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## DISIPLIN HUKUM YANG MEWUJUDKAN KESETARAAN DAN Keadilan Gender (LAW DISCIPLINE TO MANIFEST GENDER EQUALITY AND JUSTICE)

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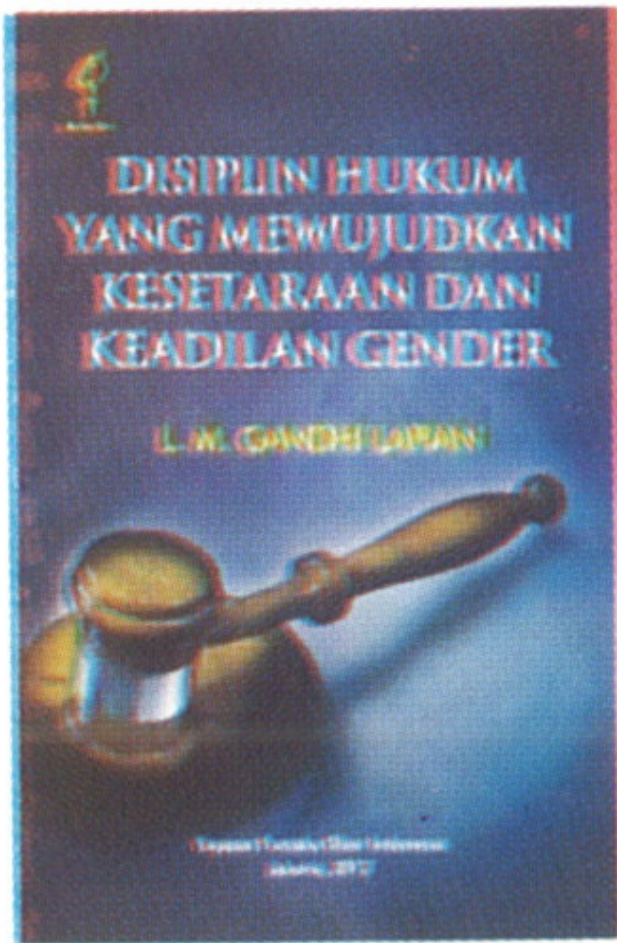
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# Disiplin Hukum Yang Mewujudkan Kesetaraan dan Keadilan Gender

## (Law Discipline to Manifest Gender Equality and Justice)



This 248-page book enable the readers to see the author's intent to describe the position of law and gender in law discipline, hence the public (especially the law students) can understand that law and gender can be manifested through law disciplines.

The discipline of law that includes a legal science consisting dogmatic of law is a combination of legal sense and legal norm sciences; doctrines or theories as sources of law; implementation of law; enforceability of law; implementation of law especially in discovering the law; legal studies as a social phenomenon; legal political; and politics of law; philosophy of law and theory. Those elements are described in a systematic way from Chapter II to V, although the author is also realized that it is not easy to finally determine the position of the legal theory (Feminist Legal Theory).

To describe on the mentioned "not easy thing", the author explains that the law system, with its components, has been trapped in global patriarchy and capitalist systems, which resulting in inequality and injustice in society generally, and in relationship between men and women particularly.

In order to change the value system, which already internalised for centuries, it requires great and constant efforts (in a long time process) by using Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) as its guidance.

The author further describes on how the development in Indonesia, where eventhough the CEDAW Convention is already introduced and socialized, it is still can be found that the law enforcers are not really aware and understand about this regulation. Moreover, this CEDAW Convention is already ratified by the Indonesian Government since 1984 through Law No. 7 of 1984 on Convention Authentication Concerning Elimination of All Forms of Discrimination Against, and we all know that all judges, prosecutors, and the other legal apparatus, have an important role to provide protection against women from discriminations that are currently happening.

The writer also explains the influence of social science which able to support the transformation and actualization of the CEDAW Convention through "hermeneutika" interpretation as one of the example. Therefore, the discriminative law systems that already internalized can be challenged and transformed through a law reformation (Hikmahanto) supported by a comprehensive research. This research will conduct studies on the legal background (especially on the discrimination and violence issues towards women), the substance of the legal norms, and the source of its strength,



whether it is influenced by revelations, existing myths, or other interpretation in the structure of the society).

We need to admit that law has its own power (powerful), including to construct human identity. The assumption that law is “objective and neutral” is need to be criticized. Law is also multi-interpretation and bias against men which resulted in a big gap between law and realities, where the women are still placed according to “the others” identity.

Therefore, law as science has to be able to change the situation to be better, where it needs a “breakthrough” to batter down the “arrogance” of law. It requires a “deconstruction” effort, where law should be studied through a multi discipline study since there are so many non-legal aspects that are need to be considered when the law is being implemented.

This book is very comprehensive and also gives the answer or the solution in order to reach the equality and justice for woman by perspective of law discipline, where one of the way is through law education, which is expected to bring transformation into the existing phenomenon.

It is also need to be kept in mind that law is morality, law is economic (Wallerstein), law is social justice (Cordosa), and law is about logics and experiences (Holmes).

Through this book, law student will be able to understand more the needs of the “deconstruction” effort, and by referring to the opinions of the legal experts as mentioned above, a legal science should be able to accommodate the existence of justice and gender equality, though it requires a long time process.

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