Religious Discourse as a "Diversionary Issue" of Gender Injustice

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Abstract

Keywords:

Gender equality; Patriakis; Wedding; Religious Discourse Failure to interpret religious discourse is one of the causes of conceptual incompatibility gender. Assumptions based on religious texts tend to be patriarchal and the implementation of applicable thinking on social aspects in society goes unnoticed. Gender studies exist not only as an attempt to understand women and men separately, but also how to integrate them into social systems. This article aims to optimize gender equality through a new understanding of religious discourse that is more applicable and applicable. Special attention is paid to religious discourses that are used to oppress women in social aspects and in marriage or family. This article uses a qualitative method, which will analyze religion as a diversion to the issue of gender injustice, an approach using normative text studies, data analysis techniques using justice theory. The result of the article is that in reading religious discourse a qira'ah mubjadi approach is needed, with a model of religious interpretation like this, society will avoid the patriarchal system, starting from small institutions, namely the family, to the largest, namely the state.

INTRODUCTION

The issue of women being treated as second-class human beings is an object of study that continues to be followed up by academics and scientists. Gender studies exists not only as an attempt to understand women and men separately, but also to integrate them into the social system.¹ The dichotomous view of women and men started the patriarchal model of civilization. This is not only harmful to women but also to men. Strong men can oppress weak women. Vice versa, if a woman is strong, she can oppress a weak man. Even fellow women can oppress each other depending on who is stronger.

The socialist perspective emphasizes how the rulers who have a total stake in policy and politics fully regulate the dynamics that occur in society, so the gender gap in a society depends on what policies are issued by the government. Out of 100, women's development only reached 69.59. The Development Index for the last 10 years has only increased by 1.2% (Statistics Indonesia, 2022)...

This article tries to see how the combination of the two models and perspectives of feminism, namely socialist and religious, has rarely been considered by researchers and academics. Referring to the condition of Indonesian society that is experiencing modernization, where there is increasing awareness and attention to religious values in everyday life, the researcher assumes that the combination of religious and gender discourses with policies issued by the authorities will form an ideal social system condition where people can live well, one of the indicators is the realization of gender equality. Religion can play a significant role in shaping social and cultural norms, including in the context of gender injustice. While many religions teach moral and ethical values, the interpretation and implementation of religious doctrines can vary among communities and can be used to support or even justify gender injustice. Some

¹ Mohammad Ali Hisyam and Omaima Abou-Bakr, 'Application of Ex Officio Rights Based on Gender Justice in Divorce Lawsuit in Surabaya Religious Court, Indonesia', *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam*, 8.2 (2023), 187–202.

of the ways in which religion can be complicit in gender injustice are at least in the aspect of interpretation of religious texts, the interpretation and understanding of religious texts can vary widely. Some groups or individuals may use certain interpretations to support gender hierarchies that favour one gender while disadvantaging the other. Religious issues in the context of gender often cover a wide range of issues and debates that arise from the interpretation and implementation of religious teachings towards gender roles and rights. Here are some of the issues that often arise in the relationship between religion and gender, First, inequality in religious teachings, Many religions have traditions and teachings that can be interpreted as supporting gender inequality. This can include traditional roles assigned to men and women, both in worship and everyday life. Second, roles and leadership in religion, a number of religions have norms that regulate the roles and leadership of men and women in religious contexts. This issue often includes questions about whether women can lead worship, become priests, or take leadership roles in religious structures. Third, faith-based laws, in some countries, faith-based laws can create differences in rights and responsibilities between men and women. This can include rules on marriage, divorce, inheritance rights, and daily life.

Fourth, marriage and divorce issues, religious rules often influence marriage and divorce procedures, which can create unequal rights and responsibilities between husband and wife. Fifth, reproductive rights issues, such as access to contraception, abortion, and understanding of family planning, are often linked to religious teachings. Some religions have different views on these issues. Sixth, emphasis on chastity and purity, some religions emphasise chastity and purity, which can create norms that affect women more than men. For example, rules about the menstrual cycle or body covering can create certain norms. Seventh, approaches to homosexuality and gender identity, religious views on homosexuality and gender identity are often controversial issues. Some religions have traditional views that condemn or reject homosexuality, while others may take a more inclusive approach.

It is important to note that religious interpretations and practices can vary greatly between communities and individuals. Some groups within religious communities may seek to reform or reread religious teachings in favour of gender equality, while others may retain traditional views. These issues are often part of dialogue and debate within and between religious communities.

There have been found several research results similar to this study, including research written by habib shulton asnawi which discusses the legal politics of protecting the human rights of women in Indonesia, a study of efforts to realise justice and gender equality for women in the health sector. this research is intended to critically examine how the form of policy or legal politics of the SBY administration era in protecting the human rights of women in the health sector, then to find out the implementation of legal policies in protecting the human rights of women in Indonesia in the health sector, the last to find out the obstacles in realising gender justice and equality in Indonesia in the health sector.³ The next research is Portrait of Legal Protection of Women's Human Rights through the Stipulation of Gender Mainstreaming Regional Regulations written by Malicia Evendia et al. The research discusses that human rights are basic rights inherent in every human being, including women. However, the stigmatization of women which often makes women's human rights limited, making it difficult for them to develop themselves.⁴

² Mufidah Ch, 'Rekonstruksi Kesetaraan Dan Keadilan Gender Dalam Konteks Sosial Budaya Dan Agama', *EGALITA*, 2006.

³ Habib Shulton, 'Politik Hukum Perlindungan HAM Di Indonesia (Studi Hak-Hak Perempuan Di Bidang Kesehatan). IJURNAL MAHKAMAH 2, No. 1 (3 Agustus 2017): 77–102'.

⁴ Malicia Evendia, Ade Arif Firmansyah, and Ulinnuha Saifullah, 'Potrait Legal Protection Women's Human Rights Through the Establishment of Gender Mainstreaming Local Regulations', *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam*, 7.2 (2022), 107–22.

Departing from the explanation above, it can be analysed the differences and similarities of the research. This research has similarities including discussing the issue of gender injustice. However, the previous researchers mentioned above focused their research on the practical stage so that the research method used was a case study. In this study, researchers strengthen the conception of the transfer of gender injustice issues. Furthermore, this study specifically explores and reveals how religious discourse requires a qira'ah mubadalah approach, with this model of religious interpretation, society will avoid the patriarchal system, starting from small institutions, namely the family, to the largest, namely the state.

RESULTS AND DISCUSSION

Starting from Middelburg, Netherlands, through written works on various themes and in 1785 the world's first female genre was born. Europe helped initiate women in Indonesia, as experienced by women. The movement emerged because of the condition of women who were vulnerable to five social experiences that required them to struggle with men towards not so pleasant experiences. Women's five social experiences are stigmatisations of defending their ancestral lands.

In Indonesia itself, patriarchy has become a common issue that the role of women is positioned in the domestic area only. As a result, various social problems arise that shackle women's freedom and violate the rights that women should have. So that law enforcement is still quite weak and unfair to gender. The results show the relationship between patriarchal culture and various social problems and social realities that occur in Indonesian society.

According to Alfian Rokhmansyah in his book entitled Introduction to Gender and Feminism, patriarchy comes from the word patriarchate, meaning a structure that places the role of men as the sole, central, and all-encompassing ruler. The patriarchal system that dominates society's culture causes gender inequality and injustice that affects various aspects of human activities. This inequality between the roles of men and women is one of the structural barriers that cause individuals in society to not have equal access. In addition, the products of government policies that have been insensitive to the needs of women have made women often become victims of these policies.⁵

Historical and cultural aspects place women as subjugated parties through patriarchal power relations, both personally and through state regulation. The practice of patriarchal culture is still ongoing today, amidst various feminist movements and women activists who are aggressively voicing and upholding women's rights.

Feminism is echoed to fight for the rights of women who must experience stigma and stereotypes that are unfavorable to Socialist Feminism for society. Various kinds of feminist movements to spread equality are needed not only for women but in various countries, including liberals, radicals, as well as men. In Indonesia itself, feminism still cannot think gender blind. The debate on the appropriate role of women for workers is still far from the oppression that is still ongoing without any common ground.

Gender equality is difficult to achieve, one of which is waiting for the turn to be liberated from the bourgeoisie caused by a lack of enthusiasm even after the workers get their freedom. So, it is a rejection of women themselves. It is no surprise that the idea that socialist feminism has a view that women are inherently inferior to men is a similar view to Marxist feminism, where there is a huge wall to overcome.

Nawal El Saadawi also examines how religious texts emphasize patriarchal elements, according to her. This interpretation of religious discourse causes women to fall into the trap of patriarchy and continue to receive violence. In her book, Nawal mentions the roots of oppression against women, including sexuality, state and government authority policies, and religious interpretations.

⁵ Arivia Adhillani, 'Pemberdayaan Nalar Kritis Perempuan Dalam Forum "Ngaji Keadilan Gender Islam KGI)" (Analisis Feminisme Amina Wadud)', *UIN Sunan Ampel Surabaya*, 2021.

Women who should be seen as human beings are no more than sexual objects. Humans are physical, intellectual and spiritual beings. But unfortunately, women who should also be seen as intellectual and spiritual beings continue to be humiliated as physical beings, then sexual beings, only becoming sexual objects. Ruling policies also trap women in the patriarchal system.

In her book, Nawal recounts that Firdaus, the main character, continues to be mistreated by his father, and he cannot do much about it. In her book, Nawal strongly criticises makeup, high heels, and everything that is used as a standard of female beauty. She says they are a form of oppression against women. Veiled women are in the shadow of patriarchy where women must cover their entire body to avoid being harassed by men. On the other hand, despite being naked, women are willing to undress to fulfil men's desires. In addition to ruling policies, religious interpretations also play an important role in shaping patriarchal ties. Nawal in her book tells how violence perpetrated by men against women is based on religious interpretations.

Amina Wadud's Tafsir al-Qur'an

Amina Wadud's reinterpretation is inspired by Fazlu Rohman who has a neo modernist and hermeneutical outlook. Wadud said that it is rare for traditional interpreters to connect one verse with another verse or one letter with another letter. Amina Wadud calls it atomistic interpretation. 34 The interpretation model is of course different from the hermeneutical interpretation presented by Amina Wadud.

What further concerns Amina Wadud is that these traditional interpretations are written exclusively by men, making them susceptible to patriarchism. If applied, it will create a condition where the oppression of women is no longer normal, and the perpetrators will be labelled as abnormal. These evaluations can be in reaction to the actions women take, institutional policies or judgements on the performance of colleagues and employees.

This interpretation often fails to make sense. By Amina Wadud, such interpretations must be eradicated to successfully prove the harmony between women's freedom and Qur'anic principles. 37 Wadud rejects the notion that human beings were created starting with men so that men are better than women. Wadud says the creation of human beings mentioned in the Qur'an is gender neutral. These three points are the focus of Amina Wadud's discussion.

The three points that are the focus of Amina Wadud's discussion are the words min, nafs, and zauj. The third interpretation model is holistic between men and women, there is no difference in interpretation that not only reconsiders the values that exist between the two. 38 tafsir but also relates it to other disciplines such as social, economic, starting from the word min, according to morals, politics, and of course femininity. Amina Wadud gives her interpretation of the word.

The first interpretation can mean "from", the Qur'an in this model of interpretation. Wadud reinterprets the Qur'anic verses, in another way. In comparison, the second part, which contains a discussion of women according to her interpretation, is to show their exact origin. The disappearance of the stereotype that men are in some two meanings necessarily results in different interpretations that were constructed earlier.

There are many interpretations depending on who the interpreter is, the results of these antimainstream interpretations. Wadud exemplifies interpretation with existing interpretations. The hermeneutical clues given by al-Zamakhshari who interpreted her being able to interpret events that he did not verse by stating that humans were created from direct experience in the past and presented them as the same type as nafs, hence their counterpart according to the present context. An example of Amina Wadud's shortcomings. Conceptually, nafs is not something that is masculine and feminine, and is the essence of male and female parts. Many commentaries state that the word zauj refers to the second human being, Eve. "The mubadalah approach offers an interpretation of the Qur'anic texts, Hadith, and classical scientific heritage using the perspective of the mutuality of women and men. This interpretation is based on a mutual perspective that places men and women consciously as whole and equal human subjects, supporting each other, and there is no hegemony. In mubadalah interpretation, religious practices or interpretations cannot be used as a basis for domination of one party over another. This interpretation emphasizes the balance of relations and mutuality in interpreting gender issues based on religious texts.

Wadud asserts that God refers to God's relationship with the individual, not with gender. For her, the Qur'an does not explicitly or implicitly mention differences between men and women in terms of spirituality, individual capacity, and aspirations. Interestingly from Amina Wadud, the researcher also agrees, because God created humans the same, the degree of humans in the eyes of God is the same, the only difference is good deeds, not social status.⁶

In addition, Amina Wadud emphasises the importance of listening to women's voices and perspectives in the understanding of the Qur'ān. She argues that traditional interpretations are often dominated by male views, and women's perspectives need to be taken into account to fully understand the Qur'ānic message. In her work, Wadud searches for and highlights Qur'anic verses that demonstrate gender equality and the dignity of women. She interprets some verses by emphasising the concepts of equality, justice and individual rights regardless of gender. To this end, Wadud advocates a dynamic and contextualised approach to Qur'anic interpretation. She argues that sacred texts need to be understood in the context of time and place, and that interpretations should take into account social and cultural developments that occurred throughout history.

In some contexts, Wadud supports the concept of ijtihad (intellectual endeavour) as a means for the renewal of Islamic thought. She also highlights the need to recognise that women can have leadership roles in Islamic societies and raises questions about their responsibilities and rights in various aspects of life. Her aim was to emphasise the values of justice and equality as central principles in Islam. She argues that the Qur'an gives voice to these principles and that interpretations that favour inequality are contrary to the basic values of Islam.

In her works, Wadud criticises traditional interpretations that place women in an inferior position or limit their rights. She challenges patriarchal views and attempts to bring a more inclusive perspective towards women in the understanding of the Qur'an.

It is important to note that Amina Wadud's views, like those of other Islamic scholars, are controversial and may generate debate within the Muslim community. Some may be in favour of her progressive approach, while others may retain traditional views.

Power Relathion Michael Foucault

Foucault, a sociologist, was often criticized by feminists after him. In his work, feminists consider Foucault's analyses to be too androcentric. He overemphasized men and always saw women from a male perspective. Foucault was also criticised as an academic who paid little attention to gender, and because of this he was labelled gender blind.

⁶ Faqihuddin Abdul Qodir, 'Qira'ah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam', *Yogyakarta: IRCiSoD*, 28 (2019).

In Foucault's theory of power, where bodily movements are regulated by modern institutions such as schools, hospitals, prisons, etc., there is no separation between male bodies and female bodies that are under the control of these institutions. What happens is that there are different disciplines applied to men and women. Foucault's concept of relations and power needs to be questioned. 24 Despite various criticisms of Foucault, he contributed to the development of body discourse in the modern era.

Although Foucault did not mention patriarchal practices in power to generalise the discipline of the body from a male perspective, the concepts of power relations, discourse, knowledge-power, and others are useful in subsequent feminist studies. The concept of power made feminists realise that one giant element is also at the root of women's oppression. As Marxist socialists say, the bondage that labourers receive is like the bondage that women receive, namely the bondage of power from the owners of capital. Foucault also introduced the terms biopolitics and biopower.

At the same time, the ruler will act in accordance with his knowledge. The knowledge acquired by the ruler is processed in such a way that it becomes a discourse that can determine right and wrong. Therefore, the first element we examine is the relationship between knowledge and power. Behind science, there are human sciences that play a role in producing a formula.

Psychiatrists, criminologists, sociologists, psychologists, scientists, and others are scientists who produce knowledge. The knowledge is transferred to the authorities for further execution en masse. It is this knowledge that later has power and control in society by being normalised through the authorities. 28 From this we can understand that the root of normalization is the knowledge behind the authorities.

The knowledge model dramatically influences the authorities in following through on their policies. After the process of producing and transferring knowledge to the authorities, the next step is to spread discourse. Discourse according to Foucault is a system that contains various knowledge. Discourse is the constitution of knowledge with social practices, forms of subjectivity, and power relations attached to that knowledge.

Discipline according to Foucault is defined as a way of controlling the movements and operations of the body. As Foucault stated, becoming a gender-literate institution is the transfer of knowledge about gender by experts. If institutional stakeholders understand the concept of gender comprehensively, they can make policies within the institution that are not gender equitable. The supervision can be done with the intervention of a third party or from within the institution.

If implemented, it will create a condition where oppression against women is no longer normal, and the perpetrators will be labelled as abnormal. The last element offered by Foucault is examination, which in this case can be done through evaluation. With this evaluation, it is hoped that a conducive and comfortable condition will be created for anyone who is in the institution. Foucault also reveals that sexuality results from power relations through discipline.

Foucault encourages a critical view of social norms that limit individual freedom and autonomy. In a patriarchal culture, this critical view can help revisit gender norms and challenge inherent inequalities.

While Foucault contributed to understanding the dynamics of power and social control, there have been criticisms of the limitations of his approach, particularly in accounting for the structural and systematic dimensions of gender inequality in patriarchal cultures. To understand patriarchal culture more holistically, an interdisciplinary approach involving feminist perspectives and gender theory is often required. Some of his concepts, especially those related to power and knowledge, can be applied to understand power dynamics in the context of women's lives in various societies, including Islamic societies.

Foucault developed the concept of biopolitics, which discusses how power enters the body and life of individuals. In the context of women in Islam, biopolitics can be applied to understand how power

control can affect women's bodies and lives, especially in the context of regulations on women's bodies such as dress, birth control, or surveillance of public and private spaces.

Foucault points out that knowledge has a central role in the formation of power. In the context of women in Islam, this can be interpreted as how religious and cultural knowledge shapes the norms that affect women's lives, whether in terms of their rights, their role in society, or the rules that govern their daily lives. Foucault's concept of social surveillance, which involves the control and supervision of individuals by society or the state, can be applied to understanding how women in Islamic societies may be subject to social norms and expectations that may inhibit their freedom.

Foucault emphasises that power is not something that belongs to one group or institution but is spread throughout society. In terms of women in Islam, this can refer to the ways in which different institutions such as the family, religion and the state can contribute to the formation of power that affects women's lives.

It is important to remember that the nature of power in Islamic societies is complex and cannot be explained monolithically. In this context, the interpretation and application of Foucault's theory should be done with caution, given the diversity of women's life practices in various cultural and social contexts in the Islamic world. There are many interpretative frameworks and approaches that can provide a more nuanced understanding of the position of women in the context of diversity and Islamic culture.

Implementation of Quranic verses

The mubadalah approach offers interpretations and meanings of the texts of the Qur'an, Hadith, and classical scientific heritage using the perspective of mutuality between women and men. This interpretation is based on a mutual perspective that places men and women consciously as whole and equal human subjects, supporting each other, and there is no hegemony. There is surah al-Hujuraat verse 13, surah al-Maa'idah verse 2, surah an-Nisaa' verse 1, and surah al-Anfaal verse 72, all of which show how the Qur'an advocates reciprocity, partnership, and co-operation., and co-operation. The verses that show mubadalah explicitly are at-Taubah verse 7, Ali Imran verse 195, an-Nisa verse 19, al-Baqarah verse 187, and ar-Ruum verse 31.

Beautified for people is the love of that which they desire - of women and sons, heaped-up sums of gold and silver, fine branded horses, and cattle and tilled land. That is the enjoyment of worldly life, but Allah has with Him the best return. (QS. Ali Imran: 14)

In the verse, it seems as if only men are spoken to, whereas in mubadalah it is women who are the subjects spoken to by the verse. The second step is to find the main idea in verse 14 of Surah Ali Imran. Faqihuddin offers a practical way to do this second step by removing the subject and object contained in the verse. In the third step, we can derive the subject matter of gender, which is not mentioned in the verse.

The verse suggests the idea of guarding people from the fitnah and temptations of the world. Instead, the verse warns both men and women to always be wary of the fitnah and temptations of the world. The warning for men to be wary of slander against women applies vice versa, i.e. women are asked to be wary of the slander and temptation of men. With this reading, the stigma of women as a problem for men will be broken and stopped.

The rules issued are only to control women so that they do not spread their charm to men even though both have the same potential. The principle of equality of symbols is used as a basis in reading religious texts by placing women and men in the same role. Women who are often used as objects are

placed in the position of subjects and vice versa, both equally experience the experiences of the opposite sex. The mention of masculine words in religious books that represent the feminine is generalized by many people to refer to only one type.

The patriarchal system that has penetrated various lines of society has an impact on the lifestyle that oppresses women. Nawal mentions the roots of oppression against women. Nawal's view as a socialist feminist is in line with the thoughts of Amina Wadud who has an agenda to free religious interpretation from patriarchism. The Qur'an from a woman's perspective has always been interpreted from a man's perspective, resulting in patriarchal interpretations.

In addition to Amina Wadud who provides a new interpretation that is fresher and different from before, there is another reinterpretation of the Qur'an initiated by Faqihuddin Abdul Kodir who argues that the status of the Qur'an, which was revealed as rahmatanlil 'alamin, should be read as a revelation that addresses men and women. Foucault, as a sociologist, had brilliant ideas in the study of women, although feminists criticised him afterwards. Suppose the knowledge gained is based on universal good values that do not harm men or women. Reinterpretation of religious texts has a significant role in producing knowledge. With this model of religious interpretation, society will avoid the patriarchal system, starting from the small institution, the family, to the largest, the state.

Some countries implement religion-based laws that may have unequal gender implications. For example, family law relating to marriage, divorce, and child custody may favor one gender. Gender roles in religion-based law are often reflected in the rules governing marriage, divorce, family rights, and the rights and responsibilities of individuals in societies that follow certain religious principles. Gender roles in religion-based laws can create inequality or equality that varies depending on the interpretation and implementation of the law.

In the context of marriage regulations, for example, religion-based laws often regulate marriage and can create different gender roles in the context of marriage. For example, in some cases, religious law may prescribe specific roles for husbands and wives, both in terms of economic responsibilities and domestic roles. In another context, religion-based law also includes rules regarding divorce. How divorce is regulated can create inequalities, such as different divorce rights for men and women or more difficult requirements for women to file for divorce. Another crucial issue lies in women's inheritance rights, religion-based laws can affect inheritance rights and distribution of inheritance. Some religious legal systems may provide different inheritance rights for men and women, creating inequality in property ownership.

In the context of the division of domestic tasks, legal norms in several religious traditions can influence the division of domestic tasks between husband and wife. Giving certain responsibilities to a husband or wife can create patterns of inequality in everyday life. In everyday life settings, legal norms in some faith-based communities can influence daily life, including gender roles in social interactions, mobility, and participation in community life. It is important to note that the implementation and interpretation of faith-based laws can vary widely, and many communities and individuals in religious societies also fight for interpretations and changes in laws that support gender equality. In addition, several countries and regions have undergone legal reforms to achieve greater gender equality. The influence of patriarchal culture in some cases, religious interpretations can be used to maintain patriarchal culture which places men in a dominant position and gives them greater rights than women. This has an impact on a religious-based legal system that limits women's access to education and employment. These rules can create barriers for women to pursue careers or obtain higher education.

Apart from the above context, religion-based criminal law can also include regulations that influence gender roles. For example, punishments for moral or sexual offenses can often be different for

men and women. It is important to remember that religions also have varying understandings and interpretations. Many groups and individuals within every religion reject patriarchal interpretations and advocate for more inclusive and equal interpretations. Some communities even propose reinterpreting religious texts to emphasize the values of equality.

Additionally, feminist movements in many religions have worked to change norms that support gender inequality and fight for women's rights. Therefore, understanding the relationship between religion and gender inequality needs to consider the diversity of views and practices within that religion and the movements within it.

CONCLUSION

Socialist and Islamic feminism have different styles. Socialist feminists emphasize how patriarchy that is ingrained in the system of power can be overthrown. Nawal El-Saadawi said that sexuality, rulers' policies, and religious interpretations were the roots of oppression directed against women. In his novels, he criticizes the policies of the authorities, religious interpretations, and the myth of beauty as traps of patriarchy. He wants to make women aware of the lies that are currently prevalent in society, such as men protecting women, a woman's value can be seen from her appearance, and so on.

Power relation Discourse, which Foucault defines as the process of forming knowledge, is a critical point in the flow of policy in power. As well as Faqihuddin Abdul Kodir, using the qira'ah mubadala method, is two of the many scholars who are competent in interpreting religious texts that are not gender biased. With this model of religious interpretation, society will avoid the patriarchal system, starting from the small institution, namely the family, to the largest, namely the state.

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