



The Contestation of the Family Law Discourse in the Digital Age: Islam, State, and Gender

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Abstract: This study examines the contestation of gender discourse in family law on social media and its relationship to religion and state law. This study seeks to answer three questions: how gender relations in the family are constructed on social media, how the struggle for the meaning of gender equality in family law occurs on social media, and why some digital activists in Indonesia have a dualistic understanding of religious law and state law in the context of family law. This is a qualitative study employing approaches from discourse analysis. Utilizing Bourdieu's theory, the researcher examines the contestation of gender relations discourse on social media. There are two groups with opposing viewpoints: those who oppose equality and those who support it. This study demonstrates that each gender narrative agent develops the discourse about the relationships between men and women using a variety of media, including YouTube, Instagram, Facebook, and an official website. Each has a large number of social media followers. There are numerous ways to disseminate discourse, including lectures, short videos, quotations, images, and scholarly articles. In the context of its relationship to state law, the first group tends to place the state in an overbearing role. This is understood due to the attitude of the state, which governs a number of matters not covered by the Shari'a. In contrast, the second group views religion and state law as mutually beneficial and therefore inseparable. There are a number of conclusions based on a variety of evidence, one of which is that religious authority in the media is fractured based on religious group affiliation, particularly in the family law debate. The problem of authority in the media is no longer defined by a character's scientific aptitude but by who has the most control over the media and the largest number of followers. In addition, sources of religious discourse, particularly family law, have shifted to a variety of media. In order to determine an authority's perspective in the media, it is vital to consider the fundamental values of Islam and perspectives that do not conflict with religion and the state.

Keywords: Gender relations, family law, contestation, social media.

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Abstrak: Penelitian ini mendiskusikan kontestasi wacana gender dalam hukum keluarga pada media sosial serta kaitannya dengan relasi terhadap hukum agama dan negara. Pokok persoalan penelitian ini yaitu 1) bagaimana relasi gender dalam keluarga dikonstruksi di media sosial, 2) bagaimana perebutan makna kesetaraan gender dalam hukum keluarga terjadi di media sosial, dan 3) mengapa sebagian aktivis digital memiliki pemahaman yang dualistik terkait hukum agama dan negara dalam konteks hukum keluarga di Indonesia. Penelitian ini adalah penelitian kualitatif dengan metode analisis wacana. Peneliti menggunakan teori Bourdieu untuk melihat dinamika kontestasi wacana relasi gender di media sosial. Terdapat dua kelompok yang berbeda pandangan yaitu kelompok yang menolak kesetaraan dan mengusung kesetaraan. Penelitian ini menunjukkan bahwa masing-masing agen narasi gender secara massif mengkonstruksi wacana relasi laki-laki dan perempuan melalui berbagai media baik melalui channel youtube, Instagram, facebook, dan juga memiliki website resmi. Masing-masing memiliki pengikut yang banyak di media sosial. Terdapat berbagai cara untuk menyebarkan wacana yaitu dapat melalui ceramah, film pendek, quote, gambar, maupun tulisan artikel. Dalam konteks relasinya dengan hukum negara, kelompok pertama mendudukkan peran negara sebagai pihak yang cenderung berlebihan. Hal ini dipahami karena sikap negara yang mengatur beberapa hal yang tidak diatur syariat. Sedangkan kelompok kedua, menempatkan hukum agama dan negara pada posisi yang saling menguntungkan, tidak bisa dipisahkan. Berdasarkan sejumlah data, terdapat sejumlah temuan di antaranya bahwa otoritas keagamaan di media terfragmentasi berdasarkan afiliasi kelompok keagamaan, termasuk dalam wacana hukum keluarga. Problem otoritas di media tidak lagi ditentukan oleh kapasitas keilmuan seorang tokoh, melainkan siapa yang paling menguasai media dan memiliki jumlah pengikut (followers) yang banyak. Selain itu, terjadi pergeseran sumber wacana keagamaan termasuk hukum keluarga kepada sejumlah media. Oleh karena itu, dalam menentukan sebuah pandangan otoritas di media maka perlu melihat kembali pada nilai-nilai dasar Islam dan pandangan yang tidak membenturkan antara agama dan negara.

Kata Kunci: Relasi Gender, Hukum Keluarga, Kontestasi, Media Sosial.

Introduction

It is undeniable that the media has played a big role in social life, influencing many aspects of social life, including religion.¹ Indonesian Muslims are dependent on social media in the modern day. The rapid growth of information technology fosters modifications in the understanding of religion, which in turn alters how

¹ Yeni Ratnayuningsih, "Islam, Media and Social Responsibility in the Muslim World," *Studia Islamika* 20, no. 3 (December 31, 2013): 583, <https://doi.org/10.15408/SDI.V20I3.517>; In fact, the media may foster public confidence and promote social change, see Catherine Happer and Greg Philo, "The Role of the Media in the Construction of Public Belief and Social Change," *Journal of Social and Political Psychology* 1, no. 1 (2013): 321, <https://doi.org/10.5964/JSPP.V1I1.96>.

individuals see certain religious principles.² The propagation of religious discourse through the media supports the formation of distinct religious organizations or communities, as well as the establishment of religiously-related concerns such as family law.³

Religious groups, communities, and individuals can broadcast religious discourses, including family law discourses, through the media. These studies are effectively communicated using numerous social media tools and versions. Consequently, observing family law discourse in the media is required by the discursive dynamics of Muslim nations, particularly Indonesia. The media is a device for the transmission of information that is accessible to broader societies; as a result, notions of family law ideas and discourses based on group affiliation or religious understanding, educational background, social, cultural, and even political factors can be easily transmitted, leading to the fragmentation of the discourse on family law. The findings of Marlowe et al. (2017), who studied youth of diverse ethnicities living in Auckland, illustrate the impact of media on the social and familial landscape.⁴ In addition, Fitriani (2017) discovered that the media has negatively impacted the harmony of a particular family relationship.⁵ In fact, according to 2017 data from the Indonesian Institute of Sciences (LIPI), media use has increased domestic discord from 75% to 85% per year.⁶

Other studies on religious discourse, digital activism, and gender in social media have been carried out by a number of researchers, including Muttaqin (2020), who examines women's identity as portrayed in the media. It is revealed that Muslim clerics who have a narrowed interpretation of the religious principles tend to put women in an unequal position, and it is also perceived as a kind of religious commodification, which intakes advantage of the flexibility of religious interpretation.⁷ Kirana and Garadian (2020), in their study, found that social media

² Martin Slama, "Practising Islam through Social Media in Indonesia," *Indonesia and the Malay World* 46, no. 134 (January 2, 2018): 1, <https://doi.org/10.1080/13639811.2018.1416798>.

³ Sindung Haryanto, *Sosiologi Agama: Dari Klasik Hingga Postmodern*, II (Yogyakarta: Ar-Ruzz Media, 2016), 214–15.

⁴ Jay M Marlowe, Allen Bartley, and Francis Collins, "Digital Belongings: The Intersections of Social Cohesion, Connectivity and Digital Media," *Ethnicities* 17, no. 1 (2017): 85, <https://www.jstor.org/stable/26413936>.

⁵ Nur Fitriani, *Pengaruh Media Sosial Terhadap Keharmonisan Keluarga Menurut Hukum Islam (Studi Kasus Masyarakat Di Desa Sungai Tonang Kecamatan Kampar Utara Kabupaten Kampar)*, Skripsi (Riau: Universitas Islam Negeri Sultan Syarif Kasim Riau, 2017).

⁶ Winda Kustiawan, "Media Dan Ketahanan Keluarga Muslim Di Indonesia," *Jurnal Pemberdayaan Masyarakat* 8, no. 1 (June 18, 2020): 65, <https://doi.org/10.37064/JPM.V8I1.7374>.

⁷ Ahmad Muttaqin, "Women's Identity in the Digital Islam Age: Social Media, New Religious Authority, and Gender Bias," *QIJIS (Qudus International Journal of Islamic Studies)* 8, no. 2 (December 31, 2020): 353, <https://doi.org/10.21043/QIJIS.V8I2.7095> How media facilitates the accommodation of religion through fashion. See Widjajanti M Santoso, Penelitian Kemasyarakatan, and Dan Kebudayaan, "Komodifikasi Mode Muslimah Melalui Media Sosial," *Jurnal Masyarakat Dan Budaya* 17, no. 3 (2015): 299, <https://doi.org/10.14203/JMB.V17I3.321>.

is more dominated by conservative groups. This is indicated by the narrative that is built in the context of gender relations, which places women in a subordinate position, which then provide a strong restriction on women's roles, even in the context of heaven and Hell, the interpretation of which relies on males' interpretations.⁸

Another study by Ahyar (2017) mentions that digital activism plays multiple strategies for disseminating the idea of "Islamic clicktivism" through online media. This group allows Muslims to freely express their opinions, and it has strengthened since the reform era. They play the roles of the media in order to maintain their existence in the midst of democratization.⁹ In fact, Sulaiman (2020) and Ahyar and Alfritri (2019) added that this digital activism formed new religious propaganda and religious politics.¹⁰

This research highlights the responsibilities of digital activists in distributing their discourses and ideas in digital spaces, given that the media plays a crucial part in the construction of religious and legal discourse. Each Muslim group has its own perspectives and interpretations regarding the domestic or familial relationship between a husband and a wife. These diverse Muslim organizations founded their ideas on the Qur'an and hadith. As public figures transmit their interpretations of Islamic doctrine, they reach a broad audience, have a significant impact, and are sometimes taken for granted. Furthermore, the discourse was widely shared by various followers. In addition, digital activists occasionally challenge religious and state conventions in their lectures, particularly concerning family law. This is because it is believed that some of the state-mandated norms are not adequately explained by religion.

Based on the reasoning, the purpose of this study is to answer three questions: how gender relations in the family are built on social media. How does the battle over the definition of gender equality in family law play out on social media? Why do certain digital activists in Indonesia hold a dualistic view of religious and state law in the context of family law? This is qualitative research employing discourse

⁸ Dita Kirana and Endi Aulia Garadian, "Religious Trend in Contemporary Indonesia: Conservatism Domination on Social Media," *Studia Islamika* 27, no. 3 (December 23, 2020): 618, <https://doi.org/10.36712/SDI.V27I3.18823>.

⁹ Muzayyin Ahyar, "Islamic Clicktivism: Internet, Democracy and Contemporary Islamist Activism in Surakarta," *Studia Islamika* 24, no. 3 (December 31, 2017): 435–36, <https://doi.org/10.15408/SDI.V24I3.4859>.

¹⁰ Muzayyin Ahyar and Alfritri Alfritri, "Aksi Bela Islam: Islamic Clicktivism and the New Authority of Religious Propaganda in the Millennial Age in Indonesia," *Indonesian Journal of Islam and Muslim Societies* 9, no. 1 (May 24, 2019): 1–3, <https://doi.org/10.18326/IJIMS.V9I1.1-29>; Akhmad Sulaiman, "Gerakan Indonesia Tanpa Pacaran (GITP): Propaganda and Mobilization of Youths' Social Praxis," *FIKRAH* 8, no. 2 (November 16, 2020): 225–26, <https://doi.org/10.21043/FIKRAH.V8I2.6711>; Even the media is also used as a tool to disseminate hate speech and create Islamophobia Kastolani, "Understanding the Delivery of Islamophobic Hate Speech via Social Media in Indonesia," *Indonesian Journal of Islam and Muslim Societies* 10, no. 2 (December 21, 2020): 247–48, <https://doi.org/10.18326/IJIMS.V10I2.247-270>.

analysis approaches to investigate family law narratives conveyed via social media, specifically YouTube and Instagram. The researchers selected some accounts that were both active and prolific in their expressions of conversation and ideas.

The Basic Concept

1. Discourse Contestation

After the fall of the New Order regime, political openness and democracy were viewed as the impetus for the rise of religious discourses in the public realm. The public environment is actually a free arena where everyone, regardless of their religion, race, or language, can achieve popularity. Every individual or group is placed on an equal footing within the public realm. In this perspective, public space does not take the shape of institutions or organizations; rather, it is viewed as a vehicle for communicating a concept or ideals and goals surrounding religious and legal discourses.¹¹

The contestation in this context means seizing power through winning certain ideologies. For example, there are Islamic groups that use certain religious principles as the basis for their struggle and movement, such as HTI, MMI, and Laskar Jihad.¹² Zulfadli, Khamdan and Wiharyani define contestation as a battle between two or more ideas in the form of thoughts, ideas, perspectives, or even individuals and groups.¹³

The public space is now dominated by new media, and the so-called new media is being contested by many parties as a means that helps them to disseminate their ideas and ideology in Indonesia. New media, which is characterized as an online media platform, can be used in political activities and even as a political tool.¹⁴ In middle-class Muslim societies, new media are widely used to boost religious spirit and passion. Media is a medium for disseminating religious discourses or "religious tools" where they take advantage of the existence of Youtube, short lectures on Instagram, Facebook, and some other related media platform. In fact, it is believed that those with a high number of followers on media will be regarded as more authoritative and gain high degrees of authority on certain religious understanding.¹⁵

Social media has played a significant role in the rapid dissemination of information. This suggests that media is very powerful in shaping the public's views.

¹¹ Zulfadli Zulfadli, "Kontestasi Ormas Islamis Di Indonesia," *Al-Tahrir: Jurnal Pemikiran Islam* 18, no. 1 (June 5, 2018): 67, <https://doi.org/10.21154/ALTAHRIR.V18I1.1176>.

¹² Zulfadli, 69.

¹³ Muh. Khamdan and Wiharyani Wiharyani, "Mobilisasi Politik Identitas Dan Kontestasi Gerakan Fundamentalisme," *Al-Tahrir: Jurnal Pemikiran Islam* 18, no. 1 (May 31, 2018): 193, <https://doi.org/10.21154/ALTAHRIR.V18I1.1198>.

¹⁴ Subkhi Ridho, "Kelas Menengah Muslim Baru Dan Kontestasi Wacana Pluralisme Di Media Sosial," *Jurnal Pemikiran Sosiologi* 4, no. 2 (November 6, 2017): 93, <https://doi.org/10.22146/JPS.V4I2.28582>.

¹⁵ Hujair AH Sanaky, *Fenomena Sufisme Masyarakat Kelas Menengah Perkotaan Di Daerah Istimewa Yogyakarta*, Laporan Pe (Yogyakarta: DPPM UII, 2018), 76.

An example of this is the phenomenon of the Arab Spring, where some regimes in the Middle Eastern regions were overthrown. Digital activism transforms society into a very diverse and even capable of becoming a tool for political propaganda and interests.¹⁶

In reading the discourse of equality, we refer to the method of discourse analysis. In analyzing the discourse contestation, we refer to the practical theory of Bourdieu because the main purpose of our study is to examine the contestation of discourses. As Bourdieu's theory, social practice (discourse) is an attempt to gain supporters through capital someone owned.¹⁷ According to Bourdieu's theory, the public space is relational—it is related to each other. This means that the space is a place for power gained. This shows that there are various entities that exist in a society or community that are objectively related. In addition, the pattern of relations formed in society is not consciously arranged by individuals. It occurs spontaneously. In his study, Bourdieu seeks to examine the existing domination and how it was formed.¹⁸ In the social contestation within the community, strong capital and support are indeed needed in order to win the contestation, and thus whoever controls capital and power will dominate a habitus.¹⁹

2. The Conception of Gender

Basically, Islam does not discriminate against humans based on gender differences. However, misinterpretation of gender relations due to patriarchal social structure shapes ways of understanding gender relations in addition to the problem of interpretation of religious text which was mostly carried out by male clerics, aggravated by conservative views on gender relations. In fact, in the political context, the interpretation of gender is also influenced by the dominance of power relations. The interpreter does not only attempt to reveal and explain the religious texts but also participates in government programs.²⁰

In today's Muslim world, there are two major thoughts among Muslims in responding to gender issues. The first group understands that men and women are not equal. Women are inferior, while men are superior. Men are seen as "qawwām" (leader, protector, educator) over women. The subordinate position is

¹⁶ Khamdan and Wiharyani, "Mobilisasi Politik Identitas Dan Kontestasi Gerakan Fundamentalisme," 200–201.

¹⁷ Pierre Bourdieu, *Outline of Theory of Practice* (Cambridge: Cambridge University Press, 1995); Denison Wicaksono, "Kontestasi Wacana Golput Pada Media Islam Menjelang Pemilu 2009; Analisis Praktik Kewacanaan Pada Majalah Sabili Dan Risalah Mujahidin Pasca Fatwa Haram Golput Majelis Ulama Indonesia," *DIMENSIA: Jurnal Kajian Sosiologi* 5, no. 1 (February 26, 2011), <https://doi.org/10.21831/DIMENSIA.V5I1.3438>.

¹⁸ Mohammad Adib, "Agen Dan Struktur Dalam Pandangan Pierre Bourdieu" 1, no. 2 (2012): 102–4.

¹⁹ Adib, 107.

²⁰ Tinggal Purwanto, "Kesetaraan Gender Dan Relasi Kuasa Dalam Tafsir Al-Quran Tematik Kementerian Agama Republik Indonesia," *PALASTREN Jurnal Studi Gender* 12, no. 1 (June 14, 2019): 30, <https://doi.org/10.21043/PALASTREN.V12I1.5052>.

seen as the nature inherent in women. Changes or attitudes against these provisions are acts that are against the nature and law of God.²¹ On the other hand, the second school holds that men and women are equal. Both have the same potential in terms of intellectual, physical and mental-spiritual. Interestingly, these two major sects also refer to the same two authoritative sources of Islam, namely the Qur'an and Hadith.²²

There are different conceptions of gender among lay people and scholars as well. Gender has always been understood as a discourse of female, and thus gender is off from through the biological point of view. In fact, gender is not about biological or sex. Issues it is sociological constructions in which different roles and patterns of the social relation of men and women are classified.²³

In general, gender can be understood as the differentiation of roles, attitudes, and behaviors that are dynamic and develop in accordance with the development of society. In contrast to sex which is a fixed term, gender is a product of culture and social construction.²⁴ The following divisions explain the differences between sex and gender:²⁵

²¹ The argument that is often made regarding the rejection of equality is because the discourse on gender equality is seen as a product of Western conspiracy and domination of the Muslim world. For example, read more Isnatin Ulfah and Stain Ponorogo, "Menolak Kesetaraan: Counter-Discourse Dan Motif Politik Di Balik Gagasan Anti Feminisme MHTI," *Musawa Jurnal Studi Gender Dan Islam* 11, no. 1 (January 29, 2012): 85, <https://doi.org/10.14421/MUSAWA.2012.111.85-114>.

²² Husein Muhammad, "Gender Dalam Pendekatan Tafsir Maqāshidī," *Makalah Penganugerahan Doktor Kehormatan UIN Semarang* (Semarang, 2019), 7–8.

²³ Herni Sri Nurbayanti, "Konsep-Konsep Utama Hukum Dan Gender," in *Perempuan Dan Anak Dalam Hukum & Persidangan* (Jakarta: Yayasan Pustaka Obor Indonesia, 2020), 72.

²⁴ Shamim Samani, "Between Texts and Contexts: Contemporary Muslim Gender Roles," *Islam and Christian-Muslim Relations* 27, no. 3 (July 2, 2016): 2, <https://doi.org/10.1080/09596410.2016.1148969>; Mufidah Cholil and Sudirman Sudirman, "Gender Equality in Islamic Family Law: Breaking the Chain of Domestic Violence to Achieve Harmonious Family," *Kafa'ah: Journal of Gender Studies* 9, no. 2 (December 27, 2019): 133,140, <https://doi.org/10.15548/JK.V9I2.270>.

²⁵ Muhammad Alfatih Suryadilaga, "Ragam Kajian Gender Dalam Jurnal Keagamaan Islam Di Indonesia," *Musawa Jurnal Studi Gender Dan Islam* 17, no. 2 (July 26, 2018): 97, <https://doi.org/10.14421/MUSAWA.2018.172.95-106>; Muttaqin, "Women's Identity in the Digital Islam Age: Social Media, New Religious Authority, and Gender Bias," 357; Mansour Fakih, *Analisis Gender Dan Transformasi Sosial* (Yogyakarta: Pustaka Pelajar, 1996), 7–12.

Sex	Gender
<ul style="list-style-type: none"> •Men and their reproductive organs •Women and their reproductive organs •Nature •Biological •Unchangeable and interchangeable •Given 	<ul style="list-style-type: none"> •Social and cultural construction •Non-Natural •Dynamic •Developing •Interchangeable •Differences across regions

The distinction between the two is not well understood in the community, and thus the separation of roles between men and women in society persists. This view is massively and consistently advocated in the wider community. This digital age has accelerated the dissemination of discourses and ideologies. As a result, the separation of roles between males and females is culturalized in society, which is then well known as gender relations.²⁶

In a similar tone, Mansour Fakih emphasizes that gender is a special trait attached to both men and women as a result of socio-cultural construction. Basically, gender differences do not lead to injustice and discrimination if understood properly. However, the facts show that gender discrimination occurs in various forms, such as marginalization, subordination, stereotypes, violence (physical and psychological), and double workload (double burden) toward women. First, marginalization is understood as a process of marginalizing the role of women in various sectors, including household affairs. Second, subordination places women in the second class; women are seen as inferior, while men are portrayed as superior. Third, stereotypes are understood as labeling and marking a particular group of people, including what is often experienced by women. Fourth, violence is not only in the form of physical violence but also psychological violence. Fifth excessive workload. Usually, on the one hand, women are indoctrinated to work in the domestic sector, but on the other hand, women also serve as breadwinners for the family.²⁷

3. The Religion and State Relation

Discussing the link between religion and the state is always a fascinating topic. Muslims have differing perspectives on the relationship between the two. There are at least three perspectives, the first being that the connection between the two cannot be severed. The two become a single entity. When discussing religion, including religious law, while also discussing the state. In the first view, the state is an institution with two facets simultaneously, namely politics and religion. Second, there is no way to restore their connection. Both are distinct elements. Religion is

²⁶ Nurbayanti, “Konsep-Konsep Utama Hukum Dan Gender,” 73.

²⁷ Fakih, *Analisis Gender Dan Transformasi Sosial*, 12–23.

concerned with private matters, while the state is concerned with public ones. Thirdly, the symbiotic-substantive paradigm model is a partnership that benefits both parties. Both are connected to the substantive values of each element. The state requires religion as a component of its defining values, whereas religion needs the state as an infrastructure to enhance religion so that it can be adequately implemented by the state.²⁸

Hasan and Ridwan both agree that the first model is also known as the integralist paradigm, which merged religion and state. In this view, politics and state-sponsored law are also part of religion. The second category is known as the symbiotic paradigm, a partnership that benefits both parties. The third and final paradigm model, the secularistic paradigm, is a rejection of the two preceding paradigm models.²⁹

The significance of Bahtiar Effendy's research in examining the process of negotiation and accommodation between these two factors cannot be overstated (religion and state). A minimum of four models exist, including structural accommodation, legislative accommodation, infrastructure accommodation, and cultural accommodation. First, structural accommodation is an accommodation process that engages a number of Muslim thinkers in the bureaucratic arena in order for them to offer new perspectives on policies that are consistent with the fundamental values of Islam. In reality, these Islamic philosophers do not believe in a formalistic life; rather, they seek to establish a just, equal state, which must be fought for not just by Islamic parties but also by bureaucrats and non-religious parties.³⁰

Second, legislative accommodation, which is characterized by state accommodation to many religious orders, including the *Zakat* Law, the Religious Court Law, and the Marriage Law, among others. Third, infrastructure accommodation is characterized by the role of the state in providing infrastructural facilities for Muslim populations to exercise their religion. Fourth, cultural accommodation, specifically the state-and-religion (Islam) interactions that continue to develop slowly in the Indonesian society. The procedure recognized by Islamic idioms in the institutionalization of the state is one example.³¹ According to

²⁸ Ridwan, "Paradigma Relasi Agama Dan Negara Dalam Islam," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 1, no. 2 (December 27, 2018): 180, <https://doi.org/10.24090/VOLKSGEIST.V1I2.2139>.

²⁹ Hamsah Hasan, "Hubungan Islam Dan Negara: Merespons Wacana Politik Islam Kontemporer Di Indonesia," *Al-Ahkam* 1, no. 25 (April 25, 2015): 34–35, <https://doi.org/10.21580/AHKAM.2015.1.25.192>.

³⁰ Bahtiar Effendy, *Islam Dan Negara: Transformasi Pemikiran Dan Praktik Politik Islam Di Indonesia* (Jakarta: Paramadina, 1998), 320–22.

³¹ Effendy, 325–63.

Effendy, the link between Islam and the state in the context of the Indonesian state is manifested within the framework of the Religious Nation State.³²

Media as a Battleground for the Definition of Gender Relations

Presently, social media has emerged as a new channel for communicating religious understanding. This is due to the fact that it is now incredibly simple to access the media anytime and anywhere. Digital activists can spread discourse and dialogue with Muslim groups and their supporters through a variety of tools and platforms. The media can ultimately impact an individual's attitude and perspective on a particular religious discourse, including the Muslim community's opinion on gender relations inside the family, at a certain stage.

Numerous religious communities are prominent on social media. Each of them is overseen by a congregation that adores his lectures or has a personal account. In the digital age, the popularity of a religious person is sometimes employed as a measure of religious authority. The greater the number of followers, the greater the authority. In conjunction with its evolution, the Muslim community's religious authority has shifted from one based on conventional religious media to one based on digital media. Previously, religious authority was only based on *ulama*, *Kiai*, and *ustadz*, who had a clear scientific chain; however, authority is now eroding, allowing individuals to acquire fatwas and knowledge based on their personal preferences. Through social media, everyone readily searches for answers that meet the conditions and circumstances.³³

Along with the emergence of a shift in religious authority in the digital age, there are a number of important issues, including the need for traditional scholars to be cognizant of the rapid changes in the world of information and to permit the rapid dissemination of *fatwas* and knowledge in response to contemporary realities. It is possible that the *fatwa* and knowledge are distinct from those that previously existed. This progressiveness naturally produced "young ulema" who are media-savvy, which could also imply that they are not pesantren graduates. This phenomenon gained the moniker "New *Santri*." This is a religious challenge, but in the framework of a democratic society, the birth of religious preachers in Indonesia signifies the birth of a new paradigm and line of religious authority. Second, the accessibility of the media as an impersonal source of religion creates the opportunity for "wild" religious understandings that depart from the norm, especially when media content is given by groups with radical ideologies and religious interpretation

³² Ali Akhbar Abaib Mas Rabbani Lubis, "Religious Nation State: Bahtiar Effendy and Islamic Political Thought," *Millah: Jurnal Studi Agama* 19, no. 2 (July 9, 2020): 167–68, <https://doi.org/10.20885/MILLAH.VOL19.ISS2.ART1>.

³³ Mutohharun Jinan, "Intervensi New Media Dan Impersonalisasi Otoritas Keagamaan Di Indonesia," *Jurnal Komunikasi Islam* 3, no. 2 (December 1, 2013): 321–23, <https://doi.org/10.15642/JKI.2013.3.2>.

monopolies. Thirdly, the proliferation of religious *fat was* to the point where there were no apparent borders.³⁴

The media provides a fertile environment for the formation and development of religious interpretation, including the family law dynamics. There are a significant number of Instagram and YouTube profiles that address the problem of gender relations in the family. In this scenario, there is not simply a single advocate for equality but also a group that opposes it. Muslimah Media Center, an Instagram account with 62,800 followers and a YouTube channel with 139,000 subscribers, is among those who refuse. Ustadzah Arum Ihsan presented "Criticism of the Narrative of Gender Equality," Ustadzah Faizah presented "The Concept of Gender Equality Attacks Islam," and others presented a short film titled "Gender Equality Harms Women," etc. In addition to special accounts, popular clerics such as Ustadz Abdul Shomad (UAS), who delivered a lecture titled "The Polemic of Gender Equality Issues" that was viewed by 18,000 people and uploaded to the firm's YouTube channel, have submitted numerous studies that reject the discourse on gender equality. TV. There are also Ustadz Adi Hidayat, Ustadz Syafiq Riza Basalamah, Felix Siauw, and others, in addition to UAS.

While equality-promoting organisations include the Instagram account "mubdalam. id" with 27,200 followers and the YouTube channel "Mubadalah" with 5,010 subscribers. *Mubadalah* actively promotes equality with semi-cartoon visuals holding the *mubadalah* (equality) message to make it more palatable and appealing. *Mubadalah* himself was raised by Faqihuddin Abdul Kodir, who also wrote the book "*Qirā'ah Mubādalāh*." In addition to Kodir, KH is the traditional cleric who fights for equality. Additionally, Husein Muhammad is actively engaged in the study of *Mubadalah*. In addition, "ngaji KGI" or Ngaji Gender Justice Islam has a Twitter account with 2,598 followers and a Youtube account administered by Dr. Nur Rofiah, Num. Uzm. In particular, Nur Rofiah established the Lingkar Ngaji KGI gender class. In addition to special stories, the discourse on gender equality is widely disseminated by Muslim clerics and activists dispersed among numerous media outlets.

On the basis of the aforementioned facts, the conversation on gender relations in the family has always been fascinating from multiple vantage points. The fundamental question frequently asked is whether Islam affirms an equitable and balanced relationship between men and women. The question continues: Do

³⁴ Mutohharun Jinan, "New Media Dan Pergeseran Otoritas Keagamaan Islam Di Indonesia," *Jurnal Lektur Keagamaan* 10, no. 1 (June 29, 2012): 201–5, <https://doi.org/10.31291/JLK.V10I1.178>; Didid Haryadi, "Otoritas Keagamaan Baru: Habitiasi Dan Arena Dakwah Era Digital," *Islamic Insights Journal* 2, no. 2 (January 25, 2021): 70–71, <https://doi.org/10.21776/UB.IIJ.2020.002.02.01>; Bryan S. Turner, "Religious Authority and the New Media.," *Theory, Culture & Society* 24, no. 2 (June 30, 2007): 117134, <https://doi.org/10.1177/0263276407075001>.

religiously-motivated women have the right to receive equal and fair treatment before the law, including in private matters?³⁵

The Muslim community provided diverse responses to a number of these questions, which were subsequently widely disseminated via social media. There are at least two camps, including those who reject the concept of equality for various reasons, some of which are Western inventions that are not codified in Shari'a. The second group has a deeper understanding by advocating equality, as Islam promotes the concept of gender equality on a philosophical level.

1. Denying Equality

Islam did not originate the concept of gender equality in the family. This phrase is frequently used by anti-equality groups in the media. The Muslimah Media Center (MMC), Kebumen Mengaji, and other accounts are among the media that openly deny equality. Each account has a YouTube and Instagram page to disseminate its knowledge. Anti-equality discourse is communicated in a variety of forms, including through lectures, short videos, short films, articles, and photographs.

One of the anti-equality reasons was presented by Ustadzah Arum Ihsan on the Muslimah Media Center (MMC) YouTube channel under the title criticism of the gender equality narrative. He explained that Islam does not have a narrative of female equality. In addition, it is asserted that the gender narrative is a product of the West, originating from conditions in the West that were harmed by the establishment of a secular-capitalist system in which women were considered commodities. This information was then spread to Muslim countries with the purpose of bolstering the imperialism carried out by the capitalist system so that when women suffer from poverty, Islam is the "scapegoat." In addition, Ustadzah Arum fought against the challenges women faced as a result of the patriarchal culture that was attributed to Islam.³⁶

The same message was conveyed in the "QnA with Ustadzah Ratu Erma" session titled "Is the Family Resilience Bill in Accordance with Islam?" and in "QnA Ustadzah Suroboyonan" by Ustadzah Faizah, which was also uploaded on MMC, in which it was emphasized that the concept of gender equality originated in the West and was not the result of a patriarchal understanding originating from Islam, because if Muslims adhere to the concept of gender equality, then they adhere to a concept that never existed in Islam. According to today's issue, the West's ideas are being pushed in Islamic countries so that the Muslim world will follow the laws and concepts presented in accordance with Western desires and not implement Islamic law.³⁷

³⁵ Muhammad, "Gender Dalam Pendekatan Tafsir Maqāshidī," 7.

³⁶ Muslimah Media Center, "Kritik Atas Narasi Kesetaraan Gender | MMC News - YouTube," accessed February 1, 2022, <https://www.youtube.com/watch?v=AdQ3B3grBcg>.

³⁷ Muslimah Media Center, "Ide Kesetaraan Gender Diimpor Dari Barat | #QnA Ustadzah Suroboyonan | Part 2 - YouTube," accessed February 1, 2022,

Ustadzah Arum stressed that a number of Qur'anic regulations that regulate women especially are not a kind of restraint and humiliation but rather a source of protection. He then refuted the Western belief that polygamy and inheritance in Islam were forms of discrimination against women. Ustadzah Arum believes that polygamy and inheritance must be viewed holistically and thoroughly. In the context of an inheritance, for example, women receive one share while males receive two because women will eventually marry men who receive two shares. For him, women must be protected and guarded. Protection for women involves relieving women of stress associated with earning a living and workplace harassment.

In the context of inheritance, MMC highlighted through a short film that women receive a smaller portion than men since men have larger obligations and responsibilities, but women own all of their property. In addition, when a guy marries, portion two is used and exploited by women in addition to being owned by males. This is the Islamic principle of justice, according to the first group.³⁸

Ustadzah Faizah explained in an explanation released under the title "The Idea of Gender Equality Attacks Islam" that women are prohibited from holding leadership positions in Islam, both in the public and home spheres. According to a hadith, "a people will not be fortunate if they offer women leadership positions." Gender activists view this hadith to be discriminatory and detrimental to the role of women. According to Ustadzah Faizah, the liberation of women by gender activists is a capitalist viewpoint that threatens Islamic law.³⁹

According to Mansour Fakhri's gender analysis, Ustadzah Faizah's viewpoint falls within the topic of women's marginalization. Marginalization is an attempt to diminish the roles of women in many industries. Women are viewed as lacking the credentials necessary to become leaders, including domestic leaders. Interestingly, this viewpoint originates from the woman herself.

In other content, MMC uploaded a video titled "Gender Equality in the Family, Why Make Trouble?" and "Family Gender Equality Causes Many Problems," which explains the criticism of United Nations (UN) Women, which states that traditional family relations (male as a priest, head of household, and wife as a housewife) are no longer suitable for 2/3 of the world's families. This is due to the fact that the family, which should be a sanctuary of safety, comfort, and peace, becomes a place where threats and violence cannot be escaped.

<https://www.youtube.com/watch?v=SgdEg83mgyQ>; Muslimah Media Center, "Apakah RUU Ketahanan Keluarga Sesuai Islam? | QnA by Ustadzah Ratu Erma - YouTube," accessed February 1, 2022, https://www.youtube.com/watch?v=_VMzRcJnwKM.

³⁸ Muslimah Media Center, "MMC Aceh: Narit Nanggroe_Kesetaraan Gender Merusak Perempuan - YouTube," accessed February 1, 2022, <https://www.youtube.com/watch?v=gd92yIRGRPE&t=111s>.

³⁹ Muslimah Media Center, "Ide Kesetaraan Gender Menyerang Islam | #QnA Ustadzah Suroboyoan | Part 1 - YouTube," accessed February 1, 2022, <https://www.youtube.com/watch?v=b8PEwiOih2o>.

In response, MMC noted that the mainstreaming of gender equality as a solution gave rise to additional issues, such as adultery and abortion. Fewer than a handful of women are depressed because they are overly preoccupied with seeking a career for survival, which distances them from their family. This occurs because women act contrary to their nature as domestic beings. Women are permitted to work with the condition that they do not overlook their primary responsibilities as mothers, wives, and housewives.

According to Fakih, this mentality is part of the marginalization attitude and a type of double load. Numerous media commentators explain this scenario by stating that the nature of women lies in the domestic realm. However, if the wife is, in fact, working for a living, household duties must still be performed.⁴⁰

In addition to MMC, the "Kebumen Mengaji" channel actively transmits anti-gender themes. Under the headline "Wife Must Obey Her Husband," Ustadz Dr. Firanda Andirja, MA explains that women are required to obey their husbands. Historically, if it is acceptable to prostrate to a deity other than Allah, then it is obligatory to prostrate to the husband. In addition, the Qur'an establishes that men are the leaders or rulers (*qawwm*) of women. Therefore, women must obey their masters. In actuality, the rights and position of the spouse are more essential than those of the parents. The husband has unrestricted authority to make choices, while the wife may provide suggestions. In addition, Dr. Firanda cites a hadith that states that the majority of Hell's residents are women since the majority of women are ungrateful for their husbands' gifts and disobedient to their spouses. The definition of obedience is based on the obedience of a housemaid; if the maid does not serve the employer, she is disobedient, much as judging a wife is based on the obedience of a housemaid.

The rhetoric against gender equality has a very high number of followers and subscribers. The function of each narrative agency is played out through a variety of mediums. Obviously, a robust network of strong economic, political, and media networks will reinforce the strategy for propagating this discourse.⁴¹

2. Supporting Equality

For groups who support equality, religious teachings provide an additional justification. The second group has a more substantive understanding of religious scriptures. Therefore they consider women and men as having the same place. The second group presents an approach to understanding religious texts based on reciprocity. This strategy is afterward termed as "Qir'ah Mubdal" This organization

⁴⁰ Muslimah Media Center, "Kesetaraan Gender Di Keluarga, Kok Malah Bikin Masalah?? | MMC Video - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=hN202b2KHtw>.

⁴¹ Kebumen Mengaji, "Istri Wajib Taat Pada Suami - Ustadz Dr Firanda Andirja, MA - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=xGMIqGGmcA>.

is engaged in expressing its ideas on equality and equality between men and women using various online platforms, including YouTube, Instagram, and articles.

Mubadalah YouTube accounts, Ngaji KGI (Islamic Gender Equality), and Video Jurnal Perempuan (VJP), among others, are among the media outlets that actively push for equality. Mubadalah is a mutualistic, egalitarian perspective on the interaction between men and women. Dr. Faqihuddin Abdul Kodir introduced the notion of "Muballah" in numerous writings; among his significant works is *Qir'ah Mubadalah; Progressive Interpretation for Gender Justice in Islam*. This viewpoint is then distributed via other platforms, including YouTube, Instagram, and websites. Mubadalah.id is involved in presenting reasonable and written contextual figures who support equality, such as KH. Husein Muhammad, Faqihuddin Abdul Kodir, Lies Marcoes Natsir, and Amina Wadud.⁴²

The mubadalah account is extremely active in delivering education about equality and pushing for women's rights through a variety of media outlets while expressing moderate religious beliefs. Kodir emphasized the need for contextual *ijtihad*, or the interpretation of religious writings so as to include new meanings that may not have been previously elaborated when it comes to comprehending religious literature. Does a text already incorporate both men and women in its meaning? In the event that this is not the case, then equal interpretation must be pursued, as the core concept of Islam is to include both men and women. Frequently, religious writings employ the "*taglib* (majority)" rule, which refers to terms that fundamentally incorporate the meaning of a male language, so that women are genuinely included, such as *al-mu'minn*, *al-basyar*, *al-insu*, *an-ns*, etc.⁴³

Also communicated by KH were equal relationships. Husein Muhammad in the book review event "Fiqh Women; Kiai's Reflection on the Interpretation of Religious and Gender Discourse," which was broadcast live on mubadalah.id. Husein Muhammad conveyed that the recitation of the Qur'anic verses must be performed comprehensively, not selectively. The principles of equality between men and women are clearly conveyed by the Qur'an, for example, it can be found in Surah An-Nahl verse 97 that men and women who do good in faith, will get the same reward. Another verse relates to the parameters of piety as a distinction between men and women and others. Therefore, in principle, the Qur'an has brought the teachings of equality and justice for humans without any gender discrimination.

Mubdalam is active in voicing equality through the mubdalam.id website and Instagram @mubdalam.id, in addition to delivering lectures and short movies on

⁴² Wadud is an American philosopher who has a strong interest in feminism, gender studies, and Islam. The gigantic "Qur'an and Woman" is one of his works. Amina Wadud, *Qur'an and Woman; Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999); Haifaa Jawad, "Muslim Feminism: A Case Study of Amina Wadud's 'Qur'an and Woman,'" *Islamic Studies* 42, no. 1 (2003): 107–25.

⁴³ Mubadalah, "Interpretasi Teks Qiraah Mubadalah - YouTube," accessed February 2, 2022, https://www.youtube.com/watch?v=sF002mc_67Y.

YouTube. The message of mubadalah (mutuality) between husband and wife, for example, is conveyed through the following image:



The image above is intended to illustrate the criticism that if the husband is required to obtain permission for his actions, then his wife must do the same. Typically, only women are required to seek permission, lest they be labeled as *nusyuz*, rebellious, etc., whereas husbands are free to engage in activities without seeking permission. Regarding *nusyuz*, which has long been connected with women, it turns out that it can also be attributed to men. The aspect of substance that is observed, rather than the subject's gender, can be understood. If he does something wrong, disobeys, or abuses it, regardless of his gender, he falls under the category of *nusyuz*.⁴⁴



⁴⁴ M. Quraish Shihab, *Perempuan: Dari Cinta Sampai Seks, Dari Nikah Mut'ah Sampai Nikah Sunnah, Dari Bias Lama Sampai Bias Baru*, 8th ed. (Ciputat: Lentera Hati, 2013), 320.

To understand the sociological, psychological, and political circumstances surrounding the revelation of verses and the dissemination of hadith, a critical-historical interpretation of religious texts is also essential. For example, in interpreting Surah al-Baqarah 282, the ratio of male to female witnesses is 2:1. This verse is frequently used to justify the superiority of men. Muballah.id discusses the significance of historical reading at the moment a verse was revealed in order to comprehend the scripture. The scripture was revealed during a time when women had poor bargaining power, their existence was disregarded, their birth was not anticipated, and polygamy was practiced without restriction. Therefore, the verse must be interpreted within a comprehensive framework in which women are initially viewed as objects and then as subjects whose testimony are admissible.

In addition to mubdalam.id, the YouTube and Instagram account "Ngaji KGI" (Islamic Gender Equality), which was founded by Dr. Nur Rofiah, Num. Uzm., are actively creating the concept of equality. In one of the articles, Nur Rofiah described the status of women in Islam. According to him, the influence of Islam

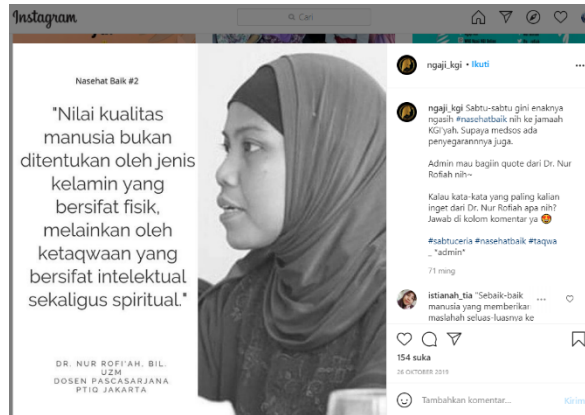


on the situation of women is extremely destructive. After the advent of Islam, Muslims were barred from leaving women as heirlooms, but prior to Islam, women were exclusively employed as tradable products.⁴⁵ In a different discussion, Nur Rofiah references letter at-Taubah verse 71, which underlines that men and women who believe in each other become each other's guardians or protectors (*awliy*). He underlined the use of "belief" in the context of the verse since only believers have an egalitarian and reciprocal worldview. There is a mistake in your faith if, while having faith, you continue to have a discriminating viewpoint.⁴⁶ "Ngaji KGI" is also distributed via Instagram in addition to its YouTube presence. Ngaji KGI actively arranges gender-related courses in Islam, which are conducted over the course of multiple online meetings. The Muslim community was so enthusiastic

⁴⁵ His argument that Islamic teachings need to be understood in light of their socio-historical context at this time was based on Surah An-Nisa verse 19. Islam and the Experience of Women in the Qur'an, the KGI Islamic learning circle. I Dr Hj Nur Rofi'ah, Bil Uzm - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=z5eokXekVPI>.

⁴⁶ Ngaji KGI, "Teori Dan Konsep Gender Dalam Perspektif Islam Muslimah Inspiring Class - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=VKGQRnEHNDg>.

about this activity that it had to be divided into multiple sections. Similar to mubdalam.id, KGI Qur'an disseminates egalitarian messages in the form of the following images:



The preceding message is a reflection of *Surah al-Hujart* verse 13 of the Qur'an. Nur Rofiah, who is also a lecturer in the science of interpretation, frequently explains a reading strategy for religious texts. In addition, the problem of equality derives from a misunderstanding of the distinction between religion and religious knowledge, *sharia* and *fiqh*, the *Quran* and interpretation. As a result, many variations are included in the sphere of interpretation, yet they appear to be the source of significant issues, as interpretation is also relative. This comprehension is also expressed by the following image:



In addition to the two accounts mentioned above, "Video Jurnal *Perempuan*" (VJP) also promoted the rhetoric of equality. Despite the fact that VJP is not founded on religion (Islam), some of its resources deal with gender discourse in Islam, including women in Islam, the history of polygamy in Islam, and Islam and feminism. Equal

opportunity speech is also disseminated in numerous media, although this is not a religious studies account that concentrates on equality discourse.

Religion and State Relationships in Gender-Related Discourse

In fact, the contentious connection between religion and the state (Islam) has existed for a very long time, even before the formation of the Republic of Indonesia. This is evident from the early constraints placed on the use of Islamic law in the Indonesian legal system. The state strives to negate Islamic law's preeminent role as an independent source of duty and authority. The Jakarta Charter is a non-state-based depiction of the standards that connect Indonesian Muslims to the implementation of *Shari'a*. This procedure is a method of preserving religious stability within the context of nationality. Islamist groups continue to contest the rejection of the Jakarta Charter, claiming that the state does not support Muslims.⁴⁷

Several regulations govern marriage for Muslim communities, including Law no. 1 of 1974, Compilation of Islamic Law, Law no. 16 of 2019, and others in the form of Supreme Court regulations, as well as the Supreme Court's Circular Letter. One of the issues addressed by the marriage law is the minimum age requirement for marriage. Article 7 of Law No. 1 of 1974 specifies that a marriage can be performed if the male is 19 years old and the girl is 16 years old. With the passing of Law No. 16 of 2019, this clause was revised to reflect reality, accommodate equality, and meet the needs of the times, stating that a marriage can only be performed if both parties are 19 years old

Regarding the age restriction, the Muslim community's perspectives and responses vary. The first group consists of people who oppose the age restriction on marriage, while the second group consists of those who support it. According to "Muslimah Media Center" YouTube Media, Ustadzah Ratu Erma is among those who vehemently oppose the restriction of the marriage age. According to him, neither the Quran nor the hadiths explain the marriage age clearly. According to Ustadzah Ratu, marriage in Islam is based on prophetic hadiths:⁴⁸

يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَعَصَى الْبَيْتَ وَأَخْصَنَ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ
فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ.

O young people! Whomever of you is able to marry should do so, for marriage is more capable of lowering the gaze and protecting the privates, and whoever is unable to do so should fast, because your fasting can protect you from doing evil.

⁴⁷ Usman Syaroni, *Dinamika Pelaksanaan Syariah: Perkawinan Dalam Kontestasi Agama Dan Negara* (Jakarta: LIPI Press, 2020), 1–2.

⁴⁸ Muslimah Media Center, “[LIVE] Provokasi Nikah Dini, Apa Yang Dicari? | Live Muslimah Bicara Eps.21 - YouTube,” accessed February 2, 2022, <https://www.youtube.com/watch?v=9-Av0c3WA6Y>.

There are other interpretations of the word "*al-Baah*," but this interpretation is mainly focused on the ability to engage in conjugal relations; otherwise, it is meant to mean sufficiency. Therefore, according to Ustadzah Ratu, Islam does not demand a minimum age for marriage, and this can be accomplished so long as the new family is supported. She opposes the viewpoints of equality advocates and women's rights advocates who assert that women under the legal age limit are not physically, economically, and psychologically prepared, other than due to impeded access to education. He opposes this premise and believes that the government and activist groups that advocate for marriage over the legal age limit are inconsistent because they do not also advocate for a prohibition on promiscuity.⁴⁹ Ustadzah Faizah added in a presentation titled "Revision of the Law on the Minimum Age Limit for Marriage Brings Danger" that the issue of marriage does not depend on age, and that biologically, if you are of age, you are ready to marry and have children, as the purpose of marriage is to preserve offspring.⁵⁰

In addition, the attitude of limiting the age of marriage is interpreted as an attempt to ban something permissible by *Shari'a*. Simultaneously, the government and activists fight something that the *Shari'a* prohibits but is nonetheless permitted, namely promiscuity. Therefore, marriage is the best strategy to prevent young people from engaging in adultery. Consequently, if the motive for limiting the age of marriage is economic, this is against *Shari'a*. This parallels the account of a young man who came to the Apostle and expressed his desire to get married, but due to limited financial resources, the Apostle was only able to supply an iron (non gold) ring. Therefore, the attitude that restricts marriage age based on economic considerations is a capitalist viewpoint.⁵¹

The second group maintains the opposing perspective; for instance, a young female priest, Nyai Umdah El-Baroroh, whose video was released to the YouTube channel "Mubidah," argues that underage marriage should not be practiced because it is not the greatest answer for them and instead creates new difficulties. The hazards that will be encountered are highly complicated, particularly for women, who will confront social, mental, biological, and other problems.⁵²

⁴⁹ Muslimah Media Center; Keberhasilan perubahan angka batas minimum perkawinan dipandang sebagai bentuk kemenangan kaum SIPILIS (Sekuler, Pluralisme, dan Liberalisme). Lebih lanjut dalam video MMC. Muslimah Media Center, "Batas Usia Nikah Dinaikkan Di Tengah Maraknya Pergaulan Bebas | MMC Video - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=mdpp2pR2fzQ>.

⁵⁰ Muslimah Media Center, "Revisi UU Tentang Batas Usia Minimal Pernikahan Membawa Bahaya | Part 1 - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=ayGPPDnXhrY>.

⁵¹ Muslimah Media Center, "[LIVE] Provokasi Nikah Dini, Apa Yang Dicari? | Live Muslimah Bicara Eps.21 - YouTube."

⁵² Mubadalah, "Muharram for Peace: Usia Anak Kok Menikah? Berkarya Lebih Kereeen!!! - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=U2reu5IcN90>.

Dr. Musdah Muslia said that the "Democracy Project" agenda's explanation concurred with the existence of the state to regulate the age limit for marriage. This acceptance argument and the rejection of juvenile marriage are supported by a number of facts, including the possibility of divorce in underage marriages. One of the factors contributing to the high divorce rate in Indonesia is the prevalence of marriages between minors. Divorce then produces further social issues. Countries that legalize child marriage in accordance with international norms and our law, for instance, are equivalent to those that disregard the principles of protecting children's rights. Second, marriages between minors are highly susceptible to domestic violence. This is due to their immature age, as marriage requires not only physical maturity, but also psychological, cerebral, social, and even spiritual development. Therefore, marriage is not only a sign of biological maturity, but also requires extensive preparation.⁵³

Thirdly, marriages between minors can lead to additional issues, such as sexual violence, because they do not fully comprehend the sexual rights that must be established between husband and wife. Fourth, marriage before the age of majority is detrimental to reproductive health because the reproductive organs may not be fully developed. Fifth, marriages between minors have led to the rise in maternal mortality.⁵⁴

In addition to regulating the age of marriage, polygamy is the most frequently contested aspect of family law. Indonesia is a country that still permits polygamy among the Muslim population, albeit subject to certain restrictions.⁵⁵ In comparison to Muslim countries, with the exception of Tunisia, which prohibits polygamy, it permits it under various conditions, such as Syria, Morocco, and Iraq, which restrict the permit of polygamy with the permission of the court. Pakistan must also obtain permission from the arbitration council. The law permits a wife who is married to consent to grant her husband the right to a divorce if he marries another woman.⁵⁶

Although polygamy is legal in Indonesia, some requirements must be completed. Article 5 of Law No. 1 of 1974 outlines the requirements, which include the acceptance or permission of the previous wife, the assurance that the husband can provide for the life of his wives and children, and the assurance that the husband would treat his wife and children decently. It turns out that not all Muslim communities accept these criteria in response to this. The primary reason is that the

⁵³ Islam dan Demokrasi, "[Democracy Project] Musdah Mulia Tentang Perkawinan Anak - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=3RGO9BKpotY>.

⁵⁴ Islam dan Demokrasi.

⁵⁵ Euis Nurlaelawati, "Expansive Legal Interpretation and Muslim Judges' Approach to Polygamy in Indonesia," *Hawwa* 18, no. 2-3 (October 28, 2020): 295-324, <https://doi.org/10.1163/15692086-12341380>.

⁵⁶ Amira Mashhour, "Islamic Law and Gender Equality: Could There Be a Common Ground?: A Study of Divorce and Polygamy in Sharia Law and Contemporary Legislation in Tunisia and Egypt," *Human Rights Quarterly* 27, no. 2 (2005): 577.

Shari'a does not stipulate such intricate standards. MMC submitted a response to polygamy with the heading, "This is the argument that polygamy is permissible; do you wish to rebut it?" It is argued that justice is not a requirement for polygamy but rather a requirement for husbands with four wives. This is due to the fact that the sentence of justice is not continuing with the initial sentence that has a conditional relationship but is instead the following sentence. Justice is nothing more than a law distinct from the first law.⁵⁷

In addition, the concept of justice intended by MMC is not absolute justice in all respects but rather justice within the constraints of a human's (husband's) ability to accomplish it, such as staying the night, food, clothing, and others. This is based on verse 2:228 of the Qur'an, which declares that Allah does not load a person beyond his capacity. In the case of love and sexual desire, however, fairness is not required because it is beyond one's ability and is not mentioned in the Qur'an.⁵⁸

In addition to the question of justice, the state compels a polygamous spouse to obtain consent from his former wife. Obviously, this requirement presents a challenge. The Qur'an does not demand explicit consent from the former spouse. This is deemed an attempt to confuse what the *Shari'a* has permitted. Ustadz Dr. Syafiq Riza Basalamah, MA, in a lecture titled "Should I seek my wife for permission if I want polygamy?" and uploaded to the Taman Heaven Youtube channel, explained that there is no requirement to ask the wife for consent.⁵⁹ Some explanations claim that consent is not necessary,⁶⁰ but a notification or information is necessary so that the wife is mentally and psychologically prepared

The second group communicated something different, emphasizing that polygamy is an emergency exit. M. Quraish Shihab stated this in an interview with Najwa Shihab titled "Marriage in Islam: Polygamy in Islam" Quraish emphasizes the role of the state as the consenting partner in polygamous marriages.⁶¹ In addition to Quraish, there are figures such as KH. Husein Muhammad, Nur Rofiah, Faqihuddin Abdul Kodir, and others actively advocate for a more monogamous marital principle in Islam and its implementation in the Indonesian setting.

In light of the aforementioned information, the first group tends to place the state in the opposite position. The state is overly involved in technical aspects that were not actually contained in the early fiqh, such as the limitation of the age of

⁵⁷ Muslimah Media Center, "Ini Dalil Bolehnya Poligami, Mau Disanggah? | MMC Video - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=DxqXfUkxvVc>.

⁵⁸ Muslimah Media Center.

⁵⁹ This video has reached 269.310 viewer. Taman Surga, "Haruskah Minta Izin Ke Istri Jika Ingin Poligami? - Ustadz Dr. Syafiq Riza Basalamah, MA - YouTube," accessed February 2, 2022, <https://www.youtube.com/watch?v=rk7nu6rgTOg>.

⁶⁰ Admin, "Poligami Tidak Harus Minta Izin Istri Pertama, Tapi Jangan Karena Nafsu - Ust Khalid Basalamah - YouTube," accessed February 2, 2022, https://www.youtube.com/watch?v=dsqcx_pkDkU.

⁶¹ Najwa Shihab, "Shihab & Shihab - Pernikahan Dalam Islam: Poligami Dalam Islam (Part 3) - YouTube," accessed February 2, 2022, https://www.youtube.com/watch?v=Z2_VHub7_G4.

marriage, the permission of the first wife for polygamy, and even in the context of unregistered marriage, which was deemed legally valid and not legally valid in the state. This viewpoint continues to differentiate between religion and state law. This is due to the perception that the state is not a religious organization. Muslims, on the other hand, who practice state law also practice religious law. The second category places religious law and state law in a mutually advantageous relationship, where religious law is not required to be formally applied but gains in principle value by being incorporated into state law (substantive ethics).

Therefore, according to Bourdieu, the media of today is a contested domain. Whoever controls the media also controls the conversation. Among the two groups that are the subject of this study, the groups opposed to equality and state Islamic law (exclusive) dominate the media in terms of intensity of discourse distribution and the number of followers. If followers are contextualized in the digital age, they become crucial to mainstream speech that is recognized and believed. Various techniques are implemented through the massification of the propagation of discourse through various media.

Family law is positioned differently by the two parties in the Indonesian environment. The positions of the two groups regarding the state differ. The first group's habitus recognizes that the state is not an integral part that must be followed as a reference, whereas the second group's habitus recognizes that state law cannot be divorced from the structure of Islamic law. In the media, the two perspectives compete to determine whose perspective (habitus) is the most prevalent and becomes a reference for the Muslim community. In terms of their power and capital to dominate the discourse, the first group often possesses more capital than the second. Obviously, this has a significant impact on the dominant discourse that develops on social media on the relationship between Islamic law, state law, and gender discourse. This study also verifies the findings of Kirana and Garadian that conservative organizations dominate social media.⁶²

In the framework of developing an egalitarian family law that does not contradict state legal standards, counter-discourse becomes crucial. In the middle of religious conservatism, the presence of the second group becomes crucial and strategic, particularly in terms of gender relations in family law and its place in state law. Additionally, in the context of the Muslim community, it is essential to pay attention to the media's discourse. If what is communicated is contradictory to the fundamental principles of Islamic values, namely benefit, equality, and justice, as well as the principles of state norms, it cannot serve as a reference.

Conclusion

Several inferences can be drawn from the discussion above. First, social media has provided a new forum for the dissemination of religious discourse, particularly

⁶² Kirana and Garadian, "Religious Trend in Contemporary Indonesia: Conservatism Domination on Social Media."

discourse on Islamic marital law. The discourse on gender becomes a discursive discourse that cannot be divorced from the discourse on family law. In response to gender relations in family law, there are two groups: those who oppose gender equality and those who support it. Second, each agent of the gender relations story, both the rejectors and the proponents, generates gender relations discourses in diverse media in vast quantities. Narrative agents can disseminate their discourse in a variety of methods, including through lecture or discussion models, videos or short films, quotes, images, and official website texts. Thirdly, in the framework of the relationship between religious law and the state, the first group emphasizes the state's tendency to play an exaggerated role in regard to religious law. The state governs some aspects that religion does not explain in detail, like the minimum age for marriage, the authorization of a previous wife for polygamy, and marriage registration. In contrast, the second group views religious law and state law as complementary viewpoints. Religion needs the state for administrative purposes in order to safeguard the rights of family members, whereas the state needs religion as the foundation of values in forming society. The second group recognizes that Muslims who adhere to state law are also adhering to religious law. Based on the aforementioned study, there are several conclusions, one of which is that religious authority in the media is split based on religious group affiliation, especially in family law discourse. The problem of authority in the media is no longer defined by the scientific capacity of a character but by who has the most media power and a huge number of followers. In addition, sources of religious discourse, particularly family law, have shifted to a variety of media.

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