

GENDER GLASS CEILING IN INDONESIA **Manifestation, Roots and Theological Breakthrough**

Siti Ruhaini Dzuhayatin

Sunan Kalijaga State Islamic University (UIN) Yogyakarta
mail: ruhainidz@yahoo.co.id

Abstract

The Struggle for achieving gender equality has been undertaken in the international and national levels through the commitment of the United Nation (UN) on 30% women quota in politics and public positions. In reality, women are far lag behind due to the so-called 'gender glass ceiling, a metaphor of 'invisible barriers refer to 'glass' through which women can see higher positions but cannot reach them which is insinuated with 'ceiling'. The root-causes are deeply rooted in cultural values and social practices whereby patriarchy and religion are dialectically amalgamated. Unless there is a theological breakthrough to a women-friendly interpretations, glass ceiling is unbreakable. This paper aims at examining the extend to which Islamic scholars, especially women in Islamic higher education in Indonesia, contribute to dismantling patriarchal biases from religious traditions upholding the glass-ceiling. Before observing the initiatives taken to break the glass ceiling, the paper discusses the phenomenon of manifestation of the existence of the gender glass ceiling and the roots of why the ceiling has been so far upheld. The study reveals that there is a positive correlation between the rising theological discourses voiced by women religious scholars and the vertical mobility of women in public positions as the pathway by then the gender glass ceiling is broken.

[Perjuangan kesetaraan gender dilakukan di tingkat internasional maupun nasional dengan komitmen Perserikatan Bangsa-Bangsa tentang kuota 30% bagi perempuan dalam politik dan publik. Pada kenyatannya, perempuan masih tertinggal jauh karena rintangan yang disebut 'atap kaca', suatu

perumpamaan hambatan yang tidak nampak seperti kaca, perempuan dapat melihat posisi lebih tinggi tetapi sulit menembusnya. Akar masalahnya ada pada nilai budaya dan praktik sosial dimana patriarki dan teologi berkelindan. Tanpa ada terobosan teologis yang ramah perempuan, fenomena 'atap kaca' sulit dipecahkan. Studi ini menganalisis sejauh manakah kontribusi para intelektual Islam, terutama perempuan di perguruan tinggi Islam di Indonesia mampu menggeser bias patriarki dalam tradisi agama yang menguatkan 'atap kaca'. Sebelum mengkaji upaya-upaya yang dilakukan untuk menggeser atau meruntuhkan atap kaca bias gender, tulisan ini mendiskusikan terlebih dahulu bentuk-bentuk manifestasi keberadaan atau berdirinya atap kaca bias gender dan akar dipertahkannya atap tersebut. Dalam studi ini ditemukan korelasi positif antara meningkatnya diskursus teologis yang disuarakan perempuan dan meningkatnya mobilitas vertikal perempuan pada posisi publik yang diharapkan dapat memecahkan atap kaca gender tersebut.]

Keywords: gender, women rights, glass ceiling, patriarchy, theological breakthrough.

A. Introduction

Gender equality is an approach aiming at achieving equity between men and women in enjoying the basic rights as well as equal benefits on welfare and development.¹ Gender is among other aspects of social category a long line with race, faith and ethnicity whereby development index are globally measured. In other words, gender equality is the main key for making democracy work for women.² For that end, the UN establishes the so-called the international gender regime through the enactment of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979, the UN decade of women started from 1975 to 1985 and Beijing Platform of Action 1995.³

¹ Sylvia Walby (ed.), *New Agendas for Women* (London: Palgrave Macmillan, 1999), pp. 2–5.

² Andrea Cornwall and Anne Marie Goetz, “Democratizing Democracy: Feminist Perspectives”, *Democratization*, vol. 12, no. 5 (2005), pp. 783-4.

³ Nüket Kardam, “The Emerging Global Gender Equality Regime from Neoliberal and Constructivist Perspectives in International Relations”, *International*

The ratification of CEDAW was instrumental for law reforms in the UN member states, including Indonesia which immediately adopted it through Law No 7 /1984 to stimulate laws and regulations on women empowerment. The notable initiatives are the establishment of Ministry of Women Empowerment dan centers for women's studies in universities. Nonetheless, gender gaps are yawning between the ideal laws and the actual realities which eventually creates the 'glass ceiling', a metaphor strongly agitated by feminists in describing 'invisible barriers refer to 'glass' through which women can see higher positions but cannot reach them which is associated with 'ceiling'.⁴

The gender glass ceiling has generally been associated with gaps in structural positions such as political, parliamentarian as well as governmental positions. Gender glass ceiling closely related to the UN quota system where 30% of women representation set out as the minimum for a meaningful influence in legislative assemblies and public decision making procedures.⁵ The quota lauched in the Beijing Platform of Action in 1995 and reaffirmed in the UN Resolution no 1325 on Women, Peace and Security in 2000 as complementary to the CEDAW Convention. The quota system lays the burden of recruitment not on the individual woman, but on those who control the recruitment process, i.e, the state.⁶ Gender mainstreaming approach is introduced in tackling gender gaps in public realm by taking into account the interconnected root-causes embedded in asyemtric relations of men and women in all areas of life, including cultural norms and social practices as well as issues related to sexuality and violence.⁷

Feminist Journal of Politics, vol. 6, no. 1 (2004), pp. 85–6.

⁴ Sally Ann Davies-Netzley, "Women above the Glass Ceiling: Perceptions on Corporate Mobility and Strategies for Success", *Gender and Society*, vol. 12, no. 3 (1998), p. 340.

⁵ The United Nation, *Women and Election: Guide to Promoting Participation of Women in Elections* (New York: The United Nation Department of Public Information, 2005), p. 6.

⁶ Drude Dahlerup, *Women, Quotas and Politics* (London: Routledge, 2006), pp. 9–10.

⁷ Emanuela Lombardo, "Integrating or Setting the Agenda? Gender Mainstreaming in the European Constitution-Making Process", *Social Politics: International Studies in Gender, State & Society*, vol. 12, no. 3 (2005), p. 417.

However, it took around three years of political turmoil before the quota was eventually integrated into the Law on Political Party No. 31/2003 which subsequently revised to the Law no 2/ 2011. Worth noting here that the expected breaking of the glass ceiling is a collective achievement of 30% quota and not merely individual achievements. This issue is not unique to Indonesia but seems to be dilemmatic everywhere as happen to India and Latin America where law reform alone has not enough to help women to significantly raise to higher political positions.⁸ Latin America women also suffer from political trajectory in democratization process dated back in 1990 whereby six women seized presidencies in Nicaragua, Panama, Chile, Argentina, Brazil and Costa Rica. In 2013, in the lower houses in Nicaragua, women made up 40,2%, Costa Rica 38%, Argentina 37,4%, and Mexico: 36%, and Ecuador 32,2%. However, observers like Aspinal did not account this promising number as a breakthrough because women who raised to power were mostly coming from the elites and political dynasties.⁹

This study aims at examining the extend to which Islamic scholars, especially women in Islamic higher in Indonesia contribute to dismantling patriarchal biases from religious traditions as the pathway for breaking the gender glass ceiling. The study is based on the hypothetical stance lays by Weber that a social change is precisely triggered by theological and spiritual changes.¹⁰ Breaking the glass ceiling for gender equality is obviously a fundamental social change which definitely urged, not merely a generic theological change but obviously a theological breakthrough. The analysis focuses on the three aspects: 1) the manifestation of the gender glass ceiling in Indonesia; 2) the root-causes upholding gender glass ceiling; 3) the agency of the Islamic Higher Education, in forging initiatives for breaking the glass ceiling. This is a qualitative work based

⁸ P. Sindhuja and K.R. Murugan, "Factors Impeding Women's Political Participation: A Literature Review", *International Journal of Applied Research*, vol. 3, no. 4 (2017), pp. 564–5.

⁹ Rosario Espinal and Shanyang Zhao, "Gender Gaps in Civic and Political Participation in Latin America", *Latin American Politics and Society*, vol. 57, no. 1 (2015), pp. 126–7.

¹⁰ Max Weber, *Methodology of Social Sciences* (New York: Free Press, 1949), pp. 93–5; Alton Brooks Pollard, *Mysticism and Social Change: The Social Witness of Howard Thurman* (New York: Peter Lang, 1992), p. 177.

on the literature review on the existing resources in media, published works as well as the institutional documentations as captured in the case study approach introduced by Herbert Blumer on the study of a certain collectivity such as family, community and institution.¹¹

B. Manifestation of Gender Glass Ceiling in Indonesia: Some Facts

There are three areas selected in portraying the manifestation of gender glass ceiling, namely, political and public, judiciary, and educational institutions which will be described below.

1. Male Omnipresent in Politics and Public Arena

Indonesia is globally ranked in the 110th from 188 countries in the Gender Empowerment Index in 2014.¹² Gender gaps in political and public structures remain the major issues lead to those lower positions. Laws and regulations are generally gender-neutral without differentiating men and women often used as an argument for the absent of discrimination. However, a different fact prevails in the degree of women's public participation and engagement. Although the ladder appears to exist and possibly accessible but there is a 'glass-ceiling' blocks them, simply incapable to break due to the obstacles discussed earlier which spines back to the narratives of women inferiority and male superiority. It is commonly assumed to be women problems for taking the opportunities for their own shake. However, the neutral access will result different outcomes to men and women when they are assigned differently in reproductive and domestic roles which are not accounted in public careers.

Moreover, patriarchy permits male omnipresent to dominate public

¹¹ Herbert Blumer, "Sociological Analysis and the Variable", in *Symbolic Interactionism: Perspective and Method* (California: University of California Press, 1969), pp. 127–39; Herbert Blumer, "Four Case Studies", in *Qualitative Research through Case Studies*, ed. by Max Travers (London: Sage Publication, 2001), pp. 5–34.

¹² United Nations Development Programme, *Human Development Report 2015: World for Human Development* (New York: UNDP, 2015), p. 221. Indonesia still has same in 2019, ranked in 111th from 189 countries. See United Nations Development Programme, *Human Development Report 2019: Beyond Income, Beyond Averages, Beyond Today- Inequalities in Human Development in the 21st Century* (New York: UNDP, 2019), p. 313.

standards on productivity and professionalism.¹³ It is even elusively lingering in the whole range of life from the micro-structure of personal relations, the macro-structure of social and public arenas to the hyper reality of fictions.¹⁴ In the parliament, for instance, the male omnipresent voice reveals in a trivial expression that the affirmative action of 30% women quota should invoke a reversal discrimination against men which is indeed unnecessary. Ultimately, this narrative echoed in the dismissal of Gender Mainstreaming Bill by the National Parliament in 1999. With the generous support of President Abdurrahman Wahid, it was signed under the Presidential Decree No. 9 / 2000 to enable gender to be mainstreamed into the government policies although in a limited manner. Besides, the absence of this law led to the yawning gender gaps where the percentage is steady low from one election to another, arranging from 11% in 1992 to 20% in 2017 which is far from the quota set out by the United Nations.¹⁵

Although the entire Bill has not yet been passed, the quota was eventually inserted in the Political Election Law No. 12/2000. Again, the implementation is always a huge challenge. Partly, the concept of affirmative action is considered no longer relevant because Indonesia had elected a female President Megawati Sukarnoputri in 2001 and many women had been appointed as ministers. However, her presidency posed a dilemma for women activists, on one hand, it could be accounted as a breaking glass ceiling but, on the other hand, feminists were apathetic because she stepped up to those positions on his father's name, the First President of Indonesia. It seemed to be typical to the Asian culture that women leadership descended from the political dynasty like Indira Gandhi as the daughter of Nehru, Benazir Bhutto, Corazon Aquino as the wife

¹³ James W. Messerschmidt, *Hegemonic Masculinity: Formulation, Reformulation, and Amplification* (Lanham, MD: Rowman & Littlefield, 2018), pp. 105–6; James W. Messerschmidt, “Hidden in Plain Sight: On the Omnipresence of Hegemonic Masculinities”, *Masculinities Journal*, no. 12 (2019), pp. 14–29.

¹⁴ Male omnipresent is comprehensively discussed in cinema narratives as the representation of the modern multifaceted human relations in Geneviève Sellier, *Masculine Singular: French New Wave Cinema*, trans. by Kristin Ross (Durham: Duke University Press, 2008), pp. 56–8.

¹⁵ World Bank, “Proportion of Seats held by Women in National Parliaments (%)”, *The World Bank Data*, <https://data.worldbank.org/indicator/SG.GEN.PARL.ZS>, accessed 23 Apr 2017.

of Benigno Aquino, Aung San Suu Kyi as the daughter of Aung San.

Contrarily to the expectation that the Reformation Movement 1998 would naturally elevate the representation of women in politics, the fact was the opposite where the percentage in the national parliament sadly decreased from 13% in 1987 and 11% in 1997 to 9% in 1999. Though, Nur Maela suggested that the decrease should be seen as the real participation of women while in the past only privileged women benefited from political dynasty and nepotism.¹⁶ Subsequently, the percentage was increasing in 2004 to 11,82% and 17,86% in 2009.¹⁷ The significant increase occurred in 2019 where there was 118 women or 20,5% out of 575 members.¹⁸ Still, the UN quota on 30% of women participation is far from being accomplished.

The gloomy picture reveals also in the Indonesian bureaucracy where in 2008, only 62 women or around 10% out of the total 619 male officials in the first echelon below the ministerial position. It was even lower in the second echelon where women made only up 8% (622) of the total 9,062 person. In the third echelon, women only made up 6,3% (6,378) of the total of 44.692. Data in 2008 has not changed much as indicated in 2017 where there was slightly decrease in the first echelon, where women were only 9% of the total of 35,055 officials. In the second rank men were 16% outnumbering women while in the third rank men were higher than women, i.e., around 13%. It is not unique to Indonesia but globally women are generally concentrated in the lowest rank and often surpassing men in this circumstance as shown in this data where women were 10 % higher than men, i.e., around 553,246 female officers and 499,311 male officers.¹⁹ This data has not yet covered officers and

¹⁶ Siti Nur Maela, “Wanita dan Politik Harapan”, *Locomotif Campus* (20 Dec 2017), <https://www.locus.or.id/wanita-dan-politik-harapan/>, accessed 11 Oct 2019.

¹⁷ Scholastica Gerintya, “Kuota 30% Perempuan di Parlemen Belum Pernah Tercapai”, *tirto.id* (7 Sep 2017), <https://tirto.id/kuota-30-perempuan-di-parlemen-belum-pernah-tercapai-cv8q>, accessed 2 Nov 2019.

¹⁸ Fitria Chusna Farisa, “Perludem: Keterwakilan Perempuan dalam Pileg 2019 Terbanyak Sepanjang Sejarah”, *KOMPAS.com* (30 Aug 2019), <https://nasional.kompas.com/read/2019/08/30/22105001/perludem-keterwakilan-perempuan-dalam-pileg-2019-terbanyak-sepanjang-sejarah>, accessed 5 Nov 2019.

¹⁹ BKN, “Statistik PNS”, *Badan Kepegawaian Negara* (11 Nov 2016), <https://www.bkn.go.id/statistik-pns>, accessed 13 May 2017.

professionals in the state owned companies (*Badan Usaha Milik Negara*).

2. *Ominous Motivation among Women Judges in Islamic Court*

Women engagement in the judicial body in Indonesia has been the frontrunner compared to the other Muslim countries. The court system is divided into public and Islamic court where the latter specifically deals with Muslim affairs, such as divorce, child support, inheritance and alike. Indonesia is among a few Muslim countries that allows women to, not only become judges but, remarkably, sit as the head of the Public Court. Since 1950s, five women sit as public judges in the lower public court and in 1968 the first woman promoted to the Supreme Court. In 1983 nine more female judges in the high judicial institution but dropped into eight in 1992.²⁰

However, female judges were only recruited in 1964 in the Islamic Court amid a pierce criticism from the conservative *ulama* as generally occurred in the other Muslim countries. Nearly fifty years later, 2011, 23,4% women judges in the Islamic Trial Court, 15,4% of them in the Appellate Court and none in the Section of Islamic Court in The Indonesian Supreme Court.²¹ In comparison to Malaysia, women has sit in Public court for so many decades but only in 2010 two female judges served in the Sharia Court.²² Egypt has been struggling also in this issue where controversy dawdled upon the appointment of the first three female judges and the first woman in the Constitutional Court in 2003.²³

²⁰ Sebastiaan Pompe, "The Indonesian Supreme Court: A Study of Institutional Collapse", *The Indonesian Supreme Court* (Cornell: Cornell University Press, 2018), p. 205; Euis Nurlaelawati and Arskal Salim, "Gendering the Islamic Judiciary: Female Judges in the Religious Courts of Indonesia", *Al-Jami'ah: Journal of Islamic Studies*, vol. 51, no. 2 (2013), p. 255.

²¹ Engy Abdelkader, "To Judge or Not to Judge: A Comparative Analysis of Islamic Jurisprudential Approaches to Female Judges in the Muslim World (Indonesia, Egypt and Iran)", *Fordham International Law Journal*, vol. 37, no. 2 (2014), p. 314.

²² Allison Lai, "Two Women Appointed as Syariah Court Judges in a Landmark Move", *The Star* (28 Jun 2016), <https://www.thestar.com.my/news/nation/2016/06/28/a-first-for-syariah-court-two-women-appointed-as-judges-in-a-landmark-move>, accessed 17 Jan 2020.

²³ Sherine Hassan, "Egyptian Judiciary: Is There Room for Women?", *raseef22.net* (14 Mar 2018), <https://raseef22.net/article/1071186-egyptian-judiciary-room-women>, accessed 10 Jan 2020.

Year 2007 was considered as the breakthrough in Egyptian history when 32 women sworn to be judges after the definitive ruling of Grand Mufti, Syech Ali Gooma from Al Azhar, one of the most esteemed institution for Islamic studies in The Sunni-Muslim world.²⁴ Algeria seems so far ahead in term of allowing women siting in the court for about 41% while Marocco recorded 25% in 2017 but no specific indication whether women serving in the Islamic Court.²⁵

In the Indonesian Islamic Court, data in 2018 showed that there were 2,480 male and 711 female judges in all judiciary levels or around 24 %. In the Religious Appellate Court men made up 90% or 369 judges and female judges were only 33 or around 10 %.²⁶ Data on the ratio of male and female as the chief of Religious Court is not available in the website of the Supreme Court but estimated by Judge Lily Ahmad whom she herself is the a chief judge that female chief and vice chief in those court are 20% from the overall judges.²⁷ While Sunarto who was the former vice director of promotion of judges provided the detail data that there are 4 female chiefs and 2 female vice chiefs of the Appeal Religious Court and 68 female chiefs and 70 female vice chiefs of the Religious Court. Therefore, there are 142 female out of the total number of 737 chiefs and vice chiefs judges.²⁸ So far, no female judge sit in the Religious Section in the Indonesian Supreme Court. There has been a long and

²⁴ Adam Morrow and Khaled Moussa al-Omrani, “Egypt: Female Judge Appointments Stir Controversy”, *Inter Press Service News Agency* (16 Apr 2007), <http://www.ipsnews.net/2007/04/egypt-female-judge-appointments-stir-controversy/>, accessed 10 Jan 2020.

²⁵ Soumia Boutkhil, “Who’s Under the Robe? On Women in the Judicial System in Morocco”, in *North African Women after the Arab Spring: In the Eye of the Storm*, ed. by Larbi Touaf, Soumia Boutkhil, and Chourouq Nasri (Cham: Palgrave Macmillan, 2017), p. 136.

²⁶ Direktorat Jenderal Badan Peradilan Agama, “Statistik Hakim Peradilan Agama Berdasarkan Jabatan Tahun 2018”, *Mahkamah Agung Republik Indonesia Direktorat Jenderal Badan Peradilan Agama*, <https://badilag.mahkamahagung.go.id/kepegawaian/profil-ditjen-badilag-1/kepegawaian/statistik-kepegawaian-tahun-2011>, accessed 10 Jan 2020.

²⁷ Lily Ahmad, The female Chief of the Religious Court in Ungaran, interview (20 Jan 2020).

²⁸ Sunarto, The Former Vice Director of Promotion, The Religious Court Section, The Supreme Court of the Republic of Indonesia, interview (24 Jan 2020).

contentious process on how women eventually become the chief of those court which dated back in 2004 when the first workshop for mainstream women and child rights for Islamic judges conducted by the Center for Women Studies, State Islamic University Sunan Kalijaga Yogyakarta whereby female chief of this court was still debated, surprisingly though, female participants were against those ideas. Subsequently around 2006, the first senior female chief was appointed with no public outcry because it was seen as the internal court mechanism.

3. *Gender Gap within Educational Institutions*

Parallel to the aforementioned institutions, women generally left behind, in educations, particularly in the area of higher education. Only a few women compared to men serve in around two hundreds state-owned universities: the rector of the Hassanuddin University in Makassar and the rector of State Islamic University Syarif Hidayatullah Jakarta, and the Institute Technology of Bandung, the famous male dominated university.²⁹ In fact, there was no significant increase from 1980an since State Institute of Islamic Studies Makassar and Jakarta State University headed by female rectors in the 1980s until in 2014 Gadjah Mada University was headed by women rector. Similarly, female professors suffer from such slow move as well where Gadjah Mada University hosted 259 male professors with female only being 63 in 2014.³⁰ In the Islamic universities, such as State Islamic University Sunan Kalijaga it is even worse where there are only 6 female professors out of 41 professors in 2020. The structural positions over 5 years reflect a similar trend where male were predominant and was slowly increasing in 2006 when three female were elected out of seven deans or 40%, the highest ever but with no vice-rector being woman. From 2010-2014 there was one first female vice-rector and one female dean and in 2014-2016 there was a female vice-rector, two female deans or 25% of total deans. However, in 2016-2020 no female assumed as a

²⁹ Yohanes Enggar Harusulilo, "Prof. Reini Wirahadikusumah Dilantik Jadi Rektor Perempuan ITB Pertama", *KOMPAS.com* (21 Jan 2020), <https://edukasi.kompas.com/read/2020/01/21/19431951/prof-reini-wirahadikusumah-dilantik-jadi-rektor-perempuan-itb-pertama>, accessed 22 Jan 2020.

³⁰ "Statistik Jumlah Guru Besar (PNS dan Tetap) Berdasarkan Unit Kerja dan Gender", *Direktorat Sumber Daya Manusia* (23 Feb 2015), <http://sdm.ugm.ac.id/statistik-jumlah-guru-besar-berdasarkan-unit-kerja-dan-gender/>, accessed 18 Oct 2019.

vice-rector and only did one female assume dean or only 12,5%. Hence, the percentage of female vice dean steadily increased from 14% out of 24 in 2013, 20% in 2015, and 35% in 2017.³¹

In the lower level of elementary, secondary and high school, especially in the Islamic schools otherwise known as *madrasah* the women leadership is in a better shape compared to those at the university level though still under represented. Research in 2004 on leadership in *madrasah*, state owned and privates in four provinces indicated that in Yogyakarta 10,5% (9) out of 85 head of *madrasah*; East Java 5% (128) out of 2,411; West Nusa Tenggara 3,2% (18) out of 557 and South Sulawesi was relatively higher about 26,5% (134) out of 505. In 2011, the percentage of women sit in leadership in *madrasah* remained low around 0,5% of 84 for high level and 5% of 180 for secondary level.³²

The above percentages in various political, judiciary and educations illustrated on how glass ceiling is still a major issue amongst women in term of vertical mobilities in leaderships albeit the neutral-access to regulations. Many obstacles impede women in climbing the ladder for leadership which are deeply rooted in cultural and more specifically in theological bases which will be discussed subsequently.

C. Root Causes Upholding Gender Glass Ceiling

There are at least three causes upholding the enduring of the glass ceiling: (1) the contestation of cultural values on gender construction; (2) the political interest of gender roles and; (3) the Western phobia on gender issues.

Firstly, patriarchal values are globally being challenged in various degrees by feminist scholars and activists, including in Indonesia with the core question which is contested has been whether the inferior position of women is natural or socially-constructed? In fact, men and women are recruited for public positions through the same qualification. Eventually,

³¹ Alimatul Qibtiyah, "Female Leaders in Sunan Kalijaga Islamic State University (UIN) Yogyakarta Indonesia", presented at the Internasional DIES Conference: Female Leadership and Higher Education Management in Developing Countries (Bonn, 27 Jun 2017), p. 2.

³² Husniyatus Salamah Zainiyati, Irma Soraya, and Mukhlisah, *Kebadiran Perempuan Sebagai Kepala Madrasah* (Surabaya: Dwiputra Pustaka Jaya, 2011), p. 3.

women tend to lag behind in significant numbers in almost all positions. The essentialists believe that women are naturally inferior to men because women are more emotional. Such a view revealed not only among the Islamic scholars but also the Westerners. Similarly, it appeared in Abul A'la al Maududi's well-known book in 1980s that regards women as tragic creature because of their bodily functions. Reproductive process such as menstruation, pregnancy, giving birth and breastfeeding make their body physically weak and not fit to the important roles except giving birth and performing simple tasks at home.³³

This misogynic tradition leads to put women in an inferior position to men secured by the above theological belief. In Indonesia, like in many other male-dominated societies, particularly in Javanese culture bound by more than a half of the population, women are taught the maxim of '*swargo nunut neraka katut*' literally means that wives have to follow their husbands even if they go to heaven or hell. In the current context, the maxim reflected in the use of husband's name for marriage women and the services that women provide. Moreover, domestic roles are still considered the natural and the primary role of women amid many professions that women now engaging or economic necessity that forces lower class women have to struggle.³⁴

In contrast, the constructivist feminists, argue that emotion is a psychological matter develops in a dynamic and highly influenced by the socio-cultural learning process. Biological differences between men and women rest upon their reproductive functions indeed affect emotion temporarily but not permanent. In society where a value system set in binary-opposition between feminine and masculine characters tend to be permanently differentiated and contrasted although in reality they are interchangeable among women and men.³⁵ If men are expected to

³³ Al Maududi's view is quoted by Mazhar Ul-Haq Khan, *Wanita Islam Korban Patologi Sosial* (Bandung: Pustaka, 1994).

³⁴ Siti Ruhaini Dzuhayatin, "Role Expectation and Aspirations of Indonesian Women in Socio-Political and Religious Context", in *Women in Indonesian Society: Access, Empowerment, and Opportunity*, ed. by M. Atho Mudzhar et al. (Yogyakarta: Sunan Kalijaga Press, 2002), pp. 158–9.

³⁵ See Joseph H. Smith, "Equality and Differences", in *Psychoanalysis, Feminism, and the Future of Gender*, ed. by Alaf M. Mahfouz and Joseph H. Smith (Baltimore: The Johns Hopkins University Press, 1994).

embrace masculine character of rational, explorative, active and women are in the opposite that they should observe a feminine self-concept of emotional, passive and caring.³⁶ Those characters had long been taken for granted and repeatedly secured by religious interpretations. Indeed, gender as cultural construction is subject to change as social setting is shifting, including gender relations. In modern era when women are able to break barriers in education and dominating the best graduates in the top universities, including Islamic universities. It runs counter toward the belief that “a woman are less intelligent and less religious”.³⁷

A similar question arises on why bright female graduates were not doing as good as their male counterparts in the workplaces. The Center for Women Studies (PSW) UIN Sunan Kalijaga was conducting a research on the academic achievement of male and female lecturers in 2002 and concluded that low performance of female lecturers mostly caused by the external factors which subsequently abate their self-concept.³⁸ Moreover, Female lecturers generally performed double or triple tasks of the responsibility in domestic and communal life that urged them to skip their professional tasks. As a consequence, female lecturers had fewer opportunities to involve in academic activities like seminars, short courses and research that become the requirements for promotion. Whereas, some female lecturers indicated their hesitant to negotiate their domestic responsibilities with their husbands for fear of social pressures they might face. This dilemma was not unique to the lectures but prevalent to most of the working mothers, even in the Western countries where gender equality has presumably been achieved.³⁹

Secondly, in political arena, gender equality is measured by access, participation and involvement in decision making and benefit attainment.

³⁶ Chris Weedon, *Feminist Practice and Poststructuralist Theory* (London: Basil Blackwell, 1987), p. 15.

³⁷ Hamim Ilyas, “Kodrat Perempuan: Kurang Akal dan Kurang Agama”, in *Perempuan Tertindas? Kajian Hadis-Hadis ‘Misoginis’*, ed. by Mochamad Sodik and Inayah Rohmaniyah (Yogyakarta: Pusat Studi Wanita (PSW), IAIN Sunan Kalijaga, 2003), p. 53.

³⁸ Susilaningsih and Agus M. Najib (eds.), *Kesetaraan Gender di Perguruan Tinggi Islam: Baseline and Institutional Analysis for Gender Mainstreaming in LAIN Sunan Kalijaga* (Yogyakarta: PSW IAIN Sunan Kalijaga, 2004), pp. 126–8.

³⁹ Cora Vellekoop Baldock and Bettina Cass (eds.), *Women, Social Welfare, and the State in Australia* (Wellington: Allen & Unwin, 1988).

Equal access is advocated through the state constitution, laws, and policies which indiscriminate to men and women while equal participation is the actual reality where men and women involve and engage in whatever she and he intends to do and to be. The aforementioned statistical gaps often used to justify common assumption that men are superior to women rather than understanding cultural biases undermine their existence. Furthermore, women often encounter what Collete Dowling rightly agitates as ‘Cinderella complex syndrome’ impedes career women to achieve higher positions than their husbands.⁴⁰ The obstacles are discouraging for women in the view that politics and public positions are competitive and ‘dirty game’. Those professions are incompatible to women nature as mothers and their family responsibilities as well as the belief that women are lack of self-confident in taking huge task and firm decision making.⁴¹

In Indonesia, social stigma is also haunting smart women to pursue better careers than their husbands as it is considered creating disability in the family. The family was managed through the ideology of *Javanese priyayi* which is typical middle class which rest upon husband as the bread winner and wife is expected to be a good housewife or otherwise called as ‘*Ibu Teladan*’. In the past, it was promoted by the state until the national level and selected based on the criteria of well-educated, having a mid-career not higher than their husbands and dedicating more time to support their husbands and ensuring good education for children. This concept was stipulated in the State guidance of the New Order to ensure no conflict between husband and wife because the family was the basis for the national stability.⁴²

The concept of housewife has also been emphasized, both by

⁴⁰ Colette Dowling, *The Cinderella Complex: Women’s Hidden Fear of Independence* (New York: Fontana Paperback, 1988).

⁴¹ Sri Wahyuni and Hedwigis Esti R, “Pandangan Publik tentang Keputusan Perempuan dalam Kancan Politik di Indonesia”, in *Gender dan Politics*, ed. by Siti Hariti Sastriyani (Yogyakarta: UGM Press, 2008), pp. 203–4.

⁴² Norma Sullivan, “Gender and Politics in Indonesia”, in *Why Gender Matters in Southeast Asian Politics*, ed. by Maila Stevens (Melbourne: Centre of Southeast Asian Studies, Monash University, 1991), pp. 64–5.

the state and religious figures to ensure women's submissive position.⁴³ Ostensibly, domestic violence and wife beating are culturally tolerated as a mean of educating disobedient wives.⁴⁴ The above reality is basically a dialectical relation between a cultural ideology and a predominant theological narrative which justify each other. Patriarchy as a cultural ideology shapes the theological narratives which, in turn, justify the cultural norms and practices. This is what has been affirmed by Weber that social changes have been mostly facilitated and inspired by religious changes.⁴⁵ Robertson asserted that the way to prompt theological changes is instigating an internal critical thinking to contest the dominant religious narrative.⁴⁶ The ongoing theological argument to prevent women becoming judges in Egypt reflect as narrative in which women are seen as less intelligent and less endurance in dealing with judicial cases due to her pregnancy and domestic responsibilities.⁴⁷ Similarly, witnessing that the number of female judges in the Syariah Court is rising, majority of male scholars in Malaysia argued that this assignment is against the Islamic law.⁴⁸ The common reference to this argument is Surah a Nisa: 34 in the Qur'an which is literally cited that men are leaders of women with the privilege e given by God.

Thirdly, the Western phobia on gender issues is the term used to describe the allegation that gender issues raised in Indonesia have been Western-imported issues agitated by feminists who rebel against men, family and promote lesbianism. In its nascent stage in the late 1980s to

⁴³ T. Hull and S.M. Adioetomo, "Women, Family Planning and Decentralisation: New Variations on Old Themes", in *Women in Indonesia: Gender, Equity and Development*, ed. by Kathryn May Robinson and Sharon Bessell (Singapore: ISEAS Publishing, 2002), pp. 246–7.

⁴⁴ Susi Eja. Yuarsi, Sofiana., and Siti Ruhaini. Dzuhayatin, *Tembok Tradisi dan Tindak Kekerasan terhadap Perempuan*, ed. by Anna Marie Wattie. (Yogyakarta: Pusat Studi Kependudukan dan Kebijakan UGM, 2002).

⁴⁵ Max Weber, *From Max Weber: Essays in Sociology*, ed. by H.H. Gerth and C. Wright Mills (New York: Oxford University Press, 1958), p. 270.

⁴⁶ Ian Robertson, *Sociology* (New York: Worth Publishers, 1977), p. 407.

⁴⁷ Sherine Hassan, "Egyptian Judiciary".

⁴⁸ Liz Gooch, "The Female Face of Islamic Law in Malaysia", *aljazeera* (16 Aug 2017), <https://www.aljazeera.com/indepth/features/2017/08/female-face-islamic-law-malaysia-170802110726630.html>, accessed 24 Jan 2020.

2000 not only male conservative figures but also women members of the traditional women organizations resisted against the younger generations who claimed themselves as feminist. However, some of them were reluctant to use the term but consider themselves as women activist instead in order to avoid unnecessary controversy. For instance, younger activists from *Nasyiatul Aisyiyah* which belong to Muhammadiyah, the second largest Islamic organization in the country, namely Trias and Siti Ruhaini who was appointed as one of two women in the fatwa section favored using Islamic women activist which seem to be more acceptable to promote gender equality.⁴⁹ A strong Islamic background of the women Muslim activists is a key to remove the prejudice of being agents of the Western-imported feminism. Besides, the efforts in involving men this discourse helps to reduce the prejudice and stigma even lesser. Among the prominent male working on gender issue are Masdar Mas'udi⁵⁰ and Syafiq Hasyim⁵¹ as well as Abdullahi a Naim⁵², Khalid Abou el Fald,⁵³ Omid Safi⁵⁴

D. Theological Breakthrough in Breaking the Gender Glass Ceiling: Some Initiatives and Reflections in Islamic Higher Education

Early 1990s was considered a breakthrough on the so-called Islamic feminist theology for the *emerging* works of women scholars in Islamic traditions, both classical and contemporary. This is quite interesting as feminist critiques on patriarchal in religious traditions has actually been

⁴⁹ Pieterella van Doorn-Harder, *Women Shaping Islam: Reading the Qu'ran in Indonesia* (Urbana: University of Illinois University Press, 2006), pp. 153–4.

⁵⁰ Masdar Farid Masudi, *Islam & Hak-Hak Reproduksi Perempuan: Dialog Fikih Pemberdayaan* (Bandung: Mizan, 1997).

⁵¹ Syafiq Hasyim, *Understanding Women in Islam: an Indonesian Perspective* (Jakarta: Solstice Pub, 2006).

⁵² Abdullahi Ahmed An Na'im, *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (New York: Syracuse University Press, 1996). Where he build an argument for the compatibility of women right in Islam and international law.

⁵³ Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women* (Oxford: Oneworld, 2001).

⁵⁴ Omid Safi, *Progressive Muslims on Justice, Gender and Pluralism* (Oxford: Oneworld, 2010).

voiced by since 1960s with the publication of *Journal of Feminist Studies in Religion*.⁵⁵ Rita Gross argued feminist theology is the acknowledgement of women's voice within religious disciplines.⁵⁶ The 1990s seems to be the new era for woman feminists in claiming their own voices in Islam. In the Islamic world, Fatima Mernissi, Nawal el Sadawi, Amina Wadud, Laila Ahmad, Rifaat Hasan, Daniz Kandiyoti and later Asma Barlas and many others are the prominent figures in the field.⁵⁷ Kandiyoti asserted further that Muslim women scholars aim at claiming the authenticity of their views and their scholarly autonomy on Islam as valid as men's in providing the religious ground of their visibility in social and public realm.⁵⁸ Mernissi noted that there is no explicit verse in the Qur'an for bid women's leadership but it is stipulated in the hadith report "the nation will not prosper led by a woman" which is debated on the reliability of the narrator.⁵⁹

Subsequently, Muslim women scholars in Islamic universities who have access to Western universities develop a constructive framework between gender analysis and Islamic traditions in Indonesia. The existence of the Islamic universities is critical in shaping the *Islamic* culture of Muslim who makes up almost 90% of around 250 million of the Indonesian total population. Lukens-Bull recalled that the State Islamic Universities played major roles in sustaining moderate Islam in

⁵⁵ Valerie Saiving Goldstein, "The Human Situation: A Feminine View", *The Journal of Religion*, vol. 40, no. 2 (The University of Chicago Press, 1960), pp. 75–8.

⁵⁶ Rita M. Gross, *Feminism and Religion: an Introduction* (Boston: Beacon Press, 1996), p. 35.

⁵⁷ There are some prominent women intellectuals in Islamic studies who inspired many young lecturers in Islamic Universities to development gender studies in Islam. Some of their works becoming the main references such as Fatima Mernissi, *Women and Islam: An Historical and Theological Enquiry* (Oxford: Basil Blackwell, 1991); Asma Barlas, *Believing Women' in Islam: Unreading Patriarchal Interpretations of the Qur'an* (Austin: University of Texas Press, 2002).1991

⁵⁸ Deniz Kandiyoti (ed.), *Women, Islam and the State* (Tempe, Ariz.: Temple University Press, 1991), pp. 8–9.

⁵⁹ Fatima Mernissi, *Beyond the Veil: Male-female Dynamics in Modern Muslim Society* (Indiana: Indiana University Press, 1987). It is also cited by Marcia Hermansen, "Introduction. The New Voices of Muslim Women Theologians", in *Muslima Theology: The Voices of Muslim Women Theologians*, ed. by Ednan Aslan, Marcia K. Hermansen, and Elif Medeni (Bern: Peter Lang Edition, 2013), pp. 16–7.

Indonesia along with two major Islamic organizations: Muhammadiyah and Nahdlatul Ulama. Moderate Islam is instrumental for Indonesia, the largest Muslim population in the world to manage enormous religious plurality and multi-cultural social setting. The enhancement and paradigm shift highlighted by Azra aims at strengthening the Islamic Higher education as ‘the cultural broker of the Islamic orthodoxy to wider Islamic community and the brokerage of Western philosophy and scholarships’.⁶⁰ Azra and Lukens-Bull emphasized the critical agency of these institutions to the Indonesian Muslim in facing the rapid socio-political and economic changes, including the issue of gender equality.

The most notable institution in the above process is the Center for Women’s Studies in Jakarta and in Yogyakarta in providing research-based arguments related to Islamic views in gender equality and women’s issues both in classic and modern Islamic thoughts. Many observers, like Nelly van Doorn, asserts that the Center, particularly those in the State Islamic University Yogyakarta has been the most active research institution in Islam and Gender.⁶¹ Lukens Bull also admits that this center is a frontrunner in promoting gender approach to the Islamic Higher Education in Indonesia.⁶² Many initiatives have been conducted by adopting a collaborative approach with male scholars based on the premise that gender is an academic subject can be studied by man or woman. The approach also helps the center to maintain balance narratives and to curb prejudices for being too liberal. The center has the highest rate of male involvement in gender discourse in contrast to the American universities where men would not be trusted to say anything about women.⁶³ Below some of the initiatives will be discussed.

⁶⁰ R. Lukens-Bull, *Islamic Higher Education in Indonesia: Continuity and Conflict* (New York: Palgrave Macmillan, 2013), p. 3.

⁶¹ Doorn-Harder, *Women Shaping Islam*, p. 12.

⁶² Ronald A. Lukens-Bull, “Women Pushing the Limits: Gender Debates in Islamic Higher Education”, in *Islamic Higher Education in Indonesia: Continuity and Conflict*, ed. by Ronald A. Lukens-Bull (New York: Palgrave Macmillan, 2013), pp. 87–8.

⁶³ *Ibid*, p. 90.

1. *Development on Gender Balance Narratives through Publication*

The theological breakthrough of the center found in the multi-disciplinary analysis on gender balance narratives by excavating the roots of women inferiority in the Islamic traditions that remain unquestioned and taken for granted for centuries such as the common belief that women only have a half intelligentsia and less religious than men which make them not eligible for important roles such as *imamah* (praying leadership), political, public and social leaderships. Their witnesses accounted only a half of men and miserably, women are the major inhabitants in hell. This issue is not stipulated in the Qur'an but it is mentioned in the *hadith* (the compilation of the prophet tradition). Ilyas, the prominent progressive male scholar studied this the respective *hadith* and suggests that the Prophet was pointing to a specific group of women who spend their days gossiping others and spreading rumors.⁶⁴ His argument is supported by the Qur'an verse which is considered higher than the hadith in determining the Islamic instruction in which men and women grant equal reward for what they do.⁶⁵ This is an ample example of women friendly interpretation on what Amina Wadud argued that the Qur'an encourages the social reform for women from the patriarchal society in Arabia at the time of revelation.⁶⁶ Similarly, Asma Barlas highlighted that the Qur'an values women in positive view whereas patriarchal biases of the interpreters of the Qur'an justified the subordinate position of women.⁶⁷

In term of women leadership in public prayer, Amina Wadud, a female professor in Islamic studies led prayer in Friday mix-gender congregation in New York in 2005.⁶⁸ The event instigated mix-reactions, the new hope for the advocates of gender equality and strong condemnation from the major Islamic clerics in the Muslim world. It

⁶⁴ Ilyas, "Kodrat Perempuan: Kurang Akal dan Kurang Agama", pp. 64–5.

⁶⁵ Qur'an, 4: 32.

⁶⁶ Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (Oxford: Oxford University Press, 1999), pp. 66–78.

⁶⁷ Barlas, *Believing Women' in Islam*.

⁶⁸ Andrea Elliott, 'Woman Leads Muslim Prayer Service in New York', *The New York Times* (19 Mar 2005), <https://www.nytimes.com/2005/03/19/nyregion/woman-leads-muslim-prayer-service-in-new-york.html>, accessed 21 Oct 2018.

sparked the debates as whether Muslim women have the same privileges to be leaders in public prayer as men, the most sacred ritual (*ibadah*) in Islam. The Qur'an does not explicitly prohibit women to lead a congregational prayer but scholars often cite several *Hadith* one of which allowed a woman to lead the gender mix prayer based on the tradition of Umm Waraqah.⁶⁹ Even though the journey is still very far for women to be fully accepted as *imam* but at least, male superiority embedded in that belief is subject to question.

Similarly, the Qur'an 4: 34 on male guardianship generally understood as male leadership to women, both in domestic and public life. This cultural maxim that husbands are leaders of women who are responsible to serve them at home, but surprisingly, there is a classical book indicates that the domestic role is the responsibility of husband or father which is cumulative to the role of family maintenance (*nafkah*) highlighted in the book of *Uqud al-Lujjain*.⁷⁰ The *Nafkah* is basically obligated to men to support women reproductive role stipulated in Qur'an 2: 228. In fact, the Qur'an encourages husband and wife to be partners like garment to cover each other.⁷¹ Regarding the overriding use of the aforementioned verse, Suryadilaga, argues that the verse is specifically dealing with male responsibility to provide *nafkah* or maintainance.⁷² It is not sufficient for generalization in curbing women's leadership in public affairs.⁷³ Besides, the Qur'an describes with high esteem Queen Sheba as the model of leadership for men and women in thriving prosperity and justice for her people.⁷⁴

Despite the above works, the Center publishes a biannual Journal namely *Musawa* which literally means 'equality' since 2002. The contentious issues on women leadership, male guardianship, inheritance,

⁶⁹ Alfatih Suryadilaga, "Keabsahan Perempuan sebagai Imam Sholat", in *Perempuan Tertindas? Kajian Hadis-Hadis 'Misoginis'*, ed. by Mochamad Sodik and Inayah Rohmaniyah (Yogyakarta: Pusat Studi Wanita (PSW), IAIN Sunan Kalijaga, 2003), pp. 260–5.

⁷⁰ Forum Kajian Kitab Kuning, *Wajah Baru Relasi Suami Istri: Telaah Kitab 'Uqud al-Lujjain* (Yogyakarta: LKiS and FK3, 2001), p. 22.

⁷¹ Qur'an 2: 187.

⁷² Suryadilaga, "Keabsahan Perempuan sebagai Imam Sholat", pp. 264–5.

⁷³ Barlas, *Believing Women' in Islam*.

⁷⁴ Qur'an 27: 11-44.

polygamy, reproductive rights, child rights are discussed as alternative views in favor of women and children.⁷⁵ The works of other prominent members Such as Ema Marhumah, Siti Ruhaini Dzuhayatin, Siti Syamsiatun, Alimatul Qibtiyah, Muhammad Shodik, Inayah Rahmaniya, Waryono Abdul Ghofur and the alumni such as Ciciek Farha, Masruhah, Nur Rofiah and other young generations who were obviously helpful for providing progressive works on Islam and gender without losing the solid foundation in Islamic principles. Meanwhile, the alumni of State Islamic University Jakarta such as Lies Marcous, Badriyah Fayumi, Syafiq Hasyim, Yuni Huzaifah, and Neng Dara Afifah are prominent in advocating gender equality in the national level while others are notable in their own respective provinces.⁷⁶ Despite the academic and discursive works, the members of the center are actively involved in social organizations such as Muhammadiyah and Nahdlatul Ulama and NGOs and public forums that help the above issue being widely disseminated and accepted. Van Dorn documented on how female lecturers from Islamic universities significantly shift both organizations in their perspectives and missions. More women becoming members of the section which was previously male dominated such as fatwa section.⁷⁷ In addition, the Center was also part of the national wide coalition of women activists who strongly support Megawati Sukarnoputri for presidency amid the disagreement among the conservative ulama.⁷⁸

2. *Advocacy for Gender Equality in Education and Judiciary Institution*

The advocacy have been conducted internally in the institutional reform within the university through which it gained its credibility as the leading and the resource center for Islam and Gender issues and conducted serial trainings for gender sensitivity curriculum and

⁷⁵ Ilyas, “Kodrat Perempuan: Kurang Akal dan Kurang Agama”.

⁷⁶ Nindias Nur Khalika, “Lies Marcoes: Aktivist Perempuan Islam yang Peduli Kesetaraan Gender”, *Tirto.id* (13 Jun 2018), <https://tirto.id/lies-marcoes-aktivis-perempuan-islam-yang-peduli-kesetaraan-gender-cl45>, accessed 22 Feb 2019.

⁷⁷ Doorn-Harder, *Women Shaping Islam*, p. 13.

⁷⁸ “Aktivist Perempuan Dukung Megawati”, *detiknews* (23 Jul 2004), <https://news.detik.com/berita/d-180389/aktivis-perempuan-dukung-megawati>, accessed 19 Feb 2020.

management to the other Islamic universities in Indonesia.⁷⁹ The institutional interventions conducted by publishing Gender Code of Conducts booklet as well as advocating female structural position which unprecedented resulted of the appointment of the two deans for the newly established faculties: The Faculty of Science and Technology and the Faculty of Social Humanities and six vice deans around under 2008 and the two rectors 2010-2014.⁸⁰ However, becoming rector remains a 'glass ceiling' until Amani Lubis was recently elected as the rector in State Islamic University Syarif Hidayatullah Jakarta in 2019.

Promoting female leadership has been the central mission and primary commitment of the Center which attracted partners like the Ford Foundation to support a national workshop and regional workshop for the Southeast Asian region 2001-2007.⁸¹ The initiative was extended to basic and secondary education to foster gender sensitive education as well as promoting women's leadership in collaboration with The Ministry of Religious Affairs and The Australian Government covering 362 school in nationwide. During the project several women raised for school leaderships in Yogyakarta, South Sulawesi and East Java. It took some efforts to convince women to size the equal opportunities to such school leaderships.⁸²

The other institution where gender issues are prevailing is the Islamic Court as ha been discussed erlier. As for this, the Center conducted series of workshops for the judges throughout Indonesia from 2004-2018 with the auspicious cooperation between The Directorate

⁷⁹ Center for Women's Studies, Series of Annual Reports for Gender Mainstreaming in Islamic Universities in Cooperation with The Ministry for Religious Affairs, McGill University and CIDA-Canada (2005-2011).

⁸⁰ The Gender Codes of Conduct booklet was published as the outcome of the Workshop participated by rector, vice rector, deans and vice deans on Gender Mainstreaming in University Management conducted by The Center of Women Studies in 2005, The Center for Women Studies, *Gender Mainstreaming in University Management*, Annual Report (Yogyakarta: PSW UIN Sunan Kalijaga, 2005).

⁸¹ The Center for Women Studies, *Gender Mainstreaming and Reproductive Health in Islamic Higher Learning*, Annual Report (Yogyakarta: PSW IAIN Sunan Kalijaga-Ford Foundation, 2002).

⁸² The Center for Women Studies, *Equal Oppoartunities in Islamic Basic Education, submitted to Leaning Assistance in Islamic School, Aus.AID Australia*, Annual Report (Yogyakarta: PSW UIN Sunan Kalijaga-Ford Foundation, 2007).

General of Islamic Court and The Asia Foundation.⁸³ The outcomes of the workshops are respecting women rights and child rights as well as encouraging female leadership within this court. References utilized in the trainings mainly provided by members of the center which include gender responsive legal system, women and child rights in Islam⁸⁴ as well as gender responsive mediation procedure.⁸⁵ The judges also benefited from the works of scholars such as Nurlaelawati and Salim on scrutinizing gender issues and Judge decisions in the Islamic Courts.⁸⁶

There has been a long and contentious process on how women eventually appointed as the chief of religious court in 2004 when this issue was a heated debate. Surprisingly, most of female judges reacted against those idea based on the common argument that leadership was in the hands of men. At last, in 2006, the first senior female chief was appointed with no public outcry because it was seen as the internal court mechanism. Nowadays, there is no more religious debate where women are being promoted as the chief of the appeal court as well as in the Supreme Court.⁸⁷ This is a favorable condition to break the glass ceiling when 30% of leadership in the Islamic court held by women.

Such enormous efforts carried out by the center for women's studies have been appreciated by Lukens-Bull who dedicated a chapter in his book on *Islamic Higher Education in Indonesia: Continuity and Conflict*. His chapter on 'Women Pushing the Limits' describing the theological breakthrough undertaken by the center in the attempt of breaking the gender glass ceiling.

⁸³ The Center for Women Studies, *Promoting Women's Rights and Child Rights in Islamic Court in Indonesia Submitted to the Asia Foundation*, Annual Report (Yogyakarta: PSW UIN Sunan Kalijaga, 2007).

⁸⁴ Siti Ruhaini Dzuhayatin, Lies Marcoes-Natsir, and Moh Isnanto (eds.), *Menuju Hukum Keluarga Progresif, Responsif Gender dan Akomodatif Hak Anak* (Yogyakarta: SUKA Press-PSW UIN Sunan Kalijaga-Ford Foundation, 2013).

⁸⁵ Siti Ruhaini Dzuhayatin and Mochamad Sodik (eds.), *Pedoman Modeling Institusionalisasi Proses Peradilan Responsif Gender, Hak Perempuan dan Hak Anak di Pengadilan Agama* (Yogyakarta: Kalijaga Institute for Justice (KIJ), 2018).

⁸⁶ Nurlaelawati and Salim, "Gendering the Islamic Judiciary", pp. 247–78.

⁸⁷ Djazimah Muqoddas, *Kontroversi Hakim Perempuan pada Peradilan Islam di Negara-Negara Muslim* (Yogyakarta: Lkis, 2011), p. 263.

E. Concluding Remarks

The above study illustrates the dialectical contestation between the international regime on 30% quota of women political representation and local challenges where patriarchy and conservative traditions concurrently curbing women's steps in breaking gender glass ceiling. Individual woman might have succeeded in breaking those ceiling through the political dynasty and other cultural advantage but the expected breaking glass ceiling of gender equality solely rests upon a collective achievement of 30% quota which remains a huge challenge.

The study also proves the collective works of the progressive Islamic scholars in Indonesia, particularly women on gender balance Islamic narratives go beyond Weber's premise that 'social change is theological and spiritual changes'. The above works are obviously theological breakthrough since they dare to challenge the sensitive and controversial issues remained unquestioned for centuries through developing narrative and real advocacies in the strategic arenas. Not all Muslim countries provide such an opportunity for women on the ground that religion is a male domain. It is, therefore, imperative to set the Indonesian experience as an sample evident where massive and structured women voice in religious discourse in breaking those glass ceiling.

However, a social change is not always as progressive as the above theological breakthrough but possibly spins to a regressive turn. It is also valid to gender equality where regressive and adversal reactions might happen a head. The rise of religious populism in the post truth era unlikely instigates the so-called gender backlash which tends to push women back home through the dubious messages of glorifying motherhood and simultaneously threatening them in misogynic manners. Another pressing issue is how to make gender equality in Islam relevant to young people the digital era where the conservative groups seem to run a head than the progressive. The main recommendation from this research, therefore, is a further study on the impacts of the current challenges upon the efforts in breaking the glass which is still in a half way. The study should become the basis for center for gender studies and the other like-minded institutions and individuals to map out the future strategies and advocacies in achieving a collective 30% women quota only by which the gender glass ceiling is broken.

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