

## **GENDER PROGRESSIVE TEACHING IN PREMARITAL COURSE**

### **Study on Islamic Marriage Guidance Books for Prospective Muslim Couples**

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#### **Abstract**

For more than two decades, the government has been attempting to pay attention to gender equality in Indonesia. However, these efforts have not been claimed successful. This paper examines the contents of the marriage guidance book for bride and groom, initiated by the Office of Religious Affairs. This paper aims to analyze the concept of equality defined in the book. The primary source of this study is the marriage guidance book, which has been referred to by the Ministry of Religious Affairs: (1) *The Marriage Guidance Module for Bride and Groom*, and (2) *The Sakinah Family Foundation Book*. The data is also collected through interviews. The analysis was conducted using a gender approach, which is aimed at mapping the type of relationship between men and women within the family in the course book. After conducting research, it is found that the Ministry of Religious Affairs collaborated with a number of experts on gender equality in drafting the books. Therefore, the concept of gender equality between husband and wife presented in the books shows a progressive understanding.

[Lebih dari dua dekade pemerintah telah berupaya memberikan atensi terhadap wacana kesetaraan gender di Indonesia. Akan tetapi upaya tersebut belum begitu berhasil. Tulisan ini mengkaji tentang isi buku tuntunan perkawinan bagi calon pengantin yang digagas oleh Kantor Urusan Agama. Tulisan ini bertujuan untuk menganalisis konsep kesetaraan yang didefinisikan dalam buku tersebut. Sumber utama penelitian ini adalah buku pedoman perkawinan yang dirujuk oleh Kementerian Agama. Buku-buku tersebut adalah (1) Modul Bimbingan Nikah untuk Pengantin, dan (2) Buku Yayasan Keluarga Sakinah. Data tersebut juga dikumpulkan dengan wawancara. Analisis dilakukan dengan menerapkan pendekatan

gender, yang bertujuan untuk memetakan bentuk relasi antara laki-laki dan perempuan dalam kursus perkawinan. Setelah melakukan penelitian, penulis menemukan bahwa Kementerian Agama bekerjasama dengan sejumlah pakar kesetaraan gender dalam penyusunan buku tersebut. Oleh karena itu, konsep kesetaraan gender antara suami dan istri yang disajikan dalam buku-buku tersebut menunjukkan pemahaman yang progresif.]

### Keywords

Marriage guidance book, gender equality, husband and wife

### Article History

Received 30 December 2021

Approved for Publication 30 June 2022

### To Cite this Article

Sitti Marwah, "GENDER PROGRESSIVE TEACHING IN PREMARITAL COURSE: Study on Islamic Marriage Guidance Books for Prospective Muslim Couples," *Al-Ahwal: Jurnal Hukum Keluarga Islam* vol. 15, no. 1 (2022): 103–26, <https://doi.org/10.14421/ahwal.2022.15106>.



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### Introduction

Research conducted by Ulfah shows that the high rate of divorce (lawsuit) was driven by the transformation of women's gender awareness than the factor of economic change.<sup>1</sup> Even from all the data, the women who filed for divorce did not use economic reasons as the suit ground in front of the Religious Court.<sup>2</sup> The government's argument that puts economic factors as one of the biggest causes of the high divorce rate is flipped by the

<sup>1</sup> Isnatin Ulfah, "Menggugat Perkawinan: Transformasi Kesadaran Gender Perempuan Dan Implikasinya Terhadap Tingginya Gugat Cerai Di Ponorogo," *Kodifikasia* 5, no. 1 (2010): 1–22, <https://doi.org/10.21154/kodifikasia.v5i1.751>.

results of this study. Based on the data, women file for divorce for various reasons including domestic injustice, efforts to resist violence and frustration. Most of this cause is rooted in their subordination in the family structure.<sup>3</sup> It is not a secret that women vulnerably experience subordination and marginalization in various aspects.<sup>4</sup> From the socio-cultural aspect, for instance, in Javanese society, women are seen as *konco wingking* (sidekicks) of the men who become their husbands.<sup>5</sup> In addition, there is a term known as *suargo nunut neroke katut* which means the wife always follows her husband even after death.<sup>6</sup>

Based on the phenomena that exist in the family clump, the government seeks to make regulations to support family resilience and harmony in the household. The government took the initiative to make regulations for the prospective bride course.<sup>7</sup> In the implementation of the marriage guidance program, participants received guidelines and books in which they explained various kinds of materials related to marriage and provisions in the household. The discussion in the book also examines the role of husband and wife in the household, caring for children, and maintaining reproductive health. When examined further, this material discusses the relationship between husband and wife in the household. All of these materials refer to books published by the Directorate of Islamic Community of the Ministry of Religious Affairs of the Republic of Indonesia to support the marriage guidance program.

<sup>2</sup> Abdullah Gofar, "Mengkaji Ulang Hukum Acara Perceraian Di Pengadilan Agama," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 13, no. 1 (2013): 105–24, <https://doi.org/10.18326/ijtihad.v13i1.105-124>.

<sup>3</sup> Ulfah, "Menggugat Perkawinan: Transformasi Kesadaran Gender Perempuan Dan Implikasinya Terhadap Tingginya Gugat Cerai Di Ponorogo."

<sup>4</sup> In gender studies, subordination means the assumption or assessment of roles performed by men or women is lower than others. Look Alifulahtin Utaminingsih, *Gender Dan Wanita Karir* (Malang: Universitas Brawijaya Press, 2017.) 22.

<sup>5</sup> Moh Fauzi Maulana, "Moderasi Tradisi Konco Wingking: Upaya Melepaskan Dilema," *Jurnal Harkat: Media Komunikasi Gender* 16, no. 1 (2020): 11–26, <https://doi.org/10.15408/harkat.v16i1.15609>.

<sup>6</sup> Nurul Ma'rifah, "Perkawinan Di Indonesia: Aktualisasi Pemikiran Musdah Mulia," *Mahkamah: Jurnal Kajian Hukum Islam* 9, no. 1 (2016): 63–83, <https://doi.org/10.24235/mahkamah.v9i1.290>.

<sup>7</sup> Khoiruddin Nasution dan Syamruddin Nasution and Nasution, "Peraturan Dan Program Membangun Ketahanan Keluarga: Kajian Sejarah Hukum," *Ay-Syir'ab* Vol.51, no. No. 1 Juni (2017): 5-6, <https://doi.org/10.14421/ajish.2017.51.1.1-23>.

Related to the premarital course, several authors have studied the marriage guidance program for bride and groom or husband and wife relations including Fitri,<sup>8</sup> Tahir,<sup>9</sup> Rugaya and Sudirman,<sup>10</sup> Djazimah, and Hayat.<sup>11</sup> The researchers focused on studying the implementation of the marriage guidance program, course effectiveness, implementation of the regulations of the Director General of Islamic Guidance, and practice in several Sub-District Offices of Religious Affairs (KUA), as well as the opinion of the head of KUA. Then regarding the husband and wife relationship, the researchers studied various aspects ranging from the study of The Compilation of Islamic Law (KHI), hadith, the Marriage Law, and the views of social figures. However, I have not found the study of the content of the books utilized to module the marital guidance agenda which is officially used by Sub-District Offices of Religious Affairs. This paper is inspired by the gender study approach. Therefore, its gist point is to study the contents of the course, particularly the subject of the relationship between husband and wife presented in the books.

### The Context of the Books

Based on the Decree of the Director General of Islamic Guidance Number 373 of 2017 concerning Technical Guidelines for Marriage Guidance for Prospective Bride and Groom, marriage guidance for bride and groom refers to the book on the Marriage Guidance Module for Bride and Groom and the *Sakinah* Family Foundation Book: Independent Reading for Bride and Groom. At the glance, these two books were published due to the increasing divorce rate in Indonesia and the condition of married couples who do not have sufficient knowledge to live a household life.<sup>12</sup>

<sup>8</sup> Rahmi Fitri, “Efektifitas Kebijakan Kursus Calon Pengantin Dalam Penguatan Keluarga Muda ( Studi Pada Kantor Urusan Agama Kecamatan Ratu Samban Kota Bengkulu ),” *Qiyas* 3, no. 1 (2018): 34–35, <https://doi.org/10.29300/qys.v3i1.961>.

<sup>9</sup> Masnun Tahir, “Efektivitas Kursus Calon Pengantin Dalam Menekan Angka Perceraian Di Wilayah Kerja KUA Kecamatan Batukliang,” *Musawa Jurnal Studi Gender Dan Islam* 17, no. 1 (2018): 1–18, <https://doi.org/10.14421/musawa.1.171.1-18>.

<sup>10</sup> Siti Rugaya dan Muhammad Sudirman, “Efektifitas Pelaksanaan Kursus Calon Pengantin (Studi Pada Kantor Urusan Agama Kecamatan Bringinkanaya Kota Makassar),” *Jurnal Tomalebbi* Vol.3, no. No.4 (2016): 166-167.

<sup>11</sup> Siti Djazimah and Muhammad Jihadul Hayat, “Pelaksanaan Kursus Pranikah Di Kota Yogyakarta: Urgensitas, Efektivitas Hukum, Dan Tindakan Sosial,” *Al-Ahwal: Jurnal Hukum Keluarga Islam* 11, no. 1 (2019): 59, <https://doi.org/10.14421/ahwal.2018.11105>.

<sup>12</sup> Kementerian Agama RI, Pendahuluan *Modul Bimbingan Perkawinan untuk Calon pengantin* dan Fondasi Keluarga Sakinah.



**Picture 1:** Marriage Guidance Module for Bride and Groom (left), and Sakinah Family Foundation Book (right)

The Marriage Guidance Module in pictures 1 is the works written by the Research and Development Division (*Puslitbang*) on religious life and as a form of continuing step from the results of research on "Trends of Divorce Lawsuits in Indonesian Muslim Communities" held by the Center for Research and Development of Religious Life in 2015. The results of the study stated that there are three main triggers for divorce, namely, there is no harmony, economy, and no responsibility. The research team also found that an average of 59% to 80% of divorce cases occurred covering the research locations, namely Aceh, Ambon, Banyuwangi, Cilegon, Indramayu, Pekalongan, and Padang. Therefore, the Head of the Center for Research and Development of Religious Life at the Ministry of Religious Affairs recommended to the Directorate General of Islamic Guidance to evaluate and improve the Sakinah Family Movement (GKS) and optimize the implementation of the prospective bride course (*Suscatin*) in terms of time and material procedures.<sup>13</sup> The follow-up of the results of the study sparked a recommendation that suggests a module is needed to be a reference in marriage guidance.<sup>14</sup>

The context of the book cannot be separated from the national agenda toward the population. The initiative of creating the books comes after national awareness of the

<sup>13</sup> <https://balitbangdiklat.kemenag.go.id/berita/tren-cerai-gugat-masyarakat-muslim-di-indonesia>, accessed 7 December 2021.

significance to build an important foundation of a nation, that is the development of the family.<sup>15</sup> In a discussion on sustainable development, the United Nations 2012 then approved the international scope in 2015 stating that one of the main components in the national building is the family.<sup>16</sup> Agreeing with this, the Indonesian government in the Nawa Cita program point 5 prioritizes the agenda, namely to improve the quality of human life in Indonesia. The government is also struggling to decrease divorce rates in the community by providing marriage advice and mediation at the Religious Courts and KUA. Then, in particular, the Ministry of Religious Affairs also strengthens marriage in Indonesia through marriage guidance that is oriented towards strengthening knowledge about the household, managing conflicts, and tips for managing the challenges of global life.<sup>17</sup>

Therefore, the Directorate General of Islamic Community Guidance, in collaboration with the Research and Development Center for Religious Guidance and Religious Services, the Research and Education Agency under the auspices of the Ministry of Religion, published the book *Foundation for the Sakinah Family: Independent Readings for Prospective Bride and Grooms as well as a Marriage Guidance Module for Prospective Bride and Groom*. In addition to these, the authors of the book also have progressive thoughts, especially regarding gender, which are expressed in various scientific works that fight for women's rights such as Faqihuddin Abdul Kodir, Nur Rofiah, Umdah El Baroroh, Sri Wiyanti Eddyono, and Rita Pranawati.

### **The Concept of Equality: Types of Husband and Wife Relationships in Family**

Qibtiyah divides the typology of Muslim thought on gender and feminism in Indonesia into three groups, namely literalist, moderate, and progressive/contextualist groups. The term literalist is used because it is usually mainstream thinking related to religious texts by

<sup>14</sup> Kementerian Agama RI, *Modul Bimbingan Perkawinan untuk Calon pengantin*. 3<sup>rd</sup> Edition.

<sup>15</sup> Kementerian Agama RI, *Kedudukan Dan Peran Perempuan (Tafsir Al-Qur'an Tematik)* (Jakarta: Lajnah Pentashahah Mushaf Al-Qur'an, 2009).

<sup>16</sup> Adib Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin," *Jakarta: Direktorat Bina KUA Dan Keluarga Sakinah Ditjen Bimas Islam*, 2017.

<sup>17</sup> Machrus.

Islamist groups and conservative orientation with a literal interpretation.<sup>18</sup> The literalist group is guided by the belief that Islam is a perfect religion. This group believes that there is no need to reinterpret revelation and review how it is applied in today's world.<sup>19</sup> Therefore, this group is generally one of the opponents of the philosophy of reform, including perspectives on gender and feminism. Most of the adherents of this group come from people whose thoughts are still conservative, including radical, fundamentalist, or revivalist groups, for example, the Salafi Da'wah movement, Tarbiyah, Hizbut Tahrir. Furthermore, the moderate group argues that not all feminist ideas come from the west, so the views of this group still accept feminist ideas as long as these ideas do not conflict with what they believe to be the basic values in Islam. In addition, moderate philosophy is still in line with the literalist group who believes that Islam is a perfect religion. However, the difference in understanding moderate religious texts is not always reading literally, sometimes they still use contextual methods depending on needs. This group is generally adherents of Nahdatul Ulama and Muhammadiyah.

Progressive/contextualist groups, this group agrees with feminist ideas such as women and men having equal rights in various fields such as economic, social, and political. The main topic that progressive groups want to raise is that equality between men and women is absolute in all aspects of life. In general, the views of this group contradict the views of the literalist group and in certain respects are in line with moderate thinkers. In Indonesia, the supporters of this group mostly come from neomodernist circles such as the younger generation of NU Organization or Muhammadiyah, groups such as Rahima, the Fatayat Welfare Foundation, the Yellow Book Study Forum, and Yasanti. From the definition of the group, the author understands that within the scope of husband and wife relations, the concept of equality is understood in various ways, ranging from absolute to contextual understanding. Therefore, the author examines the content and legal provisions

<sup>18</sup> Alimatul Qibtiyah, *Feminisme Muslim Di Indonesia* (Yogyakarta: Suara Muhammadiyah, 2019); Alimatul Qibtiyah, "Feminist Identity and the Conceptualisation of Gender Issues in Islam: Muslim Gender Studies Elites in Yogyakarta, Indonesia," *University of Western Sydney*, 2012.

<sup>19</sup> Norani Othman, "Muslim Women and the Challenge of Islamic Fundamentalism/Extremism: An Overview of Southeast Asian Muslim Women's Struggle for Human Rights and Gender Equality," in *Women's Studies International Forum*, vol. 29 (Elsevier, 2006), 339–53, <https://doi.org/10.1016/j.wsif.2006.05.008>; Suzanne Brenner, "Private Moralities in the Public Sphere: Democratization, Islam, and Gender in Indonesia," *American Anthropologist* 113, no. 3 (2011): 478–90, <https://doi.org/10.1111/j.1548-1433.2010.01355.x>.

related to husband and wife relations to find out the concept of equality offered in the Marriage Guidance book to prospective brides, which are grouped by the authors starting from 3 parts:

### 1. Marriage guardians for women

Guardians In marriage, it is important before the bride and groom carry out the marriage contract. Jumhur scholars are of the view that guardianship in marriage is understood as one of the conditions and pillars of marriage. Marriage is not valid without the presence of a guardian. This is based on the arguments of the Qur'an Surah Al-Baqārah: 232 and the hadith narrated by Zuhri from Aisyah, that the Prophet SAW said "*Any woman who marries without the permission of her guardian then the marriage is void*", and the hadith narrated by Ibn Majah, Rasulullah SAW said, "*No woman marries another woman and no woman marries herself.*" Hanafi scholars have different opinions regarding this.<sup>20</sup> An adult woman with good sense either in a virgin or widowed state, in fact, has the right to marry herself to someone she wants, but if not then the guardian has the right to oppose and annul the marriage. Regarding the arguments used by many scholars regarding guardians as pillars of marriage, Hanafi scholars responded that the first hadith narrated by Zuhri was actually *math'uun* (despicable).<sup>21</sup> In addition, Hanafi scholars emphasize marriage contracts such as buying and selling contracts, so that the contract can be carried out by adult women because the marriage contract is the most important contract that requires freedom such as buying and selling.<sup>22</sup>

In Indonesia, based on the Compilation of Islamic Law (KHI), guardians are still one of the pillars of marriage. More specifically, regarding the issue of guardianship, it is written in the Marriage Guidance book that guardianship in marriage is still stipulated as a legal requirement in marriage by referring to the opinions of the majority of scholars and KHI. In this book, the guardian is considered as a guardian of the interests and goodness of the woman to ensure that the woman gets her rights as the party being proposed, then the

<sup>20</sup> Muhammad Farooq, "Walayah (Guardianship) and Kafa'a (Equality) in Muslim Marriage Verses the Woman's Consent," Available at SSRN 3497607, 2019, <https://doi.org/10.2139/ssrn.3497607>.

<sup>21</sup> Abd Rasyid Sidiq, Rusli Rusli, and Syahabuddin Syahabuddin, "Gender Analysis of Marriage Guardians in the Compilation of Islamic Law," *International Journal of Contemporary Islamic Law and Society* 3, no. 1 (2021): 1–14, <https://doi.org/10.24239/ijcils.Vol3.Iss1.24>.

<sup>22</sup> Abdul Rahman Jaziri, *Al-Fiqh 'Ala Madzhabibil Arba' Ah Juz 2*, Libanon, Beirut: Dar-AlKutub Al-Ilmiyah, 2003.



guardian also acts as a filter for the suitability and quality of the groom.<sup>23</sup> This means that in terms of guardianship, a woman must marry a guardian so that she cannot marry herself as stated by Hanafi scholars. But in order to maintain the honor of women and to prevent guardians from acting arbitrarily, the authors of the book *Guidance on Marriage* emphasize that guardians can be replaced and their powers revoked if they act not in the interests and well-being of the women in their guardianship. Ridho also agrees with this, in his work entitled *Nida' Liljinsi Al-latif* that it is forbidden for guardians to act arbitrarily in marrying their daughters without his consent.<sup>24</sup> This book still requires a guardian as a condition for a valid marriage, that what the guardian needs to pay attention to is the fulfillment of women's rights such as the right of women to choose a husband, and marriage must be approved and not forced by the bride and groom, both male and female.<sup>25</sup>

## 2. *Kafā'ab* (equivalency) of the prospective bride and groom

In Islam, equivalence is referred to as *kafā'ab*. The majority of *fiqh* scholars believe that the existence of *kafā'ab* is not a condition for the validity of the marriage. The Imams of the madhhab view the components of *kafā'ab* differently. According to Imam Hanafi, *kafā'ab* is the similarity between men and women in six special matters, namely descent, Islam, work, freedom, religion, and property. Imam Maliki believes that *kafā'ab* is identical to 2 things, namely, firstly embracing Islam, not being wicked, and secondly, being free from the disgrace that causes a woman to choose to continue her marriage or not, such as leprosy, madness, and other diseases. The second thing is the absolute right of women to choose not the will of the guardian.<sup>26</sup>

According to Imam Shafi'i, *kafā'ab* is a matter that must be clean from disgrace. Finally, Imam Hanbali's opinion states that *kafā'ab* is equivalence in 5: *firstly* religion, a *fasik* (committing great sin) man does not converse with a pious woman and maintains his chastity because the validity of his testimony and history is rejected. *Second*, in terms of work, a man who has a lower job is not compatible with a woman who has a higher job,

<sup>23</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>24</sup> Sayid Muhammad Rasyid Ridha, *Nida' Liljinsi Al-latif* (Mesir: Al Manar, 1351), 14-15.

<sup>25</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>26</sup> Hafsa Pirzada, "Marriage in Islam: Consent-Seeking in Hanafi Jurisprudence," in *Islam, Culture, and Marriage Consent: Hanafi Jurisprudence and the Pashtun Context* (Springer, 2022), 57-103, [https://doi.org/10.1007/978-3-030-97251-6\\_3](https://doi.org/10.1007/978-3-030-97251-6_3).

for example, a cupping worker, or a scavenger is not compatible with a businesswoman who is always neatly dressed. *Third*, in terms of wealth, namely the dowry and maintenance that must be met, a person with financial difficulties is not commensurate with marrying a woman who is capable in terms of wealth because the wife should be able to live happily at her husband's house as in her father's house. *Fourth*, is freedom, a slave/servant is not commensurate with a free person. *Fifth*, in terms of lineage/descent, a man of '*ajam* (not of Arab descent) is not equal to a woman of Arab descent. If the guardian marries a woman with someone who is not *kafā'ah* and without her consent.<sup>27</sup>

According to Zuhaili, among these opinions, the most prominent is the opinion of Imam Malik on this issue, namely that he considers the balance to be only about religion and conditions. This means that the prospective partner is free from the disgrace that makes women have the right to choose in marriage.<sup>28</sup> Classical scholars emphasize equivalence in addition to maintaining the benefit of women as well as maintaining family honor. The concept of equivalence in the Marriage Guidance book emphasizes the equivalence between the two brides so that not only men can consider the level of equivalence of their future wives, but both of them can determine the equivalence of potential life partners. Before getting married, the bride and groom are aware of and understand their individuality, especially those related to social, economic, and educational status. The essence of *kafā'ah* is equality and equivalence between candidates who will marry to minimize the gap between the emergence of conflict between husband and wife. It is in order to realize a harmonious marriage.<sup>29</sup>

### 3. Leadership in the household

The concept of leadership in the household has been mostly addressed by many gender researchers. Leadership in the household is much discussed based on the interpretation of the verse that forms the basis for the concept of leadership in the household, namely Surah An-Nisā verse 34. Salafis still understand this verse. uphold the ideological principles of men as leaders in any context, while the role of women is to assist men's leadership,

<sup>27</sup> Jaziri, *Al-Fiqh 'Ala Madzhabil Arba' Ab Juz 2*.

<sup>28</sup> Wahbah Az-Zuhaili, "Al-Fiqhu Al-Islamiy Wa Adillatuhu" (Damaskus: Dar al-Fikr, n.d.).

<sup>29</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

especially their husbands.<sup>30</sup> The group understands this verse that all family decisions should be made by the head of the family, in this case, the father or husband. Qibtiyah calls this group the literalist group. Imam Jalaluddin As Suyuti, in *Tafsir Jalalain* also mentions that the verse means that men become leaders, meaning they have power over women and are obliged to educate and guide them.<sup>31</sup> Scholars from this group argue that the head of the family is assigned to a man because he is the breadwinner, while a woman is responsible for looking after her husband's house and household.<sup>32</sup>

This opinion also refers to the following hadith, from Abdullah ibn Umar: "*Remember, each of you is a leader, and each of you will be held accountable for what he leads. The ruler who leads the people will be held accountable for those he leads. The man is the head of the family and he will be held accountable for what he led. And the wife is the head of her husband's family and her children, and she is held accountable for them. And the slave is also the leader of his master's property and will be held accountable for it. Know that each of you is responsible for what he leads.*"<sup>33</sup> Based on the description of the interpretation, it can be understood that the concept of leadership in the household is led by men.

Furthermore, according to Mulia, the position of *qawwām* (standing) for the husband is not absolute, depending on two conditions emphasized at the end of the verse, namely having a higher quality than his wife and having fulfilled his obligation to provide for his family. Therefore, the word *rijal* (men) uses *alif-lam* (أل), which in Arabic, means something definitive or certain. That is, it does not refer to all husbands but only certain husbands, namely husbands who have certain qualifications.<sup>34</sup> However, if it is caused by something, then the wife who bears full responsibility in the family sphere, as a result, the position of *qawwām* can be offered to her. The most important thing is to maintain the purpose of marriage so that humans can live with others in an atmosphere filled with love and

<sup>30</sup> Yuliatin Yuliatin, "Relasi Laki-Laki Dan Perempuan Di Ruang Domestik Dan Publik Menurut Pemahaman Elit Pesantren Salafiyah Di Jambi," *Musāwa Jurnal Studi Gender Dan Islam* 18, no. 2 (2019): 166, <https://doi.org/10.14421/musawa.2019.182.161-171>.

<sup>31</sup> Imam Jalaluddin Al Mahalli dan Imam Jalaluddin As-Suyuti, *Tafsir Jalalain 1* (Bandung: Sinar Baru Algensindo, nd), 330.

<sup>32</sup> Alimatul Qibtiyah, *Feminisme Muslim Di Indonesia*.

<sup>33</sup> Muhammad bin Shalih Al-Utsaimin, *Syarab Shabih Al-Bukhari* (Tanpa Kota: Darus Sunnah, nd), 1177-1178.

<sup>34</sup> Siti Musdah Mulia, *Membangun Surga Di Bumi: Kiat-Kiat Membangun Keluarga Ideal Dalam Islam* (Jakarta: PT Gramedia, 2011).

affection (*mawaddah wa rahmah*), serene, peaceful, and happy.<sup>35</sup> Agree with this opinion, the concept of leadership to be conveyed to the bride and groom in the Marriage Guidance book is not monotonous which must make the man/husband the leader of the household. The book offers several concepts for leadership in the household, namely women or wives can also replace these roles if they have good and responsible leadership skills or even both can lead the household mentioned in the book with collective leadership.<sup>36</sup>

The Marriage Guidance Book shows its flexibility in this matter by not being fixated on leadership in the household which is only aimed at the husband, but the wife can also play a role as a leader in the household with the main condition being that she is responsible for fulfilling the family's income and has managerial skills in household arrangements. stairs, in accordance with the understanding of the interpretation of An-Nisā: 34.<sup>37</sup> This is in line with Abduh's interpretation of the verse in his interpretation he does not absolute the leadership of men over women. Because the editor used does not use the word "*ma fadlalahum bibinna*" or "*bi bi tafdlilibim 'alayhinna*" which means 'because Allah has given advantages to men' but uses the editorial "*bi ma fadlala Allah ba'dlahum 'ala ba'dl*" meaning because Allah has given advantages among them over some others.

#### 4. The role of husband and wife in the family

There are two important roles in everyday household life, which are called the domestic and public roles. Tasks or activities carried out at home or activities related to reproductive tasks are called domestic roles. The public role is a role that is directed in the form of money or material as a fulfillment of the need to develop potential and self-actualization.<sup>38</sup> People's understanding of the concept of equality in the roles of husband and wife is understood in various ways. First, the assumption in society is that it is the wife's duty to complete all household work or domestic work and vice versa, the husband is free from these obligations. This is dominated by the view stipulated in the 1974 Marriage Law which states that the husband is the head of the family and the wife's position is only as a housewife.<sup>39</sup>

<sup>35</sup> Siti Musdah Mulia; Ma'rifah, "Perkawinan Di Indonesia: Aktualisasi Pemikiran Musdah Mulia."

<sup>36</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>37</sup> Machrus.

<sup>38</sup> Machrus.

<sup>39</sup> Siti Musdah Mulia, *Membangun Surga Di Bumi: Kiat-Kiat Membangun Keluarga Ideal Dalam Islam*.

Then, the roles of men and women in the family are usually associated with nature, which in this situation is interpreted as a privilege given by God to women and men. In a broader sense, nature is a capability or ability that allows a person to carry out certain things which have been determined by God and humans cannot be changed or rejected. When discussing the issue of the nature of women in Islam, scholars often refer to one of the verses in *Al-Aḥzāb* 33:33. This verse is understood by the Salafists as the basis for equality between men and women. Therefore, the roles played by the two are also different. According to this group, women have the nature to give birth, breastfeed, and take care of children while the breadwinners in the family are men. The role of men is more in the public area which is related to activities to fulfill family needs that contribute to society and women are placed in the domestic area and related to reproduction.<sup>40</sup> Second, progressive groups claim that although men and women have different natures, in public and domestic roles, they both share an equal role. According to Umar, nature is often identified with gender burden, namely social construction created by culture, when in fact the most relevant is that nature is closer to gender attributes or biological accessories that distinguish between men and women. In the Qur'an, Allah places equal status between men and women, starting from their position, capacity as servants, and as *kehalifah* (representative) on earth.<sup>41</sup>

The division of roles in the Marriage Guidance book is closer to the understanding of progressive groups. It is stated in the Marriage Guidance book that domestic roles or tasks carried out in the home are not considered merely the nature of women or wives, but are the responsibilities of husband and wife. The book offers a system of division of roles between husband and wife that is conditionally flexible, as well as choice, so that husband and wife can work together in public roles to earn a living and self-actualization as well as working in the household or domestic roles. So that there is no inequality in the division of roles in the household, the role-sharing system in the book prioritizes communication and agreement between husband and wife.<sup>42</sup> Based on this explanation, the author understands that the role of husband and wife in the Marriage Guidance book provides a further understanding of the role of husband and wife, not only based on the understanding of

<sup>40</sup> Alimatul Qibtiyah, *Feminisme Muslim Di Indonesia* (Yogyakarta: Suara Muhammadiyah, 2019).

<sup>41</sup> Nasaruddin Umar, *Kodrat Perempuan Dalam Islam* (Jakarta: The Asia Foundation, 1999).

literalist groups but more than that this book offers more progressive things because it does not burden one party in managing matters related to household tasks or domestic roles.

### 5. The meaning of *nusyūz* in the household

Most scholars define the word *nusyūz* as the wife's disobedience to her husband, as in Ibn Kašīr's interpretation interpreting the word *nusyūz* as "resistance and defiance carried out by the wife accompanied by the wife leaving the house without permission". Furthermore, At-Ṭabāri interprets *nusyūz* as a form of resistance from the wife to her husband, the wife's refusal to have sexual relations with her husband, this refusal is considered an expression of disobedience, hatred, and opposition to her husband.<sup>43</sup> This statement is based on An-Nisā verse 34.

According to Zuhaili, if a husband finds his wife *nusyūz* or exceeding the limits of the norms, for instance, she abandons the rights and obligations in the family, then according to the verse, the husband is obliged to take the following steps: (1) by giving advice and warnings to his wife: (2) separate beds, which means not having sex with his wife or not being in bed. However, the husband is not allowed to silence his wife for more than three days. (3) Hitting the wife without hurting her. If the husband is too excessive in hitting so that the wife is in danger, then he is obliged to bear the medical costs.<sup>44</sup> In the Compilation of Islamic Law (KHI), the explanation regarding *nusyūz* is defined as a wife's reluctance to carry out her obligations.<sup>45</sup> However, the concept of *nusyūz* referred to in the Marriage Guidance book is not only a form of disobedience of a wife to her husband, this book further explains that there is no inequality between husband and wife in *nusyūz* when viewed from the context that both have a role for each other complete in household tasks, meaning that *nusyūz* cannot be assigned only to the wife, but both husband and wife can be *nusyūz*.<sup>46</sup>

<sup>42</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>43</sup> Musdah Mulia, *Ensiklopedia Muslimah Reformis: Pokok-Pokok Pemikiran Untuk Reinterpretasi Dan Aksi*, ed. Penerbit BACA (Tangerang Selatan, 2020).

<sup>44</sup> Wahbah az-Zuhaili, *Tafsir Al-Munir Jilid 3* (Jakarta: Gema Insani, 2016).

<sup>45</sup> Kompilasi Hukum Islam, Article 84.

<sup>46</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

Regarding *nusyūz*, Wadud also argues that in the Qur'an the word *nusyūz* can be addressed to men in An-Nisā:128 and women in An-Nisā:34. Although these two words have different meanings when associated with women and men. If it is associated with a woman (wife) the word *nusyūz* means the wife's disobedience to her husband, while when it is associated with a man (husband) it means that the husband does not give rights to his wife and is strict with her.<sup>47</sup> Based on these two verses, the solution offered consists of three stages. First, verbal solutions (*faiḡūhunna*) either between husband and wife themselves or through arbitrators or intermediaries. If the first solution is not effective then the next step is to separate or separate the bed. Furthermore, if there is still no solution, the last step can only be done in extreme cases, namely by hitting.<sup>48</sup> However, in the marriage guidance book, these three stages are not mentioned, the authors only emphasize peace or *islah* without suggesting things that lead to violence.

#### 6. Women's obedience to their husbands

Most women understand that obedience to their husbands is an absolute with normative reasons that they often hear. The hadith "*If a husband invites his wife to bed (to have intercourse) and his wife does not want to, then she will be cursed by the angels until the morning comes*" (by Bukhari, Muslim, Abu Dawud, and Ahmad).<sup>49</sup> "*From Abu Hurairah, he said: The Messenger of Allah said: It is not permissible for a wife to fast while her husband is with her, unless she gets permission from him, which is other than fasting the month of Ramadan. It is also not permissible to allow other people to enter her husband's house when her husband is with her, except with permission from her husband* (Muttafaq Alaih).<sup>50</sup> are among the popular hadith which are used to narrate a wife's submission to her husband. In addition to the verse about leadership, which has been explained in the previous part, some of these hadiths also serve as the basis for those who consider obedience to their husbands absolute. In contrast to marriage guidance books, the concept of obedience in this book emphasizes that women's obedience to their husbands is not absolute. Because in the book, the wife and husband are considered creatures of God, both

<sup>47</sup> Ahmad Baidowi, *Tafsir Feminis: Kajian Perempuan Dalam Al-Qur'an Dan Para Mufasir Kontemporer*, Bandung: Nuansa, 2005.

<sup>48</sup> Baidowi.

<sup>49</sup> Abdul Sattar, "Batas Kepatuhan Istri Terhadap Suami," dalam Nasaruddin Umar and Sri Suhandjati Sukri, *Bias Jender Dalam Pemahaman Islam*, vol. 1 (Jakarta: Diterbitkan atas kerja sama Pusat Studi Jender (PSJ) IAIN Walisongo dengan ..., 2002).

of whom have a role as caliphs on earth. The concept of obedience is more defined as the concept of reciprocity. It means that there is no obedience or threat in this book that scares women if they disobey a husband, but instead emphasizes that each partner is responsible for his actions.<sup>51</sup>

### Gender Equality for Couples

Based on the typology of Muslim thought about gender and feminism, the contents of the book guidance on marriage for prospective bride and groom are typed into three groups, namely literalist, moderate and progressive groups. The author finds that the concept of equality of husband and wife relations in the book *Guidance on Marriage* is more toward the progressive group. This is based on the author's findings regarding the husband and wife relationship in the book. The finding could be illustrated as followed.

In the marriage guidance book, the role of husband and wife in the household is flexible and the division of tasks is carried out flexibly so that there are no limits on tasks and roles that only become only husband's or wife's duty.<sup>52</sup> The book offers a system of division of roles between husband and wife that is conditionally flexible, so that husband and wife can work together in public roles to earn a living and self-actualization as well as work in the household or domestic roles.<sup>53</sup>

The concept of leadership written in the book marriage guidance for the bride and groom is varied and not standard. The pattern of leadership offered in the family is not only a single leadership pattern that is aimed at the husband, but also other leadership patterns such as collective leadership that is shared between husband and wife.<sup>54</sup>

The concept of obedience to the husband in the *Marriage Guidance* book is not defined as absolute obedience. However, in the book the position of the two is stated to be the same or equivalent, namely as caliphs on earth who will later be responsible for their respective actions before Allah.<sup>55</sup> The concept of *nusyūz* written in the marriage guidance book is that when viewed from the complementary roles and responsibilities in the

<sup>50</sup> Muhammad Nashiruddin Al-Albani et al., *Shabih Sunan Abu Daud* (Pustaka Azzam, 2006).

<sup>51</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>52</sup> Kementerian Agama RI, *Modul Bimbingan Perkawinan untuk Calon pengantin*.

<sup>53</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>54</sup> Kementerian Agama RI, *Modul Bimbingan Perkawinan untuk Calon pengantin*.

<sup>55</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."



household, *nusyūz* applies to both husbands and wives because they do not carry out their marital obligations.<sup>56</sup> Regarding the issue of family planning, the Marriage Guidance book cites the opinion of scholars who allow the regulation of pregnancy and birth because it is not classified as a restriction but is aimed at creating benefits. In addition, taking part in family planning can maintain the health of mothers and children.<sup>57</sup>

According to the author, of the marriage guidance book in studying the husband and wife relationship, the texts in the Koran relating to men and women were reviewed using the Koranic hermeneutic method, especially related to matters of the role of husband and wife, leadership, wife obedience, *nusyūz*, and family planning programs. The review of the Qur'anic verses related to these matters uses the Qur'anic hermeneutic method. According to Shihab, the Qur'an remains open to new interpretation, because not only relates to past generations but also links with subsequent generations throughout time as long as there is an order to think about, as long as it is wide open for the birth of new interpretations and differences with old opinions.<sup>58</sup>

Islamic intellectual explanations about hermeneutics have contributed to changing the understanding of the Qur'anic texts. The interpretation is observed to be more reasonable based on more systematic approaches, not only struggling with classical understandings whose contexts have been different and seem anti-renewal (*tajdīd*). Islamic feminist intellectuals began to apply this method to the interpretation of gender verses in the Qur'an.<sup>59</sup> Islamic feminist intellectuals who live in the midst of social and political progress offer new ways of interpreting the Qur'an that is more universal, not only for the 7th-century Arab society, and based on the basic principles of the Qur'-related harmony and justice, and human equality. Therefore Muslim feminist intellectuals comment on the interpretation of the Qur'an regarding women and conduct a more scientific review. This identifies the emergence of a feminist-based interpretation of the Qur'an (feminist hermeneutics).<sup>60</sup> Muslim feminists lay down the basic principles of feminist hermeneutics), namely by referring to gender equality and justice and utilizing methodological steps. The

<sup>56</sup> Machrus.

<sup>57</sup> Machrus.

<sup>58</sup> M Quraish Shihab, *Kaidab Tafsir* (Tangerang: Lentera Hati Group, 2013).

<sup>59</sup> Mardety Mardinsyah, *Hermeneutika Feminisme Reformasi Gender Dalam Islam* (Jakarta Barat: Bitread Publishing, 2018).

<sup>60</sup> Mardety Mardinsyah.

presence of a feminist-based interpretation of the Qur'an is due to the dominance of the patriarchal system in the interpretation which is aimed at the distinction of the roles of women and men, where the domestic role is for women and the public role is for men, thus bare to the domination of men over women.

Muslim feminist efforts to seek gender equality are more focused on two substantial matters: first, the inequality between men and women in the social structure of Muslim society does not come from existing Islamic teachings, but rather from an understanding that is biased towards men so that it is used as a paradigm and believed as standard Islamic teachings; second, to obtain equality, further studies are needed on the sources of Islamic teachings related to gender relations by starting from the basic principles of teaching, namely justice, and equality.<sup>61</sup> In addition to these, the authors of the books also have progressive thoughts on gender mainstreaming, which are expressed in various scientific works that fight for women's rights such as Kodir, Rofiah, El Baroroh, Eddyono, and Pranawati. According to these authors, the elements of *mubādalah* contained in the book guidance on marriage cannot be separated from the influence of Kodir who conceptualizes the *mubādalah* in his work *Qira'ah Mubādalah*. Kodir is directly being one of the authors of the book Foundation for the Sakinah Family and the Marriage Guidance Module for Prospective Bride and Groom.

The husband and wife relationship that is emphasized in the book contains five pillars that support married life.<sup>62</sup> First, An-Nisā verse 21 explains that women (wives) have agreed and agreed to a solid agreement (*miṣāqan ghalīẓan*) with the men who marry them. The agreement means an agreement between husband and wife to make a joint commitment. The marriage contract is an embodiment of the marriage agreement. Although in practice, it is the prospective groom with a male guardian from the female side, the individuals who bind themselves to household commitments are the bride and groom. For this reason, both of them must maintain the agreement together, be maintained and preserved together. Therefore, the Qur'an uses the term "strong bond" as a reminder that the bond will continue to be strengthened together throughout married life. The

<sup>61</sup> Andik Wahyun Muqoyyidin, "Wacana Kesetaraan Gender: Pemikiran Islam Kontemporer Tentang Gerakan Feminisme Islam," *Al-Ulum* 13, no. 2 (2013): 509.

<sup>62</sup> Abdul Kodir, "Qira'ah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Islam," *Vol. Cet. I. IRCiSoD*, 2019, 384.

meaning of 'sturdy' is something that must be guarded, remembered, and maintained together.<sup>63</sup>

This point is written in the Marriage Guidance book as a basis for marriage which is explained at the beginning of the marriage by the guidance of the prospective bride and groom the speaker.<sup>64</sup> More concretely, in the book Foundation for the *sakinah* (happy) family, a strong agreement needs to be maintained together, as is the obligation of both to serve each other. If only the wife tries to serve her husband and take care of herself for the strength of the household but the husband does not care, is indifferent, and does nothing to maintain the bond, this will become lame, and vice versa. Both of them must jointly guard the *miṣāqan galīẓan* (strong bound).<sup>65</sup>

Second, the pillar is that the marriage relationship between men and women is in pairs. In the Qur'an, the couple is interpreted as *zawj*, which means that the wife is the husband's partner and the husband is a wife. With the spirit of the Koran and the perspective of *mubādalah*, this word is interpreted as half soul. This means that husband and wife are half for the other, and both of them are only said to be complete if they unite and work together. The Qur'an describes the principle of pairing very well, it is explained that the husband is the wife's clothes and the wife is the husband's clothes as stated in Al-Baqārah (2): 187. The representation of the word clothing in the verse is a reminder that the benefits of husband and wife are partners who can maintain, decorate, cover, perfect, and glorify each other.<sup>66</sup>

In the book Marriage Guidance, this point is related to no one being more dominant between husband and wife because both are a couple who love and complement each other. No one feels more powerful because the two have agreed on the joys and sorrows. With an equal relationship between husband and wife, both will feel valued and respected by their respective partners.<sup>67</sup> Third, the pillar of *muāsyarah bil ma'rūf* is an attitude to treat each other well. This attitude is the most basic attitude in the relationship between husband and wife. This pillar emphasizes a perspective that contains the principles and values of the

<sup>63</sup> Abdul Kodir, *Qiraah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*, IRCiSoD (Yogyakarta, 2019).

<sup>64</sup> Kementerian Agama RI, *Modul Bimbingan Perkawinan untuk Calon pengantin*.

<sup>65</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>66</sup> Kodir, *Qiraah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*.

<sup>67</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

relationship between husband and wife. Both parties need to present and feel the existence of this pillar in the household. This pillar is also based on An-Nisā verse 19, this verse invites men to leave bad habits toward women during the *jabilīyah* (pre-Islamic era) period. On the contrary, the verse requires them to get used to behaving well toward women. Based on the perspective *mubādalah*, this also applies to women (wives). This means that women are also required to behave well towards men (husbands).<sup>68</sup> This principle in the Marriage Guidance book is associated with several things, namely the management of conflict in the family, whether it's a case of *nusyūz*, the relationship between husband and wife, then facing a wife's reproductive period whose emotions are unstable. Both need to treat their partner politely according to the meaning of *muāsyarah bil ma'rūf*.<sup>69</sup>

Fourth, the pillar at this point is the attitude and behavior between husband and wife to always consult and exchange opinions in various matters, including in making decisions related to domestic life. This pillar is based on Al-Baqārah verses 233, such as matters relating to breastfeeding for children, must be discussed and the decision must be based on the willingness of both parties. In general, the teaching about deliberation or deliberation with friends, friends, and family, is desired as the main action and is part of the teaching of compassion with others, as stated in Ali Imran (3): 159.<sup>70</sup> The process of mutual consultation in the Marriage Guidance book has been reflected in the exercises that must be carried out by the two brides-to-be during the course, such as discussions on marriage preparation including biological, economic, mental-spiritual, social preparation, then strategies and plans to fulfill family needs, obligations, and reproductive rights. In this discussion session, the bride and groom are also given time to express their opinions about the expectations of marriage and the household they want to build with their future husband/wife.<sup>71</sup>

Fifth, the last pillar is the mutual attitude in a sense of comfort, namely that each partner feels comfortable and provides comfort to each other. This is discussed in the Qur'an *tarādbin min humā*, namely the presence of pleasure or acceptance that comes from both parties. Willingness or pleasure is the highest attitude of acceptance and complete

<sup>68</sup> Kodir, *Qiraah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*.

<sup>69</sup> Machrus, "Fondasi Keluarga Sakinah Bacaan Mandiri Calon Pengantin."

<sup>70</sup> Kodir, *Qiraah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*.

<sup>71</sup> Kementerian Agama RI, *Modul Bimbingan Perkawinan untuk Calon pengantin*.

comfort. In the husband and wife relationship, this point needs to be maintained continuously and as a pillar supporting all aspects, behaviors, words, attitudes, and actions, so that their lives are not only strong but also contain a sense of love and peace.<sup>72</sup> Efforts to create a comfortable husband-wife relationship and have an attitude of mutuality in the Marriage Guidance book are a flexible division of roles in the household, then husband and wife are likened to a solid team who work hand in hand in meeting family needs.<sup>73</sup>

## Conclusion

Ministry of Religion initiated the book guidance on marriage for prospective bride and groom involving several writers who have a fairly good understanding of gender and are sensitive to gender issues. The two marriage guidance books are used in the marriage guidance program to offer a new understanding in the community about the concept of equality in the household. The concept of equality of husband and wife relations offered in the marriage guidance book emphasizes equality with a progressive understanding and uses the concept of *mubādalab*. This concept is used because the husband and wife relationship that wants to be formed is the principle of reciprocity in the household by upholding the *mīṣāqan ghalīẓan* that has been pledged and maintaining the principle of *muāyarah bil ma'rūf*, the principle of pairing, and mutual consultation between the two. The concept of equality defined in the marriage guidance book emphasizes the concept of cooperation, placing the position of husband and wife on an equal footing, both of whom carry out the mandate as *khalīfah* (leader) on earth. Therefore, the government's position, in this case, is the Ministry of Religious Affairs seeks to think progressively in defining the nature of marriage and the husband and wife relationship.

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<sup>72</sup> Kodir, *Qiraah Mubadalab: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*.

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