Women, Ethics of Care, Domestic Role and Islamic Teachings (Classical Fiqih) and Local Culture

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Abstract
Islam and Feminism, both are perceived as incompatible. However, this view is sadly only generated by the Western when they see Islam in the Middle Eastern. It even misleads when the Western has been only looking for particular countries which practice conservative and textual Islam. In reality, Islam put women in a respectful position, and though Islam has different points of view from some points in feminism, it does not mean they are against each other. Here in this paper, I tried to analyse a comparative study between how our Indonesian culture and how Islamic teachings perceive the role of women in their domestic reality and how women can participate in every day life. Here we make structure our paper starting with an introduction, later we talk about classical Fiqih. The reason why we choose classical Fiqih is that we want to understand the root of Islamic teachings on the blatant reality so we can understand how Islam sees a woman in reality. Later, we will discuss a comparison between our culture in general and Islamic Teaching so we will have insight into which one is part of our culture and which one is purely Islamic teachings. From our findings, we found that our culture and Islamic teaching have relatively similar points of view on women’s role in domestic reality. However, the conservative approach is coming from misunderstanding and, people’s attitudes to mixing Islamic teachings with their Khawarij culture which is not a real Islam yet because people from outside of the Islamic world do not understand, they tend to think it is a real Islam which is giving Islam a bad reputation.

Keywords: Islam, Feminism, Domestic Role, Ethics of Care

INTRODUCTION
Feminism has translated into equal opportunity and an equal chance for every woman in the world. However, the word ‘equality’ itself has been problematic. How do you define if a woman is not treated equally or not? For example, in the military, almost 80% of armies are men, is it because of discrimination or it is just what it is?

We need to trace back to other studies. Barbara and Allan Pease said in their famous research, men, and women are built differently and it is okay that they are different (Pease & Pease, 2001). The problem is that people tend to think men and women are of the same build. No, they are not, but it is okay. Yes, we have women who are at the top of leadership but they are more masculine than women in general because masculinity—as Allan and Barbara—mentioned are a vital requirement at the top of leadership (Sumra, 2019). If there is an Alpha Female, it is a form of oddity and not will happen regularly.

Allan and Barbara Pease even go further to mention that just because most world leaders are not females, it does not mean that there is widespread discrimination. Even if we look closely, not many women are interested to go far and becoming top leaders. It is just not triggering their interests (Darcy et al., 1994). It is just that women are not attracted to the political field as much as men and it is okay. However, this is not widely accepted. This research based on psychology and scientific method does not sound to some feminists. Yes, we do not want to nullify that there are some kinds of discrimination towards women politically. Yet, we in reality should accept that women are not particularly interested in politics. Notwithstanding, it does not mean that women are second-class citizens. Vice versa, women have their power, especially in caring and becoming the glue of society through the emotional bonds they build. This is the basis of the theory of
Ethics of Care (Allmark, 1995). Ethics of Care is a theory that celebrates women’s strength and power. However, it does not always go smoothly like that, men with logic and strict attitudes while women with their compassion. The world cannot work as simply as that.

Ethics of Care sometimes used to be the justification of women back to their domestic roles. It is somehow so vile for women who go back to their traditional domestic roles.

Some feminists still in debate about the traditional roles of women in society (Allmark, 1995, pp. 19–24) That a woman will have the same excitement if they are sent to war; drafted and pushed unwillingly to a war? Will their nature and set of skills be useful for a war? This a serious question that we can throw into debates. If, a woman, decided not to pursue her career, does it mean that she is not a feminist? Is it mean that she is a misogynist or at least supports it? Is it wrong if a woman wants to choose a more traditional role without attention and highlighted whatsoever so the woman can be labeled as an agent of change? It needs to be clarified eventually.

In Indonesia, we have this own perspective on feminism and interestingly it started by caring. Yes, Indonesian feminism is introduced by Kartini. She defined feminism although she did not mention that she promoted feminism, her view on feminism is about the same opportunity, same equality to choose, and freedom to be whatever women want to be. Her feminism started from her care for women who are not educated. Through her passion and attention, she was able to save a lot of women from intellectual backwardness. Since Kartini started with passion and love, her perspective of feminism is more accepted these days (Pane, 2009).

Notwithstanding, it is accepted that the most important part of feminism is choices, especially free choices. From Kartini’s perspective, feminism is all about choices, compassion, and responsibility, plus of course knowing the consequences of the choices. It makes sense if we consider what kind of reality Kartini lived was, women were in a difficult situation and not knowing what they face or what kind of risks they could face because of their choice. Even Kartini herself was a victim and an example of a woman who did not know what the consequences of her action were; she died when she delivered a baby (Ima et al., 2020).

Ironically, in the feminist world today, many women had been pushed for something that they did not want. Women who made a choice often had to face harsh punishment socially. For example in China, women who decided not to get married would be labeled as left-over women or Shengnu (Murti, 2019). In the U.S., people do not welcome a female president, even Indonesia has the first female president earlier than the U.S. Hillary Clinton recorded a surprise loss to Donald Trump, a guy with zero political experience. How did it happen? Because there are some kinds of prejudice like women cannot think logically, they are emotional and they could not make their own rational choices, and so on (Lewis-Beck & Quinlan, 2019). Women are perceived as evil being if not controlled and it was mentioned in many sources such as in myths, fables, and even historical stories. See? How a woman can destroy one kingdom like in the story of the Trojan horse? Or a story of a woman who can turn into a witch and do bad things like using cats to hypnotize people or other evil things. Here is the reality that we grew up with a perspective and an idea that women bring problems. However, somehow, one religion nowadays is accused of discriminating against women more than other kinds of religions. Which in this case Islam.

Islam has been accused of downgrading women for a very long, exactly around post 9/11 era. Somehow, wearing a hijab is degrading to women and one Islamic perspective is being used to judge the entire Muslims. For example in this chase is Wahabism in Saudi Arabia is being used...
to be a valid point to accuse Islam as a religion that not friendly towards feminism. Meanwhile, most Muslims live in Indonesia and most of them are allowed to take a job, allowed to drive, and allowed to choose their career path (Malik, 2009). Here we have a problem, at least, in this introduction, I want to emphasize three main issues here.

First, Feminism is not well defined. Even feminists mostly only have one keyword: equality. However, not all feminists have this clear perspective or one agreement about what kind of equality they want since there are multiple debates about other things such as the nature of women and the reality that happened.

Secondly, the accusation of Islam as a religion that is anti-feminist is not fair since Islam has been judged by the action of a few Muslims, and not by a fair trial. So here, I tried to discuss the real Islamic perspective on women and it can be done by exploring and learning about classical Fiqh which is a method to learn Quran fairly. And by learning classical Fiqh, hopefully, we will be ended up getting a real Islamic perspective towards women and not based on prejudice only.

Third, which is interesting is that Islam and feminism is having similar perspectives, especially when discussing Ethics of Care. Islam, as I will explain later, mentions that woman is powerful because she has compassion, empathy, and other positive attitudes that open a chance for cultural reformation. This is the same as how feminists saw the future since Mohammed started his teaching activities.

Here we will do research based on the main idea that we want to know the real Islam and learning from classical Fiqih is the righteous way to understand the reality of Islam from Fiqih we will compare it to the reality of Islam today, especially how Islam and Ethics of Care are on the same page and the myth that domestic women are not independent or feminist enough is wrong.

METHODS

The method used in this article uses the literary study method by analyse a comparative study between how our Indonesian culture and how Islamic teachings perceive the role of women in their domestic reality and how women can participate in every day life. Interestingly, the role of women fits into the role of women from the perspective of Ethics of Care. In Ethics of care, it is believed that women’s power on taking care of other people is the key to their strength and somehow when we learn Islam deeper, we will find it is connected and this paper proves it. Here we make structure our paper starting with an introduction, later we talk about classical Fiqih. The reason why we choose classical Fiqih is that we want to understand the root of Islamic teachings on the blatant reality so we can understand how Islam sees a woman in reality. Later, we will discuss a comparison between our culture in general and Islamic Teaching so we will have insight into which one is part of our culture and which one is purely Islamic teachings.
DISCUSSION

If Islam discriminates against women, why then Arabs women follow Prophet Mohammed at the beginning of his teaching? Even most of Mohammed's followers are women and he was supported by his rich wife, Khadijah. On contrary of people’s perspective that Islam is discriminating against women, Islam is helping women out from discrimination especially discrimination because of Arabic culture. In the old Arabic culture, women are assets and property, it is not strange that if a dad dies then his wives can be inherited by his sons. It is not an uncommon practice to kill baby daughters. Islam came and fought against those kinds of discrimination.

Do not marry former wives of your fathers—except what was done previously. It was indeed a shameful, despicable, and evil practice.

(An-nisa 22)

"Also" forbidden to you for marriage are your mothers, your daughters, your sisters, your paternal and maternal aunts, your brother's daughters, your sister’s daughters, your foster-sisters, your mothers-in-law, your stepdaughters under your guardianship if you have consummated marriage with their mothers—but if you have not, then you can marry them—nor the wives of your own sons, nor two sisters together at the same time—except what was done previously. Surely Allah is All-Forgiving, Most Merciful.

(An-nisa 23)

Classical Fiqh is a method of learning the Quran based on the Quran directly. While we have this prejudice, the Quran itself shows how they perceive women (Muhibbin, 2011). Quran put women in respectable positions, but not in the same way from a Western point of view. Classical Fiqh, especially on viewing women can be seen in these verses and how it is translated.

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

(Ali Imran 195)

From this Surah, we learned that Islam is promoting equal education for both men and women, so it is strange that in Afghanistan, Saudi Arabia, and several Islamic states, they banned women from pursuing education. What happened in those countries is more likely because of their identity as Arabic states not because they are Islamic states. In Indonesia, where most Muslims live, they are accepting education towards women and if we see the history of Mohammed, it is a history of a man who was supported by a strong woman in this case, Khadijah.

Minor perspective towards women might be can be traced back to Surah An’ Nisa 34 which contain permission for men to discipline their women. It has been reflected by various Fiqh interpreter such as Al-Syamakzhari who believed that men have various strength point that makes them ‘better’ than a man such as physicality, mental and other qualities. From Indonesia, this kind of perspective was also declared by Fiqh intellectuals such as Syeikh Nawawi. This is misinterpreted because yes on one side a man has a right to be a leader naturally in Islam but they are not having unopposed rights towards women. They have their limitation and only can perform some kind of punishment if there are some circumstances; they cannot just do whatever they want just because they can. It is very different compared to what the Western most believe.

Karen Armstrong, a famous religion studies scholar, has mentioned in his book about Mohammed (Armstrong, 2002). Mohammed was a wise man and avoid conflicts and acts of violence if it is possible. However, the difference between Mohammed and other religious leaders is that he was strict on the rule. For example, in a story of a daughter who stole something, Mohammed cut her hand and he famously said even if the thief is his daughter, he will cut her hand. It showed how strict Mohammed is on law and Islamic values. However, it is not mean that Mohammed could not be open to adopting other values. Islam contrary to what has been said in the book ‘Clash of Civilizations’ by Samuel P. Huntington, could adapt and match with other values (Huntington, 2000).

KH. Husein Mohammad is one of the religious scholars that we can talk about. He is a man, but he is famous for his feminist approach to Classical Fiqh. It is not some kind of quite usual but here he is with his unique perspective and he approached the Quran text based on the context when the verse was given to Mohammed (Muhammad, 2001). For example, in a story of a daughter who stole something, Mohammed cut her hand and he famously said even if the thief is his daughter, he will cut her hand. It showed how strict Mohammed is on law and Islamic values. However, it is not mean that Mohammed could not be open to adopting other values. Islam contrary to what has been said in the book ‘Clash of Civilizations’ by Samuel P. Huntington, could adapt and match with other values (Huntington, 2000).

Yes, there are some borders for women’s role in Islam. HR. Bukhari for example mentioned that in Quran it has been said that the leader must be a man because the term Wallu...
Amrakum (The one who leads you all) emphasized how important a man to be the main leader or it is is called al-wilayatul-kubra or al-imamatul-uzhma. However, the question then is, to what degree woman cannot be involved in leadership? (Malaka, 2021). Here, the reality is, a woman still can lead on several degrees though not at the top of the leadership.

The one who does not want a woman to be a leader at all is arguably very strict and not open to a context. Usually, we call it Khawarij. The Khawarij is equal to the pharisee in Christian belief. They want to be the only rightful ones; they do not want to open any discussion. They are arguably the ones who see Jihad as a bloodshed battle rather than another context which more relevant to today's situation (Saleh, 2018). Jihad from Khawarij's perspective is irrelevant to other Islamic nominations respectively. Here we need to discuss Jihad further.

Jihad is not only mean that you defend the name of your religion. Jihad is about a struggle to bring image and respect for Islam. Bringing Islamic pride should not be based on battle only because war is only bringing desperation and problems. There are alternatives rather than going to war (Mustaqim, 2011). Defending Islam dan bringing glory to Islam can be done in various ways such as through education and humanitarian development. This is sadly not part of things considered by Khawarij and here becoming a central issue of misperception on Islam as a religion. Of course, then it will trigger misconceptions and generalizations about Islam.

We have before talked about the role of women in the Quran, Sunnah, and Classical Fiqh interpretation of the role of women, and the lesson we learned is that there is a lot of simplification and generalization that is not fair. Women can get the education they want and therefore thinking that it is forbidden for women to pursue intellectual processes through education has been falsely a big misconception. Now we move to talk about the role of domestic roles for a woman in the modern era v. Islamic teaching especially classical Fiqh.

Wife, Mother, and Polygamy

Most people who do not understand would think that a woman is a second-class citizen, especially because of Islamic inheritance law put a woman second. They only get two times smaller than their son counterpart. If we talk about culture, here the reality is Arabic culture there still very much patriarchal. Same here all around the world. However, in the case of Padang, Minang people, are matriarchal, so they do not push the Islamic inheritance law more strictly. What a lesson learned here, yes, in Islam, women get less but there is no meaning that woman is a second-class citizen.

In Al-Baghir studies (Bagir, 2016), men and women are not the same in Islam. When men started to get married, they took the responsibility for the father of the woman they married. It means not only about the role in religion but also means financially. So, men need to fulfill woman's needs in terms of finance. The man's money is and has never been separated from the woman's money. Even after the event of divorce, a man still has responsibility for their wife. It is mentioned in the Quran. It is part of not letting go of a man from his responsibility. It is part of classical Fiqh that from now and in the future, a man cannot just get divorced and run from his
responsibility (Azizah, 2012). This is also answering a misconception about Islamic marriage that a man has immovable power in marriage when they lead the family but with heavy responsibility and this responsibility is hard to be avoided.

Women on the other side have no same responsibility, they can have the right that more than men in some aspects. Women have no obligation to share their income or their asset with their men. They can work and it is allowed in Islam, contrary from Khawarij’s perspective.

Whoever does righteousness, whether male or female, while he is a believer – We will surely cause him to live a good life, and We will surely give them their reward [in the Hereafter] according to the best of what they used to do.

(QS An-Nahl 97)

The women are allowed to work and it was from Quran and there is a perspective too from classical Fiqh, especially from M. Quraish Shihab (Shihab, 1996). Some people have their perspective that woman should only leave their home on two occasions only when she wanted to visit her parents or she accompanied her husband to his funeral. This perspective is quite actually inaccurate since the woman who should do those particular things is the woman who commits infidelity. If the woman morally has good behaviour, she should not supposedly have the limitation to go or to move anywhere she wants.

The interesting thing is Islam did not put strict rules on women. Islam even admits that women have three roles in the family which are mother, wife, and lastly, in public themselves. Since we discuss domestic issues, I focused on two roles which are:

a. Women as Mothers

In Family, women have a special place to be a mother, and in Islam, mothers are coming first and their kids should prioritize their mothers. There is even a saying that heaven is under the mother’s feet. Of course, women’s special rights come with their obligations to be the main figure for kids to teach about love and passion on the side of Islamic teachings. Women as mothers are also been freed from the obligation to be the breadwinner of the family but they for sure should respect and treat their men respectfully. Even in some Islamic teachings perspectives like Syafi’s and Hambali’s, there are various views, especially on how much the husband should give to their woman. It is just a different perspective but women have their rights. Syafi’i mentioned that men should give women as much as they earned and not like there is a certain standard that men, like or not should be fulfilled. Meanwhile, for Hambali, there is a standard that men should fulfill for their women. Both have their supporter on this matter but it is not the opposite view (Harahap, 2013).

Yet, here we still have the debate about why women should do a certain role in the home compared to their male counterparts. Again, it is a matter of context because in the past, the
reality has been much different and women cannot have a choice in their careers but today they have a lot. They can even go today and help their family as the breadwinner (Wardiono & Izziyana, 2019) However, Islam emphasizes the importance of putting women in their strength sectors like compassion and domestic management.

Here, it is not different from the concept of Ethics of Care that feminists promoted. Yes, Islam thinks that women have the strength on caring to each other. This means that women could and possibly do other roles, but in doing her role domestically, Islam emphasizes that woman has the strength in the compassion matter and it is not just giving feeling good towards husbands or kids. It is changing their life so they will contribute more to society (Fauzana Admi, 2018). Islam believes that women are pillars of their family morally and subsequently would change the life of the family members. Here is the exact similar point between Islam dan Ethics of Care in a female’s life. What about the influence of local culture?

Talking about the role in the Islamic perspective and Indonesian culture, we should understand that sociologically and based on history, we are an agricultural society, and the values and habits we have been brought up to the exact point now. So actually, we should not be surprised that in this reality we have a collaborative culture that matches Islamic teachings. Women are the emotional support and pillar who can change the members of the family so they can do better for the family. Yes, in an agricultural society, women stay at home and keep themselves in domestic reality but they play an important role through their compassion and love for people. This is an important element for women.

Indeed, the caring mother would later determine the future of her sons. As a mother, women have the role of preparing men (their sons) to be able to fulfill their obligations and face challenges (Fauzana Admi, 2018). This is important matters because then women are the key elements for preparing men mentally. It is interesting because we then find a line between Islam and Indonesian culture. Even based on my findings, in several parts of Sumatra, women get prioritized on education rather than their male counterparts because they will interact with their kids more and educate them more. It is the same in Islam where the men will go around for external businesses and women will need to deal with children and help them with their manhood.

b. Women as Wives

In Islam, women have certain roles; obeying the husband blindly is not part of the role. It is interesting when we see Muslim women’s roles in the Middle East which more or little obey their husbands in stricter ways. We think it is part of Islamic teaching when in reality it is not. It is more about the inheritance of Jahiliyah era, which is more make sense. In fact, in Karen Armstrong’s book, she emphasized how much Mohammed put a role in Khadijah. Khadijah was even the first to rise in terms of financial independence (Dhamina, 2019). So, it can be said that Mohammed never put a woman’s role as a wife limited. In Quran, Classical Fiqih, there is a saying:
It has been made permissible for you to be intimate with your wives during the nights preceding the fast. Your spouses are a garment for you as you are for them. Allah knows that you were deceiving yourselves. So He has accepted your repentance and pardoned you. So now you may be intimate with them and seek what Allah has prescribed for you.3 You may eat and drink until you see the light of dawn breaking the darkness of night, then complete the fast until nightfall. Do not be intimate with your spouses while you are meditating in the mosques. These are the limits set by Allah, so do not exceed them. This is how Allah makes His revelations clear to people, so they may become mindful of Him.

( Al Baqarah : 187 )

Here, it is a strong point that Islam elevated woman’s position in society (Engineer, 1992) and is very different compared to Jahiliyah culture. In some ways actually, Islam put women as equal partners and even integral in men’s success. Mohammed would not be able to build his community if it is not because of Khadijah. Khadijah who had been a successful businesswoman even since not met Mohammed yet is a mentor and helps Mohammed to understand leadership and organize people around him. Khadijah surely is not a model of a woman who lives like most middle eastern women (Sechzer, 2004). Khadijah is, as Ethics of Care said, an emotional supporter of Mohammed at the time of his struggle.

If we compared it to our culture, we found it interesting. We are a very patriarchal community but we have a lot of room for strong women. Let’s see how Soekarno has been supported by Inggit Ganarsih for a long time. Even Soekarno learned about values that he fought for in Sundanese culture, Inggit Ganarsih origin. Marhaen, the farmer that Soekarno met is a Sundanese farmer and has put a lot of influence on Soekarno, especially in making Indonesia socialist (Lutvi, 2019).

If we talk about Soeharto, it is not many differences. He is heavily influenced by his wife who is a part of Solo’s royal family. Tien helped Soeharto in his earlier career. Soeharto then can get position and wise advice from his wife. Soeharto himself put Tien in a respectable position.

If we talk about Susilo Bambang Yudhoyono who was assisted heavily by his wife, Ani Yudhoyono. What lesson did we learn? We learned that there is a connection, the same line between the Islamic view and our cultural view especially beliefs on Ethics of Care. We are similarly patriarchal, however, we both in a way giving a chance for women to shine.

How about Polygamy! Again, it is not part of the teachings since Mohammed himself put a lot of heavy requirements on men who want to practice polygamy. Similarly in Indonesia, polygamy is perceived as a bad habit in our culture (Hariyanto, 2016). However, it is still

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We could not say that Islam degraded women just because of polygamy because Mohammed himself married mostly widows to keep their pride. After all, no one takes care of them.

CONCLUSION

Based on our culture and learning from Islamic teaching, we conclude that there are no degrading remarks towards Muslim women. Muslim women are well respected, they can get an education and they are important for the kids’ future and they are helpful. Even Mohammed himself could not rise to success if it is not because of women. Women could not be more important than this. They are the axis of the Islamic family and without them then Islamic values are not promoted well in the Islamic family. Similar to feminists, Islam believes that through love and care from women that the world can be a better place.

Classical Fiqh even against the perspective of Khawarij which degrades women intensively. Some clerics who follow Classical Fiqh even push it far enough to be feminist activists. We then learn that domestically, women are the team partner of men to help achieve perfectness and through perfectness, it means to follow the way of Allah.

DAFTAR PUSTAKA


