



WOMEN'S RIGHTS ADVOCACY IN ISLAMIC FAMILY LAW: STUDY OF AL-QUR'AN VERSES

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Abstract

This article is written to find out the rights of women and the guarantee of fulfillment of women's rights advocacy in Islamic family law based on verses from the Qur'an and Indonesian positive law. The Qur'an explicitly regulates and guarantees women's rights in Islamic family law, including the right to express and be asked for opinions, the right to education and achievement, the right to be a leader, to work, the right to feel safe, comfortable and worship, the right to reproductive health, the right to choose a life partner, the right to marry at a mature age, the right to carry out marriage according to Islam, there is a dowry, and it is recognized by the state, the right to get physical and mental sufficiency from the husband, the right to divorce, the right to inherit both as a child, mother, wife. The guarantee of the fulfillment of women's rights advocacy in the Islamic family is also clearly regulated in Indonesian positive law in the form of legal guarantees, social guarantees, institutional guarantees and international guarantees that have been ratified in Indonesian law with Law Number 7 of 1984.

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I. INTRODUCTION

Islam is a religion that brings and provides peace, prosperity and tranquility. Of course the law in the Islamic family should be in accordance with the Qur'an and the clear and perfect sunnah and everything has been completely regulated. However, there are still many women's rights that are not appropriately applied in everyday life. Many things make women always low and only become servants, slaves, and "women" are expected to be weaker and carry out traditional roles as family supporters. Not being considered obedient can easily hurt women and make it difficult for women to have a family and often not have their complaints, opinions and rights heard. In fact, the Prophet gave an example of protecting and loving each other as in Surah Al-Baqarah verse 187, namely:

هُنَّ لِبَاسٌ لَّكُمْ وَأَنْتُمْ لِبَاسٌ لَّهُنَّ

Meaning: "They are clothes for you and you are clothes for them ." (QS. Al-Baqarah [2]: 187).

For example, in recent cases, there has been a lot of sexual violence that has been carried out on women, a doctor, against the families of patients who are waiting for their parents to be treated. This is supported by the statement of Valentina Sagala, a founder of the Women's Institute, and a lecturer at the Jayabaya Postgraduate Program, according to her, the state is increasingly far from its responsibility to protect women's human rights, such as the patriarchal culture in Aceh and social stigma, the weak

socialization of the Sexual Violence Crime Law (UU TPKS) which is worryingly disturbing Islamic law, even in Central Kalimantan, indigenous women are often marginalized from managing natural resources throughout 2023, 5,812 cases of violence were recorded in Indonesia. Of that number, 56 percent of cases occurred on the island of Java.

Just as a woman who has become a wife has a responsibility that is not easy, and light in living a household life, especially in conceiving, giving birth, breastfeeding, and caring for her children, not to mention the conditions since her girl experienced menstruation, which each woman has a different body condition that she feels, some are sore, dizzy, nauseous, emotional, and others. The importance of gender in society lies in its influence on its separation in the form of tasks and roles that are also different between "men" and "women". Many people misunderstand the position of women so that in remote areas there are still many women who are powerless due to lack of education, have no control to speak and express opinions, such as forced marriage, not getting good reproductive education so that miscarriage and resulting in the health of the woman, even the effects on the fetus or child born. This is supported by customs that have become customs so that it is commonplace but very worrying, especially before the arrival of Islam, traditions and culture of pre-Islamic societies often placed "women" in low and unappreciated positions.

So there is advocacy on women's rights where advocacy comes from advocacy in English which means support or defense for a party or a particular issue (Hasudungan, 2024). Based on these problems, of course advocacy is needed in handling cases involving women's rights in Islamic Family Law. So in the author's research in this article, it will explore how Advocacy for Women's Rights in Islamic Family Law: A Study of the Verses of the Qur'an.

II. RESEARCH METHODS

This research uses a library research approach or library research which relies on the main sources of existing literature. In this method, namely normative research. The data sources used in this study are primary data in the form of the Qur'an and regulations such as Laws, Supreme Court Regulations by examining the verses of the Qur'an, and regulations regarding advocacy of women's rights in Islamic family law and positive law. Secondary data in the form of books, scientific journals, articles related to advocacy of women's rights. Thus, from these legal materials, they are analyzed using qualitative methods.

III. RESULTS AND DISCUSSION

Women's Advocacy Rights In Islamic Family Law Based On Verses Of The Qur'an.

Advocacy is one of the ways or forms of action that is very important to do in a case, advocacy is defined as a process or form of action to defend, influence and support something or someone with the process of identifying problems, formulating solutions, building awareness and political will, implementing policies, and evaluating. Many women's rights can be carried out and become supporters

in everyday life and have an impact on the family if fulfilled, then the family will be happy. Because behind a happy wife and mother will transmit the whole house and a healthy environment, happiness also encourages the growth and development of children and also the peace of mind of the husband, so women's rights should not be underestimated or belittled by society or the internal environment such as in the family.

1. The Right to Have an Opinion and Be Asked for an Opinion

Marriage is inseparable from the existence of agreement and it comes from good communication between husband and wife. The form of the wife's participation and the right to express opinions by having to consult with the wife has been outlined by Allah in His word in the Qur'an, Surah As-Shura, verse 38:

وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا وَآمَرُهُمْ شُورَىٰ بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ

Meaning: "And (for) those who respond to the call of their Lord and establish prayer, and their affair is (determined) by consultation among themselves, and they spend out of what We have provided for them ." (QS. As-Shura [42]:38).

More explicitly in the household, the attitude of mutual assistance between husband and wife is encouraged, including in formulating consensus from deliberations on a problem. Allah says in the Al-Quran surah At-Taubah verse 71:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

Meaning: "And those who believe, men and women, some of them (are) helpers for others. They enjoin (do) what is good and forbid what is evil, perform prayers, pay zakat, and they obey Allah and His Messenger. They will be given mercy by Allah, verily Allah is All-Mighty, All-Wise. " (QS. At-Taubah [9]:71).

Supported by Muhammad Bagir that a husband becomes qawwam in the family needs to implement fair behavior and deliberation, so that all decisions are not unilateral but joint decisions. It appears here that the wife has the same role as a woman's husband even after becoming a wife has the right to have an opinion and of course her opinion is also asked. So women have the right to have an opinion and also the right to be asked for their opinion in everything that produces something good.

2. The Right to Get Education and Achieve Success

A woman is often said that no matter how high her education is, she will go to the kitchen, it is not wrong and not entirely true because women have the right to get an education and achieve achievements, they will have a great opportunity to educate their children to be knowledgeable and intelligent. As explained in the Qur'an, iqro' as the first word revealed to women and men is to read. Getting an education and achievement requires effort and sincerity, which is found in the An-Najm verse 39:

وَأَنْ لَّيْسَ لِلْإِنْسَانِ إِلَّا مَا سَعَىٰ

Meaning: "That humans only obtain what they have worked for " (QS.An-Najm[53]:39).

Since birth we are required to seek knowledge and study until the end of our lives as the hadith of HR.Bukhari Muslim which reads "Seeking knowledge is an obligation for every Muslim, both male and female." This is also explained in the Qur'an, Surah An-Nisa which reads:

وَلَا تَتَمَنَّوْا مَا فَضَّلَ اللَّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ ۚ لِلرِّجَالِ نَصِيبٌ مِّمَّا اكْتَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا اكْتَسَبْنَ ۚ وَاسْأَلُوا اللَّهَ مِنْ فَضْلِهِ ۗ إِنَّ اللَّهَ كَانَ بِكُلِّ شَيْءٍ عَلِيمًا

Meaning: "Do not be envious of what Allah has given some of you more than others. For men is a share of what they have earned, and for women is a share of what they have earned. Ask Allah for His bounty. Indeed, Allah is Knowing of all things. " (QS. An-Nisa [4]:32).

Mufasssir Abu Hayyan stated that in the verse above it is explained "Islam does not accept people who daydream, and sit back, nor are they passive and lazy. Islam calls for a progressive attitude, and hard work. Worldly dreams only to get rewards in the hereafter, that is very commendable. People who depend on their luck by working hard are proof of the spirit of Islam." Imagine if a woman does not have knowledge, then it will be difficult to care for children and raise them, resulting in wrong parenting patterns and growing carelessly without provisions, especially religious knowledge. Islam does not prohibit women from getting an education, let alone achieving, just look at the wives of the Prophet such as mother Aisyah and Khadijah who were very great and intelligent.

3. The Right to be a Leader, Work or Become an Entrepreneur

Women are asked to maintain their dignity and honor, but the Qur'an does not prohibit women from working, only to protect themselves from things that damage women because women are fragile, easily shaken, and the best jewelry is a pious woman. Find a job that is not prohibited in Islam that still maintains yourself to always remember Allah and family so that it becomes a blessing. This is in the letter Al-Qashas verse 23:

وَلَمَّا وَرَدَ مَاءَ مَدْيَنَ وَجَدَ عَلَيْهِ أُمَّةٌ مِنَ النَّاسِ يَسْقُونَ ۚ وَوَجَدَ مِنْ دُونِهِمْ امْرَأَتَيْنِ تَذُودَانِ ۚ قَالَ مَا خَطْبُكُمَا قَالَتَا لَا نَسْقِي حَتَّىٰ يُصْدِرَ الرِّعَاءَ وَأَبُونَا شَيْخٌ كَبِيرٌ

Meaning: "When he reached the spring of Madyan, he found a group of people watering (their livestock) and he found behind them two women driving (their livestock away from the spring). He (Moses) said, "What do you mean (by doing that)?" They said, "We cannot water (our livestock) until the shepherds return (their livestock), and our father is an old man." (QS. Al-Qashas [28]:23).

مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ اُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ اَجْرَهُمْ بِاَحْسَنِ مَا كَانُوْا يَعْمَلُوْنَ

Meaning: "Whoever does good deeds, whether male or female, while he is a believer, indeed, We will certainly give him a good life and We will reward him with a better reward than what they always do." (QS. An-Nahl [16]:97).

Do and do good deeds then get the results with gratitude and don't forget to do good to others. According to Al-Sya'rawi "every deed that helps the survival of mankind is called a good deed, and gets a reward from Allah for the party who does it". So that the goodness and sincerity of hard work will be more blessed. Women have the right to work and do business in accordance with the rules and provisions in the Qur'an. And this is supported by Ibn Faris in Mu'jam Maqasiyul Lugah, namely the word charity contains actions, work, and activities, so entrepreneurship is a noble job and is said to be a good deed. It is clear that women have the right to work, lead, and do business as long as they maintain their honor. As a good working woman, you should pay attention to the limitations and ethical values of women.

4. The Right to Feel Safe and Comfortable and to Worship

A woman from puberty until the end of her life must worship starting by covering her genitals, so that it will feel safe and comfortable, not only that it is a form of love and gratitude for worshiping Allah. For example, the privilege of women can and may worship in the mosque, and can be an imam for other women, can worship other sunnah, women are truly special created by Allah.

يَا أَيُّهَا النَّبِيُّ قُلْ لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِئِهِنَّ ذَلِكَ أَدْنَى أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

Meaning: "O Prophet (Muhammad), tell your wives and your daughters and the women of the believers to draw their cloaks all over their bodies. That is so that they may be more easily recognized and not molested. Allah is Oft-Forgiving, Most Merciful." (QS. Al-Ahzab [33]:59).

مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ

Meaning: "Whoever does good deeds, whether male or female, while he is a believer, indeed, We will certainly give him a good life and We will reward him with a better reward than what they always do." (QS. An-Nahl [16]:97).

Work and do good deeds and get the results with gratitude and don't forget to be kind to other people. So that kindness and sincerity of hard work will become more blessings. Women have the right to work and enter into business in accordance with the rules and regulations contained in the Al-Qur'an. Reflection on fear of Allah will encourage good deeds towards your partner, so that husbands are kind to their wives and vice versa in achieving a comfortable and harmonious household.

5. The Right to Reproductive Health

Described in the Qur'an in the letter Al-Baqarah verse 233 women since puberty have undergone physical and mental changes, then menstruation, when married experiencing pregnancy, childbirth, breastfeeding and all of that is very tiring and full of challenges for the soul and body. So women have the right to regulate the spacing of births with KB (Family Planning) while there are already many burdens that they experience, there are still few husbands who want KB. Then breastfeeding for up to two years, then women have the right to consider their reproductive condition and physical and mental health, this is already in the Qur'an:

وَالْوَلَدُ يُرْضَعُ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنِمَّ الرِّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا اتَّيْتُم بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

Meaning: "Mothers should breastfeed their children for two full years, for those who wish to complete breastfeeding. It is the father's obligation to provide for their food and clothing in an appropriate manner. A person should not be burdened, except according to his ability. Let not a mother be made to suffer because of her child nor should her father be made to suffer because of his child. Heirs are the same too. If both of them wish to wean (before two years) based on agreement and deliberation between them, there is no sin on either of them. If you want to breastfeed your child (to someone else), no there is a sin for you if you pay in an appropriate way. Fear Allah and know that Allah is All-Seeing of what you do." (QS. Al-Baqarah [2]:233).

From this verse, sex for women is not only to serve the sexual desires of men or halal partners and also not only as an obligation but to obtain the right in the form of pleasure or to refuse if they are not ready by force. Then there is the worry about women's rights to breastfeed if they become pregnant again and give birth to a new child.

6. The Right to Choose a Life Partner for Children by Marrying One's Own Choice

As seen in the past until now, there are still many arranged marriages and forced marriages that torture women's souls, and not a few are unable to refuse because of coercion, threats, and suffering. In the Qur'an it is explained that women and men have independent rights and are responsible for themselves and their respective actions. This is the same as determining their partner. In this case, it is contained in the Qur'an

Surat al-Ahzab verse 35 as follows:

إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْقَنَاتِ وَالْقَنَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَاشِعِينَ وَالْخَاشِعَاتِ وَالْمُتَصَدِّقِينَ وَالْمُتَصَدِّقَاتِ وَالصَّابِغِينَ وَالصَّابِغَاتِ وَالْحَفَظَةَ وَالْحَفَظَاتِ فُرُوجَهُمْ وَالْحَفَظَةَ وَالْحَفَظَاتِ أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

Meaning: "Indeed, Muslims and Muslims, believers and devout believers, obedient men and women, righteous men and women, patient men and women, devout men and women, men and women who give alms, men and women who fast, men and women who look after their genitals, men and women who often mention (the name of) Allah, for them Allah has prepared forgiveness and a great reward." (QS. Al-Ahzab [35]).

The right to advocacy is in the form of equality between men and women mentioned in the Qur'an. This has also been confirmed by Al-Bukhari in his book, namely sahihnya in a chapter entitled "Chapter Bab Idza Zawwaja Ibnatah wa Hiya Karihah fa Nikahuh Mardud". When a guardian marries his daughter but the child does not like or hates it, then the marriage is canceled. According to Asghar, there is also a marriage contract where a woman also has the right to determine the conditions she wants

as well as men, so it is equal in this case, men are not higher in position in the marriage contract. The existence of equality of advocacy in the form of a balance of rights and responsibilities of the position of social life together in the household and in society.

7. The Right to Marry at a Mature Age

Both physical and psychological maturity of a human being certainly greatly influences the marriage process. So in the Qur'an In the letter of al-Nisa' verse 6 it is stated:

وَابْتَلُوا الْيَتَامَىٰ حَتَّىٰ إِذَا بَلَغُوا النِّكَاحَ فَإِنْ آنَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا إِلَيْهِمْ أَمْوَالَهُمْ وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا ۚ وَمَنْ كَانَ غَنِيًّا فَلْيَسْتَعْفِفْ ۚ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ ۚ فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهَدُوا عَلَيْهِمْ ۚ وَكَفَىٰ بِاللَّهِ حَسِيبًا

Meaning: "Test the orphans (in terms of managing wealth) until they are old enough to get married. Then, if in your opinion they are clever (in managing wealth), hand over to them their wealth. Do not eat it (orphans' wealth) beyond the appropriate limit and (don't) rush (spend it) before they are mature. Whoever (among those who care for it) is able, then let him refrain (from eating the orphan's wealth) and whoever is poor, then he may eat the wealth "Then, when you hand over the property to them, you must provide witnesses as witnesses." (QS. An-Nisa [6]).

It has been explained in the verse that maturity is needed in undergoing the marriage process, of course, adults will more easily understand their rights and obligations as husband and wife. This is supported by HR Bukhari and Muslim "Indeed, marriage can guard the eyes and guard honor, whoever is not capable then fasting can guard lust". With a ready and mature mindset, reproductive ability, mental readiness, social behavior, and of course physical, marriage will be easier and ready to be carried out. While marriages carried out underage often leave the inability to fulfill their rights and obligations, not ready to carry out obligations as a wife, underage marriage is not recommended to judge from the unpreparedness in the ability to manage property (rusyd) especially in managing household finances, and other obligations as explained in verse 6 of the letter An-Nisa.

8. The right to be able to carry out a marriage according to the Islamic religion includes a dowry, and is recognized by the state.

Marriages carried out based on their respective beliefs are often said to be illegal marriages, this is clearly not registered by law or by the relevant agencies. This is known as a sirri marriage, namely a marriage in secret or secretly without many people knowing, while the Prophet gave an example of broadcasting it with a walimah or wedding celebration to express thanksgiving for Allah's blessings. Not only that, there are women's rights to receive a dowry according to the ability of their prospective husband, and not to demean women. It has been mentioned in the Al-Qur'an An-Nisa verse 4:

وَأْتُوا النِّسَاءَ بِدُفَّتِهِنَّ يُحِبُّهُنَّ فَإِنْ طِئِنَ لَكُمْ عَنْ شَيْءٍ مِنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَرِيئًا

Meaning: "Give the women (whom you marry) a dowry as a gift willingly. Then, if they give you some of it willingly, accept it and enjoy it with pleasure ". (QS. An-Nisa [4]).

This is supported by the command of the Prophet Muhammad to announce the marriage even by slaughtering a goat, that is how important and mandatory the registration of marriage. The things

that have been explained so are in accordance with the Islamic religion and are also recorded in the state civil registry can bind the husband and wife to live a household with clear rights and obligations so that if there is a discrepancy in rights and obligations, they can be sued, especially for women.

9. The Right to Obtain Physical and Spiritual Fulfillment from Husband

Since becoming a wife, it is the husband who fulfills the physical and spiritual needs of the wife from clothing, food and shelter to feeling safe, comfortable and happiness arises from the fulfillment of these rights. Starting from her shopping, clothes, make-up, all are described in the Qur'an in the letter Al-Baqarah verse 233:

وَالْوَالِدَتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنِمَّ الرِّضَاعَةُ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا اتَّيْتُم بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

Meaning: "Mothers should breastfeed their children for two full years, for those who wish to complete breastfeeding. It is the father's obligation to provide for their food and clothing in an appropriate manner. A person should not be burdened, except according to his ability. Let not a mother be made to suffer because of her child nor should her father be made to suffer because of his child. Heirs are the same too. If both of them wish to wean (before two years) based on agreement and deliberation between them, there is no sin on either of them. If you want to breastfeed your child (to someone else), no there is a sin for you if you pay in an appropriate way. Fear Allah and know that Allah is All-Seeing of what you do." (QS. Al-Baqarah [2]:233).

أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا تَعْضُلُوهُنَّ لِيَذْهَبُوا بِبَعْضِ مَا آتَيْنَهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

Meaning: "O you who believe, it is not lawful for you to inherit women by force. Do not trouble them in order to take back some of what you have given them, unless they commit a clear abomination. Deal with them in a manner that is proper. If you dislike them, (be patient) because it may be that you dislike something while Allah has placed in it much good." (QS. An-Nisa [19]).

So it is clear that women's rights must be carried out by a husband physically and mentally fulfilled. This is supported by the husband being able to be punished up to handing over his property. This is also the case as much as possible and a wife should be grateful for the gifts she gives and qana'ah with what she gets. And from the verse above there is a hint to a husband to pay for breastfeeding because the father's name is assigned to his child. Mahmud Yunus explained the relationship between these verses. Husbands are obliged to provide support for their wives and children, whether the wife is rich or poor or Muslim, or Christian or Jewish.

10. The Right to Request a Divorce

A woman who has become a wife and does not receive her rights properly can ask for divorce or divorce, even things that are dangerous or outside of Islamic teachings are done by a husband to a wife. Such as violence, shirking Allah, not providing at all, no news for months, and even forbidden acts that can endanger a wife or even their children. Both men and women have the right to impose divorce (khulu'). This is explained in the Quran in Surah Al-Baqarah verse 229:

الطَّلَاقُ مَرَّتَيْنِ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَانٍ وَلَا يَجِلُّ لَكُمْ أَنْ تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُعِيمَا حُدُودَ اللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُعِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَئِكَ هُمُ الظَّالِمُونَ

Meaning: "Divorce (which can be referred) is twice. (After that the husband can) withhold (reconcile) in a proper manner or release (divorce) in a good manner. It is not lawful for you to take back anything (dowry) that you have given them, unless both (husband and wife) fear that they will not be able to carry out the limits of Allah's (stipulations). If you (guardians) fear that they will not be able to carry out the limits (stipulations) of Allah, then there is no sin on either of them for the payment (must be) given (by the wife) to redeem herself. Those are the limits (stipulations) of Allah, do not transgress them. Whoever transgresses the limits (stipulations) of Allah, those are the wrongdoers". (QS. Al-Baqarah [2]: 291).

From the explanation of the verse above, khulu' is at least justified according to Imam Al-Qurthubi "that if both want to divorce, where both of them are disobedient to each other, have not achieved affection and behave without mutual respect". This is done because of the circumstances that really cannot be forced to unite again, are not harmonious, and can endanger one of the parties. So it can be submitted and requested. Divorce that can be referred to only twice while the words are not considered joking and jokes because they are very sacred and accountable to Allah.

11. The Right to Inheritance as a Child, Mother, Wife

A woman will become a child, then become a mother, and also a wife, so since birth, Allah has arranged and given inheritance rights to women. This is in the Qur'an which explains the basis of inheritance law in the Qur'an verses 7, 11, 12, 33, and 176, namely:

لِّلرَّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۚ نَصِيبًا مَّفْرُوضًا

Meaning: "For men there is a right to a share of the inheritance of their parents and relatives, and for women there is a right to a share of the inheritance of their parents and relatives, whether it is a little or a lot, according to the portion that has been determined." (QS. An-Nisa [7]).

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثُ مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَتْهُ أَبَوَاهُ فَلِلْمِائَةِ الثُّلُثَانِ كَانَ لَهُ إِخْوَةٌ فَلِلْمِائَةِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ ۚ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِّنَ اللَّهِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Meaning: "Allah has ordained for you concerning your children: a son's share is equal to that of two daughters. If they are all daughters, more than two, their share is two-thirds of the estate left behind. If there is only one daughter, she gets half. For the parents, each one gets one-sixth of the estate

left behind, if he has children. If he has no children and his parents inherit only, his mother gets one-third. If he has several siblings, his mother gets one-sixth. (The inheritance is divided) after (fulfillment of) his will or (and repayment of) his debts. (As for) your parents and your children, you do not know which of them is of greater benefit to you. This is the decree of Allah. Indeed, Allah is All-Knowing, All-Wise." (QS. An-Nisa [11]).

وَأَكُم بِنَصْفِ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوصِيَنَّ بِهَا أَوْ دَيْنٍ
وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَنَّ إِنْ لَمْ يَكُنْ لَكُم وَلَدٌ فَإِنْ كَانَ لَكُم وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوصِيَنَّ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ
يُورِثُ كَلَّةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ بَعْدَ وَصِيَّةٍ يُوصَى بِهَا أَوْ
دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ خَلِيمٌ

Meaning: "For you (husbands) is half of what your wives leave behind, if they have no child. If they (your wives) have children, then you have a fourth of what they leave behind, after (fulfilling) any bequests they may have made or (and after paying) their debts. For them (wives) is a fourth of what you leave behind if you have no child. If you have children, then for them (wives) is an eighth of what you leave behind (after fulfilling) any bequests you may have made or (and after paying) your debts. If a man or a woman dies without leaving a father or child, but leaves a brother (on the same mother's side) or a sister (on the same mother's side), to each of them a sixth of the property. But if they (the brothers on the same mother's side) are more than one, then they are jointly in the third share, after (fulfilling) any bequests they may have made or (and after paying) their debts, without hardship (to the heirs). That is the ordinance of Allah. Allah is All-Knowing and Most Merciful." (QS. An-Nisa [12]).

وَلِكُلٍّ جَعَلْنَا مَوَالِيَّ مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلَّذِينَ عَقَدْتَ أَيْمَانُكُمْ فَأَوْهَهُمْ نَصِيَّتُهُمْ إِنْ اللَّهُ كَانَ عَلَى كُلِّ شَيْءٍ شَهِيدًا

Meaning: "For every (man and woman) We have appointed heirs of what his parents and near relatives leave behind. Those to whom you have sworn allegiance, give them their share. Indeed, Allah is Witness to all things." (Surah An-Nisa [33]).

يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ إِنْ امْرُؤٌ هَلَكَ لَيْسَ لَهُ وَلَدٌ وَلَهُ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ
فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الثُّلُثَانِ مِمَّا تَرَكَ وَإِنْ كَانُوا إِخْوَةً رِّجَالًا وَنِسَاءً فَلِلَّذَكَرِ مِثْلُ حَظِّ الْأُنثَىٰ لِلَّهِ يُبَيِّنُ اللَّهُ لَكُمْ أَن تَصَلَوْا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

Meaning: "They ask you for a ruling (about kalālah). Say, "Allah has given you a ruling about kalālah, (that is) if a man dies and he has no child, but he has a sister, then her share (is) half of what he leaves behind. As for her brother, if he has no child. But if there are two sisters, then for them two-thirds of what he leaves behind. If they (the heirs consist of) several brothers and sisters, then the share of a brother is equal to the share of two sisters. Allah makes this clear to you so that you do not go astray. Allah is Knowing of all things." (Surah An-Nisa [176]).

In the interpretation of al-Misbah, the division of the male inheritance is more than the female portion because Islam burdens men with the responsibility of dowry and giving alimony, and something about Sa'ad asked the Prophet and at that time the verses were revealed, the Prophet ordered Sa'ad's

brother to give 2/3 of his wealth to his son, 1/8 to his mother, and he got the rest. It describes the rights of women in inheritance so that there is nothing for women to worry about if they are left behind, and Islam greatly honors women from conception to the end of life.

Ensuring The Fulfillment Of Women's Rights Advocacy In Islamic Family Law And Positive Law.

An important part of the system of laws that regulates the civil relationships between legal subjects is family law. Islamic family law includes the legal guidelines that govern the rights and responsibilities of parents and children as well as husband and wife. It also contains agreements pertaining to women's rights within the household. Islam places a high value on women's rights inside the household. Men and women were created to be in the same position by Allah SWT; the only thing that separates them is how each person responds. Human life has been frequently in an untenable situation in the past, subject to prejudice and the disregard for women's rights. Islam comes to safeguard women and to uphold their rights and dignity. Advocacy for women is crucial to ensuring the enforcement of women's rights within the family. Men and women were designed to be in the same position by Allah SWT. The only distinction that differentiates them is how each person acts. Human life has often been placed in an unsafe circumstances position in the past, subject to discrimination and the disregard for women's rights. Islam existed for the protection of women and to protect their rights and dignity. Advocacy for women is crucial to achieving the realization of women's rights within the family.

For women's rights in the family to be legally safeguarded, it is essential that the effort to advocate for these rights be fulfilled. Women's rights advocacy involves both tangible and intangible rights. Dowry and alimony are indicators of material rights, whereas rights pertaining to the wife's internal requirements are examples of material rights.

Law Number 18 of 2003 concerning Advocates and Law Number 16 of 2011 concerning Legal Aid regulate advocacy and outline the steps advocacy teams must take to litigate in court and out of court in order to comply with ethical principles. As defined by Sudikno Mertokusumo, "a legal advisor is a person who is authorized to provide legal assistance in the field of civil and criminal law to those who need it, either in the form of advice or active assistance, both inside and outside the court by representing, accompanying, or defending them". . "An act to question a certain thing, idea, topic, defense" is what the legal dictionary defines as advocacy.

The primary objective of advocacy is to influence policy changes that reflect the interests of the community through a methodical and organized effort. As an outcome, advocacy centers on efforts to alter cultural standards in an entire nation through democracy, politics, and legislation. The term "al-mahamy," which translates to "lawyer" in Arabic, refers to an advocate in Islamic law. Advocates have

the meaning of "a job in the field of legal consultation and legal aid to assist those in need of legal resolution, both in and out of court." It is also known as "al-mahammah" in Arabic.

According to several of the previously mentioned definitions, advocacy is an endeavor to secure improvements or adjustments from a particular legal issue that a person or group is facing in order to restore their rights. The following are some guarantees that the Islamic family law's fulfillment for women's rights would be implemented.

1. Legal Guarantee Founded on Qur'anic Scriptures.

The fulfillment of women's advocacy rights under Islamic family law has been guaranteed by the Qur'an. Islam upholds the rights of women. Islamic law is founded on the ideas of justice, protection, and responsibility, all of which are covered by the legal assurances of advocacy found in the Qur'an. The fulfillment of campaigning for women's rights in the home is guaranteed by the Quranic verses.

a. The Qur'an Surah An Nahl verse 90

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ ۚ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴿٩٠﴾

Meaning:: "Indeed, Allah commands you to be just, to do good, and to give to your relatives. Allah forbids evil deeds, wickedness and enmity. He teaches you so that you can learn lessons".

In his book Tafsir Fi Zhilalil Qur'an, Sayyid Qutb explained that a servant with his Rabb's attitude of justice and ihsan includes all aspects of his life, including his relationships with society, his family, and other people. As well as the proscription of all evil. Wicked, and hostile acts. Al fahsyah, anything that is bad or exceeds beyond what is normal. Every action that is framed by human nature is considered al munkar. Sharia gives directions to be in line with the origins of human nature, even though human nature can occasionally be aberrant. . Therefore, Allah guarantees in this verse that every human being must be able to act justly, practice virtue, and provide to one another, particularly when it comes to the implementation of women's rights in the home. It is forbidden to commit abominations, iniquity and hostility towards each other.

b. The Qur'an Surah An-Nisa verse 34

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ ۚ فَالصَّالِحَاتُ قَنَاطٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ ۚ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاصْرَبُوهُنَّ ۚ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا ۚ إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا

Meaning: "Men are the leaders of women, because Allah has given some of them (men) more than others (women), and because they (men) have provided for some of their wealth. Therefore, a righteous woman is one who is obedient to Allah and takes care of herself when her husband is not around, because Allah has taken care of (them). The women whose nusyuz you are worried about, then advise them and separate them in their beds, and beat them. Then if they obey you, then do not look for a way to trouble them. Indeed, Allah is the Most High and the Greatest".

In his commentary on Fi Zhilalil Qur'an, Sayyid Qutb stated that a husband's leadership in the home should not disregard his wife's existence, her role in society, and her legal obligations. Islam defines male leadership as being characterized by love, nurturing, protection, and carrying out one's responsibilities and behavioral norms toward one's spouse and children. Through husbands' duty to support their wives and uphold their honor, Allah clarifies in this verse that there is a guarantee of advocacy for women and that males are the family's protectors. Additionally, this verse governs family responsibilities.

c. The Qur'an Surah Al-Baqarah verse 228

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ ثَلَاثَةَ قُرُوءٍ ۚ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنُ
بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ وَبُعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ
بِالْمَعْرُوفِ ۚ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۚ وَاللَّهُ عَزِيزٌ حَكِيمٌ

Meaning: "Women who are rejected should refrain (waiting) three times for quru'. They should not hide what Allah has created in their womb, their husbands have the right to refer to it in the waiting period, if they (husbands) want islah. And women have rights that are balanced with their obligations in a ma'ruf way. However, the husband has one level of advantage over his wife. Allah is Mighty and Wise".

The above verse explains the rules of talaq and reference in marriage. Tafsir Ibn Kathir explains that in this verse women have rights to their husbands in proportion to the rights that men have over themselves. As a result, each of the two parties fulfills his responsibilities to the other in a makruf approach. Even though men are one level above women, the explanation of Surah Al Baqarah verse 228 says that there is a guarantee of advocacy for women's rights that are equal to men based on an effective approach. This verse indicates that the family goes through a phase of discussion and compromise as part of a process.

d. The Qur'an Surah An Nisa:19

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا ۚ وَلَا تَعْضُلُوهُنَّ لِنَدَاهُنَّ لَبْسًا ۚ وَلَا تَنْقُصُوا مِمَّا رَزَقْنَهُنَّ حَتَّى تَصِلَ إِلَى الْأَرْضِ الَّتِي كُنْتُمْ تَرِثُونَ ۚ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا
وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ ۚ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

Meaning: "Hai you who believe, it is not lawful for you to inherit a woman by force, and do not trouble them because you want to take back some of what you have given her, except if they do a real abominable deed. Associate with them appropriately. Then if you do not like them (then be patient) because perhaps you do not like something even though Allah has done him a lot of good."

According to Sayyid Qutb's explanation in Tafsir Fi Zhilalil Qur'an, Islam holds that the home is a place of peace, safety, and well-being. Love, affection, and affection are the core elements of the husband-wife relationship, which can be sustained by the equal will of both parties. Al-Sha'rawi explained the meaning of bil ma'ruf in the above verse that when the love between husband and wife

has decreased or disappeared, then ma'ruf Allah commands. When a husband wants to divorce his wife for the reason that he no longer loves, then Umar Ibn Khatab said: "Is the household only built on the basis of love, then which are the noble values, which are the maintenance, which are the mandates that you receive".

In this verse, the Qur'an guarantees the fulfillment of advocacy for women's rights in terms of unlawful inheriting of possessions by a woman when her husband dies. The tradition of the people of the Jahiliyah era was that when a man died, his wife became the right of his guardians or relatives, they could marry her. Then advocacy on the obligation of the husband to get along well with his wife, even though there are things that he does not like about his wife, there Probably he is good at the things he hates.

e. The Qur'an Surah At Tholaq:7

لِيُنْفِقْ ذُو سَعَةٍ مِّن سَعَتِهِ ۖ وَمَن قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا ءَاتَاهُ اللَّهُ ۚ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا مَّا ءَاتَاهَا ۚ سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا

Meaning: "Let the one who is able to provide for himself according to his ability. And the one who is deprived of sustenance should provide for him from the wealth that Allah has given him. Allah does not burden a person but what Allah gives him. Allah will give space after narrowness".

Tashlil li Ulum Based on Tanzil, it is every person's duty to support himself to to the best of their abilities. In order to guarantee that the law is just and the woman is not wasted, the husband is not coerced beyond his limits. Allah only burdens people as much as he is able to. Based to the tafsir fi Zhilalil Qur'an, this verse explains a divorced woman's claim to alimony from the time of her pregnancy until the time of her delivery. The conditions after divorce are explained in detail in this verse. Islam gives women complete safety so that divorce does not break up any portion of the family. This verse explains the guarantee of advocacy for women for the right to subsistence in domestic life.

f. The Qur'an Surah Al-A'raf verse 33

قُلْ إِنَّمَا حَرَّمَ رَبِّيَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَن تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَن تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

Meaning: "Say, 'My Lord only forbids all visible and hidden abominations, sins, transgressing human rights without a just cause, and forbids you to associate Allah with anything, whereas He does not reveal a reason for it, and (forbids) you to speak of Allah what you do not know".

In accordance with QS. Al-A'raf verse 33 in Tafsir Fi Zhilalil Qur'an, Allah rejects awful behaviors that exceed the boundaries of His rules, both explicit and invisible, and constituted engaging in human rights violations without a good system. It includes the act of zholim which is contrary to truth and justice. In this verse, Allah also forbids the act of associating Allah with something.

In this verse, the Qur'an conveys a guarantee of advocacy for protection from violence and prohibits all forms of violence and oppression for humans, including one of which is women from all forms of violence, both physically and mentally. the outlawing of all horrendous deeds of including hidden and visible acts of violence against women.

It gives a guarantee of advocacy protection for women's rights in Islam, based to the the holy scriptures mentioned above. Islam puts great importance on safeguarding and respecting women. The principles provided by Allah in the Qur'an constitute basically the first step in studying the verses of the Qur'an that support women's rights in the Islamic family. Verse 30 of Ar Rom. Love and affection are the fundamental elements of families. Each relationship fulfills and upholds their responsibilities and rights within the family. In order for a husband and wife to do the longest act of that prayer in an Islamic home, they must ensure that each other is safe and secure.

2. Legal Guarantee in Positive Law.

Various laws and regulations in Indonesia provide legal guarantees for the successful implementation of women's rights advocacy in family law based on Positive Law that is:

a. The Constitution of 1945. Article 27 paragraph 1 "All citizens have the same position in the law and government and are obliged to carry out their obligations as citizens without exception". Article 28 D state 1 "Everyone has the right to fair legal recognition, guarantee, protection, and certainty and equal treatment before the law".

b. Law Number 18 of 2003 concerning Advocates Article 15 "Advocates are free in carrying out their professional duties to defend cases that are their responsibility while adhering to the professional code of ethics and laws and regulations".

c. Law Number 39 of 1999 concerning Human Rights. legislation governing human rights and advocacy for women's rights.

d. Law Number 23 of 2004 concerning the Elimination of Domestic Violence. Article 10 letter d "assistance by social workers and legal assistance at each level of the examination process in accordance with the provisions of laws and regulations. Article 17 "In providing temporary protection, the police may cooperate with health workers, social workers, volunteer companions, and/or spiritual guides to accompany the victim". Article 18 "The police are obliged to provide information to the victim about the victim's right to receive services and assistance".

e. Law No. 13 of 2006 on Safeguarding Witnesses and Victims was revised by Law No. 31 of 2014. "Witnesses and victims are entitled to assistance" according to Article 5 paragraph (1) letter p. This statute guarantees advocacy for the safety of witnesses and victims.

f. The Supreme Court of the Republic of Indonesia published Regulation No. 3 of 2017 detailing guidelines for adjudicating women's cases under the law. Article 9, which states: "The judge

may suggest to women facing the law to present a companion; and the Judge can grant the request of Women Facing the Law to present a Companion".

g. Law 16 of 2011 on Legal Aid. Legal advocacy activities involve regulating the provision of legal aid to the poor or people who are vulnerable.

h. Law No.12 of 2022 on the Criminal activity of Sexual Violence.

i. Regulation No. 2 of 2022 by the Minister of Women's Empowerment and Child Protection on the Standards of Women and Child Protection Services.

3. Social Advocacy Guarantee

Social security in fulfilling the advocacy of women's rights in society can be carried out through Women's Empowerment and Support Services. Legal Steps Provide women with knowledge about organizations, social institutions, and groups that can help them understand legal issues, particular women's rights according to family law. Support services through the apparatus by providing protection and a sense of security for the victims as well as making reports and complaints to the authorities.

4. Institutional Advocacy Guarantee.

Institutional guarantees for the advocacy of women's rights include Komnas Perempuan, or the National Commission on Anti-Violence against Women, which is an independent government-funded organization committed to safeguarding Indonesian women's human rights. Komnas Perempuan was launched on October 9, 1998, by Presidential Decree No. 181 of 1998, and was later strengthened by Presidential Regulation No. 65 of 2005 and Presidential Regulation No. 8 of 2024, the two of that's amend Presidential Regulation No. 65 of 2005 about the National Commission on Anti-Violence against Women. Legal Aid Agencies, Religious and Social Organizations, and other Non-Governmental Organizations are proactive in providing legal guidance, counseling, and advocacy to women dealing with family law problems.

5. International Advocacy Guarantee

The CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) was ratified by Indonesia with Law Number 7 of 1984, which is part of the advocacy of women's rights in various fields, including family law. CEDAW contains thirty articles on various contents. especially it covers discrimination based on gender, children's rights, sociopolitical, sociocultural, economic, and other concerns. CEDAW is organized into 16 articles founded on the Convention's Principles. Articles 7-9 on women's civil and political rights. Article 10-14 on economic, social and cultural rights. Articles 15-16 concerning women's rights after marriage and the right to children due to marriage. Article 17-22 on the CEDAW Committee and the mechanism for the report of the implementation of the

convention. Articles 23-30 concerning the entry into force of the Convention, ratification of the adoption and reservation of the Convention.

IV. CONCLUSION

Based on this research, it can be determined that Islam prioritise the protection of women's rights in the household. The verses of the Qur'an explain the rights of a woman in an Islamic family such as: The right to express her opinion and be asked for it. The right to are given an education and achieve being successful. The right can to be a leader, work, or be an entrepreneur. The right to feel comfortable, comfort, and worship. The right to have reproductive health. The right to choose a partner to have children by marrying of their choice. The right to marry at a mature age. The right to carry out marriage according to the Islamic religion, which involves a dowry and is recognized by the state. The right to obtain the sufficiency of birth and mind from the husband. The right to apply for talaq or divorce, and than The right to inherit as a child, mother, and wife. The guarantee of the fulfillment of the advocacy of women's rights in the Islamic family is also clearly regulated in the verses of the Quran and the positive law of Indonesia in the form of legal guarantees, social security, institutional guarantees, and international guarantees, which have been implemented into Indonesian law with Number 7 of 1984.

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