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Surrogate Mothers: A Radical Feminist Perspective and Regulation in Indonesia

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Abstract:
A surrogate mother is a woman who agrees to carry a child for a married couple in exchange for compensation. The practice of surrogacy occurs in various countries around the world, both openly and secretly. The purpose of this study is to analyze the practice of surrogate motherhood from the perspective of radical feminist theory and its regulation in Indonesian legislation. The method used is non-doctrinal, with primary data obtained from interviews with informants selected freely and secondary data. The findings of this paper show that radical feminism criticizes and rejects the practice of surrogacy, which is considered to create destructive divisions among women based on social and economic class. The regulation of surrogacy in Indonesian legislation includes the Health Law of 2009 (Amendment 2023), which has not yet been regulated, the MUI fatwa, which prohibits it, and civil law, which considers surrogacy agreements invalid. This article is expected to provide women with a perspective on the practice of surrogacy, which is not always a way out of economic problems, and on the fact that Indonesian legislation does not yet have a strong legal basis for regulating the practice of surrogacy. his study highlights the structural vulnerability experienced by surrogate mothers within patriarchal and capitalist frameworks. It also emphasizes the urgency of establishing clearer and more comprehensive legal regulations to ensure the protection of women's rights and the legal status of children born through surrogacy practices in Indonesia.

Keywords:
Feminism; mother; surrogate.

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Introduction

Everyone has the right to form a family and continue their lineage through legal marriage, where one of the purposes of marriage is to have children. The goal of having children by a husband-and-wife encounters obstacles in reality, and some have been married for years but still do not have children. This situation can occur if one or both spouses have reproductive disorders. Until now, the most common solution has been to adopt a child. However, married couples want to have children who are genetically related to them.[1] One solution to this problem is artificial insemination. If the husband or wife has an abnormality, the fertilization can be done in the wife's womb or by renting someone's womb, commonly known as *a surrogate mother.*

[1] Arinka Pinabiila Husna, Sonny Dewi Judiasih, and Deviana Yuanitasari, "Surogasi Sebagai Alternatif Untuk Melanjutkan Keturunan Dihubungkan Dengan Undang-Undang Terkait," *Jurnal Hukum Dan HAM Wara Sains* 4, no. 01 (February 2025): 118–36, https://doi.org/10.58812/jhhws.v4i01.1761.

A surrogate mother, hereinafter referred to as a "surrogate" is a woman who enters into a promise or agreement (*gestation agreement*) with a married couple.[2] This means that the surrogate is willing to carry the couple's child in exchange for a certain compensation. Basically, an act done in exchange for a certain compensation can be canceled because the agreement is against public policy. Some reasons why a person or married couple would use the services of a surrogate mother include:[3] (1) women who do not have a uterus due to medical conditions or surgical removal; (2) women who suffer from serious illnesses such as heart abnormalities that make pregnancy risky; (3) married couples who have tried assisted reproduction methods such as IVF without success; (4) same-sex couples who want to have biological children. In the case of gay couples, this is done in two ways: using a traditional surrogate mother or with an egg donor, which is then implanted into the surrogate mother through the gestational method.

According to Krestianto,[4] in order to be considered eligible as a surrogate mother, a woman must meet certain requirements, including: (1) being no older than 40 years of age; (2) being physically and mentally healthy; (3) having a healthy and strong uterus; (4) being married; (5) having at least one child; and (6) having the consent of her husband. Initially, surrogacy was only performed by married couples, but in its development, homosexuals or lesbians can also undergo this procedure. One of the reasons a mother is willing to become a surrogate mother is because of mistakes and guilt in the past. Surrogate mothers may have had abortions or come from adoptive families, so they want to help couples who do not have children and want to become unpaid *surrogates*. There are also *surrogate* mothers who choose to be surrogates without pay because they enjoy pregnancy,[5] like the changes in their bodies during pregnancy, and the process of pregnancy, despite the discomfort. However, *surrogate* mothers desire this because of the sense of relief from giving birth to a child, even though they cannot financially support the child, and so on.[6]

Women who become surrogate mothers for foreigners without any compensation give many reasons for doing so, namely: (1) the woman wants to provide a 'perfect pregnancy'. This is explained by the fact that the woman wants to give birth at home. However, she was disappointed because she gave birth to the child in a hospital rather than at home; (2) the woman agreed to be a surrogate mother without any compensation because she had never been pregnant due to her husband having a vasectomy, and she wanted to experience the feeling of having a child; (3) The woman chose to be a surrogate mother without pay because she is a *gynecologist* who believes that after being a surrogate and giving birth, she will become a better doctor.

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[2] Dwi Arini Zubaidah, "Surrogate Mothers in a Multidimensional Perspective of Legal Regulations in Indonesia," *Posita: Jurnal Hukum Keluarga Islam* 2, no. 2 (December 27, 2024): 53–62, https://doi.org/10.52029/pjhki.v2i2.230.

[3] Rosaline Akangah et al., "Socio-Ethical and Legal Issues Regarding Surrogacy in Ghana: A Qualitative Study," *Reproductive Health* 22, no. 1 (October 2025): 181, https://doi.org/10.1186/s12978-025-02007-z.

[4] Indra Krestianto, "Perjanjian Surrogate Mother Di Indonesia Ditinjau Dari Aspek Syarat Sah Perjanjian," *Jurnal Hukum Pidana Dan Pembangunan Hukum* 1, no. 2020 (3AD): 68–82, https://doi.org/https://doi.org/10.25105/hpph.v3i1.17686.

[5] Blendi Himçi and Aida Saraçi, "Surrogacy as a Legal Institution in Albania: An Analysis of the Draft Law 'On Sexual and Reproductive Health,'" *Multidisciplinary Science Journal* 8, no. 1 (July 2025): 2026109, https://doi.org/10.31893/multiscience.2026109.

[6] Putu Nita Yulistian, I Nyoman Putu Budiartha, and I Wayan Arthanaya, "Hak Waris Anak Yang Dilahirkan Melalui Perjanjian Surogasi," *Jurnal Interpretasi Hukum* 2, no. 1 (March 2021): 200–206, https://doi.org/10.22225/juinhum.2.1.3104.200-206.

In reality, finding a surrogate mother who is willing to do it without compensation is difficult. Many women who become surrogate mothers choose to be paid rather than do it voluntarily due to high demand or the requirements of infertile couples. In Indonesia, surrogacy is not yet practiced formally, but in practice, there are many behaviors that lead to surrogate motherhood. This is evident in the large number of young women from Indonesia who have expressed their willingness to become surrogate mothers. Surrogate motherhood has become a worldwide phenomenon, sparking both pros and cons. One criticism of the practice of surrogate motherhood comes from feminism. Feminist studies on surrogate motherhood show that there are sharp debates and diverse views among feminists. Radical feminism generally rejects the practice of *surrogate motherhood*, while liberal feminism supports this practice as a legitimate choice that must be respected. In addition to ideological debates, feminist studies also highlight the physical and mental health risks of surrogate mothers, as well as the legal complexities surrounding the status of the child born and the mother who undergoes this practice. Many feminists highlight the potential for exploitation and commercialization of women's bodies, which can demean women by treating the womb as an object for rent. This paper examines the critiques of radical feminism and the legal regulations surrounding the practice of surrogate motherhood.

The analysis of surrogate mothers has been discussed extensively by previous authors, but the issue of surrogate mothers remains interesting to discuss and explore further. First, Suryadi et al.[7] found that surrogate agreements are not legally valid under Indonesian civil law because they are invalid. The legal status of children born from such agreements depends on certain conditions. Second, Zubaidah's findings examine the legal regulations in Indonesia regarding surrogate mothers, which are regulated implicitly and explicitly to cover reproductive health and the status of children born from surrogacy practices. Third, Akbar et al.[8] found Surrogacy agreements cannot be implemented because they do not meet the legal requirements for agreements under Indonesian civil law. The legal status of children born through surrogacy can be viewed from two perspectives. The difference between the three articles above and this paper is that they implicitly examine the position of children of surrogate mothers, their status, and inheritance rights from the perspective of Indonesian civil law, whereas this paper focuses on women who take on the role of surrogate mothers from a radical feminist perspective, where this type of feminism examines women's rights to bodily autonomy and women's reproductive rights, which is a critique of patriarchy. Furthermore, this paper highlights women's freedom and reproductive rights in relation to the role of surrogate mothers, which is partly driven by economic factors, as well as the regulation of surrogate mothers in various laws and regulations in Indonesia, not only in civil law.

This paper focuses on surrogate mothers from the perspective of feminist theory, particularly radical feminism, which is widely criticized as a form of patriarchal exploitation that accommodates women's bodies and reproductive functions. Radical feminism views surrogate mothers as an extension of male domination over women's bodies, where women

[7] Yohanes I Wayan Suryadi et al., "The Legality of the Surrogate Mother Agreement Reviewed from Indonesian Civil Law," *Lex Publica* 12, no. 1 (2025): 90–117, https://doi.org/10.58829/lp.12.1.2025.279.
[8] Muhammad Akbar, Muhammad Ali, and Dwi Pratiwi Markus, "Tinjauan Yuridis Perjanjian Sewa Rahim Ditinjau Dari Hukum Perdata," *Judge: Jurnal Hukum* 5, no. 2 (2024): 109–19, https://doi.org/https://doi.org/10.54209/judge.v5i02.650.

are used as tools to fulfill the reproductive desires of men or wealthy couples, reinforcing patriarchy as the primary system of oppression. Meanwhile, the regulatory perspective in Indonesia examines how surrogate mothers are regulated in Indonesian legislation.

Method

This study aims to critique radical feminism on the issue of surrogate mothers, whether for economic, family, or cultural reasons, as a form of patriarchal exploitation that uses women's bodies and reproductive functions, as well as its regulation in Indonesian legislation. Based on this objective, this study is non-doctrinal.[9] Non doctrinal research views law as a social phenomenon in the factual world. This type of research does not provide an evaluation or assessment of the law, but rather views the law as it is in reality. This non-doctrinal research uses primary and secondary data as research variables. The data obtained is then reduced so that only data that is directly related will be used, and the data is analyzed qualitatively to answer the problems of this research.

Primary data was collected through observation and interviews based on personal experience. In the observation, the researcher took the role of a participant observer who closely observed the object being studied. Interviews were conducted using open-ended questions, but closed-ended questions were also used due to limitations in elaborating information from informants.[10] Given the difficulty of finding informants for this study, due to informant availability, informants were selected independently according to the research object, and only one informant was willing to share their experience related to this research object. The interview was conducted in 2022 with a 42-year-old woman who resides in the city of Ambon. Details related to the informant's personal experience was going to be discussed in the discussion section. In addition to primary data, researchers also used secondary data in this study. Secondary data was collected through literature studies and document interpretation on theories supporting the research problem, as well as positive law in the form of laws and regulations related to the research object.

Discussion

1. Surrogate Mother in the Perspective of Radical Feminism.

The practice of surrogate motherhood is a result of advances in technology and social developments. This practice has become increasingly well-known due to the technological capability of in- , which allows fertilization to take place outside the body and the result to be implanted in another woman's womb.[11] This also marks a shift in social views on conception in family formation, where in the past, couples who faced obstacles in having children usually only considered adoption as the main option, so the practice of surrogate motherhood was

[9] Dede Indraswara, "Rekonstruksi Metodologis Hukum : Diversifikasi Dan Integrasi Penelitian Hukum Normatif (Doktrinal), Empiris (Non-Doktrinal), Dan Studi Sosio-Legal," *IPMHI Law Journal* 5, no. 2 (2025): 205–46, https://doi.org/https://doi.org/10.15294/ipmhi.v5i2.41599.
[10] Aristo Pangaribuan, "Metode Wawancara Dalam Penelitian Hukum Doktrinal Dan Sosio-Legal," *Undang: Jurnal Hukum* 6, no. 2 (2023): 351–83, https://doi.org/10.22437/ujh.6.2.351-383.
[11] Luthfia Rizky Amanda Tjoei and Vika Jeny Putri Anastasya, "Teknologi Reproduksi: Bayi Tabung Dan Peran Rahim Pengganti," *Detector: Jurnal Inovasi Riset Ilmu Kesehatan* 2, no. 4 (October 2024): 40–48, https://doi.org/10.55606/detector.v2i4.4385.

initially considered impossible and controversial. Therefore, surrogate motherhood is concrete evidence of how technological developments can influence and shape new social practices. Broadly speaking, the practice of surrogate motherhood involves a woman acting as a'surrogate mother' who, with her consent, will receive an embryo resulting from *in vitro fertilization* (IVF) from another party or a married couple. The surrogate mother will carry the baby and hand it over to the married couple, who are the biological parents, after the baby is born.[12]

This practice is generally carried out when the wife is unable to conceive due to certain conditions, so that another woman's womb is used to replace her role in the process of pregnancy and childbirth. Surrogate motherhood can be carried out with or without financial compensation, and the practice is usually carried out under an agreement between the parties. The agreement involved in surrogate motherhood is called *a gestational agreement*. Regarding the procedure, there are two types of surrogate motherhood: *full surrogate motherhood* and *partial surrogate motherhood*. In *full surrogate motherhood*, the egg used belongs to the woman who is the surrogate mother, so in this case, she acts as the carrier and also the genetic mother of the child born. Meanwhile, in *partial surrogate motherhood*, the egg used belongs to the couple concerned, where the egg is then fertilized and implanted into the surrogate mother's womb.

The history of surrogate motherhood began as a response to the infertility problems faced by a number of individuals. This practice has been developing in the US since the late 20th century. At that time, female slaves from Africa were often used as surrogate mothers for their masters. They were ordered to conceive and give birth to children who were not legally recognized as theirs. Data compiled by the World Health Organization (WHO) in 2012 shows a high prevalence of infertility in various countries, such as Cambodia with 30.8%, Kazakhstan with 10%, Turkmenistan with 43.7%, Uzbekistan with 9.3%, and Indonesia with 21.3%, particularly among individuals aged 20-24 years.[13] Meanwhile, the National Survey of Family Growth (NFSG) in the United States estimates that the number of women experiencing infertility will continue to increase, reaching 7.7 million people by 2025. This data highlights the importance of alternative solutions in addressing the infertility issues faced by some couples. The high prevalence of infertility in various parts of the world has made surrogate motherhood one of the solutions to help couples who are struggling to achieve their dream of having children.

In the above research method, openness to the practice of surrogacy posed a unique challenge for researchers. Only one informant was willing to be interviewed about surrogacy. The informant, WN (42), a housewife, acted as a surrogate to help her sister, who was unable to have children due to medical conditions that prevented her from giving birth, while her husband wanted to have children due to pressure from his family. The surrogacy was carried out through insemination of the egg with the husband's sperm, after a thorough examination

[12] Hanan Khasyrawi Abrar and Bayu Pratama Putra, "Surrogate Mother: Tinjauan Medis, Bioetik, Humaniora Dan Profesionalisme," *Jurnal Ilmiah Ecosystem* 23, no. 3 (December 30, 2023): 610–23, https://doi.org/10.35965/eco.v23i3.3897.
[13] Berliana Bahiyaturrohmah, "Meretas Rantai Dilema Antara Hak Asasi Dan Komersialisasi Dalam Praktik Surrogate Mother," Lembaga Kajian Keilmuan Fakultas Hukum Universitas Indonesia, 2022, https://lk2fhui.law.ui.ac.id/portfolio/meretas-rantai-dilema-antara-hak-asasi-dan-komersialisasi-dalam-praktik-surrogate-mother/.

of the surrogate mother's health had been carried out. The insemination was successful, and the process continued until delivery. The informant did not explain in detail where the insemination was performed, and based on the interview, WN's willingness was solely to help a family member.

The practice of surrogacy itself is known in various countries around the world. Some examples of surrogacy cases that have been carried out in the world include: (1) Hollywood celebrity couple Priyanka Chopra and Nick Jonas (2018) who openly admitted that their first daughter was born through a surrogacy process due to medical complications faced by Priyanka; (2) Kanye West and Kim Kardashian hired a surrogate mother to carry their third and fourth children, due to Kim's history of preeclampsia during her first pregnancy; (3) A baby named G (Thailand) was born to Australian couple W and DF through surrogacy. Baby G was carried by PC, a 21-year-old surrogate mother who worked as a food vendor. Baby G was abandoned by his parents due to his Down syndrome.

To analyze the phenomenon of mother surrogacy through radical feminist theory, a Critical Theory paradigm is also needed as an analytical tool.[14] Ontologically, this paradigm emphasizes historical realism (history) as the actual reality resulting from social, political, cultural, economic, ethnic, and gender formations, crystalized over a long period of time. In relation to mother surrogacy, this phenomenon is considered one of the last 'options' for married couples who want to have children, if adoption is unsuccessful, as a 'trigger' for married couples to have children. Adoption as a 'trigger' for married couples to have children has been practiced for a long time, influenced by the patriarchal view that having children as the next generation is one of the main purposes of marriage. When a married couple's hopes of having their own children have not been fulfilled, adoption is a commonly used method. However, this method does not always produce the desired results, so one of the methods used is surrogate motherhood.

The epistemological aspect of *the critical theory* paradigm is carried out through a transactional approach to find a middle ground or seek justice and equality.[15] Surrogate mothers are used by married couples who want to have children, and the role of the surrogate mother 'usually' receives appropriate compensation from the married couple. The methodological aspect of the *critical theory* paradigm is carried out through dialogue and dialectics. The agreement between the two parties (the couple and the surrogate mother) is reached through meetings between them, and there are agreements between the parties. Therefore, the phenomenon *of surrogate motherhood* is criticized by feminists.

A cultural process that creates differences in treatment between women and men in their daily roles, which then becomes a certain stereotype in society. The gap in treatment between women and men gives rise to concerns for women. This became the milestone in the birth of feminism. Gender in the contemporary feminist agenda focuses more on equal

[14] Aditya Yuli Sulistyawan et al., "Kekerasan Seksual Dan Cara Berpakaian Perempuan: Telaah Filsafat Hukum Dalam Paradigma Critical Theory, Et. Al.," *Jurnal Ius Constituendum* 8, no. 2 (June 15, 2023): 259–76, https://doi.org/10.26623/jic.v8i2.6093.
[15] Anak Agung Gde Putera Semadi, "Paradigma Pendidikan Kritis Dalam Dimensi Kesadaran Kritis Dan Proses Dialogis Kritis," *Widya Accarya* 13, no. 2 (October 29, 2022): 209–23, https://doi.org/10.46650/wa.13.2.1327.209-223.

rights, women's participation in work, education, sexual freedom, and reproductive rights.[16] Contemporary feminism has used various deconstructive strategies to reduce the stability of the models embodied in masculine or feminine pairs. In the 1990s, three American academics, Judith Butler, Ebe Kosofsky Sedwick, and Donna Haraway, proposed several interesting and provocative ways to rethink gender and sexual subjectivity, which became the history of the emergence of the feminist movement.

Spivak and Haraway argued that no single ideology could represent the interests of both women and men. Feminism assumes that all differences between women should be unified, regardless of race or class. According to Haraway, feminism is an ideology that emerged when women demanded equal rights with men.[17] This ideology is based on women's *instincts*, which holed that the position or condition of women in society can be changed and made equal to that of men in the social sphere. Some people still assume that feminism is a movement of rebellion by women against men. Feminism is seen as an attempt by women to rebel against what is called the "nature" or "instinct" of women, against existing social structures or household institutions such as marriage and so on. Based on this assumption, the feminist movement is not easily accepted by society. This understanding of feminism needs to be corrected.[18]

A proper understanding of the concept of feminism is expected to broaden society's horizons regarding the feminist movement in a balanced manner. Feminism means having feminine characteristics. Feminism is represented by the perception of inequality between women and men in society. As a result of this perception, various efforts have been made to examine this inequality and find ways to equalize women and men in accordance with their potential as human beings. Feminists recognize that the feminist movement is a movement rooted in women's awareness. Women are often oppressed and exploited, so the oppression and exploitation of women must end. In addition, the feminist movement aims to fight for equality and dignity for women and men, as well as the freedom to control their own bodies and lives both inside and outside the home.[19] Harsono and Mustaqim say that feminism is a concept that arose in connection with *social change*, development theories, women's political awareness, and the women's liberation movement, including rethinking the institution of the family in the context of modern society today.

Mustaqin said that feminism is an ideology that seeks to respect women so that their rights and roles are more optimal and equal, without discrimination, marginalization, and subordination.[20] In line with this opinion, Bahsin and Khan stated that feminism is defined as an awareness of the oppression and exploitation of women in society, the workplace, and within the family, as well as conscious actions by women and men to change this situation so

[16] Abdul Rahman Yanika Helena, Esra Labora, "Teori Hukum Feminisme Dan Perlindungan Hukum Bagi Perempuan Di Indonesia," *Judge: Jurnal Hukum* 5, no. 4 (2024): 10–18, https://doi.org/https://doi.org/10.54209/judge.v5i04.1044.
[17] Cholid Fadil and Muammar Alawi, "Feminisme Dalam Tasawuf; Sebuah Tinjauan Literature Review," *JIIP - Jurnal Ilmiah Ilmu Pendidikan* 6, no. 3 (March 2023): 1466–73, https://doi.org/10.54371/jiip.v6i3.1605.
[18] Dicky Jasmiarto and Achmad Ridwan, "Perempuan Fokus Berkarir Di Desa Gununggangsir Pasuruan Dalam Pandangan Feminisme Radikal," *Jurnal Ilmu Sosial Dan Humaniora* 14, no. 1 (April 22, 2025): 148–57, https://doi.org/10.23887/jish.v14i1.89803.
[19] Wafa Suci Ningrum, "Fenomena Keberhasilan Feminisme (Studi Gender Feminisme Liberal Dan Feminisme Radikal)," *Familia: Jurnal Hukum Keluarga* 5, no. 1 (June 28, 2024): 25–36, https://doi.org/10.24239/familia.v5i1.197.
[20] Dewi Padusi Daeng Muri, *Surrogate Mother Dalam Pandangan Bioetika Sebagai Hak Reproduksi* (Yogyakarta: Genta Publishing, 2024).

that there is harmony between men and women, free from all forms of subordination, marginalization, and discrimination. Etymologically, feminism comes from the French word *femme* (singular), meaning woman, which aims to fight for the rights of women (plural) as a social class. Feminism is an ideology of women who strive to fight for their rights in the society.

Feminism stems from the importance of awareness of equal rights between women and men in all fields. This theory developed as a reaction to the facts of society, namely the existence of racial and class conflicts, and in particular the presence of gender conflicts. Feminism attempts to eliminate conflicts between weaker groups and those considered stronger. Feminism rejects injustice as a result of patriarchal society, rejecting history and philosophy as disciplines centered on men. Feminism highlights two fundamental differences in viewing women and men. The terms *male* and *female* show biological aspects as natural and inherent.[21] Meanwhile, the terms masculine and feminine show psychological and cultural differences. Radical feminists argue that sex or gender differences arise not solely from biological factors, but also from socialization or the overall history of being a woman in a patriarchal society. Simon de Beauvoir states that in a patriarchal society, women are placed as the other or Liyan, as second-class humans (*deuxime sexe*) who are inferior by nature.

Patriarchal societies use certain facts about female and male physiology as a basis for women to construct a set of masculine and feminine identities and behaviors that are used to empower men on the one hand and weaken women on the other. Patriarchal societies believe that cultural constructs are natural.[22] Therefore, a person's "normality" depends on their ability to demonstrate gender identity and behavior. This behavior is culturally linked to a person's gender. Patriarchal societies use rigid gender roles to ensure that women remain passive (loving, obedient, responsive to sympathy and approval, cheerful, kind, friendly) and men remain active (strong, aggressive, curious, ambitious, planful, responsible, original, competitive). According to Millet, patriarchal ideology in academia, religious institutions, and families justifies and reinforces the subordination of women to men, resulting in most women internalizing their subordination to men.

The main goal of feminism is to understand the oppression of women based on race, gender, class, and sexual orientation, and how to change it. Feminist theory reveals the various important values of women as well as their shared experiences and struggles. Feminism analyzes how sexual differences are constructed in the social and intellectual world and how it explains the experiences of these differences. Feminism is not an attempt for women to rebel against men, nor is it an attempt to fight against social institutions such as the household and marriage, or an attempt for women to deny their nature. Feminism seeks to end the oppression and exploitation of women. The goal of feminism is not just a gender issue, but the fight for human rights. The feminist movement is a struggle to transform unfair social systems and structures towards justice for both men and women. Jaggar and Rothenberg, as quoted by Rosemarie Putnam Tong, categorize feminist theory into several categories,

[21] Muri.
[22] Silvia Rosa et al., "Voices of Matriliny and Hidden Power: Reimagining Female Agency through Minangkabau Narratives in Kaba and Tambo," *Social Sciences & Humanities Open* 13 (June 2026): 102531, https://doi.org/10.1016/j.ssaho.2026.102531.

namely: (1) liberal feminism; (2) radical feminism; (3) Marxist feminism; (4) socialist feminism; (5) ecofeminism.

Radical feminism is a feminist perspective or movement that seeks to bring about fundamental change in society by eliminating all forms of male supremacy, especially the patriarchal system, which is considered the main root of women's oppression in social and economic contexts.[23] Unlike liberal feminism, which focuses on civil and political equality, or Marxist feminism, which highlights economic oppression, radical feminism targets the total dismantling of the patriarchal system embedded in norms, social institutions, and culture, such as the family institution and religious institutions. Radical feminists oppose traditional gender roles, the sexual objectification of women, and raise public awareness of issues of sexual violence and rape, which are seen as collective problems driven by patriarchal society. Cultural radical feminism is a branch of radical feminism that emphasizes the importance of femininity and women's biological abilities, particularly reproductive abilities, as a source of power and liberation for women. Unlike libertarian radical feminism, which views reproduction as a source of oppression, cultural radical feminism views natural reproduction as a gift that gives women unique power.[24]

Radical feminism theorizes that the oppression of women is not caused by biological factors or reproductive abilities themselves, but rather by men's jealousy of women's reproductive abilities and men's desire to control women through new reproductive technologies. This school of thought also views men as part of the emergence of oppression against women, especially in terms of control over women's sexuality for the sake of male satisfaction. Important figures in cultural radical feminism, such as Marilyn French and Mary Daly, highlight how the patriarchal system oppresses women and how women's biological aspects, including their role as mothers, should be valued as a strength rather than a curse. Radical feminism also highlights the importance of cultural change, not just structural or legal change, to overcome deep-rooted gender inequality. In short, radical cultural feminism focuses on women's biological uniqueness as a source of strength, opposes patriarchal domination that controls women's bodies and sexuality, and advocates for cultural change to free women from such systemic oppression.

Radical feminist studies on *surrogate* motherhood reject this practice because it is considered to create destructive divisions among women, especially based on social and economic class. The practice of surrogate motherhood allows women who are more economically capable to pay poor women to fulfill their reproductive needs, thereby reinforcing gender inequality and making less fortunate women even more vulnerable. Furthermore, control over women's bodies is not only exercised by men, but also by women with higher socio-economic power. Radical feminism views surrogate motherhood as a form of exploitation of women who are socially and economically vulnerable. Andrea Dworkin, a

[23] Saniria Benu and Andrian Wira Syahputra, "Teori Feminisme: Peran Perempuan Yang Bekerja Keras Dalam Keluarga Di Era Modern," *Wissen: Jurnal Ilmu Sosial Dan Humaniora : Jurnal Ilmu Sosial Dan Humaniora: Jurnal Ilmu Sosial Dan Humaniora : Jurnal Ilmu Sosial Dan Humaniora* 3, no. 1 (January 23, 2025): 301–20, https://doi.org/10.62383/wissen.v3i1.622.

[24] Putri Intan Pertiwi, Yopi Novanda, and Shakti Abdillah Pratama, "Analisis Feminisme Radikal Dan Eksistensialis Pada Film Penyalin Cahaya Karya Wregas Bhanuteja," *Biduk: Jurnal Pendidikan Bahasa Dan Sastra Indonesiara Indonesia* 1, no. 2 (January 30, 2024): 96–119, https://doi.org/10.30599/biduk.v1i2.723.

leading radical feminist, criticizes the *surrogate motherhood* system as part of an institution that oppresses women and benefits men, because it reinforces the construct that women must give birth and have children as a social obligation.

According to this view, *surrogate motherhood* is not merely a matter of male manipulation, but also reflects the structures of patriarchy and capitalism that oppress women through the exploitation of their bodies. This practice is considered a reduction of women's bodies to "baby-making machines" for the benefit of others, including the medical industry and surrogate parents. The majority of surrogate mothers come from lower socioeconomic groups who often do not fully understand the contract or are forced into it due to economic conditions. Radical feminists emphasize that the issue of *surrogate* motherhood must be addressed through structural changes in society that tackle the roots of gender and class inequality. They see this practice as a reflection of patriarchal domination that must be fought so that women are not exploited in the context of reproduction. Radical feminist studies of *surrogate mothers* highlight the aspects of exploitation, socioeconomic inequality, and patriarchal domination inherent in this practice, leading them to reject *surrogate motherhood* as a practice that reinforces the oppression of women.

2. Legislative Regulations on Surrogate Motherhood in Indonesia.

Indonesia has no regulations governing surrogate mothers. Legal practice in Indonesia implies that surrogacy is not yet explicitly regulated, even though this practice occurs in several regions in Indonesia and is carried out secretly by communities in a familial manner.[25] Regulations that can be said to indirectly concern surrogate mothers can be seen in the following provisions. In the Health Law of 2009,[26] Article 127 paragraph (1) states that efforts to achieve pregnancy outside of natural means can only be carried out by a legally married couple wit200h the following conditions: (1) the fertilized sperm and ovum of the husband and wife concerned are implanted in the womb of the wife from whom the ovum originated; (2) it is performed by health personnel who have the expertise and authority to do so; (3) it is performed at certain service facilities. Grammatically, this can be interpreted to mean that what is permitted by Indonesian law is the fertilization of the sperm and ovum of a legally married couple and implanting it in the uterus of the wife from whom the ovum originated, which is known as the in vitro fertilization method.[27]

The enactment of the new health law of 2009 (amendment 2023) renders the provisions of Article 127 invalid. Surrogate mothers are not explicitly regulated in the latest health law.[28] Article 58 of the Health Law (amendment 2023) stipulates that assisted reproduction can only be carried out by a legally married couple with the following conditions: (a) the fertilized

[25] Darmawan Rahmadi and Khairul Tri Anjani, "Hak Reproduksi Dalam Batasan Hukum: Analisis Normatif Terhadap Larangan Surogasi Di Indonesia," *Nusantara Hasana Journal* 1, no. 7 (2024): 132–37, https://doi.org/https://doi.org/10.59003/nhj.v5i5.1728.

[26] Lintang Wistu Malindi, "Perlindungan Hukum Terhadap Ibu Pengganti (Surrogate Mother) Yang Mengikatkan Diri Dalam Perjanjian Sewa Rahim (Surogasi) Di Indonesia," *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 1 (June 1, 2020): 36, https://doi.org/10.20961/hpe.v8i1.44286.

[27] Nur Wahyu Illahi, "Hak Waris Anak Hasil Surogasi Dalam Dualisme Hukum Indonesia," *Al-Mawarid Jurnal Syari'ah & Hukum* 6, no. 1 (2024): 35–50, https://doi.org/https://doi.org/10.20885/mawarid.vol.6.iss1.art4.

[28] Shanaz Ruby Harland, "Hak Waris Anak Hasil Surogasi Menurut Peraturan Perundang–Undangan Di Indonesia," *Journal Evidence Of Law* 2, no. 3 (September 2, 2023): 17–23, https://doi.org/10.59066/jel.v2i3.468.

sperm and ovum of the husband and wife concerned are implanted in the uterus of the wife from whom the ovum originated; (b) it is performed by medical personnel who have the expertise and authority; and (c) it is performed at certain health care facilities. This article clearly states that assisted reproduction can only be performed by a legally married couple and does not involve a third party. Article 1 point 10 of the Reproductive Health Government Regulation (2014) states that assisted reproduction or pregnancy outside of natural means is an effort to achieve pregnancy outside of natural means without going through the process of sexual intercourse between husband and wife if natural means do not produce results. Furthermore, Article 43 paragraph (3) states that surplus embryos as referred to in paragraph (2) are prohibited from being implanted in: 1. The mother's womb if the embryo's father is deceased or divorced; or 2. Another woman's womb. Thus, even in the health law prior to the enactment of the Health Law (amendment 2023) there were no provisions regarding surrogate mothers.

Surrogate motherhood in the perspective of Islamic law, according to MUI Fatwa Number KRP-952/MUI/XI/1990, the Executive Board of the Indonesian Ulema Council has issued the following fatwa:[29] (1) IVF using sperm and eggs from a legally married couple is permissible (*mubah*), because this is considered an effort based on religious principles; (2) IVF from a married couple using the womb of another woman (for example, from a second wife to a first wife) is *haram* based on the principle *of sadd az-zari'ah*, because this will cause complicated problems in relation to inheritance (especially between the child born to the mother who provided the ovum and the mother who carried and gave birth to the child, and vice versa); (3) Test-tube babies from frozen sperm from a deceased husband are *haram* based on the principle *of sadd az-zari'ah*, because this will cause problems, both in relation to determining lineage and in relation to inheritance; (4) IVF babies whose sperm and eggs are taken from someone other than a legally married couple are *haram*, because their status is the same as sexual relations between opposite sexes outside of legal marriage (*zina*), and based on the principle *of sadd az-zari'ah*, which is to prevent actual *zina* from occurring. The term *Sadd az-zari'ah* is a combination of two words, namely *sadd,* which means the opposite of opening, and *az-zari'ah,* which means purpose, *wasilah*, and path.

In addition, surrogate motherhood in the view of another fatwa issued by the Islamic Fiqh Council includes:[30] *first*, five matters that are prohibited because they can result in the mixing of lineage and the loss of parental rights, as well as other matters that are not in accordance with Sharia law; (1) sperm taken from a man is implanted into the egg of a woman who is not his wife and then transplanted into his wife's womb; (2) an egg taken from a woman is implanted with sperm from a man who is not her husband and then transplanted into the woman's womb; (3) The sperm and egg fertilized are taken from a married couple, then implanted into the womb of another woman who is willing to carry their fertilized egg; (4) The sperm and egg fertilized are taken from another man and woman, then implanted into the wife's womb; (5) The fertilized sperm and eggs are taken from a husband and wife, then

[29] Cindy Yulia Putri and Sulhi M. Daud Abdul Kadir, "Perspektif Hukum Islam Terhadap Anak Yang Dilahirkan Melalui Ibu Pengganti (Surrogate Mother)," *Zaaken: Journal of Civil and Business Law* 4, no. 2 (June 2023): 258–72, https://doi.org/10.22437/zaaken.v4i2.26051.
[30] Najib Junaidi and Ahmad Musta'in Syafi'ie, "Penanaman Embrio Pada Rahim Istri Yang Lain (Analsis Kritis Terhadap Fatwa MUI Tentang Kehamilan Berbantu)," *Jurnal Hukum Islam* 17, no. 2 (2019): 191–209, https://doi.org/https://doi.org/10.28918/jhi.v17i2.2391.

implanted into the womb of another wife; *Second*, two things that are permissible if absolutely necessary and after ensuring safety and security: (1) The sperm is taken from the husband and the eggs are taken from the wife, then fertilized and implanted into the wife's womb; (2) the husband's sperm is collected and then injected into his wife's fallopian tubes or directly into her uterus to be fertilized. Based on these two fatwas, it can be seen that only babies originating from the sperm and eggs of a married couple are permitted, not from other men and women, or test-tube babies that are not implanted or fertilized in another woman's uterus.

In a civil law perspective, a surrogate mother is viewed as a contract, whereby a surrogacy agreement, like any other contract, must comply with the provisions of the Civil Code as the law governing contracts in Indonesia.[31] The provisions governing contracts are set out in Book III of the Civil Code on Contracts. The validity of an agreement based on Article 1320 of the Civil Code has four (4) requirements, namely:[32] (1) agreement between the parties; (2) the ability to enter into an agreement; (3) the existence of a specific matter; (4) the existence of a lawful cause. If these conditions are met, then a contract is considered valid. Based on the conditions for the validity of a contract according to the provisions of Article 1320 of the Civil Code, a surrogacy must meet these conditions in order to be considered valid. The description of the validity of a surrogacy contract under the Civil Code includes: first, the existence of the parties who are bound by the contract. This condition must be fulfilled through an agreement between both parties to bind themselves in an agreement, whereby this agreement stems from free will without coercion to make the agreement. The parties to a surrogacy agreement consist of a woman who is willing to be a surrogate mother to conceive and give birth, and the genetic parents of the child to be born. Willingness in a surrogacy agreement means the woman's willingness to lend her womb to implant the embryo resulting from the fertilization of the husband and wife and to conceive and give birth to the baby resulting from the fertilization of the husband and wife. Willingness on the part of the husband and wife means they are consciously and responsibly willing to provide compensation to the woman and are willing to bear all costs incurred, including delivery costs. Once the willingness of the parties has been established, a written agreement can be drawn up to be complied with by the parties to the surrogacy agreement.

Second is the capacity of the parties to enter into an agreement. Capacity in an agreement means the ability to perform legal acts, i.e., acts that have legal consequences for the parties. Legal capacity means a person who is of legal age and of sound mind. In Article 330 of the Civil Code, a competent person is someone who has reached the age of 21 (twenty-one) or is married. The competence of the parties to a surrogacy agreement includes married couples and adult women. The husband and wife are legally competent to enter into an agreement because they are adults and married. Meanwhile, an adult woman acting as a surrogate mother is legally competent if she has reached the minimum age of 21 as stipulated

[31] Lintang Wistu Malindi, "Kedudukan Surogasi Dan Status Hukum Anak Dalam Perspektif Hukum Perdata Indonesia," *Jurnal Privat Law* 9, no. 1 (2021): 124–36, https://doi.org/https://doi.org/10.20961/privat.v9i1.28926.

[32] Annisa Ayu Martiana, "Asas Kebebasan Berkontrak Dalam Perjanjian Surogasi Di Indonesia Dari Perspektif Hukum Perdata Dan Etika," *Perspektif Hukum* 24, no. 2 (December 2, 2024): 269–90, https://doi.org/10.30649/ph.v24i2.317.

by law, or if she is married, she requires her husband's consent to enter into a surrogacy agreement as a surrogate mother.

Third is the existence of a specific matter. A specific matter in an agreement refers to the object of the agreement so that the agreement has clear legal certainty. The object of the agreement is known as performance, which, under Article 1243 of the Civil Code consists of giving something, doing/performing something, and not doing something. "Something" refers to an object or goods and/or services. Article 1332 of the Civil Code states that the goods that are the subject matter of the agreement are only goods that can be traded. Furthermore, Article 1333 of the Civil Code states that objects or goods that can be the subject matter of an agreement must be quantifiable and determinable in type. Based on the provisions of these two articles, the object of a surrogacy agreement is the rental of an adult woman's womb as a surrogate mother. In Indonesian civil law, a rented womb is not a good or an object, so the third requirement for a valid agreement cannot be met in a surrogacy agreement.

Fourth is there must be a lawful cause. A cause or reason, according to Article 1335 of the Civil Code, states that a false or prohibited cause has no legal force. Furthermore, under Article 1337 of the Civil Code, a lawful cause means that the content of the agreement must not conflict with the law, public order, and morality. Referring to the reason for the surrogacy agreement between the parties, which is to have children by renting another person's womb, the researchers feel that the surrogacy agreement does not meet this fourth requirement.[33] The researchers' opinion is based on Article 1337 of the Civil Code, which states that the content of an agreement must not conflict with the law, public order, and morality. According to the researchers, womb rental violates the provisions of this article, so the fourth requirement for the validity of the agreement cannot be met. Womb rental as an object in a surrogacy agreement does not yet have clear regulations, so its legal status remains a matter of debate as to whether it should be allowed or prohibited. Indonesia recognizes only methods of reproduction outside of natural means through in vitro fertilization. In addition, according to researchers, womb rental is not in accordance with the norms of decency in Indonesia. The description of the validity of a surrogacy agreement only staisfies the subjective requirements, namely the existence and competence of the parties to the agreement. Meanwhile, the objective requirements, namely the existence of a specific thing and the existence of a lawful cause, cannot be fulfilled in a surrogacy agreement

Conclusion

Surrogate Mother in the perspective of feminism, especially radical feminism, criticizes the practice carried out in various countries around the world, including Indonesia, both openly and secretly, through an agreement between a married couple and an adult woman. Radical feminism's criticism of the existence of surrogate mothers, carried out by married couples and adult women, focuses on this practice because it is considered to create destructive divisions among women, especially based on social and economic class. The practice of surrogate

[33] Dewi Ayu Rahayu, "Surrogate Mother (Ibu Pengganti) Dalam Perspektif Hukum Di Indonesia," *Jurnal Panorama Hukum* 7, no. 1 (2022): 1–11, https://doi.org/https://doi.org/10.21067/jph.v7i1.6781.

motherhood allows women who are more economically capable to pay poor women to fulfill their reproductive needs, thereby reinforcing gender inequality and making less fortunate women even more vulnerable. Furthermore, control over women's bodies is not only exercised by men, but also by women with higher socio-economic power. Radical feminism views surrogate motherhood as a form of exploitation of women who are socially and economically vulnerable. Radical feminism views *surrogate motherhood* not merely as a matter of male manipulation, but also as reflecting patriarchal and capitalist structures that oppress women through the exploitation of their bodies. This practice is considered a reduction of women's bodies to "baby-making machines" for the benefit of others, including the medical industry and surrogate parents. The majority of surrogate mothers come from lower socioeconomic groups who often do not fully understand the contract or are forced into it due to economic conditions.

Radical feminists emphasize that the issue of *surrogate* motherhood must be addressed through structural changes in society that tackle the roots of gender and class inequality. They see this practice as a reflection of patriarchal domination that must be fought so that women are not exploited in the context of reproduction. In Indonesia itself, the existence of surrogacy practices is not yet regulated in various laws and regulations related to motherhood. Surrogacy is not regulated under health, religious, or civil law. Regarding the issue of surrogate mothers, which continues to cause controversy in Indonesian society, the researchers recommend that supervision of surrogacy practices be tightened to monitor these practices, ensure transparency so that they do not occur or are carried out secretly, and if surrogacy does occur, the rights of the mother and child have clear legal force, particularly with regard to custody, inheritance, and compensation.

References

Abrar, Hanan Khasyrawi, and Bayu Pratama Putra. "Surrogate Mother: Tinjauan Medis, Bioetik, Humaniora Dan Profesionalisme." *Jurnal Ilmiah Ecosystem* 23, no. 3 (December 30, 2023): 610–23. https://doi.org/10.35965/eco.v23i3.3897.

Akangah, Rosaline, Amanda Debuo Der, Promise Emmanuel Sefogah, and John Ganle. "Socio-Ethical and Legal Issues Regarding Surrogacy in Ghana: A Qualitative Study." *Reproductive Health* 22, no. 1 (October 2025): 181. https://doi.org/10.1186/s12978-025-02007-z.

Akbar, Muhammad, Muhammad Ali, and Dwi Pratiwi Markus. "Tinjauan Yuridis Perjanjian Sewa Rahim Ditinjau Dari Hukum Perdata." *Judge: Jurnal Hukum* 5, no. 2 (2024): 109–19. https://doi.org/https://doi.org/10.54209/judge.v5i02.650.

Ayu Rahayu, Dewi. "Surrogate Mother (Ibu Pengganti) Dalam Perspektif Hukum Di Indonesia." *Jurnal Panorama Hukum* 7, no. 1 (2022): 1–11. https://doi.org/https://doi.org/10.21067/jph.v7i1.6781.

Bahiyaturrohmah, Berliana. "Meretas Rantai Dilema Antara Hak Asasi Dan Komersialisasi Dalam Praktik Surrogate Mother." Lembaga Kajian Keilmuan Fakultas Hukum Universitas Indonesia, 2022. https://lk2fhui.law.ui.ac.id/portfolio/meretas-rantai-dilema-antara-hak-asasi-dan-komersialisasi-dalam-praktik-surrogate-mother/.

Fadil, Cholid, and Muammar Alawi. "Feminisme Dalam Tasawuf; Sebuah Tinjauan Literature Review." *JIIP - Jurnal Ilmiah Ilmu Pendidikan* 6, no. 3 (March 2023): 1466–73.

https://doi.org/10.54371/jiip.v6i3.1605.

Himçi, Blendi, and Aida Saraçi. "Surrogacy as a Legal Institution in Albania: An Analysis of the Draft Law 'On Sexual and Reproductive Health.'" *Multidisciplinary Science Journal* 8, no. 1 (July 2025): 2026109. https://doi.org/10.31893/multiscience.2026109.

Husna, Arinka Pinabiila, Sonny Dewi Judiasih, and Deviana Yuanitasari. "Surogasi Sebagai Alternatif Untuk Melanjutkan Keturunan Dihubungkan Dengan Undang-Undang Terkait." *Jurnal Hukum Dan HAM Wara Sains* 4, no. 01 (February 2025): 118–36. https://doi.org/10.58812/jhhws.v4i01.1761.

I Wayan Suryadi, Yohanes, Ni Luh Made Mahendra Wati, I Wayan Wesna Astara, I Gusti Bagus Suryawan, and Johannes Ibrahim Kosasih. "The Legality of the Surrogate Mother Agreement Reviewed from Indonesian Civil Law." *Lex Publica* 12, no. 1 (2025): 90–117. https://doi.org/10.58829/lp.12.1.2025.279.

Illahi, Nur Wahyu. "Hak Waris Anak Hasil Surogasi Dalam Dualisme Hukum Indonesia." *Al-Mawarid Jurnal Syari'ah & Hukum* 6, no. 1 (2024): 35–50. https://doi.org/https://doi.org/10.20885/mawarid.vol.6.iss1.art4.

Indraswara, Dede. "Rekonstruksi Metodologis Hukum : Diversifikasi Dan Integrasi Penelitian Hukum Normatif (Doktrinal), Empiris (Non- Doktrinal), Dan Studi Sosio-Legal." *IPMHI Law Journal* 5, no. 2 (2025): 205–46. https://doi.org/https://doi.org/10.15294/ipmhi.v5i2.41599.

Intan Pertiwi, Putri, Yopi Novanda, and Shakti Abdillah Pratama. "Analisis Feminisme Radikal Dan Eksistensialis Pada Film Penyalin Cahaya Karya Wregas Bhanuteja." *Biduk: Jurnal Pendidikan Bahasa Dan Sastra Indonesiara Indonesia* 1, no. 2 (January 30, 2024): 96–119. https://doi.org/10.30599/biduk.v1i2.723.

Jasmiarto, Dicky, and Achmad Ridwan. "Perempuan Fokus Berkarir Di Desa Gununggangsir Pasuruan Dalam Pandangan Feminisme Radikal." *Jurnal Ilmu Sosial Dan Humaniora* 14, no. 1 (April 22, 2025): 148–57. https://doi.org/10.23887/jish.v14i1.89803.

Junaidi, Najib, and Ahmad Musta'in Syafi'ie. "Penanaman Embrio Pada Rahim Istri Yang Lain (Analsis Kritis Terhadap Fatwa MUI Tentang Kehamilan Berbantu)." *Jurnal Hukum Islam* 17, no. 2 (2019): 191–209. https://doi.org/https://doi.org/10.28918/jhi.v17i2.2391.

Krestianto, Indra. "Perjanjian Surrogate Mother Di Indonesia Ditinjau Dari Aspek Syarat Sah Perjanjian." *Jurnal Hukum Pidana Dan Pembangunan Hukum* 1, no. 2020 (3AD): 68–82. https://doi.org/https://doi.org/10.25105/hpph.v3i1.17686.

Luthfia Rizky Amanda Tjoei, and Vika Jeny Putri Anastasya. "Teknologi Reproduksi: Bayi Tabung Dan Peran Rahim Pengganti." *Detector: Jurnal Inovasi Riset Ilmu Kesehatan* 2, no. 4 (October 2024): 40–48. https://doi.org/10.55606/detector.v2i4.4385.

Malindi, Lintang Wistu. "Perlindungan Hukum Terhadap Ibu Pengganti (Surrogate Mother) Yang Mengikatkan Diri Dalam Perjanjian Sewa Rahim (Surogasi) Di Indonesia." *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 1 (June 1, 2020): 36. https://doi.org/10.20961/hpe.v8i1.44286.

Martiana, Annisa Ayu. "Asas Kebebasan Berkontrak Dalam Perjanjian Surogasi Di Indonesia Dari Perspektif Hukum Perdata Dan Etika." *Perspektif Hukum* 24, no. 2 (December 2, 2024): 269–90. https://doi.org/10.30649/ph.v24i2.317.

Muri, Dewi Padusi Daeng. *Surrogate Mother Dalam Pandangan Bioetika Sebagai Hak Reproduksi*. Yogyakarta: Genta Publishing, 2024.

Ningrum, Wafa Suci. "Fenomena Keberhasilan Feminisme (Studi Gender Feminisme Liberal Dan Feminisme Radikal)." *Familia: Jurnal Hukum Keluarga* 5, no. 1 (June 28, 2024): 25–36. https://doi.org/10.24239/familia.v5i1.197.

Pangaribuan, Aristo. "Metode Wawancara Dalam Penelitian Hukum Doktrinal Dan Sosio-Legal." *Undang: Jurnal Hukum* 6, no. 2 (2023): 351–83.

https://doi.org/10.22437/ujh.6.2.351-383.

Putera Semadi, Anak Agung Gde. "Paradigma Pendidikan Kritis Dalam Dimensi Kesadaran Kritis Dan Proses Dialogis Kritis." *Widya Accarya* 13, no. 2 (October 29, 2022): 209–23. https://doi.org/10.46650/wa.13.2.1327.209-223.

Putu Nita Yulistian, I Nyoman Putu Budiartha, and I Wayan Arthanaya. "Hak Waris Anak Yang Dilahirkan Melalui Perjanjian Surogasi." *Jurnal Interpretasi Hukum* 2, no. 1 (March 2021): 200–206. https://doi.org/10.22225/juinhum.2.1.3104.200-206.

Rahmadi, Darmawan, and Khairul Tri Anjani. "Hak Reproduksi Dalam Batasan Hukum: Analisis Normatif Terhadap Larangan Surogasi Di Indonesia." *Nusantara Hasana Journal* 1, no. 7 (2024): 132–37. https://doi.org/https://doi.org/10.59003/nhj.v5i5.1728.

Rosa, Silvia, Nilma Suryani, Silvia Marni, Azmi Fitrisia, Lyonnie Olivia, and Rido Ilham. "Voices of Matriliny and Hidden Power: Reimagining Female Agency through Minangkabau Narratives in Kaba and Tambo." *Social Sciences & Humanities Open* 13 (June 2026): 102531. https://doi.org/10.1016/j.ssaho.2026.102531.

Ruby Harland, Shanaz. "Hak Waris Anak Hasil Surogasi Menurut Peraturan Perundang–Undangan Di Indonesia." *Journal Evidence Of Law* 2, no. 3 (September 2, 2023): 17–23. https://doi.org/10.59066/jel.v2i3.468.

Saniria Benu, and Andrian Wira Syahputra. "Teori Feminisme: Peran Perempuan Yang Bekerja Keras Dalam Keluarga Di Era Modern." *Wissen: Jurnal Ilmu Sosial Dan Humaniora : Jurnal Ilmu Sosial Dan Humaniora: Jurnal Ilmu Sosial Dan Humaniora : Jurnal Ilmu Sosial Dan Humaniora* 3, no. 1 (January 23, 2025): 301–20. https://doi.org/10.62383/wissen.v3i1.622.

Sulistyawan, Aditya Yuli, Robiah Adawiyah, Shefia Ariesta Fernanda, and Adya Paramita Prabandari. "Kekerasan Seksual Dan Cara Berpakaian Perempuan: Telaah Filsafat Hukum Dalam Paradigma Critical Theory, Et. Al." *Jurnal Ius Constituendum* 8, no. 2 (June 15, 2023): 259–76. https://doi.org/10.26623/jic.v8i2.6093.

Wistu Malindi, Lintang. "Kedudukan Surogasi Dan Status Hukum Anak Dalam Perspektif Hukum Perdata Indonesia." *Jurnal Privat Law* 9, no. 1 (2021): 124–36. https://doi.org/https://doi.org/10.20961/privat.v9i1.28926.

Yanika Helena, Esra Labora, Abdul Rahman. "Teori Hukum Feminisme Dan Perlindungan Hukum Bagi Perempuan Di Indonesia." *Judge: Jurnal Hukum* 5, no. 4 (2024): 10–18. https://doi.org/https://doi.org/10.54209/judge.v5i04.1044.

Yulia Putri, Cindy, and Sulhi M. Daud Abdul Kadir. "Perspektif Hukum Islam Terhadap Anak Yang Dilahirkan Melalui Ibu Pengganti (Surrogate Mother)." *Zaaken: Journal of Civil and Business Law* 4, no. 2 (June 2023): 258–72. https://doi.org/10.22437/zaaken.v4i2.26051.

Zubaidah, Dwi Arini. "Surrogate Mothers in a Multidimensional Perspective of Legal Regulations in Indonesia." *Posita: Jurnal Hukum Keluarga Islam* 2, no. 2 (December 27, 2024): 53–62. https://doi.org/10.52029/pjhki.v2i2.230.