

Negotiating Gender Justice in Minangkabau Marital Disputes: Between Adat, Islamic, and State Law

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| Received: 17-01-2024

| Revised: 08-03-2025

| Accepted: 09-03-2025

Abstract: This study investigates the negotiation of gender justice in resolving marital disputes within the Minangkabau community, where customary (adat), Islamic, and state laws intersect. Women frequently experience injustice not only in their domestic lives but also in the resolution of household conflicts. Utilizing a socio-legal approach, this qualitative field research is based on in-depth interviews conducted through purposive snowball sampling with women who have experienced marital disputes. The findings indicate that the mechanisms through which women resolve these conflicts—whether through customary, religious, or state channels—tend to perpetuate gender injustice. Often, individual resolution is adopted as an adaptive response to a range of structural and cultural barriers that restrict their access to formal justice. However, such individualized approaches frequently result in unresolved issues, thereby exacerbating gender inequities. This study underscores the inadequate role of religious, state, and customary institutions in ensuring substantive justice for women and emphasizes the need for a more inclusive dispute resolution framework that prioritizes gender justice.

Keywords: Gender Justice; Family Dispute Resolution; Minangkabau; Legal Pluralism; Women's Rights

Introduction

Marital disputes in Minangkabau society are governed by a complex and pluralistic legal system that integrates customary norms, Islamic legal principles, and state regulations. The unique matrilineal system of the Minangkabau, distinct among Muslim communities, grants women significant rights to ancestral property and recognizes their central position within the customary social structure (Wan et al., 2024). However, when it comes to resolving marital disputes, women frequently face structural barriers rooted in patriarchal interpretations of both customary and religious norms (Warman et al., 2023). In this context, gender justice becomes a problematic issue, as women must navigate these three legal frameworks in order to assert their rights.

Although the Minangkabau matrilineal system theoretically reinforces women's positions within the social structure (Handrianto, 2017; Suryani et al., 2023), empirical evidence reveals a tension between customary norms that protect women's rights and the patriarchal interpretations inherent in religious and state legal systems (Jamilah et al., 2024). Women involved in marital disputes often face the dilemma of choosing between resolution pathways through customary institutions, religious courts, or state courts—each carrying distinct legal and social implications (Warman et al., 2023). This negotiation process becomes an arena in which women not only defend their rights but also redefine the boundaries of justice in a legally pluralistic society.

Previous literature on gender and the Minangkabau has largely focused on women's roles—such as serving as custodians of significant ancestral property (Miswardi et al., 2024), fostering business innovation

(Amaroh et al., 2024; Games & Sari, 2023), resolving domestic violence disputes (Hasanudin et al., 2023; Suryani et al., 2023), and their portrayal in local folklore (Abdurahman et al., 2024). While some studies conclude that Minangkabau women enjoy a privileged position consistent with Qur'anic teachings that honor the status of women in Islam (Halimatussa'diyah et al., 2024), others suggest that women face challenges within this system, particularly in accessing economic resources (Jamilah et al., 2024). Notably, there remains a gap in research specifically exploring how the negotiation of gender justice unfolds in the resolution of domestic disputes.

Furthermore, studies examining the intersection of customary, religious, and state law have predominantly focused on traditional practices (Azwar et al., 2023; Busyro et al., 2023; Ismail et al., 2023; Jafar et al., 2024; Willya et al., 2024). In contrast, research that investigates the contestation among these three entities (Elfia et al., 2023; Fakhyadi & Samsudin, 2024; Hamdani et al., 2022; Husen Ismail et al., 2024; Nofialdi & Rianti, 2024) has not addressed dispute resolution. There is a significant lack of studies that specifically explore how women navigate legal pluralism in the context of marital disputes with a focus on gender justice.

This literature gap underscores the need for a more critical investigation into how women negotiate gender justice in resolving domestic disputes within a plural legal framework. Specifically, this study poses three central questions: First, how do women perceive and utilize the mechanisms offered by customary, religious, and state law in resolving marital disputes? Second, to what extent do these mechanisms ensure gender justice? Third, what limitations exist within this plural legal framework in protecting women's rights?

This research is essential given the paucity of studies addressing the gender dimension in the resolution of marital disputes within the Minangkabau community. Beyond a mere legal analysis, the study delves into how women negotiate overlapping and often conflicting legal frameworks. A profound understanding of these processes is critical for formulating policies that are more sensitive to gender issues and legal pluralism. Moreover, the findings hold practical significance for strengthening legal protections for women in customary communities that continue to adhere to traditional and religious norms. By identifying the structural barriers that hinder women's access to justice, this study contributes to the formulation of legal policies that are more responsive to the needs and rights of women—not only in Minangkabau but also in other communities with similar plural legal systems. Finally, this research adds to the global discourse on the interplay between customary, religious, and state law in the context of women's rights. Focusing on the Minangkabau case, the study offers a critical perspective on how legal pluralism can be leveraged to support gender justice, while also revealing the complex negotiations women must undertake within a patriarchal socio-cultural milieu.

Literature Review

Gender Justice in Minangkabau

Gender justice in the resolution of domestic disputes in Minangkabau is a complex issue shaped by the interplay of customary law, Islamic law, and state law. Although the Minangkabau matrilineal system is designed to confer a central role on women in both social and economic structures, patriarchal interpretations of customary and religious norms frequently constrain their rights within the household. A dissertation by Riza (2020) reveals the intricate dynamics involved in the formation of gender discourse in Minangkabau. Through an in-depth textual analysis, the study highlights the duality of women's roles in the matrilineal system: on one hand, women are recognized as heirs and custodians of customary values; on the other hand, patriarchal reinterpretation—shaped by modernity and colonial influences—tends to undermine their status. The findings provide a historical overview of how gender identity is formed through the interaction of local values, Islam, and external forces.

Research by Saputri et al. (2024) indicates that although women have access to family resources, the supervision and management of these resources are often controlled by men, thereby reflecting gender disparities in the division of roles and responsibilities. Furthermore, a study by Idris (2009) demonstrates

that male dominance in customary decision-making processes can hinder active female participation in resolving domestic disputes. This study suggests that traditional gender norms and social pressures often discourage women from asserting their rights through formal legal channels. Consequently, mainstreaming gender equality in Islamic family law is critical (Begum et al., 2024; Rahmawati, 2020; Utsany et al., 2022), as is identifying both the opportunities and challenges in achieving gender justice through a theologically grounded understanding of equality (Dawood, 2024; Rahmaniah et al., 2025). Moreover, a holistic approach is required—one that considers reforms in the interpretation of both customary and religious laws while increasing legal awareness among women—to ensure that existing dispute resolution mechanisms truly support gender justice.

Women in the Minangkabau Matrilineal System

In Minangkabau society, the matrilineal kinship system positions women as the primary heirs to ancestral property and the principal determinants of lineage. This role is theoretically intended to grant them significant authority within both the family and the community. However, research shows that, in practice, women's roles are often constrained by deeply entrenched patriarchal structures. Blackwood (2000) reveals that despite women's crucial contributions, ultimate authority frequently remains in the hands of men, especially when major decisions are at stake. Similarly, Syahrizal (2005) highlights that women's participation in the institutional governance of nagari is typically limited to certain aspects, while strategic decision-making remains dominated by men. This paradox within the Minangkabau matrilineal system—where women are theoretically central yet practically marginalized in power and decision-making—exemplifies significant gender imbalances.

Additionally, Minangkabau women bear the responsibility of managing highly valued family inheritance, which serves as a symbol of their community's identity. Nonetheless, this role is often overshadowed by male dominance in decisions regarding the management of these assets (Miswardi et al., 2024). Although women possess legal rights to the inheritance, strategic decisions concerning its utilization and distribution are frequently determined by men within the family. This dynamic contributes to persistent gender inequities in the management of resources and power within Minangkabau families.

Legal Pluralism and Challenges to Gender Justice

Legal pluralism in Minangkabau—characterized by the interaction among customary law, Islamic law, and state law—poses significant challenges in achieving gender justice in the resolution of domestic disputes. Patriarchal interpretations of these three legal systems frequently impede women's ability to obtain equal justice (Santoso et al., 2023). Research by Wahyudi (2024) indicates that traditional gender norms and social pressures often deter women from pursuing their rights through formal legal channels. Therefore, a holistic approach is needed—one that incorporates reforms in the interpretation of both customary and religious laws and enhances legal awareness among women—to ensure that existing dispute resolution mechanisms genuinely support gender justice.

Furthermore, it is essential to assess the extent to which current dispute resolution mechanisms consider the perspectives and interests of women. A gender-sensitive approach in the mediation and adjudication of domestic disputes is necessary to ensure that women's rights are protected and that gender justice is achieved. This calls for reforms in the structures and processes of customary law, as well as more inclusive interpretations of religious law concerning women, with the aim of creating a dispute resolution system that is truly fair and equitable for all parties (Wathani et al., 2022).

Method

This study employs a qualitative approach with a case study design to explore how women negotiate gender justice within the framework of legal pluralism in the resolution of domestic disputes in Minangkabau. The primary focus is to understand women's subjective experiences in navigating the structures of customary law, Islamic law, and state law, as well as the power dynamics that affect their access to justice. The research was conducted in the Minangkabau region, covering both areas where

traditional customary practices (nagari) remain robust and urban areas with access to Religious Courts. The primary informants included women who have experienced marital disputes, traditional female elders (niniak mamak), and Islamic scholars. Informants were selected using purposive sampling to ensure the relevance of their experiences and insights. Data were collected through in-depth interviews, and a thematic analysis was conducted through data reduction, categorization, and interpretation of the relationships between customary, religious, and state law in influencing women's access to justice. Data validity was ensured through source triangulation, methodological triangulation, and member checking. The study also adhered to ethical principles, including obtaining informed consent, safeguarding the confidentiality of informants' identities, and maintaining gender sensitivity throughout the data collection process, given the personal and emotional nature of the topic.

Results and Discussion

Family Dispute Resolution and Access to Gender Justice

Previous studies have identified four mechanisms through which women resolve domestic disputes: through customary law, religious law, state law, and individual efforts (Warman et al., 2023). The majority of disputing parties resolve their issues individually, often because the other avenues do not yield satisfactory results. In societies where customary, religious, and state laws are deeply influential, women frequently face a major dilemma when choosing a dispute resolution path. Each mechanism has its own dynamics and challenges, yet the common thread is the recurrent neglect of gender justice in practice.

In the customary realm, women are often trapped in systems that prioritize social harmony over individual justice. Dispute resolution through customary mediation led by traditional female elders (niniak mamak) is intended to maintain social balance and preserve family honor. However, in practice, these collective norms tend to silence women's voices and undermine their rights. For instance, one informant, ST, reported feeling compelled to accept the outcomes of customary deliberations in order to safeguard her family's reputation. She explained that her desire for individual justice was subordinated to the demands for social harmony.

“Our dispute had dragged on for too long. I could no longer bear it and sought help from my parents and my uncle. However, my uncle directed me not to take the matter to court, as it would bring shame to the family—especially if it led to divorce. Our issue was resolved through deliberation, and I ended up accepting that decision.” (Interview with ST, March 7, 2023)

Women like ST face both internal family pressure and external community pressure, where maintaining family stability is seen as primarily their responsibility, regardless of their personal suffering. This inequality becomes even more evident when women must sacrifice their individual rights to meet social expectations that place them in subordinate positions. Informant R described a similar experience in which she felt compelled to suppress her emotions during customary mediation. She felt that her voice carried less weight than that of men in these forums, reinforcing a power imbalance that upholds patriarchal norms.

“In the family dispute resolution through customary mediation by the traditional female elders, I was not given ample opportunity to express my feelings. Ultimately, I remained silent and agreed with what was said by the elders.” (Interview with R, March 9, 2023)

Informant A recounted a similar situation in her marital conflict, where she was positioned as the sole wrongdoer—even though the dispute was not entirely her fault—leading to her husband being retrieved through customary channels by his family.

“My husband once became angry during our argument, left our home, and went back to his parents' house. He was brought back by the traditional female elders through customary mediation, as if I were entirely at fault.” (Interview with A, March 6, 2023)

These narratives illustrate that the customary mediation system, which is supposed to embody local wisdom, can in fact perpetuate gender injustice by forcing women to comply with decisions that do not favor them, leaving them with little room to voice dissent.

In the religious sphere, women's hopes for more formal and spiritually grounded justice are often dashed by the predominance of patriarchal interpretations within Islamic law. Informant L expressed her disappointment when she presented her case to a religious leader, expecting a just legal resolution, only to find that the decisions largely upheld traditional structures that maintain male dominance. (Interview with L, March 10, 2023)

Decisions made by religious authorities frequently prioritize marital stability over achieving justice for aggrieved women. Moreover, religious advice is often used to suppress women's aspirations. Informant A noted that her voice was repeatedly silenced by views emphasizing marital unity—as if a woman's role were solely to preserve harmony—without granting her full rights to pursue justice for herself.

The formal pathway through the Religious Courts is often considered a more neutral and objective alternative. However, achieving gender justice within state law is not always straightforward. Bureaucratic obstacles, high legal costs, and social stigma present significant barriers for women seeking justice through these channels. For example, informant R encountered substantial challenges when filing a lawsuit in the Religious Court. The lengthy, convoluted process left her feeling exhausted and under immense pressure. Additionally, high legal fees further burdened her, rendering access to justice even more elusive.

Informant M also recounted an experience in which she filed for divorce at the Religious Court, but the process stalled because her marriage certificate was withheld by her ex-husband.

"I have been separated from my husband for a long time, yet we have not obtained an official divorce from the Religious Court. I was ready to remarry, but when I went to the Religious Court to obtain my divorce decree in order to register my new marriage at the Office of Religious Affairs (KUA), they requested the marriage certificate, which was being withheld by my ex-husband. When I asked him, he claimed that the certificate was lost. As a result, I still do not have my divorce decree." (Interview with M, March 10, 2023)

Social stigma associated with taking family disputes into the public domain also exerts considerable pressure on women. Informant ST mentioned that when she decided to report her family issues to the court, she was met with harsh criticism from her community, as her actions were perceived as a betrayal of familial values—isolating her within her own community. In this context, women are forced to choose between asserting their rights and maintaining social acceptance, illustrating how even state legal systems often fall short in supporting gender justice.

Marital dispute resolution through the courts often demonstrates significant shortcomings in fulfilling women's rights. This is evident in the experience of informant SA, who, despite completing the divorce process and receiving a divorce decree from the Religious Court, continued to face injustice regarding her ex-husband's obligations toward her and their children. After the divorce, her ex-husband neglected his responsibilities to their children and remarried without fulfilling his duty to provide financial support or care during the legally mandated waiting period and subsequent period of responsibility.

"I divorced my ex-husband several years ago. Since the court issued the divorce decree, he has not provided any financial support for the children. Not only that, but he has never seen the children, let alone assisted with my other needs." (Interview with SA, March 11, 2023)

These cases reflect how the dispute resolution mechanisms of the Religious Courts sometimes fail to protect the rights of women and children post-divorce. Under Islamic law, a husband is still obligated to support his wife during the waiting period (*iddah*) and to provide for his children until they reach adulthood or marry. However, the practical enforcement of these obligations often falls short.

When formal and customary channels do not provide adequate recourse, some women ultimately choose to resolve their disputes independently through informal negotiation. Although this approach offers a degree of flexibility, it frequently leaves women trapped in unequal power relations. Informant D described how exhausting it was to negotiate on her own. Fear of social stigma and uncertainty about the outcome led her to choose this route, even though it eventually resulted in further emotional strain. Informant R added that during her informal negotiations with her husband, she was often forced to accept

unjust compromises. The lack of adequate legal protection renders women like R extremely vulnerable, as they must endure continuous emotional pressure and verbal abuse without any clear mechanism for redress.

In summary, these narratives reveal that achieving gender justice through existing dispute resolution mechanisms—whether through customary, religious, state, or individual channels—remains a significant challenge. Women often confront systems that prioritize social harmony, collective norms, and patriarchal interests over the justice owed to aggrieved individuals. Although there are occasional openings for women to assert their rights, the path toward genuine justice is riddled with structural and cultural barriers that are difficult to overcome.

Negotiating Gender Justice: Power Asymmetry and Women's Adaptive Strategies

Women are not merely passive victims; rather, they are active agents who develop adaptive strategies to navigate biased social and legal systems. Interview data reveal that many women choose to comply with established norms even though they are personally aware of the injustices they experience. For example, Informant A felt compelled to adhere to prevailing decisions due to concerns about social censure and exclusion. This strategy of compliance reflects the internalization of long-entrenched cultural values, consistent with Bourdieu's (1977) concept of *habitus*. According to Bourdieu, individuals unconsciously adopt existing social structures through deep socialization processes, so that the choice to conform is also a form of adaptation to pervasive social hegemony that is difficult to resist.

On the other hand, Smart (2002) and MacKinnon (1989) emphasize that although such strategies appear to be compliance, they also harbor latent potential for resistance, since every adaptive action is a response to structural pressures and injustice. In many cases, this compliance is not entirely passive; instead, it creates a hidden space in which women maintain social stability while preserving their identities. This idea aligns with Scott's (1985) theory of everyday resistance, which highlights the subtle, covert forms of defiance that individuals employ when facing hegemonic power.

A significant number of women also choose to engage actively in negotiations through customary forums and dialogues with religious figures. Informant D described her attempts to express her views during customary mediation as a form of resistance, even though women's positions are often perceived as weak (Interview D, March 7, 2023). This approach demonstrates that, despite being bound by social norms, women endeavor to open dialogue spaces to renegotiate existing provisions. Such active negotiation is consistent with the theory of legal consciousness, which asserts that participation in informal processes can gradually foster change (Ewick & Silbey, 1998). This theory further supports Fraser's (1990) feminist argument regarding the importance of "counterpublics"—alternative spaces where marginalized groups can articulate their interests and challenge dominant norms. In this context, customary forums and religious mediation can serve as counterpublic arenas where women have the opportunity to express their aspirations and build solidarity.

Only a small number of women, as reported by Informant R, choose to pursue the formal legal route (Interview R, March 9, 2023). This step represents a more explicit form of resistance against injustice, albeit one accompanied by significant social risks. According to MacKinnon (1989), filing a lawsuit is an effort to break through the structural constraints that suppress women's voices. However, the formal legal route often faces substantial challenges—from social stigma to weak institutional support. Nevertheless, the willingness to take such risks demonstrates a strong desire for systemic change. Resistance through formal mechanisms can be seen as an initial step in a broader reform process that, if supported by policy and structural changes, could open up transformative avenues for gender justice. This perspective aligns with the "law and social movements" approach (McCann, 1994), which highlights how litigation can serve as a tool to mobilize social support and build collective awareness.

Some women also adopt hybrid strategies, combining elements of compliance, negotiation, and formal resistance. For instance, Informant S chose to comply with customary decisions in the short term while gradually building a support network to pursue legal action in the future. Such a strategy demonstrates women's ingenuity in managing risks and opportunities amid unequal power structures.

This hybrid approach reflects their understanding of the complexity of the surrounding legal and social systems. The concept of legal pluralism (Merry, 1988) is particularly relevant here, as it illustrates how individuals can navigate among various legal systems – formal, customary, and religious – to achieve their goals. This strategy underscores the importance of flexibility and creativity in confronting structural injustice.

These realities illustrate that women are often confronted with complex choices between adhering to formal mechanisms – such as customary, religious, or state law – or seeking individual resolutions. Such choices are not solely based on personal preferences; rather, they are adaptive responses to the structural and cultural barriers that impede their access to formal channels of justice. In a legally pluralistic system imbued with gender bias, women strive to navigate the available spaces to overcome the injustices they face.

One of the primary reasons women opt for individual resolution is the perception that formal channels are fraught with obstacles. Complex bureaucratic procedures in religious or state courts, high legal costs, and social stigma deter women from pursuing these routes. Customary legal systems are not always favorable either, as final decisions are often influenced by collective patriarchal values that designate men as the primary decision-makers. Consequently, women feel trapped between social norms and legal injustices that do not provide adequate space for their voices.

For example, Informant D recounted her struggle to resolve a marital dispute individually, stating: “I chose to handle this matter on my own because the legal route is too complicated and expensive. However, the outcome was unsatisfactory. The injustice I feel persists, and I have to bear it alone” (Interview D, March 7, 2023)

Informant D’s experience demonstrates that although individual resolution allows for swift decision-making, it does not necessarily guarantee true justice. Women still endure significant emotional and social burdens without sufficient legal support.

Informant R shared a similar experience. She attempted to negotiate directly with her partner to resolve domestic conflicts, but the results were unsatisfactory. R’s account reflects the dilemma faced by many Minangkabau women – choosing between unfriendly formal systems and undertaking high-risk, uncertain individual actions. R explained:

“Negotiations with my husband never yielded the outcomes I expected. I know that the solution I reached on my own does not resolve the problem entirely, but I felt I had no other choice” (Interview R, March 9, 2023)

Individual resolution, therefore, reflects an adaptive strategy adopted by women to cope with a legally pluralistic system that is not entirely just. On one hand, this approach enables women to take control of their situations; on the other hand, it reinforces their vulnerability due to the lack of robust legal guarantees. Without institutional support, women often feel isolated and burdened both emotionally and socially. What appears to be a pragmatic individual solution ultimately perpetuates existing gender inequalities. This phenomenon reveals significant gaps in the current legal framework, wherein customary, religious, and state laws frequently fail to provide a safe and just arena for women to assert their rights. In the Minangkabau context – despite its theoretical foundation as a matrilineal society – male dominance in customary forums and patriarchal structures within religious and state legal systems continue to obstruct women’s pursuit of true justice.

This study highlights the importance of legal reforms at multiple levels. Such reforms should encompass the simplification of administrative procedures, reduction of legal costs, and transformation of social norms that continue to reinforce women’s subordinate positions. In addition, it is essential to provide training and education for legal officials and customary leaders to adopt more gender-equitable perspectives in resolving marital disputes. Beyond systemic reforms, the empowerment of women through legal education and mediation training is critical. Equipping women with the knowledge and skills to confront legal and social conflicts more effectively not only helps them manage personal disputes but also paves the way for broader social change.

While individual resolution may serve as a short-term solution for Minangkabau women facing marital disputes, without fundamental structural changes, this approach will only perpetuate existing injustices. Therefore, legal reforms and women's empowerment initiatives must progress concurrently to create a more just and inclusive system. Only through such comprehensive measures can women truly achieve the justice they seek without sacrificing their rights and dignity.

The combination of these various strategies illustrates the complex dynamics between the internalization of norms and the efforts of resistance within a framework of power asymmetry. Although adherence to norms demonstrates the limitations imposed on women by social pressures, active negotiation, formal legal resistance, and hybrid approaches provide clear evidence of women's continuous efforts to demand justice.

This study supports the view that legal consciousness is not static but rather a dynamic process that evolves through interactions between individuals and social structures (Ewick & Silbey, 1998). Furthermore, these findings enrich the literature on everyday resistance and legal pluralism in gender studies. Institutional reforms are needed not only to transform formal legal procedures but also to educate society in order to reduce the stigma against women who challenge existing norms. In addition, strengthening informal negotiation forums—such as customary mediation with a gender perspective—can serve as a strategic measure.

Government and related agencies should enhance support for women through policies that facilitate active participation in negotiation processes and provide stronger legal protection for those opting for formal resistance. Community-based legal education programs focusing on women's empowerment should be prioritized to boost legal awareness and negotiation skills. Furthermore, enhancing the capacity of customary and religious institutions to adopt gender justice perspectives will help transform informal forums into more inclusive and equitable spaces.

In conclusion, this study demonstrates that women's adaptive strategies are multifaceted responses to unequal power structures. Although the available options may appear limited, active negotiation, formal legal resistance, and hybrid approaches provide tangible evidence of women's desire for profound social change. This research supports the view that legal consciousness is dynamic and evolves through the interaction between individuals and social structures, thereby enriching the literature on everyday resistance and legal pluralism in gender studies.

Conclusion

This study affirms that although the Minangkabau matrilineal structure holds significant potential to protect women's rights, the actual implementation of these principles in the context of marital disputes remains far from satisfactory. Women in Minangkabau society are frequently caught in a plural legal system, wherein various institutions—whether customary courts, religious courts, state courts, or individual negotiations—present pathways laden with diverse structural and cultural obstacles. Each institution, despite playing its own role, often exacerbates the deeply ingrained gender inequality within the community. The interview data reveal the formidable social pressures and traditional values that constitute major barriers for women in their pursuit of justice. Although many women exhibit considerable courage by actively engaging in negotiations or even opting for formal legal channels to demand justice, they often incur high social risks and immeasurable emotional costs. In many cases, fear of social stigma, feelings of shame, and concerns over the long-term impact on their social status and relationships render these actions a last resort, even as disparities in rights and injustice persist.

This study calls upon all stakeholders—policy makers, academics, and legal practitioners—to reexamine the mechanisms for resolving marital disputes in Minangkabau society. A transformative approach is needed, one that not only reforms the formal procedures of dispute resolution but also overhauls the long-entrenched social and cultural paradigms that underpin societal order. Without fundamental changes in societal perceptions of gender and the existing social structure, gender justice will remain an elusive goal. Therefore, it is crucial to harness the potential of customary institutions in

supporting such change. If these institutions can function as agents of change rather than merely as custodians of tradition, they could serve as vital pillars in introducing a more equitable and just paradigm for women. With an inclusive approach – encompassing legal, social, and cultural dimensions – it is hoped that true gender justice, not merely as a discourse but as a tangible reality enjoyed by every woman striving for her rights and dignity, can be achieved. Moving forward, a collaborative effort among customary communities, legal institutions, and relevant stakeholders is essential to realize a more inclusive transformation that truly champions justice.

Acknowledgement

We would like to thank all those who helped in the process of researching, writing, and publishing this article.

Conflict of Interest

The author declares that there is no conflict of interest.

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