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Andrée Feillard

Indonesia's Emerging Muslim Feminism: Women Leaders on Equality, Inheritance and Other Gender Issues*

Abstraksi: *Dalam artikel ini, yang judulnya berarti "Feminisme Muslim yang sedang Berkembang di Indonesia: Pemimpin-Pemimpin Perempuan tentang Kesamaan, Pewarisan, dan Berbagai Persoalan Gender Lain", penulis menyajikan dan membahas pendapat sejumlah perempuan—atau wanita; peristilahan pun menjadi salah satu persoalan yang disebutkan penulis—Muslim Indonesia mengenai berbagai persoalan menyangkut gender, atau hubungan dan pembagian peranan antara perempuan dan lelaki dalam kehidupan sosial. Perempuan yang diwawancarai semua menempati kedudukan terkemuka dalam kehidupan sosial dan mewakili berbagai latar belakang kebudayaan, tradisi keagamaan, dan daerah. Mereka adalah tokoh berbagai organisasi keagamaan, anggota terkemuka di berbagai LSM, tokoh dakwah, seorang seniwati, seorang pensiunan jenderal polisi, dan seorang anggota MUI.*

Artikel terpusat pada berbagai persoalan yang lazimnya menjadi pokok perselisihan pendapat antara kaum feminis dan kaum konservatif. Artikel ini membicarakan secara khusus pendapat para tokoh Muslim perempuan Indonesia tentang kesamaan antara lelaki dan perempuan dan tata pewarisan. Salah satu kesimpulan utama adalah bahwa Indonesia sedang mengalami kecenderungan konservatif, yang memperburuk kedudukan perempuan dalam masyarakat. Itu sebabnya telah lahirlah awal sebuah gerakan feminis Muslim Indonesia, yang berusaha mempertahankan kedudukan perempuan Indonesia yang relatif baik serta mengatasi kekurangan yang masih ada. Gerakan ini menghindari baik feminisme Barat maupun model kehidupan Timur Tengah, menolak baik sekularisme maupun "Islamisme", dan betul-betul bertolak dari nilai dan tradisi Islam Indonesia.

Adapun persoalan kesamaan antara perempuan dan lelaki hampir semua perempuan yang diwawancarai mendukungnya. Namun, tradisi budaya berbagai daerah tampaknya mempengaruhi pemahaman perempuan tentang kesamaan itu. Perempuan Minang lebih menekankan kesamaan, sedangkan perempuan Jawa cenderung menggunakan istilah seperti pembagian tugas. Salah satu masalah yang berhubungan dengan persoalan kesamaan adalah kekerasan terhadap perempuan dalam lingkungan rumah tangga. Semua perempuan yang diwawancarai menolaknya. Ada yang menyebutkan salah penafsiran surat al-Nisâ', ayat 34 sebagai salah satu pembenaran kekerasan suami terhadap istri. Namun, para feminis Muslim Indonesia tidak memiliki wewenang formal untuk memecahkan persoalan penafsiran tersebut.

Menyangkut persoalan kewarisan, penulis menaruh perhatian khusus pada perbedaan antara adat berbagai daerah dan hukum Islam. Melanjutkan bahasan itu, ia juga menyebutkan usaha Kompilasi Hukum Islam Indonesia yang diprakarsai Munawir Sjadzali dan Busthanul Arifin. Menurut penulis, kedua tokoh tersebut menginginkan suatu hasil yang, di samping menyeragamkan hukum di seluruh wilayah Republik Indonesia, mengakomodasi rasa keadilan khas masyarakat Indonesia. Namun, yang terjadi adalah bahwa para ulama yang melaksanakan kompilasi itu dengan ketat berpegang pada hukum menurut mazhab Syafi'i. Adapun praktek pewarisan di keluarga para perempuan yang diwawancarai, penulis membedakan tiga kelompok: sekelompok yang melaksanakan pembagian rata-rata antara perempuan dan lelaki; sekelompok yang secara nominal mematuhi kaidah hukum faraid Islam, tetapi menghindari ketaksamaan anak lelaki dan perempuan melalui siasat menghibahkan anak perempuan; dan suatu minoritas yang berpegang pada hukum Islam, yaitu pembagian dengan nisbah 2:1 antara lelaki dan perempuan.

Pada akhir artikel penulis menambahkan beberapa catatan menyangkut poligami, kerudung, dan pekerjaan perempuan di luar rumah.

Penulis menyebutkan bahwa para perempuan mitra wawancara menunjukkan berbagai alasan mengapa kedudukan perempuan di dalam masyarakat Indonesia akhir-akhir ini tertekan: kebijakan pemerintah dan sistem negara, materialisme, dan "Arabisasi" yang mengatasnamakan islamisasi. Ia menutup dengan hipotesis bahwa tekanan terhadap kedudukan perempuan dan kemajuan borjuasi atau kelas menengah berkaitan: demikian dahulu pada zaman Revolusi Perancis di Perancis, sekarang di Indonesia dan banyak negeri Muslim lain.

أندرو فيار

التطور الحالى لحركة إسلامية لتحرير المرأة فى إندونيسيا: نساء ذوات وظائف قائدة عن المساواة، الوراثة وبعض القضايا الأخرى المتعلقة بدور المرأة ووضعها

الخلاصة: تقدم وتحلل المؤلفة فى هذه المقالة مواقف عدة بين النساء من بعض القضايا المتعلقة بالعلاقات بين المرأة والرجل فى الحياة الاجتماعية وتقسيم الأدوار بينهما. والنساء اللواتى قامت المؤلفة بمقابلتهن كلهن ذوات منزلة مرتفعة فى الحياة الاجتماعية ويمثلن خلفيات مختلفة فيما يخص الثقافة والتقاليد الدينية والمنطقة الأصلية. هن شخصيات من عدة المنظمات الدينية، أعضاء قائدات فى بعض منظمات غير الطابعة للحكومة، داعيات، فنانة، قائدة متقاعدة للشرطة وعضو فى مجلس العلماء الإندونيسى.

تتركز المقالة على بعض القضايا التى كثيرا ما تصبح موضوع الخلاف بين حركة تحرير المرأة والدوائر المحافظة. وتناقش بصفة خاصة موقف أولئك المسلمات الإندونيسيات من مساواة المرأة والرجل وفى الميراث.

ومن النتائج الرئيسية للمؤلفة أن إندونيسيا تتعارض حاليا لميل المحافظ الذى يؤدى إلى تدهور منزلة المرأة فى المجتمع. ونتيجة لذلك فقد ولدت بداية حركة إسلامية إندونيسية لتحرير المرأة، تحاول أن تدافع عن منزلة المرأة الإندونيسية الحسنة نسبيا وأن تتخلص من النقائص التى ما زالت موجودة فى هذا الميدان. وتتجنب هذه الحركة الاقتداء بحركة تحرير المرأة الغربية وأيضا بنموذج مجتمع الشرق الأوسط وترفض العلمانية وكذلك "الإسلاموية" وتنطلق من القيم والتقاليد الإسلامية الإندونيسية حقا.

وفيما يخص بقضية مساواة المرأة والرجل، فكل النساء اللواتى قابلتهن تقريبا أيدنها، ولكن بدا للمؤلفة أن تباين التقاليد الثقافية لمناطقهن المختلفة يأثر على تصورهن عن هذه المساواة. أما نساء من منطقة مينجكابو فيأكدن على المساواة تأكيدا خاصا، بينما نساء جاوا كثيرا ما يستعملن مصطلحات مثل تقسيم الوظائف بين الجنسين.

ومشكلة من المشاكل المتعلقة بقضية المساواة هو العنف المنزلى على الزوجات. هو مرفوض لدى كل النساء اللواتى قابلتهن. والبعض منهن يذكرن سوء تفسير آية ٣٤ من سورة النساء كعامل من عوامل تصحيح عنف الرجل على زوجته. ولكن المسلمات الإندونيسيات الدافعات عن تحرير المرأة ليست لهن السلطة والأهلية لحسم هذه القضية المتعلقة بالتفسير القرآنى.

أما قضية الوراثة فتهتم المؤلفة بصفة خاصة بالاختلاف بين عادة بعض المناطق والشريعة الإسلامية. وفى مواصلة مناقشة تلك القضية تذكر كذلك محاولة تدوين الشريعة الإسلامية الإندونيسية التى بادر إليها السيدان منور شاذلى وبستان العارفين. وحسب رأى المؤلفة فرغب أن الشخصين المذكورين يرميان إلى نتيجة تؤدى إلى الوحدة القانونية فى كل منطقة الجمهورية الإندونيسية كلها وبالإضافة إلى ذلك توافق الشعور بالعدالة الخاصة فى

المجتمع الإندونيسى. ولكن تلك الرغبة لم تتحقق بعد لأن العلماء الذيـن قـاموا بتدوين القانون يعتمدون على الفقه الشافعى اعتمادا كليا.

وأما تطبيق الوراثة فى عائلات النساء اللواتى قابلتهن فاختارت المؤلفة ثلاث فرق من الفئات: الفئة الأولى تقوم بالتقسيم بين النسـاء والرجـال علـى السـواء، والفئة الثانية تخضع للقواعد الشرعية المتعلقة بـالفرائض شـكليا ولكـن تتجنـب عدم المساواة بين البنين والبنات عن طريق اعطاء هبة للبنات. وأخـيرا، فالأقليـة وقفت على الشريعة الإسلامية، أى تقوم بالتقسيم بين الرجال والنساء على نسبة ١:٢ .

وفى آخر المقالة فالمؤلفـة تزيـد إظهـار بعـض الملاحظـات المتعلقـة بتعـدد الزوجات، والحجاب وعمل المرأة خارج المنزل .

بينت المؤلفـة أن النسـاء اللواتـى قـامت بمقـابلتهن قـد قدمـن عـدة أسـباب للضغط الذى تعرضت له منزلة المـرأة فـى المجتمـع الإندونيسـى خـلال الفـترة الأخيرة وهى سياسة الحكومة ونظام الدولة المادية و"التعريب" الـذى تـم باسـم الأسلمة. وتتم بافتراض أن الضغط على منزلة المرأة وترقى الطبقة البرجوازيـة أو الوسطى تتعلق بالواقع كمـا كـان سـابقا فـى زمـن الثـورة الفرنسـية فـى فرانسـا وكذلك الآن فى إندونيسيا وكثير من البلدان الإسلامية الأخرى.

The greater freedom of movement and the relatively high status enjoyed by Indonesian women have made their fate appear quite enviable compared to women in Middle Eastern and South Asian societies as India and Pakistan (Vreede-de Stuers 1960; Ward 1963). In Java for example, women deal with money, become traders and their contribution to the household gives them financial autonomy and power (Geertz 1961; Stoler 1977; Koentjaraningrat 1985; Keeler 1990, Brenner 1995). Recently however, the Islamic revival, which has also reached Indonesia, has been accompanied by an increasingly conservative discourse on womanhood, vehiculed since the 1980s by some media and *dakwah* activities, partly as a reaction to modernity.[1]

This article proposes to examine the views of women leaders on major gender issues which have been a subject of disagreement between feminist activists and conservatives. What does Islamic revival imply for the modern Indonesian woman? How does she react to it? Evelyn Blackwood (1995) has shown that women in Minangkabau were not marginalized despite the double effort of legitimating men's power by both the state and Islam. Earlier, Lucy Whalley (1993) has also cleverly demonstrated that women adapt to pressures and "develop strategies for self-representation designed to preserve their own reputations and that of their families" (Whalley 1993: 26).

How do women leaders perceive recent societal changes and how do they face them? This was the theme of a one-month research project I did in Java in 1995. In 23 interviews which lasted from two to four hours each, I interviewed women on issues ranging from polygamy to veiling, from freedom to work to inheritance, from equality at home to female circumcision, etc.[2] Their discourse exposes the reality of a growing conservatism in their surroundings, what some call "fundamentalism", to which, ironically, strict Muslim milieus seem to be the most reactive. In general, interviews revealed a widening gap between the sense of justice prevailing among these women, and the conservative trends emerging in Indonesian society.

This conservatism has driven to a new consciousness among some Indonesian women (and some men sympathetic to their cause) about the need to make efforts to preserve their privileged status and improve remaining inequalities. An embryonic Muslim feminist awareness is emerging, though scattered, unstructured and little organized. It seems to be in search of an Indonesian model, neither middle-eastern nor western, but properly Muslim Indonesian. Between the

women whose references are western (who dare, for example, defend the rights of lesbians) and those who look to the Middle East as a model (acceptance of polygamy as the very proof of true faith), there appears to be an intermediary category of Muslim feminists, modern moderates who believe in and fight for an egalitarian and liberating interpretation of Islam.

I. Equality in Family Life

Equality among Indonesian men and women is implicit in the 1945 constitution article 27 (1): "Without exception, all citizens shall have equal positions in Law and Government and shall be obliged to uphold that Law and Government." The 1974 marriage law, in article 31 (1), also states that "the rights and position of the wife are equal to the rights and position of the husband both in family and in social life", but it adds (3) that "the husband is the head of the family, the wife is the head of the household". Despite this virtual equality in the basic texts, some feminists blame the marriage law for inferiorizing women, especially by allowing polygamy. Moreover, the fact that it spells out the husband as the "head of the family" has given rise to unfavorable treatment of women in case of divorce or separation. Moreover, female civil servants are being denied allowances from the government on the ground that they are not the head of the family.[5]

How Equal?

The discourse on equality in each woman's family life during their childhood was strongest among matrilineal Minangkabau women (West-Sumatera). Zakiah Daradjat, a graduate of 'Ayn Shams university in Cairo, spoke clearly of equal authority between her father and mother.

> For us, Minang people, the woman has no weakness compared to men. I can go anywhere, and need not to be accompanied by a man. The woman can take her decisions, without the man's advice. My friends in Java are different. In Minangkabau, the *tungku* institution decides on village life and must comprise three elements: *adat*, religion and woman. Nowadays, adat is represented by the government; women are equal to men. It has always been so.

Interestingly, this total-equality discourse maintains itself in the younger Minang generation. Farida Riyanti, a *dakwah* activist, former HMI leader, remembers her mother decided everything, and "my father only rubberstamped my mother's decisions". Cumbersomely,

she explains that, in Islam, "it is the father who is the chief, but it does not mean that he must be dominant." In this case, the new Islamist discourse has not done away with the consciousness among Minang women of their equality.

The same perception of Javanese women as being weaker was expressed by student leader Damayanti, born of a Minangkabau mother and a Javanese father: "I was taught to respect my parents but also to be firm, not to give in to men. There are Javanese women who dare not resist. But I think that, as far as a woman is right on a question of principle, she has to be able to defend her position."

Different from Minangkabau women, most Javanese women interviewed were raised by their parents in the understanding that the head of the household was their father. Parental education had favored their brothers who were given lighter tasks (a noticeable exception was the family of Wahid Hasyim, son of Kyai Hasyim Asy'ari, founder of the Nahdlatul Ulama). However, most said that their mothers had urged them to be autonomous and to behave as equals with their future husbands.

Thus, their discourse often reveals this ambiguity. Middle-aged committed Muslim leaders cleverly used the marriage law formula, which makes men and women chiefs in different fields.[4] They stopped short of recognizing any superiority of men, preferring to attribute to both two different functions in separate domains. Thus, Tuty Alawiyah spoke of "external and internal matters"; Elyda Djazman of "head of the household and organizer"; Huzaemah Tahido Yanggo of "minister of Foreign Affairs and minister of Internal Affairs"; Aisyah Hamid of "president and prime minister"; Asmah Syahroni of "head of the family, and head of the household".

Some *santri* women leaders, without contesting the husband's role as head of the family, called for mutual assistance.[5] Baroroh Baried, of 'Aisyiyah, said: "The captain is the husband, but both have to help each other. Harmony and balance are necessary." Trias Setiawati, first vice-president of Nasyiatul 'Aisyiyah (NA), also saw the husband as the head of the family, "as he is representing the bride as *wâlî* for marriages", but she added: "Work at home should be shared equally. My father cooked, and my brothers worked just as we, girls, did". Huzaemah Tahido Yanggo, a lecturer at the Jakarta State Institute for Islamic Studies (IAIN) argued: "The husband is stronger, and he protects the woman, but it does not mean he should have all powers, there must be a cooperation". Mutual assistance, shared tasks,

cooperation were the key words expressing a widespread desire for solidarity.

The discourse of equality among Javanese women was found both among older women leaders, with strikingly little difference between *abangan* and *santri* leaders, and among young women. Thus, former nationalist activist Syaafril Ilyas said "the head of the family should be the man and the woman together. If it is one of the two, it is called dictatorship". Chuzaimah, Fatayat co-founder, said: "The head of the family should not necessarily be the man, the woman should also be able to take up this role, as women can do as many things as men, except for a very few tasks like climbing on the roof or so."

Among the younger women leaders, only a few had tales of mothers living in conditions of restrictions linked to their status as women. This was the case for Wardah, raised in an East-Javanese *pesantren*:

> When there were ceremonies, we women cooked and the men would eat first, and women ate the left overs. Even today, my mother has a tendency to eat last, when everybody else has served himself. Now, we invite her to eat with us but she still hesitates, and her first reaction is to say: help yourself first. Later, she joins us.

Despite various childhood experiences, all the 23 women leaders believed in equality between men and women. Only one woman leader expressly spoke of the wife's duty "to serve" her husband. Thus, Fatayat chairwoman Sri Mulyati Asrori, a Madurese educated in an Islamic primary school managed by Arab-Indonesians in Jakarta, explained: "The wife has to be able to serve her husband and listen carefully to what her husband tells her." In another part of the interview, Sri however said that education was most important for women so that "they dare defend themselves when they are right", and that they otherwise can be "oppressed by unworthy husbands."

Inequality and Domestic Violence

Inequality has expressed itself most dramatically in Domestic Violence, an issue of concern among feminists who object against its legitimation under certain circumstances in the Qur'an.[6] Lawyer Nursyahbani reported that "There is a lot of domestic violence but people do not speak out, they feel it is a private matter. It is increasing. People come to me or to the Legal Aid Institute (LBH), not to the police. It happens at every level of society. In Muslim culture, the husband has the right to beat his wife." Trias Setiawati in Yogyakarta

says that a few Nasyiatul 'Aisyiyah activists created a crisis center to treat violence and rape cases in 1995. Aisyah Hamid, Muslimat chairwoman, cites domestic violence as the major problem after lack of education. For Kalyanamitra's activist, Sita, it is a priority concern.

Indonesian 'ulamâ' have long reflected on the verse 34 of Surah al-Nisâ'.[7] In 1984, the Ministry of Religious Affairs gave its official interpretation of the Surah in its *Al Quran dan Tafsirnya,* based on the *ijmâ'* (consensus) reached by eight foremost Indonesian ulama. They agreed that the woman "has to obey her husband", and that the husband "had the right to beat her with a light blow which does not hit the face and does not leave any scar." This visible though maybe timid effort to protect women within the limits of the sacred texts can be also found earlier among major Indonesian 'ulamâ' as has been shown by Didin Syafrudin, a researcher at Jakarta's State Institute for Islamic Studies (IAIN).[8]

Mahmud Junus, a major West-Sumateran 'ulamâ', who studied in Cairo and later became rector of the IAIN in Padang interpreted the Surah al-Nisâ' verse 34 as meaning submission of the wife to the husband, adding his own interpretation in brackets that the woman had to obey "(her husband)". But, moderating another part of the Surah, he specified that the husband could "beat his wife (but not with a blow which will hurt her body)". Hasbi Ash Shiddieqy, an Acehnese specialist of *fiqh*, activist of the former Masyumi, and once a vice-rector of the IAIN Yogyakarta, had a similar interpretation of the Surah al-Nisâ' verse 34, arguing also in favor of the superiority of men, but again, a "good and wise husband" will not need do violence to his wife. Finally, Hamka, one of Indonesia's most prominent 'ulamâ', a West-Sumateran, explains that men are chiefs (*pemimpin*) over women, and this explains the larger part of inheritance they receive, and why they can have four wives and not the reverse, etc. For Hamka, the leadership of men over women also comes from the women's own instinct: when a thief breaks into a house, the woman will run and hide while the man will protect her. Didin Syafruddin concludes that traditional, Salafiyyah and neo-Salafiyyah thinkers are all conservative in gender matters: the place of women is at home and they should obey their husbands.

While some women leaders said they did not know of the existence of the verse 34, those who knew it blamed a "wrong" interpretation of the verse for the violence. But most interestingly, Muslim feminists now try to cope with the problem, along parallel lines to

the 'ulamâ'. Aisyah Hamid of the Muslimat says: "We teach women to defend themselves, that the Qur'ân should not be interpreted literally, that the explanation of the Qur'ân in the Hadîth specifically says that the beating should not hurt and leave any scar." Thus Muslimat goes further than the official explanation of the verse which only speaks of scars, not of pain. NGO activist Sita said that their defence of women was assisted by some Muslim intellectuals like Masdar Mas'udi who quotes a hadîth saying that the husband had the right to beat his wife only with a handkerchief. Going further, Farida Riyanti said that women could be corrected "not by beating but with words".

> There is one rule for the husband, that he should not hurt his wife, neither in action nor in words. Here, people have a very superficial knowledge of Islam. They are only Muslims because their parents are Muslim. There is an al-hadîth, not a Qur'ânic verse, that says that, if the wife acts badly, he can ask her for an account, then other things... finally he can beat her, but not with his hand but with words, and he can separate from the bed.[9] Another hadîth says he can beat her, but without inflicting pain on her. But only if she acts badly, and does not want to understand. But here, people misunderstand, their knowledge is superficial and thus negative with regar to Islam.

Thus, blame is mostly put on Indonesians' "superficial knowledge" of Islam. Trias blamed this superficial knowledge on their increased materialism and the media:

> Maybe because the husband's salary is too small and the wife dreams to have more, or the wife is too tired. The electronic and written media are responsible for this.

Despite these divergences, all women shared the concern of how best to do away with domestic violence. But Muslim feminists have few means to propagate the "right" understanding of Islam, as they lack the formal authority to deal with these issues.

II. Inheritance

In Java, descent and inheritance are reckoned bilaterally. Javanese adat prescribes that daughters inherit equal shares from all the property of their parents. Married women keep the property inherited from their parents, and dispose of it as they like (Geertz 1961). Upon

divorce, a married woman may take with her this property and also the property she earned during marriage.

Customary law (*adat*) was applied until recently, in theory at least, for questions of inheritance in Java, Madura and South-Kalimantan. A 1937 Dutch regulation was applied which provided that, in these regions, religious courts could no longer rule on inheritance, but only on matters of marriage, divorce, reconciliation, interpretation of marriage contracts, dowry, and money allowances to a divorced wife. In fact, Daniel Lev has shown that Islamic law continued to be applied on inheritance in Java, due to the ruling that it could be used in regions where it had become an integral part of customary law (Lev 1972: 114-115). Suzanne Brenner found in her 1988 research in Solo that more people preferred to follow the prescription of "Javanese custom" rather than Islamic law followed by some strict Muslims (Brenner 1995: 24, note 5).

In the early 1980s, Minister of Religious affairs Munawir Sjadzali and Supreme Court Vice-chairman Busthanul Arifin initiated a project called *Kompilasi Hukum Islam Indonesia* (Compilation of Indonesian Islamic Law). 'Ulamâ' all over Indonesia were asked to help codify a specifically Indonesian Islamic code, creating a consensus on sensitive questions pertaining to family law. It had the effect of homogenizing family law in the ethnically diverse archipelago. The new code was legalized in 1989 together with a law on Islamic courts, extending their jurisdiction over matters of inheritance for Java, Madura, and South-Kalimantan. Munawir and Busthanul, both Muslim intellectuals, had wanted to produce a code close to the indigenous sense of justice. However, the 'ulamâ' put their weight behind a code largely taken from the Shâfi'î school of law (*madhhab*). The government succeeded in adding a clause stipulating that the judge should take into consideration the living sense of justice particular to the area where he lived. To my knowledge, there has been no study yet on the impact of the new code published in 1994-1995.[10] The impact of the law will be important in case of conflicts between parties disagreeing on whether *adat* or *Hukum Islam* should prevail.

Except for lawyer Nursyahbani, none of the 23 interviewees had heard of any conflictual case linked to the new code. In general, after stressing that they had not been raised to wait for inheritance and laid more importance on schooling as the way to social progress, the interviewees said they felt that inheritance should be distributed equally between brothers and sisters or should go to the poorest

member of the family. For the majority of them, their families had opted for an equal sharing, or even for a larger share for women. Three groups of women leaders could be singled out: those whose family totally ignored Islamic law and pursued the family tradition of equal sharing between boys and girls or even giving preference to girls; a larger group who tried to pay lip service to Islamic law but circumvented it by a will before death; and a minority who stuck to Islamic law.

Equal Sharing

The equal sharing rule was applied among the women leaders interviewed, in *abangan* circles, in mixed *santri/abangan* families, and in traditionalist *santri* circles. In the *abangan* family of Madurese Moersia Syaafril Ilyas, *adat* law giving preference to women has prevailed: "Among us, it is the girls who have inherited, not the boys, because they can earn their living. Thus, the boys have given up their part of inheritance. This is so, this is our custom." In the elite Javanese family of Saparinah Sadli, equal sharing was used.

In families where one parent is *abangan* and the other *santri*, equal sharing was the rule. This was the case for NGO activist Sita and for student leader Damayanti, both born from a Javanese father and a Minangkabau mother. For Damayanti, consultation on inherited wealth with her brothers seemed important, a trend also found in other leaders: "We will share equally, the Javanese way, and maybe we will manage the inherited wealth in common."

In traditionalist *santri* elite circles, equal sharing also seems to be the prevailing sense of justice. Fatayat co-founder Chuzaimah says: "For me, inheritance should be shared equally between boys and girls, in order not to contradict religion. In our family, we were 2 boys and 5 girls, and there has been no problem with equal sharing." It is interesting to see that Chuzaimah legitimates equal sharing citing religion, without precision, but failing to mention the 2:1 Qur'ânic principle. For Huzaemah Tahido Yanggo, a lecturer at the State Institute for Islamic Studies in Sulawesi, the same values seemed to prevail: "When my parents died, inheritance was distributed equally among boys and girls, according to our tradition, although we know that religion recommends two parts for boys. The boys did not protest because they knew that, as the oldest daughter, I had paid medical expenses for my parents and school fees for my younger brothers, whom I had pushed to study further." In the family of the founder of Nahdlatul Ulama, Kyai Hasyim Asy'ari, there is the same trend. The

family of his son, Wahid Hasyim, has distributed wealth equally. According to his daughter, Aisyah Hamid, Muslimat chairwoman: "After the death of my father, my mother told her children that inheritance would be shared equally between my brothers and sisters. We all agreed because we had been treated equally since our early childhood". The Muslimat chairwoman said that, although the 2:1 principle was applied by her grandfather, Kyai Hasyim Asy'ari, her grandmother still enjoyed great autonomy, as according to Javanese custom:

> The wife of Kyai Hasyim, my father's grandmother, was a woman of great character, and of great discipline. She had her own workers to build her *madrasah*, whereas her husband had his own workers for his *pesantren*. She earned her own money from a small *warung* and from the *pesantren*'s canteen. She spent that money on the *madrasah* she wanted her son, Wahid Hasyim, to manage later.

Finally, adat sometimes converges with Islamic law in favor of men. Asmah Syahroni, from Timbuk Baru in South Kalimantan, says that both her mother and father left their belongings (ricefields and house) to their poorer brothers in accordance with *adat*. She adds there were many conflicts in her time regarding inheritance that favored boys, and adds that now, in her surroundings, parents distribute their wealth equally through a will, resulting in less problems.

Hibah or Will before Death

Families eager to apply the sacred texts yet inclined to equal sharing have chosen to resolve the inheritance dilemma through several artifacts, using either a donation (*hibah*) before the death of their parents or a testament. Former Minister of Religious Affairs, Munawir Sjadzali, had used the argument that such procedure was frequent among Indonesian 'ulamâ' to try and push in favor of a definite rule of equal sharing. He did not succeed.

Tutty Alawiyah, a preacher from an influential 'ulamâ' family in Jakarta, explains the reasoning: "Islam has ruled the question of inheritance in a complete way. [Question: Is it allright for the woman to receive less?] It depends whether the woman is wife, mother or daughter. And, anyway, there is the possibility of sharing the inheritance while the parents are still alive. Let people do it! But after death, God proposes the best solution."

All four women leaders of the Muhammadiyah movement inter-

viewed belong to families who have used some kind of compensation for girls. In Yogyakarta, Baroroh Baried, former 'Aisyiyah chairwoman, says Islamic law is applied in her circles, "but a compensation is given to the girls, before the parents' death, in the form of a donation (*hibah*), with the consent of the boys." Trias Setiawati, the young Nasyiatul 'Aisyiyah leader, had the 2:1 Islamic rule applied in her family, "but the children who were particularly appreciated, like my mother, were given a compensation before the death of my grandmother. My mother was very good to my grandmother, and so, she was given rice-fields. This did not create a problem to my brothers. They had all received a good education and did not expect much from inheritance." North-Sumatra born Elyda Djazman, the current 'Aisyiyah chairwoman said: "We follow religious law, but my father made a testament with witnesses and a tax stamp (*materai*), that the house should go to the girls. He explained that the girls would be the remaining pillars (*tumpuan*) and the boys would go to the girls. My mother now has made her own testament that our house should not be sold, and should be used by all of us." Despite this choice, Elyda defends the Islamic sharing system which is "not inferiorizing women. There are grounds for it." Finally, Malichah Mocharom father's will was written not in favor of daughters but of the wife. Her father called *'âlim* just before he died, to give all his wealth to his wife. Later, when his wife died she gave everything according to the 2:1 Islamic sharing principle.

Accommodation through donation was applied in Lies Marcoes' family in West Java, which was close to the Muhammadiyah movement: "My mother tried to stick to Islamic principles, but she herself could not help but find a way out: she gave jewels to the girls for their marriage, and helped them build their houses." In the family of Wardah Hafidz — a Muslim traditionalist family which kept ties with the Masyumi party after the 1952 split between the NU and Masyumi —, her grandmother made a will, which was heavily contested by the descendants (nine boys and one girl). Finally, the 2:1 sharing was used and the will disregarded.

Favoring of girls was also found in the case of Emmy Hafild's grandfather, a Malay, Datuk and *kepala suku* (trible leader) from Sungai Karung, Deli Serdang in North-Sumatra. He gave a part of his wealth to his daughters, to the discontent of her father. Zakiah Daradjat's family gave her wealth to "the poorest daughter" (her sister), according to Minangkabau *adat* which gives preference to needy lineage

members, mostly women. But she says that, traditionally, the *harta pusaka* went to the girls, whereas acquired wealth was distributed according to Islamic law.

Lawyer Nursyahbani Katjasungkana, born of a Madurese father and a Betawi *santri* mother, says her Madurese grandfather wrote a will, in which he gave more to the girls than admitted by Islamic law, "something usual among intellectuals".

The practice of circumventing unequal sharing in favor of sons through a donation (*hibah*) or through a will before death, thus legalizing the non-Islamic sharing system, seems to have been frequent at least in elite *santri* circles. The traditionalist elite seems to have had the least problematic relationship to *adat*.

The 2:1 Principle

Among the 23 women leaders, only two said that inheritance in their family is now totally ruled by Islamic law. For one of them, it was something new: Farida Riyanti, born of Minangkabau parents, says: "Before, the family house was for the girl, now it is one part for girls, two for boys." Fatayat chairwoman Sri Mulyati Asrori, born of Madurese parents, also says that her family's rice fields would be distributed later totally according to Islamic rule.

Lawyer Nursyahbani complained that the codification had created new problems: besides the long distance to go to Islamic courts (mostly present at the regency level only), problems have arisen with widows who had a right to receive half of the inheritance first, while the other half was shared between her and her children. Now Islamic law prescribes that the widow receives only a quarter of the wealth, if she has no children, and 1/8 otherwise. Nursyahbani had to deal with one case where a widow was ordered to leave the family house by a son who wanted his share immediately. Munawir Sjadzali and Busthanul Arifin, despite their good intentions, she says, "may have only reinforced the inferior position of women by asking the opinion of conservative *kyais* from Aceh, Padang etc. while they should have asked the people themselves." Thus, we seem to have the case here that any efforts to formalize inheritance rules can only occur in the conservative line despite a wide consensus in favor of equality. This question seems to show how difficult reform (*pembaruan*) remains and the still wide discrepancy between the theoretical debate and reality.

III. Other Issues in Brief: Polygamy, the Veil, Female Work

I will deal here briefly with main issues like the veil, polygamy and female work which I have treated at length in another paper.[11]

The veil

The tight veil (*jilbab*) has emerged in the 1980s, replacing the traditional *kerudung* (a shawl hanging over the head and open on the shoulders) among part of the young generation. In general, there seems to be relatively little antagonism towards the veil. The reason may be partly stemming from the fact that the veil, being new, is not the emblem of a particular social class as it is in Turkey or as it was in Iran, and, as such, its claim to be symbolic of virtue may be more credible. It seems that the older secular-minded women are expressing the least distrust of the *jilbab* as an expression of a virtuous life. There also seems to be a relative readiness in weakly Islamized Javanese circles (*abangan*) to accept or adopt the veil — an easy way to prove one's Muslimness, which is a major problem for Javanese who have long been taxed of having a lax, syncretic and deviant Islam. Abaza's remark on Southeast Asian Islam is particularly true of Javanese Islam: "The idea of borrowing purer and so-called Middle Eastern orthodox traits as against local *adat* in Southeast Asia has to do with the fact that Islam in the periphery was historically taxed for being more lax, syncretic, and deviant in contrast to the harsh Islam of the center" (Abaza 1991:219). Thus, it needs to be assessed whether the *abangan* population is an obstacle—as some Indonesian observers think—or, on the contrary, a soft target for Islamism or fundamentalism.

The veil debate, interestingly, occurs mostly in the strict Muslim (*santri*) elite. Conflicts or tensions stemming from the veil have taken place between generations within Muslim organizations. Interviews revealed that elder leaders of 'Aisyiyah accepted the tight veil for the young generation, while keeping the *kerudung* for themselves. However they forbid *chador* (*jilbab ninja*) thus drawing a line between radical Islamism and themselves. In traditionalist circles, pressures from *jilbab* advocates appear to be weaker.

In public non-Islamic universities, tensions result seemingly not so much from the veil itself but from attitudes associated with it, like refusing a male handshake. Religious authorities hold contradictory views on the subject which was frequently discussed in the early 1990s. Muslim feminists demand not the phasing out of the veil but tolerance of non-veiling and the freedom to choose against increased social pressure

to the contrary. They have to cope with imported written material advocating a total covering of the body, published by a plethora of small publishers whose origins are not always mentioned (see Meuleman 1993).

Polygamy

A second major issue is simultaneous polygamy, a phenomenon much less frequent than serial monogamy, but which has become more fashionable in the past years, with new conservative Islamic literature chanting its merits. As an example, H. Mansur Bin Mashadi advocates polygamy as "sweet" (*manis*) and "if you do not believe it, ask those who carry out this divine order".[12]

Restrictions against polygamy were requested by Indonesian women as early as 1928 when they held their first congress, but it was only in 1974 that it was restricted under a new marriage law, submitting it to specific conditions and making it dependent on the first wife's consent. Polygamy had regressed although it continued illegally, then depriving the second wife and her children of legal status, alimony, and inheritance rights.

Interestingly, all but one of the Muslim women leaders interviewed remarked it was permitted under Islamic law, but quickly added that polygamy did not exist in their family, making it a kind of doom for others and an honor for them to be part of a family where men (fathers and grandfathers) had "behaved". For elder leaders, rejection of polygamy was based on the argument that it is virtually impossible to obey the divine message to treat wives equally. Younger leaders insisted on the anachronistic character of the practice, justified then by the socio-historical context of the seventh century. Some women from Muslim organizations accepted polygamy in cases of exceptionally high libido (*'hiper', 'super', 'overdosis'* in their words) among certain husbands as a way to avoid adultery. But others argued adultery was less painful than polygamy. Only one of the interviewees made an apology for polygamy as a form of social assistance (e.g. to help a Bosnian widow). Then, polygamy becomes an ordeal to test the "very virtuous", a step further in one's submission to God. It contrasts sharply with the deep-seated apprehension of polygamy among the majority of women leaders, an ordeal which their mothers and fathers had happily freed themselves of.

Female Work

Women have increasingly entered the labor market in Indonesia, despite a state ideology putting high value on housewives. They are

today faced with a new conservative religious discourse encouraging the seclusion of women. While the state has so far urged housewives to become its social workers, especially so for the wives of civil servants, conservative religious literature is now asking them to stay at home.[13] So far, the phenomenon of *ibuisasi* or *housewifization* has touched mostly those middle-class female workers who worked in low-status positions, who were poorly paid and gained prestige by staying at home (see Manderson 1980: 87-88; Suryakusuma 1991:73). Now there is a *housewifization* of the educated upper middle class. Blackwood has shown that this happens in the recently Islamized urban bourgeoisie or in the upper middle classes in Minangkabau (Blackwood 1995:151).

The women interviewed often had anecdotes showing such a trend in the upper middle-class. But they were unanimous in favor of female work despite conservative literature advocating the contrary.[14]

Thus, Muslim women are facing a double pressure, both from the State and from conservative Islam. But while the state is asking the housewife to go outside and be a social worker at the same time (utilizing her in the state's social program), conservative Islam is asking her to stay at home and be a housewife for the sake of the husband.

IV. The Expression of Muslim Feminism

Encouraged seclusion, polygamy, veiling, domestic violence, inequalities of salaries, increased sex segregation at some universities and in matters of inheritance, all this has injected vigor into a feminism which had become rather marginal after the intense struggle for women's rights in the 1974 marriage law.

Wardah Hafidz now points to "the reinforcement of the patriarchal system with man as the center of power and woman in the role of the person who is being guided".[15] Since the 1970s, she says, "Indonesia experiences a setback linked to Islamization. The ideas of the veil, of polygamy, of staying at home, of obeying the husband, have started gaining support from the middle class, students, professional groups, and now grassroot groups as well. Public space was opened to women, Islamization brings the women back to the house."[16]

Such concern is raised publicly. I attended two seminars on women, one in Jakarta and one in Malang, in October and November 1995, where attention was drawn to such conservative trends. It is feared that it could reverse long-standing efforts by Indonesian women to reach more equality, which increased significantly during the anti-Dutch

fight in which women participated. Muslim feminists have also started to express their fear of "fundamentalism" in international fora. In Beijing in 1995, NGO activist Lies Marcoes drew a gloomy picture of increasing patriarchal tendencies at home: "In a situation where the political power of Muslims is being encouraged, the phenomenon of fundamentalism has progressively emerged (...) Anyone whom they consider to be 'insulting' or 'opposing' Muslim teachings will be destroyed (...) In the name of Truth, they [the fundamentalists] try to control independent institutions like the press and the university."[17] Marcoes cites three alarming incidents: in one case, a woman lecturer was asked to stop her class in a technical school by cutting the sound system, because a woman's voice was considered *aurah*; in another case, a State Institute for Islamic Studies (IAIN) was reprimanded by a mosques association for allowing a discussion on women and Islam. Thirdly, the Muslim daily *Republika* was greeted by a demonstration for publishing an article commemorating the death of a popular liberal figure of the Indonesian Islamic reform movement, Ahmad Wahib.

Symbollic of a new era, terminology is changing. Some feminists now insist that the term *wanita* should no longer be used to mention a woman (because of its sensual connotation as a sex object: *dinafsui*) whereas the term proposed is *perempuan* (from *empu*, principal or essential), which, to their ears, carries more respectability. Issues being taken up can be divided into two types: those which affect all women regardless of religion (like salary inequalities) and those specifically Islamic (like polygamy). Many of these reflect the preoccupations of other Muslim women in the world, which explains the strong borrowing from writings by Moroccan, Pakistani or other Muslim feminists like Fatima Mernissi, Amina Wudud, Ali Ashgar Engineer and Rifat Hassan. Thus, while Islamic conservatives widely use translated literature from the Middle East or Pakistan, feminists answer with texts and citations from foreign thinkers as well. This, argues Didin Syafruddin, is due partly to the fact that Indonesian Muslim feminism is at an early stage of development, and is "still largely foreign rather than indigenous".[18]

As to the ways of how to proceed to defend women's cause, my interviews revealed a difference between old generation women leaders, who believe that education is the key instrument to combat remaining inequalities, and younger feminists who think this is no longer enough.

Perceptions of what is the main cause of the "setback" also vary: blind "Arabization", materialism (often said to be imported from the

West), or the state? Feminists in Jakarta elite circles have, for a long time, tended to blame the state for the weak position given to them in the administration and for their poor participation in politics—a concern expressed most strongly by retired Police chief Roekmini . But two new sources of resentment have emerged: the materialism that seems to accompany modernity, and Arabization of Indonesian Muslim culture. The first opinion is expressed best by Trias Setiawati:

> People are too materialistic. Publicity offers a a model of womanhood which everyone wants to emulate: be slim and dressed this or that way (...) People say I am generous, I give 10% of my salary for charity. I own no house, I rent it. I have my nephews at home. But I can see that nowadays compliments go to dress and beauty. People want to copy what they see in films but these films portray just moments in a difficult life which they do not perceive. The printed and electronic media have entered too quickly into Indonesia.

Wardah Hafidz also holds the first opinion but emphasizes the second point:

> The acutest problem is the lack of personality of Indonesian Muslim women. They are objects and should become subjects, able to control their own life which is mostly not in their own hands. Women are still *wanita* which means *dinafsui*, the desired one, and the government does not dare attack the problem. And Islam does not mean Arab. To profess Islam does not mean to adopt the culture of Arab countries. One can express Islam in any culture, in our Javanese culture. Our dress is perfect as it is, it gives us dignity. Islam should not scrap our culture. We can keep our dignity while adhering to the principles of Islam: love, respect. For me, Islam is not a question of rituals.

Despite differences in emphasis, expressed most clearly in Trias' veiling and Wardah's refusal to veil, both believe in the Indonesian way of being a good Muslim. Trias asked in another part of the interview: "Would it not be possible that the right kind of Islam exists precisely in Indonesia?"[19] This kind of statement of timid self-confidence was recurrent in the interviews. The two currents also find common ground in their defense of women, both showing, for example, the same concern for the rise of domestic violence.

It is puzzling that the Muslim feminists give quite a broad ill-defined definition of themselves. Didin Syafruddin sees feminists as "people who think that the religion they have so far professed has been deviated from and has actually legitimated injustice and violation of human rights".[20] A broad definition which could include many NGO activists. Wardah Hafidz also defines a feminist as "whoever,

man or woman, who tries to change the unjust structure". These wide definitions probably reflect the understanding that gender relations are not a secondary issue, but a key part of global societal changes.[21]

Muslim feminist activism is not monolithic, and, as such, it is also rather disorganized, with seminars, discussions and conferences in very different circles, universities, NGOs, etc. Interestingly, each NGO seems to take up the matter in its own way. Muslimat chairwoman Aisyah Hamid says that during its last congress in 1995, her organization asked the Nahdlatul Ulama executive board that the Muslimat be included in discussions on Islamic law, especially on women's questions. This does not mean that the 'ulamâ' will change their interpretation of the texts, but it is a bold step to ask for women's representation. Lies Marcoes, who works with the Islamic NGO P3M has started a program to sensitize women preachers to the issues of gender: "We start from the point that *fiqh* can be discussed and that *ijtihâd* exists". Sita tells of visits to Qur'ânic schools where exchanges with rural women were exceptionally frank: Hearing the word *ijtihâd* was shocking to these women who reminded her that they could listen to her, "only because our husbands allowed us to come." It is most interesting to see that this activism has propelled an unlikely dialogue between two parallel worlds, the urban cosmopolitan secular elite and the rural strict Muslims.

Conclusion

The promotion of a strict patriarchal domination in both the public and domestic spheres is seen by Muslim feminists as presenting a serious challenge to the high position of the Indonesian woman. Yet, the impact of Islamic conservatism is so far limited and is not touching all strata of society.

One notices a trend within *santri* circles to draw a line between them and the "other", now often called "fundamentalist" or "Islamist". Asked what the term "fundamentalism" meant to them, the interviewees choose the terms exclusive, *agamis* ([exaggeratedly] religious), *usroh* (from Arabic *usrah*; used for small, exclusive religious communities), sects. The majority of them related at least one experience of what they saw as strange if not deviant behavior in their immediate environment, including: sex segregation at schools, at marriage ceremonies, obligation for women to enter the house from the backdoor, aggressive advocating of veiling, sudden divorce after 40 days of marriage, refusal to acknowledge parental representation at marriages (the teacher then acts as *wâlî*);

women's seclusion; wearing of *tchador*, *jubah*, beard; refusal of anything modern like cars, bicyles, spoons; asking for flagellation (*hukum cambuk*) on radio, compulsory *jilbab* at theater plays, refusal of western technological equipment at concerts, a child's refusal to continue playing his favorite music instrument for religious reasons; religious violence. Again, the women diverged in opinion of who were the "fundamentalists": in their eyes, they ranged from marginal *usroh* groups at public general universities to conservative lobbies at the ministry of justice.

It is important to note that the debate on womanhood is an internal Islamic issue: these issues are not dealt with by secular or *abangan* circles who do not feel concerned or enough knowledgeable about them to enter the discussions.[22]

Thus, the Muslim feminist movement is neither secular nor Islamist, but calls itself "progressives", aiming at a reform within Islam. It says it is facing "conservatives" who aim at a literal interpretation of the sacred texts whereas they, the "progressives", strive to adapt both to modernity and to Indonesian culture.

But it is still a disorganized attempt to try and find a specifically Indonesian way of being a good Muslim in a modernized society, yet faithful to its tradition, culture and values, sometimes different from those of the West and the Middle-East. The most active feminists seem unsure of their impact in an "ocean" of conservative literature, intensive courses and preaching. They often face distrust in the *santri* population while the question remains of how to proceed with the "right" interpretation of the sacred texts which remain basically untouchable despite some intellectuals' sympathy and efforts for the women's cause.

One may also wonder whether the relative readiness of the bourgeoisie to accept the patriarchal discourse on women might not be a trend particular to this social class. The bourgeoisie of the French Revolution was not feminist either.[23] This comparison might seem far fetched and deserves further thought but vision changes on women do coincide with the emergence of a larger middle-class in Indonesia. If this is the case, then we can expect the patriarchal discourse to continue to be effective. This would be accentuated by the fact that, as elsewhere in the Muslim World, the *bourgeoisie d'affaires* is tempted to valorize itself through the symbol of Islam as a strong counter-identity to westernization.

Notes

* This is the first of a series of papers presented at the workshop "Islam in South and Southeast Asia: Political, Social and Cultural Approach" (convener Charles Macdonald) of the joint AFEMAN—EURAMES conference held in Aix-en-Provence, 4-7 July 1996, to be published in *Studia Islamika*. Other papers, after some revisions, will be published in the next issue of our journal.

1. In Indonesia, Islamic resurgence does not take Middle-Eastern militaristic forms. Indonesia has categories like "extremists", people who want to establish an Islamic state by force, or "fundamentalists", who have faith in a return to the "authentic" Islam of the origins. Generally, the term "Islamist" is applied to those who believe that Islam is the only valuable guide to society in its *malaise* and anomy linked to modernity, and who want Islam to dominate the political field at the highest levels. Closest is the category of "Political Islam", which is blurred in Indonesia given the fact that it is not allowed any room in the political system. This blurring of categories is also partly a result of the varying degrees of faith in Islam as the way to solve societal evils and the degree of fear that Islam can also destroy national unity. Between intellectuals like Abdurrahman Wahid, who warns against an idealization of Islam, and Amien Rais, who believes that Islam should be allowed to dominate the political field, there are a range of intellectuals who are more indecisive. The terms "Islamist" and "fundamentalist" are considered derogatory, thus the terms "Islamic resurgents or revivalists". Indonesian progressives tend to speak of "conservatives", although "conservatives" (orthodox *'ulamā'*) are not identical with "Islamists" (Islamic revivalists), who are generally considered to be in favor of a rupture with institutionalized Islam. The terms "scripturalists" or "literalists" as opposed to "substantialists" reflect different cultural approaches but leave out the political standpoint.
2. The research on which this paper is based took place during a five-week stay in October/November 1995 in Jakarta, Yogyakarta and Malang (East-Java). The women leaders, all Muslims, were aged from 22 to 83 years, and living in Java (although many were born outside Java). They lived in three towns, the capital city and two middle towns, Yogyakarta (Central Java) and Malang (East Java). Given the cultural diversity of Indonesia which has more than 300 ethnic groups, variably touched by traders (Arabs, Indians, Chinese), by religions (Hinduism, Buddhism, Islam, Christianity), by colonial powers (Portuguese, Dutch, British) at different times, my interviews can give not more than a glimpse of opinions. As women activists, they were part of an intellectual elite and for most of them part of the middle-class. Four were leaders of the major reformist Muhammadiyah movement, four others leaders of the large traditionalist Nahdlatul Ulama organization. Two women were religious authorities: one at the public Islamic university (IAIN or State Institute for Islamic Studies) and the other at the National Council of Ulama (Majelis Ulama Indonesia-MUI). Two women were independent preachers, one of the older conservative feminist line, one of the younger mildly fundamentalist line. Five women were young to middle-aged non-governmental organization activists with strong commitment to the cause of women, coming from strict Islamic circles to mixed Islamic/Javanist families. One woman was a student leader from the large Association of Muslim Students (HMI) at the Bogor Institute of Agricultural (IPB). Four women represented the older generation of activists: two were secular-minded nationalists

who had been active in the anti-colonial struggle, two others, slightly younger, belonged to the working urban Jakarta elite, both active in women's or human rights. Finally, one woman, an artist from the Jakarta elite, had converted to Islam before marrying a Muslim.

3. Interview with lawyer Nursyahbani Katjasungkana, 17 October 1995.
4. This formula is also found in a passage of the famous novel *Sitti Nurhaja* by Md. Rusli, published in 1922, which reads as follows: "I am not asking for equality with men in all things; I can understand that would not be desirable. All I ask is that the man treat the woman as a younger sister... I believe that a home can be compared to a state governed by two *wazir*. They have equal power, one is the minister of home affairs — the wife, and the other is minister of foreign affairs — the husband".
5. I am using Geertz' categories for convenience because they were often used by the interviewees themselves. The term *abangan* (describing the less strict Muslims, closer to Javanese culture), was used by some women to describe themselves or one of their parents, while *santri* women leaders preferred the terms *kejawen* (Javanese tradition), *orang Jawa* (Javanese people), *belum Islam benar* (not yet really Muslim) to describe the *abangan*. The term *santri* was less problematic and easily used.
6. It was also a dominant topic at the Jakarta seminar on *Perempuan dan Kemerdekaan* at Erasmus Huis, October 1995.
7. In the English translation of A. Yusuf Ali (*The Holy Qur'ân. Text, Translation and Commentary*, many editions starting from 1934) the verse is translated as follows:

Men are the protectors
Because God has given
Than the other, and because
From their means.
Are devoutly obedient, and guard
What God would have them guard.
On whose part ye fear
Admonish them (first),
(And last) beat them (lightly);
Seek not against them
For God is Most High,
And maintainers of women,
The one more (strength)
They support them
Therefore the righteous women
In (the husband's) absence
As to those women
Disloyalty and ill-conduct,
(Next), refuse to share their beds,
But if they return to obedience,
Means (of annoyance):
Great (above you all).

8. See his paper "Isu Perempuan dan Masa Depan Pemikiran/Gerakan Islam Progresif", presented at the Seminar *Perempuan dan Kemerdekaan* organized by Program Kajian Wanita Pasca Sarjana Universitas Indonesia, 14 October 1995, Erasmus Huis, Jakarta.
9. Farida seems here to mistake the verse 34 for a hadîth.
10. Pedoman Penyuluhan Hukum, Undang-undang Nomor 7 tahun 1989 tentang Peradilan Agama dan Kompilasi Hukum Islam, published by the Ministry of Religious Affairs, Direktorat Jenderal Pembinaan Kelembagaan Agama Islam.
11. "The Veil, Polygamy and Freedom of Movement: a Glimpse into the Debates on Women and Islam in Indonesia today", paper presented at the First International Conference on Islam and the 21st Century, Leiden, 3-7 June 1996.
12. H. Mansur Bin Mashadi, *Tuntunan Perkawinan Keluarga Bahagia dalam Islam*, CV Pedoman Ilmu Jaya, Jakarta, third edition 1995.
13. In the 1995 Paramadina orientation course on "Islam and Feminism", Budi

Munawar-Rachman writes: "Feminism is also important in countering the conservative wave which is now emerging in scholarly and religious discourses, which try hard to send women back to their homes, with all kinds of legitimation —ideological, religious, pragmatic— stressing that the nature of women requires them to stay at home".

14. One among many examples, Ustadz Maftuh Ahnan urges: "If there is nothing very important to do outside, make sure not to leave home at all" in *Batas Kebebasan Pergaulan Muda Mudi Islam*, by Ustadz Maftuh Ahnan, publisher CV Bintang Pelajar, no date, no place of publication, p. 81.
15. Wardah Hafidz, in *Ulumul Qur'an*, Edisi Khusus no 5 & 6, Vol V, 1994, p. 3.
16. Interview October 1995.
17. "Women's reproductive right and Islam: The rise of fundamentalism in Indonesia", paper presented at the international conference on women in Beijing, 1995.
18. Interview with Didin Syafruddin (PPIM), October 1995. Also my own observations in several discussions and seminars.
19. *Bukankah mungkin Islam yang benar justru jatuh di sini?*
20. Didin Syafruddin, *op. cit.*
21. "*Siapapun jenis laki atau perempuan, asal dia coba rohah struktur yang tidak adil, dialah feminist*", Wardah Hafidz, Malang, 14 October 1995.
22. See for example philosopher Toeti Heraty Noerhadi who frankly expresses her feeling of insecurity about writing her excellent "Dilema Budaya Wanita Islam Masa Kini", in Lies Marcoes-Natsir and Johan Hendrik Meuleman (eds), *Wanita Islam Indonesia dalam Kajian Tekstual dan Kontekstual*, INIS, Jakarta, 1993.
23. Let us recall that women voted in France in 1788 for the last time until they could do so again in 1945. Proudhon's famous word: "*Ménagère ou courtisane*" (housewife or madam), is also characteristic of these revolution years. Despite its major innovations, Napoléon's civil code gave a dominating role to men. The refinement of the aristocracy has long been associated to things feminine.

Bibliography

Abaza, Mona
1991 "The Discourse on Islamic Fundamentalism in the Middle East and Southeast Asia: a critical perspective," in *Sojourn*, Volume 6, number 2, August 1991: 203-239.

Blackwood, Evelyn
1995 "Senior Women, Model Mothers, and Dutiful Wives: Managing Gender Contradictions in a Minangkabau Village", in *Bewitching Women and Pious Men: Gender and Body Politics in Southeast Asia*, eds. Aihwa Ong and Michael Peletz, University of California Press: 124-158.

Brenner, Suzanne
1995 "Why Women Rule the Roost: Rethinking Javanese Ideologies of Gender and Self-Control", in *Bewitching Women and Pious Men: Gender and body politics in Southeast Asia*, eds. Aihwa Ong and Michael Peletz, University of California Press: 19-50.

Geertz, Hildred
1961 *The Javanese Family: A Study of Kinship and Socialization*, Free Press, Glencoe.

Hatley, Barbara
1990 "Theatrical Imagery and Gender Ideology in Java", in *Power and Difference: Gender in Island Southeast Asia*, ed. Atkinson and Errington, Standford University Press, Standford, California: 177-207.

Keeler, Ward
1990 "Speaking of Gender in Java", in *Power and Difference: Gender in Island Southeast Asia*, ed. Atkinson and Errington, Stanford University Press, Stanford, California.

Koentjaraningrat
1985 *Javanese Culture*, Oxford University Press, Singapore.

Meuleman, Johan Hendrik
1993 "Analisis Buku-buku tentang Wanita Islam yang Beredar di Indonesia" in *Wanita Islam Indonesia dalam Kajian Tekstual dan Kontekstual*, eds. Marcoes-Natsir L., Meuleman J.H. (collection of seminar papers), INIS XVIII, Jakarta, 1993: 175-205.

Stoler, Ann L.
1977 "Class Structure and Female Automony in Rural Java", *Signs* 3 (1): 74-89.

Suryakusuma, Julia
1991 "Seksualitas dalam Pengaturan Negara", in *Prisma*, July 1991, 7, LP3ES, Jakarta: 70-83.

Syafruddin, Didin
1995 "Isu Perempuan dan Masa Depan Pemikiran/Gerakan Islam Progresif", paper presented at the Seminar *Perempuan dan Kemerdekaan* organized by Program Kajian Wanita Pasca Sarjana Universitas Indonesia, 14 October 1995, Erasmus Huis, Jakarta.

Ward, Barbara
1963 "Men, Women and Change: An Essay in Understanding Social Roles in South and South-East Asia", in *Women in the New Asia: The Changing Social Roles of Men and Women in South and South-East Asia*.- Ward ed, Paris, Unesco.

Whalley, Lucy
1993 "Veiling and the Politics of Women's Dress in West Sumatra, Indonesia", paper presented at the conference *Islam and the Social Construction of Identities: Comparative Perspectives on Southeast Asian Muslims*", Center for Southeast Asian Studies, University of Hawaii, Manoa, August 4-6, 1993.

List of Interviewees

- Zakiah Daradjat, born 1929 in Bukittinggi. Member of the National Council of Ulama (MUI).
- Saparinah Sadli, born 1927 in Tegalsari, Central Java. Professor of psychology, Universitas Indonesia. Co-founder of an Institute for family Counselling (LKBH).
- Farida Riyanti, born 1964, Jayapura, of West-Sumateran parents. Former HMI activist. Head of a women *dakwah* group and involved in a small garment business in Jakarta.
- Damayanti Sarodja, born 1973 in Jakarta (Javanese father and West-Sumateran mother). HMI activist in the Bogor Agriculture academy (IPB).
- Tutty Alawiyah, born 1942 in Jakarta. Head of a major Islamic school and well-known preacher.
- Roekmini Koesoemo Astoeti, born 1938 in Bojonegoro. Retired police general and member of the Human Rights Commission. Died in 1996.
- Moersia Syaafril Ilyas, born 1925 in Pangkasan, Madura. Socialist, close to Sjahrir. Secretary of Soekarno for a time during the Revolution. Now head of the nationwide women's Cooperative (Induk Koperasi Wanita).
- Chuzaimah, born 1929 in Gresik, East-Java. Co-founder of Nadlatul Ulama's young women association, Fatayat.
- Baroroh Baried, born 1925 in Yogyakarta. University lecturer and former head of Muhammadiyah's women association, 'Aisyiyah.
- Trias Setiawati, born 1964 in Karanganyar, Kebumen, Central Java. Teacher and vice-chief of the Muhammadiyah's young women association, Nasyiatul 'Aisyiyah.
- Elyda Djazman, born 1940 in Medan. Teacher and head of Muhammadiyah's women association, 'Aisyiyah.
- Huzaemah Tahido Yanggo, born 1946, in Kaleke, Donggala, Central Sulawesi. University lecturer at Jakarta's State Institute for Islamic Studies (IAIN), in charge of a women studies group at the IAIN.
- Aisyah Hamid, born 1940 in Jombang, (granddaughter of Nahdlatul Ulama's founder, Kyai Hasyim Asy'ari). Head of NU's women association, Muslimat.
- Lies Marcoes, born 1958, in Banjarsari, Ciamis, West-Java. IAIN graduate, researcher, NGO activist working with P3M on women issues.
- Nursyahbani Katjasungkana, born 1955 from a Madurese father and Betawi mother. Lawyer and NGO activist involved in the defense of women.
- Ratna Serumpaet, born 1949 in Teruntung, Tapanuli, North Sumatra. Father was a protestant MP. Mother was a daughter of a local raja. Converted to Islam before marrying a Muslim. Artist, theater player and director concerned with women issues.
- Wardah Hafidz, born 1952 in Jombang. Her father was a *penghulu* and head of a *pesantren*. She is a sociologist and NGO activist, writing on women issues.
- Sri Mulyati Asrori, born 1956 in Jakarta, of Madurese parents. Lecturer and Head of the Nahdlatul Ulama's Fatayat organization.
- Emmy Hafild, born 1958 in a plantation, near Sungai Karang, Deli Serdang, North Sumatra. Her father belongs to the local aristocracy (grandfather is *datuk*). Emmy is a graduate of the Bogor Institute of Agriculture and president of a NGO involved in the defence of women's rights, Solidaritas Perempuan.
- Sita Aripurnami, born 1959 in Jakarta, of a Javanese father and West-Sumatran

mother. Graduate of psychology, activist with a NGO involved in women defense and studies, Kalyanamitra.

- Asmah Syahroni, born 1927 in Timbuk Baru, South-Kalimantan in a Banjar family. Teacher and former head of Nahdlatul Ulama's women organization, Muslimat.
- S.K. Trimurti, born 1912 in Boyolali, Central Java. Born into a family from the Solo aristocracy (Mankunegoro and Pakubuwono). One of the heroines of Independence, close to Soekarno.
- Malichah Mocharom, born 1945 in Yogyakarta, Centra Java. A medical doctor, she is a Muhammadiyah activist (health development worker for 'Aisyiyah).

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