledge, provided it is accompanied by positional transparency and critical reflection (Haraway 1988). Consequently, interviews and ethnographic conversations position Indigenous women as epistemic subjects, rather than merely as informants, to minimise the epistemic injustice of testimonialism that women often experience in research on Indigenous communities (Fricker 2007).

Data analysis is carried out in an interpretative and contextual manner by tracing how culinary ritual knowledge is produced through the body, senses, collective memory, and practices of compliance with and negotiation of ancestral wisdom (*weluri*). The concept of embodied knowledge is employed to interpret the ritual kitchen as an epistemic arena inextricably linked to reproductive labour, ecological relations, and communal ethics (Haraway 1988; Pink 2015). This analysis does not seek to generalise about *Osing* practices, but rather to understand the tensions between compliance, agency, and power relations within a specific social context.

This research was conducted in accordance with feminist and Indigenous research ethics, which emphasise mutually respectful relationships, informed consent, and the researcher's long-term responsibility towards the community. The researcher's roles as an *Osing* woman, a member of the AMAN *Osing* Executive Committee, and a local academic demanded multiple layers of reflexivity to prevent the misuse of social, institutional or cultural positions during the research process or in representing Indigenous women's knowledge.

Community consent was obtained collectively and on an ongoing basis through communication with traditional leaders, the women responsible for the ritual kitchens, and local community structures, before, during, and after the research took place. The knowledge presented in this paper is not treated as data that can be freely extracted for academic purposes, but rather as relational knowledge born of shared practice, carrying with it an ethical responsibility towards its community of origin.

This study has limitations due to its contextual nature and focus on three village purification rituals. Consequently, the findings are not intended to be

generalised to the entire *Osing* Indigenous community or any other community. Furthermore, the researcher's close ties to the community may limit analytical distance to some degree. However, this limitation is embraced as part of a feminist epistemological approach, which rejects the notion of neutral objectivity and considers transparency to be the foundation of valid knowledge.

Ritual Kitchen as an Epistemic Space Indigenous Women

The ritual kitchen is understood not merely as a domestic setting, but as an epistemic space in which *Osing* Indigenous women produce, practise and pass down their knowledge. With this in mind, discussions about the ritual kitchen focus not only on cataloguing food and the sequence of rituals, but also on practices such as taste, bodily labour, sensory relations, and the organisation of time and ingredients as carried out by Indigenous women in their daily ritual lives. Furthermore, the aim of this discussion is not to compare rituals, but to provide a cross-contextual epistemological analysis.

In the context of the *Amin Pikin* ritual in *Cungking*, the ritual kitchen showcases the practical application of Indigenous women's knowledge through flavour-related decisions based on collective experience. Their role extends beyond merely preparing ritual dishes; they also assess the suitability of ingredients, adapt the composition of offerings to seasonal conditions, and ensure harmony between taste, form, and ancestral ethics. This shows that ritual knowledge is not just a rigid set of rules, but also embodied knowledge negotiated through daily kitchen work.

In the *Amin Pikin* ritual in *Cungking*, the ritual kitchen operates within a strictly segregated and sanctified spatial configuration. This kitchen, known as the *pawon*, is situated within the *Bale Tajug* complex. This complex comprises a series of buildings with bamboo walls and thatched roofs, and serves as the centre for activities related to *Buyut Cungking* (the ancestor of the *Osing Cungking* Indigenous community). The *Bale Tajug* complex serves not only as a place for cooking, but also as an exclusive space for producing ritual knowledge, access to which is strictly restricted. These restrictions suggest that the knowledge acquired in the kitchen is not freely accessible, but is instead regulated through customary mechanisms that control the body, space, and experience.

Mbah Warik, Mbah Inik, Mbah Katuni and Mbah Ikah are responsible for preparing ritual offerings for *Buyut Cungking*. All four have undergone menopause and hold the status of *abdi dalem* to *Buyut Cungking*. Mbah Warik appears to be the leader of this group of women, as she is a direct descendant of the *Juru Kunci Petilasan Buyut Cungking* family. However, when asked, she stated, "*Teng mriku niku mboten entan hang teng ngajeng utawa teng wingking. Dadose sami mawon.*" (There is no one leading or being led there. We are all on an equal footing" (Mbah Warik, 2026, interview, 21 April). Their knowledge of ingredient selection, preparation timing, and flavours is not acquired through systematic verbal instruction, but rather through physical presence and repetition of practices. The process of preparing the *Tumpeng Serakat*, for example, does not follow standard measurements. It relies on the sensory acuity and long-standing experience of all four of them, as tested in accordance with local custom:

Original:

"Kulo sakat tasek prawan alit dijak Adon Sutri teng Tajug kangge ginaw ragen-ragen lan ndamel sandingane selametan. Nggih mboten diajari ngangge omongan kudu gedigu kudu gedigi, naming dikengken ngenget-enget mawon nopo hang dilakoni adon. Mboten angsal ditulis. Yo ndileng mawon, niru, tumut ngrasakaken. Soyo suwi yo soyo penter. Kulo temune ngertos mpun kudune kepundi serto ditinggal Adon. Ragen-ragen ya pas baen kerana wis biasa niku wau" (Mbah Wari 2026, Interview 21 April).

Translation:

"Ever since I was a child, Mbah Sutri would take me to *Bale Tajug* to teach me how to cook and prepare ritual offerings. Rather than giving me instructions, she simply asked me to observe what she was doing. I was not allowed to write anything down. It was simply a matter of watching, imitating, and experiencing it first-hand. The more time passed, the more skilled I became. I eventually knew what to do after my grandmother passed away. When cooking ritual dishes, it just felt right because I would be involved in the process from the beginning" (Mbah Wari, 2026, Interview, 21 April).

This statement suggests that knowledge of ritual practices is not passed on through explicit cognitive means. Instead, it is passed on through what Bourdieu (1977) termed the 'habitus'—that is, bodily dispositions formed through repeated practice. This knowledge exists within the bodies of Indigenous women as an archive of experience that cannot always be articulated verbally and that does not precisely determine their actions within a ritual context.

The *Amin Pikin* ritual kitchen is an example of a collective yet insular form of epistemic authority. While these four indigenous women possess knowledge vital to the continuity of the ritual, recognition of their authority remains confined to the practical realm of the kitchen, failing to translate into symbolic power or broader customary decision-making. Ultimately, the kitchen becomes an epistemic space that simultaneously marks the limits of recognition for Indigenous women's knowledge.

During the *Tumpeng Sewu* ritual performance in Kemiren, the ritual kitchen is not a separate, sacred building. Instead, it is located within the home of the *Barong* Family (the descendants of Mbah Sapuah and Mbah Tampa), who have traditionally cared for the *Barong of Kemiren*. This configuration shows that the sacredness of a ritual space is not determined by physical separation, but by customary legitimacy and practices that have been repeated across generations.

The *Tumpeng Sewu* ritual kitchen can therefore be understood as a 'produced space' that is shaped and reproduced through social practices, cosmological symbols, and customary power relations. Although it is materially a domestic space, this kitchen functions as a locus for the production and reproduction of ritual knowledge. Preparing the dishes requires not only technical skill, but also an understanding of taste, precise timing, symbolism and ethical relationships with ancestors and nature.

The *Tumpeng Sewu* ritual is not primarily about public processions. Instead, it is created through domestic kitchen work carried out in accordance with tradition. Mbah Janung, a post-menopausal woman from the *Barong Family*, prepares each *tumpeng* and its side dishes according to rules about ingredients, taste, and form that have been passed down through the generations. In this practice, the ritual kitchen functions as an arena for the articulation of meaning where cosmological values are translated into the taste, texture and composition of the dishes.

In the *Tumpeng Songo* ritual of the *Osing Andong* Indigenous community, the ritual kitchen is located in the home of the traditional *Andong* leader's family—specifically Mbah Sumiah's, who is a descendant of Mbah Supani, also known as Mbah Minhat. Although leadership in the preparation of ritual dishes has

passed from one generation to the next among the descendants of Mbah Supani—the author witnessed this transition from Mbah Sumiah to her eldest daughter, Mbah Asiyah, who lives in a different village—the location of the preparation of the ritual dishes has remained unchanged. This demonstrates that the ritual kitchen's legitimacy does not depend on any particular individual. Rather, this continuity rests on customary recognition of the space as a locus of ritual knowledge production.

The *Tumpeng Songo* ritual kitchen is a 'produced space', shaped by social practices and precise cosmological symbols. The number 'songo' (nine) is not an abstract symbol, but rather a customary principle that has been materialised through the kitchen's rigorous practices. Each *tumpeng* has specific requirements regarding its shape, composition, and serving order that cannot be altered. The success of the ritual depends not only on the prayer procession in the public space, but also on the precision with which the nine *tumpengs* are prepared in the ritual kitchen.

In this context, the kitchen serves as a centre for practical and contextual symbolic decision-making. Cosmology is also tested through taste, texture, the sequence of tasks and the harmony between dishes. Indigenous women have complete control over kitchen activities, practising ritual knowledge through bodily discipline, adherence to customary conduct, and extensive experience of ritual practice.

Ritual knowledge in *Tumpeng Songo* is passed down through physical presence, mentorship, and repetition of practices rather than solely through systematic verbal instruction. This approach recognises the legitimacy and trustworthiness of women's bodies as sites of knowledge and demonstrates that the ritual kitchen is an epistemic arena where cosmology, space, and everyday practices are intertwined.

The three ritual kitchens in *Amin Pikin* (Cungking), *Tumpeng Sewu* (Kemiren), and *Tumpeng Songo* (Andong) demonstrate a consistent epistemic pattern within the *Osing* Indigenous community. In all of these contexts, the kitchen is managed by post-menopausal women and serves as the main location for producing ritual knowledge. Rather than being written down, knowledge regarding ingredients, flavours, timing, quantities, and presentation is transmitted through

repetitive practices that are both tangible and relational. Instead, it is passed on through repetitive practices that are both tangible and relational. Through their work in the kitchen, the women's bodies act as living archives of traditional knowledge, where experience, collective memory, and ancestral wisdom (*weluri*) are intertwined.

Ritual knowledge is transmitted informally through direct involvement, mentorship, and intergenerational fellowship. In this way, the kitchen serves as a space for traditional quality control, where the suitability of rituals is assessed prior to their performance in public spaces. However, despite their central role as producers and custodians of ritual knowledge, women's epistemic authority is often not recognised within formal, traditional decision-making structures. This creates tension, positioning the ritual kitchen as both an epistemic space and an arena of epistemic injustice.

This general pattern shows that *Osing* ritual knowledge is primarily cultivated through taste. Sensory perception is not merely a skill, but also a mode of knowing that unites the body, memory, social relations, and an ethical orientation towards ancestors and nature. Through sensory perception, Indigenous women can assess the appropriateness of rituals, interpret the will of the ancestors, and maintain cosmological balance in tangible and perceptible ways.

Cultivation of Taste, Body, and Ancestral Wisdom

Examining the ritual kitchen in the context of *Osing* village purification rituals reveals that Indigenous women pass on their knowledge through repetitive, situated, and embodied practices, rather than through formal authority or symbolic codification. This knowledge is realised through the cultivation of taste, the regulation of work rhythms and situational decisions that connect women's bodies, foodstuffs and ancestral ethics. These practices demonstrate how women's bodies serve as a locus of knowledge production. According to Bourdieu (1977), this is the result of social structures being internalised into everyday practices.

Ritual kitchen practices involving ancestral wisdom (*weluri*) are not carried out as a mechanical adherence to tradition, but as an integral part of the daily lives of Indigenous women. Devotion to the ancestors is manifested not only through the repetition of symbols, but also through the assessment of the appropriateness

and suitability of ingredients, and of harmony with natural conditions. In this context, indigenous women act as guardians and interpreters of *weluri*; their authority stems from repeated experience and embodied knowledge.

Ritual kitchen practices encompass more than just food preparation; they are also ethical and spiritual acts relating to the ancestors. In this context, adhering to ancestral wisdom is not merely a form of obedience, but a means of maintaining life's balance. From an ecofeminist perspective, Dewi Candraningrum (2013) shows that women's relationship with nature and life is formed through ethical, sustainable practices based on care and interconnectedness. Consequently, the ritual kitchen can be viewed as a space where these values are embodied and passed on through daily activities. This challenges the long-held view of modern knowledge as neutral and universal, which has tended to disregard women's experiences as a legitimate source of knowledge.

In the *Osing* Indigenous community's ritual kitchen practices, the concept of cultivating taste is not just a culinary skill or a matter of sensory preference. It is also a means of understanding an embodied, situated, and relational world. Indigenous women use taste, smell, texture and the timing of rituals to assess the suitability of offerings, interpret signs of imbalance and maintain the connection between humans, ancestors, and the natural environment. This kind of knowledge is based on continual bodily experience honed through the practice of ritual kitchen work, rather than on conceptual abstraction. The cultivation of taste functions as a body-based epistemic verification mechanism rather than merely as a sensory preference. Within a feminist epistemological framework, women's bodily experience is recognised as a legitimate source of knowledge. This aligns with Patricia Hill Collins' (2000) view that women's experience is a legitimate source of knowledge.

The cultivation of taste among Indigenous women is practised through bodily discipline, shaped by repetition, mentorship and long-term involvement in kitchen work. Their bodies act as living archives, preserving collective memories of measurements, task sequences, precise timings, and customary boundaries that must not be transgressed. This knowledge is not conveyed through verbal instructions that are separate from practice, but rather through presence, observation,

and direct participation. In this context, women's bodies are epistemic sites that determine the validity of ritual practices, not merely objects of knowledge.

This understanding stems from the body, experience, and everyday relationships, and aligns with feminist epistemological criticism, which recognises women's experiences as a legitimate source of knowledge. Dewi Candraningrum (2014) asserts that "women's bodily experiences form a vital basis for the production of feminist knowledge". Similarly, Gadis Arivia (2013) emphasises that feminist philosophy draws upon women's concrete experiences to construct knowledge, whilst challenging the claims of neutrality and universality of modern knowledge.

As an embodied epistemology, the cultivation of taste is closely intertwined with ecological relationships and the sustainability of community life. The knowledge of foodstuffs, seasons, and processing techniques practised by Indigenous women is essential to maintaining local food security and achieving a balance between human activity and nature. Thus, ritual kitchen work sustains traditions and forms the ethical and ecological basis of communal life. However, ironically, this vital knowledge is often dismissed as 'natural' domestic labour, consequently failing to receive equal recognition within customary decision-making structures or development frameworks.

Interpreting the cultivation of taste as an embodied epistemology challenges the modern hierarchy of knowledge, which prioritises abstract rationality and written documentation as the primary sources of legitimacy. Within the framework of feminist epistemology and decolonial feminism, the cultivation of taste (*olah rasa*) demonstrates that *Osing* Indigenous women are epistemic subjects who actively produce and safeguard the knowledge that underpins the sustainability of cosmology, ecology, and communal life. However, this epistemic position is not always structurally recognised.

The ritual practices of the *Osing* Indigenous community, particularly the ancestral *weluri*, are often oversimplified and understood as a set of rules that must be obeyed without room for interpretation. This not only oversimplifies the tradition's complexity, but also risks romanticising Indigenous women's compliance as a form of cultural piety. This paper

offers an alternative perspective on *weluri*, presenting it as an ethical framework for living practised through contextual consideration, collective experience, and the bodily sensitivity of Indigenous women in response to social and ecological change.

In the ritual kitchen, *weluri* is brought to life through the cultivation of taste, which requires precise action rather than mere symbolic obedience. Indigenous women interpret *weluri* by considering taste, timing, the availability of ingredients, and the circumstances of the community. This demonstrates that upholding tradition does not negate agency, but rather requires the ability to discern what can and cannot be negotiated. The agency of Indigenous women operates situationally and relationally, often manifesting as practical decisions that determine the success of the ritual rather than open resistance.

The scope for women to negotiate when carrying out *weluri* is evident in the way they adapt ritual kitchen practices without violating the principles of customary appropriateness. This may involve substituting unavailable ingredients, adjusting cooking times, or streamlining preparation techniques, as long as the ritual's meaning and purpose remain intact. While these adaptations are not typically viewed as political decisions, they are practical choices rooted in experience and collective responsibility. In this context, the agency of indigenous women is situational and relational, operating within the bounds of customary law while simultaneously expanding its practical possibilities.

In the *Amin Pikin* ritual kitchen in Cungking, such negotiation is evident in the strategies relating to the provision of ylang-ylang flowers for the *ngaturi sekar* (*nyekar*) offering to the great-grandparents:

Original:

"Ngerageni sekar niku kudu ngangge Wongso. Hang diengge niku Wongso hang sampurna mboten enten cirine. Gedhi cilik hang penting wutuh. Trus mendete kudu teko wit hang enten teng Kandapan. Kudu prujukan wiji. Mboten angsal hang dugi wit cangkakan. Naming kadung mboten enten malih nggih angsal mpun ngangge wongso asile cangkak. Masio kepundi malih. Mestine Buyut nggih ngertos. Hang penting wis golet lan sing onok" (Mbah Wari 2026, Interview 21 April).

Translation:

"The flowers used for the *Ngaturi Sekar* ritual are ylang-ylang. They must be unblemished and intact. Whether

large or small, the important thing is that they remain intact. Furthermore, the ylang-ylang must come from trees growing in the vicinity of *Kandapan*. The trees must have grown from seed, not cuttings. What can we do if we really cannot find any like that? Our great-grandparents should understand. As long as we have made every effort and still cannot find any" (Mbah Wari, 2026, interview, 21 April).

The decision to replace it is considered to be in keeping with *weluri* and natural boundaries.

However, the practice of *weluri* also reveals tensions between compliance, adaptation, and resistance that are not always harmonious. Not all forms of adaptation are readily accepted, particularly when they touch upon sensitive symbolic boundaries or are perceived as disrupting the traditional order. In this context, Indigenous women often find themselves in a vulnerable position, as they are responsible for the success of rituals, yet face the risk of being blamed should any deviations occur. This shows that indigenous traditions are not free from power relations, and that Indigenous women's agency operates within a field fraught with social and symbolic risks.

Thus, the cultivation of taste within the ritual kitchen can be understood as an embodied form of epistemology that places the bodies of Indigenous women at the centre of the production, verification, and transmission of knowledge. Through repetitive and relational practices, Indigenous women ensure the continuity of rituals and nurture a cosmology that connects humans, ancestors, and nature through the practice of '*weluri*', which is continually negotiated in everyday life. However, although this knowledge is fundamental to communal life, it does not always receive equal recognition within formal customary structures or the framework of modern knowledge. The tension between this vital role and the lack of recognition highlights the fact that customary practice constitutes a sphere of life that is dynamic yet not entirely gender equitable. This paves the way for further analysis of the relationship between knowledge and power within customary structures.

Ritual Kitchen, Ecology, and Food Security

Interpreting ancestral *weluri* and traditions as a tangible epistemology reveals that the ritual kitchen practices of *Osing* Indigenous women extend beyond the purely symbolic or spiritual realms. This knowledge

is embodied through the body, senses, and collective experience, directly shaping the community's relationship with nature, its management of food resources, and its response to ecological constraints. Thus, the ritual kitchen serves as a meeting point between ancestral ethics, women's reproductive labour, and everyday ecological practices that underpin the community's sustainability.

The relationship between these practices and the management of food resources demonstrates that indigenous women's knowledge is inextricably linked to their ecological relationships with nature. This relationship affirms that the lives of Indigenous communities do not exist in isolation, but are formed through complex interconnections between humans and the environment. Anna Tsing (2015) understands this as a form of interdependence within an ever-changing landscape.

However, from an ecofeminist perspective, this situation simultaneously critiques the dominance of modern knowledge, which tends to separate humans from nature and disregard experience-based knowledge. Dewi Candraningrum (2018) emphasises that the crisis of modern knowledge is both ecological and epistemological, as it marginalises the knowledge embedded in the everyday practices of women and local communities. In this context, the ritual kitchen can be seen as a space where this knowledge is produced, nurtured, and passed down.

The ritual kitchen practices of the *Osing* Indigenous community are not based on the exploitation of nature. Rather, it is an ethical relationship involving the selection of ingredients, consideration of the seasons, and adherence to traditional prohibitions. Indigenous women play a central role in assessing food availability and determining the suitability of ingredients for rituals, ensuring that nothing is taken from nature beyond the customary legal limits. This knowledge is not formulated as an abstract ecological principle. Rather, it is put into practice through concrete, experience-based, situational kitchen decisions.

The selection of foodstuffs in the ritual kitchen always considers the origin of the ingredients, the season, and the method of procurement. Ingredients are generally sourced from gardens, fields, and the community's immediate surroundings to avoid reliance

on unfamiliar ingredients or those out of harmony with the local ecology. This careful selection relates not only to the taste and completeness of the ritual offering, but also to showing respect for nature as a source of life, which has its own limits and rhythms.

Ritual kitchen practices function as an ecological knowledge system deeply rooted in the experiences of Indigenous women. This aligns with Vandana Shiva's (1988) thinking that women are custodians of ecological knowledge through their everyday, sustainability-oriented practices. This knowledge does not take the form of formal conservation concepts; rather, it is put into practice through concrete decisions that maintain a balance between human needs and the limits of nature.

During the *Tumpeng Songo* ritual in Andong Hamlet, the ritual kitchen clearly demonstrates the intertwining of indigenous women's knowledge and local ecological relationships. The selection of ingredients, which must be sourced from the immediate vicinity of the village, such as *young gempol* leaves (*pupus*), *lucu* (*kecombrang*) and *belimbing banci* leaves, shows that cultivating taste acts as an ecological mechanism that regulates the use of natural resources. Indigenous women reject the use of foreign or out-of-season ingredients not on the basis of written rules, but through an assessment of appropriateness passed down through intergenerational kitchen practices.

Decisions made in the kitchen during this ritual are not formally debated, but rather accepted as shared knowledge that has been tested through collective experience. In this context, Indigenous women act as guardians and interpreters of ancestral ethics, linking foodstuffs, seasons, and environmental sustainability. The *Andong* ritual kitchen shows that ecological knowledge does not have to be expressed in the language of modern conservation; it can also be effectively conveyed through the practice of taste and adherence to nature's limits.

Customary prohibitions act as ecological mechanisms that restrict the exploitation of nature through ritual kitchen practices. Prohibitions against using certain ingredients, harvesting natural resources excessively or employing processing methods that violate customary norms are consistently enforced in kitchen operations. Indigenous women play a central role in translating these prohibitions into practical decisions about what

can be cooked, when, and in what quantities. While these prohibitions are not always justified in modern ecological terms, they effectively serve as a code of conduct that has been refined through the community's collective experience.

In *Amin Pikin's* ritual kitchen in Cungking, for example, the influence of Indigenous women's tastes is evident in how they adjust the composition of the vegetables in the *Tumpeng Serakat*. This draws on shared knowledge born of collective experience, as well as the authority of Indigenous women's culinary judgement. The following explanation illustrates this:

Original:

"Janganan hang dienggo kanggo Tumpeng Serakat e Buyut hing bisa pokok ulih. Kadung terong poteh, manisah poteh, lan kara poteh e ketemu taping wis hing keneng dienggo kerana alum, suwek, garing, besem, utawa cacat ya sing ulih dipokso dienggo selamatan. Trus kadung wis golet merono-merono tetep hing biso nemu janganan e iku mauko hang werna poteh ya digoletaken ganti nganggo hang wernane paling memper yaiku ejok kerana dianggep tetep cocog nyang welurine Buyut lan mulo wis digoletaken merono-merono tetep hing ulih" (Mbah Inik 2026, Interview 6 June).

Translation:

"The vegetables used in the *Tumpeng Serakat Buyut* ritual must not be chosen at random. If white aubergines, white chayotes and white koro are available but are wilted or have torn, dried-out or damaged parts, they should not be used for the ritual. However, if you have searched many places and cannot find these white vegetables, you must find similar vegetables that are a similar colour or only slightly different in colour to white. According to ancestral customs, green vegetables are still considered appropriate" (Mbah Inik, 2026, interview, 6 June).

As a space for producing local ecological knowledge, the ritual kitchen is a place where information about nature is exchanged, tested, and handed down through generations. Through collaborative work and repeated practices, indigenous women pass on their knowledge of the seasons, food quality, and the limits of natural resource use to the next generation. Thus, the kitchen functions as a practical, informal space for ecological education, where the body and senses become the primary means of learning.

This analysis confirms that the contribution of Indigenous women to environmental sustainability lies at the heart of community life, although it is rarely recognised as legitimate ecological knowledge. However, when this knowledge is not translated into

the language of policy or development, it remains vulnerable to epistemic erasure, despite the fact that it underpins food security and Indigenous sustainability in practice.

Women's Reproductive Labour and Community Sustainability

The ritual kitchen work of *Osing* Indigenous women is integral to the community's sustainability, yet it is often overlooked and viewed merely as a moral obligation or an inherent part of womanhood. It includes food preparation, maintaining social relationships, upholding customary ethics, and managing ritual rhythms, all of which are essential to ensuring the continuity of communal life. Consequently, the reproductive labour of Indigenous women cannot be understood as a private, domestic activity. Rather, it is the material and epistemological foundation of the community's sustainability.

Through ritual kitchen work, Indigenous women ensure that knowledge relating to food, the changing seasons, and the relationship between humans and nature is consistently passed down through the generations. This work is repetitive, exhausting and often invisible; however, it is essential for the success of rituals and the social cohesion of the community. In this context, the sustainability of the *Osing* Indigenous community depends on the continuity of women's reproductive labour, which is rarely recognised as knowledge work or strategic labour.

This reproductive labour is evident in the division of tasks in the ritual kitchen, which can last for days. Although women regulate the rhythm of cooking, the distribution of food, and the continuity of labour, they are not traditionally recognised as decision-makers. There is a paradox when the community's sustainability depends on women's labour, yet this is not reflected in epistemic recognition or equal representation in traditional decision-making structures. Although women are primarily responsible for safeguarding food, customary practices, and ecological relationships, their labour is often marginalised in the realms of symbolic and political authority. The naturalisation of this reproductive labour perpetuates gender inequality while simultaneously obscuring the epistemic value of Indigenous women's labour.

Within the framework of environmental feminism and feminist epistemology, the ritual kitchen practices of *Osing* Indigenous women demonstrate that sustainability arises not only from technocratic interventions, but also from collective, embodied care work. However, without epistemic justice and political recognition of this labour, the resulting sustainability is fragile and relies on women bearing an unfair workload.

Therefore, the sustainability of Indigenous communities cannot be separated from gender and epistemic justice. Recognising the reproductive labour of Indigenous women as both knowledge work and political labour is essential to ensuring that Indigenous sustainability is not based on continually reproduced inequalities. This argument provides an important foundation for the subsequent discussion, which examines epistemic injustice and the politics of recognition within Indigenous communities, the state, and the production of academic knowledge.

Epistemic Injustice and the Politics of Recognition

The purpose of this section is not to portray Indigenous culture as homogeneous or static, but rather to examine how power relations operate within the everyday knowledge practices of Indigenous women.

The unequal position of Indigenous women within knowledge and decision-making structures is inextricably linked to the long-term shaping of gender relations by power. As María Lugones (2010) emphasises, "the coloniality of gender is a key element of the colonial system of power", demonstrating that the colonial system not only controlled territories and resources, but also established gender hierarchies that determined who was recognised as a subject of knowledge. In this context, the marginalisation of Indigenous women's knowledge, including that produced through ritual kitchens, cannot be viewed as an issue that affects Indigenous peoples alone. It must also be understood as part of a colonial legacy that continues to reproduce epistemic inequalities within community life.

These inequalities are evident not only in the division of roles, but also in the ways in which knowledge is recognised or disregarded within social structures. In this context, Gadis Arivia (2016) explains that gender injustice relates not only to the distribution of resources, but also to the politics of recognition - specifically, who

is recognised as a legitimate knowledge holder and voice. When the knowledge of Indigenous women is framed as 'natural' and unreflective domestic labour, the result is not merely neglect, but also the epistemic injustice that can become deeply rooted within social and cultural structures.

A previous discussion of the ritual kitchen as a space of ecological knowledge and the reproductive labour of Indigenous women demonstrated that Indigenous communities' sustainability is underpinned by Indigenous women's embodied, relational, and repetitive knowledge and labour. Through cultivating taste, managing food, and adhering to ancestral traditions, Indigenous women ensure the continuity of rituals, social cohesion, and the balance between humans and nature.

Although Indigenous women's knowledge underpins the sustainability of rituals and community life, it often fails to receive equal recognition within customary structures, the state, or academic knowledge production. While this knowledge is recognised in practice, it is negated symbolically and politically, thereby perpetuating gender inequality in terms of authority and decision-making.

In many development policies and academic knowledge production, ritual kitchen knowledge is dismissed as non-strategic local wisdom - celebrated symbolically yet disregarded as a source of epistemological and political authority for Indigenous women. This reduction reveals that, without perspectives of gender and epistemological justice, the politics of Indigenous recognition can reproduce internal community hierarchies.

In the context of the state and academia, this epistemic erasure is reinforced by a framework of recognition that treats customary law as a policy issue rather than a multifaceted source of knowledge. Consequently, the knowledge of Indigenous women is often reduced to cultural practices, rather than being recognised as a legitimate basis for understanding sustainability, ecological justice and social transformation.

The knowledge of *Osing* Indigenous women, practised in the ritual kitchen, is vital for maintaining indigenous traditions, fostering social cohesion and upholding the community's ecological relationships. Women play a central role in ensuring the validity

of rituals, managing food resources and upholding ancestral ethics, for example through cultivating taste practices and performing reproductive labour. However, a paradox arises when this decisive knowledge is not recognised equally within traditional decision-making structures. Although women are often seen as the implementers of tradition, the formal authority to define, interpret, and determine its direction remains largely in the hands of men.

This paradox illustrates that the distribution of knowledge does not necessarily correspond with the distribution of power. As Patricia Hill Collins (2000) emphasises, groups with the closest experience of social reality are often marginalised in the production of formal knowledge. For instance, despite being the primary custodians of ritual practices and culinary knowledge, Indigenous women are frequently absent from Indigenous deliberative and normative forums. Women's knowledge is confined to the realms of practice and care, whereas symbolic and representative legitimacy is tied to the indigenous leadership structure. This pattern demonstrates how women's work is normalised as a moral and cultural obligation, rather than being recognised as a source of epistemic and political legitimacy.

Epistemic erasure also occurs when the knowledge of Indigenous women is reduced or filtered in relation to development structures and policies. For example, kitchen knowledge is only recognised if it can be translated into technocratic categories such as food security, local wisdom or the creative economy. This translation process often eliminates the ethical, relational, and critical dimensions of ritual kitchen practices whilst simultaneously separating them from women as epistemic subjects. In this context, recognition can obscure the authority of Indigenous women.

Indigenous women experience epistemic injustice not only within indigenous structures, but also in their relations with the state and academic institutions. In cultural development and management policies, ritual kitchens are rarely recognised as important spaces for producing knowledge. Instead, they are more often reduced to the domestic sphere and seen as symbols of tradition or ancillary activities. Consequently, they are not recognised as places for making ecological and social decisions.

In mainstream academic discourse, knowledge that is embodied, oral, and practice-based - such as that relating to taste cultivation and ritual kitchen work - is often treated merely as empirical data, rather than as a source of theory or conceptualisation. Consequently, *Osing* Indigenous women are portrayed as research subjects or custodians of tradition, rather than as producers of knowledge with their own epistemological framework. This pattern reproduces a knowledge hierarchy that favours abstract rationality and written documentation, marginalising Indigenous women's knowledge.

This mechanism transforms the ritual kitchen into a paradoxical space. Although it supports the sustainability of customary practices and the ecosystem, it is not recognised as a legitimate source of knowledge in policymaking or scientific research. Epistemic injustice therefore operates across scales, from local customs to global knowledge structures.

The politics of recognising Indigenous customs are often touted as a solution to the marginalisation of Indigenous communities, but they often lack a focus on gender and epistemic justice. Such recognition has the potential to perpetuate existing internal hierarchies. In the context of the *Osing* ritual kitchen, for instance, recognising Indigenous traditions could affirm the continuity of ritual practices and cultural identity. However, it simultaneously overlooks the epistemic inequalities experienced by Indigenous women, who are the primary producers of knowledge.

Recognition that does not involve the redistribution of epistemic authority risks reducing Indigenous women's knowledge to a mere source of symbolic legitimacy. While the ritual kitchen may be celebrated as cultural heritage, the labour of the women who sustain it is normalised and excluded from strategic decision-making processes. In this situation, recognition becomes a mechanism that stabilises inequalities rather than transforming them.

Closing

This article argues that the ritual kitchen in the *Osing* Indigenous community is not just a domestic space or an addition to traditional rituals. Instead, it is the primary epistemic space in which indigenous women produce, practise and pass down their knowledge.

Through practices such as cultivating taste, managing food, and adhering to ancestral wisdom in context, Indigenous women embody the knowledge that underpins the continuity of rituals, the relationship between humans and nature, and the social cohesion of the community. This knowledge operates through the body, senses, and collective memory, and is inseparable from reproductive labour, a duty that has long been considered the responsibility of women.

Adopting a feminist ethnographic approach and a feminist-decolonial epistemological framework, the paper demonstrates that *Osing* Indigenous women are active epistemic subjects rather than mere executors of tradition. However, the research findings also reveal a fundamental paradox: although Indigenous women's knowledge is vital to the sustainability of Indigenous customs and communal life, it does not receive equal recognition within indigenous authority structures, state policy, or mainstream academic knowledge production. This disparity between epistemic contribution and recognition constitutes a state of epistemic injustice.

Analysing the ritual kitchen as an epistemic space reveals that the sustainability of traditional customs and local food security depend on women's repetitive, exhausting, and frequently unseen labour. The ecological practices carried out in the ritual kitchen, such as selecting seasonal ingredients, not taking more from nature than is needed, and adhering to customary prohibitions, demonstrate that Indigenous women's knowledge has a concrete and relevant ecological dimension. However, without epistemic justice and political recognition of this labour, the resulting sustainability remains reliant on a gender-unequal burden of work borne by women.

This paper also emphasises that, without a gender justice perspective, the politics of Indigenous recognition risks reproducing inequalities within the community. Although the ritual kitchen is celebrated as cultural heritage, it is overlooked as a political space for knowledge production, meaning that women remain epistemically unrecognised as producers of knowledge. In this context, the ritual kitchen becomes a paradoxical arena, balancing the preservation of Indigenous traditions with the erasure of women's authority.

This paper contributes to the development of feminist epistemology and decolonial feminism by

positioning the ritual kitchen as the locus of analysis and asserting that epistemic justice is a prerequisite for gender-just Indigenous sustainability. Recognising Indigenous women as producers of knowledge acknowledges their bodies, experiences, and everyday practices as legitimate sources of epistemological authority. Without such recognition, Indigenous traditions risk continuing to survive through the labour of women who are not fairly recognised, whilst power structures remain unchanged.

Consequently, the ritual kitchen must be recognised as both cultural heritage and a political space of knowledge that has long been denied equal recognition. As long as the voices of Indigenous women remain marginalised, even though their knowledge underpins communal life, epistemic justice has not yet been fully realised.

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The Rights of Indigenous Women in Coastal Life and Knowledge: A Gender Perspective on Kei Women

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Abstract

The recognition of Indigenous peoples as legal subjects within Indonesia's legal and policy frameworks is often presented as a progressive step toward social justice, yet such recognition frequently overlooks gendered power relations operating within Indigenous communities. This article examines Indigenous women's rights from a gender perspective, focusing on *Kei* women in Southeast Maluku, to demonstrate that recognising Indigenous communities as collective entities does not automatically ensure the substantive fulfilment of women's rights. Using a socio-legal approach, the article conceptualises rights as social practices negotiated at the intersection of customary law (*Larvul Ngabal*), state policies, and coastal governance. The analysis centred on three interrelated dimensions: rights to coastal resources, rights to meaningful participation in decision-making, and rights to the recognition of Indigenous women's knowledge. The findings show that *Kei* women's everyday knowledge and practices are central to community sustainability, yet are systematically marginalised by epistemic hierarchies and technocratic, gender-blind coastal policies. The article argues that realising Indigenous women's rights requires a substantive justice approach that transforms the power relations constraining women's agency, not merely formal recognition. This study affirms that Indigenous women's rights must be understood as an integral part of the broader agenda for gender justice and social-ecological sustainability in Indonesia's coastal regions.

Keywords: Indigenous women, women's rights, gender, *Kei* Indigenous community, local knowledge, coastal governance

Introduction

This article addresses an issue that is often overlooked in discussions about the recognition of Indigenous communities: the fact that Indigenous structures themselves constitute an arena of power relations that is not free from gender hierarchies. The recognition of Indigenous communities as legal entities within the framework of Indonesian law and policy—as set out in Law No. 41 of 1999 on Forestry and various other regional regulations—is often based on the assumption that these communities are homogeneous. However, this assumption obscures the fact that the distribution of rights, authority and access to resources within these communities is heavily influenced by gender constructions (von Benda-Beckmann 2007; von Benda-Beckmann et al. 2012). Consequently, collective recognition of Indigenous peoples does not automatically guarantee the fair and substantive fulfilment of Indigenous women's rights (Bennett 2005).

This issue is particularly evident in the lives of the *Kei* Indigenous people in Southeast Maluku. Their social life,

including resource management, is governed by the *Larvul Ngabal* customary legal system, which enforces a strict gender-based division of roles (Rahail 1990). In practice, *Kei* women carry out subsistence work, manage food supplies, and maintain kinship ties that form the foundation of the community's sustainability. However, these roles are rarely recognised as the basis for claims to rights and political participation. Furthermore, technocratic state policies in the coastal and maritime sectors tend to appoint men as the official representatives of Indigenous communities, thereby further marginalising women from decision-making spaces that directly affect their lives (Kleiber, Harris & Vincent 2015; Bennett 2005).

This paper argues that the lived experiences of *Kei* Indigenous women provide a vital lens through which to reinterpret the concepts of rights, justice and sustainability. As Fabinyi (2012) has demonstrated, women's contributions to food management, processing marine products, and maintaining social relations in coastal areas are fundamental to community life—a

fact that has long been overlooked in legal and policy frameworks. According to von Benda-Beckmann's (2007) concept of legal pluralism, Indigenous women operate at the intersection of customary law, state law, and market logic—a position requiring analysis beyond a purely normative approach. Meanwhile, Harper et al. (2013) emphasise that coastal policies risk reinforcing the exclusion of women without a gender perspective, even if they appear procedurally inclusive. These three frameworks form the conceptual basis for this study.

Based on this analysis, the main argument of this article is that the fulfilment of Indigenous women's rights cannot be achieved solely through the normative recognition of Indigenous communities as a collective. Instead, a transformation of the power relations that have long placed women in a subordinate position within both customary law and state policy is required. This argument is developed through three interrelated analytical questions: (1) Why are gender hierarchies within customary structures and state policies continually reproduced? (2) How do Indigenous women negotiate their space for agency within the available structural boundaries? (3) What are the substantive conditions for the meaningful recognition of Indigenous women's rights?

By focusing on the experiences of *Kei* Indigenous women, this paper aims to address the underrepresentation of women in the discourse on Indigenous peoples' rights. This approach allows for an interpretation that avoids romanticising Indigenous traditions while rejecting critiques that oversimplify the state's role as the sole source of injustice.

Research Methodology

This article employs a socio-legal approach as its primary methodological framework. The author has chosen this approach because it focuses not only on written legal norms, but also on how *Larvul Ngabal* customary law and state policy function as social practices in the real-life experiences of *Kei* women. As Merry (1988) developed and von Benda-Beckmann (2015) expanded upon, the socio-legal approach positions law as an arena of continually negotiated power relations rather than a self-contained, neutral system of rules. Building on this tradition, the author analyses not only the text of the norms, but also the gap

between formal legal recognition and its actual impact on women's position in coastal governance.

Within a socio-legal framework, this study employs three interrelated analytical principles. Firstly, law is understood as a pluralistic phenomenon (von Benda-Beckmann 2007). In the *Kei* community, customary *Larvul Ngabal* law and state law do not operate in isolation from one another, but rather overlap to create a complex normative framework for women. Secondly, the analysis extends beyond legal texts to include legal practices in everyday life. It examines how norms are interpreted, implemented, negotiated and violated within the specific context of the *Kei* coastal community (Merry 1988). Thirdly, the study considers the gender dimension in the operationalisation of the law. It examines who is recognised as a rights holder and who is positioned as the community's legitimate representative. It also considers how gender role differences determine access to legal mechanisms (Von Benda-Beckmann 2015).

This paper uses primary data obtained through field observations and in-depth interviews conducted within the *Kei* Indigenous community in Southeast Maluku. These observations aimed to shed light on women's everyday practices in the management of coastal resources, including how they negotiate access, roles and recognition within the *Larvul Ngabal* customary structure. Semi-structured interviews were conducted with *Kei* Indigenous women as primary informants, and with traditional leaders, village officials and coastal policymakers as supporting informants. The primary data were then reviewed and analysed within a socio-legal framework to examine the gap between formal legal norms and the lived experiences of Indigenous women. Academic literature and policy documents were used to enrich the interpretation of the data, rather than as primary sources.

The analysis was conducted thematically in two stages. In the first stage, the framework developed by Agarwal (2001) was used to examine how the concept of Indigenous women's rights is defined, debated, and practised in different coastal areas. Agarwal emphasises that local knowledge cannot be separated from the power relations that shape it—a premise that guided the literature review on *Kei*. The second stage employed the access framework developed by Ribot and Peluso

(2003) to identify patterns of regulation concerning access, control, and distribution of benefits from coastal resources which affect women and men differently. Unlike Agarwal, who emphasises the dimension of knowledge, Ribot and Peluso focus more on the structural mechanisms that enable or restrict certain actors' access to resources—a framework that combines epistemic and material-institutional analyses.

Methodologically, this study adheres to the principle of rigour by clearly distinguishing between field data, the authors' analytical interpretations, and the proposed normative implications (Maxwell 2013). This principle of rigour is particularly important in the study of Indigenous communities, as academic representations can perpetuate harmful stereotypes (Smith 1999). Field data were processed using a socio-legal analytical strategy involving cross-reading normative texts and findings from social practices observed in the field. This was done to assess the gap between formal legal recognition and the actual realisation of gender justice experienced by Kei Indigenous women. The analysis revealed concrete mechanisms that render the rights of Indigenous women non-substantive across three interrelated dimensions: the right to coastal resources, the right to participate in decision-making, and the right to recognition of Indigenous women's knowledge.

To understand the position of indigenous women in coastal governance, this paper employs the access framework developed by Ribot and Peluso (2003). This framework distinguishes between access and property rights. Access is not merely understood as formal ownership, but as the actual ability to utilise resources—a capability influenced by social relations, institutions, and power. In the context of *Kei* Indigenous women, this framework is relevant because women are, in practice, the primary users of coastal resources. However, they continue to lack control due to customary rules and state policies that are not gender-sensitive (Agarwal 2001). Consequently, the rights of Indigenous women are not viewed as an automatic status, but rather as the result of ongoing social negotiations—rights that can be won and lost (Sikor & Lund 2009). This access framework guides the analysis of the first dimension: rights to coastal resources.

The second dimension of the analysis employs the concept of meaningful participation, as defined by Cornwall (2002). This concept distinguishes between

two types of involvement: 'invited participation', which is merely procedural presence; and 'claimed participation', which is substantive involvement that influences decision-making outcomes. Cornwall emphasises that 'invited spaces', such as consultative forums provided by the state or Indigenous institutions, do not automatically result in a shift in power relations since the agendas and rules are predetermined by the inviting party. Indigenous women often attend such forums merely as a procedural formality, rather than as influential decision-makers (Cooke & Kothari 2001). Within this framework, meaningful participation requires not only physical presence, but also the capacity to identify issues, shape the agenda, and defend interests within the decision-making process (Arnstein 1969). This framework is employed here to analyse the right of *Kei* Indigenous women to participate in decision-making processes.

This paper uses the lens of the politics of representation to examine how customary institutions and the state construct images of the community based on male authority. As demonstrated by Phillips (1995) and Young (2000), the question of who is regarded as the community's legitimate representative is not merely procedural; it is a practice of power that determines decision-making direction and benefit distribution. In the context of coastal Indigenous communities, for instance, male-dominated community representation reflects cultural norms and actively excludes women from decision-making spaces (Pitkin 1967). This approach enhances the analysis of meaningful participation by showing that the issue of representation is structural rather than individual.

The third dimension of the analysis is based on Fricker's (2007) concept of epistemic justice, which Dotson (2014) expanded in the context of Indigenous communities. Fricker distinguishes between two forms of epistemic injustice: testimonial injustice, whereby a person's testimony is deemed untrustworthy due to their identity, and hermeneutical injustice, whereby a person lacks the conceptual resources required to understand and communicate their experiences. In the context of Indigenous women, these two forms of injustice operate simultaneously: their knowledge is not recognised as a basis for decision-making (testimonial), and they lack a recognised position from which to interpret the meaning of the knowledge they

produce (hermeneutical). This framework is linked to Harding's (1998) feminist epistemology, which emphasises that knowledge is always tied to the social position of the subject. Thus, the disregard of women's knowledge constitutes structured exclusion rather than coincidence.

All dimensions of the analysis are underpinned by a framework of substantive justice, which distinguishes between the normative recognition of rights and women's ability to exercise those rights in daily life (Sen 2009; Nussbaum 2000). According to this framework, in order to be meaningful, rights must be claimable, exercisable, and defensible within concrete social conditions (Kabeer 1999). Conversely, the analysis of agency is informed by Mahmood's (2005) rejection of the dichotomy between victim and agent. Indigenous women are not passive subjects who are merely oppressed; rather, they are active participants who negotiate their living spaces within strict structural constraints. This approach provides a realistic understanding of agency while recognising Indigenous women as active and meaningful subjects.

Rights to Coastal Resources: Between Practical Access and Structural Control

Field findings suggest that *Kei* Indigenous women primarily use coastal resources, but do not control them. In the *Kei* Islands, women primarily work in the shallow coastal zone. At low tide, they harvest fish, sea cucumbers, *lola* shells (*Trochus niloticus*), and other marine products, which form the basis of household food supplies and income (Rahail 1990). Field observations in several *ohois* on *Kei Kecil* and *Kei Besar* confirm that women carry out almost all activities involved in processing marine products, from cleaning and processing to packaging and marketing at local markets. This daily contribution is fundamental to the community's food security, yet it is not recognised as a basis for legitimacy of rights within customary law or state policy frameworks.

"We go to the beach every day, so we know when the catch is plentiful and when it is scarce. Yet, when decisions are made about when to lift the *sasi*, we are not consulted. The men in the *saniri* make the decisions; we only hear about them afterwards. If the *sasi* is lifted at the wrong time, however, it is us who struggle to find food" (Female Informant 1, Interview, 12 February 2024).

The customary norms of *Larvul Ngabal* regulate access to coastal resources through two main instruments: the division of fishing areas by clan (*mel*), and the *hawear* or *sasi* system. The *hawear* system involves temporarily prohibiting the use of specific areas, either in the form of an area-based *sasi* covering all biota within a specific area, or a species-based *sasi* covering specific species such as sea cucumbers and *lola*. In Ohoirenan, the *lola sasi* is lifted every four years and in Ohoiwerka, the sea cucumber *sasi* is lifted every five years (Rahail 1990; Kubangun & Kissiya 2025). Decisions on when the *hawear* is opened and closed—which determine when women are permitted to harvest—are made through deliberations involving the *Ohoi* Chief, the Traditional Council (Badan Saniri Adat/BSA), and traditional leaders. This group is dominated by men. Although women are said to be present at these forums, their role is supplementary, not decisive. A socio-legal analysis of this mechanism reveals a fundamental disparity. Women are the group most affected by the opening and closing cycles of the *sasi*, yet they are not authorised to determine these cycles.

Why does this inequality persist? The author argues that the answer lies in the way *Larvul Ngabal* defines the legitimacy of access. Rights to resources are linked to clan membership and customary authority, which are both masculine in nature. Consequently, women can only access the coast through kinship ties with men, rather than holding rights independently (Agarwal 2001; Ribot & Peluso 2003). Findings from in-depth interviews with Indigenous women in *Ohoi Watkidat* illustrate this pattern. Before the empowerment programme intervened, men explicitly stated that women were 'not involved in discussions', even though women were primarily responsible for the day-to-day processing of marine products (CFI Indonesia 2024). When access was restricted due to seasonal factors, *hawear* rules, or state zoning policies, women adapted the marine products they processed, reorganised household food distribution, and worked 14–20 hours a day (Sajogyo Institute 2025). These adjustments were made silently and without formal recognition by women—a form of structural violence normalised by both customary systems and state policies. From a socio-legal perspective, this situation demonstrates that the absence of formally recognised rights of control makes women's access to coastal resources precarious

and vulnerable to restriction through decisions made without their participation.

“During the east monsoon season, my husband cannot go out to sea. We have to manage everything ourselves. In the morning, we go to the zones that are still open and collect whatever we can find. In the afternoon, we process the fish and sell them at the sub-district market in the evening. Sometimes we were there until eleven o'clock at night. No one says our work deserves recognition. They say it is simply a wife's duty. But without it, the family would not be able to eat” (Female Informant 3, Interview, 15 February 2024).

The Right to Participate in Decision-Making: Procedural Presence versus Substantive Participation

Field findings from several *ohois* in *Kei Kecil* and *Kei Besar* reveal a consistent pattern: although women are present at traditional consultative forums, this does not equate to their substantive involvement in decision-making. Research by Lebetubun (2022) in the village of *Elaar Lamagorang* in the South-East *Kei Kecil* district found that women's participation in village development planning deliberations was minimal. The number of women involved was small, their contributions were limited, and programmes favouring women rarely emerged as outcomes of the deliberations. Barriers included a heavy domestic workload preventing women from attending meetings at the scheduled times, a lack of self-confidence when speaking in male-dominated forums, and cultural norms that relegated women to the role of listener rather than speaker in formal traditional settings.

“I once attended an *ohoi* deliberation meeting. I sat at the back and just listened. When it was time for questions, I put my hand up, but the *ohoi* chief ignored me and called on the man sitting at the front instead. After that, I never went again. What was the point? Our voices were not heard. We were only there to have our names ticked off the attendance list, to make it look like women are taking part” (Female Informant 6, Interview 20 February 2024).

This pattern is not isolated, but is rooted in the design of the customary institutional framework. According to Rahail and Widayat's (2025) research on the identity of *Kei* women, *saniri* meetings have historically and structurally been dominated by men from the *mel stratum*. In contrast, communal activities such as traditional ceremonies still involve a large number of women. This distinction is not merely contextual, but reflects a deliberate division of spheres. The ceremonial

and reproductive spheres are designated as women's domains, while the deliberative and political spheres are designated as men's. Consequently, even active and knowledgeable women encounter unwritten boundaries, such as being permitted to attend meetings but not expected to influence decisions. In the context of coastal governance, these boundaries are deeply detrimental, as decisions regarding *hawear*, fishing zones, and the distribution of *sasi* catches—all of which directly impact women's lives—are made without their input.

This mechanism of exclusion is reinforced by the state's interaction with *Kei* indigenous communities. For example, when the Ministry of Marine Affairs and Fisheries (KKP) conducted the identification and mapping of customary law communities' managed areas in *Ohoi Ohoirenan* in October 2023, the coordination process was carried out with the *ohoi* chief, the sub-district head, and customary institutions, whose representation was dominated by men (CFI Indonesia 2023). Women were not positioned as key consultation partners, but rather as a group set to benefit from the policy. This approach treats women as if they are not rights-holders with authority over their own territories. This pattern reproduces what Phillips (1995) refers to as a 'representation deficit'. This occurs when formal representation fails to reflect the diversity of interests within a community, meaning that policy outcomes do not reflect the needs of underrepresented groups.

“When government officials came to survey our coastal areas, they met with the sub-district head, the *ohoi* chief, and the traditional elders. We women were not invited. Yet we were the ones who knew the fishing boundaries best — which zones had plenty of sea cucumbers, and which zones we usually fished in. It was only after everything was finished that we heard the results from our husbands. We had no say in drawing up that map” (Female Informant 8, Interview 22 February 2024).

Despite being formally recognised, why does women's participation remain merely symbolic? A socio-legal analysis identifies two mutually reinforcing mechanisms. The first is the mechanism of representative selection. When the state consults with 'Indigenous communities', the people recognised as legitimate representatives are traditional leaders and clan heads. Within the *Larvul Ngabal* structure, these are exclusively men rather than women, who are recognised as a distinct group with different experiences

(Kubangun & Kissiya 2025). Secondly, the agenda-setting mechanism means that the issues deemed relevant in coastal policy forums are technical matters such as licensing, zoning and catch quotas. However, these issues do not explicitly address the dimensions of women's subsistence labour and reproductive burdens. Consequently, even when women are present at these forums, the issues that affect them most are never included in the established agenda.

Field interviews with women in *Ohoi Watkidat* provide direct evidence of this experience. Prior to the GEF-6 intervention, it was explicitly stated that women were 'not involved in discussions by men' (CFI Indonesia 2024). They were recognised only for their productive roles, such as managing the household, cooking fish, and selling the catch. They were not recognised as community members entitled to express their interests in public decision-making. When GEF-6 began involving women in training and discussions, this was described as something 'new' and significant, indicating that their previous involvement had indeed been virtually non-existent. From a socio-legal perspective, this confirms that while women have the right to participate in the governance of the *Kei* coastline on paper, this right is not realised in practice.

The author argues that introducing attendance quotas is not the only solution to the underrepresentation of women in existing forums; the design of the forums themselves must also be transformed. If 'invited spaces' (Cornwall 2002) do not recognise women as equal stakeholders, their formal presence will not influence decision outcomes. Findings from the *Kei* Islands suggest that customary and coastal policy forums require reform to incorporate the following: firstly, separate consultation mechanisms with women's groups prior to general deliberations; secondly, an agenda that explicitly addresses the impact of policies on women's subsistence work and reproductive burdens; and thirdly, recognition of women as rights holders over coastal areas, rather than merely as beneficiaries of policies determined by others.

This pattern of exclusion is also evident in the design of coastal development policies at regency level. When the Southeast Maluku Regency formulated regulations on coastal zone management, the public consultation process invited 'community representatives', who were in practice *ohoi* heads, traditional leaders, and

fishermen's representatives—all of whom were men. Women, who manage marine resources and safeguard household food security on a daily basis, were deemed not to require separate consultation. Consequently, the resulting regulations failed to consider the impact on women's processing work, their seasonal access patterns or the conflict resolution mechanisms involving them as stakeholders. From a socio-legal perspective, this demonstrates how a procedurally neutral consultation process, where all community representatives are invited on an equal footing, can produce non-neutral outcomes. This is because the concept of 'community representation' itself is shaped by unquestioned gender assumptions.

It should be noted that some *Kei* women have managed to overcome these formal barriers through individual action. For instance, Sri Fany Mony's role as chair of the women's fishing group in *Watkidat* provided her with a platform to represent women's interests at several GEF-6 discussion forums. However, this case highlights that successful women's leadership in *Kei* often occurs through external programmes and empowerment interventions rather than Indigenous institutional design or state policies that create space for women. This suggests that women's participation in *Kei*'s current coastal governance depends on the presence of specific programmes or interventions, rather than being structured and guaranteed. The sustainability of existing participation is also threatened when programmes end, as there are no customary or state institutional mechanisms to ensure women's continued representation in decision-making forums.

The Right to Recognition of Knowledge: Epistemic Hierarchy and Epistemic Injustice

The author argues that, of the three analysed dimensions of rights, the recognition of knowledge is the least visible yet the most fundamental. This suggests that the epistemic injustice experienced by Indigenous women is a structural mechanism that undermines their ability to claim rights to resources and participate in decision-making processes. Without recognition of their knowledge, women lose the basis on which they can be recognised as authoritative actors, thereby undermining their claims to other rights.

Field findings in the *Kei* Islands shows that women have a deep understanding of the local ecology that is

not reflected in official management systems. Women in *Kei's* coastal communities know exactly when *lola* and sea cucumbers are ready to be harvested, based on natural signs such as changes in water colour, tidal current patterns, and seasonal rhythms. This knowledge has been passed down through the generations. They also master the processing techniques for 'embal' (poisonous seaweed), which requires a high level of skill to produce safe food. This knowledge forms the basis of the community's food security, especially during poor fishing seasons (Rahail 1990). In *Ohoi Ohoirenan*, field observations suggest that women's understanding of seagrass ecosystems as sea cucumber and *lola* spawning grounds is highly relevant to *sasi* management. However, this knowledge is rarely formalised in decision-making processes regarding the opening and closing of the *sasi*. These decisions are made by the male-dominated customary forum (CFI Indonesia 2024).

"I know when the coconuts are ready for harvest. It is not something I learned from a book; it is something I have learned from decades of going to the beach. If the water looks a certain way, if the wind is blowing from a particular direction, and if the seaweed is growing in a certain way, that is a sign that the *lola* have grown large. But at the *sasi* opening meeting, it is the city researchers who are asked to speak, not us. Our knowledge is dismissed as 'old people's tales', not science. Yet we are the ones who experience it first-hand every single day" (Female Informant 10, Interview 12 February 2024).

The reduction of women's knowledge occurs through two mutually reinforcing channels. The first is the internal epistemic hierarchy of the customary system. Within the *Larvul Ngabal* structure, the authority to interpret and decide on norms is determined by one's position within the clan and gender hierarchy. While women possess rich and ecologically relevant knowledge, it lacks institutional channels through which to enter the arena of customary decision-making. The second channel is the state's external epistemic hierarchy: policies for coastal management, designed by the Ministry of Marine Affairs and Fisheries, rely on formal scientific knowledge such as marine biological data, GIS mapping, and stock analyses. This reduces women's experience-based knowledge to supplementary 'local wisdom', rather than treating it as an equal basis for decision-making. For instance, BRIN research in the *Kei Besar sasi* area identified 24 species of sea cucumber through formal scientific study—a

process that excluded women's recognised expertise in the life cycles and habitats of these organisms (CFI Indonesia 2024).

Why does women's knowledge face double marginalisation - being ignored by both customary systems and the state? Kubangun and Kissiya (2025) demonstrate that the *Larvul Ngabal* system disciplines women by positioning their experiences, and the knowledge derived from them, as valid in the private sphere yet lacking in public authority. While women may possess knowledge, they are not authorised to make decisions based on it. At the state level, technocratic coastal policies assume that legitimate knowledge is measurable, documented, and produced by formal scientific institutions—an assumption that structurally excludes the experience-based knowledge and relational understanding of Indigenous women. Within Dotson's (2014) framework, *Kei* women experience two forms of epistemic injustice: firstly, their testimonies are not accepted as valid evidence (testimonial injustice), and secondly, the concepts they use to understand their experiences are not recognised as a valid framework (hermeneutical injustice).

"When I informed government officials that our fishing grounds were deteriorating due to the passage of large fishing vessels, they requested data. I told them that I had made observations over many years. But they said that was not data; it was just a story. I did not know how to present my observations so that they would believe me. It turned out that they wanted laboratory figures, not our decades of experience" (Female Informant 8, Interview 22 February 2024).

The impact of this epistemic injustice extends well beyond issues of self-esteem and cultural recognition. From a socio-legal perspective, when women's knowledge is not recognised, they lose the basis on which to claim their rights. They cannot claim to 'know better' about coastal conditions that are governed by policies affecting their lives, because their knowledge is not recognised as a relevant form of knowledge. This creates a cycle of injustice: when women are not recognised as holders of knowledge, they are not regarded as competent decision-makers. This, in turn, limits their access to and control over resources, ultimately confirming the 'irrelevance' of women's experiences in legal and policy arenas. Breaking this cycle requires a transformation at the epistemological

level: experience-based knowledge must be recognised as a legitimate input in coastal policy-making processes, rather than merely being added to existing systems.

Field observations reveal a disconnect between what women know and what is deemed ‘useful’ by formal institutions. This became apparent when a BRIN research team conducted a marine biology study in the *Kei Besar sasi* area, documenting 24 species of sea cucumber through scientific diving and laboratory analysis. However, the methodology did not incorporate the women’s knowledge of indicators of ecosystem conditions, which they had gathered through decades of direct interaction with the coast. Yet, the women who harvest in these zones every day possess knowledge of changes in sea cucumber populations over time, the locations where larvae congregate, and the behavioural patterns of marine life—Information that cannot be captured by a one-off study. Ideally, experience and science, despite their different strengths, should complement one another. The systematic rejection of women’s knowledge results in poorer policy outcomes, not to mention gender inequality.

From a socio-legal perspective, the epistemic injustice experienced by *Kei* women is an invisible yet very real form of legal exclusion. Merry (1988) demonstrates that law operates not only through written rules, but also through the creation of categories that determine who is considered a legitimate legal subject. In *Kei* coastal governance, women are implicitly excluded from the category of ‘authorised parties’ within customary norms and state policy, not through explicit prohibitions, but through definitions of authority that associate it with clan position and the male gender. Consequently, women experience what von Benda-Beckmann (2015) terms ‘exclusion by definition’; they are not explicitly prohibited from participating, but the eligibility criteria are such that women are systematically excluded. Addressing this epistemic injustice could transform the way law and policy define legitimate knowledge and who has authority over it.

Kei Indigenous Women’s Agency: Negotiation and Structural Constraints

An analysis of the three dimensions of rights outlined above shows that *Kei* Indigenous women operate within conditions of tangible structural constraints. These include access to coastal resources without control

over them, presence without substantive involvement in decision-making, and knowledge without epistemic recognition. However, this does not mean that women are passive subjects. In fact, field findings in the *Kei* Islands show that women actively negotiate these constraints through everyday practices that are invisible to formal institutions yet crucial to the community’s survival. The author argues that interpreting this agency is not intended to romanticise women’s resilience or suggest that injustice does not exist. Rather, the intention is to provide a more comprehensive understanding of how injustice operates and where avenues for change might be opened up.

The first form of agency identified in the field is strategic adaptation to subsistence. When the east monsoon arrives and the sea becomes unnavigable, or when access to certain fishing grounds is cut off by bad weather, *Kei* women do not wait for the situation to improve. Instead, they switch to marine resources that are not subject to fishing bans in shallow zones accessible at low tide. They also process existing supplies into long-lasting products and reorganise mealtimes for the family. In *Ohoi Watkidat*, Sri Fany Mony leads a women’s group that has developed a range of processed fish products, including liquid smoked fish, shredded fish (*abon*), nuggets, and fish crackers. This adds value to catches that were previously often discarded because they could not be sold fresh. It also transforms them into products that can be stored and marketed (CFI Indonesia 2024). In 2023, the group generated an income of over IDR 13 million from selling processed fish. This demonstrates that women can independently devise livelihood strategies within and around boundaries they have not set for themselves.

A second form of agency is network solidarity, which extends beyond formal kinship ties. Field observations show that women in *Kei*’s coastal communities form networks to share resources, information, and emotional support. These networks often operate more effectively than formal customary and state channels. For instance, if a woman loses access to the coast because her husband is away and there are no male relatives to accompany her, her network of female neighbours will accompany her to the shore, share the catch, and collectively process the fish, thus filling the gap left by the absence of male relatives. Unfortunately, such networks are not recorded in customary documents

or policy reports, despite being tangible social infrastructures that underpin the community's food security and sustainability. Rahail and Widayat (2025) observe that despite the traditional identity of *Kei* women beginning to shift due to modernisation, they remain active custodians of culture. They play a key role in resolving social conflicts and passing on customary values to the younger generation, even when their formal roles are not recognised within the customary structure.

The third form of agency involves the intergenerational transmission and innovation of knowledge. In *Kei*'s coastal communities, for example, women are primarily responsible for passing on practical ecological knowledge. They teach young girls how to read the signs of the tides, recognise the best times to harvest *lola* and sea cucumbers, and process marine produce to minimise waste. This knowledge is not recorded in documents or taught in schools; rather, it is passed down through daily practices from mother to daughter. When a women's group in *Watkidat* received training in modern fish processing from the GEF-6 CFI Indonesia programme, they did not simply absorb new information passively. They also combined modern techniques, such as liquid smoking, with local knowledge about which fish species are best suited to specific processing methods. The result was a higher-quality product than could be achieved using modern or traditional methods alone (CFI Indonesia 2024). This demonstrates that *Kei* women are active agents in integrating and transforming knowledge.

However, the author emphasises that recognition of these three forms of agency should not distract from the fact that there are real structural limitations. Although agency in subsistence adaptation is real, it also means that women bear the burden of adjustments that should be shared collectively. This adjustment takes place without any form of compensation, such as recognition or redistribution of authority. Although network solidarity is real, it must be remembered that it operates outside official structures and therefore cannot effect change within them. Similarly, knowledge transmission and innovation are real, but as long as women's knowledge is not recognised as a legitimate contribution to policymaking processes, these contributions will continue to be excluded from decision-making. Agarwal (1997) refers to this situation

as 'bargaining within patriarchy': women negotiate and even succeed within a system that does not recognise them as equal partners. However, the success of such negotiations does not alter the constraints themselves.

"We are more independent now than we used to be. We have our own money and can speak more freely at home. However, at traditional council meetings, our voices still go unheard. In coastal forums, it is still the men who do the talking. We have made progress in the kitchen and at the market, but there is still no seat for us at the decision-making table. Progress in one area but no change in another does not constitute complete progress" (Female Informant 9, Interview, 17 February 2024).

This interpretation of agency has implications for the socio-legal framework: legal and policy reforms must go beyond formal recognition. Even when *Larvul Ngabal* is revitalised and the state's coastal policies are strengthened, women will continue to strategise outside the system—albeit resiliently—if the gender-exclusion mechanisms embedded within them are not dismantled. Findings from the *Kei* Islands indicate that reforms to customary law or coastal policies alone are insufficient to enable women to become visible. Instead, external interventions in the form of empowerment programmes that explicitly create space for women to practise, express their views, and be productive beyond the boundaries of traditional roles are required. Structural change requires concrete design; it is not enough to hope that women's existing agency will suffice to penetrate a system that is not designed to recognise it.

One aspect of agency that is often overlooked is how *Kei* women navigate the caste system (*mel-ren-iri*), which operates alongside gender divisions. This system of social stratification places women from the *mel* clan in a more powerful position than women from the *ren* or *iri* clans, in theory at least. In practice, however, caste differences do not alter the fact that all women are excluded from formal decision-making spaces dominated by men from the *mel* clan. Field observations suggest that cross-caste solidarity among women in fish processing and food distribution networks often transcends caste hierarchies. For example, women from the *mel* and *ren* clans work together on the shore and share processing techniques, regardless of their caste status. This intriguing form of negotiation enables women to create a relatively egalitarian social space amongst themselves despite the broader normative

system placing them in a subordinate position to men of all castes.

Women's agency is also evident in the way they use empowerment programme interventions to increase their social influence. Participation in the GEF-6 programme equipped women with technical fish processing skills and granted them new legitimacy. By generating IDR 13 million rupiah from the sale of processed products, the *Watkidat* women's group could no longer be dismissed as 'merely housewives selling fish'. Sri Fany Mony's role as group chairwoman gave her the authority to speak at forums that had previously been closed to her. In other words, this programme has transformed women's economic capacity and altered their social bargaining power within the community. However, as emphasised earlier, these changes depend on the programme continuing. Whether this expanded scope of action will be maintained or revert to previous patterns once the programme ends depends heavily on whether institutional changes are made to strengthen women's new positions within customary law and state policy.

This analysis of the agency of Indigenous women has theoretical implications for the understanding of rights within Indigenous communities. In this context, rights cannot be understood as a static status inherent to the individual. Rather, Indigenous rights are a dynamic process of negotiation that unfolds within a complex web of power relations. Rights are not merely what is written in customary norms or state policies. They should be capable of being claimed, defended and expanded by individuals through their everyday social practices. *Kei* women actively engage in this negotiation process through adaptation, solidarity, innovation, and exploitation of available loopholes. However, this negotiation takes place within an asymmetrical field, arising from the fact that formal customary and state institutions have not yet been designed to recognise women as equal negotiating partners. Transforming this field is therefore a prerequisite for the substantive fulfilment of Indigenous women's rights rather than merely their procedural fulfilment.

Closing

This study highlights three mutually reinforcing analytical findings. Firstly, in terms of rights to coastal

resources, *Kei* Indigenous women are the primary users of the coastline. They harvest, process, and market marine products daily, yet they do not control these resources. The *hawear* (*sasi*) system in *Larvul Ngabal* regulates access to these resources, but decisions are made by a male-dominated customary forum. When restrictions are imposed, women bear the greatest burden of adjustment. They must extend their working hours, reorganise their families' food supplies, and seek alternative livelihoods, with no formal recognition of their efforts. From a socio-legal perspective, this clearly demonstrates that access and control are distinct issues. This distinction is structurally gendered.

These findings also reveal the tension between the *hawear* norm functioning as an ecological conservation mechanism and its unequal gendered impact. The *sasi* system regulated by *Larvul Ngabal* has been shown to contribute significantly to the conservation of the *Kei* marine ecosystem. The 152-hectare *Ohoirenan sasi* zone and the 31-hectare *Ohoiwait sasi* zone have become effective biodiversity recovery zones (CFI Indonesia 2024). However, when the *sasi* was enforced, women who depended on harvesting *lola* and sea cucumbers in these zones lost their primary source of livelihood with no compensation. While decisions regarding the application of the *sasi* may be ecologically sound, they can have a disproportionate impact on women. However, as these decisions were made by a forum that did not substantively involve women, the ecological costs of conservation are disproportionately borne by the group with the least say in those decisions. This paradox must be explicitly acknowledged when designing coastal policies based on local knowledge. Revitalising *hawear* without transforming the underlying gender relations within it will result in ecologically sustainable, but socially unjust, conservation.

From a socio-legal perspective, this situation exemplifies the 'power-based access mechanisms' described by Ribot and Peluso (2003). The ability to utilise resources is not solely determined by formal rules, but by who has the power to interpret and enforce them. In the *Kei* context, for example, clan heads and male traditional leaders have the power to interpret *hawear* norms. Although *hawear* norms do not explicitly prohibit women from harvesting, they encounter numerous restrictions in practice. The *sasi* closure schedule is not coordinated with women's work cycles,

sasi zones often encompass areas that women typically traverse for harvesting along the shoreline, and there is no formal mechanism through which women can lodge complaints when access conflicts arise. Consequently, while women's formal rights to coastal resources are recognised within *Larvul Ngabal*, these rights are, in practice, conditional and vulnerable to the unilateral judgements of those holding traditional authority.

Secondly, with regard to the right to participation, this study shows that women's presence in customary deliberative forums and policy consultations is merely procedural. Two mutually reinforcing mechanisms result in a situation where, although women are physically present, they have no real influence on decisions. The first of these is a selection process for representation that prioritises male customary elites. The second is an agenda-setting process that overlooks issues of subsistence labour and the burden of reproductive work. According to Cornwall (2002), meaningful participation requires changes to both of these mechanisms: the attendees and the topics discussed must both be called into question.

Thirdly, with regard to the right to recognition of knowledge, the author argues that epistemic injustice lies at the heart of the other two dimensions of rights. When women's knowledge is not recognised as a basis for decision-making, their position in relation to claims for resources and participation in policy-making is structurally weakened. The epistemic hierarchy that prioritises technocratic science over women's experience-based knowledge is not merely a cultural issue. It is an exclusionary mechanism that directly affects the distribution of rights and benefits.

The author summarises the key argument across these three dimensions: achieving the fulfilment of Indigenous women's rights cannot be done through the mere recognition of Indigenous communities as a collective. Failing to consider the internal power dynamics within the community can lead to the collective recognition of Indigenous communities legitimising the exclusion of women in the name of tradition. A substantive justice approach is required to actively transform the conditions that prevent women from enjoying their normatively recognised rights. This requires transformation at three levels: designing customary institutions that provide women with access

to, and control over, resources; establishing policy participation mechanisms that ensure their substantive involvement; and recognising their knowledge as the basis for decision-making.

The policy implications of this study point to the need for gender mainstreaming in the governance of Indigenous coastal communities. Specifically, this means: (1) recognising indigenous women as key stakeholders in the design of coastal management policies, rather than merely those affected by the outcomes; (2) integrating women's local knowledge into policy planning and evaluation processes, rather than merely including women in them; and (3) considering the impact of policies on women's workload and the sustainability of their livelihoods as indicators of success, rather than merely considering ecological indicators. Without concrete changes to policy design, the discourse on participation and empowerment risks remaining administrative rhetoric.

Conceptually, this study contributes to the development of a framework for the rights of Indigenous women by viewing them as subjects of analysis rather than objects of protection. The paper takes a more comprehensive approach to analysing the intersection between customary law, state policy, and women's lived experiences by integrating frameworks concerning access, meaningful participation, and epistemic justice. The case study of *Kei* Indigenous women shows that gender justice within Indigenous communities can only be achieved by transforming power relations so that women's experiences, knowledge, and agency form the basis of law and policy, rather than being an afterthought.

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Indigenous Women's Resilience, Knowledge, and Food Sovereignty: A Study of the Role of Indigenous Women from Kasepuhan Citorek in Lebak, West Java and Indigenous Women from Dayak Iban Menua Sungai Utik in Kapuas Hulu, West Kalimantan

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Abstract

This study aims to analyse the role of Indigenous women in strengthening the resilience of Indigenous communities in *Kasepuhan Citorek* (Lebak) and *Dayak Iban Menua Sungai Utik* (Kapuas Hulu). This study uses a critical paradigm with a multiple case study approach and qualitative analysis, data collected through in-depth interviews, observations, and document studies for 7 (seven) months. Data were analysed using the framework of rights to self-determination and Indigenous feminism. The results of the study indicate that the recognition of Indigenous territories, strengthening the rights of Indigenous women, food sovereignty, and the implementation of self-determination are interrelated in building the sustainability and resilience of Indigenous communities amidst the climate crisis and extractive development. Indigenous women play a central role as guardians of ecological knowledge, managers of food reserves, and decision-makers in the customary system. These findings confirm that strengthening the rights of Indigenous women is inseparable from the original rights of Indigenous communities, and is the foundation of the ecological, social, and political sustainability of Indigenous communities amidst the pressures of extractive development and the climate crisis. The existence of Indigenous women is often invisible and unrecognised. However, as with Indigenous feminism, gender justice is an inseparable part of recognising the sovereignty and self-determination of Indigenous Peoples. This means that recognising Indigenous Peoples is an integral part of recognising the rights of Indigenous women.

Key words: self-determination, food sovereignty, Indigenous women, Indigenous territory

Introduction

The climate crisis, the lack of recognition of Indigenous peoples, and the increasing number of conflicts over the seizure of Indigenous territories across the globe have all contributed to the food crisis, affecting more than 300 million people globally, 88 million of whom are in the Asia-Pacific region (Global Report on Food Crisis 2025). Indonesia is particularly vulnerable to the effects of the climate crisis, ranging from deforestation to an increased susceptibility to natural disasters. Moreover, Indigenous Peoples are directly impacted, facing various losses and damage to their territories as a result of the climate crisis. According to data from the Indigenous Peoples Alliance of the Archipelago (AMAN), deforestation and natural disasters threaten the livelihoods of 40-70 million people in 2,116 Indigenous communities in Indonesia (AMAN 2025). Ironically, Indigenous women, as custodians of knowledge and guardians of traditional territories

and biodiversity, are among the hungriest and most neglected (FAO 2015).

In this article, the term 'Indigenous Peoples' refers to social groups with deep-rooted historical, cultural, and spiritual ties to their traditional territories and possess systems of knowledge, law, and governance that have evolved over generations and are independent of the structures of the modern state (UNDRIP 2007). Unlike the general public, whose socio-economic relations tend to be shaped by state and market systems, Indigenous Peoples live within a collective framework that treats territory, nature, and community as an inseparable whole (Escobar 2015). The term 'Indigenous women' cannot be understood merely as a biological or social category; rather, they are subjects whose position is shaped by their relationship with Indigenous systems, territories, and communities (Kuokkanen 2019). Unlike women in mainstream society, who are often positioned as individuals within the state system, Indigenous

women have collective roles that are integral to the social structure of their communities, particularly in the management of ecological knowledge, food systems, and socio-cultural reproduction (Shiva 1988).

The crisis faced by Indigenous women in Indonesia is not just about the availability and accessibility of food; it also reflects the unequal power relations in the governance of food systems (FAO 2023). Climate emergencies, economic crises, and violent conflicts further disrupt Indigenous women's food systems (Robert 2021). Disruption to ecosystems and food systems results in Indigenous women losing their livelihoods and access to safe and sustainable food sources (Tauli-Corpuz 2015). Indigenous women in Indonesia face a multitude of challenges, including the consequences of conflict, economic marginalisation, and systemic gender discrimination (Barume 2025). Their existence, experiences, and voices are often not recognised in decision-making processes across various spheres, which signifies the multidimensional crisis they face.

In an Indigenous context, the relationship between Indigenous women and their customary territories and food sources is not merely material or economic. It is also shaped by knowledge, ways of life, cultural values, and intergenerational responsibilities. This makes customary territories living spaces that define the existence of Indigenous women, rather than merely productive assets. Consequently, the relationship between Indigenous territories and Indigenous women is an existential foundation that underpins their identity, social roles, and sovereignty. When Indigenous territories are seized or eliminated, it is not just a space for food management that is lost, but the existence of Indigenous women themselves (Nadya 2020).

The food sovereignty of Indigenous communities, and particularly of Indigenous women, stems from their long-standing relationship with their territories, knowledge, and sustainable production practices. Food sovereignty is defined as the right of Indigenous communities, including Indigenous women, to have autonomy over their food systems. This encompasses various initiatives in accordance with Indigenous knowledge passed down through generations within Indigenous territories (IWGIA 2015). In this context, Indigenous women play a pivotal role in the

collective efforts of Indigenous communities. They safeguard seeds, determine cropping patterns, manage food resources from forests and fields, and ensure sustainability across generations. Throughout times of crisis, Indigenous communities - particularly Indigenous women - have survived by strengthening their food systems, knowledge, and sustainable management practices within their traditional territories (Shrinkhal 2015).

This paper explores the role of Indigenous women in strengthening the food sovereignty of their communities, focusing on the *Kasepuhan Citorek* in Lebak, West Java and the *Dayak Iban in Sungai Utik*, Kapuas Hulu, West Kalimantan. These Indigenous communities were selected as case studies because they have demonstrated customary food sovereignty practices. In the context of *Kasepuhan Citorek*, the Food Security and Vulnerability Atlas (FSVA) revealed that Lebak Regency's FSVA index in 2022 was 36.02, placing it in the 'Resilient' (priority 5) category. This level of food security and vulnerability relates to food availability, access, and utilisation (FSVA 2022). A study by AMAN shows that Indigenous *Dayak Iban* women from *Menua Sungai Utik* play a significant role in safeguarding seeds and regulating the planting cycle in accordance with natural signs and traditional calculations (AMAN 2021). Consequently, this paper aims to demonstrate the role of Indigenous women in the context of food sovereignty.

Research Methodology

This study adopts a critical approach, using social injustice, discrimination, and oppression as the basis for its analysis (Neuman 2014). The critical paradigm is used here to understand the experiences of Indigenous women affected by extractive development, while also recognising their role in safeguarding and strengthening their communities' food sovereignty. This approach views research as not only a process of data collection, but also as a reflective, partisan and dialogic space shared with participants (Mertens 2009; Neuman 2014). The research employs a qualitative approach using multiple case studies in two Indigenous communities: *Kasepuhan Citorek* and *Dayak Iban Menua Sungai Utik*. The research focuses on understanding the role of Indigenous women in strengthening community food sovereignty amidst social change and development

pressures. A qualitative approach was chosen in order to explore the experiences, knowledge, and everyday practices of Indigenous women in depth.

Fieldwork was conducted over a period of seven months, from 5 August 2025 to 14 February 2026, across two locations: *Kasepuhan Citorek* and *Dayak Iban Menua Sungai Utik*. The research subjects comprised eight Indigenous women from the two locations, representing various roles, and five male traditional leaders. A focus group discussion (FGD) was also held on 7-8 August 2025 in *Kasepuhan Guradog*, with 70 Indigenous women participants representing different roles. The research subjects were Indigenous women involved in Indigenous governance, Indigenous schools, ritual leadership, and advocacy for community food sovereignty. In addition, this study used secondary data in the form of documents detailing the monitoring and evaluation of food sovereignty programmes within Indigenous communities that are members of AMAN. In this study, the research participants are referred to by pseudonyms to protect their privacy, in accordance with research ethics.

In this study, the author adopts the position of an Indigenous person from the *Talang Mamak Simarantihan* community, who is also a member of AMAN. This paper analyses the collected data within the frameworks of the right to self-determination and Indigenous feminism.

The Right to Self-Determination, Food Sovereignty, and the Rights of Indigenous Women

The right to self-determination provides the normative foundation that justifies the existence and political legitimacy of Indigenous Peoples within the state system. This principle stems from the recognition that Indigenous Peoples cannot be viewed solely through the lens of the state's administrative constructs. They are socio-political entities that existed prior to the formation of the nation-state (Panzironi 2006). The inherent right signifies that the governance, laws, institutions, and social systems of Indigenous communities do not stem from a delegation of state power. Rather, they evolve organically from history, cosmology, and collective experience (Panzironi 2006). Within this framework, it is important to emphasise that the rights of Indigenous women are not a distinct category of rights but are embedded in the inherent

right and the right to self-determination. The rights of Indigenous women are embedded in both concepts.

As inherent rights arising from the historical and cosmological existence of Indigenous communities, Indigenous rights encompass the entire social framework of Indigenous communities. This includes gender relations, systems of knowledge transmission, and the division of roles in the governance of communal life (Anaya 2009). Therefore, when inherent right is recognised, it is not merely the Indigenous institutional structure or authority over territory that is recognised, but also the system of internal social relations that underpins the community's sustainability. This includes the roles and authority of Indigenous women within the community.

The same applies in the context of the right to self-determination. Self-determination is not merely an abstract collective right. Rather, it is a right exercised through concrete social practices in the daily lives of Indigenous communities. It encompasses the ability to determine the direction of development, manage resources, preserve legal and cultural systems, and establish decision-making mechanisms in accordance with collective values (Panzironi 2006). In these practices, Indigenous women are not external parties who are subsequently 'involved', but political subjects who have held these rights within the Indigenous community from the outset.

The rights of Indigenous women must be understood as an integral part of the inherent right and the right to self-determination. These rights are not additional or derivative rights that emerged later because of developments in the discourse on human rights. Rather, the rights of Indigenous women form an integral part of the social and political structures of Indigenous communities themselves. Strengthening the rights of Indigenous women strengthens the exercise of self-determination. Conversely, neglecting Indigenous women undermines the foundations of the inherent right and diminishes the meaning of self-determination as substantive community democracy. Furthermore, the right to self-determination is enshrined in international law through Article 1 of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which states that all peoples have the right

to freely determine their political status and to develop their economic, social and cultural lives. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) explicitly expands upon this principle,

affirming that Indigenous peoples have the right to self-determination, including the right to autonomy and self-government.

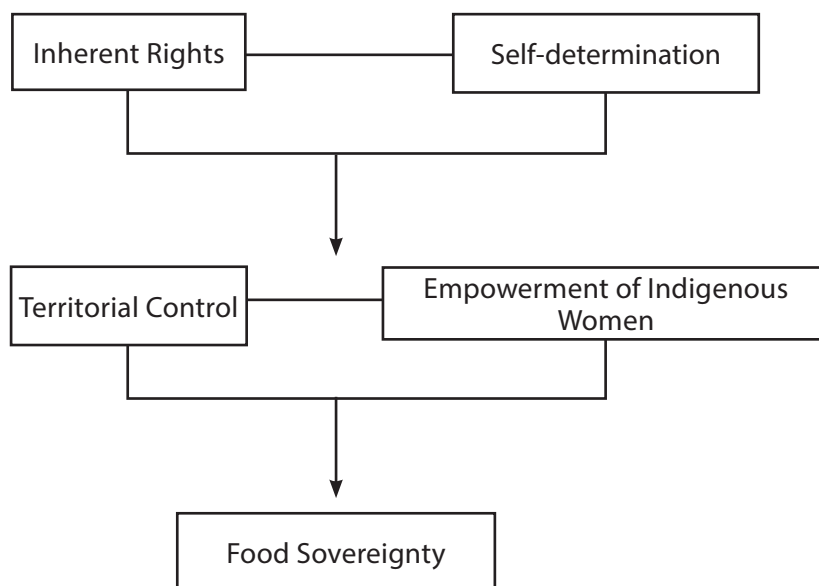


Diagram 1. Conceptual Framework of the Right to Self-Determination, Food Sovereignty, and the Rights of Indigenous Women

Source: Compiled by the author (2026)

This framework is based on three main assumptions. Firstly, Indigenous Peoples possess inherent rights rather than rights granted by the state. Secondly, these inherent rights manifest as the right to self-determination. Thirdly, the exercise of self-determination within Indigenous communities is realised in concrete terms through the management of territories, natural resources, and food systems. Indigenous women play a central role in this. This conceptual framework can be understood as both a multi-tiered relationship (both hierarchical and causal) and a normative level of inherent rights. The basis of the political and legal legitimacy of Indigenous communities' existence lies in the political level of self-determination, which underpins the right to regulate internal governance, manage indigenous territories and natural resources, and preserve legal and cultural systems. The economic-ecological level of food sovereignty is realised through control over land and forests, management of local seeds, Indigenous-based food production systems, and distribution and

consumption in accordance with community values. Finally, the socio-gender level encompasses the right to participate in decision-making processes, authority over seeds and food systems, recognition of Indigenous ecological knowledge and protection against structural marginalisation.

Indigenous Feminism

Cheryl Suzack (2010) explains that Indigenous feminism is a feminist approach that is rooted in the experiences, values, and knowledge systems of Indigenous communities rather than in Western frameworks alone. Unlike mainstream feminism, which is often considered class-centred, Indigenous feminism stems from the unique experiences of Indigenous women in confronting the erasure of traditional gender roles brought about by colonial policies. There are several key aspects to understanding the concept of Indigenous Feminism. Firstly, the interconnection between colonialism and patriarchy. The central tenet of

Indigenous feminism is that colonisation is not merely the seizure of land, but a process that imposes Western patriarchal structures on Indigenous communities. This has led to the erasure of traditional gender roles, which previously granted women certain powers or status, and their replacement with practices that marginalise Indigenous women.

Secondly, gender justice is an integral part of Indigenous peoples' sovereignty. Contrary to the view that separates women's issues from the struggles of Indigenous communities, this perspective asserts that gender justice is integral to recognising Indigenous Peoples' sovereignty and self-determination. True sovereignty cannot be achieved if women within those communities continue to experience oppression or violence (Suzack 2010).

Thirdly, there is broad intersectionality. Indigenous feminism seeks to achieve social justice that transcends boundaries such as gender, race, and class. This approach recognises that the unique position of Indigenous women is shaped by the simultaneous experience of racism and sexism, a fact that is often overlooked by mainstream feminism.

Fourthly, there is a critical examination of traditions influenced by colonialism. Indigenous feminism emphasises that traditions can be influenced by the legacy of colonialism. A critical examination is necessary to distinguish between authentic Indigenous values and 'inherited patriarchy', which is often mistakenly regarded as a traditional trait. Fifthly, culture is viewed as a tool for fostering critical consciousness. Cultural production is viewed as a theoretical and practical tool to combat silencing and marginalisation. Indigenous women reclaim cultural authority, give voice to erased histories, and envisage new political possibilities that transcend the colonial patriarchal narrative. Sixth, it provides a basis for collective action. In Indigenous feminism, collectivism is the idea that women's struggles are not individual, but are embedded in communities, social relations, and cultural continuity.

The Resilience of the *Kasepuhan Citorek*

The term 'resilience' describes the ability of a community or system to withstand, adapt to, and recover from various multidimensional threats. It encompasses the capacity of social and ecological

systems to absorb disturbances and adapt to rapid changes (Burnette 2014). The *Kasepuhan* Indigenous Community has historically faced numerous challenges that have tested its resilience with regard to its customary territory. Despite the various conflicts over forest areas, criminalisation, and intimidation they have faced, the *Kasepuhan* Indigenous Community has retained both its territory and its governance system. In 2015, the *Kasepuhan* Indigenous Community successfully campaigned for the introduction of a local regulation recognising and protecting the community's customary territory. Furthermore, in 2019, *Kasepuhan Citorek* successfully secured recognition for 1,647 hectares of customary forest.

The strength of the customary governance structure, coupled with a fair division of roles in safeguarding the customary territory, has bolstered the *Kasepuhan* Indigenous Community's resilience. They uphold ancestral traditions, such as the customary system, local wisdom, and a close relationship with nature, as the basis for this resilience. *Kasepuhan Citorek* implements a social system to protect and conserve nature in various ways, one of which is the division of roles amongst the respective *Kasepuhan* communities.

For example, the *Kasepuhan* communities of *Urug*, *Citorek*, and *Ciptagelar* play a key role in protecting the *leuweung*, or forest. Furthermore, the *Citorek Kasepuhan* is characterised primarily by its role in safeguarding food sovereignty. The *Ciptagelar Kasepuhan* is characterised by 'nu ngagelarkeun', which means introducing the *Kasepuhan* to the public. The *Cisungsang-Cisitu Kasepuhan* is pioneering the opening up of villages, while the others naturally act as the 'sempalan' - the guardians of the *Kasepuhan* at the grassroots level. This social system demonstrates that the *Kasepuhan* constitute a unified Indigenous community that has existed since long before the formation of Indonesia. All of its customary institutions, norms, values, traditions, culture, and institutional structures form an inseparable framework for life, as do its customary territories.

The *Citorek Kasepuhan's* role as guardians of food sovereignty requires them to constantly strengthen resilience, including that of the Indigenous women of *Citorek*. These women not only meet the *Citorek Kasepuhan's* internal food needs but also contribute to strengthening the *Kasepuhan's* food sovereignty more broadly. Based on participatory mapping data collected

by the Indigenous community and facilitated by BRWA, the *Citorek Kasepuhan* covers an area of 7,416 hectares.

Forests and rice fields dominate the *Citorek Kasepuhan's* customary territory (BRWA 2019).

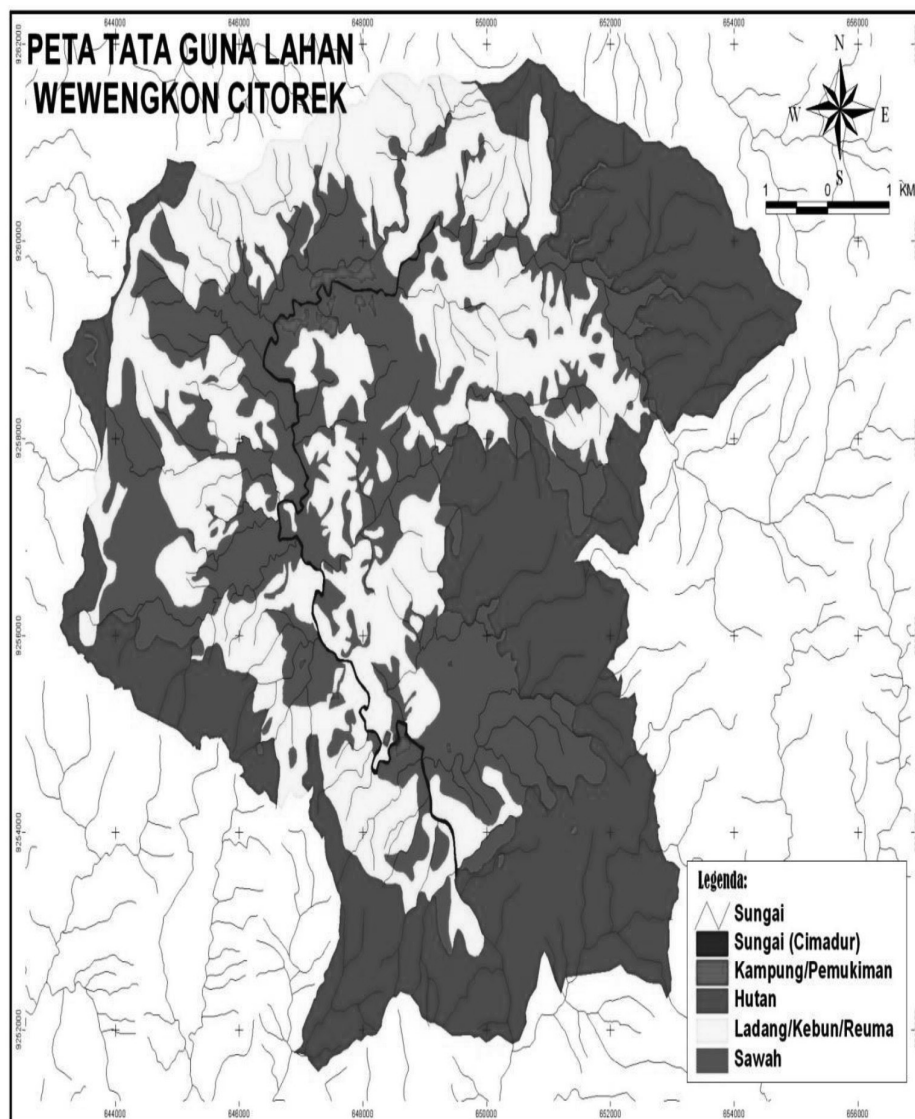


Figure 1. Map of the *Wewengkon* (Indigenous Territory) of *Kasepuhan Citorek*

Source: Participatory Mapping of the *Citorek* Indigenous Territory (2019)

This land-use map of the *Kasepuhan Citorek wewengkon* illustrates the area's traditional spatial organisation, which is based on ecological and functional considerations. Spatially, forest areas encircle food production zones (fields and rice paddies). Meanwhile, housing is located at specific points relatively close to river courses. This pattern indicates an interconnected ecological system, rather than a fragmented spatial structure.

In the context of food sovereignty, this spatial arrangement is not just a division of land functions; it

reflects an integrated food production system that is in harmony with traditional ecological practices. The forest acts as a lifeline. The extensive forest area serves as a conservation area and a source of water. It maintains hydrological balance, soil fertility, and biodiversity. Within the *Kasepuhan Citorek* customary system, the forest is not empty, but an area governed by specific customary laws. There are 'entrusted forests', 'forbidden forests', and 'cultivated forests'. The presence of forests surrounding fields and rice paddies demonstrates the dependency of the food system on the sustainability of the forest ecosystem.

Fields, or 'reuma', are traditional production spaces. This system reflects traditional shifting cultivation patterns based on cycles and soil regeneration. It is here that the practice of food sovereignty takes place, with the community determining crop types, planting patterns and land rotation based on customary knowledge rather than market logic alone. Rice paddies also form the basis of the Indigenous community's food sovereignty. They are the primary source of rice, a staple food. Their location alongside river courses highlights their reliance on natural irrigation systems. This illustrates the interconnectedness of land use, water resources, and the food system.

The role of Indigenous women is key to resilience. The Indigenous women of *Citorek* fulfil domestic roles and act as custodians of seed knowledge, granary managers, and organisers of family food distribution. They ensure the sustainability of local rice varieties, maintain food reserves for times of scarcity, and pass agricultural knowledge on to the next generation. During a focus group discussion (FGD) on 8 August 2025 at *Kasepuhan Guradog*, Neni (an Indigenous woman from *Kasepuhan Citorek*) mentioned that 25 varieties of 'padi gede' and 'padi huma' are still being preserved by Indigenous women in *Kasepuhan Citorek* to this day. In her view, the role of Indigenous women in rural communities is incomparable to that in urban areas. According to Neni, Indigenous women have the power to regulate and preserve knowledge, manage natural resources and food sources, and guarantee the sustainability of granaries. This accounts for almost 80 per cent of the authority within the Indigenous Government of *Kasepuhan Citorek*.

In times of crisis, whether due to extreme weather events or economic pressures, Indigenous women are often at the forefront of ensuring the continued sustenance of families and the community. This is demonstrated by various *Kasepuhan* customary rituals performed during times of famine or natural disasters, which can only be carried out by Indigenous women. These include the 'neres' ritual, which is intended to purify and maintain the balance of nature; the 'mapag pare nyiram' ritual, which is performed when the rice plants begin to flower (ahead of the next harvest season); and the ritual of storing rice in the 'leuit', which ensures the resilience of the *Kasepuhan* Indigenous community.

At the same time, Indigenous women continue to fulfil traditional domestic roles, such as managing the household and ensuring that the family's needs are met. According to AMAN's 2025 notes on the daily lives of *Citorek* Indigenous women, their day typically begins with completing household tasks, such as preparing meals for their families using produce from their own harvests. They then continue working in the fields or rice paddies. Upon returning home, they resume their household chores, which include processing the harvest (drying the rice, pounding it, and storing it in the granary), as well as ensuring that food is distributed to family members.

This situation indicates that women's significant contribution to the food system is not automatically accompanied by a redistribution of domestic labour. This highlights the existence of a layered workload that they bear simultaneously. This issue was discussed during the FGD on 8 August 2025. In fact, within the *Kasepuhan* customary governance system, there is no specific mechanism for the redistribution of domestic labour. Nevertheless, as part of the fair distribution of roles within customary law, Indigenous women are granted a central role that men cannot fulfil and rights that are more commensurate with their responsibilities. This is referred to as the principle of *silih asah, silih asih, silih asuh* - that is, a reciprocal relationship emphasising mutual support, love, and care when fulfilling social roles. Moreover, actual gender relations demonstrate a complementary division of roles. Typically, men engage in land clearing, heavy physical labour, and roles within the traditional leadership structure, while women play a dominant role in food management and ensuring household sustainability.

Thus, the resilience of the *Citorek Kasepuhan* has a strong gender dimension. Furthermore, this collective resilience extends beyond *kasepuhans*. *Citorek's* food sovereignty not only sustains its own community but also contributes to the wider *kasepuhan* network's sustainability. Within the traditional social structure, the sovereignty of one *kasepuhan* strengthens that of the wider union. This system shows that resilience is not just an individual ability to survive, but a collective capacity developed through traditional governance, social solidarity, and respect for nature.

Indigenous Women of the Citorek Kasepuhan and *Leuit* (Rice Granary)

Almost all the traditional institutions of the *Citorek Kasepuhan* community are closely linked to food, from traditional rituals to the structure of the traditional *Citorek Kasepuhan* government. Most of the *Citorek Kasepuhan* Indigenous community make their living from farming. The agricultural system is divided into the *huma* and *sawah* (paddy field) systems. In the *huma* system, crops are cultivated in open fields with a single

planting season per year. Meanwhile, the paddy field farming system involves cultivating rice in paddy fields with one planting season per year. Various traditional rituals emphasise the *Kasepuhan Citorek* community's food sovereignty, such as prayers to ward off rice pests, creating 'sawen' charms against misfortune in the granary (*leuit*) and 'tinggalan' rice storage traditions. Therefore, traditional rituals reflecting the community's food sovereignty are observed from the start of the planting season to the harvest.



Figure 2. The *Kasepuhan Citorek leuit*

Source: Author's documentation (2025)

The *Kasepuhan Citorek* community stores its harvest in *leuit*, or rice granary. The term 'lumbung' (granary) appears in the ancient Sundanese text *Sanghyang Siksakandang Karesian*. This text explains the sources of well-being in life.

"Clean paths, thriving crops, sufficient clothing, a tidy backyard and courtyard. In short, it is a full house, a full granary, a full chicken coop, well-tended fields, well-maintained plantations, a long life and continued good

health. The source lies with all humankind. The elements that complement life are grass, trees, vines, shrubs, lush greenery, an abundance of fruit, and tall trees thriving in fertile soil" (Atja & Danasasmita 1981).

During the *Galuh Pakuan* period, the term 'leuit' was already in use to refer to a place for storing rice, as described in the book *Sastra Ritual Wawacan Batarakala Wawacan Sulanjana*. The title of this text introduces three terms that require explanation: 'leuit',

'symbol', and 'local wisdom'. A 'leuit' is a structure used for storing agricultural produce, typically rice, which is built on stilts with woven bamboo walls. According to Koentjaraningrat (1990), artefacts embody cultural values through their function, meaning, and symbolism as manifestations of culture. Similarly, a *leuit* embodies all three of these functions: it serves a practical purpose by meeting the needs of the *Kasepuhan Citorek* Indigenous community; it fulfils a social function by promoting social solidarity; and it provides psychological benefits by offering security and comfort. A *leuit* can store rice for many years, ensuring the community does not suffer food shortages.

In *Kasepuhan Citorek*, *leuit* cannot be understood merely as a structure for storing rice; rather, it is a social institution and a symbol of food sovereignty that exists in the collective consciousness of the Indigenous community. The meaning of *leuit* is intersubjective because it is experienced collectively as a space of food security and generational continuity, as well as a spiritual space connecting humans with nature and their ancestors. With every planting and harvesting season, *leuit* serves as a reminder that rice is a precious resource that must be safeguarded with the utmost responsibility, not merely a commodity. *Leuit's* placement in a designated area separate from residents' homes highlights its collective dimension. It is not integrated into individual domestic spaces but situated within a social landscape that demonstrates that food is a shared concern. Thus, *leuit* serves as a marker that food sovereignty is social, not private. Each family has its own *leuit*, ranging from one to four units. However, they are all situated within the same area, demonstrating equality and solidarity among families in safeguarding food reserves.

Indigenous women hold a central position within the structure of authority over *leuit*. This authority is not merely symbolic, but tangible in practice. They determine when rice from the *leuit* may be taken, how much should be stored, and how the reserves should be managed to ensure sustainability until the next harvest. They act as guardians of the balance between consumption and conservation. These decisions are based on generations-old knowledge regarding seasonal cycles, the potential for crop failure, and the community's social needs. Thus, *leuit* serves as a space where the authority of Indigenous women is recognised

and exercised in concrete terms. In an interview excerpt with one of the leading Indigenous women in Citorek on 9 January 2026, this concept was explained directly:

"Leuit is not merely a place for storing rice; it is a symbol of respect for Indigenous women. It is a source of fertility and life, and its rituals are always associated with reverence for Dewi Sri, the goddess of fertility, and the protector of rice. She is also seen as the source of prosperity, representing the feminine power that maintains the balance of nature. She is worshipped as a mythological mother figure" (Yuyun, 2026, interview, 9 January).

In various decision-making processes within the *Kasepuhan Citorek* Indigenous Community, ranging from the 'seren taun' ritual to the storage of food in 'leuit', priority is always given to the views of Indigenous women, who are seen as the guardians of the community's values, balance, and sustainability. This demonstrates an egalitarian division of leadership roles between men and women within the community, based on customary law, particularly regarding the management of *leuit*.

Leuit symbolises the *Kasepuhan's* collective food sovereignty. The rice stored in *leuit* is not just a reserve; it is also a symbol of the continuity of customary law and the legitimacy of the *Kasepuhan's* traditional leadership. In the event of urgent need, disaster or food shortage in any area, *leuit* can serve as a source of solidarity, helping to maintain social balance amongst the *Kasepuhan* communities. In this context, Indigenous women not only safeguard their families' food sovereignty, but also help to ensure the continuity of solidarity across communities.

Within the framework of resilience, the existence of *leuit* in *Kasepuhan Citorek* depends heavily on the presence of Indigenous women as the primary managers. While men are involved in rice production, women are responsible for making decisions about the storage, use, and distribution of reserves. This pattern of cooperation becomes increasingly important in times of crisis. When production comes under pressure, men and women adaptively adjust their roles. Men may increase production efforts, while the Indigenous women of *Kasepuhan Citorek* use various strategies to ensure food is available, such as releasing reserves more slowly, prioritising family consumption, and supplementing the diet with other food sources (tubers, forest products) when stocks are low. They

also regulate the pace at which the harvest is utilised to ensure that reserves do not run out before the next season. This demonstrates the complementary nature of gender roles within the customary system. Equity is not measured by an equal division of labour, but rather by a balance of functions and contributions towards the sustainability of communal life.

Nevertheless, challenges remain. Unpredictable seasonal changes, a decline in the younger generation's interest in farming practices, and economic pressures that drive part of the harvest into the market can all affect the stability of food reserves. However, AMAN's (2025) findings suggest that the Indigenous women of *Kasepuhan Citorek* are still able to fulfil this function by employing strategies rooted in traditional knowledge and community solidarity. These strategies ensure the reserves remain available to guarantee survival rather than for economic accumulation.

At the heart of this phenomenon lies not only the existence of *leuit*, but also the ability of Indigenous women to manage, protect, and transmit the system of food sovereignty. In the hands of women, *leuit* functions as a living, adaptive mechanism that enables the community to survive crises while preserving continuity in terms of values, knowledge, and life itself.

Iban Dayak of Sungai Utik: From Resilience to Food Sovereignty

Historically, the *Sungai Utik* customary territory was not the original homeland of the *Dayak Iban* people. Rather, it belonged to the *Tamambaloh* tribe. The story began when a member of the *Tamambaloh* tribe invited a *Dayak Iban* to explore shifting cultivation and rattan gathering within the *Tamambaloh* customary territory. As the area was rich in natural resources, *Pateh Judan*, representing the *Dayak Iban*, requested permission from *Samagat Tamambaloh* to settle in *Ulak Paok*. This request was made in a spirit of kinship to *Samagat Ma'Lunsa* and was formalised through a customary agreement. This agreement included the provision “*bedilang besai, bejabung panjai, bedok betalaga darah*”, which means that if the Iban were to occupy *Tamambaloh* territory, they would have to adhere to *Tamambaloh* customs and refrain from disturbing the *Tamambaloh* or any other people. The agreement was formalised through a customary oath. Through this agreement, the *Dayak Iban Menua Sungai Utik* Indigenous Community has vigorously safeguarded its territory against various threats of exploitation by outsiders - for, based on this blood pact, they are bound to protect and ensure the sustainability of the *Sungai Utik* customary territory.

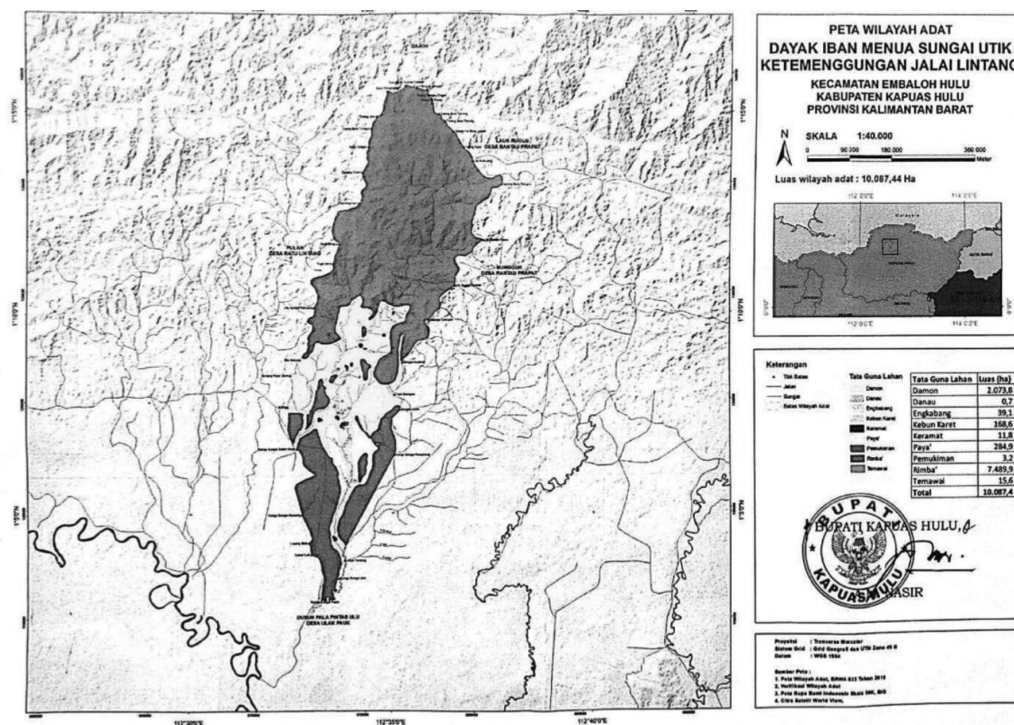


Figure 3. The Traditional Territory of the *Dayak Iban Menua of Sungai Utik*

Source: Kapuas Hulu Regency Local Regulation No. 13 of 2018 on the Recognition and Protection of Customary Law Communities

In 2018, the Kapuas Hulu Regency Government issued Kapuas Hulu Regency Regulation No. 13 of 2018, which formally recognises and protects Indigenous communities, particularly the *Dayak Iban Menua Sungai Utik*. The following year, Kapuas Hulu Regent's Decree No. 561 of 2019 officially recognised the *Sungai Utik* customary territory, which covers an area of 10,087 hectares. This legal recognition has strengthened the resilience of the *Dayak Iban Menua Sungai Utik* Indigenous community. They have gained legal certainty, which affirms their identity, the existence of their customary territory, and the natural resources within it. Furthermore, this regulation provides the *Dayak Iban Menua Sungai Utik* Indigenous Community, particularly Indigenous women, with a sense of security in freely exercising their rights within their customary territory.

The *Dayak Iban Menua Sungai Utik* also have a spatial planning system for their customary territory in accordance with customary law, ensuring the resilience and sustainability of their resources. The customary territory is divided into two areas: Firstly, *Kampung Taroh*, an area that must not be used for farming or timber harvesting. It is situated far upstream to the north of the *betang*. According to the beliefs of the *Dayak Iban* Indigenous Peoples, this area is where animals come to feed and drink. Within this area, there are springs and 'haunted' land. Secondly is *Kampung Galao*, an area of limited production under customary law. The Indigenous community may collect medicinal plants, firewood, and timber for canoe-making, but only under strict customary supervision and with penalties for non-compliance. The right of use is reserved solely for the *Dayak Iban* Indigenous community. *Sepan jelu, mali land*, and haunted land are also found in some parts of this area.

Thirdly, *Kampung Embor Kerja* is a sustainable production area that is managed according to the principles of justice and conservation under customary law. Within this area, there are also 'Tanah Mali' and 'Tanah Bertuah', which are not designated as production areas. This allows the Indigenous community to avoid logging in these areas. 'Tanah Mali' and 'Tanah Bertuah' within this area are solely used as sources of timber seedlings and other plants. This mechanism enables the *Dayak Iban* Indigenous Peoples to ensure the sustainable management of their land while

maintaining conservation in areas designated as fields, rubber plantations, or forested islands (*pulau*).

Dayak Iban Indigenous Women and Ecological Resilience in Indigenous Land Management

In ensuring food sovereignty within the *Dayak Iban* Indigenous community of *Menua Sungai Utik*, Indigenous women are integral to the overall governance system of the *Menua Sungai Utik* customary territory. In *Dayak Iban* society, food is not just a commodity to be produced and consumed; it forms an integral part of the community's cosmology, identity and generational continuity. Within this system, indigenous women are the primary guardians, both in the domestic sphere and within the community's social, ecological and spiritual structures.

The *Dayak Iban Menua Sungai Utik* have a system of spatial planning for their customary territory that is formulated and implemented in accordance with customary law. This spatial planning is the result of collective knowledge passed down through the generations. The division of the customary territory into *Kampung Taroh*, *Kampung Galao*, and *Kampung Embor Kerja* demonstrates the community's long-standing ecological awareness regarding zoning, environmental carrying capacity, and resource sustainability. This system is the foundation of the Indigenous community's food resilience, with Indigenous women playing a central role within it.

Kampung Taroh is an area that must not be used for farming or timber harvesting. Situated far upstream to the north of the *betang* house, it is believed that this area is where animals come to feed and drink. Ecologically, this area functions as a protected zone that safeguards water sources and maintains the forest's ecological balance. Socially, it serves as a symbol of collective self-restraint, demonstrating that not all spaces may be exploited. As the guardians of their families' food needs, Indigenous women understand that the sustainability of fields and rice paddies depends heavily on preserving this upstream area. Without a secure water supply and an intact forest, there will be no harvest to store in the granaries.

"Our entire livelihood depends on the forest, from our food sources to our traditional rituals. Destroying *Kampung Taroh* is like destroying our lives" (Seda, an Iban Dayak Indigenous woman from Sungai Utik, interviewed on 19 February 2019).

This interview excerpt illustrates how respect for *Kampung Taroh* is integral to a long-term strategy for ensuring food security.

Kampung Galao is a restricted production zone. The community may collect medicinal plants, firewood, and timber for canoe-making in this area, but only under strict customary supervision and with clear penalties for violations. The right to utilise these resources is reserved solely for the Indigenous *Dayak Iban* people. This arrangement strikes a balance between utilisation and protection. Indigenous women have a particularly close relationship with this area, particularly when it comes to collecting medicinal plants and household necessities.

"In *Kampung Galao*, we gather medicinal plants and grow various types that are rarely seen in the city" (Seda, an Iban Dayak Indigenous woman from Sungai Utik, interviewed on 19 February 2019).

Knowledge of plant species, seasons, and boundaries forms part of the women's ecological knowledge, ensuring utilisation does not turn into exploitation.

Meanwhile, *Kampung Embor Kerja* is a sustainable production area. Here, fields and rubber plantations are managed according to the principles of justice and sustainability as defined by customary law. This mechanism demonstrates a regenerative mindset: production must always be balanced with sources of recovery. Indigenous women, who are responsible for seed and harvest management, play a vital role in maintaining this cycle. They select the best seeds, store them for the following season, and preserve varietal diversity.

"Dayak Iban Indigenous women have authority over most agricultural activities, including the management of harvests. Without them, farming cannot begin" (Sutomo, Chair of the AMAN Kapuas Hulu Executive Committee & a member of the *Dayak Iban Menua Sungai Utik* Indigenous community, 19 February 2026).

In the context of food sovereignty, *Dayak Iban* Indigenous women are not only responsible for managing the kitchen and granary, but also for planning sustainability. They ensure that crops are not completely consumed and that seeds are not lost, thereby ensuring that future generations continue to have access to sufficient food sources. This shows that food sovereignty in *Sungai Utik* is not just about producing rice or tubers

but controlling the whole production cycle - from start to finish. The customary land-use system provides the structural framework, while Indigenous women act as operational guardians and custodians of practical knowledge.

The Menua Dayak Iban Sungai Utik are resilient due to the integration of customary law, ecological land-use planning, and balanced social roles. The division of customary territories ensures that some areas are fully protected, some are used on a limited basis, and some are used for sustainable production. Within this system, Indigenous women ensure that every customary policy regarding land and forests ultimately contributes to the food security of families and communities. They act as the link connecting spatial governance with everyday practices.

The role of Indigenous *Iban Dayak* women in ensuring food sovereignty is strategic and integral. They are not merely supplementary figures within the customary system; they form its very foundation. Without Indigenous women, Indigenous spatial planning would lack the driving force behind its practices. Likewise, without Indigenous spatial planning, Indigenous women's work in safeguarding food would lack an ecological foundation. Together, they ensure that the *Menua Sungai Utik* community remains food-sovereign, resilient to threats, and sustainable for future generations.

The Role of Women and Food Sovereignty in Indigenous Communities

Findings from the *Kasepuhan Citorek* and *Dayak Iban Menua Sungai Utik* communities show that Indigenous women's practices and experiences embody a form of feminism that is fundamentally different from liberal-individualist feminism. This Indigenous feminism, which has emerged within these communities, can be described as collective Indigenous feminism - an emancipatory practice rooted in community, cosmology, and intergenerational responsibility. In contrast, individual feminism within the liberal tradition generally emphasises personal autonomy, freedom of choice, and achieving equality through individual rights. It primarily focuses on the individual woman as an independent agent in relation to the state and the market. Within this framework, success is measured by access to the public sphere, political representation,

and personal economic equality of opportunity. In contrast, Indigenous women in *Kasepuhan Citorek* and *Sungai Utik* do not view themselves as separate from their communities as socio-political entities. In fact, their identity and authority stem from their collective relationship with the community's customary territory, legal system, and social structure.

In *Kasepuhan Citorek*, Indigenous women play a central role in the *leuit* system - rice granaries that symbolise collective food sovereignty as well as serving as storage spaces. Their authority in determining when rice may be harvested, how much must be stored, and how reserves are maintained for the following season demonstrates real power. However, this power is not individualistic in nature. Rather, it is exercised for the benefit of the family and the community.

Similarly, among the Indigenous *Dayak Iban* community in *Sungai Utik*, Indigenous women are not just 'domestic actors', but also seed guardians, rice variety selectors and key figures in safeguarding and strengthening the Indigenous community's food sovereignty. This knowledge is passed down through the generations and practised within a traditional land-use planning framework that divides the territory into conservation, limited-production, and sustainable-production zones. Women's authority does not emerge as a form of resistance against men, but rather as part of a relatively egalitarian, collective gender relationship. This collective Indigenous feminism is not oriented towards competition or gender supremacy, but rather towards balance and harmony as the foundation of community sustainability. It considers women's rights an integral part of ancestral rights and Indigenous social structures, not separate from community rights.

Furthermore, food sovereignty is inseparable from the principle of self-determination in both Indigenous communities. Self-determination is not a separatist project. Rather, it constitutes internal autonomy, including the right to govern customary territories, food production systems, and decision-making processes in accordance with customary law. In *Sungai Utik*, for example, the recognition of customary territories through local government policy has strengthened the community's capacity to protect a 10,087-hectare forest. However, customary governance had already been in place through the division of spaces, such as *Kampung Taroh* (a protected area), *Kampung Galao* (limited

production), and *Kampung Embor Kerja* (sustainable production), long before formal state recognition. Within this system, Indigenous women exercise self-determination in concrete terms by controlling seeds, cropping patterns, and food distribution. In *Citorek*, self-determination is evident in the prohibition of selling harvested rice and the obligation to store paddy in *leuit*. These customary policies demonstrate that the focus of production is life sustainability rather than capital accumulation. As guardians of the *leuit*, Indigenous women are key in ensuring these collective decisions are implemented. Self-determination is not an abstract concept, but a daily practice carried out through women's bodies, labour, and knowledge.

In both communities, food sovereignty encompasses not only food availability, but also collective control over land, forests, water, and seeds. It is the economic and ecological manifestation of the right to self-determination. Within this framework, Indigenous feminism finds its practical application. Indigenous women ensure household consumption and safeguard the genetic diversity of seeds. They also maintain reserves for times of crisis and pass on ecological knowledge to the next generation. Food sovereignty is the arena in which women's rights, community rights, and territorial rights converge.

Unlike individual feminism, which is often confined to market logic (for example, through economic empowerment based on individual entrepreneurship), collective Indigenous feminism actively rejects the commodification of food. In *Citorek*, for instance, rice is not sold but stored to guarantee sustainability. In *Sungai Utik*, the forest is not logged indiscriminately. It is safeguarded as a source of life across generations. Collective Indigenous feminism shows that women's emancipation does not necessarily entail breaking away from community structures; rather, it can entail strengthening the community itself. Self-determination forms the foundation of its politics, while food sovereignty constitutes its economic praxis. In the context of the climate crisis and the expansion of extractive development, this model provides a framework in which gender justice, ecological sustainability and political autonomy can flourish together. This involves strengthening the position of Indigenous women within their communities by recognising their roles and knowledge, ensuring they have equal access to

resources and participation in decision-making, and protecting them from discrimination and violence.

The findings regarding the *Kasepuhan Citorek* and *Dayak Iban Menua Sungai Utik* communities indicate a strong interconnection between the practice of food sovereignty and collective self-determination. Despite inhabiting distinct ecological and political landscapes, both communities exemplify the pivotal role of Indigenous women in ensuring the sustainability of the food system through their expertise in seed management and the regulation of food production and consumption. In *Citorek*, this role is realised through *leuit* management and food storage ethics, whereas in *Sungai Utik*, it is realised through customary land use regulation, seed conservation, and forest ecosystem management. The underlying principles that unite these communities are collective control over food, a connection to customary territories and the role of women as guardians of sustainability across generations rather than the form of the practices themselves.

From a critical paradigm perspective, these findings confirm that the food sovereignty of Indigenous women cannot be understood merely as an economic or cultural practice. Rather, it is an arena of power relations that reveals how communities maintain their autonomy in the face of pressure from the state, the market and extractive development. In both communities, Indigenous women fulfil not only reproductive roles, but also perform political functions in a substantive sense, namely determining the direction of production, safeguarding resources and ensuring the sustainability of their communities' livelihoods. A key takeaway is that the resilience of Indigenous communities stems from collective systems that integrate ecological knowledge, gender justice and territorial control rather than external intervention. Strengthening the rights of Indigenous women and recognising indigenous territories are therefore key to maintaining food sovereignty amid the climate crisis and increasingly intensive economic expansion.

Closing

Drawing on research with the *Kasepuhan Citorek* and *Dayak Iban Menua Sungai Utik* communities, this study confirms that the food sovereignty of Indigenous Peoples cannot be divorced from the principle of self-

determination and the recognition of their inherent rights, which are inextricably linked to the community. Food sovereignty encompasses not only food production, distribution, and consumption, but also the concrete manifestation of the right to self-determination in economic, ecological, social, and cultural terms.

In *Kasepuhan Citorek*, the *leuit* system, the prohibition of selling rice, and the obligation to store paddy as a reserve demonstrate that the food system is founded on the principles of sustainability, prudence, and collective solidarity. Food sovereignty does not arise from market intervention or state programmes, but from customary governance that has been refined over generations. In *Citorek*, Indigenous women play a central role in ensuring the sustainability of this system through seed management, reserve storage, consumption regulation, and transmitting agricultural knowledge.

Meanwhile, among the *Dayak Iban Menua Sungai Utik*, the division of customary land use into protected areas, limited-production zones, and sustainable-production zones reveals an ecological system integrated with the social system. While the recognition of customary territories by the local government strengthens the community's political standing, the foundations of their resilience were established long before this through customary law and ancestral agreements. Within this system, *Dayak Iban* Indigenous women act as custodians of seed diversity, regulators of the planting cycle, and key figures in maintaining the balance between production and conservation.

The two case studies suggest that the rights of Indigenous women are an integral part of the rights to ancestral lands and self-determination rather than separate from the community's collective rights. Treating women's rights as distinct from their collective context risks perpetuating a liberal-individualist approach that does not fully align with the social structure of Indigenous communities. In practice, Indigenous women exercise their right to self-determination through their work within the food system.

The research also shows that food sovereignty is a political arena in which power relations between the state, the market, and Indigenous communities are contested. When Indigenous territories are seized or controlled by extractive interests, access to food sources is lost, as is the collective capacity to determine

the direction of community life. Therefore, recognising and protecting Indigenous territories is key to realising sustainable food sovereignty.

Theoretically, these findings reinforce the argument that self-determination, territorial control, food sovereignty, and the empowerment of Indigenous women are interconnected. In practical terms, the study shows that the ecological and social resilience of Indigenous communities stems from a collective system that respects gender balance, environmental sustainability, and community solidarity. Empowering Indigenous women strengthens the exercise of self-determination, and strengthening self-determination ensures the sustainability of food sovereignty. These three elements are inseparable. Together, they lay the groundwork for a future in which Indigenous communities can flourish with dignity and sustainability amidst the pressures of the climate crisis and increasingly intensive extractive development.

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

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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 'Ton' 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.

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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).

Repression by State and Indigenous People Fight: A Study at Bombana, Southeast Sulawesi and Dolok Parmonangan and Sihaporas, North Sumatera

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Abstract

Structural repression against Indigenous communities in Indonesia, particularly as part of marginalised communities, continues to intensify through various forms of violence by state actors, including criminalization, dispossessions of living spaces, restrictions on access to natural resources, and physical violence that disproportionately affects Indigenous women and their children. In this article, the authors analyse forms of state repression and Indigenous resistance practices in Bombana, Southeast Sulawesi, as well as Dolok Parmonangan and Sihaporas, North Sumatra. This article employs a qualitative approach using multi-sited ethnography through in-depth interviews, participant observation, ethnographic reflection, and document analysis. The analysis in this study draws on Johan Galtung's framework of structural violence, feminist political ecology of Rocheleau, Thomas-Slayter, & Wangari, Crenshaw's intersectionality, and Scott's concept of everyday resistance. The findings in this paper reveal that repression operates through direct violence, permeating everyday life in the form of trauma, surveillance, and uncertainties. In this context, the authors find that the Indigenous women experience multiple forms of repression while simultaneously playing crucial roles in sustaining their communities through collective solidarity, ecological knowledge, reproductive labour, and everyday resistance practices.

Keywords: Indigenous communities, Indigenous women, state repression, agrarian conflict, intersectionality, Feminist Political Ecology, multisite ethnography

Introduction

For Indigenous communities, the loss of land represents more than just an economic loss; it also involves the destruction of the fabric of their lives, including ancestral knowledge, social solidarity and the means to sustain daily life. In Indonesia, the expansion of capitalism and development continues to fuel agrarian conflicts, marginalising Indigenous communities through land grabbing, criminalisation and restrictions on access to natural resources (Persoon 1998; Ahmad 2019; Kadir 2019; Aditya & Al-Fatih 2023). All too often, state law is used to legitimise the seizure of customary land rather than protect these communities' rights (Mayastuti & Purwadi, 2025; Erwiningsih & Ali 2023).

The situation is further exacerbated by the state's failure to recognise Indigenous communities, despite Constitutional Court Ruling No. 35/PUU-X/2012 stating that customary forests are no longer state property (Pradhani 2018; Wiratraman 2025). In practice, however, the market-oriented development paradigm continues

to treat customary land as a source of exploitation for the benefit of extractive industries (Buana, 2020; Jalal & Lubis, 2025). Consequently, Indigenous communities in Bombana, Dolok Parmonangan and Sihaporas have a long history of losing their living spaces, ranging from land grabs and intimidation to the disruption of ecological relationships passed down through generations.

In this context, it is crucial to consider the experiences of Indigenous women from feminist and intersectional perspectives. As Kimberlé Crenshaw (1991) has argued, indigenous women face multiple forms of oppression: as women; as members of Indigenous communities; and as a group whose livelihoods depend on customary lands. When men are criminalised or imprisoned, women are left to shoulder the burden of economic responsibilities and care work. They are also subjected to psychological pressure and threats to their safety. However, as discussed in 'Feminist Political Ecology' by Rocheleau, Thomas-Slayter and Wangari (1996), Indigenous

women also play a vital role in safeguarding ecological knowledge, ensuring food security, and sustaining the survival of their communities. Consequently, land grabbing threatens their living space and seeks to undermine their vital role in sustaining life.

Nevertheless, Indigenous women are not passive victims. Drawing on the concept of 'Everyday Forms of Resistance', Scott (1989) shows that resistance can manifest in seemingly simple, everyday practices which are, in fact, full of political significance. Examples include replanting on damaged land, gathering emergency food from the forest, preserving traditional rituals, and maintaining community solidarity in the face of pressure and intimidation (Lubis & Sari 2024; Subono et al. 2025). From a feminist perspective, these actions demonstrate that resistance does not always involve large-scale confrontation; it can also manifest through efforts to nurture and preserve collective memory, as well as to maintain harmonious and sustainable relationships with nature.

Research Methodology

This study employs a qualitative, feminist approach using case studies. The selected research sites are Bombana in Southeast Sulawesi and Dolok Parmonangan and Sihaporas in North Sumatra. The aim is to compare the repression that occurred in Bombana between 1995 and 2002 with what is expected to happen in Dolok Parmonangan and Sihaporas over five years from 2021 to 2026. This comparison will enable us to examine broader patterns of state-perpetrated violence against Indigenous communities. Furthermore, the research explores the lived experiences, daily practices and forms of resistance of Indigenous communities within the context of distinct agrarian conflicts which nevertheless share similar patterns of repression.

This is because all three regions have experienced structural violence relating to access, administration, religion, land, education, health, and culture from

the state. These three regions were also accessible to us because they are supported by the Alliance of Indigenous Peoples of the Archipelago (AMAN). While this research does not position the research team as entirely neutral observers, it does recognise the interconnection between the production of knowledge and the struggle for Indigenous community rights. We also hope that this research will provide an up-to-date picture of the current situation in these three regions.

Unlike previous research, which has focused on the legal aspects of agrarian conflicts or the criminalisation of Indigenous communities, this paper focuses on the everyday experiences of Indigenous women. This allows us to understand how state repression operates as a system of direct, structural and cultural violence. The following questions will be addressed: (1) What is daily life like for Indigenous communities in Bombana, Dolok Parmonangan and Sihaporas amidst these threats? (2) What forms of layered repression are experienced by Indigenous communities, particularly women? (3) How do their everyday practices reflect a politics of resistance rooted in knowledge and collectivity? This research will address these issues.

The research was conducted over three days using a multi-site ethnographic design. Ethnographic principles were applied, including conducting in-depth interviews to collect primary data. Ethnographic reflection and observation were also employed to reinforce the findings (Hesse-Biber & Leavy 2006; Neuman 2014; Hammersley & Atkinson 2019). The researchers were divided into two teams of two: the first team investigated the experiences of the Hukaea-Laea Indigenous Community in Bombana, and the second team examined those of the Dolok Parmonangan and Sihaporas Lamtoras Indigenous Communities.

In-depth interviews were conducted with seven Hukaea-Laea community members and six Dolok Parmonangan and Sihaporas community members, as detailed in Table 1.

Table 1.

The Indigenous Communities of Hukaea-Laea, Dolok Parmonangan and Lamtoras Sihaporas

Name	Occupation	Age	Community	Gender	Subject Category
Mansur Lababa	Indigenous Leader of Hukaea Laea	66	Hukaea Laea Indigenous Community	Male	Main Subject
Cici	Son of the Indigenous Leader of Hukaea Laea	35	Hukaea Laea Indigenous Community	Female	Main Subject
Juhania	Woman of Hukaea Laea	56	Hukaea Laea Indigenous Community	Female	Main Subject
Aswarman	Indigenous Community of Hukaea Laea	50	Hukaea Laea Indigenous Community	Male	Additional Subject
Anton Ferdinan	Indigenous Community of Hukaea Laea	50	Hukaea Laea Indigenous Community	Male	Additional Subject
Juminal Noviansyah	Young People of the Indigenous Community of Hukaea Laea	30	Hukaea Laea Indigenous Community	Male	Additional Subject
Heryan Powatu	Poleang Youth	35	Poleang Community	Male	Additional Subject
Sorbatua Siallagan	Indigenous Leader of Dolok Parmonangan	66	Dolok Parmonangan Indigenous Community	Male	Main Subject
Berliana Manik	Wife of the Indigenous Leader of Dolok Parmonangan	58	Dolok Parmonangan Indigenous Community	Female	Main Subject
Marta Manurung	Woman of Dolok Parmonangan	56	Dolok Parmonangan Indigenous Community	Female	Additional Subject
Mangitua Ambarita	Indigenous Leader of Lamtoras Sihaporas	69	Lamtoras Sihaporas	Male	Main Subject
Delima Sinaga	Woman of Lamtoras Sihaporas	61	Lamtoras Sihaporas	Female	Main Subject
Jojo Putri Ambarita	Woman of Lamtoras Sihaporas	-	Lamtoras Sihaporas	Female	Additional Subject

Following a review of the methodology, it was concluded that the study had several limitations. Firstly, the timeframe was too short to gain a comprehensive understanding of the lives of Indigenous communities. Secondly, the limited time spent with members of each community meant that a rapport characterised by closeness and mutual trust could not be established between the authors and the research subjects. Thirdly, as some participants were still experiencing psychological trauma, a support plan was required in case of relapse.

The study uses Johan Galtung's (1990) triangular framework of violence to analyse the repression of Indigenous communities as a multi-layered form of violence involving the actions of armed forces, the application of the law, development policies, and discourses that legitimise the seizure of their living spaces. The authors observe that the state acts not only through direct violence, such as intimidation and criminalisation, but also through structural violence, which restricts Indigenous Peoples' access to land, livelihoods and political rights in a systematic way. This

violence is then legitimised through cultural violence, whereby land dispossession is deemed acceptable on the grounds of development, investment, or conservation.

This research integrates the Feminist Political Ecology framework of Rocheleau, Slayter & Wangari (1996) and the theory of intersectionality of Kimberlé Crenshaw (1991) to gain a deeper understanding of the experiences of Indigenous women. This perspective reveals that Indigenous women face interrelated vulnerabilities in their roles as women, as members of Indigenous communities, and as a group whose livelihoods depend on customary lands. Land grabs not only deprive them of economic resources, but also increase the burden of care work, exacerbate emotional vulnerability, and force women to sustain family life while community members are criminalised. However, women from Indigenous communities are not merely victims. They also act as custodians of ecological knowledge, managers of emergency food reserves, and promoters of community solidarity. In times of crisis, they support the continuity of life.

Furthermore, this study applies James C. Scott's (1989) concept of 'Everyday Forms of Resistance' to analyse the resistance practices that Indigenous communities engage in daily. In situations of open confrontation, which often carry significant risks, Indigenous women have developed quiet yet sustained forms of resistance. These include continuing to farm seized land, maintaining networks of solidarity, using local knowledge to survive, and bringing domestic activities into spaces of power to undermine the state's legitimacy. From a feminist perspective, these practices demonstrate that resistance does not necessarily take heroic and overt forms, but can also be manifested through efforts to care for others, sustain life, and maintain relationships with nature amidst constant pressure.

State Repression and the Destruction of Indigenous Peoples' Living Spaces

This research shows that the repression of Indigenous communities in Bombana, Dolok Parmonangan, and Sihaporas does not occur as a single event, but rather as an ecosystem of violence operating through physical, legal, administrative, ecological and psychosocial mechanisms at multiple levels. According to Galtung's

(1990) framework, this violence can be understood as an interdependent relationship between direct, structural, and cultural violence.

In Bombana, state repression was openly carried out through Operations Sapu Jagad I-IV between 1998 and 2002. The state apparatus burned homes, carried out forced evictions, criminalised residents, destroyed food sources, and used armed intimidation against the Hukaea-Laea Indigenous community. The arrests of Indigenous leaders such as Mansur Lababa and Aswarman demonstrate how the state used legal instruments and security forces to silence Indigenous resistance. This direct violence is evident in destructive physical acts: homes were set on fire, livestock were shot, and crops were destroyed. Residents were forced to leave their homes.

Such violence cannot be understood as merely the result of individual repressive acts by officials. Rather, this direct violence was made possible by the structural violence inherent in the state's conservation policies. Indigenous territories were designated as part of the TNRAW without the consent of the communities that had lived in the area for generations. This effectively transformed them into 'forest encroachers' on their own ancestral lands. In this context, state law does not protect the rights of Indigenous peoples; rather, it becomes an instrument for legally seizing their living spaces.

This incident was linked to the dispute with the TNRAW regarding ownership of their traditional lands. The community had originally settled in the area between 1920 and 1933 but were forced to leave in 1953 due to a conflict with the DI/TII. They were only able to return in 1996. Consequently, the Hukaea-Laea community was forced to flee the area. Consequently, the community became scattered across various areas. In 1980, Hukaea, along with other areas, was designated Taman Buru¹ (Sirait, Fay & Kusworo 2000), and officially became part of the TNRAW in 1990 through Decree No. 756/KPTSII/1990. The government claimed 105,194 hectares of land in that location. The process of acquiring land within the Moronene community's customary forest area was carried out without consulting the community (Sirait, Fay & Kusworo 2000). This marked the beginning of restrictions on the rights and access of the Indigenous Moronene people within their customary territory.

In response to these restrictions, the people of Hukaea did not remain passive. In 1987, Hasman Lababa (then known as Tobu Hukaea) wrote to the TNRAW management to protest Recommendation No. 522.52/1983 from the Governor of Southeast Sulawesi to the Minister of Forestry regarding the selection of the National Park site. The Moronene community in Hukaea Village felt that they had never been involved in the decision-making process regarding the use of their customary lands. Furthermore, the designation of the area as a national park made it difficult for them to farm and tend to the ancient graves of their ancestors.

Unfortunately, their complaints were ignored. Both the residents and the National Park authorities maintained their respective positions regarding the Hukaea Village area. The conflict escalated between 1995 and 1997. The authorities continually made physical and psychological threats against the residents who were still living in the Hukaea area. On 23 October 1998, joint forces comprising the Indonesian Armed Forces (ABRI) and National Park officials launched Operation Sapu Jagad I². The Hukaea residents were labelled “forest encroachers”. The authorities confiscated the residents’ machetes, accused the community of breaking the law, and threatened to fine them IDR 200 million. According to the residents, ten individuals who objected to the authorities’ treatment were handcuffed and loaded onto a pick-up truck. Meanwhile, the Southeast Sulawesi Regional Government recorded that twenty-three residents were placed under house arrest, ten were detained at Tinanggea Police Station and eleven were held at Bau-Bau Prison³. The authorities did not stop there; they also burned down as many as 298 residents’ homes. In fact, the authorities used the residents’ kerosene to start the fires. The village was burned down again on 28 December 1997.

According to the archives of the Kendari Pos newspaper, Operation Sapu Jagad was carried out four times. During Operation Sapu Jagad II (23 October 1998), residents fled into the forest as security forces fired their weapons and shot at residents’ homes (Kendari Pos, 2 December 2000). A further 25 homes were demolished by cutting through the supporting posts during Operation Sapu Jagad III on 25 November 2000. Operation Sapu Jagad IV in 2002 was the last in the series. It was similar in nature to the previous operations.

“When it came to the chainsaw (*senso*), they would just go around cutting up our houses and damaging our fences. If they spotted our chickens, the authorities would shoot them. Then they would cut down all our crops (...) We already knew they were coming, so about two days before they were due to arrive, we built houses in the forest (to take refuge in - ed.). When I returned, I saw that only the roof remained” (Juhania, 2026, interview, 17 February).

According to Juhania’s account, attempts were made on several occasions to destroy the house. If a destabilised house did not collapse, its posts were tied together with ropes to bring it down. This destruction was highly systematic in its aim to instil fear in the residents.

A similar pattern was observed in Dolok Parmonangan and Sihaporas, albeit in a more covert form. While the repression in Bombana exhibited the militaristic character typical of the New Order, the repression in North Sumatra was carried out through administrative criminalisation, surveillance, restrictions on access to living spaces, and collaboration between security forces and corporate interests. Examples of this include blocking access to fields, contaminating water sources, destroying food crops, and using drones for surveillance, demonstrating that state violence has shifted from overt repression towards a more diffuse yet continuous form of control.

In Dolok Parmonangan and Sihaporas, armed officers entered community areas and forcibly arrested Sorbatua Siallagan. He was arrested while shopping for fertiliser, despite no arrest warrant being presented. He was dragged and pushed into a car without being given an explanation. He felt that the arrest was inhumane.

“(My wife – ed.) and I were on our way to buy fertiliser in Parapat (...) When we arrived, I carried the fertiliser to the pick-up truck, opened the door, and was about to go home. Suddenly, the provincial police chief arrived in plain clothes, grabbed my arms, pulled at my shirt and pushed me into the car. I was yanked around and was confused (...) I said, ‘You are treating me as if I were a pig being caught’” (Sorbitua Siallagan, interview, 25 February 2026).

Neither the family nor the village authorities were informed of the arrest. The family had no idea of Sorbatua’s whereabouts for several hours following his arrest. This caused fear and concern that he had been killed. The arrest was carried out without clear procedures, without a warrant, and without transparency, demonstrating a disregard for legal and

humanitarian principles. Representatives from AMAN and BAKUMSU only managed to locate Sorbatua after visiting police stations individually, having initially received no information. Even arranging meetings with Sorbatua was difficult and restricted.

"We all immediately made phone calls (...) and went with AMAN to the Tiga Dolok police station." Then we looked for him again at the TPL security office (...), but he was still not there. My child asked, "What if Dad was already dead? What if he has been killed?" I replied that I did not know. We continued until evening, when we went to the provincial police headquarters to meet him (...). Finally, we were only able to meet him there" (Berliana Manik, 2026, interview, 25 February).

The criminalisation process continued throughout the lengthy legal proceedings. After spending three months in police custody, Sorbatua Siallagan was re-arrested by the public prosecutor's office after a brief period on bail. He was detained for around ten months in total before being acquitted by the High Court. The charges brought against him, such as land occupation and arson, were not strongly substantiated and were in fact described as fabricated during the trial.

In the Sihaporas case, Mangitua Ambarita requested bail pending trial to support his family, who were experiencing financial hardship. However, instead of being granted bail, he was forced to hand over his ancestral land in exchange for his freedom. He chose to face the consequences and was sentenced to one year in prison in 2004. Arrests continued until 2019 and 2024. Indeed, Sorbatua's son was arrested in 2024.

"(...) 'Forget about a suspension or a temporary release,' the judge replied. 'You are free today. The conditions are that you make a statement saying that the land is not your ancestral land. Secondly, you must agree not to press charges at any time. (...) 'In the end, that was it. Ultimately, I was sentenced to one year's imprisonment'" (Mangitua Ambarita, 2026, interview, 26 February).

The people of Sihaporas also experienced repression in the form of physical violence and clashes. Members of the community, including Indigenous men and women and people with disabilities, were injured in the tragedy that occurred in September 2025. The tragedy took place in the morning. The perpetrators were armed with shields and wore face coverings. Residents were beaten indiscriminately, with women and people with disabilities among the victims. This violence occurred on three separate occasions. The perpetrators fielded

successive waves of hundreds of attackers, whilst the residents numbered only forty. Several vehicles, houses and the residents' protest camp were completely burnt down (Karokaro & Wahyuni 2025; Simanjuntak 2025).

The criminalisation of Sorbatua Siallagan and Mangitua Ambarita exemplifies how the law is utilised to discipline Indigenous communities defending their ancestral lands. This involves arrests being carried out without clear procedures being in place, restrictions being placed on access to family members, and pressure being put on the community to surrender their land in exchange for their freedom. Such repression attacks the community's collective identity, ancestral memory, and very survival.

Ecological Violence and the Severing of Ties with the Environment

This research also shows that the repression of Indigenous peoples is closely linked to the destruction of their communities' ecological relationships with their environments. From the perspective of Feminist Political Ecology (Rocheleau, Thomas-Slayter & Wangari, 1996), land, forests, water, and fields are not merely economic resources; they are also integral to the social relationships and collective knowledge that sustain the community.

In Bombana, for instance, the destruction of fields and the burning of villages has resulted in the community losing not only their homes, but also access to their food system, traditional agricultural practices, traditional medicine, and the spiritual spaces of their ancestors. Meanwhile, in Dolok Parmonangan and Sihaporas, ecological changes resulting from the expansion of eucalyptus plantations and the destruction of fields have led to a decline in soil fertility and disrupted the farming systems of indigenous communities that have been developed over generations.

Conversations with participants revealed that the daily lives of Indigenous communities in these areas are inextricably linked to farming as a means of subsistence. Food crops are the main crops grown in the fields. Work in the fields is collective and not rigidly restricted by gender roles. Men and women work together, performing tasks such as hoeing and sharing knowledge about crop types, planting times, and harvest periods.

Crops grown include ginger, chillies, tomatoes, maize, coffee, cassava, and sweet potatoes. Knowledge and skills relating to the fields are shared equally and gradually passed down to the next generation. The produce serves as a collective food source and constitutes the community's main livelihood.

In the past, knowledge of traditional medicine was an integral part of daily life, in addition to farming. However, the medicinal plants on their ancestral lands have been damaged. The arrival of the TPL company in the area has resulted in the loss of various plants that were previously cultivated and protected by the Indigenous communities of Dolok Parmonangan and Sihaporas. Bamboo, a plant passed down from their ancestors and used for medicinal purposes, has been felled and destroyed, making nature-based healing practices increasingly difficult.

The company's activities have affected not only the land and medicinal and ancestral plants, but also staple crops in the fields, such as cassava. Significant changes began to be felt from around 2019. In that year, cassava plants that had grown and were nearing harvest were sprayed in the early hours of the morning, between three and five o'clock. This damaged the plants and rendered them unproductive. By the time this was discovered at half past five, the spraying had already been completed. The community did not know what had been sprayed and the plants could not be saved.

The daily lives of communities in Dolok Parmonangan and Sihaporas, for whom farming is central to meeting daily consumption needs or providing a primary source of income, have been disrupted by restricted access to their fields and communal land. This has had a direct and significant impact on people's lives. Furthermore, planting eucalyptus in the area has affected land productivity, leading to ecological changes and threatening the livelihoods of Indigenous communities in Dolok Parmonangan and Sihaporas.

"(...) As long as the land is planted with in eucalyptus trees, there will be no yield at all unless we apply a lot of fertilisers. If we want to manage land that has previously been used to grow eucalyptus, we will need to stop planting there for at least a year to allow the soil to become fertile again. This is after it has been harvested, of course. If we plant straight away after harvesting, the crops will not grow well" (Marta Manurung, 2026, Interview, 25 February).

The disruption caused by eucalyptus also occurs within the ecosystems of customary territories. Environmental systems and farmlands developed by communities over generations are damaged by various factors, which can lead to environmental imbalance. Galtung interprets the fact that the soil in the fields must wait a year to become fertile again and ready for replanting as a disruption to the ecological balance necessary for survival and well-being, which can lead to ecological degradation (Galtung 1990).

The presence of corporations and the state within the living spaces of Indigenous communities demonstrates how development based on resource extraction appropriates communities' ecological spaces. Land previously used for collective production is transformed into industrial concession areas. In this context, agrarian conflicts concern not only land ownership, but also power struggles over knowledge, livelihoods and environmental management.

Furthermore, the people of Sihaporas have suffered significant economic consequences because of these repressive measures. They have lost their livelihoods due to being unable to access their fields. Consequently, they have become dependent on external aid from sources such as churches and solidarity networks, which provide necessities such as rice, sugar, and instant food. Indeed, it has been suggested that without this support, the community could potentially face starvation.

Restrictions on access to the Sihaporas area are not limited to the fields. The roads leading to the customary lands and fields have been dug up to a depth of around five metres using heavy machinery, preventing the community from accessing their land. Furthermore, checkpoints and security patrols have been set up to restrict their movements. Consequently, the community is unable to cultivate their fields or harvest their crops. The people of Dolok Parmonangan have experienced the same situation. They have had their access blocked and restricted by checkpoints and their crops have been destroyed. They have not been able to access sacred sites, such as the graves of their ancestors, for years.

Their fields, which provide them with a livelihood, have been forcibly taken away, and their crops are frequently destroyed, uprooted or looted. Furthermore, heavy machinery has been used to uproot crops on a massive scale, and crop burning has also taken place in

Sihaporas and Dolok Parmonangan. The community has been unable to resist due to the imbalance in numbers and strength.

In Dolok Parmonangan, repression has also impacted essential resources such as water. According to the experts, the community's water sources have been damaged and polluted, including by waste being dumped in waterways. As a result, the community can no longer use these sources and must find alternative, more limited options.

The people of Dolok Parmonangan also experienced psychological intimidation. This took the form of taunts and drones flying over their fields.

"This man, Sorbatua Siallagan, has even had a song written about him. I mean, who would not get upset? Sometimes, when he drove past, he revved his engine on purpose just to start an argument. What was the point of him being clever?" (Marta Manurung, 2026, interview, 25 February).

"(...) So, that man's drone was circling around. My grandchild cried and cried until he had nightmares that night and kept saying, 'I'm scared, I'm scared'. Apparently, the drone came again early the next morning and flew right over my house too. My grandchild started crying again, saying, 'Grandpa, I am scared; it is coming again (...)'. Last night, we were working there too. As soon as the drone started circling, the children got scared (after the concession was revoked, the drone flew over the Dolok Parmonangan area for two days - ed.)." (Marta Manurung, interview, 25 February 2026).

Furthermore, repression can manifest as restrictions on cultural practices and traditional knowledge. For instance, limited access to customary territories may prevent communities from carrying out rituals or visiting their ancestors' graves. This hinders the transmission of traditional knowledge to future generations.

In Sihaporas, repression has also escalated into horizontal conflict. Consequently, groups have formed to oppose the Indigenous communities' claims, creating divisions within the communities themselves. This shows that the conflict is not just between the communities and the corporation but has fragmented into conflicts between different community groups. All forms of repression do not occur in isolation, but rather as a layered sequence of events. When viewed through the lens of Galtung and Farmer (2005; 2009), the repression experienced by the Indigenous communities of Dolok Parmonangan and Sihaporas is not only economic destruction, legal criminalisation, physical

violence, psychological intimidation, and restrictions on living space and culture, but also a form of social and economic inequality. How does this inequality undermine the survival of Indigenous communities in the region?

The presence of the armed forces also indicates surveillance and pressure. Community members who continue to work in the fields are accompanied by police and the military. The community has criticised the state apparatus for safeguarding the interests of those they regard as 'colonisers'. The authorities themselves acknowledge that they are carrying out orders from their superiors, which illustrates how the power structure operates.

"I once told a military officer, 'Sir, I know that armed forces are supposed to guard the border to prevent colonisers from entering. But instead, you are protecting the colonisers so that they remain safe during our struggle' (Sorbatua Siallagan, 2026, interview, 25 February).

The conflicts and ecological destruction occurring in Dolok Parmonangan and Sihaporas directly impact the daily lives of Indigenous communities. Damaged fields have led to a loss of the community's primary sources of food and income. Water pollution disrupts the community's access to basic necessities. Restrictions on access to ancestral graves and ritual spaces demonstrate that the destruction of Indigenous communities' social and cultural memory constitutes ecological repression.

Indigenous Women and Gender-Based Repression

Women face serious threats, albeit in different forms. While men are more likely to experience physical attacks, women are more often subjected to psychological abuse and intimidation. Andi Nurwati, the wife of Mansur Lababa, is a woman who has suffered psychological abuse. Operation Sapu Jagad I resulted in her husband being imprisoned for one year and 15 days without a clear court ruling, leaving their three young children without a parent. Andi was forced to take on the entire financial burden and responsibility for caring for the family. Like other Hukaea women who were separated from their land and husbands, Andi experienced multiple layers of structural violence at the hands of the state, resulting in collective and generational trauma.

Cici, Andi's daughter, recounts the story of the structural violence faced by her mother. Cici clearly

remembers several incidents, despite being just a child at the time.

“My mum (Andi Nurwati) was told to run away (by Mansur Lababa - ed.). To hide amongst the community (...) What I remember most clearly is when the authorities picked up my father and sent him to prison. Just as they were about to take him away, my mother was still pleading for help and refusing (to be evacuated - ed.). However, my father told his brother to go and fetch my mother and take her out of the village. It was my mother who kept going back and forth to sort out my father's meals whilst he was in prison” (Cici, 2026, interview, 16 February).

Based on Cici's account, Andi Nurwati experienced significant psychological distress while Mansur Lababa was in prison. In addition to moving Baubau to live near her husband and care for him, Andi also had to look after their three children alone. As the family's livelihood, which had previously been supported by farm produce from Hukaea and Mansur's salary as a civil servant, was cut off completely, Andi had to find a way to generate an income. She eventually opened a small grocery shop in Baubau, which she relied on to support herself, her husband and their three children. Furthermore, she had only just given birth to her youngest child at that time.

While the authorities did not directly threaten the women with physical violence, they nevertheless created an atmosphere of fear. Forced evictions, the burning and demolition of homes, and the criminalisation of their husbands and sons subjected the women of Hukaea to immense psychological pressure. They were plunged into a food crisis as their food sources were frequently destroyed. Their livestock was also frequently seized or killed.

In these circumstances, they were forced to take charge of their families and flee into the forest. To survive, the women of Hukaea were compelled to harvest ondo yams (*Dioscorea hispida*), also known as forest yams. If not properly processed, these yams are poisonous. While on the run, they often shared food with one another to ensure that all community members had enough to eat. This highlights the vital role of Hukaea women in applying their ecological knowledge to ensure the survival of themselves and their community. Their ability to harvest and process ondo yams — a specific form of knowledge passed down through the generations — played a crucial role in the community's resilience during times of conflict.

Within the FPE framework, the resistance of Hukaea women who access emergency food sources from the forest is not a neutral act of access, but rather an act of necessity. This oppression is closely linked to the power relations between Indigenous communities and the state (Rocheleau, Thomas-Slayter & Wangari 1996). They do not control these resources of their own volition, but rather use them to sustain their daily lives. The survival practices of Hukaea women demonstrate how state violence forces them to navigate their lives while maintaining the sustainability of their community through collective knowledge and solidarity.

It should also be recognised that Andi Nurwati, as the wife of an Indigenous elder in her community, faces more severe threats. Violence against women is often more complex than it appears, involving many hidden layers. For instance, when Mansur Lababa was imprisoned, Andi Nurwati frequently received kidnapping threats against herself and her children. She continues to face threats to her agency as a woman, even after leaving her village, as evidenced by the layers of violence she has experienced. This traumatic experience still brings her to tears to this day.

“She once told me that after my father was taken away by the authorities to there (Baubau Prison - ed.), my mother was picked up by relatives from her village because there were rumours that (Andi Nurwati and her three children) were going to be abducted. WALHI escorted her. They also helped my mother leave the village. They were afraid that she would be targeted to force Mansur to abandon his village. But that did not happen” (Cici, 2026, interview, 16 February).

This situation aligns with Crenshaw's (1991) assertion that violence against women is intertwined with their identities as Indigenous individuals, their position within the agrarian class, and gender dynamics. Indigenous women experience various forms of severe violence, including psychological pressure, threats to their families, economic burdens they bear alone, and collective trauma passed down through generations. In Andi Nurwati's case, for instance, her husband's imprisonment resulted in legal consequences and forced a total reorganisation of the family's social and economic roles. This illustrates how state violence can extend into the domestic sphere. These three frameworks therefore demonstrate that power operates structurally, ecologically, and intersectionally, placing women in the most vulnerable positions, while also

positioning them as pivotal figures in their daily struggles for survival and resistance.

Repression as Violence that Permeates Everyday Life

The experiences of Indigenous communities in Bombana, Dolok Parmonangan, and Sihaporas demonstrate that state violence extends beyond visible acts of repression such as arrests, beatings and the burning of homes to include criminalisation. According to James Scott (1989; 1990), rebuilding destroyed homes, replanting damaged fields, sharing food whilst displaced, maintaining communal watch posts, and upholding customary practices are all examples of 'everyday resistance'. Although these practices may seem simple and non-confrontational, they are essential for upholding the community's dignity, autonomy, and survival amidst state and corporate domination. In this context, Indigenous communities are upholding the dignity and autonomy of their communities.

Seeking refuge in the forest, making use of wild food sources, and rebuilding homes and villages may seem 'ordinary', but it constitutes everyday resistance. However, this constitutes everyday resistance. Everyday resistance often takes informal forms and appears non-confrontational, yet it is effective in sustaining collective resistance (Scott, 1989; 1990). This is precisely what the women of Hukaea have done throughout their community's conflict with the state.

Through the lens of FPE, the everyday resistance practised by the people of Hukaea can be interpreted as survival strategies intertwined with power relations concerning access to, and control of, resources. Rather than taking the form of open confrontation, such as demonstrations or direct action, this resistance takes the form of what Scott terms 'everyday resistance'. These practices also reflect a common theme in global grassroots environmental movements: the struggle to survive; to uphold the right to a decent environment; to protect life-supporting systems from destruction; and to repair existing damage (Rocheleau, Thomas-Slayter & Wangari 1996). Everyday resistance serves as a response to repression and an active effort to safeguard the sustainability of life amidst structural inequalities, with women leading the way both socially and ecologically.

Initially, the Moronene community in Tobu Hukaea fought alone. However, whilst detained in

Baubau, Mansur Lababa began corresponding with non-governmental organisations (NGOs) capable of advocating for the rights of indigenous peoples, including Haris Palisuri, who was Director of WALHI Southeast Sulawesi in 1996.

One way this civil society group showed solidarity was by setting up a makeshift primary school for children in Years 1-3. Juhania, a teacher by profession, organised this with the help of other activists, setting up the makeshift primary school on 17 July 1999. Juhania and the other activists worked to enable a child in Hukaea to take the primary school leaving examination, despite having been refused entry to the examination at several other schools. There was no primary school in Hukaea itself capable of organising the examination. Thanks to the advocacy and resilience of these individuals, the child was able to take and pass the examination.

Resistance was pursued through legal channels, advocacy, and building solidarity networks with civil society organisations. Collaborating with the Hukaea community and NGOs revealed that the struggles of Indigenous peoples occur not only locally, but also within broader legal and political contexts. This demonstrates that Indigenous communities are political actors who continually devise strategies for survival and collective resistance, rather than being passive groups.

With the support of these civil society groups, the women of Hukaea — including Andi Nurwati and Juhania — organised a protest involving the occupation of the Regional People's Representative Council (DPRD) office for 11 days. They occupied the space and carried out daily activities there, such as eating and bathing, causing a commotion that 'disrupted' the local government. The children of Hukaea also participated in the protest, moving their classrooms and play areas to 'formal' spaces such as the DPRD office.

Following the collapse of the New Order, daily resistance and legal lobbying gradually bore fruit, securing legal standing for the Hukaea community's customary land ownership. In 2015, the Bombana Regency Regional Regulation (Perda) No. 4 of 2015 on the Recognition, Protection, and Empowerment of the Moronene Hukaea Laea Indigenous Community in Bombana Regency was issued. This regulation also served as the first legal guarantee recognising the Hukaea community's living space within their

Indigenous territory. Further legal legitimisation followed in the form of the Bombana Regent's Decree No. 1459 of 2023 on the Designation of the Hukaea-Laea Indigenous Area.

The experiences of the Hukaea Indigenous People exemplify structural violence, as defined by Galtung (1990). Through systematic conservation policies and military operations, the state prevents the community from meeting its basic needs. Forced evictions, the burning of hundreds of homes, criminalisation, and the seizure of livelihoods are not only forms of direct violence, but also part of a system that legitimises injustice. According to the FPE framework, land grabbing also signifies the severing of communities' ecological ties to their living spaces. This includes the loss of local knowledge systems, such as traditional agricultural practices, medicine, and forest management based on Indigenous wisdom (Rocheleau, Thomas-Slayer & Wangari 1996). In such crises, women play a central role in ensuring the sustainability of life by applying their ecological knowledge, for example in processing emergency food. This illustrates how women's bodies and labour are a crucial focal point within imbalanced environmental politics.

Despite facing repeated and multi-layered pressures, the communities of Dolok Parmonangan and Sihaporas have maintained their primary demand: the full return of their customary lands. Resistance was also evident when the communities collectively visited the company's posts or operational areas. Their resilience and determination remained steadfast, and eventually, following protracted negotiations in Dolok Parmonangan and Sihaporas, the company's checkpoints were dismantled. This occurred after the revocation of the company's concession, which had restricted access to land in Sihaporas, as well as to springs and ancestral graves in Dolok Parmonangan.

Resistance is not confined to times of conflict; it is also evident in everyday life through efforts to preserve their way of life. Despite their crops being repeatedly damaged or uprooted by heavy machinery, the community continues to cultivate its land. These replanting efforts demonstrate their enduring resilience. Farming activities are also carried out collectively to avoid the risk of violence, particularly against women. No one acts alone anymore. Every activity is undertaken together as a form of collective protection. Mutual aid

has once again become the primary survival strategy in conflict situations. The community's command post in Dolok Parmonangan is collectively guarded, regardless of age or gender.

Women in Dolok Parmonangan and Sihaporas play a vital role in the struggle. They are at the forefront of dialogue efforts, directly confronting those who arrive with repressive equipment. They strive to create space for dialogue and defuse conflict, despite still being beaten when clashes erupt. Nevertheless, the women of Dolok Parmonangan and Sihaporas continue to take their place on the front line. They step forward and stand firm to prevent the conflict from escalating further.

The struggle is realised through efforts to regenerate knowledge. The younger generation participates in customary practices and daily activities so that they can understand and continue the struggle. This involvement takes the form of hands-on practice rather than mere narrative, ensuring that the values of the struggle and customary knowledge are passed down.

Closing

This research reveals that the oppression of Indigenous communities in Bombana, Dolok Parmonangan, and Sihaporas is not an isolated incident, but rather part of a cycle of structural violence that is continually reproduced through the legal system, security forces, and development policies. Colluding with the interests of extractive capitalism, the state seizes land and resources while simultaneously undermining Indigenous communities' ecological, social, and cultural relationships with their environment. In such circumstances, violence manifests not only as evictions and criminalisation, but also as daily fear, environmental degradation, loss of food sources and the burdens of life passed down through the generations.

However, this study also shows that Indigenous communities do not always remain passive. Despite ongoing repression, they persevere through activities such as farming on ancestral lands, conserving forests, fostering community solidarity, and transmitting ecological knowledge to future generations. This resistance demonstrates that survival encompasses more than mere endurance; it also involves upholding dignity, preserving collective memory, and fostering equitable relationships with nature.

In this regard, Indigenous women play a particularly significant role. As women and members of Indigenous communities, they face multiple layers of vulnerability and are directly affected by agrarian conflicts. However, they are also the driving force behind community sustainability. They care for their families in times of crisis, manage shared resources, preserve ecological knowledge, and play an active role in the struggle. They should therefore not be viewed merely as victims, but as political agents who safeguard life and create opportunities for a fairer future.

At its core, agrarian conflict is not just about land ownership; it is also about who is deemed entitled to live, to be heard and to have their existence recognised. This research reveals that development which disregards Indigenous communities and destroys nature is essentially a normalised form of violence. Consequently, conflict resolution cannot rely solely on administrative or security-based approaches. Instead, a shift in perspective is required that places Indigenous communities — particularly Indigenous women — at the centre of decision-making. Their daily lives demonstrate that fairer ways of living have long existed — ways that protect nature, build solidarity, and prioritise sustainability over exploitation.

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Footnotes

- 1 Taman Buru was the precursor to Rawa Aopa Watumohai National Park.
- 2 Operation Sapu Jagad was a joint operation carried out by the Indonesian Armed Forces (ABRI), the Buton Regional Government (at that time, Bombana Regency was part of Buton City), the Buton Regional Government's Forestry Department, and TNRAW officials. The aim was to relocate settlements and enforce discipline amongst the residents of Hukaea. On Monday 9 November 1998, Kendari Pos reported that the Southeast Sulawesi Regional Government had stated the operation's aim was to 'clear the forest conservation area of human encroachment' (Newspaper No. 49/Year 30/1998). (Newspaper No. 49/Year 30/1998).
- 3 Those arrested included Mansur Lababa and Aswarman.
- 4 The arrest of Sorbatua Siallagan is documented in other sources. For example, Simanjuntak, M. (2025, 17, 06). Mahkamah Agung Tolak Kasasi Jaksa, Sorbatua Siallagan Bebas: Kemenangan Ini Hasil Perjuangan Kolektif. <https://aman.or.id/news/read/2118>.

AUTHOR GUIDELINES

Jurnal Perempuan (JP) is a quarterly interdisciplinary publication in the English language that aims to circulate **original ideas in gender studies**. JP invites critical reflection on the theory and practice of feminism in the social, political, and economic context of Indonesian society. We are committed to exploring gender in its multiple forms and interrelationships.

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