

## Women in the Public Sphere and Religious Discourse Interpretation in the Post-Conflict Aceh

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### Abstract

*This article aims to discuss women and their access to the public sphere after a long term of the last three decades of armed conflict in Aceh. As many occurred in the other most conflict regions, women are mostly victims of any regime policies, either in political or economic access. This article would like to elaborate more on how women's position perceived within Acehnese society in the post-conflict Aceh since 2005? Furthermore, how are religious doctrines being interpreted regarding women's issues in the post-conflict Aceh? By combining literature reviews and interviews as the primary source of data collection, this article argues that the long army conflict in Aceh and unfortunate Aceh's current political context are the leading cause of women's position degradation in Aceh and not because of the religious interpretation contestation. Thus, even though the formal sharia implementation has taken place in Aceh since 2002, male political domination and contestation have influenced women's position degradation in contemporary Aceh's public sphere.*

**Keywords:** Women, Post-Conflict Aceh, Sharia, Public Sphere, Religious Discourse

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## **Introduction**

Discussing women's position and their role in the public sphere is always interesting. Many things can be put forward to examine women's position through cultural and historical aspects or even in normative religious interpretation. From the cultural and historical aspect, it could be seen how is women's position perceived by a nation within its community in their cultural perception and experience throughout their history. Meanwhile, religious interpretation deals with religious beliefs embraced by the people depending on their faith and religion. In this regard, how are women perceived within religion's value and doctrine being interpreted in shaping perception about women's position in society?

It is increasingly challenging to be studied and analyzed in deep, regarding women's position and role in the public sphere, especially in a post-conflict region. Many aspects are engaged in shaping and producing women's position in a post-conflict community perception: social, political, economic, and religious aspects.<sup>2</sup> One is related to the others that could not be separated from each other because women's position is entirely related to how they are perceived socially and politically and religious norms and values within its society.

This article would like to discuss women's chance of participation in the public sphere after the last three decades, conflict in Aceh between the Indonesian Army (TNI) and the Free Aceh Movement (GAM). Aceh, in the past three decades, is a region that had fallen into a prolonged armed conflict between the center and region (central-periphery). As shown by many studies conducted on post-conflict areas, besides causing severe casualties and trauma to the people, women are real victims who suffered the immense impact of the conflict. Various forms of violence can befall women, ranging from physical violence, rape, beatings, torture to other forms of mental

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<sup>2</sup> See, for instance, Birgitte Sorensen, "Women and Post-Conflict Reconstruction: Issues and Sources," *WSP Occasional Paper*, No. 3, June 1998

violence. Furthermore, women are considered to be unfit to act and participate in the public sphere. They could not play an essential role in making decisions in society, with no access to economic capital and other things.<sup>3</sup>

This unfortunate condition worsens in the post-conflict Aceh after the formal sharia implementation, which has taken place in Aceh since 2002. Sharia's formalization through by-laws (Qanun Aceh) has been accused of the primary factor of the degradation of women's status in Aceh to a lower position in the public sphere.<sup>4</sup> As explained by Juergen Habermas (1991), what is meant by the public sphere is that the availability of space for critical discussion is open to everyone. In this public sphere, private citizens gather to form a public, where the "public reason" will work as a supervisor of state power.<sup>5</sup> Women's position in the post-conflict Aceh could be seen and examined through restricted opportunities for political participation and economic access.

This article is based on research conducted in East Aceh (Langsa) and Central Aceh (Takengon). Although both regions shared similar characteristics as the post-conflict area with a predominantly Muslim population, both have different characteristics in terms of political army affiliation, where East Aceh (Langsa) was close to the Free Aceh Movement (Gerakan Aceh Merdeka). In contrast, Central Aceh (Takengon) was affiliated with the

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<sup>3</sup> Sentiela Ocktaviana, Widjajanti M. Santoso dan Dwi Purwoko, "Peran-Peran Perempuan di Wilayah Konflik: Antara Korban, Penyintas dan Agen Perdamaian," *Jurnal Masyarakat & Budaya*, Vol. 16, No. 3, 2014, pp. 386-390.

<sup>4</sup> See, for instance, Human Right Watch (HRW), "Abuses in the Application of Sharia in Aceh, Indonesia" in <https://www.hrw.org/report/2010/11/30/policing-morality/abuses-application-sharia-aceh-indonesia>, 2010, accessed November 19, 2019.

<sup>5</sup> See J. Habermas, "The Public Sphere" in C. Mukerji; M. Schudson (Eds.) *Rethinking Popular Culture. Contemporary Perspectives in Cultural Studies*. Berkeley/Los Angeles: University of California Press, 1991, p. 398.

Indonesian Army (TNI). By looking at the impact of the conflict for the citizen, especially women, this article would like to discuss to what extent the possibility of women and their chance of participation in the public sphere either in economic access, political participation, or even decision making within society after a long term of conflict in Aceh between Indonesian Army (TNI) and Free Aceh Movement (GAM). This article argues that the long army conflict in Aceh and unfortunate Aceh's current political context is the leading cause of women's position degradation rather than religious interpretation and contestation, particularly after the formal sharia implementation in Aceh since 2002. To prove this, it could be argued here that besides women mostly being the victim during armed conflict, the same condition in the post-conflict that contested either in economic access or political participation is mainly dominated by ex-combatant. Sharia formalization that the central government chose to end the conflict was just in the periphery.

This article will combine literature reviews and interviews as the primary source of data collection as the methodology. The literature reviews will be done through a bibliographical analysis on women's issues and their position—either historically or currently—in Aceh. Meanwhile, the interviews will be conducted purposively with academicians, activists, and Ulama in Aceh.

To this end, the next section will provide a literature review on women in the post-conflict Aceh. This is followed by a discussion on women in religious interpretation within an Islamic perspective. After presenting Acehnese women's accounts in history, this paper examines current political context contestation and religious interpretation about women in the public sphere post-conflict Aceh.

### **Women in the Post-Conflict Aceh: Literature Review**

The long-run armed conflict in Aceh in almost three decades since the 1970-s between Free Aceh Movement

(GAM) and the Indonesian Army (TNI) mainly has contributed to putting Acehese society on the periphery of daily life as the oppressed and the victims. The protracted conflict, which ended with the Helsinki Peace Agreement in 2005, somehow still hides away a new potency of conflict shifting from vertical (between Acehese and Jakarta central government on the imbalance of economic distribution) to horizontal (among Acehese themselves, for instance: ex-combatant to grab power and sovereignty). However, this situation leads to a male-dominated position in the public sphere and giving women little chance and access to participate broadly.

As explained by Habermas (1991: 398), the principles of the public sphere involve an open discussion about all issues that are of general concern, where discursive arguments (informal and not strictly directed to a particular topic) are used to determine common interests. Thus, the public sphere presupposes freedom of speech and assembly, free press, and the right to freely participate in political debate, economic access, and decision making.

The public sphere is seen as a domain of social life where public opinion can be formed. The citizen plays the role of a private person who is not acting on behalf of a business or private interests but dealing with general interest matters to form a public sphere. There is no intimidating force behind the public sphere, but its citizens assemble and unite freely to express their opinions. A public sphere is an essential requirement to mediate between state and society and, in an ideal situation, permits democratic control of state activities. A record of state-related activities and legal actions has to be publicly accessible to allow discussions and public opinion formation.

Many studies were conducted regarding women's role in Aceh's public space after the time of conflict. They show that women in Aceh did not play a more significant role within Acehese society as in the past because the pattern in Aceh is still traditional, which is based on

patrilineal relationships. As indicated by a field study done in South Aceh, it was found that some women organizations and local NGOs in Tapaktuan that concern with economic access, women empowerment, as well as human resource development have succeeded in arousing self-confidence and self-reliance among women in South Aceh in developing economy for their family. Unfortunately, in terms of decision making within society, men are still dominant and determinant. Even if women are involved in decision-making through political efforts at the executive level, only to a limited degree, so they are not playing significant roles in public spaces, specifically in governmental institutions.<sup>6</sup>

Similarly, another study on women's experience in East Aceh indicates that women had mainly subjected to violence during the military operation and armed conflict in East Aceh. By using a feminist perspective, women's typology of violence based on their experience is found, namely: physical violence, sexual abuse, psychological violence, and economic violence. Even patriarchy was a form of subjugation on women's sexuality. Finally, the impact of violence experienced by women victims of conflict during the military operation and armed conflict had caused deep trauma for women until they claimed that they could never forget the suffering experience.<sup>7</sup> This trauma, however, has a profound impact on women until the post-conflict era.

The study on the marginalization of Acehnese women in the conflict time and the post-conflict is also shown by Mohd Nor & Inayatillah (2011). The study seriously looks at women's roles and positions in the governmental system and other institutions in the contemporary

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<sup>6</sup> See Analiansyah, "Peran dan Kiprah Aktivis dan Pemimpin Perempuan Aceh Selatan pada Konflik dan Pasca Konflik Aceh," *Takammul*, Vol. 6, No. 1, January-Juni 2017, pp. 28-51.

<sup>7</sup> See Nurjannah, "Women as Victims of Violence in East Aceh (A Study about the Experience of Women through Feminist Perspective)," *Research on Humanities and Social Sciences*, Vol. 5, No. 24, 2015, pp. 127-139.

context. The study profoundly learns the factors that have triggered women's marginalization in the public sphere in the post-conflict Aceh that could be seen from their involvement in the political arena and women's ability to occupy decision-making positions (as the executive). However, women's limitation in achieving essential public positions is influenced by many factors, including ideology and government policy and social changes and modernization.<sup>8</sup> In conclusion, excluding Acehnese women from public spaces is primarily caused by internal and external factors, protracted conflicts, and the region's modernization process.

The same condition on women in the post-conflict Aceh was also applied to legislative and judicative institutions. In the contemporary context, Acehnese women have limited access or opportunity and lack strategic positions in many institutions. The facts suggest that women's role in Aceh has changed, mainly in public spaces, where women have been slowly marginalized in the public sphere compared to previous times that actively played an essential role in society. However, no fact shows that women in Aceh have been set back. It has been proven that many women survived the prolonged regional conflict between central government Jakarta and the Free Aceh Movement.

Furthermore, Mohd Nor & Inayatillah (2011) also insist that to know and explore the involvement of Acehnese women in politics could be seen and examined by looking at women representatives in the legislative institution. For the last few years, women's involvement in the legislative institution has been minimal, as shown by the number of women in the Aceh National House of Representatives (DPR), whether at the province or region level. Meanwhile, from an economic standpoint, women in the post-conflict Aceh also often face obstacles in accessing capital for their family's economic development

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<sup>8</sup> See Mohd Roslan Mohd Nor & Inayatillah, "Women's Marginalization from Public Spaces: The Case of Aceh," *Asian Women*, Vol. 27, No. 4, 2011, pp. 55-74.

efforts. Even though several fund sources have been prepared for women and economic empowerment, both by the Ministry of Social Affairs and Women's Empowerment, they are still ineffective and inefficient.<sup>9</sup> As a result, social assistance aimed at the family's economic independence did not form an independent family personality. Instead, it relied on the aid for consumptive rather than productive purposes.

The following table shows the lacks of women participation in the Legislative Body at the district level of Aceh as the result of the general election in 2019 as follow:

Table 1. Members of Local Representative

<b>No</b>	<b>District</b>	<b>Men</b>	<b>Women</b>	<b>Total</b>
<b>1</b>	Aceh Tamiang	19	11	30
<b>2</b>	DPRD (Aceh Province House of Representative)	72	9	81
<b>3</b>	Pidie	33	7	40
<b>4</b>	Sabang	15	5	20
<b>5</b>	Langsa	21	4	25
<b>6</b>	Siemeleu	16	4	20
<b>7</b>	Nagan Raya	21	4	25
<b>8</b>	Lhokseumawe	21	4	25
<b>9</b>	Subulussalam	17	3	20
<b>10</b>	Aceh Tengah	26	4	30
<b>11</b>	Banda Aceh	26	4	30
<b>12</b>	Singkil	22	3	25
<b>13</b>	Aceh Tenggara	27	3	30
<b>14</b>	Aceh Selatan	27	3	30
<b>15</b>	Aceh Barat	23	2	25
<b>16</b>	Bireuen	37	3	40
<b>17</b>	Aceh Timur	37	3	40
<b>18</b>	Gayo Lues	19	1	20
<b>19</b>	Aceh Jaya	19	1	20
<b>20</b>	Aceh Barat Daya	24	1	25
<b>21</b>	Pidie Jaya	24	1	25
<b>22</b>	Bener Meriah	24	1	25

<sup>9</sup> See, for instance, Eka Srimulyani, "Women, Micro-finance and Income Generation after the Political Conflict and the Tsunami in Aceh," *Asian Journal of Women's Studies*, Vol. 19, Issue 1, 2013.



<b>23</b>	Aceh Besar	34	1	35
<b>24</b>	Aceh Utara	44	1	45

Source: Komisi Independen Pemilu Aceh tahun 2020  
(Independent Committee of Aceh Election year 2020)

A similar conclusion on women's position in the post-conflict Aceh is also shown by research conducted in Aceh Jeumpa region (Bireuen) and West Aceh (Meulaboh) by Affiat (2011), as a LINA (Liga Inong Aceh) activist. This study elaborated more on women's participation in decision-making in Aceh's districts and how women are related to power and the state, either in the general election for parliamentary election or head of region election (governor or regent). In general, Aceh province has not yet significantly improved women's position in legislative or political leadership. Several factors affect this, including internal party hindrance, patriarchal culture, lack of women's capacities and motivation, and lack of women's awareness at the grassroots level regarding social and political participation.<sup>10</sup>

Opinions over women's involvement in the public and political sphere are varied, but there is a general tendency to adopt more conservative views on gender roles. Socio-cultural factors are the most vital influential factors in determining women's position in the society in Aceh. However, this conclusion should be highlighted here to see the current situation of women's position in Aceh is more influenced by the socio-political context and patriarchal relationship, which are still determinant rather than religious normative reasons.

Whenever the notion of women's participation and leadership arises, the discussion, according to Affiat (2011), is directly framed to be about 'gender equality,' and about the dichotomy between 'Western ideas' vis à vis 'Eastern'/'Islamic'/'Acehnese' ideas. Talking about women's participation and leadership can also be

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<sup>10</sup> See Rizki Affiat, "Women's Participation in Decision-Making Processes in Post-Conflict Aceh," *Aceh Peace Follow Up Project*, EU: Crisis Management Initiative, 2011.

perceived as a criticism or an offense to the *adat* values integral to Acehnese identity. Like an Acehnese proverb says, *hukom ngon adat lagee dzat ngon sifeut* (the law and the custom in Aceh are like twins, inseparable).<sup>11</sup> However, this view often fails to consider *adat* itself as a norm is flexible and changes throughout history. Thus, improving women's participation in the decision-making process would lead to Aceh's better development and enrich its *adat*.

Meanwhile, based on field research done in Bireuen and Meulaboh, Affiat (2011) concludes that in social level, there is still a strong perception, mainly amongst men, that in general, women are fit to be in the administrative or the second level of leadership, but *unfit* to be political leaders or decision-makers at higher levels such as Bupati or Governor. Several reasons that were given for this include the interpretation of Islam that only men can be leaders, women's main priority should be domestic roles; or there were no hindrances or limitations from men and institutions, but the women themselves were less assertive or could not take the opportunities; and that the issues of women's participation in public and political spheres were part of such Western ideas as 'gender equality' and 'human rights.'<sup>12</sup>

To sum up, gender inequality in the community and at the grassroots level remains relatively untouched by improving women's participation in the decision-making processes. This condition appears to be precipitated by a lack of political commitment and support from Aceh's local government because Aceh's current political context is a mixture of patronage, masculinity, communality, ideology, and vested interests contestation.<sup>13</sup> This condition worsens post-conflict because political power

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<sup>11</sup> Lukman Munir (ed.), *Menuju Revitalisasi Hukom dan Adat Aceh*, Banda Aceh: Yayasan Rumpun Bambu, 2003

<sup>12</sup> Rizki Affiat, "Women's Participation in Decision-Making Processes in Post-Conflict Aceh,"...

<sup>13</sup> Rizki Affiat, "Women's Participation in Decision Making Processes in Post-Conflict Aceh"

and economic access are still dominated by ex-combatants who currently play essential roles in decision-making and sovereignty.

### **Women in the Islamic Religious Interpretation?**

As a revealed religion, Islam has put the core value within its principles on brotherhood (*ukhuwwah*) and equality (*musawah*) related to men and women's position in their entire life. That value could be concluded and understood from many verses in the Quran, which mentioned that women who are believers have the same shared opportunity and being as the partners (*syarikah*) of men in many various situations and different aspects of life.<sup>14</sup> This value, which is firmly based and rooted in Islam's primary sources, i.e., Quran and *hadith*, has broadly been accepted and implemented among Muslim society in the time of revelation to abolish the customs, traditions, and inequality circumstances of a pre-Islamic Arab society (*jahiliyyah*).

However, this view on men and women in the Islamic perspective remains within the Muslim society framework until al-Quran's inequality interpretation came to the surface. This inequality interpretation, then, became "the mainstream interpretation" by arguing with some proofs and evidence, quoted from al-Quran for then perceived as a legitimated authority to give the right meaning and interpretation of al-Quran, where it is close to "authoritarian" rather than "authoritative" interpretation.<sup>15</sup>

However, such inequality interpretation, then, to be justified with some limitations perceived to belong to women in terms of intellectual deficiency, less reliable, less credible in a particular situation which could be categorized as some inherited psychological and sociological prejudices among society. To support this

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<sup>14</sup> Husni Mubarrak, "In Search of Islamic View of Justice on Women Testimony," *Ijtihad*, Vol. 16, No. 2, 2016, pp. 282-284.

<sup>15</sup> Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, Oxford: One World, 2003, pp. 98-140.

view, some verses in the Qur'an such as shown in verse (2:282) regarding women testimony which required two women and one man, in case of the absence of two men as the witness, was used to justify that such limitation as to the obstacle of an equal condition between men and women.

It is uneasy to define when the interpretation of imbalance position between men and women within Islamic discourse arose until it was somewhat accepted. However, some contemporary Muslim scholars stay in front, rejecting such interpretation that loosens the essence of Islamic justice, which states the equality of men and women.<sup>16</sup> Other critiques also delivered in different senses dealing with imbalance position and power of men and women within Islamic society, as demonstrated through some contemporary work.

According to a Muslim feminist, Amina Wadud, the condition of inequality of men and women could not be separated from the traditional verse-by-verse method of Qur'anic exegesis (*tafsīr bil ma'tsūr*), which along dominated by male practitioners, thus has marginalized female experiences in understanding revelation.<sup>17</sup> Similarly, such interpretation of inequality has also been broadly criticized by Mernissi, who pointed out that the religious scholars' criticisms are not so much that they found their misogyny confirmed by God's revelation.<sup>18</sup> However, both Wadud and Mernissi showed us—to somehow—tension of male-dominated interpretations among the Muslim jurists and scholars in the classical era, which almost ignored the ethical equality of Islam's principles.

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<sup>16</sup> See for further Fatima Mernissi, *The Forgotten Queens of Islam*, Minnesota: University of Minnesota Press, 1997.

<sup>17</sup> Amina Wadud-Muhsin, *Quran and Woman*, Kuala Lumpur: Penerbit Fajar Bakti Sdn. Bhd., 1994, pp. 1-2.

<sup>18</sup> Fatima Mernissi, *The Veil and the Male Elite. A Feminist Interpretation of Women's Rights in Islam*, New York: Addison-Wesley Publishing Company, 1992, p. 127.

The interpretation of inequality between men and women ultimately indicates a tension between Islam that ethically egalitarian and historically determined. Abou El Fadhl also delivers this conclusion to define religious authority and religious authoritarian regarding women's manners and activities in the public sphere. By examining the *fatwa* (non-binding Islamic legal opinion) issued by CRLO (Council for Scientific Research and Legal Opinions), an Islamic religious institution in the Kingdom of Saudi Arabia, Abou El Fadhl criticizes that many fatwas issued dealing with women issue are mainly based on misogyny rather than the most nuanced understanding of Islamic legal reasoning which are corroborated by interpretation of evidence and proofs.<sup>19</sup>

These findings are ultimately significant to know and demonstrate the mainstream interpretation of women's position within Islamic discourse throughout history, which are likely the same from classical to modern. This unfortunate imbalance interpretation, however, then becomes the mainstream interpretation that shapes understanding about women within society. Mostly reasons proposed by the al-Quran commentators to indicate imbalance position between men and women are that women inherently deficient in reason and religion (*nāqishāt al-'aql wal dīn*). Also, the woman's different biological nature made her more prone to forget than a man and woman's psychology, precisely her motherly instincts, that prevented her from possessing the objectivity.<sup>20</sup>

This imbalance interpretation of men and women position does not necessarily represent the Islamic view on women, because as a revealed religion, Islam has put the core value within its principles on brotherhood

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<sup>19</sup> See Khaled Abou El Fadl, *And God Knows the Soldiers: The Authoritative and Authoritarian in Islamic Discourses*, Lanham, Md.: University Press of America, 2001.

<sup>20</sup> See Mohammad Fadel, "Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought," *International Journal of Middle East Studies*, 29/2, 1997, pp. 186-194.

(*ukhuwwah*) and equality (*musawah*) related to the position of men and women in the whole life.

### **Acehnese Women within History**

Women in the Acehnese culture and tradition have an immense role and position within the Acehnese family and society. In Acehnese tradition, the women have the same equity of the right as the men and have the same chance to participate and actively contribute to the family or society. Even it is known a term of "po rumoh" to mention a housewife that she is the real owner of the house, giving the woman power over the majority of household decisions; more than just a wife in a family which has a restricted area and domesticated position in the society. Historically, women in Aceh have negotiated an Acehnese-Islamic structure in various ways. During colonization and conflict (by both the Dutch and the Indonesian Central Government), women did not fall to the wayside; they were ascetics, rulers, and military leaders.<sup>21</sup>

Many historical studies show that Acehnese women played important roles since the era of women Sultanate when they governed the Aceh Darussalam Kingdom in the 17th century. A long time ago, before the Sultanate of Aceh Darussalam, indeed, a woman had also taken the role of a Sultan and governed the Samudra Pasai Kingdom, called Nihraiyah Rawangsa Khadiyu (1400-1428). This fact could be read on the grave of one of the Kings of the Samudra Pasai Kingdom. Furthermore, in the middle of the seventeenth-century, four women leaders were leading the Aceh Darussalam Kingdom: Sultanah Taj al-Alam Safiyyat al-Din Syah (1641-1675 M), Sultanah Nur al-'Alam Nakiyyat al-Din Syah (1675-1678 M), 'Inayat Syah Zakiyyat al-Din Syah (1678-1688 M) and Kamalat

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<sup>21</sup> Jacqueline Aquino Siapno, *Gender, Islam, Nationalism and the State in Aceh: The Paradox of Power, Co-optation and Resistance*, New York: Routledge Curson, 2002, p. 25.

Syah (1688-1699 M).<sup>22</sup> This proof shows how egalitarian Aceh was in the historical era.

Moreover, Acehnese women's roles in public space became apparent during the war between the Acehnese people and the Dutch colonial power in the 19th century. During this prolonged struggle, there were occurrences of heroes in defending religious values and the nation. It was shown that women in Aceh were involved in the war and were also in positions as leaders, which continued in the modern era.

To get a broader perspective and better understand women's position in Aceh, three different periods in Aceh's modern history will be highlighted. Those three periods are as following: (1) the pre-independence period (1873-1945); (2) the period of the conflict between the Indonesian Army (TNI) and the Free Aceh Movement (GAM) from (1976-2005); (3) the period of Sharia implementation (2002-present). Although there are differences among these periods, those are strongly related to each other and significantly contributed to shaping the perception about women's position in Aceh after the implementation of Sharia.

The pre-independence period begun after the Dutch colonial had declared war against the Aceh Sultanate in 1873. In this period, women in Aceh were actively involved in the war against the Dutch. During the colonialization, women did not fall by the wayside: they were ascetics, rulers, and even military leaders, as shown by Cut Nyak Dhien (1848-1908), Cut Meutia (1870-1910), and Laksamana Malahayati (1550-1615) through their struggle. Even Malahayati remains in the popular consciousness, and she is with no doubt the only admiral whose name has been kept in memory. Indeed, a *crucial hadith Maja* (proverb) encapsulating the four pillars of 17th-century Acehnese society refers to a "Laksmana"

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<sup>22</sup> See Sher Banu A L Khan, "The Sultanahs of Aceh, 1641-99" in Graf, Arndt. Susanne Schroter & Edwin Wieringa, *Aceh: History, Politics, and Culture*, Singapore: ISEAS-Yusof Ishak Institute, 2010.

who is identified as Malahayati by contemporary Acehnese: "*Adat Bak Po Teumeureuhom, Hukom Bak Syiah Kuala, Kanun Bak Putroe Phang, Reusam Bak laksamana*" (*Adat* is from Po Teumeureuhom (Iskandar Muda), *Hukom* is from Syiah Kuala, *Kanun* is from Putroe Phang, *Reusam* is from Laksamana).<sup>23</sup>

Besides, looking further back into the Aceh Sultanate's history, women in Aceh played an essential role as community leaders. This situation is also confirmed by the existence of the term *po rumoh* in Acehnese language, which means the real owner of the house, having power over most of the household decisions and thus being much more than just a wife in a family, with a restricted area and a domesticated position within the Acehnese society.

After the independence of Indonesia in 1945 where Aceh became a part of the country, during the nation-building and development, imbalance of power-sharing, as well as economic injustice between the central government in Jakarta and Aceh province (previously was an independent Sultanate), has led into a prolong of armed conflict between Indonesian Army (TNI) and the Free Aceh Movement (GAM) since 1976. During this time, women have become both armies' victims, mostly through sexual harassment and rape. The women's condition in this period was as stated in a Malay proverb: "*bagai pelanduk di antara dua gajah*" ("like a mouse deer between two giant elephants").<sup>24</sup>

To end and resolve the prolonged armed conflict between center-periphery (Jakarta-Aceh), which had been going on for more than three decades, the Central Government proposed implementing Islamic sharia law in the Aceh region formally. This proposal was inspired by the historical account when the resurgence of the Islamic DI/TII (Darul Islam/Tentara Islam Indonesia) in Aceh

<sup>23</sup> Lukman Munir (ed.), *Menuju Revitalisasi Hukom dan Adat Aceh*,...

<sup>24</sup> See for further: Irmawati & Siti Aisyah, *Catatan Relawan Muda Jejak Korban Konflik Aceh di Mata Mereka*, Banda Aceh: Bandar Publishing, 2020.



emerged and took place in 1953, which ended by Perjanjian Lamteh in 1959.<sup>25</sup> However, the proposal of formally sharia implementation in 2002 could be read as politically motivated, rather than based on straight Islamic sharia reasons and urgent need.<sup>26</sup>

So it could be concluded here that the offer of sharia implementation in Aceh besides it should be applied within the Indonesian constitutional framework, it was also formally implemented in the time of conflict; even the beginning years of sharia implementation in Aceh was the time of martial law and military operation (2003 and 2004) against rebels the Free Aceh Movement (GAM).<sup>27</sup>

Next conclusion that could be summed up here, of course, the implementation of Sharia within the conflict time was dangerous and mostly has degraded humanity and human right, including the right and opportunity for women in the public sphere. Unfortunately, this continuation of history was not read as a whole and unity. Women's position degradation within current Acehese society is unfairly seen and more accused by religious interpretation and contestation during Islamic sharia implementation rather than continuation and impact of prolonged armed conflict in Aceh.

### **Between Political Context and Religious Interpretation**

As mentioned above, the women—in Acehese tradition—not only have the same equity of the right as that as to the man but also have the same chance to take

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<sup>25</sup> Nazaruddin Sjamsuddin, *The Republican Revolt: A Study of the Acehese Rebellion*, Singapore: ISEAS, 2000.

<sup>26</sup> See Arskal Salim, "Shari'a from Below" in ACEH (the 1930s-1960s): Islamic Identity and the Right to Self Determination with Comparative Reference to the Moro Islamic Liberation Front (MILF), *Indonesia and the Malay World*, Vol. 32. Issue 92, 2004; Husni Mubarrak, "Sengkarut Syariat Atas-Bawah," *Journal Gelombang Baru*, 4, 2009, pp. 111-122.

<sup>27</sup> See Husni Mubarrak, "Sengkarut Hukuman Rajam dalam Rancangan Qanun Jinayat Aceh," *Jurnal Sosio Religia*, Vol. 9, No. 3, 2010.

part and actively contribute to the family or society. Even it is known a term of "po rumoh" to mention a housewife that she is the real owner of the house, giving the women power over the majority of household decisions; more than just a wife in a family which has a restricted area and domesticated position in the society.

After prolonging armed conflict which took place in Aceh during the last three decades which continued by the formal implementation of Islamic Sharia in Aceh to end the conflict, however, it has mostly contributed to shaping a new face of Aceh that became a changing Aceh (*Serambi Mekah yang Berubah*) in its many aspects of life: socially, culturally, identity as well as religiously affairs.<sup>28</sup>

The long-run armed conflict in Aceh in almost three decades since the 1970-s between the Free Aceh Movement and the Indonesian Army mainly contributed to putting Acehnese society on the periphery of daily life as the oppressed the victims. The protracted conflict, which ended by Helsinki Peace Agreement in 2005, hides away a new potency of conflict shifting from vertical to horizontal, as can be seen in the current time. The leading cause of conflict is still around the struggle of power and authority in its all various types. The elites in Aceh can be seen how to grab the authority and give meaning to everything dealing with religious discourse, particularly related to women in the community and the public sphere.

On a social level, for instance, there is still a strong perception, mainly amongst men, that women are fit to be in the administrative or the second level of leadership but *unfit* to be political leaders or decision-makers at higher levels. Several reasons that were given for this include the interpretation of Islam that only men can be leaders, women's main priority should be domestic roles; or there were no hindrances or limitations from men and institutions, but the women themselves were less assertive or could not take the opportunities; and that the

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<sup>28</sup> See Arskal Salim & Adlin Sila (ed.), *Serambi Mekkah yang Berubah: Views from Within*, Jakarta: Pustaka Alvabet dan ARTI, 2010.

issues of women's participation in public and political spheres were part of such Western ideas as 'gender equality' and 'human rights.' This perception later tried to be justified by some religious normative and religious discourse interpretation.

However, this unfortunate imbalance of power between men and women is currently perceived as taken for granted and then shaped by the male's social-political control. Even during the conflict era, attention to the women who are mainly involved and suffered because of conflict did not get enough attention. Based on a study done by Clavé (2014) shows that the existence and role of women combatants, the *inong balèë*, were almost negated in the conflict between the Free Aceh Movement/ Gerakan Aceh Merdeka (GAM) and the Indonesian state army (1976-2005). This condition, however, left a damaging impact on the contemporary recognition of women combatants.<sup>29</sup>

On the other side, some reasons regarding women's degradation in the public sphere are addressed to the formalization of sharia law. As criticized by many scholars or researchers, some Islamic sharia regulation has impeded women's freedom in Aceh through *hijab* (veil) policy, *khalwat*, and caning as the sanction. Formally Sharia implementation in Aceh is described as encompassing more than an individual's responsibility to follow a set of legal codes or personal beliefs besides social engineering.<sup>30</sup>

Suppose the mentioned view is more tendentious in terms of Aceh's political nature, which is still patriarchal, thus placing women in the periphery. In that case, an academican is given a different view, which is also

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<sup>29</sup> ElsaClavé, "Silenced Fighters: An insight into Women Combatants' History in Aceh (17th-20th c.)", *Archipel* 87, 2014, pp. 273-306.

<sup>30</sup> See ReedTaylor, "Syariah as Heterotopia: Responses from Muslim Women in Aceh, Indonesia," *Religions* 6, May 2015, pp. 566-593; R. MichelFeener, *Shari'a and Social EngineeringThe Implementation of Islamic Law in Contemporary Aceh, Indonesia*, Oxford: Oxford University Press, 2014.

concerned with the study of family and women, Agustin Hanapi. According to him, in Aceh's post-conflict, women's conditions are getting better and freer in their activities, without any fear and worry. Even women are never shackled, especially by Islamic sharia law. However, it merely seems like propaganda voiced by those who do not like Islamic law's formalization.<sup>31</sup>

A different comment but in similar taste is also given by Fauzi Saleh, an academician who is also actively involved in Ulama Representative Assembly (Majelis Permusyawaratan Ulama) MPU Banda Aceh. He said that Acehnese women must improve themselves in various lines and aspects after the conflict on a different occasion. Due to the newly improved condition, women must gradually be upgraded in terms of education, economy, and culture. It could not be denied that there was a little unfortunate condition in the post-conflict. However, everything now is open in terms of economics and politics, so that it needs women's effort should be optimum.<sup>32</sup>

Regarding this issue, a more objective study proposed by Siappno (2011) concluded that the Acehnese have never had bad experiences with Islamic law, and even it could intertwine in life in a series of customs (*adat*) and the Shari'a in peace and harmony. So, making Islamic law application as the "scapegoat" for the degradation of women's position in the public sphere in post-conflict cannot be justified. Siappno further looked at the problem of degradation of women's position in the post-conflict Aceh due to political factors and economic access, which was more male-dominated.<sup>33</sup>

Last but not the least, Aceh's current political context nowadays is a mixture of patronage, masculinity, communality, ideology, and vested interests contestation (Affiat, 2011), so that gender inequality in the community

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<sup>31</sup> Interview with Agustin Hanapi, October 6, 2019.

<sup>32</sup> Interview with Fauzi Saleh, October 7, 2019.

<sup>33</sup> See Jacqueline Aquino Siappno, "Syari'a Moral Policing and The Politics of Consent in Aceh," *Journal Social Difference-Online*, Vol. 1. December 2011. Accessed September 12, 2018.

and at the grassroots level remains relatively untouched by the efforts to improve women's participation in the decision-making processes. This condition appears to be precipitated by a lack of political commitment and support from Aceh's local government.

### **Conclusion**

This article has discussed women and their participation in the public sphere after a long-term armed conflict in Aceh. By researching East Aceh (Langsa) and Central Aceh (Takengon), this article finally affirmed what had been done by previous studies on women in the public sphere in the Aceh post-conflict era, which are still marginalized. Although both regions (East Aceh and Central Aceh) shared similar characteristics as the post-conflict area with a predominantly Muslim population, both have different characteristics in terms of political army affiliation.

In Acehese tradition, the women have the same equity of the right as the man. However, they also have the same chance to actively contribute to the family or society; their current relations and situation are imbalanced. As many occurred in the other most conflict regions, women are mostly victims of any policies conducted, either in political or economic access.

This unfortunate condition worsens in the post-conflict Aceh after formal sharia implementation, which has taken place in Aceh since 2002 which be later assumed and even accused, has mostly contributed to degrading women Aceh in a lower position as the second-class citizens, subalterns, incompetent. There are many reasons raised in this regard, ranging from physical limitations to the argument of religious interpretation that strengthens the pattern of patriarchy and women's position as the weak who only accept all decisions. However, women's current situation in Aceh is more influenced by the socio-political context and patriarchal relationship, which are male-dominated still determinant rather than religious normative reasons.

**Conflict of Interest:**

The authors declare that they have no conflict of interest.

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