

Mubadalah Masculinity As A Legal-Analytical Framework: Reconstructing Sexual Violence Prevention In The Indonesian Legal System

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Abstract

This article develops Mubadalah Masculinity as a legal-analytical framework for examining sexual-violence prevention in Indonesia, rather than merely as a normative slogan or policy programme. The study addresses a gap between three bodies of scholarship that have largely developed separately: feminist and masculinities-oriented legal theory, gender-transformative violence prevention, and Islamic reciprocity (qira'ah mubadalah). Using normative legal research with statutory, conceptual, feminist-jurisprudential, and maqāṣid al-sharī'ah approaches, the analysis examines the Sexual Violence Crime Law and its implementing regulations together with selected international and Indonesian scholarship. The analytical procedure consists of four stages: mapping the preventive legal architecture, identifying assumptions about gender and power embedded in legal norms, comparing competing masculinity frameworks, and testing Mubadalah Masculinity through four juridical dimensions anti-domination, reciprocal subjecthood, institutional translation, and victim-centred accountability. The article argues that existing Indonesian law has progressively institutionalised prevention but does not yet provide a coherent analytical vocabulary for interrogating the production of masculine power within legal institutions and social relations. Mubadalah Masculinity contributes to legal scholarship by translating reciprocity from an Islamic ethical principle into a juridical lens for evaluating whether prevention rules redistribute power, recognise women and vulnerable groups as rights-bearing subjects, transform institutional practices, and remain accountable to victims. Its originality therefore lies primarily in conceptualising masculinity as an object of legal analysis and normative reconstruction, while policy implications are treated as a secondary consequence of that theoretical contribution.

Keywords: Sexual Violence; Mubadalah Masculinity; Masculinities and Law; Feminist Legal Theory; Gender-Transformative Prevention.

Abstrak

Penelitian ini mengembangkan Maskulinitas Mubadalah sebagai kerangka analitis hukum untuk menelaah pencegahan kekerasan seksual di Indonesia, bukan semata-mata sebagai slogan normatif atau program kebijakan. Penelitian ini berangkat dari kesenjangan antara tiga rumpun literatur yang selama ini cenderung berkembang secara terpisah, yaitu teori hukum feminis dan kajian masculinities and law, pendekatan gender-transformative prevention, serta etika kesalingan dalam *qira'ah mubadalah*. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, feminis-yuridis, dan *maqasid al-syari'ah*. Analisis dilakukan melalui empat tahap: pemetaan arsitektur hukum pencegahan, identifikasi asumsi gender dan relasi kuasa di dalam norma, perbandingan antar-kerangka maskulinitas, dan pengujian Maskulinitas Mubadalah melalui empat dimensi yuridis, yakni anti-dominasi, kesalingan subjek, translasi institusional, dan akuntabilitas berbasis korban. Kajian menunjukkan bahwa hukum Indonesia telah semakin progresif dalam menginstitusikan pencegahan, tetapi belum memiliki kosa kata analitis yang koheren untuk menguji bagaimana kuasa maskulin diproduksi, dinormalisasi, atau dibatasi oleh norma dan institusi hukum. Kontribusi orisinal artikel ini terletak pada transformasi kesalingan dari prinsip etika Islam menjadi lensa yuridis untuk menilai apakah kebijakan pencegahan benar-benar mendistribusikan ulang relasi kuasa, mengakui perempuan dan kelompok rentan sebagai subjek hak, mengubah praktik kelembagaan, dan mempertahankan akuntabilitas kepada korban. Dengan demikian, rekomendasi kebijakan diposisikan sebagai implikasi sekunder dari kontribusi teoretis tersebut.

Kata Kunci: Kekerasan Seksual; Maskulinitas Mubadalah; Maskulinitas Dan Hukum; Teori Hukum Feminis; Pencegahan Transformatif.

INTRODUCTION

Sexual violence in Indonesia can no longer be understood merely as an individual crime arising from the perpetrator's moral deviance. It is a layered socio-legal phenomenon that operates through unequal power relations, gender stereotypes, victim-blaming cultures, the normalisation of sexual jokes, silencing in the name of family honour, and institutional mechanisms that often respond only after victims have suffered physical, psychological, social, economic, and spiritual harm. Prevention policy therefore cannot be formulated solely as prohibitions backed by criminal sanctions. Prevention must be directed towards changing how society constructs meanings around the body, consent, power, manhood, male authority, and relations between men and women. It is in this context that the concept of Mubadalah Masculinity becomes significant, because it offers a religious and social interpretive framework that rejects domination, affirms reciprocity, and calls on men to become ethical subjects who respect human dignity.

The need for such reconstruction becomes even more urgent when viewed against national data trends. Komnas Perempuan (the National Commission on Violence Against Women) recorded 376,529 cases of

gender-based violence against women during 2025, an increase of 14.07 per cent from the previous year. The report also emphasised that violence against women is not an individual occurrence but a structural problem rooted in unequal gendered power relations. In the preceding year, Komnas Perempuan's Annual Notes (CATAHU) recorded 330,097 cases in 2024, an increase of 14.17 per cent, indicating a recurring pattern that cannot be addressed through case-responsive policies alone. These figures should not be read as capturing the total reality of violence, because sexual violence has a latent character: victims often do not report because of shame, fear of being blamed, concern about losing employment, fear of divorce, or distrust of law-enforcement officials and educational institutions. Official data therefore reveal two realities simultaneously: greater willingness to report and the continuing breadth of social roots of violence that have yet to be addressed systematically.¹

At the global level, sexual violence is also a human-rights and public-health problem. WHO reports that violence against women remains one of the most widespread forms of human-rights violation, with consequences for reproductive health, mental health, economic participation, and victims' social safety. A global study in *The Lancet* on the prevalence of intimate-partner violence shows that gender-based violence is not a problem confined to particular states but a cross-cultural phenomenon shaped by gender norms, power structures, and victims' access to protection. This global experience is important for Indonesia because it demonstrates that effective legal policy always requires a combination of criminalisation, victim protection, transformation of social norms, and consistent public education. Criminal law can punish perpetrators, but cultural transformation requires longer-term, more measurable, and more courageous policy efforts that directly address constructions of masculinity harmful to men, women, children, persons with disabilities, and other vulnerable groups.²

¹ Farda Fahira, Ratu Majidah Qonitah, And Ika Arinia Indriyany, "The Role Of Patriarchal Norms In Addressing Cyber Sexual Violence Under Article 14 (Tpks Law No. 12 Of 2022)," *Jurnal Media Akademik (Jma)* 4, No. 5 (2026): 1–29, <https://doi.org/10.62281>; Komnas Perempuan, "Lembar Fakta Catatan Tahunan Komnas Perempuan Tahun 2025: Memperkuat Data, Mengatasi Kerentanan, Mendesak Negara Bersikap Untuk Keadilan Korban" (Jakarta, 2026).

² Lynnmarie Sardinha et al., "Global, Regional, and National Prevalence Estimates of Physical or Sexual, or Both, Intimate Partner Violence against Women in 2018," *The Lancet* 399, no. 10327 (2022): 803–13, [https://doi.org/10.1016/S0140-6736\(21\)02664-7](https://doi.org/10.1016/S0140-6736(21)02664-7); World Health Organization, *Violence against Women Prevalence Estimates, 2018: Global, Regional and National Prevalence Estimates for Intimate*

Normatively, Indonesia entered an important phase with the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (UU TPKS). The Law provides a more comprehensive framework because it regulates not only categories of criminal offences but also prevention, response, protection, recovery, coordination, international cooperation, and public participation. The Government subsequently issued several implementing regulations, including Presidential Regulation No. 9 of 2024 on the Implementation of Education and Training for the Prevention and Handling of Sexual Violence Crimes, Government Regulation No. 27 of 2024 on Coordination and Monitoring of the Implementation of Prevention and Handling of Victims of Sexual Violence Crimes, and Government Regulation No. 30 of 2025 on the Prevention of Sexual Violence Crimes and the Handling, Protection, and Recovery of Victims. These developments demonstrate that the state has recognised prevention as a legal obligation rather than merely a moral programme or seasonal campaign.³

These normative advances, however, do not automatically guarantee substantive change. Many prevention policies still stop at public outreach, seminars, banners, formal reporting mechanisms, or the establishment of task forces. Such measures are important, but they risk becoming merely administrative unless accompanied by a paradigm shift. Prevention based only on communicating prohibitions tends to assume that society already shares an equal understanding of consent, power relations, workplace relations, family relationships, and educational authority. In many cases, however, sexual violence occurs precisely because perpetrators feel entitled, stronger, more senior, more morally authoritative, more knowledgeable, or more powerful. The central problem therefore lies not only in ignorance of legal rules but also in social constructions that legitimise domination and present it as normal.

Universities and educational institutions provide an important example. Regulation of the Minister of Education, Culture, Research and Technology No. 30 of 2021 created an institutional framework for the prevention and handling of sexual violence in higher education,

Partner Violence against Women and Global and Regional Prevalence Estimates for Non-Partner Sexual Violence against Women (World Health Organization, 2021).

³ Presiden Republik Indonesia, “Peraturan Presiden Republik Indonesia Nomor 9 Tahun 2024 Tentang Penyelenggaraan Pendidikan Dan Pelatihan Pencegahan Dan Penanganan Tindak Pidana Kekerasan Seksual” (2024); Presiden Republik Indonesia, Peraturan Presiden Republik Indonesia Nomor 12 Tahun 2022 Tentang Tindakan Pidana Kekerasan Seksual.

including the establishment of PPKS Task Forces. Regulation No. 55 of 2024 subsequently broadened the policy horizon from sexual violence to the prevention and handling of violence in higher-education environments, including physical and psychological violence, bullying, intolerance, discrimination, and violence based on information technology.⁴ This change strengthens an ecosystem approach, but at the same time requires a new conceptual framework so that sexual violence is not obscured within an overly broad category of violence. Here, Mubadalah Masculinity can operate as an organising principle to ensure that educational policy does more than formally comply with regulation and instead transforms social relations in classrooms, student organisations, religious organisations, off-campus activities, and digital interaction.

International research shows that prevention of gender-based violence is stronger when men and boys are engaged in transformative ways rather than treated merely as targets of prohibition. The systematic review by Pérez-Martínez and colleagues found that educational programmes addressing hegemonic masculinities, positive masculinities, and gender-transformative approaches are highly relevant to preventing gender-based violence among young people. Daoud and colleagues likewise show that the promotion of positive masculinities can be developed through multicountry concept mapping that links changes in norms with community roles, institutions, and intergenerational relations. These findings align with Indonesia's need to develop policies that do not speak only to victims, but also intervene in social subjects who have often been accorded patriarchal privilege and socialised to perceive control as a sign of manhood.⁵

The concept of positive masculinities cannot be mechanically transplanted into the Indonesian context. It must be translated into social, legal, and religious vocabularies that can be accepted within a plural

⁴ Menteri Pendidikan, Kebudayaan, Riset, Dan Teknologi Republik Indonesia “Peraturan Menteri Pendidikan, Kebudayaan, Riset, Dan Teknologi Republik Indonesia Nomor 55 Tahun 2024 Tentang Pencegahan Dan Penanganan Kekerasan Di Lingkungan Perguruan Tinggi” (2024).

⁵ Nihaya Daoud et al., “Promoting Positive Masculinities to Address Violence against Women: A Multicountry Concept Mapping Study,” *Journal of Interpersonal Violence* 38, no. 9–10 (2023): 6523–52, <https://doi.org/10.1177/08862605221134641>; Vanesa Pérez-Martínez et al., “Positive Masculinities and Gender-Based Violence Educational Interventions among Young People: A Systematic Review,” *Trauma, Violence, & Abuse* VOL.24, No. 2 (2023): 468–86, <https://doi.org/10.1177/15248380211030242>.

society. In Indonesia, religion has a strong influence on the formation of family, educational, and community ethics. Consequently, narratives of sexual-violence prevention that rely exclusively on the language of positive law may sometimes be perceived as cold, elitist, or even suspected of advancing an agenda contrary to religious values. The concept of mubadalah offers an important bridge. Faqihuddin Abdul Kodir explains *qira'ah mubadalah* as a reciprocal mode of reading that positions men and women as equal subjects entitled to *maṣlaḥah* and protection from *mafsadah*. Applied to masculinity, mubadalah shifts manhood from domination to shared responsibility, from control to respect, and from illusory honour to relational welfare.⁶

In the context of sexual violence, Mubadalah Masculinity may be defined as an ethical construction of manhood that rejects power over other people's bodies, recognises women as full subjects, respects consent, shares care and domestic labour, challenges male cultures that demean victims, and actively builds safe spaces within families, universities, pesantren, workplaces, and digital communities. This definition differs from protective masculinity, which continues to position women as objects to be guarded by men. Mubadalah Masculinity does not stop at the slogan of protecting women; it requires transformation of the relationship itself: women do not belong to families, partners, teachers, superiors, or institutions; they are dignified subjects whose rights must be respected. Men are not expected to become patriarchal heroes, but equal partners within an ethic of reciprocity.⁷

Although the literature on sexual violence, positive masculinities, and mubadalah has developed rapidly, an important theoretical gap remains inadequately addressed. Studies of the Sexual Violence Crime Law generally focus on criminalisation, evidence, victims' rights, recovery, and implementation problems; studies of positive masculinities and gender-transformative prevention have developed primarily in public health, education, and community intervention; while mubadalah scholarship has largely operated within Qur'anic interpretation, family relations, religious education, and the ethics of reciprocity. The intersection of these three bodies of literature has not been sufficiently developed into a legal theory capable of explaining how

⁶ Faqihuddin Abdul Kodir, *Qira'ah Mubadalah* (IRCiSoD, 2021).

⁷ M Afiquil Adib and Natacia Mujahidah, "Konsep Mubadalah Faqihuddin Abdul Kodir Dan Formulasinya Dalam Pola Pengasuhan Anak," *FOKUS Jurnal Kajian Keislaman Dan Kemasyarakatan* VOL.6, No. 2 (2021): 171–90, <https://doi.org/10.29240/jf.v6i2.3412>.

legal norms, institutions, and practices produce, negotiate, and potentially transform masculinity. The research gap of this article is located precisely here: not in the absence of programmes engaging men, but in the absence of a legal-analytical category that connects critiques of masculine power with a principle of reciprocity contextualised for Indonesian Muslim society.⁸

On the basis of this gap, the article advances two research questions. First, to what extent has Indonesia's legal architecture for preventing sexual violence intervened in power relations and constructions of masculinity, rather than merely regulating institutional responses after risks of violence have emerged? Second, what added value does Mubadalah Masculinity offer when compared with hegemonic masculinity, positive masculinities, gender-transformative prevention, and masculinities-oriented feminist legal theory in analysing and reconstructing the law of sexual-violence prevention? The second question is important because scientific novelty cannot be established merely by introducing a new term; the concept must demonstrate explanatory and evaluative functions and juridical consequences that differ from those offered by existing frameworks.

This article argues that Mubadalah Masculinity can be constructed as a legal-analytical category if it performs four functions. First, a diagnostic function that identifies norms and practices sustaining masculine domination. Second, a normative function that positions men and women as equal and mutually responsible legal subjects without ignoring actual inequalities of power. Third, an institutional function that translates reciprocity into the design of authority, training standards, supervision, and evaluation. Fourth, an accountability function that ensures the engagement of men does not displace attention from victims' rights and experiences. With this formulation, the article's principal contribution is theoretical and juridical; the policy model discussed below is an implication of the analytical framework rather than the ultimate objective of the study.

Theoretical Position: Masculinity, Law, and Reciprocity

In the theory of hegemonic masculinity, masculinity is understood not as a biological characteristic of men, but as a configuration of gender practices that acquires a historically and institutionally dominant position. Connell and Messerschmidt emphasise that the concept must be understood dynamically and relationally and should not be reduced to

⁸ Ann C McGinley, *Masculinities Theory as Impetus for Change in Feminism and Law*, 2021, <https://doi.org/10.1093/oxfordhb/9780197519998.013.11>.

a list of personality traits. For legal scholarship, the implication is significant: law does not merely respond to violence committed by individuals, but may also participate in shaping behavioural standards, authority, and legitimacy that make particular forms of masculinity appear normal or authoritative.⁹

Masculinities-oriented feminist legal theory then brings this problem into the legal domain by demonstrating that masculinity can operate as a structure of power, an institutional practice, and a way of doing gender that sustains privilege. The masculinities and law literature rejects the assumption that men constitute a homogeneous category and emphasises that the production of masculinity is always intertwined with class, race, religion, sexuality, age, and institutional position. This framework provides a basis for reading law as one arena in which gender is produced and contested, rather than as a neutral instrument that acts only after inequality has occurred.¹⁰

Gender-transformative prevention, meanwhile, emphasises that engagement with men is effective only when programmes explicitly critique gender norms, privilege, and structures of inequality, rather than merely asking men to be 'good' or protective. Casey and colleagues show that transformation must move beyond individual attitudinal change towards social action and institutional change. This literature is important to the present article, but it retains limitations when transposed into the Indonesian legal sphere: on its own, it does not provide a religious normative basis capable of engaging Islamic structures of authority or juridical criteria for evaluating the validity of institutional transformation.¹¹

Mubadalah Masculinity is positioned at the intersection of these three traditions. From masculinity studies it adopts a critique of domination and privilege; from feminist legal theory, attention to the production of gender by law and the need for substantive equality; from

⁹ R W Connell and James W Messerschmidt, "Hegemonic Masculinity: Rethinking the Concept," *Gender & Society* 19, no. 6 (2005): 829–59, <https://doi.org/10.1177/0891243205278639>.

¹⁰ Joanne Conaghan, *Law and Gender* (Oxford: Oxford University Press, 2013), <https://doi.org/10.1093/acprof:oso/9780199592920.001.0001>; Frank Rudy Cooper and Ann C McGinley, eds., "Masculinities and the Law: A Multidimensional Approach" (New York: New York University Press, 2012), <https://doi.org/10.18574/nyu/9780814764039.001.0001>.

¹¹ Erin Casey et al., "Gender Transformative Approaches to Engaging Men in Gender-Based Violence Prevention: A Review and Conceptual Model," *Trauma, Violence, & Abuse* 19, no. 2 (2018): 231–46, <https://doi.org/10.1177/1524838016650191>.

gender-transformative prevention, an orientation towards changing norms and institutions; and from *qira'ah mubadalah*, a principle of reciprocity that positions men and women as moral-legal subjects equally entitled to *maṣlaḥah* and protection from *mafsadah*. Its theoretical added value lies in making reciprocity not merely an interpersonal ethic but a criterion for evaluating legal structures that distribute power.

Table 1. Comparison of the Theoretical Framework of Masculinity and Its Relevance to Research

Framework	Primary Object of Analysis	Strength	Limitation for This Study
Hegemonic masculinity	Hierarchy and legitimization of dominant forms of masculinity	Explains the reproduction of gendered power	Not specifically designed as a framework for evaluating Indonesian legal doctrine
Positive masculinities	Non-violent masculine attitudes and practices	Offers alternative forms of male behaviour	Risks becoming individually normative if detached from analysis of power structures
Gender-transformative prevention	Transformation of gender norms, behaviour, communities, and institutions	Provides a transformative orientation and a basis for evaluating interventions	Does not automatically provide Islamic normative legitimacy or juridical categories
Masculinities and law / feminist legal theory	Relations among law, gender, privilege, and institutions	Transforms masculinity into an object of legal analysis	Requires contextualisation within Indonesia's socio-religious structures
Mubadalah Masculinity	Domination, reciprocal	Connects critiques of	A new concept that still requires

	subjecthood, institutional translation, and victim-centred accountability	power, legal theory, and contextual Islamic ethics	empirical and comparative testing across contexts
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RESEARCH METHOD

This study employs normative legal research of a doctrinal-conceptual character. This methodological choice follows from research questions directed towards normative structures, juridical categories, and theoretical construction rather than empirical measurement of social behaviour or programme effectiveness. Four approaches are integrated: a statutory approach to identify the architecture of preventive obligations; a conceptual approach to construct Mubadalah Masculinity; a feminist-jurisprudential approach to examine the relationship between law, gender, victims' experiences, and the distribution of power; and a *maqāṣid al-sharīʿah* approach to assess the orientation towards protecting dignity, life, intellect, lineage, and property. Accordingly, this study does not claim to constitute empirical socio-legal research.

Primary legal materials include Law No. 12 of 2022 on Sexual Violence Crimes, Presidential Regulation No. 9 of 2024, Government Regulation No. 27 of 2024, Government Regulation No. 30 of 2025, and relevant higher-education regulations. The status and scope of these regulations were verified through August 2026. Secondary legal materials were selected purposively from literature satisfying three criteria: direct relevance to sexual violence or gender-based prevention; a theoretical contribution to feminist legal theory, masculinities studies, gender-transformative prevention, or mubadalah; and publication in academic books, reputable journals, or verifiable institutional publications. International literature is used as a tool of conceptual comparison rather than as empirical evidence about Indonesia.

The analytical procedure consists of four replicable stages. The first is legal mapping, which maps preventive mandates, actors, coordination mechanisms, training, protection, and evaluation within the regulatory framework. The second is gender-power reading, which identifies assumptions concerning legal subjects, consent, vulnerability, and power relations embedded in legal norms. The third is comparative conceptual analysis comparing hegemonic masculinity, positive masculinities, gender-transformative prevention, masculinities-oriented feminist legal theory, and *qira'ah mubadalah*. The fourth is normative synthesis, which tests Indonesia's legal architecture through four

dimensions of Mubadalah Masculinity: anti-domination, reciprocal subjecthood, institutional translation, and victim-centred accountability. The findings are presented as doctrinal-conceptual arguments and are not generalised as evidence of empirical effectiveness.

To maintain the limits of inference, the article distinguishes three types of claims. Doctrinal claims are grounded in regulatory texts; theoretical claims are based on dialogue across the literature; and claims concerning implementation problems are made only insofar as they are supported by the cited secondary empirical studies. This distinction is important so that the Mubadalah Masculinity model is not presented as a policy already proven effective, but as a theoretical-juridical proposition that requires subsequent field testing.

RESULTS AND DISCUSSION

Mubadalah Masculinity as a Legal-Analytical Framework

Mubadalah Masculinity is constructed from a critique of hegemonic masculinity and from the need to conceptualise male subjects who do not reproduce violence. Hegemonic masculinity positions the ideal man as dominant, strong, unemotional, entitled to control, and able to derive honour from the obedience of others. In social life, this form does not always appear overtly coercive. It may be expressed through jokes that demean women, control over a partner's clothing, restrictions on victims' activities, legitimization of seniority on campus, unquestionable authority of teachers or religious figures, and the normalisation of sexual coercion within marriage. Preventing sexual violence therefore requires intervention in the ways masculinity is learned, celebrated, and sustained. The gender-transformative prevention literature shows that changes in masculine norms should be directed towards empathy, responsibility, equality, rejection of violence, and men's willingness to challenge male peer cultures that tolerate violence.¹²

Mubadalah provides a normative basis closer to the Indonesian context because it employs the language of reciprocity. In *qira'ah mubadalah*, men and women are equally subjects of moral messages, equally entitled to *maṣlaḥah*, and equally obliged to avoid *mafsadah*. This principle is important for challenging social interpretations that place the burden of maintaining morality on women, as though women

¹² Ariadna Cerdán-Torregrosa, Daniel La Parra-Casado, and Carmen Vives-Cases, "'If You Do Not Fit in with the Stereotype, They Eat You Alive': Discourses of Masculinities and Their Reflections in Young Spanish Men's Health," *Qualitative Health Research* VOL.32, No. 2 (2022): 225–37, <https://doi.org/10.1177/10497323211050052>.

were responsible for men's sexual desire. The mubadalah perspective shifts the centre of responsibility: men are obliged to exercise self-restraint, respect the bodies of others, and refrain from using social power as a basis for exploitation. Scholarship on mubadalah and sexual consent emphasises that this approach can bridge religious and legal norms by foregrounding respect, consent, and ethical responsibility in sexual relations.¹³ Mubadalah Masculinity comprises four elements.

First, equal subjecthood: recognition that women, children, persons with disabilities, and vulnerable groups are not objects of paternalistic protection but holders of rights. Second, meaningful consent: rejection of all forms of coercion, manipulation, deception, abuse of power, or exploitation of economic and educational dependency. Third, men's social responsibility: a moral obligation to prevent violence, challenge other men, and refuse to benefit from patriarchal privilege. Fourth, relational recovery: alignment with victims, ending stigma, and rebuilding safe spaces. These four elements need not remain at the level of moral discourse; they can be translated into curriculum content, training standards, programme indicators, and policy-evaluation guidelines.

Mubadalah Masculinity also differs from the narrative of the male protector. Protective narratives may be useful in certain contexts, but they carry a paternalistic risk because women remain positioned as parties protected by male power. If prevention is constructed only as protection by good men of weak women, patriarchal structures remain fundamentally unchanged. Mubadalah Masculinity requires recognition that women's safety must not depend on men's benevolence but must be guaranteed by law, culture, institutions, and just social relations. Men participate not because they possess authority over women, but because they are citizens, family members, educators, workers, community leaders, and legal subjects obliged to respect human dignity.

In public policy, the concept can be translated across three levels. At the normative level, Mubadalah Masculinity encourages prevention to be defined as transformation of power relations rather than simply dissemination of information. At the structural level, it requires preventive institutions to engage men as participants in change, not merely as subjects threatened with sanctions. At the cultural level, it

¹³ Slamet Firdaus, Septi Gumindari, and Ilman Nafi'a, "Mubadalah and Sexual Consent Education: Bridging Religious Norms & Legal Perspective on Sexual Violence Prevention," *Jurnal Penelitian* VOL.21, No. 2 (2024): 245–57, <https://doi.org/10.28918/jupe.v21i2.9249>.

directs public campaigns towards dismantling everyday language that demeans victims, blames clothing, treats coercion within marriage as a private matter, or dismisses harassment as humour. In this way, Mubadalah Masculinity becomes a concept that can be measured through behavioural and institutional indicators.

Analytical operationalisation is necessary so that the concept does not stop at ethical description. The following four dimensions are used to test legal norms and institutions. The anti-domination dimension assesses whether law recognises and constrains abuses of power. The reciprocal-subjecthood dimension assesses whether women and vulnerable groups are positioned as rights holders with decision-making capacity rather than as objects of paternalistic protection. The institutional-translation dimension examines whether equality is translated into authority, curricula, service standards, budgets, and oversight. The victim-centred accountability dimension assesses whether the engagement of men and prevention strategies remain subordinate to victims' safety, voices, and rights to recovery.

Table 2. Operationalization of the Mudarabah Dimension of Masculinity in Juridical Analysis

Dimension	Analytical Question	Juridical Indicator
Anti-domination	Does the norm recognise and constrain power relations that enable violence?	Prohibition of abuse of power; consent standards; regulation of conflicts of interest; protection against retaliation
Reciprocal subjecthood	Are all parties positioned as rights-bearing subjects without paternalism?	Substantive equality; meaningful participation; accessibility; recognition of victims' capacity
Institutional translation	Are gender principles translated into institutional structures and procedures?	Authority; training; budget; SOPs; coordination; monitoring

Victim-centred accountability	Is success measured by victims' safety and experience?	Confidentiality; non-retaliation; victim evaluation; recovery; oversight mechanisms
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Theoretical Distinction and Added Value of Mubadalah Masculinity

Theoretically, Mubadalah Masculinity is not identical to positive masculinities. Positive masculinities primarily offer alternative non-violent masculine figures or practices, whereas Mubadalah Masculinity is directed towards testing legal relations: who holds authority, who is believed, who bears risk, and how institutional power is distributed. This distinction is important so that the analysis does not become trapped in a moral project of producing 'good men', but instead moves towards the juridical question of how law limits privilege and transforms structures that enable violence.

Compared with gender-transformative prevention, Mubadalah Masculinity shares a critique of gender norms and the need for institutional transformation. The concept proposed here, however, adds two layers of analysis. First, a legal-jurisprudential layer that asks how law itself produces gender categories and power relations. Second, an Islamic relational-ethics layer that translates reciprocity, *maṣlaḥah*, and the rejection of *mafsadah* into the language of rights, obligations, and institutional accountability. The concept is therefore not intended to replace empirical evidence from gender-transformative interventions, but to provide a juridical instrument for evaluating and contextualising such interventions.

Critique is also necessary to prevent the concept from becoming essentialist. Not all men enjoy the same privileges, and not all women experience vulnerability in identical ways. Class, age, disability, sexual orientation, occupational position, religious authority, and social status can alter how masculinity operates. 'Mubadalah Masculinity' must therefore be used as a relational and multidimensional framework rather than as a single moral identity imposed on all men. This approach aligns with developments in masculinities and law that reject homogeneous gender categories and require attention to layered contexts of power.¹⁴

¹⁴ Ann C McGinley and Frank Rudy Cooper, "Introduction: Masculinities, Multidimensionality, and Law: Why They Need One Another," in *Masculinities and the Law: A Multidimensional Approach* (New York: New York University Press, 2012), 1–22.

Analytical Test of Indonesia's Legal Architecture for the Prevention of Sexual Violence

The Sexual Violence Crime Law provides an important foundation by incorporating prevention into the broader system for addressing sexual violence. Its substance reflects a paradigm shift from an exclusively penal approach towards a more comprehensive framework. Prevention, response, protection, and recovery are no longer rigidly separated. This corresponds to the nature of sexual violence, which damages multiple dimensions of victims' lives. Yet when these norms are translated into implementation, prevention is still often understood as an informational rather than transformative activity. Central and regional governments may conduct outreach, prepare educational materials, establish service posts, or organise training, but gender norms do not automatically change when policy content fails to address the roots of patriarchy. Government Regulation No. 30 of 2025 in fact creates substantial space for reconstruction because it regulates the prevention of sexual violence crimes together with the handling, protection, and recovery of victims in a more integrated manner. It also affirms that central and regional governments must implement prevention rapidly, cohesively, and in an integrated manner while ensuring accessibility for children, persons with disabilities, and older persons. At this point, Mubadalah Masculinity can operate as a principle for shaping programme content, methods, and indicators. The state's preventive obligation should not be assessed merely by the number of activities conducted, but by programmes' capacity to transform social understandings of the body, power, consent, and relations between men and women.¹⁵ Presidential Regulation No. 9 of 2024 is likewise strategic because it regulates education and training for the prevention and handling of sexual violence crimes for law-enforcement personnel, government service providers, and community-based service providers. In practice, however, training for officials often becomes confined to procedural knowledge transfer: how to receive reports, prepare official records, refer victims, or preserve confidentiality. All of these matters are important, but they are insufficient. Officials and service providers must also be trained to recognise masculine biases within themselves, such as tendencies to question a victim's morality, treat dating relationships as permanent consent, regard marriage as justification for

¹⁵ Presiden Indonesia, “Undang-Undang Republik Indonesia NOMOR 12 TAHUN 2022 TENTANG TINDAK PIDANA KEKERASAN SEKSUAL” (n.d.).

sexual access, or view mediation as a neutral solution even when it may prolong pressure on victims.¹⁶

At the higher-education level, the transition from Regulation of the Minister of Education, Culture, Research and Technology No. 30 of 2021 to No. 55 of 2024 reflects an attempt to broaden the safe-campus ecosystem. Angraini's study indicates that this policy shift is important because the prevention of violence in higher education needs to be understood more comprehensively rather than being limited to sexual violence. Yet the expansion of categories also requires caution so that sexual violence is not obscured. Sexual violence has distinctive characteristics involving the body, consent, stigma, power relations, and often invisible trauma. Campus policies should therefore retain specific modules addressing masculinity, lecturer-student power relations, student organisations, campus religious activities, technology-facilitated violence, and cultures of seniority.¹⁷

Implementation studies also reveal institutional challenges. Pambudi, Sutrisno, and Rivai found that implementation of sexual-violence prevention and response policies in higher education faces problems of resources, institutional understanding, coordination, and consistency. In the context of religious higher-education institutions, Dani and colleagues emphasise the need to strengthen task-force capacity, leadership support, and institutional strategies that move beyond formality. These findings are relevant to reconstruction because Mubadalah Masculinity will not work if it is merely inserted as terminology in official documents. It requires implementing structures, budgets, training methods, monitoring, and mechanisms for victim feedback.¹⁸

Indonesia's policy landscape reveals a paradox. On the one hand, legal norms are increasingly comprehensive. On the other, prevention policy remains vulnerable to administrative formalism, sectoral

¹⁶ Presiden Indonesia, Peraturan Presiden Republik Indonesia Nomor 9 Tahun 2024 Tentang Penyelenggaraan Pendidikan Dan Pelatihan Pencegahan Dan Penanganan Tindak Pidana Kekerasan Seksual.

¹⁷ Peggy Dian Septi Nur Angraini, "Violence Prevention Policy in Higher Education: Comparative Study of Permendikbudristek Number 30 of 2021 and Number 55 of 2024," *LEGAL BRIEF* VOL.14, No. 2 (2025): 184–94, <https://doi.org/10.35335/legal.v14i2.1278>.

¹⁸ Akhmad Anwar Dani et al., "Challenges and Strategies in the Implementation of Sexual Violence Prevention and Response Task Forces in Religious Higher Education Institutions in Indonesia," *Khazanah Sosial* 7, no. 2 (2025): 506–23, <https://doi.org/10.15575/ks.v7i2.46385>.

fragmentation, and incomplete transformation. This gap does not mean that the Sexual Violence Crime Law has failed; rather, it demonstrates the need to strengthen policy direction. The reconstruction proposed in this article does not seek to replace the Law, but to develop a policy interpretation that directs prevention towards the social roots of sexual violence, including masculinities built upon power, control, and silencing.¹⁹

When tested through the four analytical dimensions, the doctrinal findings reveal a pattern that is not entirely uniform. The anti-domination dimension has a relatively strong legal basis through recognition of power relations, forms of sexual violence, and duties of prevention and protection. Reciprocal subjecthood has also developed through the orientation towards victims' rights and the accessibility needs of vulnerable groups. Institutional translation, however, still depends heavily on the quality of implementation, while victim-centred accountability is not always the principal measure of prevention-programme success. This finding more precisely identifies the legal gap that Mubadalah Masculinity seeks to address: not simply an absence of norms, but the need for an interpretive principle linking transformation of power relations to institutional design and evaluation.

Critique of the Continuing Repressive-Curative Prevention Paradigm

The first weakness is the dominance of an after-the-event paradigm. Many institutions act only after a report has been made, a case has gone viral on social media, or public pressure has emerged. Under such conditions, prevention is reduced to reputation management. Institutions tend to ask how to prevent a case from attracting attention rather than how to keep victims safe and prevent recurrence. This paradigm is dangerous because it strips prevention of its meaning. Prevention should operate before violence occurs through transformation of relationships, risk identification, creation of safe spaces, repeated training, and habituation to an ethic of reciprocity. If prevention remains merely an appendix to case handling, policy will continue to lag behind violence.

The second weakness is formalistic bias. Institutions often measure success through documents: whether there is a task-force decree, an SOP,

¹⁹ Eko Nurisman, "Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022," *Jurnal Pembangunan Hukum Indonesia* VOL.4, No. 2 (2022): 170–96, <https://doi.org/10.14710/jphi.v4i2.170-196>.

a banner, attendance sheets for training, and a complaints account. These indicators are important as initial requirements, but they do not prove cultural change. A university may have a task force while students remain afraid to report because the perpetrator is an influential lecturer. A pesantren may have internal rules while students remain reluctant to disclose their experiences for fear of being accused of damaging the institution's reputation. A workplace may have a code of ethics while female workers remain silent because their contracts depend on a superior. Prevention policy therefore needs substantive indicators such as perceived safety, knowledge of consent, bystander willingness to intervene, trust in services, and reduced normalisation of sexual jokes.

The third weakness is the absence of a deep strategy for engaging men. In many campaigns, men are told simply not to commit violence. The message is correct but too minimal. Prevention requires men to become agents of change who actively reject violence within their own social circles. Research on positive masculinity in Indonesia indicates that men's roles can be directed towards caregiving involvement, preparation for pregnancy and childbirth, and healthy family relationships as part of preventing violence from within the home. This is important because sexual violence often begins with relational learning in the family: children observe whether fathers respect mothers, whether domestic work is shared, whether men may express emotion without violence, and whether other people's bodily boundaries are respected.²⁰

The fourth weakness is insufficient integration between state law and the moral-religious language of society. In many communities, legal rules do not automatically become the principal moral guide. Religious figures, parents, teachers, ustaz, kiai, priests, customary leaders, and community leaders exert considerable influence in shaping boundaries between right and wrong. If prevention messages are expressed only through the language of criminal law, some communities may respond defensively. Yet when religious language is used without a victim-centred and equality-based perspective, it can become another form of control over women. Mubadalah Masculinity can provide a meeting point: it remains rooted in religious values while directing those values towards reciprocity, protection of dignity, and respect for consent.

²⁰ Selvy Anggriani Syarif and Iin Mutmainnah, "Positive Masculinity: Men's Efforts to Eliminate Sexual Violence from the Home," *Yinyang: Jurnal Studi Islam Gender Dan Anak* VOL.19, No. 1 (2024): 83–108, <https://doi.org/10.24090/yinyang.v19i1.10881>.

The fifth weakness is the disconnection between offline and online prevention. Sexual violence now occurs in digital spaces through threats to disseminate intimate content, message-based harassment, image manipulation, sexual doxing, extortion within intimate relationships, and cultures of body-degrading commentary. Prevention policy often remains focused on physical spaces, even though digital spaces produce new masculinities through online forums, non-consensual pornographic content, misogynistic humour, and influencers who market domination as a male identity. Policy reconstruction must therefore include mubadalah-based digital literacy: respect for consent in online communication, prohibition of taking or disseminating sexual content without permission, and men's responsibility not to consume or circulate technology-facilitated abuse.

The sixth weakness is weak evaluation based on victims' experiences. Many programmes are evaluated by organisers rather than by those exposed to risk. Yet victims and vulnerable groups are best placed to know whether complaint channels are safe, task forces are trustworthy, officials behave disrespectfully, confidentiality is maintained, and recovery is genuinely accessible. Policy reconstruction must include participatory, anonymous, periodic, and safe evaluation mechanisms. The mubadalah principle requires victims to be positioned not as objects of evaluation but as subjects of knowledge. Policy that does not listen to victims can easily become a symbolic stage for institutions.

Normative Implications: From Prohibition to Transformation of Power Relations

The first reconstruction must occur at the normative level. Prevention should be defined as a series of legal, educational, social, cultural, digital, and institutional measures designed to eliminate risk factors for sexual violence, transform discriminatory gender norms, strengthen consent, and build equal relationships based on reciprocity. This definition is important because it prevents prevention from being reduced to outreach activities. From the perspective of Mubadalah Masculinity, prevention does not merely tell men not to become perpetrators; it also transforms how men understand power, honour, sexuality, emotion, and social responsibility.

Preventive norms should also incorporate the principle of reciprocity. This principle can be formulated as requiring every person in family, educational, workplace, public-service, religious-community, and digital relationships to respect the dignity, body, will, and safety of

others reciprocally. Reciprocity does not mean obscuring inequalities of power. On the contrary, it recognises that reciprocity can operate only when stronger parties do not abuse their position. Thus, in teacher-student, lecturer-student, supervisor-subordinate, religious leader-congregant, doctor-patient, or husband-wife relationships, the party with greater power bears a greater responsibility to ensure that no pressure, manipulation, or exploitation occurs.

The principle of reciprocity can be combined with the principles of the victim's best interests, non-discrimination, meaningful participation, accountability, due care, and recovery. Within a *maqāṣid al-sharī'ah* framework, it also corresponds to the protection of life, intellect, lineage, honour, and property. Sexual violence harms victims' lives through trauma, harms the intellect through psychological distress, harms honour through social stigma, harms lineage through the risk of forced pregnancy or family trauma, and harms property because victims may lose employment, education, or incur recovery costs. Preventing sexual violence is therefore an obligation grounded in *maṣlaḥah*, not an agenda contrary to religion.

Within implementing regulations, the government could require every ministry/agency and regional government to prepare a prevention action plan containing a Mubadalah Masculinity module. The module need not use identical terminology in every setting, but it should include material on power relations, consent, anti-victim-blaming, men as active bystanders, the sharing of caregiving work, digital violence, and institutional responsibility. In educational settings, it can form part of student orientation, lecturer training, character education, religious education, organisational activities, and community-service curricula. In workplaces, the module can be incorporated into human-resources training, codes of ethics, complaint mechanisms, and leadership evaluation.

Normative reconstruction also requires performance indicators for prevention. Prevention programmes are often measured only by the number of activities and participants. New indicators should capture changes in knowledge, attitudes, and practice. Examples include the percentage of participants who understand consent; the percentage of men willing to challenge sexual jokes; levels of trust in complaint channels; the number of leaders completing training; response time to reports; the number of internal policies regulating digital violence; and periodic safety surveys. These indicators should be published in aggregate form to maintain accountability without exposing victims'

identities. In this way, prevention becomes measurable policy rather than rhetoric.

Norms must also ensure that prevention does not become an instrument for controlling women. Policies that prohibit women from returning home late, restrict clothing, excessively segregate spaces, or instruct victims to avoid public spaces do not constitute transformative prevention; they merely shift the burden onto victims. Mubadalah Masculinity rejects this logic. Prevention should transform the conduct of those who may abuse power, improve unsafe systems, and ensure that victims do not lose their rights to move, study, work, worship, and participate.

Institutional Implications: Coordination, Training, and Pioneer Men's Communities

The second reconstruction concerns institutions. The Sexual Violence Crime Law and its implementing regulations provide a basis for coordination and monitoring. Yet coordination often remains an administrative term that does not guarantee programme integration. The central government should develop national prevention standards grounded in Mubadalah Masculinity, while regional governments translate them according to local context. National standards are necessary so that prevention does not depend on the personal commitment of individual officials. Such standards should allocate roles among agencies responsible for women's empowerment and child protection, education, health, labour, communications and informatics, the police, prosecution service, courts, service institutions, religious organisations, and universities.²¹

Training for officials and service providers should be transformed from one-off events into learning cycles. Presidential Regulation No. 9 of 2024 provides a framework for education and training, but training quality depends heavily on curriculum. The curriculum should include case studies, simulations for receiving reports, analysis of gender bias, the effects of trauma, ethics of communication with victims, and reflection on masculinity. Male participants should be encouraged to recognise how male culture can legitimise violence: male solidarity that conceals cases, humour that demeans women, demonstrations of manhood through sexual experience, and fear of being regarded as weak for rejecting violence. Such reflection is necessary so that training

²¹ Presiden Republik Indonesia, “Peraturan Pemerintah Republik Indonesia Nomor 27 Tahun 2024 Tentang Koordinasi Dan Pemantauan Pelaksanaan Pencegahan Dan Penanganan Korban Tindak Pidana Kekerasan Seksual Dengan,”(2022).

produces not merely procedural knowledge but changes in awareness. Prevention institutions should also develop communities of pioneer men. These communities are not intended to take over victims' spaces or recentre attention on men. Their function is to intervene in male spaces that are difficult for general campaigns to reach: informal gathering places, sports organisations, student organisations, digital communities, workplaces, religious organisations, and family environments. Pioneer men can be trained as active bystanders, discussion facilitators, service connectors, and agents who challenge misogynistic culture. To prevent tokenism, these communities should operate under accountability to victims and service institutions rather than becoming reputational platforms for men.

Within educational institutions, task forces or prevention units should include a masculinity-education division. Such a division can collaborate with lecturers in religion and law, psychologists, student organisations, student activity units, and service institutions. Activities should not be confined to large seminars. More effective programmes may include small classes, peer educators, case discussions, leadership training for student organisations, orientation modules for new students, interfaith dialogue, and sustained digital campaigns. Attala and Nurhaeni's research shows that efforts to create safe campuses require institutional strategies capable of addressing both structural and cultural barriers. Institutional reconstruction must therefore combine rules, people, budgets, and campus culture.²²

In religious communities, Mubadalah Masculinity can be contextualised through sermons, study circles, premarital classes, family education, pesantren, madrasas, and youth guidance. Prevention materials should affirm that religion does not justify sexual coercion, violence within marriage, abuse of students, misuse of teachers' authority, or silencing victims in the name of institutional reputation. Basid and Jazila's study of mubadalah and maqāṣid-oriented interpretation in responding to sexual violence demonstrates that progressive Islamic approaches can provide a basis for rejecting violence and building victim protection. This approach is important because

²² Dendi Rafif Attala and Ismi Dwi Astuti Nurhaeni, "Sexual Violence in Higher Education Institutions: Obstacles and Strategies in Creating Safe and Comfortable Campuses," *JSW (Jurnal Sosiologi Walisongo)* VOL.8, No. 2 (2024): 163–80, <https://doi.org/10.21580/jsw.2024.8.2.19362>.

communities often accept change more readily when legal language meets a moral vocabulary they understand.²³

In workplaces, institutional reconstruction must address supervisor-subordinate power relations, contract workers, interns, domestic workers, migrant workers, and informal workers. Internal policies should prohibit verbal, non-verbal, physical, digital, and quid pro quo harassment. Mubadalah Masculinity training for male leaders can emphasise that leadership does not confer power over subordinates' bodies or careers. Companies and public institutions should provide independent complaint mechanisms, protection against retaliation, recovery leave, service referrals, and workplace-culture audits. Without such mechanisms, victims often remain silent for fear of losing their livelihoods.

Policy Implications of the Mubadalah Masculinity Framework

The model proposed in this article consists of six pillars. The first is reciprocity education from an early age. Such education should teach not only biological differences or the dangers of violence, but also respect for bodily autonomy, personal boundaries, healthy emotional expression, digital responsibility, and the sharing of domestic roles. Boys need to be freed from expectations that they must be hard, dominant, and emotionally closed. Girls need to be freed from the burden of carrying family honour alone. Reciprocity education teaches that everyone has a right to safety and everyone has a duty to respect the boundaries of others.²⁴

The second pillar is reform of religious and civic-education curricula. Religious education can proportionately integrate *qira'ah mubadalah*, maqāṣid al-sharī'ah, and the ethics of consent. Civic education can connect sexual violence with the Constitution, human rights, equal citizenship, and state obligations. This approach is important so that prevention is not perceived as a sectoral women's agenda, but as education for dignified citizenship. In law classes, students should be encouraged to analyse how criminal law, family law,

²³ Abd Basid and Syukron Jazila, "A Review of the Concept of Mubadalah and Tafsir Maqashidi in Responding to the Issue of Sexual Violence," *Islamic Review: Jurnal Riset Dan Kajian Keislaman* VOL.12, No. 1 (2023): 117–32, <https://doi.org/10.35878/islamicreview.v12i1.722>.

²⁴ Claire Edwards et al., "Young People's Constructions of Gender Norms and Attitudes towards Violence against Women: A Critical Review of Qualitative Empirical Literature," *Journal of Gender Studies* VOL.33, No. 1 (2024): 100–111, <https://doi.org/10.1080/09589236.2022.2119374>.

administrative law, labour law, education law, and information-technology law interact in prevention.

The third pillar is active-bystander training. Much sexual violence takes place in environments where people nearby are in fact aware of warning signs: friends who see harassing messages, students who hear rumours about lecturers, co-workers who see supervisors propositioning subordinates, family members who know of domestic violence, or congregants who witness abuse of authority by leaders. Active bystanders should be trained to recognise risk, intervene safely, document incidents, accompany victims, and connect them with services. From the perspective of Mubadalah Masculinity, men have a particular responsibility to challenge other men because cultures of violence are often sustained through masculine solidarity.

The fourth pillar is a digital campaign against toxic masculinity. Government and educational institutions should work with content creators, journalists, religious figures, psychologists, advocates, survivors, and men's communities to produce strong digital narratives. Campaigns cannot consist merely of prohibition posters. They must challenge myths: men do not always have to dominate; jealousy is not proof of love; refusing coercion is a right; consent can be withdrawn; marriage is not permanent sexual permission; and disseminating intimate content is violence. Campaigns should also use language accessible to young people so that they are not outcompeted by misogynistic narratives that are often more visually attractive.

The fifth pillar is victim-centred safety auditing. Every institution should conduct safety-perception surveys, map high-risk locations, audit night-time activities, audit power relations, audit complaint channels, and audit case responses. Audits should involve vulnerable groups, including first-year students, pesantren students, contract workers, persons with disabilities, religious or ethnic minorities, and users of public services. Audit findings must not end as internal reports but should produce concrete improvements: lighting, accompaniment, activity SOPs, separation of case-handling functions from leaders with conflicts of interest, and external oversight mechanisms.

The sixth pillar is integration of recovery services with prevention. Victim recovery is not simply a stage after prevention has failed; it is a source of knowledge for preventing subsequent violence. Victims' experiences can identify weak points in the system: who ignored an initial report, which procedures caused further harm, which spaces were unsafe, and which norms kept victims silent. Of course, the use of

victims' experiences must be ethical, anonymous, and consensual. The principle is not to exploit victims' stories for campaigns, but to make their experiences a basis for institutional improvement.

The six-pillar model requires budgetary planning. Many prevention policies fail not because legal norms are absent, but because they are not funded. Regional governments should incorporate prevention under the Sexual Violence Crime Law into regional development planning, including funding for training, psychological services, campaigns, monitoring, and research. Universities should allocate adequate budgets to task forces. Religious institutions and civil-society organisations can develop solidarity funds for education and victim assistance. Without funding, Mubadalah Masculinity will remain an attractive concept without institutional foundations.²⁵

The model must also account for regional context. Indonesia is diverse in customary traditions, religions, languages, and community structures. In some areas customary leaders are highly influential; elsewhere pesantren, churches, universities, or labour unions play a more decisive role. National policy should therefore establish minimum standards while allowing space for regional innovation. Such space, however, must not be used to weaken victims' rights or justify discriminatory practices. Reciprocity and human dignity must form the ethical boundary of every local adaptation.

Integrating Maqāsid al-Sharī'ah and the Rule-of-Law Principle

The concept of Mubadalah Masculinity has strong relevance to maqāsid al-sharī'ah. Sexual violence constitutes mafsadah that attacks the most fundamental dimensions of human life. It can threaten life through suicide, physical injury, illness, or high-risk pregnancy.²⁶ It harms the intellect through trauma, depression, dissociation, and loss of concentration in education. It harms honour because victims are often shamed rather than restored. It harms lineage because it may result in forced pregnancy or affect family life. It also harms property because victims may lose employment or education and incur recovery costs.

²⁵ Fitha Ayun Lutvia Nitha et al., "Optimalisasi Implementasi Uu Tpk: Tantangan Dan Solusi Dalam Upaya Penghapusan Kekerasan Seksual Di Indonesia," *Masalah-Masalah Hukum* VOL.53, No. 1 (2024): 90–100, <https://doi.org/10.14710/mmh.53.1.2024.90-100>.

²⁶ Yusuf Agung Purnama et al., "Unregistered and Online Marriage in Indonesia: An Islamic Law and Legal Perspective Based on the Principle of Al-Masyaqqah Tajlibu Al-Taysīr," *Mawaddah: Jurnal Hukum Keluarga Islam* 4, no. 1 (2026): 43–67, <https://doi.org/10.52496/mjhki.v4i1.40>.

Preventing sexual violence is therefore not a peripheral issue but a core obligation of protecting *maṣlahah*.

Within a state governed by law, Mubadalah Masculinity can be understood as strengthening the principle of equality before the law. Equality does not mean treating everyone identically while ignoring inequality. Substantive equality requires the state to protect those more vulnerable to violence and to ensure that stronger parties do not abuse power. Indonesia's legal system already recognises special protection for victims, children, persons with disabilities, and vulnerable groups. Mubadalah Masculinity enriches this principle by directing men not to perceive equality as a threat to their identity, but as a pathway towards more just relationships.

The concept also strengthens constitutional democracy. Democracy is not merely an electoral procedure, but a guarantee that every citizen can live safely, express views, study, work, and participate without sexual threats. Sexual violence restricts victims' freedom in both public and private spaces. When victims are afraid to report, lose access to education, or leave employment, democracy loses part of its citizenry. Prevention grounded in Mubadalah Masculinity helps democracy operate at the everyday level: in homes, classrooms, offices, *pesantren*, social media, and streets.

Within Indonesia's legally plural context, Mubadalah Masculinity can also bridge state law, religious law, and social norms. It does not impose a single interpretation, but offers a basic principle: good relationships must be mutually respectful and non-harmful. This principle can be translated into diverse religious and cultural vocabularies. Legal pluralism, however, must not be used to justify violence or mediation that coerces victims into reconciliation. The limits of pluralism are human dignity and victims' rights.

CONCLUSION

This study shows that the central problem of preventing sexual violence in the Indonesian legal system is no longer simply the absence of a normative foundation. The Sexual Violence Crime Law and its implementing regulations have established an increasingly comprehensive architecture of prevention, coordination, education, protection, and recovery. The remaining theoretical problem concerns how law identifies and transforms the gendered power relations underlying risks of violence. Drawing on masculinity studies, feminist legal theory, gender-transformative prevention, and *qira'ah mubadalah*, this article demonstrates that masculinity should be treated as an object

of legal analysis rather than merely as a social characteristic of perpetrators.

The article's original contribution is the formulation of Mubadalah Masculinity as a legal-analytical framework with four dimensions: anti-domination, reciprocal subjecthood, institutional translation, and victim-centred accountability. The framework extends mubadalah from the sphere of relational ethics to the analysis of legal norms and institutions, while simultaneously providing an Indonesian-Islamic context for developments in masculinities and law and gender-transformative prevention. Its added value does not lie in a claim that men should protect women, but in the concept's capacity to test whether law genuinely limits privilege, recognises victims' agency, transforms institutional practice, and ensures that the engagement of men remains accountable to the objective of substantive equality.

Policy implications such as reciprocity education, bystander training, pioneer men's communities, safety audits, digital campaigns, and performance indicators should be understood as derivative consequences of the theoretical findings rather than as evidence that the model has already succeeded. Because this research is normative-conceptual, the empirical validity of Mubadalah Masculinity still requires testing through field and comparative research. This limitation also clarifies the article's position as a contribution to gender-oriented legal theory and contemporary Islamic law: it offers a conceptual instrument that can be debated, tested, and further developed in research on the prevention of sexual violence.

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