

## GENDER EQUALITY ISSUES, PERCEPTION AND DIVORCE

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**Abstrak:** Tujuan dari penelitian ini adalah untuk menganalisis fenomena perilaku, gugatan emosional dan perceraian oleh perempuan dalam keluarga masyarakat matrilineal di Padang. Penelitian ini menggunakan metode kualitatif dengan desain survei. Teknik pengumpulan data menggunakan formulir wawancara, lembar observasi dan dokumentasi. Analisis data dilakukan dengan mengklasifikasikan, mendapatkan interpretasi, membuat validitas dan menarik kesimpulan. Untuk menguji validitas data digunakan triangulasi dan diskusi dengan kolega. Hasil penelitian menunjukkan bahwa fenomena gugatan perilaku, emosi dan perceraian oleh perempuan dalam keluarga masyarakat matrilineal di Padang terjadi karena dampak kesetaraan gender. Di sisi positif, kesetaraan gender dapat dirasakan oleh perempuan dalam pendidikan, kepemimpinan dan kesempatan untuk mendapatkan pekerjaan. Sementara efek samping negatif dari kesetaraan gender dalam keluarga adalah menurunnya kematangan emosi, perubahan budaya dan nilai-nilai agama dalam perilaku sosial perempuan. Implementasi penelitian ini bermanfaat bagi ninik mamak, akademisi, ulama dan pemerintah daerah Padang untuk mensosialisasikan dan memberikan konsultasi untuk mengevaluasi penerapan nilai-nilai budaya, adat dan agama dalam perspektif jenis kelamin dan dengan demikian menciptakan kesetaraan gender harus sesuai dengan ajaran adat dan agama.

**Kata Kunci:** Jenis Kelamin, Wanita, Keluarga.

**Abstract:** Purposes of this study were to analyze the behavioral phenomenon, emotional and divorce lawsuit by women in the family of matrilineal society in Padang. This research used a qualitative method with survey design. Technique of collecting data used interview form, observation sheets and documentation. Data analysis was carried out by classifying, getting interpretation, making validity and drawing conclusions. To test the validity of the data used triangulation and discussions with colleagues. The results of research showed that phenomenon of behavioral, emotional and divorce lawsuit by women in the family of matrilineal society in Padang occur due to the impact of gender equality. On the positive side, gender equality could be felt by women in education, leadership and the opportunity to get a job. While the negative side effects of gender equality in the family was declining the emotional maturity, changing in culture and religious values in the social behavior of women. Implementation of this research to be useful for ninik mamak, academician, clergy and the local government of Padang to socialize and provide consultation to evaluate the application of cultural values, customs and religion in a gender perspective and thus creating gender equality should be in accordance with the customary and religious teachings.

**Keywords:** gender, women, families.

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## INTRODUCTION

In social life, family is the most important element in shaping people's behavior. Family behavior emphasis on social behavior that is based on religious values and culture that has embraced for so long. Related to strengthen the socialization of public life from the smallest element in the family, family formation is to determine the social behavior of the religious community itself. Many experts studying the close relationship between religion and the family. This premise to bring the idea that religion can fortify and supportive family relationships (husband and wife) in a bond of marriage<sup>3</sup>. Religion can affect marital relationship, because the values contained in religion have effective guidance that could encourage the creation of the marriage bond is strong in household life that is built on a system that is based on beliefs and moral values (religious and cultural) to the strengthening of community life in the small cluster namely a family<sup>4</sup>.

Mahoney added that the attitude of the family in religious practice of social behavior will affect the values and religious behavior for their offspring. Therefore, the relationship between religion and the family can be considered as an effective relationship and impressionable. Many believe that the responsibilities of marriage for life, be kind to one and another, support the tranquility of life, loyalty, and commitment to the partner will be obtained and interpreted through religious values, which is in the religion of Islam is called to build the *Sakinah Mawadah and Warahmah*, Through the strengthening of religious values in the family proves that the marriage relationship is affected by religion<sup>5</sup>. In addition to religion, the gender equality also affect to the bond of marriage. The concept of good gender to see him not as enemies, but fellow traveler. Emancipation in accordance with the present context, no longer struggling to achieve the equality right, but she arrived at the level of effort to excel in the process selectivity. to reach expectations, goals and dreams that has been designed. Selection demanding quality and selection are not only with friends, but at the same kind of the opposite sex in a competitive soared to the top of her career and ideals without removing the natural bond with nature as

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<sup>3</sup>Call, V. R. A., & Heaton, T. B. Religious influence on marital stability. *Journal for the Scientific Study of Religion*, (1997). 36.

<sup>4</sup>Mahoney, A., Pargament, K. I., Jewell, T., Swank, A. B., Scott, E., Emery, E., & Rye, M. Marriage and the spiritual realm: the role of proximal and distal religious constructs in marital functioning. *Journal of Family Psychology*, (1999). 13.

<sup>5</sup>Mahoney, A. Pargament, K. I., Swank, A. B., & Swank, N. Sanctification in family relationships. *Review of Religious Research*, 44, (2003). 220-236.

women. The change was realized that this could happen because of the division of gender roles are not natural but due to social construction in the society. Basically, in the case of married it is not like making friends and not about suitable or unsuitable as a friend, if she feels comfort so the relationship goes on and if she is not comfort, go and find another friend. What matters in the household was not as simple as looking for a playmate. Because marriage has a noble goal and one of them is closer to each other and create an understanding. So the issue of husband and wife as each unique person is demanding the right to the fulfillment of their needs. Basic needs that are both physical and invisible needs.

Many researchers showed research findings on the relationship between the perception of gender, religiosity and divorce. Sullivan reported that people who are at a higher level of religiosity will be more stable in their marriage and would have an impact on marital satisfaction were higher compared with that of people who are in the lower level of religiosity. In contrast, women with a strong concept of gender equality tend to be at the level of marital satisfaction that triggers excessive amounts of the divorce to religion court than women who do not support gender equality. A study in Turkish family couples, in addition to examining the education level variable and the duration of marriage, he also observed the social behavior of religious people against papal married wives who reported that religion affects marital satisfaction. However, they reported that religion alone cannot reduce the marriage issue; there are other factors such as the length of marriage, age, culture and perception of gender equality<sup>6</sup>.

Call and Heaton in a study of 4,587 couples, reported that among the factors of religiosity and perception of gender equality assessed, intensities a couple diligent to places of worship shows the behavior of religious social is good with high intensity fidelity and family stability are getting stronger and the impact on the harmonious relationship of their social behavior in their household. Instead the couples that uphold gender equality tend to create conflicts within the family because of the declining religious values in family behavior, lack of respect for the couple; especially women who work tend to ignore her responsibility for her husband. This finding is more severe in couples who rarely go to a place of worship. Those who brought the concept of gender

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<sup>6</sup>Mahoney, A., Pargament, K. I., Jewell, T., Swank, A. B., Scott, E., Emery, E., & Rye, M. Marriage and the spiritual realm: the role of proximal and distal religious constructs in marital functioning. *Journal of Family Psychology*, (1999). 13.

equality and rarely to a place of worship indicate negative religious social behavior with intensity fidelity and family stability which often conflict and disharmony impact on social behavior relationships both partners in a household that led to the risk of divorce. Margaret et al<sup>7</sup> showed that the same religious status with a partner, pray and go to church (variable religiosity) and the correct perception of gender equality is the most predictive factor to measure marital satisfaction<sup>8</sup>.

In a comparison between a couple who were in their first marriage age with long-married couples. Orathinkal and Vansteewegen reported a significant positive relationship between the behavior of women in families and their perception of gender equality with marital satisfaction<sup>9</sup>. Because the study was conducted in the west and the non-Islamic religious couples, it is necessary to study in Islamic societies, especially to the women who brought the gender equality in their family life. This is inviting the author to conduct a case study of women and divorce in perspective gender equality and Islamic religion in the Mining society.

## **RESEARCH METHODOLOGY**

This Research uses qualitative methods. The primary data source is the women who do divorce, Judge, Registrar, Syria Lawyers, experts, and Sakinah Family Consultant and Chairman of *Bundo Kandung*. While the secondary data source is the research that has been done on this issue, scientific journals and other academic resources. The technique of collecting data through interviews, observation and documentation. Data analysis was performed by classifying the data, interpretation of data, data validity checking, and draws conclusions. To test the validity of the data used in the study extension of participation techniques, triangulation, and discussions with colleagues.

## **RESULTS AND DISCUSSION**

Matrilineal kinship system in principle has implications on the strong position of women in the realm of Minang. Another fact, that the selection of a form of kinship according to matrilineal Minangkabau

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<sup>7</sup>Margaret, G. Dudley, Frederic, A. & Konsinski, J. Religiosity and marital satisfaction: A research note. *Review of Religiosity Research*, 32 (1), (1990). 78-86.

<sup>8</sup>Call, V. R. A., & Heaton, T. B. Religious influence on marital stability. *Journal for the Scientific Study of Religion*, (1997). 36.

<sup>9</sup>Orathinkal, J., & Vansteewegen, A. Religiosity and Marital satisfaction. *Contemporary Family Therapy*, 28, (2006). 497-504.

basically has a very close relationship with breeding and respect for women. Women in Minangkabau denoted as someone who has a role and a high position that does not exist in male of Minang. This high position denoted by *limpapeh rumah nan gadang*, and *sumarak kampuang pamenan nagari*. The symbolism is not intended to determine the work to be done by women. However, such work is based on the ability and potential of women. Designations it is not just a symbol or a term of flattery, but has meaning and responsibilities within. In Minangkabau, women have a decisive nature, women play a role in many respects. Women are the fulcrum in keeping the wealthy (*harto pusako*). Women involved in any talks are held. Women are protected by matrilineal inheritance system, in which the house reserved for women. Then the bond between the child and his mother was also strong. Once married women stay at home mother or relatives matrilineal environment.

Minangkabau girls since childhood have taken part in activities such as relative's receptions, religious ceremonies, delivering food to the homes of father relatives in the special day. Psychologically it has a strong influence on family relationship in Minangkabau (called *babako-babaki*). If the problem of attention in maintaining the *silaturrahmi* (relationship) inters family, it is a value to be preserved for generations, then according to the author of the essence of the "guard" in Minangkabau traditional given to Minang women. The role of women in the tradition of Minangkabau matrilineal order, in preserving the matrilineal kinship system rests on Bundo Kanduang. *Bundo Kandung* figure in literature and Minang traditional subjects is described as a woman or an ideal mother, as an authoritative mother, wise and prudent, place plugs inheritance law, where imitate figure, and using sense and also check. *Bundo Kandung* figure is a woman who was given the honor and position in adapt law of Minangkabau. She is a recipient of the provisions of matrilineal descent, the receiver provided that the assets and economic resources mainly for women, provided that the recipient keep the economy operating results are also women, as well as the holders of special voting rights in discussion<sup>10</sup>.

From these descriptions can be seen how big and strong position of women in Minangkabau traditional order. Women in Minang analogy is depicted as a bundo Kanduang who have a complex role. She is a unifier in the family; she is also the one who keep the economy in her nation, if the negotiations then her voice must be heard. According to the research finding, the indigenous matrilineal put women at a

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<sup>10</sup> Diradjo, (2012), 207.

respectable position and secure the rights of her life. From the point of Islam about matrilineal system in Minangkabau is one of the Prophet's commands about respecting women. Especially when the Prophet's of Muhammad mentions *ummuka* three times as a person who should be respected. Thus, the assumption that says that the matrilineal in Minangkabau not refer to Islam, it seems unquestionable. Precisely in essence, looks a real similarity between the Islamic spirit in maintaining and glorifying the women with the values brought by matrilineal also preserve and protect the rights of women. The teachings of the apostle to respect women would not be separated from how history is never treated women respecting before the advent of Islam. The reality of Greek society, for example, which is rich in philosophical thought but poor in discussions on women's rights and obligations. The elite women were held in the palace, while the women are in the lower classes of merchantability, their fate is increasingly unclear, they do not have civil rights, and nor have the right of inheritance, the peak of women's presence only to meet the tastes of men. Being in the Jewish religion the dignity of women is equal to the maid. Father has a right to sell his daughter. Their teachings considering women as the source of the curse of Allah because women (*hawwa*) caused Adam expelled from Paradise. There is another more sinister, coming from Hindu and Buddhist civilization, right to life of a married woman shall end upon the death of her husband, and the wife must be burned alive at the time of her husband's body to be burn<sup>11</sup>. Similarly, the ignorant society who think that girls are a disgrace to the family, because her physically weaker than men and therefore cannot be taken to fight like boys.

This is some of the views that are quite contrary to human instinct. Furthermore, in addition to the views that marginalize women, some are questioning whether she was a kind man or not, whether he have the spirit or creature without a soul, in the France seminar in 586 concluded that human name had been given to women, while the presence of her are nothing but to serve men. Or statements defined by the British parliament in the period of Henry VIII that forbids women to read scripture because it was considered not sacred and dirty (Naik: 2009-08-30.) Islamic concept *Rahmatan Lil Alamin* through Muhammad came with the teachings of justice and respect for women. If in the past, women did not have the right of the division of property, but after Islam came, Islam precisely explain and give inheritance rights to women.

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<sup>11</sup> Shihab, M. Quraish. *Membumikan Al-Qur'an, Fungsi dan Peran Wahyu dalam Masyarakat*. (Bandung: Mizan Media Utama, 2010), 297.

This is precisely what is done by the indigenous of Minangkabau. Minang custom even respects women by giving a greater inheritance rights to women than to men, in this case the high heritance treasure. Therefore, according to the research finding, the culture like this will not happen if it does not embrace the matrilineal Minangkabau culture. Matrilineal respect property rights as Muslim women who also appreciate and protect the property rights of women. It is the cultural distinctiveness of Minangkabau. The specificity of these are to be maintained without a need to change it fundamentally even been some shifts. Like the poetry of Minang said *usan-usang dipabaharui*.

However, despite Minangkabau embracing matrilineal kinship system, which makes women have a major role in her nation and got a huge room to participate in social life as well as guaranteed rights. This condition is not also put minang women far above the position of men. Spirit of valuing and respecting women through matrilineal system that was followed, does not make women as the sole ruler. Men with a degree of *datuak* or *mamak*, stay no formal legal position of leadership decision-makers. While women with *bundo kanduang* is also participating in the decision making, but not dressed in formal legal. So even Minangkabau matrilineal system, the social system is not matriarchal, where women who became chief and ruler of the formal land legally. Matrilineal system in Minangkabau, does not make one side higher than the other party. Nor was it also makes the lower side of the other party-related the role and functions in the social structure. However the matrilineal system in Minangkabau makes both sides (men and women) in parallel. Women are not behind men, as common place in the patriarchal system, also not in front of a man like that should be present in the concept of matriarchal, but women in Minangkabau stand aligned on the same line as the male, not behind for the colonized, also not in the front to be a priest, but friends and partners that go hand in hand. This is the distinctiveness of the existing matrilineal Minangkabau, in the same breath with the Islamic spirit of respecting the rights of the women and gender equality.

From this description, it appears that in the Minangkabau through its matrilineal system the position of women is very high. The gender difference in Minangkabau not results in gender bias, or the notion that one is better than another. It means that in Minangkabau both men and women do indeed have different characteristics but that the difference does not mean that men are taller than women, which is in the common view of women only as a secondary creation (being complementary),

but Minangkabau provide equal opportunities for men and women to be active in social organizations, religious and customary. Even on a particular side of women is much higher than men. Although women in the matrilineal system of Minangkabau get a different position when compared with women in the community patrilineal, at least in the Minangkabau matrilineal system, they position of women as someone who occupies the central position and also have a major role in decision making. Matrilineal system in Minangkabau society also puts women not only about the lineage, but also in the aspect of working to get family income<sup>12</sup>. Minangkabau women as well as other Indonesian women, because of a historical series event give the impact for women social history in Indonesia. Before known formal school where the economic only limited to agriculture, carpentry and trade, the jobs for minang women is as a mother in *Rumah gadang*. In a matrilineal kinship system, women function and role is clear and central. Men are drones that have to work hard and fluttering to and fro looking for pollen. All were taken home to be used as honey and all applicable under the command of the queen mother is *Bundo Kanduang* as legacy storage, and *sumarak rumah nan gadang*<sup>13</sup>.

After their formal education of women began to leave the house. Because the consequences of this education began demand to gender equality, namely the existence and role of women should be equal to men. With the equivalent of women with men so women world to be expanded. In a short time, in Minangkabau inheritance that had been able to give life to a number of the existing members, and now not anymore. Total inheritance on the one side is not increasing but on the other side the grandchildren is increasing as a result of some should relent and go to leaves their home. Until the present time to wander culture in the community of Minangkabau has been able to create a balance for Minangkabau society. With the proper education for women not only make women can now work outside the home up to the city. But also with their education women also began to lurch get a mate. In general, for people Minangkabau not be a problem if women are only get medium education and also does not matter if only madrasah education, because the madrasah education has function as the quarantine place. The value of a girl who schooled in madrasah will

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<sup>12</sup> Renaldi Wicaksono, *Perempuan bekerja (Sebuah dilema perubahan zaman)*. Diunduh dari <http://www.kompasiana.com/renaldi.wicaksono/>. Akses pada 2 februari 2018.

<sup>13</sup> Mochtar Naim "Adat dan Budaya Minangkabau di Persimpangan Jalan" Makalah disampaikan pada Simposium adat Minangkabau di DPRD Sumbar, 21 Agustus 2006, 14-15.

rise her value in the eyes of the villagers because during school besides she is not only learned a lesson but also teach any kinds of crafts and household soft skill for example sewing, cooking, ornate and others and everything is in preparation for entering the stage of household.

But attend formal schools that are in the city and enter the public higher schools up to the highest level is become more sinister at least for the youth village. Because a man in general tend to find a woman with her degree under him. Social impact on women who work must be enormous, as one might imagine would be great and could be even greater. In the past when a life in kampong was still intact and alive from agriculture, trade and carpentry, the mothers also work. Even working-woman in kampong is heavier than males. Early in the morning they were already awake at dawn to prepare breakfast in the morning as well as the needs of her children to school and her husband equipment to work.

To do a job there are some advantages that women owned as follows:

- a. A higher proportion of women than men
- b. Women are more thorough and meticulous
- c. Woman become sources of encouragement and inspiration for men
- d. Women have tremendous versatility

As for the future prospects of a woman's life of Minangkabau associated with the employment problem seems there is no way that the show will be any fundamental changes. The villages only provide agricultural field that are no longer suitable for the majority of school. In the present reality, the position of women in the midst of the community not only as a mother in the household (housewife) but there is already a role as a minister, regents, mayors, district, members of parliament, teachers, professors, doctors, pilots. Drivers, parking attendants, carpenters, public transportation, motorcycle and taxi drivers and other employment jobs are equal position with men. This tendency must be removed so that the function of the male and female together well. For that reason, need a special job placement for women. This job can finish the work in other fields. This job should be a stimulus for men to enhance the work as the father in the household. For example, a wife who prepared a tasty and nutritious breakfast to the husband. It will encourage the husband to work.

This division of labor is not intended to ignore the potential of women. The division is also not intended to determine the employment for women in order to have lower position under male. The division is only to create a harmonious relationship between husband and wife. If women do the job as wife well, husband certainly will respect and appreciate. From this exposure is seen that the distribution of jobs in the community no longer pay attention to gender. It is caused by social problems. This problem will change the social system that is built up is long. The individuals bound by this system will swap function so that its existence persists in social transition. For example, women will go into all sectors of employment is no longer the gender differences between men and women in her family to fulfill her household needs. This kind of situation will lead the fight to get the rights and obligations. Women assume that having the same power as men. It is caused by women have a strategic role within an organization. The adverse effects of this social are, women tend to forget her limits rights and obligations as women when they have reached the peaks of their careers. The main task of women as housewives in Minang as *limpapeh rumah nan gadang*, and *sumarak kampuang pamenan nagari* is no longer functioning and shifts that cause social change affecting family life. It is the negative impact of women' perception about gender equality is reaching the same right like male. This phenomenon in Minangkabau society have already happened where it trigger many divorce lawsuit by women in the family of matrilineal society in Padang.

Results of inter views with Judges, Registrar, Syariah Lawyers, experts, and Sa k inah Family Consultant and Chairman of West Sumatra Bundo Kandung revealed that one of the social impacts of shift in the role of women in the family is the high of divorce lawsuit to District Religion Court in Padang City. This phenomenon can be seen from two sides, namely the social impact of positive and negative for households of Minangkabau society in Padang. The divorce rate in the Padang City recorded in the last 5 years amount 3702 with a growth rate of divorce rates reaching 40% annually. These figures are very worrying domestic life of matrilineal society and become a serious problem for existing customary stakeholders, local government and religious leaders and academics. From 3702 the number of women filed for divorce to religious court of class IA Padang occurs at any age. The most age who initiate divorce are husband and wife aged between 21-40 years. Further more, the divorce rate is also more common in the age of 41-60 years. Meanwhile, at the age of 16-20 years and age

61 years above are tiny (Laporan Tahunan Pengadilan Agama Klas I A Padang. 2013)<sup>14</sup>. This phenomenon is certainly a serious problem that should immediately look for a solution to reduce the number of divorces in household's matrilineal society. Searching results and our interviewing with the Judges, the Registrar, Syariah Lawyers, Expert and Consultant Family Sakinah and Chairman of Bundo Kandung enshrined in this condition as a result of social changes in people's lives of Minangkabau with shift the women role in public life caused by the advancement of education, economic demands and gender equality perception.

At least the social impact of gender equality can be seen from two sides those are positive side and negative side. On the positive side, gender equality can be felt by women in education and the chance to get a good job. While the negative side is lowered emotional maturity, changes in culture and religious values in the social behavior of women in their household. From the positive side of education, women are already getting a high school level, so that women have a lot of smart, litigious and courageous fight for their rights. Education is not a main factor of women filed for divorce, because divorce suit filed by women of all educational levels. However, the increasing number of women working has strong influence on decreasing the harmony of women in her marriage. It can be seen on the following matters:

- 1) The increasing levels of female education led to women getting smarter, so she increasingly demanding roles equality between men and women in the family.
- 2) The increasing demand of life needs that must be met by a family is often a source of conflict in the family. This is due to consumerism among modern women. When the demands of wife are not met by the husband, often cause conflicts between husband and wife, which could eventually lead to the wife asked for a divorce from her husband.
- 3) A career woman and have their own income. women work or career is also one of the factors that led to the high divorce rate because the job make women reduce communication between her husband, lack respect to her husband and non-fulfillment of the husband rights and obligations. A wife who works often ignores the rights of their husbands. It triggers disharmony between husband and wife. On the other hand, a wife who works and have their own income tend to not be afraid to sue for divorce her

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<sup>14</sup> Pengadilan Agama Klas I A Padang. 2013. Laporan Tahunan 2013

husband. Because it does not depend to her husband economically and emotionally.

- 4) From the cultural aspect, gender equality misinterpretation occurrence among women. Women assume that gender equality is all the same position can be women get like men as her demand for equality. It makes women in household not become surrender to husband anymore in her domestic life.
- 5) The weakening of the kinship structure in Minangkabau society, which at this time the Role of large families were much reduced to a small family. All family problems faced and solved by the husband and wife only. Parents and uncle are often not included in resolving marital problems. Less involvement of a large family in solving the problems faced by spouses also tend to make women more quickly to make a divorce decisions.
- 6) In the era of women emancipation at this time, the patience of women dropped dramatically in which women become less patient in dealing with problems in her household. Lack of patience is because the depletion of understanding and practice of religious values in family life. It can be seen from the change their profile of women now than women in the past. Women used to have a great sincerity and patience. Their motivation in carrying out duties as a wife and mother is worship, so they are more sincere and patient, more robust and not easily tired. They have the spirit and resilience in the face of the attitude and the weakness of their husband. This causes them tend to survive the domestic problem and choose not divorced from her husband. However, this condition is now reversed, women no longer impatient and tend to quickly decide to divorce. Many of the divorced women have filed for divorce lawsuit when conflict appears in their household when women not respect their husband anymore and misperception of the gender equality in the household.

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