



Egalitarianism: Consciousness-Raising In Women's Position In The Islamic Family

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Article Info	Abstract	
<p>Keywords: Egalitarianism; Consciousness Raising; Women; Islamic Family.</p>	<p>Introduction: The Muslim community in the world, including in Indonesia, perceives Islamic family law as very patriarchal. This is because in the discussion related to Islamic family law, it only refers to Al QS. AN-Nisa [4]: 34, which translates women's subordination from men..</p> <p>Purposes of the Research: The purpose of writing this article is to describe a different side of Islamic family law which is always narrated by gender bias by the community, including the Muslim community itself, both in interpretation and even in its implementation carried out in a patriarchal manner. In fact, Al QS. Al-Hujuraat [49]: 13 implies that the rights and obligations of women and men on this earth are purely egalitarian.</p> <p>Methods of the Research: Normative research with the consciousness raising method is in the form of a communication approach related to the position of women in Muslim families, with a communication approach in Muslim communities related to critical awareness to add knowledge of actualization of Muslim communities in Islamic family law which actually does not burden women.</p> <p>Results of the Research: That the excess of men over women must be interpreted as that men are responsible for the maintenance and/or regulation of household affairs, not as rulers, supervisors or superiors of women. So it can be concluded that the concept of a man being the head of the family and a woman being a housewife as conceptualized by Article 31 of the Marriage Law and Article 79 of the KHI is no longer relevant at this time considering that based on the experience of women themselves and data showing an increase in the number of women family heads and women filing for divorce from year to year. As well as the fact that the wife helps her husband to prosper the family and even has to double burden because of it, must also be aware of his independence and not feel isolated because there are economic rights that they must obtain according to the efforts they have done as QS anNisa: 32.</p>	

1. INTRODUCTION

In the conception of Islamic family law, there is indeed a problem with the word 'qawwām' in QS. An-Nisa [4] verse 34,¹ which has become a central issue among feminists lately. This is because the sentence "Allah has favored some of them (men) over others (women) because they (men) have spent part of their wealth...". This sentence, according to feminists, will

¹ "QS. An Nisa (4) 'Men Are the Caretakers of Women, as Men Have Been Provisioned by Allah over Women and Tasked with Supporting Them Financially.'" n.d.

result in inequality in the family (gender bias). However, this concept so far has been well established among Muslims who show the husband's leadership towards his wife in the household. Putting the husband as the head of the household, according to feminists, is not in line, even against, the main feminist idea, namely the equality of men and women. For them, it is because in today's society, husband and wife work hand in hand to build a family, especially for married couples whose husbands are destined to not be able to fulfill the tough task of being '*qawwām*'. This is proven to occur in upper-middle and lower-middle families. The poorer the family is, the more time the wife gives to help her husband in fulfilling the needs of the family. They have a double burden (overwork) and do not obtain economic rights for what they have worked for because everything is for the family. In fact, the number of women as the head of the family is increasing day by day. In the following, the researcher mentions the report from the Central Statistics Agency (Indonesian: *Badan Pusat Statistik* (BPS)) concerning the role of women as heads of families based on the percentage of households by province, area of residence, and gender of the head of the household from 2009 to 2021. The total percentage of women who were heads of families throughout Indonesia is 15.82 in 2020. When compared to the percentage in 2016 (15.02), it indicates an increase of 11% in 5 years.

Table 1.

Percentage of Households by Province, Area of Residence, and Gender of the Head of the Household from 2009 to 2021 (Source: BPS RI - Susenas, 2009-2021)

Urban + Rural Classification		2016			2017			2018			2019			2020			2021		
Province	Year	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
	Sex Head of household																		
Aceh	79,90	20,20	100,00	79,91	20,09	100,00	79,59	20,41	100,00	80,16	19,84	100,00	78,70	21,30	100,00	80,78	19,22	100,00	
Sumatera Utara	83,97	16,03	100,00	83,79	16,21	100,00	83,03	16,97	100,00	82,77	17,23	100,00	82,68	17,32	100,00	83,66	16,34	100,00	
Sumatera Barat	82,24	17,76	100,00	82,54	17,46	100,00	83,76	16,24	100,00	82,52	17,48	100,00	82,66	17,34	100,00	84,01	15,99	100,00	
R i a u	89,09	10,91	100,00	89,10	10,90	100,00	89,38	10,62	100,00	88,64	11,36	100,00	88,86	11,14	100,00	88,78	11,22	100,00	
J a m b i	89,02	10,98	100,00	89,11	10,89	100,00	88,36	11,64	100,00	88,24	11,76	100,00	88,03	11,97	100,00	89,08	10,92	100,00	
Sumatera Selatan	88,70	11,30	100,00	89,42	10,58	100,00	88,14	11,86	100,00	88,19	11,81	100,00	87,43	12,57	100,00	89,04	10,96	100,00	
Bengkulu	89,14	10,86	100,00	89,06	10,94	100,00	89,42	10,58	100,00	88,47	11,53	100,00	88,28	11,72	100,00	89,83	10,17	100,00	
Lampung	89,72	10,28	100,00	89,26	10,74	100,00	88,69	11,31	100,00	89,17	10,83	100,00	88,00	12,00	100,00	90,07	9,93	100,00	
Kepulauan Bangka Belitung	88,42	11,58	100,00	89,15	10,85	100,00	89,86	10,14	100,00	88,88	11,12	100,00	88,70	11,30	100,00	88,42	11,58	100,00	
Kepulauan Riau	87,21	12,79	100,00	86,78	13,22	100,00	88,63	11,37	100,00	88,77	11,23	100,00	88,31	11,69	100,00	87,27	12,73	100,00	
DKI Jakarta	84,05	15,95	100,00	83,46	16,54	100,00	83,08	16,92	100,00	82,56	17,44	100,00	82,99	17,01	100,00	82,74	17,26	100,00	
Jawa Barat	85,71	14,29	100,00	85,92	14,08	100,00	86,31	13,69	100,00	85,44	14,56	100,00	85,36	14,64	100,00	85,94	14,06	100,00	
Jawa Tengah	83,43	16,57	100,00	83,46	16,54	100,00	83,33	16,67	100,00	83,16	16,84	100,00	82,51	17,49	100,00	84,51	15,49	100,00	
DI Yogyakarta	80,77	19,23	100,00	81,50	18,50	100,00	80,39	19,61	100,00	79,63	20,37	100,00	80,01	19,99	100,00	82,62	17,38	100,00	
Jawa Timur	82,45	17,55	100,00	82,03	17,97	100,00	82,37	17,63	100,00	82,64	17,36	100,00	81,67	18,33	100,00	84,18	15,82	100,00	
Banten	87,50	12,50	100,00	86,85	13,15	100,00	87,09	12,91	100,00	86,92	13,08	100,00	86,72	13,28	100,00	88,79	11,21	100,00	
B a l i	90,17	9,83	100,00	89,81	10,19	100,00	89,37	10,63	100,00	89,51	10,49	100,00	89,28	10,72	100,00	90,33	9,67	100,00	
Nusa Tenggara Barat	78,55	21,45	100,00	77,23	22,77	100,00	77,48	22,52	100,00	78,01	21,99	100,00	77,39	22,61	100,00	81,06	18,94	100,00	
Nusa Tenggara Timur	82,48	17,52	100,00	82,59	17,41	100,00	81,82	18,18	100,00	81,71	18,29	100,00	81,30	18,70	100,00	83,23	16,77	100,00	
Kalimantan Barat	88,28	11,72	100,00	88,48	11,52	100,00	88,23	11,77	100,00	87,47	12,53	100,00	86,90	13,10	100,00	88,19	11,81	100,00	
Kalimantan Tengah	90,39	9,61	100,00	89,91	10,09	100,00	90,62	9,38	100,00	89,64	10,36	100,00	90,07	9,93	100,00	91,21	8,79	100,00	
Kalimantan Selatan	86,35	13,65	100,00	85,04	14,96	100,00	84,95	15,05	100,00	83,63	16,37	100,00	84,42	15,58	100,00	85,08	14,92	100,00	
Kalimantan Timur	89,94	10,06	100,00	89,79	10,21	100,00	89,40	10,60	100,00	88,33	11,67	100,00	89,70	10,30	100,00	89,61	10,39	100,00	
Kalimantan Utara	89,55	10,45	100,00	89,37	10,63	100,00	90,29	9,71	100,00	91,13	8,87	100,00	90,02	9,98	100,00	88,57	11,43	100,00	
Sulawesi Utara	87,29	12,71	100,00	86,07	13,93	100,00	86,16	13,84	100,00	85,69	14,31	100,00	85,76	14,24	100,00	86,40	13,60	100,00	
Sulawesi Tengah	87,49	12,51	100,00	87,58	12,42	100,00	87,17	12,83	100,00	87,56	12,44	100,00	87,08	12,92	100,00	87,82	12,18	100,00	
Sulawesi Selatan	81,56	18,44	100,00	80,84	19,16	100,00	80,30	19,70	100,00	80,09	19,91	100,00	79,68	20,32	100,00	82,45	17,55	100,00	
Sulawesi Tenggara	83,56	16,44	100,00	84,88	15,12	100,00	84,65	15,35	100,00	83,44	16,56	100,00	83,19	16,81	100,00	85,47	14,53	100,00	
Sorontalo	87,66	12,34	100,00	87,19	12,81	100,00	85,70	14,30	100,00	85,05	14,95	100,00	85,85	14,15	100,00	86,24	13,76	100,00	
Sulawesi Barat	86,16	13,84	100,00	86,01	13,99	100,00	87,19	12,81	100,00	85,83	14,17	100,00	85,58	14,42	100,00	87,14	12,86	100,00	
Maluku	85,94	14,06	100,00	85,08	14,92	100,00	85,00	15,00	100,00	85,56	14,44	100,00	82,79	17,21	100,00	86,32	13,68	100,00	
Maluku Utara	88,73	11,27	100,00	88,33	11,67	100,00	88,12	11,88	100,00	87,63	12,37	100,00	87,79	12,21	100,00	88,50	11,50	100,00	
Papua Barat	90,74	9,26	100,00	90,49	9,51	100,00	88,95	11,05	100,00	88,45	11,55	100,00	89,13	10,87	100,00	89,46	10,54	100,00	
P a p u a	91,59	8,41	100,00	90,94	9,06	100,00	90,94	9,06	100,00	91,31	8,69	100,00	90,79	9,21	100,00	90,40	9,60	100,00	
INDONESIA	84,98	15,02	100,00	84,83	15,17	100,00	84,83	15,17	100,00	84,54	15,46	100,00	84,18	15,82	100,00	85,62	14,38	100,00	

The data above explains that although the number of female family heads is only about 15% compared to male family heads, the number is increasing every year. In addition, we cannot ignore the fact that women will always take part in the family, even able to act as the head of the household. Therefore, the conception that men are the rulers of the family or head of the household should be re-interpreted.

By paying attention to that point, the researcher expects that this article can provide an understanding of the different sides of the institutionalized concepts related to Islamic family law, which have accused and blamed Islam as a religion that is unfair to women. In this study, the researcher reviews the untruth of the general view that Islam oppresses

women. In reviewing, the researcher employs the method of consciousness-raising on women's perspectives related to their position in the family in particular and the position of men in the family in general. It is conducted because Islam does not burden women.

This study is based on the principle in the QS. Al-Hujurat [49] verse 13, which requires equality between men and women (egalitarian).² Therefore, the questions intended to be answered in this study are as follows. First, why is Islamic family law always considered patriarchal or gender-biased? Second, how to overcome the patriarchal interpretation in *syara'* in the application of Islamic family law in Indonesia with a gender perspective?

2. METHOD

The type of this study is normative research by analyzing secondary data qualitatively. Data in this study are related to patriarchal values that exist in society and Islamic family law. Furthermore, the theory used as an analytical tool is a feminist methodology which is a critique of the invisibility of women, arguing that oppression of women has been internalized so that it is no longer realized (hidden). The structure of this oppression is hidden, either by ideology or by contradictory practices of daily life. For this reason, the way to solve women's oppression problems (marginalization, subordination, discrimination, and others) is through generating critical consciousness-raising³. It is the women's movement that involves the transmission of preselected knowledge, in which increased awareness occurs in the disclosure of knowledge.⁴

3. RESULTS AND DISCUSSION

Islamic family law is contested as an understanding of the leadership/power of the husband over the wife in the household, which is not in line with, even contrary to, the main idea of feminism, namely the equality of men and women. This understanding has indeed been rooted in and implemented purely and consistently among Muslims, especially in societies with a patrilineal kinship system⁵. In studies conducted by Azhari Akmal Tarigan (2014)⁶ in the Karo Muslim community and Septia Alamanda & Akmal Akmal (2021)⁷ in the Mandailing Nagari Ujung Gading tribe, they found that the studied objects have members who are predominantly Muslim, but Islamic law related to inheritance is not carried out properly. In practice, it is proven that the heirs are only male and do not divide the inheritance according to Islam, which should give the share of inheritance to women even though it is only half of the share of men.

² Asliah Zainal, "Egalitarian Laki-Laki Dan Perempuan Dalam Keluarga Islam; Antara Idealitas Dan Realitas" (n.d.): 1-20.

³ Christopher J. Kelly, "Consciousness Raising." *Encyclopedia of Gender and Society*, ed. Jodi O'Brien (SAGE Publication, Inc, 2009).

⁴ Ann E, Rogers, "Feminist Consciousness-Raising in the 1970s and 1980s: West Yorkshire Women's Groups and Their Impact on Women's Lives," *School of Sociology and Social Policy* (UK: University of Leeds, 2010).

⁵ Ipendang Ipendang, "Islamic Law and Gender: The Collapse of The Oligarchical-Patriarchal Culture in The Konawe Region of Southeast Sulawesi," *Islam Realitas: Journal of Islamic & Social Studies* 6, no. 1 (2020): 1-13.

⁶ Azhari Akmal Tarigan, "Pelaksanaan Hukum Waris Pada Masyarakat Karo Muslim Di Kabupaten Karo" (IAIN Sumatera Utara Medan, 2010).

⁷ Septia; Alamanda and Akmal, "Penerapan Hukum Waris Islam Dalam Pembagian Harta Warisan Di Nagari Ujung Gading" 4, no. 4 (2021), <https://doi.org/10.24036/jce.v4i4.623>.

The concept of patriarchy⁸ is rooted in every kinship system in Indonesia. In addition, this cannot be defeated by the concept of Islamic family law which is actually a bilateral kinship structure. As seen in the Muslim Minangkabau matrilineal society, the concept of *bundo kanduang*, the practice has now been degraded into "only possessing property but not controlling", because Ninik mamak (male) still controls the property⁹. Islamic family law does not recognize the existence of an exogamous and endogamous marriage system that is usually carried out by patrilineal and matrilineal societies because Islamic family law only stipulates the prohibition of marriage (*ta'bid*) related to incest, "semenda", "milk-siblings", and polyandry. It is as explained in QS. An-Nisa [4] verses 22, 23, and 24.¹⁰ In Islam, the temporary prohibition (*gairu ta'bid*) regarding marriage can be found in QS. Al-Baqarah [2] verse 221.¹¹ The prohibition is related to marrying women or men from the polytheists/infidels until they believe. In addition, this also applies to marrying those who are in the *iddah* period until the end of their *iddah*.¹² In addressing the marriage between people within the same clan/clan (endogamy) or outside the clan/clan (exogamy), Islam does not recognize this kind of marriage. Therefore, the Islamic family system is bilateral and should not be patriarchal. In fact, QS. An-Nisa [4] verse 34 is interpreted by many scholars as to the existence of men's power over women, which is then used as a reason for society to label the Islamic family as patriarchal and marginalizing the role of women while positioning adult men in a central position or the most important figure in the family¹³. They also map the movement of women only in the domestic sector.

However, some Islamic scholars interpret QS. An-Nisa [4] verse 34 differently. They argue that men over women must be interpreted as that men are responsible for the maintenance or regulation of household affairs, not as rulers, supervisors, or leaders of their wives (women). This is according to the statement of Fatimah Marnisi & Rifaat Hasan, as presented below.¹⁴ "The fact that men are *qawam* does not necessarily mean that women cannot or should not make a living for themselves just because of the heavy burden men carry. If thinking so, women should be more deserving because they have to give birth and raise children. Therefore, even if they can, they should not have the additional obligation of earning a living at the same time."

This is in line with the statement of Aminah Wadud below.¹⁵ "The child-bearing responsibility is of grave importance: human existence depends upon it. This responsibility requires a great deal of physical strength, stamina, intelligence, and deep personal commitment. Yet, while this responsibility is so obvious and important, what is the responsibility of the male in this family and society at large? For simple balance and justice in creation, and to avoid oppression, his responsibility must be equally significant to the continuation of the human race. The Qur'an

⁸ Ade Irma Sakina and Dessy Hasanah Siti A., "Menyoroti Budaya Patriarki Di Indonesia," *Share : Social Work Journal* 7, no. 1 (2017): 71.

⁹ Tengku Rika Valentina and Roni Ekha Putera, "Posisi Perempuan Etnis Minangkabau Dalam Dunia Patriarki Di Sumatera Barat Dalam Perspektif Agama, Keluarga Dan Budaya" VI, no. 2 (2007): 1-19.

¹⁰ QS. An-Nisa [4] verses 22, 23, & 24

¹¹ QS. Al-Baqarah [2] verse 221: "Do not marry polytheistic women until they believe; for a believing slave-woman is better than a free polytheist, even though she may look pleasant to you. And do not marry your women to polytheistic men until they believe, for a believing slave-man is better than a free polytheist, even though he may look pleasant to you. They invite you to the Fire while Allah invites you to Paradise and forgiveness by His grace. He makes His revelations clear to the people so perhaps they will be mindful."

¹² QS. Al-Baqarah [2] verse 228: "Divorced women must wait for three monthly cycles before they can re-marry."

¹³ Syarial Dedi, "Kaji Ulang Pendapat Feminis Dengan Metode Ta' Wil" (2018): 1-13.

¹⁴ Fatima Mernissi; and Riffat Hassan, *Setara Dihadapan Allah* (Yogyakarta: LSPPA-Yayasan Prakarsa, 1995).

¹⁵ Amina Wadud, *Qur'an and Woman: Reading the Sacred Text from Woman's Perspective* (Oxford: Oxford University Press, 1999).

establishes his responsibility as qiwāmah: seeing to it that the woman is not burdened with additional responsibilities which jeopardize that primary demanding responsibility that only she can fulfill. Ideally, everything she needs to fulfill her primary responsibility should comfortably be supplied in society, by the male: this means physical protection as well as material sustenance. Otherwise, it would be serious oppression against the woman."

Based on those statements, the division of productive and reproductive roles between men and women is actually only for the sake of a balance. When women fulfill the reproductive functions (i.e., pregnancy, childbirth, and breastfeeding), men must earn a living to fulfill their productive functions. What men do does not mean that they can control or lead women in both the domestic and the public spheres. The interpretation of the concept of patriarchy does not match with many surahs and verses in the Qur'an. In fact, the Qur'an indicates the principles of egalitarianism, as contained in QS. Al- Hujurat [49] verse 13, QS. Al-Zariyat [51] verse 56,¹⁶ QS. Al-Isra [17] verse 70,¹⁷ and QS. Ali Imran [3] verse 195.¹⁸ These verses indicate that Islam is a religion that upholds the values of justice and equality. In other words, Islam has the principles of equality, in which men and women are both caliphs on Earth whose aim is to live to worship Allah SWT. Therefore, the rights of a woman are qualitatively balanced with the rights of men. In other words, men and women have equal opportunities and rights to get rewarded as in God's promise.

Moreover, QS. al-Nisa [4] verses 32 & 33¹⁹ explain a lot about women in the family and their rights. Based on these verses, we see that the Qur'an conveys the equality of human beings to get rights from their Lord. These two verses show that everyone, both male and female, can earn a living. Based on their effort in doing so, they can get a share according to what is sought. Furthermore, men and women are not allowed to be jealous of each other. It is clear that God equalizes the rights and obligations of both women and men to be able to earn a living. For this reason, it does not become a problem in the family if the husband and wife are both working for a living. Furthermore, each of these efforts will result in what has been sought because that is their right. In addition, they do not need to be jealous of each other if the income of the wife or husband is greater than one another. Apart from that, this verse also implies that, in an Islamic family, the husband and wife's assets are separate. In other words, they can own or control their respective assets. As a result, they as a family can also work hand in hand for the welfare of the family with what they each get.

However, according to QS. An-Nisa [4] verse 34, a man has an obligation to provide a living for his wife, children, and family. For this reason, the phenomenon of women serving as heads of families is very likely to occur if it turns out that the wife's business is bigger than her husband's or if the woman who works is a single parent. Therefore, if it is stated that women have to work at home (domestic work) and men in the public domain, women will not easily accept the condition when their husbands cannot provide a full living for their families.

The wife's demand for her husband is the ability of the husband to fulfill a living because men are the backbone of the family. This can actually be a reason for divorce if the

¹⁶ QS. Adh-Dhariyat [51] verse 56: "I did not create jinn and humans except to worship Me."

¹⁷ QS. Al-Isra [17] verse 70: "Indeed, We have dignified the children of Adam, carried them on land and sea, granted them good and lawful provisions, and privileged them far above many of Our creatures."

¹⁸ QS. Ali Imran [3] verse 195: "So their Lord responded to them: 'I will never deny any of you – male or female – the reward of your deeds. Both are equal in reward. Those who migrated or were expelled from their homes, and were persecuted for My sake and fought and some were martyred – I will certainly forgive their sins and admit them into Gardens under which rivers flow, as a reward from Allah. And with Allah is the finest reward!'"

¹⁹ QS. An-Nisa [4] verses 32 & 33

husband does not provide a living for his wife. Now, it has been proven. The number of wives filing for divorce from their husbands at this time is because the husband's income is less than the wife's income or the husband has no income at all. The fact can be seen from the updated data from Central Statistics Agency regarding marriages, divorce, and *talaq* in Central Java.

Table 2.

Number of Marriages, Divorces, and *talaq* in Central Java Province from 2018 to 2021

Nikah, Talak, dan Cerai di Provinsi Jawa Tengah, 2018-2021																	
Number of Marriages and Divorce in Jawa Tengah Province, 2018-2021																	
Kabupaten/Kota Regency/Municipality	Nikah/ Marriages				Cerai/ Divorces												
	2018	2019	2020	2021	2018			2019			2020			2021			
					Cerai Talak/ Divorce by Talak	Cerai Gugat/ Divorce by Petition	Jumlah/ Total	Cerai Talak/ Divorce by Talak	Cerai Gugat/ Divorce by Petition	Jumlah/ Total	Cerai Talak/ Divorce by Talak	Cerai Gugat/ Divorce by Petition	Jumlah/ Total	Cerai Talak/ Divorce by Talak	Cerai Gugat/ Divorce by Petition	Jumlah/ Total	
Kabupaten/Regency																	
1. Cilacap	19990	19708	16472	16416	1786	4319	6105	1795	4685	6480	1677	4361	6038	1.690	4.222	5912	
2. Banyumas	15779	15713	13213	13647	1240	3371	4611	1235	3712	4947	512	1454	1966	1.111	3.463	4574	
3. Purbalingga	8971	9020	7782	7797	517	1773	2290	569	1948	2517	522	1744	2266	535	1.883	2418	
4. Banjarnegara	9622	8885	7720	8106	577	1740	2317	583	1712	2295	615	1977	2592	576	1.759	2335	
5. Kebumen	12856	12753	10763	10788	695	2072	2767	791	2139	2930	700	2066	2766	632	2.097	2729	
6. Purworejo	6659	6603	6036	5988	436	1052	1488	441	1110	1551	395	1086	1481	401	1.118	1519	
7. Wonorejo	7842	7836	6620	7046	570	1531	2101	761	1763	2524	519	1503	2022	636	1.729	2365	
8. Magelang	10409	10127	9265	9680	597	1538	2135	634	1693	2327	536	1467	2003	588	1.583	2171	
9. Boyali	8289	8194	7535	7332	434	1237	1671	489	1320	1809	491	1343	1834	445	1.243	1688	
10. Kliten	9070	8924	8166	7767	507	1232	1739	487	1408	1895	411	1063	1474	398	1.228	1626	
11. Sukoharjo	6579	6341	5765	5753	366	900	1266	404	1112	1516	392	1067	1459	354	1.056	1410	
12. Wonogiri	9026	7641	6927	6798	390	1183	1573	468	1320	1788	411	1290	1701	435	1.281	1716	
13. Karanganyar	6942	6359	6155	6158	456	1168	1624	446	1158	1604	487	1186	1673	392	1.075	1467	
14. Sragen	8089	8221	6836	7300	573	1497	2070	712	1683	2395	608	1701	2309	651	1.610	2261	
15. Grobogan	11782	13604	10252	11845	934	2092	3026	1127	2794	3921	1006	2250	3256	809	2.199	3002	
16. Blora	7729	7975	6096	7086	565	1341	1906	589	1370	1959	519	1236	1755	529	1.365	1895	
17. Rembang	5630	4976	4360	4778	369	764	1133	325	786	1111	318	720	1038	343	827	1170	
18. Pati	11458	10753	8034	10045	808	2095	2903	765	2090	2855	706	2010	2716	752	2.006	2758	
19. Kudus	7566	7000	6174	6442	306	891	1197	308	951	1259	347	959	1306	344	976	1320	
20. Jepara	9846	9603	7963	9535	505	1641	2146	456	1646	2102	488	1601	2089	467	1557	2024	
21. Demak	10975	11118	8719	9776	529	1302	1831	585	1658	2243	596	1595	2191	519	1584	2103	
22. Semarang	7829	7743	7118	6946	362	810	1172	490	1103	1593	297	919	1216	517	1.529	2046	
23. Temanggung	6630	6605	5393	5479	456	1123	1579	475	1250	1725	385	1041	1426	380	1.013	1393	
24. Kendal	9941	9913	7776	7969	720	1897	2617	780	2145	2925	716	1893	2609	570	1.783	2353	
25. Batang	7523	7301	6192	6236	470	1443	1913	500	1759	2259	440	1484	1924	432	1.474	1906	
26. Pekalongan	9785	9163	8240	8448	433	1357	1790	404	1570	1974	403	1492	1895	382	1.506	1888	
27. Pemalang	15113	14474	13067	13099	831	2525	3756	957	3266	4223	835	2724	3559	803	2.907	3710	
28. Tegal	15990	15890	13518	13471	848	2734	3582	911	3106	4017	719	2577	3296	788	2.872	3660	
29. Brebes	19614	19122	16345	16681	1200	3729	4929	1080	4088	5168	1005	3550	4555	1051	3504	4555	
Kota/Municipality																	
1. Magelang	842	928	787	677	49	192	241	57	183	240	61	147	208	44	162	206	
2. Surakarta	8938	9617	8280	8355	211	664	875	287	802	1089	202	605	807	208	728	936	
3. Salatiga	1085	1120	1094	1014	234	831	1165	222	980	1202	205	836	1041	80	363	452	
4. Semarang	10963	10954	9960	9861	773	2178	2951	756	2342	3098	712	2379	3091	671	2.227	2898	
5. Pekalongan	2737	2623	2442	2451	113	411	524	159	457	616	112	437	549	126	397	523	
6. Tegal	2477	2294	2027	2090	147	417	564	194	460	654	168	458	626	133	396	529	
Jawa Tengah	320.677	312.061	271.452	277.060	20.107	55.450	75.557	21.332	61.426	82.758	18.616	54.381	72.997	18.802	56.707	75.509	

In Table 2, it is clear that the divorce rate is very high. In 2021, the number of divorces by litigation reached 56,707 and the number of divorces by *talaq* is 18,802. The peak occurred in 2019, namely 61,426 divorces by litigation and 21,332 divorces by *talaq*. The majority of husbands in those divorces are presumed to be unable to provide a living for their wives. In Indonesia's Marriage Law, Article 31 paragraph 3 states that the husband is the head of the family and the wife is a housewife. In addition, Article 34 paragraph 1 clarifies further that the husband is obliged to provide all the necessities of household life. Furthermore, in the same article paragraph 3, if the husband or wife neglects their respective obligations, their partner can file a lawsuit to the court.

The mapping of public and domestic spaces (heads of families and housewives) is now irrelevant. It is supported by QS. An-Nisa [4] verse 32, in which men and women can get income according to their respective businesses and women can contribute to the welfare of the family without considering who is the backbone or the head of the family.

Therefore, the conception that men are the rulers of the family or head of the household should be re-interpreted. The exaggeration of the position of men over women must be interpreted as that men are responsible for the maintenance or regulation of household affairs, not as rulers, supervisors, superiors, or leaders of the wife. The interpretation, that the husband is the ruler of the family or the head of the household, will limit the meaning of the QS. An-Nisa [4] verse 32, only to prove the definitive superiority of men over women. The interpretation cannot be separated from the influence of the patriarchal concept. In addition, this interpretation is not following the concept of Islam which is a religion that inherently carries the spirit of egalitarianism and is not discriminatory because Allah SWT created men

and women to be equal and have the same status. Furthermore, Allah SWT does not distinguish human values between men and women because they were both created by Allah SWT from a man and a woman (except Adam and Eve). Therefore, it can be concluded that Islam is not patriarchal, in which power is decentralized to men. This is because men and women must be treated equally and have the same political, economic, social, and civil rights, including the right to equality in Islamic family and inheritance law.

However, the fact is that almost all countries adhere to a patriarchal culture even though the level of application is different. Saudi Arabia is a country that has a very strong patriarchal culture which is not much different from the original culture in Indonesia. Women in this country are limited in their space of movement and are more expected to stay at home to be housewives who serve their husbands. As a result, no women are visible working in Saudi Arabia even as shopkeepers. The strong patriarchal culture in Saudi Arabia is also supported by a family system that adheres to a patrilineal system. The patrilineal system assumes that descendants only follow the father's line.²⁰ In Indonesia, it is actually more special because it is not only tribes whose kinship system is patrilineal which is patriarchal. Tribes whose kinship system is matrilineal are also patriarchal. For example, the Minangkabau people, who are predominantly Muslim and have a matrilineal kinship system, are led by Ninik Mamak (a man). Saudi Arabia, China, India, Japan, and others are countries that have a very clear patriarchal culture. They consider only boys who can continue their offspring.

This has been argued by experts, philosophers, thinkers, and scholars from the past to the present. In the past, women were objects of abuse, marginalized, and given a double burden. Plato (427-347 BC), one of the philosophers of the past, said that the honor of men is in their ability to rule, while the honor of women is in their ability to do simple jobs.²¹ The same thing can also be found in the views of Aristotle (384-322 BC), Demosthenes (384-322 BC), and Socrates (470-399 BC), who are very demeaning to women. For them, women seem only as objects for making the next generation. In the past, the wife even could be loaned to her husband's best friend.²² The same thing can also be found in the views of Aristotle (384-322 BC), Demosthenes (384-322 BC), and Socrates (470-399 BC), who are very demeaning to women. For them, women seem only as objects for making the next generation. In the past, the wife even could be loaned to her husband's best friend. This attitude still existed in the pre-Islamic era. The arrival of Islam has reformed this behavior because such oppressive and discriminatory attitudes cannot be justified either according to human reason or religion. This is addressed in QS. At-Taubah [9] verse 71 that "*The believers, both men & women, are guardians of one another. They encourage good and forbid evil, establish prayer and pay alms-tax, and obey Allah and His Messenger. It is they who will be shown Allah's mercy. Surely Allah is Almighty, All-Wise.*" This means that both men and women must help each other or fill each other's shortcomings. This does not mean that one dominates and subordinates the other. They should work hand in hand in a family as well as in society and the country to achieve the goal of a prosperous life in this world and the hereafter.

Therefore, it is not excessive if QS. An-Nisa [4] verse 34 is interpreted that the exaggeration of the status of men over women must be interpreted to mean that men are responsible for the maintenance or regulation of household affairs, not as rulers,

²⁰ Dominikus Rato, *Hukum Perkawinan Dan Waris Adat (Sistem Kekerabatan, Bentuk Perkawinan Dan Pola Pewarisan Adat Di Indonesia)* (Surabaya: Laksbang Yustitia Surabaya, 2011).

²¹ M. Quraish Shihab, *Perempuan*, 3rd ed. (Jakarta: Lentera Hati, 2006).

²² Shihab, p. 102.

supervisors, or leaders over women. This is in line with the concept of Islam which is a religion that inherently carries the spirit of egalitarianism and is not discriminatory. The central, formal, and pure egalitarianism fact can be found in QS. Al-Hujurat [49] verse 13. "O humanity! Indeed, We created you from a male and a female and made you into peoples and tribes so that you may get to know one another. Surely the noblest of you in the sight of Allah is the most righteous among you. Allah is truly All-Knowing, All-Aware."

Therefore, there must be an effort to increase legal awareness of the spirit of egalitarianism in Islam for women in particular and husbands & wives in general. This awareness is about the fact that the classical commentators are mostly male, in which they have given men power over women based on their interpretation of QS. An-Nisa [4] verse 34. ²³This interpretation has taken root in Muslims throughout the world, including in Indonesia with the inclusion of the statement that "the husband is the head of the family and the wife of the housewife" in Article 31 of Indonesia's Marriage Law and Article 79 of Indonesia's Compilation of Islamic Law, in which this conception is incorrect in a family. The statement from a gender perspective implies that women are subordinated and women's rights that should be equal to men seem to disappear (invisibility of women). This is because the concept has been internalized and is no longer realized. Consequently, oppression has become a habit of daily life. As a result, many women have lost their dignity and independence in this era because they do not know their position in society and family. Therefore, when they are abused or unfairly treated, they do not mind at all. This happened not because of their ignorance, but because they were forced to accept the abuse.²⁴

For this reason, in order for women to realize their actual rights, it is necessary to use the method of consciousness-raising from a feminist perspective in the form of dialogue or communication to foster an understanding of the social status and oppression of women. The communication strategy is through gathering in discussion groups²⁵ that have a set of mutually agreed rules. These regulations are more in the form of guidelines than formal regulations. In this case, the guidelines can be "violated" or changed based on the situation. This is because women's experiences are generally private and differ from one another, depending on their experiences. In general, this group is guided by the principle of "there are no men in the group" and "there is no hierarchy" so that the discussion is open and promotes positive attitudes towards other women in the group. The group serves as a safe & trustworthy space and does not discuss topics other than those that are relevant to group participants' lives. It aims to generate new knowledge about women's lives as a basis for activism. In addition, the knowledge is based on the personal experiences of group participants. According to Rogers, there are three expected outcomes related to this women's movement (consciousness-raising), namely as follows.²⁶

- a) They can develop their personal views that are independent of the ideas that have been socialized to them previously for them to hold and believe in.
- b) They can end their isolation so they feel less alienated from each other. By not feeling isolated, they are expected to be more confident.

²³ Nina Nurmila, "Pemananaan Agama Dan Pembentukan Budaya," no. 105 (n.d.): 1-16.

²⁴ Shihab, p. 102.

²⁵ Wijanarko Wijanarko, Sarwititi Sarwoprasodjo, and Parlaungan Adil Rangkuti, "Communication of Critical Consciousness in Peasant Movement," *Makara Human Behavior Studies in Asia* 18, no. 1 (2014): 1.

²⁶ Rogers, "Feminist Consciousness-Raising in the 1970s and 1980s: West Yorkshire Women's Groups and Their Impact on Women's Lives."

c) They can expand their ability in analyzing the problems from a personal level to a political level to solve problems through existing political and judicial channels.

Therefore, consciousness-raising concerning the interpretation of QS. An-Nisa [4] verse 34 is expected to change the understanding of Muslim women that it is not true that Allah SWT created men to rule over women. This is in line with QS. Al-Hujurat [49] verse 13 that men and women are equal before Allah SWT. In addition, the same thing is emphasized in QS. At-Taubah [9] verse 71 that men and women (husband and wife) must help each other or fill each other's shortcomings, not dominate and subordinate each other. Therefore, the concept of "men are the head of the family and women are housewives", as conceptualized in Article 31 of Indonesia's Marriage Law and Article 79 of Indonesia's Compilation of Islamic Law, is no longer relevant at this time by considering the experience of women and the data showing an increase in the number of female family heads and divorce cases from year to year. The fact that wives help their husbands to prosper the family and even some have to experience double burden²⁷ must also be realized so that the women do not feel isolated because they have economic rights that they must obtain according to the efforts they have done as explained in QS. An-Nisa [4] verse 32.

With intense communication related to understanding gender perspectives in Islam, consciousness-raising related to the equality of women and men can be established. As a result, the interpretation of patriarchy and the subordination of women in the family can turn into the equality of husband and wife who help each other. Thus, the rights that Allah SWT has given to humans in Islam are not regulated by other humans. In addition, the state does not need to interfere with the rights.

4. CONCLUSION

God is a Supreme Being. Therefore, He cannot provide unfair legal provisions for men and women. QS. Al-Hujurat [49] verse 13 states that men and women are equal before Him, the only difference being the level of piety and the means of reproduction. However, the facts in Muslim society show that women's rights seem to be non-existent (invisibility of women). In addition, this condition has been internalized and is no longer realized. Thus, the oppression of women becomes a habit of daily life. Therefore, in order for women to realize their actual rights, it is necessary to use the method of consciousness-raising from a feminist perspective in the form of dialogue or communication to foster an understanding of the social status and oppression of women. This is considered more effective in building women's confidence to understand their dignity and independence than they have to go through formal laws and regulations that will cause pros and cons. With women aware of their dignity and rights, the goal of gender equality between men and women in the family will be achieved.

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²⁷ Hilwa Anwar, "Orientasi Peran Egaliter, Keseimbangan Kerja-Keluarga Dan Kepuasan Keluarga Pada Perempuan Yang Berperan Ganda," *Jurnal Psikologi TALENTA* 1, no. 1 (2015): 55.

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