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Gender Discrimination Behind the Traditions of the Atoni Meto Tribe in East Nusa Tenggara

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Abstract
Gender discrimination remains a persistent global issue that contributes to inequality and injustice across various sectors of society. Despite progress in promoting gender equality, women and other gender minorities continue to face discrimination in education, employment, healthcare, and political participation. These inequalities are rooted in patriarchal values, socio-cultural norms, and legal frameworks that reinforce unequal power relations and restrict equal access to rights and opportunities. This study aims to examine the legal dimensions of gender discrimination, identify the factors contributing to its persistence, and analyze legal measures to strengthen gender equality and human rights protection. This research employs a normative legal research method using the statute approach and the conceptual approach. The analysis is based on primary legal materials, including legislation and other relevant legal instruments, as well as secondary legal materials such as books, scholarly journals, and legal commentaries. The findings indicate that gender discrimination continues to be reinforced by patriarchal structures, gender stereotypes, and legal policies that are not fully gender-responsive. Therefore, strengthening legal frameworks, improving the implementation of gender-responsive policies, and promoting collaboration among governments, educational institutions, civil society, and the private sector are essential to advancing gender equality, protecting human rights, and achieving sustainable social justice.

Introduction

The high incidence of violence has become one of the critical emergencies currently affecting Indonesia. According to a statement by the President of

Indonesia, Ir. H. Joko Widodo, there are three urgent issues facing the nation: narcotics, violence, and terrorism.[1] Violence occurring within society has emerged as a social issue manifesting in various forms and methods, both traditional and modern. Such violence can occur across diverse locations and circumstances. Acts of violence are frequently perpetrated by family members individuals who should constitute the safest environment for a person by highly educated individuals, or even by those recognized as "devoutly religious" or pious.[2]

Generally, the victims of such violence are women and children. Violence against women and children is regarded as a severe violation of human rights.[3] The United Nations considers violence against women and children to be a crime against humanity.[4] Women are often perceived as *"second-class citizens,"*[5] thereby frequently placing them in situations of discrimination. Gender discrimination is a complex issue that requires collaboration among multiple stakeholders, including the government, civil society organizations, and local communities. It is essential to transform existing social norms and address negative stigma through awareness campaigns and educational programs on women's rights. Although legislation exists to protect women's rights, its implementation is often weak. Therefore, the government must be more assertive in enforcing the law and developing new policies that support gender equality. By involving non-governmental organizations and community leaders in discussions on gender equality, positive change toward a more just and equitable society for all can be achieved.

As a state governed by the rule of law, Indonesia has a constitutional obligation to guarantee and protect the human rights of every citizen without

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[1] Humas, "Presiden Jokowi: Jauhi Narkoba Dan Tindak Kekerasan," Indonesia, Sekretariat Kabinet Republik, 2018, https://setkab.go.id/presiden-jokowi-jauhi-narkoba-dan-tindak-kekerasan/.

[2] Sarmauli Sarmauli et al., "Perspektif Studi Gender Terhadap Transgender Di Indonesia," *Indonesian Journal on Education (IJoEd)* 1, no. 2 (October 25, 2024): 49–54, https://doi.org/10.70437/ijoed.v1i2.19.

[3] Morita Ramby, Rizka Rahma Andhina, and Yuliana yuli Wahyuningsih, "Upaya Penegakkan Ham Untuk Kaum Perempuan Di Indonesia," *Jurnal Bela Negara* 1, no. 1 (May 2, 2023): 8–16, https://doi.org/10.70377/jbn.v1i1.5198.

[4] Dyah Wijaningsih and Elfia Farida, "Violence Against Women and Children as a Violation of Human Rights," *International Journal of Multicultural and Multireligious Understanding* 9, no. 11 (2022), https://doi.org/http://dx.doi.org/10.18415/ijmmu.v9i11.4231.

[5] Zaenab Amani, Rubina Samar, and Fahad Esmaeili Salumahale, "Woman as Second-Class Citizens: The Impact of Patriarchy on Afghan Women in Hashimi's One Half from The East," *Cultural Narratives* 1, no. 3 (2024), https://doi.org/10.59066/cn.v1i3.850; Ani Purwanti et al., "Coastal Women's Double Burden in Mangrove Management in Indonesia: A Socio-Legal Perspective," *Cadernos de Dereito Actual* 2025, no. 27 (2025); Arwa H. Aldoory, "Subaltern Voices in Iraqi Culture and Literature: Practices of Violence and Silencing Against Women," *Journal of Tikrit University for Humanities* 32, no. 3, 2 (2025), https://doi.org/10.25130/jtuh.32.3.2.2025.19.

discrimination. Human rights are fundamental rights inherent from birth and cannot be revoked by anyone, including the state. In practice, one form of human rights violation that remains prevalent is gender-based discrimination. This phenomenon indicates that not all citizens, particularly women, receive equal treatment across various aspects of life, including social, economic, legal, and cultural dimensions. Gender discrimination reflects unjust treatment based on sex and remains a significant challenge in national development, particularly in regions with strong customary values such as East Nusa Tenggara Province (NTT). One extreme example is the practice of sifon among the Atoni Meto ethnic group, in which women are objectified in rituals that disregard the principles of equality and human rights.[6]

Although Indonesia has enacted various regulations, such as Law Number 39 of 1999 on Human Rights and Law Number 23 of 2004 on the Elimination of Domestic Violence[7], numerous challenges remain in the implementation and enforcement of laws concerning the protection of women's rights. These challenges are exacerbated by patriarchal cultural factors, limited legal awareness, and weak law enforcement and oversight. Furthermore, low public awareness of gender issues reinforces the persistence of discriminatory practices. Therefore, an approach relying solely on formal law is insufficient to eliminate gender discrimination without systematic efforts to enhance public understanding through education and social campaigns. Based on these issues, this study focuses on analyzing the effectiveness of government policies and regulations in addressing gender discrimination in East Nusa Tenggara Province, as well as examining the extent to which increased public awareness can support the enforcement of human rights and the reduction of gender-based discriminatory practices. The following research questions are formulated:

1. What are the impacts of gender discrimination in the sifon cultural practice among the Atoni Meto ethnic group in NTT on women's human rights, and how can the existing legal system be strengthened to provide better protection for women who are victims of their own ethnic customs?

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[6] Bherta Sri Eko, Hendar Putranto, and Veronika Veronika, "Unveiling the Repressive Culture Towards Female Sexuality: A Critical Communication Ethnography of Sifon Circumcision Rituals in Atoni Pah Meto Ethnic Community," *Journal of Intercultural Communication Research* 52, no. 4 (2023), https://doi.org/10.1080/17475759.2022.2161003.

[7] Shandra Monikasari, Moh. Muhibbin, and Hanafi Arief, "Sexual Violence Against Children And Criminal Sanctions Towards Actors Based On The System Of Indonesian Law," *International Journal of Law, Environment, and Natural Resources* 3, no. 2 (2023), https://doi.org/10.51749/injurlens.v3i2.60; Mukhlis R, Emilda Firdaus, and Separen -, "Community Legal Culture in Preventing and Dealing with Domestic Violence (KDRT) in Pekanbaru," *Melayunesia Law* 7, no. 1 (2023), https://doi.org/10.30652/ml.v7i1.7977.

2. To what extent are government policies and regulations related to human rights in East Nusa Tenggara Province effective in addressing gender discrimination, and how can efforts to increase public awareness contribute to the enforcement of human rights and the reduction of discriminatory practices?

Methods

This study employs a normative legal approach, a type of research that focuses primarily on the examination of literature, statutory regulations, and legal concepts relevant to the object under study. Several legal approaches are employed in this research.[8] The Statute Approach is used to analyze applicable legal provisions, such as the 1945 Constitution, the Human Rights Law, and laws related to gender discrimination. The Conceptual Approach is applied to examine fundamental concepts of human rights, gender discrimination, and equality. The Historical Approach is used to trace the historical background underlying the emergence of human rights protection regulations and gender issues in Indonesia. The Case Approach is employed to examine real cases that have occurred, such as the practice of sifon among the Atoni Meto people of East Nusa Tenggara (NTT). In addition, several sources of data are used in this study, consisting of legal materials. Primary legal materials include statutes, the constitution, and other regulations. Secondary legal materials include scientific literature, journals, and legal articles. Tertiary legal materials include legal dictionaries, legal encyclopedias, and other supporting references. With respect to data collection techniques, this study employs library research, which involves collecting, selecting, and classifying relevant legal materials. Data analysis is conducted qualitatively through the following stages: inventory (classifying primary, secondary, and tertiary legal materials), identification (selecting relevant materials), classification (grouping materials based on legal issues), and systematization and interpretation to describe and organize the findings in a logical and structured manner.

Results and Discussion

The Impact of Gender Discrimination in the Sifon Tradition of the Atoni Meto Tribe in East Nusa Tenggara on Women's Human Rights

Cases of gender discrimination within the Sifon tradition of the Atoni Meto tribe in East Nusa Tenggara (NTT) illustrate the tension between local cultural values and the principles of human rights, particularly women's rights.[9] The Sifon tradition, which has developed among the Atoni Meto

[8] Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2021).

[9] Asnath Natar, "Disrupsi Seksualitas Feminis: Meninjau Pelecehan Dan Kekerasan Perempuan Pada Praktik Adat Sifon Masyarakat Suku Atoin Meto," *Musāwa Jurnal Studi*

community in Timor, East Nusa Tenggara, is a customary practice closely associated with relationships between extended families, generally through the traditional marriage system.[10] However, in its implementation, this tradition has the potential to generate gender-based discrimination against women, thereby significantly affecting the fulfillment and protection of their human rights.

Women involved in the Sifon tradition are often denied the opportunity to freely express their consent.[11] They may be compelled to marry individuals whom they do not know or love in order to preserve family honor or resolve customary disputes. Such practices constitute serious violations of fundamental human rights, including:

1. The right to personal liberty and autonomy.
2. The right to freely choose a spouse.
3. The right to live free from coercion and exploitation.

Furthermore, women subjected to the Sifon system may experience psychological trauma, harassment, and even sexual violence. However, because these practices are frequently justified within the framework of cultural tradition, the suffering of women is often overlooked by both the state and society. As a result, victims rarely report such incidents due to fear of being perceived as disrespectful toward customary norms or bringing shame upon their families.

Consequently, the continuation of discriminatory practices within the Sifon tradition poses significant challenges to the realization of women's human rights, particularly the rights to dignity, equality, bodily autonomy, and freedom from violence and discrimination. Therefore, efforts to preserve cultural traditions should be balanced with the obligation to ensure that such practices do not undermine universally recognized human rights standards, especially those concerning the protection of women.

The refusal of wives to participate in the implementation of the *Sifon* tradition often generates considerable social pressure from the surrounding community. Such pressure may take the form of ridicule, social stigma, and discriminatory treatment during customary ceremonies and other communal events. In response to these pressures, women who reject the *Sifon* tradition generally adopt a resilient stance by explaining their understanding of the practice and questioning the assumptions and beliefs that society has long

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Gender Dan Islam 19, no. 1 (September 28, 2020): 57, https://doi.org/10.14421/musawa.2020.191.57-69.

[10] Maria Syelvrida Tumina, Sri Yona, and Agung Waluyo, "The Experiences of Women from Atoin Meto Tribe Who Performed Sifon Ritual in the Context of HIV/AIDS Transmission," *Journal of Public Health Research* 10, no. 1_suppl (May 16, 2021), https://doi.org/10.4081/jphr.2021.2337.

[11] "Female Genital Mutilation: A Global Concern," UNICEF & UNFPA, 2020.

maintained regarding *Sifon*. These women are able to demonstrate that they can maintain a healthy and fulfilling family life, despite the fact that their husbands do not perform the *Sifon* ritual.

One of the unique aspects of the circumcision ritual practiced by the Atoni Pah Meto community lies in the process of wound healing following circumcision. According to traditional beliefs, the circumcision wound must be healed through sexual intercourse with a designated woman, commonly referred to as a *Sifon* intermediary woman. This woman is neither the wife nor a close family member of the circumcised man and is not someone whom he intends to marry. The practice is considered an integral part of the ritual process and is believed to facilitate recovery after circumcision.

Strategies for Strengthening the Legal System:

1. Several measures can be adopted to strengthen legal protection against discriminatory customary practices and to ensure justice for affected women:
2. Law enforcement should prioritize the fair resolution of cases, focusing not only on procedural compliance but also on substantive justice for victims.
3. Law enforcement authorities should respond proactively to reports from victims and conduct investigations in regions where the *Sifon* tradition continues to be practiced, rather than merely waiting for formal complaints.
4. The government should accelerate the enactment of legislation concerning Indigenous Peoples that incorporates protections for indigenous women against discrimination and violence within the national legal framework.
5. The state should identify and evaluate customary norms that conflict with constitutional principles and national laws, particularly Law No. 7 of 1984 concerning the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The *Sifon* tradition practiced within the Atoni Meto indigenous community reflects a strong patriarchal social structure in which women are positioned subordinate to men. This cultural practice has significant implications for women's human rights, particularly with regard to access to education, freedom to choose a spouse, inheritance rights, bodily autonomy, and participation in collective decision-making processes.

To enhance protection for victims of discrimination, the government should promote education that upholds gender equality at all levels, from primary to secondary education, particularly in rural and indigenous communities. Furthermore, efforts should be directed toward fostering awareness within families that girls and boys possess equal rights, opportunities, and potential for personal and social development.

Customary law must not conflict with fundamental human rights principles. Therefore, it is necessary to undertake the codification and reformulation of customary laws in a gender-sensitive manner, while ensuring the active participation of indigenous communities throughout the revision process. Such an approach is essential to preserving cultural values while simultaneously promoting equality, justice, and the protection of women's rights.

In addition, integrated service centers for women and children should be established in remote and indigenous areas. These centers should provide comprehensive services, including psychological counseling, temporary shelters, legal assistance, and victim support and advocacy. The establishment of such facilities would enhance access to protection mechanisms and ensure that victims of discrimination and violence receive adequate support and legal remedies.

The Effectiveness of Government Policies and Human Rights Regulations in East Nusa Tenggara Province in Addressing Gender Discrimination and Efforts to Enhance Public Awareness of Human Rights Enforcement and the Reduction of Discriminatory Practices

The effectiveness of government policies and regulations in addressing gender discrimination in East Nusa Tenggara (NTT) remains a significant issue in the protection and promotion of human rights. The Government of Indonesia, including regional authorities in NTT, has established various legal instruments and regulatory frameworks aimed at combating gender discrimination. These include the 1945 Constitution of the Republic of Indonesia, particularly Articles 27, 28, and 28D[12], which guarantee equality before the law and equal protection of legal rights. In addition, Law No. 39 of 1999 on Human Rights affirms every individual's right to protection from discrimination, while Law No. 26 of 2000 on Human Rights Courts provides a legal mechanism for adjudicating serious human rights violations. Furthermore, Law No. 23 of 2004 on the Elimination of Domestic Violence specifically addresses gender-based violence within the domestic sphere.

Several institutions are also actively involved in promoting gender equality and protecting women's rights. The Ministry of Women's Empowerment and Child Protection (KPPPA) plays a significant role in developing policies and providing services for victims of gender-based violence. Likewise, the National Commission on Violence Against Women

[12] Salomo Jitmau, Sokhib Naim, and Muh Akhdharisa SJ, "Implementation of the Principle of Equality Before the Law in the Dynamics of Indonesian Law," *JUSTISI* 11, no. 2 (April 13, 2025): 441–55, https://doi.org/10.33506/js.v11i2.4088; Vinda Agustina, H. S. Tisnanta, and Muhtadi Muhtadi, "Restorative Justice as an Effort to Fulfill the Constitutional Rights of Citizens," *Jurnal Konstitusi* 21, no. 2 (2024), https://doi.org/10.31078/jk2125.

(Komnas Perempuan) conducts advocacy, documentation, research, and public education concerning violence against women.

Despite the existence of these legal frameworks and institutional mechanisms, several challenges continue to hinder their effective implementation. These challenges include unequal access to legal protection and justice, particularly in cases of domestic violence and sexual harassment; the limited legal authority of Komnas Perempuan, which remains institutionally positioned under the executive branch and lacks the independence enjoyed by judicial institutions; and the insufficient development of gender-responsive public policies at the regional level, including in East Nusa Tenggara.

The cultural practices of the Atoni Meto community, particularly the traditional circumcision ritual known as *Sifon*, as discussed in the first research problem, contribute significantly to violations of women's human rights through the perpetuation of a deeply rooted patriarchal culture. This is reflected in the manner in which women are marginalized and compelled to participate in practices that may adversely affect their physical and psychological well-being while restricting their bodily autonomy and freedom of choice.

The implications of these practices for human rights protection efforts in NTT indicate a relatively low level of legal awareness among community members. This condition contributes to slow social transformation and weak law enforcement. The second research problem highlights the impact of gender discrimination within the *Sifon* tradition on women's human rights and the effectiveness of the existing legal system. Limited legal awareness, compounded by the inadequate integration of gender equality issues into educational curricula and the lack of effective public awareness campaigns, makes it difficult for women who become victims of discriminatory cultural practices to access adequate legal protection and remedies.

Therefore, strategic measures are required to address these challenges. These include strengthening regional regulations, enhancing human rights and gender equality education, expanding public awareness campaigns, and empowering local community organizations to advocate for women's rights. Such initiatives are essential to promoting social change and ensuring justice for women affected by discriminatory customary practices.

In this context, Lawrence W. Friedman's concept of legal culture is highly relevant. Friedman emphasizes that the effectiveness of a legal system depends not only on legal structures and substantive laws but also on the attitudes, values, and perceptions of society toward the law. Accordingly, efforts to protect women's human rights must extend beyond legal reform and encompass broader cultural transformation. Without changes in societal

attitudes and cultural norms, legal regulations alone will be insufficient to provide effective protection for women's rights and to eliminate discriminatory practices rooted in tradition.

Conclusions

This study demonstrates that the *Sifon* tradition practiced within the Atoni Meto indigenous community in East Nusa Tenggara has significant implications for the protection of women's human rights, as its implementation often limits women's autonomy, bodily integrity, freedom of choice, and equal treatment. Although Indonesia has established a comprehensive legal framework to protect women's rights through constitutional provisions, human rights legislation, and laws addressing gender-based violence, its implementation remains ineffective due to limited legal awareness, entrenched patriarchal norms, unequal access to legal protection, and the inadequate enforcement of gender-responsive policies. Consequently, women affected by discriminatory customary practices continue to face barriers in obtaining effective legal protection and remedies. The study concludes that addressing gender discrimination within the Sifon tradition requires not only stronger law enforcement but also gender-sensitive customary law reform, increased human rights and gender equality education, community empowerment, and accessible support services for women. Consistent with Lawrence W. Friedman's theory of legal culture, sustainable protection of women's rights depends on the interaction between legal reform and cultural transformation, ensuring that the preservation of indigenous traditions is balanced with respect for human rights, gender equality, and the dignity of women.

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