

## WHERE IS THE GENDER JUSTICE? ANALYSIS OF NOVIA WIDYASARI'S SEXUAL VIOLENCE CASE FROM AN ISLAMIC FEMINIST PERSPECTIVE

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**Abstract:** *Indonesian Komnas Perempuan (National Commission on Violence against Women) and WHO (World Health Organization) reported that violence against women and children, especially sexual violence, is raising during the COVID-19 pandemic era. Such data triggers the authors to question why sexual violence against them persists, and so difficult to be eliminated? Lots of research and casual observation have been presented, many of which are blaming the victims instead of defending them. This present research aims at contributing in answering above questions by conducting qualitative, literature study using a feminist perspective on particular sexual violence experienced by late Novia Widyasari. In so doing we employ also Foucault's power relation and misogyny culture. We find there are imbalanced power position and misogynic narratives to blame the victim, and to save the life and career of the perpetrators. The deep and widespread of such practices, i.e. power abuse and misogynic attitudes hinder the effort for the elimination of violence, not only against women, but also against minority groups and the weak in our society, such as children, and disabled people.*

**Keywords:** *Gender; misogyny; power relation; violence*

**Abstrak:** *Komnas Perempuan Indonesia (Komnas Perempuan) dan WHO (World Health Organization) melaporkan bahwa kekerasan terhadap perempuan dan anak, khususnya kekerasan seksual, meningkat selama era pandemi COVID-19. Data tersebut memicu penulis untuk mempertanyakan mengapa kekerasan seksual terhadap mereka tetap ada, dan begitu sulit untuk dihilangkan? Banyak penelitian dan observasi telah dilakukan, Sebagian besar diantaranya justru menyalahkan para korban alih-alih membela mereka. Penelitian ini bertujuan untuk memberikan kontribusi dalam menjawab pertanyaan di atas dengan melakukan studi literatur kualitatif dengan menggunakan perspektif feminis tentang kekerasan seksual tertentu yang dialami oleh almarhum Novia Widyasari. Dalam melakukannya kami juga menggunakan hubungan kekuasaan Foucault dan budaya misogini. Kami menemukan ada posisi kekuasaan yang tidak seimbang dan narasi misoginis untuk menyalahkan korban, dan untuk menyelamatkan nyawa dan karir para pelaku. Mendalam dan meluasnya praktek-praktek tersebut, yaitu penyalahgunaan kekuasaan dan sikap misoginis menghambat upaya penghapusan kekerasan, tidak hanya terhadap perempuan, tetapi juga terhadap kelompok minoritas dan lemah dalam masyarakat kita, seperti anak-anak, dan orang cacat.*

**Kata Kunci:** *Gender; misogyny; power relation; violence*

## Introduction

Sexual violence has become a phenomenon that has long been a problem in the world. *World Health Organization* (WHO) or the World Health Organization noted that 1 in 3 women have experienced physical or sexual violence. Reported on BBC World News, this number has not decreased, and has even tended to increase every year since 2013. Latest study states that women who experience violence have a very wide age range, from toddlers 8 months to 80 years. One in four women victims of violence are aged between 15 to 24 years, and the violence was done by their closed relatives and partners. The survey was conducted before the pandemic, from 2000 to 2018 and was distributed in 161 countries in the world. Furthermore, WHO research states that as many as 641 million women in the world have experienced sexual harassment to the point of sexual violence and some of them even died.<sup>1</sup>

In Africa alone, for example, there are about 66,196 rape incidents per 100,000 population, then Bangladesh with 11,682 rape cases per 100,000 population. Next in line are India, Pakistan, China, Japan, the United States and Russia. The high rate of sexual violence is allegedly the result of many factors, both from the upstream to downstream sectors. The WHO report shows that women living in low-income countries, including countries in the Oceania Islands such as Fiji, South, Southeast Asia, Africa are at high risk of experiencing violence by their partners. It turned out that this was exacerbated by the pandemic, WHO researchers noted an increase during the COVID-19 pandemic and claimed that this phenomenon was a very worrying shadow pandemic.

Data from KOMNAS Perempuan (National Commission on Violence Against Women) in 2012 states that in Indonesia there are about 30 women who experience harassment to sexual violence every day. This data also shows that there are 4,336 cases of sexual violence experienced by women consists of 1,620 cases of rape and obscenity, 8 cases of rape, 118 cases of sexual harassment, and 403 cases of *trafficking for sexual purposes*. The latest data from Annual Records of KOMNAS Perempuan in 2020 recorded more than 299,911 cases of sexual violence, and 7000 of them were recorded as cases of violence against children. This figure is reduced by 31% from 2019 which recorded 431,471 cases. This is due to the decrease in the number of questionnaires distributed, not because of the decreasing number of cases. Complaint data increased by 60% in 2019, there were 1,413 cases to 2,389 cases in 2020. Meanwhile in 2021 from January to October 2021 KOMNAS Perempuan recorded 4,500 cases of sexual violence complaints, this figure has drastically doubled from the previous year.<sup>2</sup>

Recently, Indonesia is presented with very gloomy pictures of sexual assaults against women done by allegedly trusted people, at least by the victims. A teacher at a *Boarding School* or Modern Islamic Boarding School in Bandung, Herry Wirawan, has been reported and tried to have sexual harassment case against twenty-one (21) students of his. Another teacher of religion in Bekasi molested his female students in a boarding room of his Islamic

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<sup>1</sup> 'Satu dari tiga perempuan di dunia alami kekerasan fisik dan seksual, ungkap WHO', *BBC News Indonesia*, <https://www.bbc.com/indonesia/dunia-56342562>, accessed 15 Feb 2022.

<sup>2</sup> Komnas Perempuan, *Perempuan dalam Himpitan Pandemi: Lonjakan Kekerasan Seksual, Kekerasan Siber, Perkawinan Anak dan Keterbatasan Penanganan di Tengah Pandemi COVID-19. CATAHU 2021: Catatan Tahunan Kekerasan Terhadap Perempuan Tahun 2020* (Komnas Perempuan, 2021).

boarding school.<sup>3</sup> In a different timeline, an 18-year-old girl from Malifut, North Halmahera was found dead with rape and murder by the perpetrator using a rubber car windshield around the victim's neck. Sexual harassment and violence experienced by KPI (Indonesian Broadcasting Commission) employees by their seniors during 2012-2014 were kept hidden, only emerged in 2021. The victims were forced to strip naked.<sup>4</sup> Other examples of long silenced sexual harassments that only come into public surface in 2021 are sexual harassment on the Jakarta commuter line trains, three (3) children were raped by their biological father in East Luwu, South Sulawesi in 2021,<sup>5</sup> and the case of a student at the University of Riau who was sexually harassed by his supervisor.<sup>6</sup> There are certainly many more cases of sexual violence that have gone unreported.

One of the tragedies that just took place in 2021, and still fresh in our memory the case of sexual violence that resulted in the death of Novia Widyasari, a 23-year-old student from Mojokerto. Novia was raped by a police officer with the rank of Bripda named Randy Bagus. Novia ended her life at her father's grave after experiencing depression due to series of denial from Randy Bagus and his family. Novia got pregnant, and asked him to be responsible for their actions. Moreover, Randy Bagus' family denied Novia's allegations and cries, and they did not want the pregnancy to continue, because such might hinder the career of Randy in the police office. Physical and sexual violence, both verbal and non-verbal, was perpetrated not only by Randy Bagus but also by his family.<sup>7</sup> The death of Novia, a victim of sexual and verbal violence by her boy friend and his family is a tragic event. The tragedy that emerged is only a tip of bigger iceberg untold, it rings an alarm that Indonesia is indeed in a sexual violence emergency. For good reasons, there are also several victims of sexual harassment who dared to speak up, which made the list of sexual violence cases even longer.

The widespread of Novia Widyasari' case made many people grieve, sympathize, empathize and then this case became viral in cyberspace, especially in Twitter. Many

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<sup>3</sup> *Keluarga Korban Kecewa Herry Wirawan Divonis Penjara Seumur Hidup - Nasional Tempo.co*, <https://nasional.tempo.co/read/1561458/keluarga-korban-kecewa-herry-wirawan-divonis-penjara-seumur-hidup>, accessed 17 Feb 2022; *KPAI Minta Pemerintah Beri Akses KIP, KIS, dan PKH kepada Korban Herry Wirawan*, <https://nasional.kompas.com/read/2022/02/16/15361091/kpai-minta-pemerintah-beri-akses-kip-kis-dan-pkh-kepada-korban-herry-wirawan>, accessed 17 Feb 2022.

<sup>4</sup> Kompas Cyber Media, 'Pegawai KPI Korban Pelecehan Depresi karena Kasusnya Mandek, Sehari Harus Telan 4 Pil Penenang', *KOMPAS.com* (30 Dec 2021), <https://megapolitan.kompas.com/read/2021/12/30/22381351/pegawai-kpi-korban-pelecehan-depresi-karena-kasusnya-mandek-sehari-harus>, accessed 17 Feb 2022.

<sup>5</sup> Liputan6.com, 'Perjalanan Kasus Dugaan Kekerasan Seksual Ayah ke Tiga Anaknya Sendiri di Luwu Timur', *liputan6.com* (8 Oct 2021), <https://www.liputan6.com/regional/read/4678900/perjalanan-kasus-dugaan-kekerasan-seksual-ayah-ke-tiga-anaknya-sendiri-di-luwu-timur>, accessed 17 Feb 2022.

<sup>6</sup> Kompas Cyber Media, '5 Fakta Kasus Dugaan Pelecehan Seksual Mahasiswi Unri, Korban Curhat di Medsos hingga Dosen Jadi Tersangka Halaman all', *KOMPAS.com* (18 Nov 2021), <https://regional.kompas.com/read/2021/11/18/115644578/5-fakta-kasus-dugaan-pelecehan-seksual-mahasiswi-unri-korban-curhat-di>, accessed 17 Feb 2022.

<sup>7</sup> 'Profil Novia Widyasari Mahasiswi yang Bunuh Diri Ternyata Bercita-Cita Jadi Guru Demi Ini', *KOMPAS.tv*, <https://www.kompas.tv/article/239050/profil-novia-widyasari-mahasiswi-yang-bunuh-diri-ternyata-bercita-cita-jadi-guru-demi-ini>, accessed 17 Feb 2022; *Cerita Tragis di Balik Bunuh Diri Novia Widyasari, Mulai Hamil Hingga Aborsi*, <https://news.detik.com/berita-jawa-timur/d-5878633/cerita-tragis-di-balik-bunuh-diri-novia-widyasari-mulai-hamil-hingga-aborsi>, accessed 17 Feb 2022.

narrations of *retweets* and *replies* by *netizens* on the news column and facts from this case, most of them empathize, supporting the sentence for Randy Bagus; but there are not a few who still regard Novia is not a victim, it is Novia's fault that she got pregnant. They focused on Novia's involvement and denied the refusal of responsibility from Randy Bagus and his family, including their harsh verbal violence addressed to Novia. They used narratives of judgment from religion and culture with patriarchal perspectives. Hate speech, blaming victims That are always pointed at the victims of sexual violence make other victims fear to report, consequently many more sexual violence goes on unreported from time and again.

The patriarchal culture that tends to be misogynistic has become a discourse that should no longer be brought up in today's cases of sexual violence, because it does not end the subtle problems of it. Cases of sexual violence presented in previous paragraphs show that the perpetrators are in more advanced positions than the victims: teacher-students, children-father. Such unparalleled position is found in the case of Novia and Randy above. Randy Bagus is a uniformed police officer, and Novia Widyasari is a student. It is evidence that there is no inequality of gender relations between the perpetrator and the victim, which then becomes interesting to question several important things in this case. Why is it very difficult to eliminate sexual violence? Is it true that all this time in cases of sexual violence there has always been a power imbalance in the relationship between the victim and the perpetrator? What is the influence of misogyny culture in making sexual violence against women and children take place again and again? This anxiety makes the authors interested in exploring and analyzing the problems of power relations and misogyny culture in the case of sexual violence, by focusing on the case of Novia Widyasari.

From a feminist perspective, this has become the main issue being fought for. That the prosecution of *equality* between men and women so that there will be no more oppression in the form of sexual violence, especially for women. Feminism seeks to create a pattern of equal and fair gender relations in the family, social, economic and political life. That is why it is significant to look at the clause relationship between power relations and misogyny culture in the case of Novia Widyasari's sexual violence through an Islamic feminist perspective.

Based on the background of the problem above, the authors formulate the problems that will be discussed in this paper which also serves as a limitation of the problem of the paper, as follows: What and how power relations are defined and practiced? In what ways does misogyny culture operates in our community? How is the form and relationship between power relations and misogyny culture in the case of sexual violence experienced by Novia Widyasari analyzed from the perspective of Islamic feminism?

Feminism has produced significant contributions for knowledge or science development. Beginning from a social movement protesting discrimination against women, feminism has gone to embark on philosophy, research and epistemology.<sup>8</sup> Feminist qualitative research acknowledges that women are legitimate source of knowledge, just as men and other subjects are. Thus, it highlights the importance of women's experiences, expectations, difficulties as well as their ways of knowing and telling things. This present research employed case studies

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<sup>8</sup> Alexandra CH Nowakowski, 'Feminism as an Evolving Culture of Inclusion and Affirmation: A Review of Contemporary Feminist Research from Theory to Practice', *The Qualitative Report*, vol. 24, no. 10 (2019); Brooke A. Ackerly and Jacqui True, *Doing Feminist Research in Political and Social Science* (Red Globe Press, 2020).

method with data gathering using literature study or documentary analysis. Literature studies entails theoretical studies and other references related to values, culture and norms that develop in the social situation under study. The author uses reference to news media, journals and books to maximize research results. In addition, the author also uses observations on social media and some relevant references from credible and relevant. The data collection was carried out from December 2021 to February 2022. Apart from using feminist qualitative research, we are also limiting the discussion of Novia's sexual violence case by using power relation and misogyny framework. Both theoretical frameworks are discussed in the followings.

### **Misogynistic Culture and Islamic Feminism on Violence against Women**

Misogyny is a term for a state of mind or people who have hatred for women. The term misogyny (*mysogyny*) is etymologically derived from the words *misogynia* (Greek), namely *miso* (hate) and *gyne* (woman) which means *a hatred of women*, which developed into misogynism (*mysogynism*), which means an ideology that hates women. In addition, the term misogyny is analogous to a term derived from the English language *misogyny* which has the same meaning, namely hatred of women. The Popular Scientific Dictionary states that there are three expressions related to the term, namely *misogyny which* means hatred of women, *misogyny* which means feelings of hatred for women, and *misogynist* means men who hate women.<sup>9</sup>

Even though most of the perpetrators of this misogyny or misogynist are men, but not infrequently women are taking part in producing and reproducing such misogynistic attitude and practice. This is because this misogynistic point of view has long been socialized, structured by people in power -most of which have been men, and governing the everyday operation of most world communities. Misogynistic culture has become people habitus,<sup>10</sup> in which they produce and reproduce the views and social practice that hate and negate women.

The culture of misogyny is rooted in and is still perpetuated by the contestation that men must always be superior in everything to women. Such desire to put women in lower position is maintained, even nurtured by people in power who do not like to see women flourishing as they are. Therefore, they use various means to legitimize their claim for power and superiority. Knowledge and social reality are constructed to serve those in power to hegemonize the social discourse of everyday life. Misogynism will get stronger if it is supported not only by politician and scientists, but also by religious authorities.<sup>11</sup>

Normatively speaking, Islam puts women and men on equal footing. There are many Qur'anic verses and Prophetic traditions that command such equal status and roles of men and women. The interpretations of the texts done by scholars and religious leaders, however, have been varied. This is because the interpreters are influenced by cultural and intellectual

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<sup>9</sup> Sherly Dwi Agustin, 'Misogynistic Discourse in Academic Interpretation Discourse: Epistemological Study of Journals 2010 – 2019.', *Journal of Mushaf*, vol. Vol. 1, no. (1) (2020), pp. 25–52.

<sup>10</sup> Matthew Adams, 'Hybridizing Habitus and Reflexivity: Towards an Understanding of Contemporary Identity?', *Sociology*, vol. 40, no. 3 (Sage Publications, Ltd., 2006), pp. 511–28.

<sup>11</sup> Fatima Mernissi and Mary Jo Lakeland, *The forgotten queens of Islam* (Minneapolis: University of Minnesota Press, 2012); Fatima Mernissi, Mary Jo Lakeland, and Kali for Women (Organization), *Women and Islam: an historical and theological enquiry* (New Delhi: Women Unlimited, 2004).



storage they have. Some of them have fair views on the status of women and men, while many more are showing gender biases that put men as the standard of normativity. Muslim women have begun to enter the scientific debates on methods as interpretations on the Qur'an and hadith, such as Amina Wadud and Asma Barlas.<sup>12</sup> Both scholars have been welcomed by Indonesian Muslim feminists, who try to adopt the methodological points of views presented by Wadud and Barlas to perpetuate new interpretations over Qur'anic texts and hadith that address gender issues, such as marriage, inheritance, and violence.<sup>13</sup> Other international feminist scholars that addresses the issues of misogynic culture that resulted in social discrimination against women from perspectives of social sciences are Fatima Mernissi,<sup>14</sup> Saba Mahmood,<sup>15</sup> Azza Karam<sup>16</sup> and Valentine Moghadam.<sup>17</sup>

Tons of hadith recording the Prophet's journey and commands to protect women, not the other way around, and put men as protectors of women have been presented, yet in later years the gender friendly examples of the Prophet have been buried with misogynic cultures in which they lived. Muslim feminists point out that there are elements of strong patriarchal culture in places where Islam came to, such as in Arab and the surrounding area. Feminist Muslims believe that gender equality is one of the missions of the Prophet, this is reinforced by verses from the Qur'an and hadiths that defend women, elevating the status of women. However, gender bias is still found in several interpretations of hadith which then leads to misogyny interpretation and practices. On the basis of these reasons, Muslim feminists criticized and tried to return the biased path back to the teachings of the Prophet which was actually firm in defending women.

In social relations, the superiority of men also controls the norms and laws of decency unilaterally. The patriarchal culture which leads to misogyny occurs because of the dominance of certain groups over other groups. There are imbalanced power relations that create discrimination and discourse that legitimize those social injustice. The dominant group

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<sup>12</sup> Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York and Oxford: Oxford University Press, 1999); Asma Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an* (Austin: University of Texas Press, 2002).

<sup>13</sup> Nina Nurmila, 'The Indonesian Muslim feminist reinterpretation of inheritance', *Islam in Indonesia: contrasting images and interpretations* (2013), pp. 109–22; Alimatul Qibtiyah, 'Mapping of Muslims' Understandings on Gender Issues in Islam at Six Universities in Yogyakarta, Indonesia', *Al-Jami'ah: Journal of Islamic Studies*, vol. 56, no. 2 (2019), pp. 305–40; Siti Syamsiyatun, 'Muslim Women's Politics in Advancing Their Gender Interests: A Case-Study of Nasyiatul Aisyiyah in Indonesia New Order Era', *Al-Jami'ah: Journal of Islamic Studies*, vol. 45, no. 1 (2007), pp. 57–89; Siti Ruhaini Dzuhayatin, Lies M. Marcoes-Natsir, and Muh Isnanto, *Menuju Hukum Keluarga Progresif, Responsif Gender dan Akomodatif Hak Anak* (Yogyakarta: Suka-Press, PSW UIN Sunan Kalijaga dan the Asia Foundation, 2013).

<sup>14</sup> Mernissi, Lakeland, and Kali for Women (Organization), *Women and Islam*; Mernissi and Lakeland, *The forgotten queens of Islam*.

<sup>15</sup> Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject*, REV-Revised edition (Princeton University Press, 2005), <https://www.jstor.org/stable/j.ctvct00cf>, accessed 7 Dec 2020.

<sup>16</sup> Azza M. Karam, *Women, Islamism and the State: Contemporary Feminism in Egypt* (London: Macmillan Press, 1998).

<sup>17</sup> Valentine M. Moghadam, *Identity Politics and Women: Cultural Reassertions and Feminisms in International Perspective*. (Milton: Routledge, 2019), <https://public.ebookcentral.proquest.com/choice/publicfullrecord.aspx?p=5836308>, accessed 4 Nov 2020.

not only dominates physically, but also intellectually and culturally. Misogyny cultural ideology perpetuates this long process of social habituation that tend to legitimize violence to the subordinated subjects, such as women and minority groups in society. Consequently, sexual violence against women have been seen as normal in such misogyny culture; and when it occurs it must have been women's fault. The groups who have power in society dictate what is the truth about things, including in sexual violence.

### **Michel Foucault's Lens of Power and Truth for Sexual Violence**

Michel Foucault is one of the postmodernist thinkers who contributed unique ideas and thoughts that were quite influential in the development of human knowledge. His critical and sharp analysis of various phenomena, history, episteme, discourse, power, and knowledge is significant in providing a new perspective in postmodernism thought. However, his thoughts are still the subject of hot and interesting debate. Some of his books and works have become much in demand because of his writings that dare to break the domination of some people. In 1971, for one, Foucault launched *The Discourse on Language and Nietzsche, Genealogy, History*. This book shows Foucault's perspective on the relationship between power and truth.<sup>18</sup>

With an archaeological approach, Foucault in his work, *The Order of Things*, investigates the origins of human science. He divides European history into three periods, namely the Renaissance, Classical and Modern. According to him, there are differences in the episteme of the three periods, and one period is not a continuation of another period. Because history is not a connecting line between periods but is a discontinuous fragmented journey.<sup>19</sup> Furthermore, according to Foucault, knowledge is what a person can say in a discursive practice and cannot be specified by reality. Knowledge is a space where the subject can occupy a position and talk about the objects he recognizes in a discourse. Knowledge is the area of coordination and subordination where concepts are seen, defined, applied and transformed. Knowledge is determined by user possibilities and the customization provided by discourse.<sup>20</sup>

Furthermore, knowledge is not only a linear accumulation of truths or the origin of ratios, but also includes all forms of disconnection, fracture dispersion, shifting effects and various forms of interdependence which are reduced in the monotonous act of repeated foundations. - repeat. So, knowledge is not something that is *given* (it exists by itself) but can be formed and built by those in power. His opinion regarding the formation of knowledge by powerful subject is in a way mirroring Berger and Luckman's theory of the social construction of reality.<sup>21</sup>

From this, emerges what is called *episteme*, namely the whole relationship that unites discursive practice, at a time that gives rise to epistemological patterns, sciences and formal systems. *Episteme* entails the ways in which each discursive formation, transition to

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<sup>18</sup> Michel Foucault, *Archeology of Knowledge* (Yogyakarta: IRCiSoD, 2012); Alfathri Adlin, 'Michel Foucault: Kuasa/Pengetahuan, (Rezim) Kebenaran, Parrhesia', *Jaafi: Jurnal Aqidah dan Filsafat Islam*, vol. 1, no. 1 (2016), pp. 13-26.

<sup>19</sup> Foucault, *Archeology of Knowledge*; Adlin, 'Michel Foucault'.

<sup>20</sup> Adlin, 'Michel Foucault'.

<sup>21</sup> Peter Berger and Thomas Luckmann, *The Social Construction of Reality* (Harmondsworth: Penguin Book, 1966).

epistemology, scientific formulations and formulations are put in place and operate. The spread of thresholds is separated from each other in the arena of time shifts. The side relations that may exist between empiricist patterns in so far as these relations are part of other discursive practices, and are different. All is with its own discursive practice.

The genealogical approach used by Foucault is a point of view or perspective to disassemble and question an *episteme*, social practice and the human self. The critical description launched by Foucault mentions in an essay that the spread of discursive formations in the context of establishing the regime of the power of truth which was previously said to be scientific in nature cannot be separated from the limitations and controls of many non-discursive people. Foucault defines there are four domains in which discourse is considered dangerous, namely: politics (power), sexuality (desire), madness and in general what is considered true or false. Same with Nietzsche who identified the desire for truth and the desire for power. Foucault rejects that science is pursued for the sake of science itself, not for the sake of power. Discourse on madness, politics or sexuality is understandable as long as it is directed at the attainment of power. In this context, power is defined as repressive and sometimes even oppressive; namely the dominance between the subject and the object of power.<sup>22</sup>

Regarding power, according to Foucault, it is power that has been justifying something that is right or wrong. Truth is the result of power and knowledge itself. Power produces subjective truth, because it involves knowledge, then the truth becomes disciplinary. From there he wants to conclude that every society has its own politics of truth. In essence, according to Foucault, truth claims are the holders of complete power which are held by their subjects to dominate, on the basis of knowledge, more understanding of them, holders of truth claims have more power relations than their subordinates. Discourse gives rise to truth and knowledge. Knowledge creates the effect of power or creates power. power drives knowledge. There is no knowledge without power and no power without knowledge. The two are inseparable sides of the coin.

Foucault's theory of power relation and truth is adopted to analyze the sexual violence case encountered by Novia Widyasari from different lenses. We are looking at the relative personal position between Novia Widyasari and Randy Bagus, as well as their family and social status. How the problems are experienced and viewed from the perspective of a woman and her family compared to the perspectives of the man and his family. Such are to see the setting and contexts of power in producing the knowledge about sexual and verbal violence that took place that resulted in Novia Widyasari's suicide next to her father's grave.

### **Sexual Violence and Gender Inequality from Feminist Perspectives**

Feminism comes from the Latin word *Femina* which means woman. In terminology, feminism is a movement that demands equality and justice for the rights of women and men. It is through this perspective of equality that sexual violence is raised as an issue regarding the existence of gender inequality and the relationship between men and women. Perpetrators of sexual violence, who are mostly men, make up a long list of problems with gender inequality. The question is why this sexual violence often occurs in women? Why do men then feel

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<sup>22</sup> Adlin, 'Michel Foucault'.



entitled to the violence committed? Why is it that in many cases of violence the victims are women, but women are also the ones who are judged by their environment?

The role of men as strong, masculine and patriarchal cultural heritage is what reinforces this inequality. In a patriarchal society, our understanding of public authority is strongly influenced by our experience as head of the family. This understanding is then constructed into what men do if they are always right. Seidler (1988) mentions that until now men are stuck in the belief to prove their toxic masculinity, they must guard against the possibility of being humiliated by others if they look weak.<sup>23</sup> This effort to prove themselves against the construction of masculinity then makes it seem as if men have a form of authority and superiority over their subordinates, namely women. On the basis of this thought, many men then try to prove their superiority by controlling women's bodies as sexual objects only to end violence and even death to women who are considered objects.

### **Who Dictates the Narratives in Sexual Violence Case of Novia Widayarsi?**

It was Novia Widayarsi (23 years), a student at a University in Malang who ended her life on December 2, 2021 on the grave of her father at an Islamic Cemetery in Sugihan Hamlet, Japan Village, Sooko District, Mojokerto. Based on news quoted in the beginning of the paper, Novia and Randy met in October 2019; as time goes the relationship between the two turned into a romantic one. During their romantic relationship, they have had sexual intercourse. According to Novia, in a chat with her best friend, the sexual intercourse was not committed with consent from her. Instead, Novia had been given sleeping pills by Randy that made her unconscious before Randy committed sexual intercourse to her.

The repeated action of sexual intercourse had made Novia got pregnant. In past two unwanted pregnancies, Randy had successfully forced Novia to abort them, and she did. On the third pregnancy, Novia wanted to keep the pregnancy, and asked responsibility from Randy to the future of their life together by marrying her, at least. However, the answers she got from him was unfavorable ones. Instead of taking responsibility of what he has done to Novia that made her pregnant, Randy demanded again that Novia should have an abortion for the third time. Feeling sad, confused and frustrated by Randy's request, Novia then went to Randy's family. She told them the detailed accounts of her relationship with Randy, and her current pregnancy. She expected that Randy and his family would be responsible by asking Randy to marry her.

The months passed, marriage between Novia and Randy did not take place. The promises made by Randy and his family to help and address the difficult situation experienced by Novia were not fulfilled. In fact, Randy and his family had asked Novia to abort the pregnancy again on the basis saving of Randy's career. Currently, Randy is a police officer with the rank of Bripda and is starting his career. Marrying Novia will hinder Randy's status and career with the police system, so marriage should not take place. Instead, Randy

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<sup>23</sup> Mitchell L. Cunningham et al., 'Who's the "bigger" man? Parsing the relationships between masculinity and men's muscularity dissatisfaction', *Body Image*, vol. 34 (2020), pp. 94-100; Stratis Andreas Efthymiou, 'Nationalism, Militarism and Masculinity After the Construction of the Border', in *Nationalism, Militarism and Masculinity in Post-Conflict Cyprus*, ed. by Stratis Andreas Efthymiou (Cham: Springer International Publishing, 2019), pp. 23-53, [https://doi.org/10.1007/978-3-030-14702-0\\_2](https://doi.org/10.1007/978-3-030-14702-0_2), accessed 30 Oct 2020.

came to see Novia with some specific pills, forced her to take them to abort the pregnancy. The drug caused Novia have a severe miscarriage, and led her to a deeper frustration. To make the long story short, Novia was found dead, committed suicide next to her father's grave with a letter and cyanide beside it.

This Novia's death case was widely discussed on social media. The case *blew up* hidden stories of much more sexual violence that have been experienced by silenced women. There expressions of sympathy to Novia's case from various groups, from celebrities, common people to gender activists. The netizens demanded gender justice over the sexual case. Activists for gender equality have also spoken and demanded the same justice. After some time, finally the National Police Chief opened his voice and stated that this case would be completed and Randy was named a suspect in the abortion case.<sup>24</sup>

Novia's sexual violence and death case, create a wave of seeing sexual violence. The frenetic defense and condolences and sympathy for women victims have increased. After the case went up, many victims of sexual harassment and violence who have long been silenced by the misogyny culture dared to express what they experienced. The case of Novia is a symbol of resistance to the oppression of women. Activists, academics flocked to create narratives in the form of resistance. Kalis Mardiasih, a gender activist, for example, wrote an open letter to Novia Widyasari and expressed her disappointment with the situation.<sup>25</sup>

In this current research the authors focus the discussion on the narrative sides presented by people involved, especially that from Novia and Randy's family. In sexual intercourses with consent or without consent would have different consequences for men and women, physically, psychologically and socio-culturally. Physical impact of such intercourse action may result in women's pregnancy, but nothing changes in men body. Men would never get pregnant because of their sexual actions. It is much easier for men to avoid the unwanted impact of sexual intercourse, and to avoid responsibilities afterwards. When women got pregnant out of marriage, people would blame them, as regard them as immoral, and have bad character. But in many cases people forgot that women could not get pregnant all by themselves -except Lady Maria, the Mother of Prophet Isa. People overlooked who had made these women pregnant. Accordingly, our communities tend to punish women for being naughty, immoral, and try to discipline them by variety of means, such as by secluding them in the house, made them wear hijab, and shut their mouths. Unfair treatment for women seems to be normal in misogyny culture whereby men are in the power to rule as proposed by Foucault.<sup>26</sup>

Imbalance power relations can also be seen in the case of Novia's pregnancy. Women's pregnancy would have long term consequences, such as changes in hormonal production and later on when the baby is born. Abortion over pregnancy would also has many consequences from the point of views of mental and physical health. Without the supports from the partner

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<sup>24</sup> Liputan6.com, 'Bripda Randy, Polisi Pacar Novia Widyasari Resmi Dipecat', *liputan6.com* (27 Jan 2022), <https://surabaya.liputan6.com/read/4871471/bripda-randy-polisi-pacar-novia-widyasari-resmi-dipecat>, accessed 20 Feb 2022.

<sup>25</sup> Liputan6.com, 'Viral Surat Kalis Mardiasih untuk Novia Widyasari: Aku Tak Mau Menutupi Namamu, Sebab Kamu Bukan Aib', *liputan6.com* (6 Dec 2021), <https://www.liputan6.com/showbiz/read/4729226/viral-surat-kalis-mardiasih-untuk-novia-widyasari-aku-tak-mau-menutupi-namamu-sebab-kamu-bukan-aib>, accessed 20 Feb 2022.

<sup>26</sup> Adlin, 'Michel Foucault'.

and family a woman would feel difficult to either continue the pregnancy or abort it. In the case of Novia, she already did abortion twice. We do not know what did she experience with those abortions so that when she got pregnant again for the third one she wanted to keep it.<sup>27</sup> We can assume that abortion is not an easy matter whereby people can do that anytime. From the story, we understand that Randy had forced Novia to swallow the pills to abort her third pregnancy. The reasoning ground used by Randy and his family is that marrying Novia and having a child will destroy the young police who is climbing the ladder of better position "Korban meminta penyelesaian, dengan meminta menikah juga meminta pelaku pada orangtua pelaku untuk menikah pada bulan Agustus 2021, itu ditolak dengan alasan masih ada kakak perempuan dan juga mempertimbangkan karir dari pelaku".<sup>28</sup> The refusal of responsibilities from Randy's part finally led Novia to commit suicide. The frustration felt by Novia was denied by many netizens expressed in social media such as follow:



<sup>27</sup> Agustin, 'Misogynistic Discourse in Academic Interpretation Discourse: Epistemological Study of Journals 2010 - 2019.'; Hamim Ilyas et al., *Perempuan tertindas?: kajian hadis-hadis 'misoginis'* (Yogyakarta: ELSAQ Press : Pusat Studi Wanita (PSW), UIN Sunan Kalijaga, 2005).

<sup>28</sup> Rio Rizky Pangestu, *Roundup: Alasan Bripda Randy Tak Mau Menikahi Novia Widyasari Terbongkar, Kampus Buka Aib - Pikiran-Rakyat.com*, <https://www.pikiran-rakyat.com/nasional/pr-013182434/roundup-alasan-bripda-randy-tak-mau-menikahi-novia-widyasari-terbongkar-kampus-buka-aib>, accessed 8 Mar 2022; Tri Hastuti, *Ini Alasan Bripda Randy Bagus Tolak Menikahi Novia Widyasari - Berita Subang*, <https://beritasubang.pikiran-rakyat.com/nasional/pr-1333182135/ini-alasan-bripda-randy-bagus-tolak-menikahi-novia-widyasari>, accessed 8 Mar 2022.



From this episode, again we see how people tried to save the man, at least did not blame the perpetrators, instead they disregarded the woman victim. These are examples of misogynist narratives addressed to the victim.

It seems that the future life of Novia, a university student, is not important. Her psychological and physical wellbeing as being a pregnant woman was not taken into account. The only consideration Randy and his family want has been the status and future of Randy, “Komisi Nasional Anti Kekerasan terhadap Perempuan (Komnas Perempuan) menyebut Randy Bagus Hari Sasongko yang menjadi tersangka dugaan pemaksaan aborsi terhadap Novia Widyasari menolak menikahi korban dengan alasan mempertimbangkan karier”.<sup>29</sup> Novia’s future is not important. The life of a young police man -Randy, is more important than the life of a young student -Novia.

It is clear, that seen from a feminist perspective, Randy and his parents had subordinated Novia, by considering Randy’s career in police office is more important and Novia’s life as a student. Unequal power relation can be found in this case, whereby Novia had no power to bargain, except by taking her own life. As described above, the misogyny culture is still perpetuated by Randy’s parents. Feminism reveals that male violence is the basis of men’s social control over women. The fact that the rape experienced by Novia was carried out by a member of a police officer also perpetuates the oppression agenda. The image of a police officer embedded in a patriarchal social structure is that a police officer must be brave, masculine, strong, powerful. Such social imaginary is then used by a few people to strengthen their power relations with others. The authors discover several forms of gender inequality in this case including Randy’s position that seems to legitimize the practice of rape and abortion.

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<sup>29</sup> ‘Komnas Perempuan: Randy Bagus Tolak Nikahi Novia Demi Karier’, *nasional*, <https://www.cnnindonesia.com/nasional/20211206221752-12-730675/komnas-perempuan-randy-bagus-tolak-nikahi-novia-demi-karier>, accessed 8 Mar 2022.

The narrative that women would thwart men's careers in this case is a form of clause relationship between power relations and misogyny culture. The doctrine of masculinity which is generally pinned on men is found to be one of the causes of inequality in relations. In fact, these doctrines emerge from the surrounding environment. When there is a case of sexual violence, such as rape, the first thing to blame is anything attached to the victim. What a tragedy of misogyny and imbalanced power relation we find here.

Patriarchal culture seems to see women mostly as their sexual objects instead of co-subjects on the romantic endeavor. The powerful men dictate what is acceptable in social life, an example of which is having sex with women as they please, and avoid responsibility when the respective women got pregnant. They stereotype women as weak, immoral, and submissive. Instead of promoting responsibility, the powerful men created narratives that blaming the women victims. Narratives such as women are seducers, men commit sexual intercourse because women have dressed improperly, are examples of misogyny point of view. It is always women's fault when things go wrong.<sup>30</sup> Women are required to guard themselves, when in fact men also have the power to lower their gaze.

It is partly because of that misogyny culture and imbalanced power relations that have made women victims to keep silence and not report their cases to authority. They fear of receiving more blames from the communities for being immoral, seducer women in addition to their deep sufferings and grievances. Because of this habitual attitude sexual violence against women occurs in time and again. Like a vicious circle, sadly, this patriarchal culture leads to misogynism; it has also formed truth claims in the name of decency and religious norms which victimize women. As such according to Foucault take place because people with higher social structures and with more knowledge are regarded the guardian of the truth.

Muslim feminists have tried voice their views to oppose the misogyny and imbalanced power relations. They have done so through different methods and using different media. Muslim feminist scholars, such as Siti Ruhaini Dzuhayatin,<sup>31</sup> Alimatul Qibtiyah,<sup>32</sup> Nina Nurmila<sup>33</sup> and Faqihuddin Abdul Kadir<sup>34</sup> have produced counter discourse to promote gender justice and equality. This gender justice idea can be used to examine cases of sexual violence and unwanted pregnancy by integrating and taking into accounts the voices, experiences and expectations of both sides. According to their reading, the Qur'an as a reference to the principles of Islamic society, basically recognizes that the position of all people, men and

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<sup>30</sup> Ilyas et al., *Perempuan tertindas?*; Agustin, 'Misogynistic Discourse in Academic Interpretation Discourse: Epistemological Study of Journals 2010 - 2019.'

<sup>31</sup> Siti Ruhaini Dzuhayatin, *Rezim gender Muhammadiyah: kontestasi gender, identitas, dan eksistensi* (Yogyakarta: Pustaka Pelajar, 2015); Siti Ruhaini Dzuhayatin and Jan Edwards, 'Hitting our Heads on the Glass Ceiling: Women and Leadership in Education in Indonesia', *Stud. Islam. Studia Islamika*, vol. 17, no. 2 (2010).

<sup>32</sup> Qibtiyah, 'Mapping of Muslims' Understandings on Gender Issues in Islam at Six Universities in Yogyakarta, Indonesia'.

<sup>33</sup> Nina Nurmila, *Women, Islam and everyday life: renegotiating polygamy in Indonesia* (London: Routledge, 2011).

<sup>34</sup> KH. Husein Muhammad et al., *Modul kursus Islam dan gender: dawrah fiqh perempuan* (Cirebon, Jawa Barat Indonesia: Fahmina Institute, 2007); Faqihuddin Abdul Kodir and Fahmina Institute (Cirebon), *Fiqh anti trafiking: jawaban atas berbagai kasus kejahatan perdagangan manusia dalam perspektif hukum Islam* (Cirebon: Fahmina Institute, 2006); Taufan Anggoro, 'Konsep Kesetaraan Gender dalam Islam', *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies*, vol. 15, no. 1 (2019), pp. 129-34.



women are the equal; men and women are respectable human beings. Both have the same obligations and rights as a member of social and religious communities; both are created from one *nafs*, so there is no superiority over one another.

### **Conclusion**

Cases of sexual violence are often experienced by women, for example, recently there was sexual violence against Novia Widyasari, a student by her boyfriend Randy Bagus, a police officer with the rank of Bripda. Through this label, we know that there is an imbalance in relations, furthermore, the status of naughty women is often pinned if the victims *speaks up* about their bad experiences of sexual violence. Consciously or not, the *labeling* and judgment that is often carried out by our society is a form of misogynistic culture that is still around us forever. That the proclamation of men with all their advantages, and accusations of wrongdoing against women in this sexist case is a misogynistic discourse.

Sexual violence stems from the domination of men over women, in other words, there is inequality in power relations and gender inequality. This is due to the dogmas of truth claims and wrong perceptions about it which are criticized by Muslim feminists. Muslim feminists bring the discourse of the abolition of subordination to women. But the fact is that every time there is a case of sexual violence there is still a narrative that lowers the criticism as something unfounded so that inequality continues. Sexual violence will continue if the gender inequality and misogynistic culture is still rooted and perpetuated by the community, even though this is not in accordance with the ideals and vision and mission of the Prophet.

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**Muhammad gubyon** @descart... · 1h

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1. pacaran (haram)
2. mengumbar aurat (haram)
3. bunuh diri (haram)

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wallahualam 🙏

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