

Aisyyah's Contribution to The Establishment of Marriage Law in The Early Period 1927–1940

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ABSTRACT

This article examines the ideas Aisyyah promoted during the First Women's Congress, its involvement in PPII (*Perikatan Perkumpulan Isteri Indonesia*), an institution that united women's organizations, and its role in developing the magazine *Isteri*. The article also discusses how Aisyyah established a family consultation bureau that became the forerunner of women's protection institutions in marriage, namely BP4 (Badan Pembinaan dan Pelestarian Perkawinan). This study employs the historical method, including topic selection, heuristics, source criticism, interpretation, and historiography. The researcher used sources such as the newspaper *Soeara Aisyyah*, speech collections, academic journals, and other relevant references. The findings demonstrate that Aisyyah's ideas presented at the First Women's Congress, which was proposed by Siti Munjiah, were highly critical and progressive, particularly in opposing forced marriage, child marriage, and polygamy, all of which frequently resulted in divorce and various social problems. These conditions highlighted the need to establish a permanent legal framework to regulate marriage. Aisyyah's involvement in PPII and the magazine *Isteri* also contributed significantly. Siti Hajinah, who served on *Isteri*'s editorial board, was a prominent figure who helped develop *Soeara Aisyyah*. She had extensive media and communication experience during that period. *Isteri* subsequently became an important medium for disseminating ideas concerning women's advancement. Furthermore, Aisyyah's success in establishing the marriage consultation bureau, which later evolved into BP4, reflects the organization's strong commitment to addressing women's issues in marriage. Aisyyah remained one of the organizations that consistently safeguarded and advocated for the realization of the Marriage Law until its official enactment in 1974.

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A. INTRODUCTION

The Marriage Law of 1974 was enacted on January 2, 1974, and officially took effect nationwide on October 1, 1975, after its implementing regulations were issued. Before the Marriage Law of 1974, Indonesia's marriage law varied by ethnic and religious background.¹ The promulgation of the Marriage Law represented a remarkable achievement following a long and complex process that involved persistent efforts from various parties, particularly women's organizations. Before the enactment of the Marriage Law of 1974, the legal system governing marriage in Indonesia differed according to the customs and religions of each

¹ Ipong Jazimah and Arifin Suryo Nugroho, *Maria Ulfah: Menteri Perempuan Pertama Indonesia* (Jakarta: Kompas, 2021), 206. [Google](#).

community.² The marriage laws applied at the time consisted of customary law, religious law, and Dutch colonial law.³ These differing legal systems gave rise to various social problems and divergent perspectives regarding marital practices within society.

In general, the history of the Marriage Law can be divided into three periods: the early period during Dutch colonial rule, the post-independence period, and the New Order era from 1966 until the enactment of the law in 1974.⁴ Efforts to establish the Marriage Law during the early period were marked by the emergence of ideas discussed at the Women's Congress concerning the protection of women in marriage, the establishment of PPII, an institution that united women's organizations, and the publication of the magazine *Isteri* as a medium for women's activism. This period was also characterized by the issuance of a marriage ordinance by the Dutch colonial government, which was subsequently rejected by many groups, as well as the establishment of marriage consultation bureaus initiated by women's organizations. Following Indonesian independence, efforts to realize a national Marriage Law became increasingly evident in 1952 with the establishment of the NTR (*Nikah Talak Rujuk*), a committee for reviewing marriage regulations considered unjust toward women. During the New Order era, particularly in 1974, the Marriage Law was finally enacted and formally implemented nationwide.

This article examines the early efforts to realize the Marriage Law, beginning with the First Women's Congress held in 1928, a period marked by the unification of ideas concerning the protection of women within marriage.⁵ These ideas emerged in response to marital practices within society that placed women in vulnerable and disadvantaged positions, characterized by injustice, subordination, discrimination, and various other unfavorable conditions. Practices such as polygamous marriage, which often failed to meet expectations and generated social unrest, forced marriage, and child marriage were considered highly detrimental to women. Existing marriage laws were perceived as incapable of representing women's aspirations and interests. Therefore, there was a growing demand for a permanent marriage law enacted by the state that could accommodate women's hopes and ideals.

The First Women's Congress involved seven women's organizations as both initiators and organizers of the congress, one of which was Aisiyyah. The significant role of Aisiyyah in the First Women's Congress was reflected in the appointment of Siti Munjiah (hereafter referred to as Munjiah) as vice chairperson, while the chairperson of the congress was Siti Aminah from the organization *Wanita Utomo*.⁶ The appointment of these two figures as leaders of the congress was certainly not without reason. The extensive contributions of their respective organizations, along with the intelligence and resilience demonstrated by both women, were among the primary reasons they occupied such important positions.⁷ Another Aisiyyah figure who served on the congress committee was Siti Hajinah (hereafter referred to as Hajinah).

Aisiyyah and *Wanita Utomo* were clearly among the leading women's organizations at the First Women's Congress. Aisiyyah was a women's organization established under

² Nani Suwondo, *Kedudukan wanita Indonesia dalam hukum dan masyarakat* (Jakarta: Timun Mas, 1955), 36. [Google](#).

³ Maarten Manse, "The Plural Legacies of Legal Pluralism: Local Practices and Contestations of Customary Law in Late Colonial Indonesia," *Legal Pluralism and Critical Social Analysis* 56, no. 3 (September 2024): 328–48, <https://doi.org/10.1080/27706869.2024.2377447>.

⁴ Jazimah and Nugroho, *Maria Ulfah: Menteri Perempuan Pertama Indonesia*, 206. [Google](#).

⁵ Kowani, *Sejarah Setengah Abad Pergerakan Wanita Indonesia* (Jakarta: Balai Pustaka, 1978), 29–30. [Google](#).

⁶ Intan Printina Brigida, "The Roles Budi Utomo In Womens Organization Movements In 1928-1940," *International Journal of Humanity Studies (IJHS)* 2, no. 2 (March 2019): 206, <https://doi.org/10.24071/ijhs.v2i2.1699>.

⁷ Muarif Muarif and Hajar Nur Setyowati, *Covering Aisiyyah: Dinamika Gerakan Perempuan Islam Berkemajuan Periode Awal* (Yogyakarta: IRCiSoD, 2020), 132–34. [Google](#).

Muhammadiyah to advance women in various fields. Meanwhile, *Wanita Utomo* emerged from Budi Utomo to improve women's education and social status so that women could attain equality with men.⁸ This shared vision became an important foundation for Aisiyiah and *Wanita Utomo* to work together in pursuing the advancement of women. Both organizations actively advocated for the importance of women's education as well as the protection of women and children within marriage. Aisiyiah rejected the notion that women should merely serve as *kanca wingking* (domestic complements) to men; rather, women's existence should stand equal and harmonious alongside men.

Aisiyiah's ideas concerning women's advancement were openly articulated during the congress. One example can be seen in the speech delivered by Munjiah entitled *Derajat Perempuan* (The Status of Women), in which she openly criticized the high number of failed marriages caused by forced marriages arranged by parents.⁹ At this point, Munjiah, representing Aisiyiah, expressed opposition to forced marriage and child marriage. Hajinah also presented her ideas through a speech entitled *Persatuan Manusia* (Human Unity). Aisiyiah's ideas regarding the improvement of women's conditions were highly relevant to the spirit of the First Women's Congress. In her speech, Munjiah also boldly addressed the issue of polygamy. Although Aisiyiah did not encourage the practice of polygamy, the organization sought to restrict it by proposing stricter requirements and reforms regarding its implementation. Munjiah's statement reportedly intensified the atmosphere of the congress and provoked numerous reactions.¹⁰ Nevertheless, her controversial remarks became an important catalyst that opened public awareness to the reality that the existing practice of polygamy in society was often carried out improperly and tended to disadvantage women. Consequently, the aspiration for a permanent marriage law capable of protecting women increasingly became an enduring agenda of women's movements.

The First Women's Congress resulted in an agreement to establish PPII (*Perikatan Perhimpunan Istri Indonesia*), an organization focused on safeguarding efforts to protect women in marriage, addressing child marriage, and resolving other marital issues.¹¹ Munjiah was elected as one of the administrators of PPII, while Hajinah became a member of the editorial board of *Isteri*, the newspaper published by PPII. Efforts to realize a national Marriage Law were reaffirmed during the Second Women's Congress held in Jakarta in 1935. At the congress, a recommendation was issued urging all congress members to examine the position of women within Islamic law and to support the Divorce and Marriage Investigation Board. These efforts reached an important milestone during the Third Women's Congress held in Bandung in 1937, when a Commission for Drafting Marriage Regulations was established. This commission may be regarded as the forerunner of the Marriage Law in Indonesia. In addition, an institution known as the Marriage Consultation Bureau was established to study legal issues concerning Indonesian women and children.¹²

Aisiyiah responded promptly to these movements and initiatives by establishing the Family Consultation Bureau in 1939 as evidence of its serious commitment to the realization of the Marriage Law. This bureau focused on addressing problems related to family life and marriage. An important historical fact is that Aisiyiah's Family Consultation Bureau later

⁸ Lailatul Huda and Dwi Susanto, "Siti Walidah, Gender Equality and Modernist Islamic Women's Movement in Indonesia: A Critical History," *Islamica: Jurnal Studi Keislaman* 18, no. 1 (2023): 28–49. [Google](#).

⁹ Suratmin Suratmin et al., *Biografi Tokoh Kongres Perempuan Indonesia Pertama* (Jakarta: Depdikbud, 1991), 24. [Google](#).

¹⁰ Ro'fah Ro'fah, *Posisi Dan Jatidiri Aisiyiah: Perubahan Dan Perkembangan 1917-1998*. (Yogyakarta: Suara Muhammadiyah (Yogyakarta: Suara Muhammadiyah, 2016), 49–50. [Google](#).

¹¹ Ipong Jazimah, *Menyuarakan Perubahan: Perjalanan Sujatin Kartowijono Dalam Memajukan Perempuan Indonesia* (Purwokerto: UMP Press, 2024), 33–35. [Google](#).

¹² Suwondo, *Kedudukan wanita Indonesia dalam hukum dan masyarakat*, 78. [Google](#).

became the embryo of BP4 Aisiyyah.¹³BP4 is a partner institution of the Indonesian Ministry of Religious Affairs that continues to play a role in promoting harmonious and prosperous families. BP4 organizations from various regions became loyal supporters and advocates throughout the process of drafting the Marriage Law.¹⁴

In 1937, the Dutch colonial government responded to women's concerns about protection in marriage by issuing the Marriage Ordinance, which proposed registering marriages under a monogamous system. However, not all groups accepted this colonial regulation. Some parties supported the Marriage Ordinance and regarded it as a solution to existing marital problems, while others rejected it because it was inconsistent with Islamic teachings. Aisiyyah was among the groups that opposed the Marriage Ordinance, arguing that polygamy constituted part of Islamic law and therefore could not simply be replaced by a fully monogamous principle as proposed by the Dutch colonial government. The Marriage Ordinance sparked considerable controversy and sharp differences of opinion among women's organizations.

Scholarly literature addressing Islamic family law, marital regulation, and 'Aisiyyah's socio-religious stances in Indonesia covers a spectrum of administrative, ideological, and theological perspectives. Studies on state-level marital governance, such as Ahmad Tholabi Kharlie, Fathudin, and Windy Triana's work on Islamic marriage bureaucracy, show how administrative reforms and dispute resolution depend heavily on Ministry of Religious Affairs regulations and localized innovations by the Office of Religious Affairs (KUA). However, this administrative focus largely analyzes modern, state-driven structures post-independence, bypassing earlier colonial-era grassroots initiatives that pioneered marriage consultation.¹⁵ On the ideological front, historical inquiries into 'Aisiyyah's socio-political discourse, such as Cindana's examination of the organization's stances on polygamy, family planning, and the hijab from 1970 to 1991, provide vital insights into 'Aisiyyah's gender rhetoric during the New Order era.¹⁶ Yet, these accounts leave a historical gap regarding 'Aisiyyah's foundational activism during the early 20th century—specifically its diplomatic role in broader national platforms. Furthermore, theological comparative studies, such as Firdaus and Maksun on marital controversies and Muhammadiyah's *sakinah* family principles, address normative Islamic family frameworks but focus primarily on modern doctrinal disputes rather than the historical processes through which these family principles were institutionalized into concrete social bodies.¹⁷ This article fills these distinct literature gaps by examining how 'Aisiyyah's early historical initiatives bridged national movement diplomacy, media production, and institutional family protection prior to national independence

This article matters because Aisiyyah contributed a distinctive perspective to discussions of women, given its background as an Islamic women's organization committed to Islamic principles and teachings. Amid social conditions that marginalized women, Muslim women within Aisiyyah were instead encouraged to actively engage in religious outreach (*da'wah*) and participate in public life. This spirit of progressive Islam drove Aisiyyah's

¹³ Afandi, "Siti Hajinah, Tokoh 'Aisiyyah Inisiator Badan Pembinaan dan Pelestarian Perkawinan (BP4)," *Muhammadiyah*, June 26, 2021, [Google](#).

¹⁴ Ipong Jazimah et al., "Dari Kongres Ke Regulasi: Peran Organisasi Perempuan Pada Lahirnya Undang-Undang Perkawinan 1974," *Danadyaksa Historica* 6, no. 1 (June 2026): 61–73, <https://doi.org/10.32502/jdh.v6i1.11223>.

¹⁵ Ahmad Tholabi Kharlie, Fathudin, and Windy Triana, "Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts," *Al Jamiah: Academic Journal of Islamic Studies* 59, no. 2 (2021): 255–86, <https://doi.org/10.14421/ajis.2021.592.255-286>.

¹⁶ Hellen Cindana, "Menahan Arus: Pandangan Aisiyyah Terhadap Polemik Wacana Poligami, Keluarga Berencana, dan Jilbab, 1970–1991," *Periode: Jurnal Sejarah dan Pendidikan Sejarah* 2, no. 1 (2020): 38–52, <https://doi.org/10.21009/periode.021.5>.

¹⁷ Pri An Nissa Firdaus and Muh Nur Rochim Maksun, "Kontroversi Nikah Mut'ah dalam Pandangan Syi'ah dan Muhammadiyah," *Jurnal Muallimun: Jurnal Madrasah Ibtidaiyah* 5, no. 1 (2025): 15–28, <https://doi.org/10.31602/jmpd.v5i1.18169>.

involvement in the First Women's Congress and its efforts to realize the Marriage Law. Through this article, it becomes evident how Aisyiyah developed and operated as an Islamic women's organization amidst the intense debates surrounding marriage issues and polygamy during that period. With its intellectual capacity, Aisyiyah constructed narratives that did not divide social unity while still firmly adhering to Islamic law. Although Aisyiyah did not always share the same views or positions as other women's organizations, its fundamental aspiration remained the same: to elevate women's status and dignity.

Therefore, this study aims to examine the ideas promoted by 'Aisyiyah during the First Women's Congress, its involvement in the Perikatan Perkumpulan Isteri Indonesia (PPII), and its role in developing the *Isteri* magazine. Additionally, it analyzes how 'Aisyiyah established a family consultation bureau that laid the foundation for the Badan Pembinaan dan Pelestarian Perkawinan (BP4) as a pioneering institution for women's protection in marriage

B. METHODS

This article was produced using the historical research method, which consists of five stages: topic selection, heuristics or source collection, verification involving external and internal criticism, interpretation consisting of analysis and synthesis, and finally historiography or historical writing.¹⁸ In the topic selection stage, the researcher chose this topic because the historical facts related to this topic are dispersed across various historical sources originating from different periods and authors. In addition, the researcher has a strong interest in women's history studies.

During the heuristic or source collection stage, the researcher conducted an investigation of both primary and secondary sources. The sources utilized in this study include editions of *Soeara Aisyiyah* published in 1927 and 1932, collections of speeches, journal articles, and other relevant references. The verification stage involved examining the validity and reliability of the historical sources to be employed in the study. The fourth stage was interpretation, in which the researcher analyzed and interpreted the historical facts that had been obtained. The final stage was historiography or historical writing, in which the researcher presented the research findings systematically from beginning to end in accordance with the formulation of the research problems and the chronological sequence of events.

Women's organizations developed rapidly during the 1920s, a period marked by the growing spirit of nationalism and global awakening movements. Issues concerning women continued to evolve across countries and exerted a significant influence on society. Through printed communication media, new ideas regarding women's advancement spread extensively and became increasingly difficult to restrain at the time. Women's organizations emerged from a collective aspiration for progress among women themselves. These organizations constituted social groups united by shared perspectives, ideals, and expectations that women's status should be equal to that of men. According to W. Trotter, human beings possess a social nature that encourages them to associate with others to sustain themselves and communicate with fellow human beings.¹⁹ This theory helps explain that women's organizations, such as Aisyiyah, emerged as a social necessity for individuals, particularly women, to gather and interact with other women.

According to Peter Kropotkin, the human need to live collectively and associate with others extends beyond communication alone, encompassing mutual assistance and cooperation. Women's organizations in Indonesia emerged from the desire to support other women who became victims of injustice resulting from cultural practices. Aisyiyah was established to assist women in overcoming various social problems while simultaneously striving to elevate their status to achieve equality with men. Aisyiyah, as an Islamic women's

¹⁸ Sugeng Priyadi, *Metode Penelitian Sejarah* (Yogyakarta: Pustaka Pelajar, 2021), 5. [Google](#).

¹⁹ Sukanti Suryochondro, *Potret Pergerakan Wanita Di Indonesia* (Jakarta: CV. Rajawali, 1984), 8. [Google](#).

organization, regarded the family as an essential institution that supports success within society. Consequently, the organization consistently responded promptly to problems arising within family life, including issues concerning both women and children. Aisyyiah sought to provide solutions to social problems that emerged within the community. In this regard, Aisyyiah can be understood as a social movement that consistently advocated for the welfare and advancement of women.

The ideas of W. Trotter and Peter Kropotkin are particularly relevant for understanding the social movement carried out by Aisyyiah. Social solidarity and concern among women became the fundamental basis for Aisyyiah's continuous activism. Aisyyiah became widely recognized as an organization that was systematically organized and managed in a modern manner. The organization was further strengthened by the support of Muhammadiyah. In addition, Aisyyiah's network expanded rapidly due to the support of the media as a means of publication, particularly through *Soeara Aisyyiah*.²⁰

C. RESULTS AND DISCUSSION

1. Aisyyiah's Ideas at the First Women's Congress

The First Women's Congress became an important platform for Aisyyiah within the nationalist women's movement and opened opportunities for the organization to establish networks with other women's organizations in Indonesia. However, long before the Women's Congress was convened, Aisyyiah had already been actively and openly promoting its ideas concerning women's advancement on a broad scale. This is evidenced by the activities of Aisyyiah figures who frequently delivered speeches in public spaces, as well as by the publication of *Soeara Aisyyiah*, which consistently addressed issues concerning women. Aisyyiah figures such as Munjiah were often invited to deliver speeches on women's issues from the perspective of Islamic law, not only before Aisyyiah members but also at events organized by *Wanita Taman Siswa*, *Wanita Utomo*, Jong Java, and other organizations.²¹ Similarly, an article published in the Javanese-language newspaper *Soeara Aisyyiah* entitled *Deradjading Tijang Estri Wonten ing Agami Islam* clearly explained that the status of women in Islam is equal to that of men, thereby suggesting that many prevailing customs and cultural practices were inconsistent with Islamic teachings.²² This demonstrates that Aisyyiah had already become widely recognized as a women's organization consistently advocating for women's welfare within marriage. The organization openly expressed its opinions and ideas in public spaces, including viewpoints that differed from prevailing social and cultural traditions.

The First Women's Congress involved seven women's organizations as both pioneers and organizers of the congress, namely *Wanita Utomo*, Aisyyiah, Jong Islamieten Bond Women's Division, Putri Indonesia, Wanita Katholik, Wanita Taman Siswa, and Jong Java Women's Division.²³ The primary focus of the First Women's Congress concerned women's education, women's position within marriage law, and the issue of child marriage. Therefore, the congress organizers invited legal scholars, namely R. Supomo, who discussed women from the perspective of customary law, and Ali Sastroamidjojo, who addressed women's issues from the perspective of Islamic law.

The congress proceeded successfully and enthusiastically, although the organizers acknowledged that several shortcomings remained in certain aspects of the event.

²⁰ Mutiah Amini, "Aisyyiah and The Problem of Women's Social Movement in Indonesia: A Historical Perspective," *Journal of Aisyyiah Studies* 1, no. 1 (2021): 43. [Google](#).

²¹ Suratmin et al., *Biografi Tokoh Kongres Perempuan Indonesia Pertama*, 20. [Google](#).

²² Soeara Aisyyiah, *Deradjading Tijang Estri Wonten Ing Agami Islam*, 1927. [Google](#).

²³ Kowani, *Sejarah Setengah Abad Pergerakan Wanita Indonesia*, 33. [Google](#).

Nevertheless, the principal objectives of the congress were achieved effectively.²⁴ Discussions concerning women's issues conducted openly and attended by numerous women's organizations from across Indonesia were unprecedented at that time. Most participants, who were members of women's organizations, showed great enthusiasm and regarded the congress as the appropriate moment to unite aspirations concerning the advancement of Indonesian women. In its later historical development, the First Women's Congress came to be remembered as the beginning of the unity of women's organizations, comparable to the Youth Congress that united Indonesian youth through the spirit of nationalism.

Aisyiyah became the center of attention when Munjiah delivered a speech entitled *Derajat Perempuan* (The Status of Women), which presented Aisyiyah's perspectives concerning women. In her speech, Munjiah courageously criticized forced marriage, polygamy, and issues related to divorce (*talak*). Her statements attracted considerable attention from all congress participants and constituted a direct criticism of the absence of permanent governmental regulations concerning the protection of women, which allowed practices detrimental to women to persist widely within society. Munjiah delivered her speech clearly and assertively without hesitation or fear. She explicitly stated that she attended and spoke at the Women's Congress on behalf of the central leadership of Aisyiyah.

Munjiah highlighted the high number of divorce cases resulting from forced marriages in which husbands and wives had been married without previously knowing one another. She illustrated this issue by describing the case of a man who was forced into marriage with a woman and later abandoned her arbitrarily to pursue another woman he preferred. According to Munjiah, such practices were highly detrimental and therefore needed to be eliminated. Marriage, she argued, should be based upon the mutual consent of both parties. Nevertheless, Munjiah also emphasized that Indonesian society possessed noble moral values; therefore, interactions between women and men should remain consistent with prevailing norms of decency and propriety.

Munjiah's views on polygamy also attracted considerable attention. She stated that her position did not imply support for polygamy; however, since polygamy constituted a provision recognized within Islam, it had to be acknowledged accordingly. Nevertheless, the regulations and implementation of polygamy, she argued, should be strictly supervised and carefully regulated.²⁵ In social reality, the practice of polygamy was often carried out in ways that disadvantaged women. This condition contributed to the growing anger and opposition toward polygamy among women. Such circumstances represented one of the major challenges faced by women's organizations and later gave rise to the idea that formal legislation was necessary to regulate these matters more strictly.

At the conclusion of her speech, Munjiah addressed the issue of *talak*, or the pronouncement of divorce. She argued that the authority to pronounce divorce had appropriately been entrusted to men because women were perceived as more impulsive and emotionally vulnerable. According to Munjiah, this condition should serve as a moral reflection for men to become more cautious and wise in their conduct so that harmonious families can be established as the foundation for a successful society. Munjiah's speech reflected the view that women must strive for progress through the pursuit of knowledge, education, and intellectual development, as women had long been oppressed and demeaned due to ignorance. For a long time, Aisyiyah had aspired to create opportunities for women to gather and deliberate upon concrete measures for women's advancement. Therefore, the Women's Congress represented an important moment in the effort to liberate women from oppression.

²⁴ Susan Blackburn, *Kongres Perempuan Pertama: Tinjauan Ulang* (Jakarta: Yayasan Obor Indonesia, 2007), 164. [Google](#).

²⁵ Blackburn, 172. [Google](#).

Not only Munjiah, but also Hajinah delivered a speech presenting Aisyiyah's views concerning women, entitled *Persatuan Manusia* (Human Unity). Although Hajinah's speech was not as critical or confrontational as Munjiah's, she emphasized the importance of unity among women for collective progress.²⁶ Aisyiyah's perspectives regarding women's conditions within marriage opened the eyes of congress participants to the reality that serious attention needed to be directed toward women's welfare, particularly in marital life. Women faced numerous problems due to the limited concern shown by both the government and society in general. One of the most important means through which women's conditions could be improved was education. Educated women would become aware that the position of women and men was fundamentally equal, both in the eyes of religion and under the law.

The First Women's Congress produced several important resolutions directly related to women's issues and marriage, namely the establishment of PPPI (*Perikatan Perkumpulan Perempuan Indonesia*), an organization intended to unite women's organizations, which was later renamed PPII (*Perikatan Perkumpulan Isteri Indonesia*), efforts to prevent child marriage, and the submission of a motion to the government requesting that every divorce decision be formally validated through written regulations.²⁷ The establishment of PPII aimed to provide women's organizations with a dedicated forum for discussing issues concerning women and marriage. PPII was further strengthened through the establishment of a women's newspaper entitled *Isteri*.

2. Aisyiyah's Involvement In PPII and Isteri

Aisyiyah was directly involved in PPII because several Aisyiyah figures held positions within the organization's leadership structure. Although they did not serve as chairpersons, the presence of Munjiah and Hajinah was highly influential. At that time, religion was considered a potentially divisive issue among women's organizations; therefore, it was determined that members of religious organizations could not be appointed as chairpersons in leadership elections.²⁸ This policy was intended to prevent differing views regarding marriage law from developing into prolonged conflicts.

Munjiah served as a commissioner within the PPII leadership, while the chairperson was Siti Aminah and the vice chairperson was Sujatin. Meanwhile, Hajinah became a member of the editorial board of *Isteri*, the newspaper published by PPII. Other members of the *Isteri* editorial board included Sutartinah, Tuti Rulia, Ismudiyati, Badiah, and Sunaryati. *Isteri* functioned as a medium through which women could express their ideas concerning justice and equality for women, while also addressing various issues related to women's lives.

Hajinah's appointment as a member of the editorial board of *Isteri* was certainly not without reason. Hajinah was a prominent figure who successfully developed *Soeara Aisyiyah*. By the time she was entrusted with the management of *Isteri*, she had already spent two years advancing *Soeara Aisyiyah*. *Isteri* aspired to become a women's medium for voicing women's rights in the same manner that *Soeara Aisyiyah* had previously done. After the conclusion of the First Women's Congress and Hajinah's appointment to the editorial board of *Isteri*, *Soeara Aisyiyah* continued to consistently advocate for the protection of women within marriage. This commitment can be seen, for example, in an article published in 1932 entitled *Dapatkah Islam Mendjoengdjoeng Deradjat Kaoem Poeteri* (Can Islam Uphold the Dignity of Women?). The article sharply highlighted the issue that women continued to be treated unjustly, although Islam teaches that women's dignity and honor must be protected.²⁹

²⁶ Blackburn, 239. [Google](#).

²⁷ Kowani, *Sejarah Setengah Abad Pergerakan Wanita Indonesia*, 34. [Google](#).

²⁸ Mutiah Amini, "Sukaptinah and Hajinah's Roles in the Nationalist Movement in Indonesia," *Jurnal Patrawidya* 18, no. 3 (2017): 276. [Google](#).

²⁹ *Dapatkah Islam Mendjoengdjoeng Deradjat Kaoem Poeteri*, 1932. [Google](#).

/Di dalam Islam jang dimaksoedkan dengan mendjoendjoeng deradjat kaoem poeteri itoe ta'boekan ialah memberi hak kepoeterian mereka dan mendjaga dengan soenggoeh-soenggoeh, soepaja mereka terdjaga kasopanannja atau djagan sampai dibikin semaoemaoenja oleh kaoem laki-laki..... Oleh karenanja, didalam Islam kaoem poeteri jang koerang kekoeatan ditentang segala-galanja itoe, wadjiblah kaoem laki-laki mendjaga dengan sebaik-baiknya dan menghormatinja/³⁰

in Islam, upholding the dignity of women does not merely mean granting them their rights as women, but also entails making every effort to protect their modesty and ensure that they are not treated arbitrarily by men... Therefore, in Islam, men are obliged to protect women, who are disadvantaged in many respects, to the best of their ability and to treat them with respect.

Since its establishment, PPII has organized numerous meetings that focused on women's issues and marriage. The subjects most frequently discussed in these meetings included women's position within marriage law, the protection of women and children in marriage, the prevention of child marriage, and educational assistance for girls so that they could attend school.³¹ PPII also submitted a motion to the colonial government requesting the enactment of legislation prohibiting concubinage. This motion emerged from women's concerns regarding the practice of concubinage, which was considered highly degrading to women's dignity. Concubinage referred to a relationship between a man and a woman that did not take place through a legally recognized marriage. In such relationships, women were often treated merely as sexual companions, while their existence and status were not properly respected and lacked legal recognition.³² This condition further diminished women's moral and social standing, particularly because children born from concubinage were not legally acknowledged.

The seriousness of PPII in managing the newspaper *Isteri* was demonstrated through recommendations issued during PPII meetings. These recommendations encouraged all PPII members to support the newspaper by seeking advertisements or subscribing to it. Various efforts were undertaken to maintain the existence of *Isteri*. For example, during a certain period, the newspaper was distributed free of charge to PPII members, while 50 percent of the publication costs were covered by the organization's leadership. On another occasion, the subscription price of *Isteri* was reduced to ensure that the newspaper remained affordable to the public.³³ All of these measures were undertaken to ensure that women's voices could continue to reach a broad audience. In its subsequent development, *Isteri* prohibited the use of the Dutch language and adopted the use of Indonesian in accordance with the growing nationalist movement. Beginning in December 1930, *Isteri* changed its language of publication from Javanese to Indonesian, reflecting the spirit of unity embodied in the Youth Pledge of 1928.³⁴ Unfortunately, during a PPII meeting in 1933, it was decided that *Isteri* would cease publication due to the increasing responsibilities and activities of its administrators.³⁵ The movement carried out by PPII attracted the attention of many women and women's organizations, including those that had not yet joined the organization.

At the Second Women's Congress held in Jakarta in 1935, Aisyiyah was also actively involved. During this congress, recommendations emerged urging congress members to examine the position of women within Islamic law and to establish a Divorce and Marriage

³⁰ "Dapatkah Islam Mendjoengdjoeng Deradjat Kaoem Poeteri" Soeara Aisjijah No. 12, 1932.

³¹ Kowani, *Sejarah Setengah Abad Pergerakan Wanita Indonesia*, 34. [Google](#).

³² Sugeng Priyadi, ed., *Dedikasi Sang Profesor : Sebuah Karya Persembahan Untuk Mengenang Prof, Dr. Tanto Sukardi, M.Hum* (Yogyakarta: Pustaka Pelajar, 2020), 119. [Google](#).

³³ Kowani, *Sejarah Setengah Abad Pergerakan Wanita Indonesia*, 41. [Google](#).

³⁴ Cora Vreede de-Stuers, *Sejarah Perempuan Indonesia: Gerakan Dan Pencapaian* (Jakarta: Komunitas Bambu, 2008), 136. [Google](#).

³⁵ Mutiah Amini, *Sejarah Organisasi Perempuan Indonesia: 1928-1998* (Yogyakarta: UGM PRESS, 2021), 32. [Google](#).

Investigation Board. These efforts aimed to strengthen women's position within marriage and emphasized the necessity of establishing permanent legal regulations governing marriage. The second congress also required all members to provide assistance to women who became victims of injustice within marriage as a form of solidarity among women. Furthermore, the congress established the Kongres Perempuan Indonesia (KPI), resulting in the subsequent dissolution of PPIL.

3. Aisiyyah Establishes the Family Consultation Bureau

In 1937, upon the initiative of several women's organizations, a women's protection institution known as KPKPAI (Komite Perlindungan Kaum Perempuan dan Anak-anak Indonesia) was established, which was later renamed BPPIP (Badan Perlindungan Perempuan Indonesia dalam Perkawinan). The institution was founded with the objective of providing protection for women and children within marriage, formulating marriage regulations, and establishing marriage consultation bureaus.³⁶ During the Third Women's Congress held in Bandung in 1938, a commission was established to draft marriage regulations.

The initiatives undertaken by women's organizations in Indonesia rapidly expanded and generated broader social influence. As a result, women's awareness and concern regarding the condition of women increased significantly. The idea concerning the necessity of permanent marriage regulations became increasingly prominent. Women sought legal protection that was definitive and enforceable, no longer relying solely upon customary law and religious law, but also upon governmental law through the establishment of a formal Marriage Law.

Aisiyyah also responded promptly to the struggles of women's organizations in advocating for the realization of the Marriage Law. Aisiyyah consistently maintained its approach toward addressing women's issues through protection and education. Evidence of Aisiyyah's serious commitment to supporting the protection of women within marriage can be seen in its establishment of the Family Consultation Bureau in 1939. This bureau focused on handling problems related to family life and marriage. In its subsequent development, in order to broaden the objectives of the Family Consultation Bureau, each Aisiyyah branch was expected to establish its own bureau. Hajinah was one of the prominent figures who encouraged the expansion of this institution in pursuit of the ideal of a *sakinah* family.

Hajinah regarded women's important contribution to the national struggle as being realized through the improvement of family life. According to her, the family constituted a fundamental pillar for achieving Indonesian nationalism. A harmonious (*sakinah*) family would give rise to a civilized society. Therefore, in every religious lecture delivered before Aisiyyah members, she consistently emphasized the importance of the family within the broader national struggle.³⁷ A harmonious family, in her view, could only be achieved when there was balance and mutual fulfillment of the rights and obligations of both husband and wife. The equilibrium of roles between men and women thus became a key factor in achieving family well-being and stability.

Aisiyyah's Family Consultation Bureau subsequently developed rapidly and became the embryo of BP4. BP4, formerly known in full as the Marriage Counseling, Dispute, and Divorce Board, is a partner institution of the Indonesian Ministry of Religious Affairs that continues to play a role in promoting harmonious and prosperous families. Hajinah was one of the central figures who initiated the establishment of BP4. She believed that the government needed a specialized institution dedicated to marriage guidance and counseling; therefore, she undertook important initiatives through the Directorate of Religious Affairs of the Indonesian Ministry of Religious Affairs. As a result, BP4 eventually became an official institution under the Ministry of Religious Affairs and has remained so until the present day. Hajinah was

³⁶ Jazimah and Nugroho, *Maria Ulfah: Menteri Perempuan Pertama Indonesia*. Google.

³⁷ Amini, "Sukaptinah and Hajinah's Roles in the Nationalist Movement in Indonesia," 278. Google.

actively involved in BP4 from its earliest establishment.³⁸ Within BP4, she initially served as a member, later became chairperson for several periods, and ultimately held the position of advisor. Throughout the process of drafting the Marriage Law, BP4 consistently acted as a loyal supporter and advocate for its realization

D. CONCLUSION

Women's organizations realized the Marriage Law of 1974 through persistent efforts, as they were the first groups to advocate for a permanent legal framework governing marriage. This initiative emerged from concerns that existing laws had not adequately protected women within marriage. One women's organization that played a significant role in realizing the Marriage Law was Aisyyiah. Since its establishment in 1917, the organization has consistently focused on issues affecting women. Aisyyiah's ideas closely aligned with women's needs at the time, as women frequently faced complex problems in education and marriage. Aisyyiah's ideas about improving women's status and advancement were openly and widely articulated even before the First Women's Congress was convened. Prominent Aisyyiah figures such as Munjiah and Hajinah frequently delivered public speeches addressing women's issues. *Soeara Aisyyiah*, which consistently advocated for women's concerns, also exerted significant influence. The First Women's Congress further strengthened Aisyyiah's position as an Islamic women's organization that had, from the outset, demonstrated concern for women's problems within marriage. Aisyyiah's ideas became an important foundation for the need for a Marriage Law to protect women within marriage. The involvement of Munjiah and Hajinah, two key early Aisyyiah figures, in PPII and the magazine *Isteri* provides clear evidence that Aisyyiah made a substantial contribution to the long struggle of Indonesian women to obtain their rights as human beings equal to men.

E. DECLARATIONS

1. Author Contribution

Ipong Jazimah: Conceptualization, formulation of research questions, methodology, historical source collection (heuristics), source criticism, historical interpretation, historiography, writing the original draft. **Arifin Suryo Nugroho:** Methodology, historical source collection (heuristics), external and internal source criticism, editing of the manuscript. **Nuryuana Dwi Wulandari:** Validation of historical findings, review, and editing. **Shelia Anjarani:** Source documentation, review, and editing. **Suraiya Chapakiya:** Validation of historical findings and critical review of the manuscript. **Salma Hafizhoturroyyan:** Historical source collection. **Naela Barokah:** Historical source collection.

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3. Conflict of Interest

The authors declare no conflicts of interest

4. Declaration of AI Use

The authors used ChatGPT in a limited supporting role during manuscript preparation, primarily for language refinement and initial identification of potentially relevant literature. The authors take full responsibility for the manuscript's accuracy, originality, academic integrity, analysis, interpretation, and final content.

³⁸ Suratmin et al., *Biografi Tokoh Kongres Perempuan Indonesia Pertama*, 117. [Google](#).

5. Additional Information

Not applicable.

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