

THE MAKING OF SINGLE PARENT RESILIENCE IN POST-COVID-19 PANDEMIC IN INDONESIA:

A Maqashid Al-Syari'ah Approach

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Abstract

This article discusses the changing role of women in the family household to take full control and responsibility as a single parent due to the death of their husbands in the post-Covid-19 pandemic in Indonesia. Based on the Covid-19 pandemic data, the death of husbands is so high in East Java that raised new problems in the family household when a wife must switch her position to take role as the head of the family as a single parent. This article strives to answer the questions of what roles do the women play as the head of the household due to the death of their husbands? How are these roles perceived based on Maqashid Al-Syari'ah, a contemporary Islamic law? These questions aim to understand the transformation of roles between husband and wife in Javanese Muslim family household to portray the gender equality and the construction of the family resilience. The data of this study are collected through ethnographic fieldwork with participatory observation and in-depth interviews to several married women in eastern parts of Java. This article suggests that mainstreaming the method of Islamic law, Maqashid Al-Syari'ah to build the resilience of single-parent families in East Java is realized by the awareness of single-parent women in meeting the family needs. This awareness is employed through various practices by women in East Java who cover all domestic and public activities for the benefit of the family.



[Artikel ini mendiskusikan perubahan peran perempuan dalam rumah tangga untuk mengambil alih kontrol dan tanggung jawab sebagai orang tua tunggal karena kematian suami mereka pasca pandemi Covid-19 di Indonesia. Berdasarkan data pandemi Covid-19, kematian suami dalam rumah tangga di Jawa Timur sangat tinggi sehingga menimbulkan masalah baru ketika istri harus beralih peran sebagai kepala keluarga sekaligus sebagai orang tua tunggal. Artikel ini berusaha menjawab pertanyaan tentang apa peran yang dilakukan perempuan sebagai kepala rumah tangga karena kematian suami mereka? Bagaimana peran tersebut dipahami berdasarkan Maqashid Al-Syari'ah sebagai hukum Islam kontemporer? Hal demikian bertujuan untuk memahami transformasi peran antara suami-istri dalam konteks rumah tangga Muslim di Jawa Timur serta memberikan gambaran kesetaraan gender dan konstruksi ketahanan keluarga. Data artikel ini dikumpulkan melalui studi lapangan etnografis dengan observasi partisipasi dan wawancara mendalam. Artikel ini berargumen bahwa pengarusutamaan metode hukum Islam, Maqashid Al-Syari'ah dalam membangun ketahanan rumah tangga orang tua tunggal direalisasikan dengan kesadaran untuk memenuhi kebutuhan keluarganya. Kesadaran ini berlaku melalui beragam praktik yang dilakukan perempuan di Jawa Timur yang mencakup kegiatan di ruang publik dan domestik untuk keuntungan keluarganya.]

Keywords: *Changing Roles, Single Parents, Islamic Law, Post-Covid-19, Indonesia*

Introduction

The world has been shocked by the emergence of the Covid-19 in 2019 which threatened human safety. The threat and danger of the Covid-19 could be seen in Indonesia's journey in dealing with the Covid-19 pandemic. In Indonesia, many victims died due to the Covid-19 virus. According to Kompas data, the first death case due to the Covid-19 in Indonesia was announced by the government on March 11, 2020. Afterwards, up to January 12, 2021 (10 months) there were 25,000 deaths. The peak was on August 4, 2021 that the deaths due to Covid-19 had reached 100,636.¹ According to the data from the World Health

¹ Wahyuni Sahara, "Perjalanan 100.000 Angka Kematian Covid-19 RI, 16 Hari Terakhir Bertambah 25.000," *Kompas.Com*, 05 August, 2021, <https://nasional.kompas.com/read/2021/08/05/13280011/>

Organization (WHO), as of September 2021, there had been more than 4.2 million confirmed cases of Covid-19 in Indonesia and more than 140,000 deaths.² However, these numbers are likely an underestimate, as testing capacity and reporting mechanisms in the country were not sufficient to capture the whole areas of the pandemic. The situation in Indonesia were complicated with a number of factors, including a large and densely populated areas of the archipelago, limited healthcare infrastructure, and the challenges in implementing effective public health measures such as social distancing and widespread testing kits. The efforts to control the pandemic in Indonesia had included the lockdowns and other social distancing measures, as well as thenational vaccination campaign that began in early 2021. The Covid-19 pandemic presented significant challenges to individuals, communities, and societies around the world. However, it also highlighted the importance of resilience.

Resilience is defined as the ability to adapt and bounce back from difficult situations. During the pandemic, individuals and communities have demonstrated resilience in a variety of ways. First, adapting to new norms: people have had to adjust to the new ways of living and working, such as remote working places, virtual learning, and social distancing. Many had been able to adapt and found new ways to stay connected and productive despite these challenges. Second, supporting each other: communities had come together to support vulnerable individuals and groups, such as the elderly, frontline workers, and those who lost their jobs or businesses due to the pandemic. Third, innovating and problem-solving: the pandemic spurred innovation and creativity in many fields, from healthcare to technology in education. Researchers and healthcare workers had developed new treatments and vaccines, while businesses had found new ways to operate and serve their customers. Fourth, maintaining mental health and well-being: the pandemic has taken a toll

perjalanan-100000-angka-kematian-Covid-19-ri-16-hari-terakhir-bertambah.

² <https://www.reuters.com/world/asia-pacific/indonesia-reports-least-daily-Covid-19-cases-over-year-2021-09-20/>.

on many people's mental health, individuals, and communities found the ways to prioritize self-care and support each other's well-being through virtual counselling, mindfulness practices, and other resources.

While the pandemic has been a challenging and an unprecedented event, it has also provided an opportunity to cultivate resilience and learn important lessons about adapting to misfortune. In particular, the Indonesian government, represented by President Joko Widodo, observed that the death rate for Covid-19 cases in East Java was the highest among other provinces. As stated in the East Java Covid-19 information, on August 20, 2021, the total number of deaths in East Java was 23,079.³ The high number of deaths due to Covid-19 was caused by two things namely the delay of Covid-19 patients in isolating centrally and the high number of comorbid patients in East Java.⁴

The impact of the very high number of deaths due to Covid-19 in East Java hit the number of women who become widows. Not only because of the high divorce rate during the Covid-19 pandemic, but also because of the number of husbands who died due to Covid-19. Anoted by the Office of Women Empowerment, Child Protection, and Population Control (DP3AK) of East Java Province recorded 2.79 million women in East Java became widows. This number represents 20% of the total families in East Java with a total of 13.82 million families. The data order for women with the most widow status in East Java is in the city of Surabaya then Banyuwangi, Jember, and Malang.⁵

Primayuni explains in her research on women as single parents that they experience a lot of pressures and burdens in family life. This

³ Jatim Tanggap Covid-19, <https://infoCovid19.jatimprov.go.id/#berita>.

⁴ Editor Team, "Presiden Ungkap Penyebab Tingginya Angka Kematian Akibat Covid-19 di Jatim," *Tribunnews.Com*, August 20, 2021, <https://www.tribunnews.com/nasional/2021/08/20/presiden-ungkap-penyebab-tingginya-angka-kematian-akibat-Covid-19-di-jatim>.

⁵ Rahmat Ilyasan, "2,79 Juta Perempuan di Jatim Berstatus Janda Akibat Covid-19 Hingga Perceraian," *INewsJatim.Id*, August 26, 2021, <https://jatim.inews.id/berita/279-juta-perempuan-di-jatim-berstatus-janda-akibat-Covid-19-hingga-perceraian>.

is because single parent women have two roles in the family, the role to earn money and the role as housewife.⁶ Meanwhile, in the Covid-19 pandemic situation, single-parent women faced various problems and responsibilities. Other researcher, Febrianto states that the economic situation in the pandemic era made the single parents women work extra and set strategies to meet the family needs.⁷ Further, Samsiar et. al. suggests that single-parent women in the Covid-19 pandemic situation were under various pressures to survive and meet the family needs. This condition made single parent women have a strategy for various information and assistance provided by the government as a means to maintain and meet the family's needs.⁸

Based on various problems and literature described above, it seems that in the Covid-19 pandemic, the condition of single parent women became very difficult because they have the responsibility as the head of the family and a housewife at the same time. Therefore, the formulation of solutions for single parent women in meeting their needs was very urgent to do. This study focuses on the *Maqashid Al-Syari'ah* mainstreaming model to form family resilience. The *Maqashid Al-Syari'ah* mainstreaming efforts here are to reveal the construction of family resilience for single parent women in East Java.

This study aims to describe the pattern of single-parent women's families in East Java through the construction of mainstreaming *Maqashid Al-Syari'ah*. It is a normative-empirical juridical study using a conceptual approach of Islamic law branch, *Maqasid Al-Syari'ah*.⁹ The method

⁶ Sucky Primayuni, "Kondisi Kehidupan Wanita Single Parent," *SCHOULID: Indonesian Journal of School Counseling*, Vol. 3, No. 4, 2019, pp. 17-23.

⁷ Priyono Tri Febrianto, "Single Mothers' Survival Strategies of University Students During Covid-19 Pandemic," *Society*, Vol. 9, No. 1, 2021.

⁸ Aryuni Salpiana Jabar Samsiar Samsiar, Sulsalman Moita, "Strategi Bertahan Hidup Single Parent dalam Memenuhi Kebutuhan Keluarga pada Masa Pandemi Covid-19: Studi di Desa Pohorua Kecamatan Maligano Kabupaten Muna," *Gemeinschaft: Jurnal Masyarakat Pesisir dan Perdesaan*, Vol. 3, No. 1, 2021.

⁹ Mestika Zed, *Metode Penelitian Kepustakaan* (Jakarta: Yayasan Obor Indonesia, 2007), p. 3.

employed is a qualitative approach with a case study design.¹⁰

The case study was conducted in East Java Province by extracting data through ethnographic fieldwork with several parties to answer the research questions.¹¹ To extract the data as a conceptual basis, searching the classical and contemporary scholars' works and international journal articles about *Maqashid Al-Syari'ah* are pivotal. The analytical technique used in this study is content analysis to examine the problems and research questions as a step in mainstreaming *Maqashid Al-Syari'ah*.

***Maqashid Al-Syari'ah*: an Overview**

Maqashid Al-Syari'ah is an Arabic term that refers to the objectives and the purposes of Islamic law. It is a key concept in Islamic jurisprudence (*fiqh*) and Islamic ethics (*akhlak*), and considered to be one of the most important contributions of Muslim scholars to the field of legal theory. *Maqashid Al-Syari'ah* are the higher objectives and purposes of Islamic law, beyond the specific details of legal rulings. They are based on the principles of justice, equity, and compassion. It is intended to promote the well-being and welfare of individuals, families, and society in general. *Maqashid Al-Syari'ah* is also intended to protect and preserve the fundamental values of Islam, such as faith, life, intellect, property, and lineage.¹²

Maqashid Al-Syari'ah is typically divided into three categories: the preservation of religion (*hifẓ al-dīn*), the preservation of life (*hifẓ al-nafs*), and the preservation of property (*hifẓ al-māl*). These categories are further divided into sub-objectives, such as the protection of human dignity, the promotion of social justice, and the preservation of the environment. The concept of *Maqashid Al-Syari'ah* is important to provides a framework

¹⁰ Ranjit Kumar, *Research Methodology: A Step-by-Step Guide for Beginners* (London: Sage Publication, 2000).

¹¹ C. R. Kothari, *Research Methodology: Methods and Techniques* (New Delhi: New Age International Ltd. Publisher, 2004).

¹² Mohammad Hashim Kamali, "Maqāsid Al-Shari'ah: the Objectives of Islamic Law," *Islamic Studies*, Vol. 38, No. 2, 1999, pp. 193-208.

for understanding the underlying purposes and principles of Islamic law, and for reconciling apparent conflicts between different legal rulings. It also encourages Muslim scholars and jurists to adopt a more holistic and comprehensive approach to legal analysis, taking into account the broader social context and the ultimate objectives of Islamic law.¹³

In its application, the use of *Maqashid Al-Syari'ah*¹⁴ in Islamic legal discourse means exploring the purpose of enacting a law in Islam.¹⁵ The scholars believe that Islamic law has a universal goal to promote the universal benefit and achieve happiness in the world and the hereafter. This achievement is carried out through realizing benefit and rejecting harm. Al-Syathibi, in *al-Muwafaqat fi Ushul al-Syariah* classified the realization of benefit through five fundamental elements: religion, soul, lineage, reason, and property which are further formalized in terms of *Maqashid Al-Syari'ah*.¹⁶ *Maqashid Al-Syari'ah* among *ushul fiqh* scholars is referred to as *asrar al-syariah* (the secrets of textual legal system). This concept of human benefit in the world and the hereafter is initiated by al-Juwaini and al-Ghazali.¹⁷

In the context of discussing *Maqashid Al-Syari'ah*, there is an interesting note by Al-Raisuni, which stipulates that there are stages of development about *Maqashid Al-Syari'ah*. He states that the use of *Maqashid Al-Syari'ah* as an ideal method that represents Islamic law was proposed first by the companions of the prophet Muhammad, such as Umar bin Khattab who did not cut the hands of thieves. *Maqashid Al-Syari'ah* as a condition that becomes an aspiration, not a basis (*ushuliyyah*)

¹³ Wael B. Hallaq, "Maqāṣ'id and the Challenges of Modernity," *Al-Jami'ah: Journal of Islamic Studies*, Vol. 49, No. 1, 2011, pp. 1-32.

¹⁴ Zakaria Syaifei, "Tracing Maqasid Al-Shari'ah in The Fatwas of Indonesian Council of Ulama (MUI)," *Journal of Indonesian Islam*, Vol. 11, No. 1, 2017, pp. 105.

¹⁵ Iffatin Nur & Muhammad Ngizzul Muttaqin, "Reformulating The Concept of Mas'lahah: From a Textual Confinement Towards a Logic Determination," *Justicia Islamica Jurnal Kajian Hukum dan Sosial*, Vol. 17, No. 1, 2020.

¹⁶ Abu Ishaq Al-Shatibi, *Al-Muwafaqot Fi Ushul Al-Syari'ah* (Beirut: Dar al-Kutub al-Ilmiyah, 2004), p. 8.

¹⁷ Abu Zahrah, *Ushul Al-Fiqh* (Kairo: Dar al-Arabi, 2005), p. 89.

theory, becomes a theory that was not discussed systematically in its initial development. However, *Maqashid Al-Syari'ah* gets a more detailed meaning after going through a series of stages of foundation of Islamic law (*ushul fiqh*) development.¹⁸

In respect of the mainstreaming of *Maqashid Al-Syari'ah*,¹⁹ community institutions are created and maintained or changed through human actions and interactions. Although the reality of society and social institutions looks objective it is built in subjective definitions through a process of interaction. Objectivity occurs through repeated affirmation by others who have the same subjective definition. At the highest level of generality, humans create the world in a universal symbolic meaning in the form of a holistic view of life, which legitimizes and regulates social forms and gives meaning to various fields of life.²⁰

Institutionalization appears simultaneously with the emergence of characterization in the process of classifying certain types by certain people who are called actors. This characterization is called an institution. Each institution chooses its control mechanism and sanctions. Each individual is entitled to social rewards if he obeys the reality in his institution or risks being punished if he deviates the existing control.

Institution manifestly includes several people to be responsible for the “construction of the world” and understand it. Individual understanding of the world around them and how individual behavior is considered suitable with society's expectations is a dialectical process that occurs continuously between them. Moreover, they do not only live in the same world, but each of them also participates in the other's existence. Only after reaching this level of internalization, the individual

¹⁸ Ahmad Raisuni, *Al-Bahs Fi Maqashid Al-Syari'ah Nasy'atuba Wa Tatannuruba Wa Mustaqbaluha* (Ribath: Mathba'ah al-Najah al-Jadidah al-Dar al-Baidhah, 2007), p. 2.

¹⁹ Mukti Tabrani, “Maqashid Revitalization in Global Era: Istidlal Study from Text to Context,” *Al-Ikham: Jurnal Hukum dan Pranata Sosial*, Vol. 13, No. 2, 2018.

²⁰ Agus Moh Najib, “Reestablishing Indonesian Madhhab: Urf and the Contribution of Intellectualism,” *Al-Jami'ah: Journal of Islamic Studies*, Vol. 58, No. 1, 2020.

becomes a member of a society.²¹

The process of internalizing values through mainstreaming *Maqashid Al-Syari'ah* will go through important stages. These stages include value transformation, value transaction, and value trans-internalization. The value transformation stage is a process carried out by educators by providing information about good and bad things. It is called transformation because it is a process of transferring knowledge and values to make people understand verbally. Transformation activities enable people to understand and actualize their understanding of values in life.²²

The second stage is the stage of transactions carried out through interaction between values and society. The existence of this two-way communication allows for the development of values embedded in people's understanding of the reciprocal process carried out. The third stage is trans-internalization which is a deeper stage than the transaction stage. At this stage, not only verbal communication is carried out but also communication through attitudes and actions. This stage also allows for a process of imitating and implementing the values that have been transformed by social institutions.²³

Through the efforts of mainstreaming *Maqashid Al-Syari'ah* in the lives of singleparent women in East Java, it is hoped that the process of transformation, transaction, and trans-internalization will serve as the basis for the construction of family resilience. In the Covid-19 pandemic situation, the family's condition seems to be tested by various pressures and turmoil in the economic and health fields. As a result, it is hoped that the mainstreaming *Maqashid Al-Syari'ah* process can become

²¹ Margaret Poloma, *Sosiologi Kontemporer* (Jakarta: PT. Raja Grafindo Persada, 1994), p. 19-20.

²² Iffatin Nur & A. Hasyim Nawawie, *Mainstreaming Moderasi Islam: Menepis Radikalisme dan Ekstremisme melalui Trans-Internalisasi Nilai-Nilai Maqashid Syari'ah* (Tulungagung: IAIN Tulungagung Press, 2020).

²³ Mochamad Chairudin, "Aspek Pengembangan Internalisasi Nilai Moderasi Islam Pada Santri," *Proceedings: Annual Conference for Muslim Scholars*, No. 2, 2018, pp. 286.

the main basis for all policies and actions to strengthen families in the current pandemic era.

The Role of Women in Muslim Family in East Java

In private and public life,²⁴ the independence of single parent women is very much needed to carry out functions in the domestic sector and the public sector. In the domestic sector, for example, women are required to carry out all actions and activities for the benefit of family members. However, in the public sector, single parent women have the task of running the economy as a means to meet their needs and provide their families. In this sector, single parent women are required to socialize with many communities. Under these conditions, the balance between domestic and public roles requires special arrangements so that the domestic and public aspects can run and the family continues to exist even in all the demands of the family and community pressure.

In the current situation of the Covid-19 pandemic, in East Java, women were found living as single parents. This is due to many divorces during the pandemic and the high male mortality rate.²⁵ This condition then raises new problems when women are required to carry out double burdens as housewives and breadwinners.²⁶ The researchers conducted interviews with several single parent women in East Java to extract the data to see the efforts of single parent women in East Java in maintaining the existence of the family. One of the informants from Surabaya said that while her husband passed away, she and her family were still struggling to recover from Covid-19 pandemic. In critical times, she used the savings

²⁴ Ahmad Muttaqin, "Women's Identity in the Digital Islam Age: Social Media, New Religious Authority, and Gender Bias," *QIJS: Qudus International Journal of Islamic Studies*, Vol. 8, No. 2, 2020.

²⁵ Editor Team, "Akibat Pandemi, Jumlah Janda di Jawa Timur Mengalami Kenaikan," *TvOne*, August 25, 2021, <https://www.tvonenews.com/channel/news/44912-akibat-pandemi-jumlah-janda-di-jawa-timur-mengalami-kenaikan>.

²⁶ Editor Team, "2,79 Juta Perempuan Jawa Timur Menjanda Saat Pandemi Covid-19," *Kompas Tv*, August 26, 2021, <https://www.kompas.tv/article/205256/2-79-juta-perempuan-jawa-timur-menjanda-saat-pandemi-covid-19>.

and got some help from relatives and the government. After recovering from Covid-19, she was still struggling to meet all her family's needs. The same thing was also done by informants from Malang, Jember, and Banyuwangi. After the death of her husband due to Covid-19, she continued to struggle to meet her family's needs by selling goods. Although income from the sales decreased after being affected by the Implementation of Restrictions on Community Activities (PPKM) policy, she used government grants to increase and develop her sales business.²⁷

Meanwhile, informants from Kediri, Blitar, and Jombang said that she and her children plan various strategies to earn income after the death of their husbands. One of the informants from Tulungagung and Sidoarjo stated that she relied on her husband's income and only focused on being a housewife. As a result, she needs to work hard and arrange various strategies to earn income by continuing her husband's work as a farmer and seller. The same thing was also forced by one of the women in Blitar district that she and her child suddenly made small sales in the market other than her main profession as street vendors to cover and meet the family needs.²⁸

From the data and research findings described above, several researchers also found the independence of single parent women in East Java. These findings of those researchers suggest that single parent women try their best to provide family needs. The independence of single parent women in East Java seems to be their strength to reinforce and maintain the integrity of the family to fulfil all family needs.²⁹

All the forms of the struggle for single parent women and their families as explained above showed that the single parent women in East Java and all the interests and needs of the family must be realized in any situation and condition. This is similar to informants who said that all their efforts to meet family needs were a form of responsibility to

²⁷ Interview with Single Parent Woman in East Java on August 1-30, 2021.

²⁸ Interview with Single Parent Woman in East Java on August 1-30, 2021.

²⁹ Interview with Single Parent Woman in East Java on August 1-30, 2021.

replace their husband's position. Meanwhile, in terms of the constraints and severity of meeting family needs, single parent women consider that all the matters relating to the weight and failure of meeting family needs are their risks and challenges.³⁰

From various data as explained above, it is assumed that single parent women in East Java emphasize fulfilling their family needs. This is done based on the argument that looking after the family is an obligation in any situation and condition, even when one of the family members cannot fulfill their needs or when the family member is incomplete (their husbands die). Even though her condition was exacerbated by the economic situation during the Covid-19 pandemic, it seems that single parent women in East Java take various sectors that can be used to work and can meet all their family needs.³¹

The various problems and struggles of single parent women in East Java as described above are more rigid, radical, and fundamentalistic. The fundamental basis of every Islamic law is the principle of wisdom, the safety of mankind, and the fulfillment of all forms of human needs. Even more sadly, the discrimination act is carried out among people who are enjoying peace, tranquility, and prosperity in life. One of the fundamental problems is that the discourse of Islamic law is still atomistic-partialism, both at the methodological and practical levels. The application of Islamic law is more reductionist than holistic, literal than moral, one-dimensional rather than multidimensional, binary rather than multi-valued, deconstructionist rather than reconstructionist, and causal rather than theological. Therefore, a multidisciplinary system approach is needed to methodologically apply *Maqashid Al-Syari'ah* theories. As one of the systems approaches promoted by Jasser Auda that he carried out a new paradigmatic reconstruction in analyzing Islamic law.³² Based on some

³⁰ Interview with Single Parent Woman in East Java on August 1-30, 2021.

³¹ Interview with Single Parent Woman in East Java on August 1-30, 2021.

³² Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: the International Institut of Islamic Thought, 2007).

systems features in building an Islamic worldview in the contemporary era, *Maqashid Al-Syari'ah*, which used to be the point of emphasis only on the importance of protecting Muslims, shifted to universal protection for humanity.³³

Seeing several efforts done by single parent women in East Java to meet the family needs,³⁴ it seems that family protection is the essence that must be realized. Efforts to transform *Maqashid Al-Syari'ah* in the single parent women's lives in East Java are to strengthen and maintain the family existence appeared in the application of *Maqashid Al-Syari'ah* values as the basis for a family. It can be seen in the classical Islamic law discourses that women are limited to all public activities. Through the transformation of *Maqashid Al-Syari'ah*, single parent women in East Java have the freedom to do public activities. Mainstreaming the transformation of *Maqashid Al-Syari'ah* values to construct the resilience of single parent women in East Java has implications for the transformation of the theorizing *hifdz al-'usrah* as the basis of *Maqashid Al-Syari'ah*.

The conception of *hifdz al-'usrah* in the discourse of *Maqashid Al-Syari'ah* can be found in some of the basic products of *asas al-kehamsah* (five pillars). At the level of *hifdz al-nafs*, *hifdz al-'usrah* is a manifestation of humans which is characterized by the life of pairs between husband and wife and their offspring. In the aspect of *hifdz al-din*, religious protection is realized by implementing the religious law through marriage as a means to achieve happiness in the world and the hereafter. In the aspect of *hifdz al-nasl*, *hifdz al-'usrah* is a means of maintaining offspring as a struggle manifestation in the world and a helper in the hereafter. Meanwhile, in the aspect of *hifdz al-mal* and *hifdz al-'aql*, family integrity (*hifdz al-'usrah*)

³³ About *Maqashid Al-Syari'ah* position, see in Iffatin Nur, Syahrul Adam, M. Ngizzul Muttaqien, "Maqās'id Al-Sharī'at: The Main Reference and Ethical Spiritual Foundation for the Dynamization Process of Islamic Law," *Abkam: Jurnal Ilmu Syariah*, Vol. 20, No. 2, 2020.

³⁴ Abu Rokhmad & Sulistiyono Susilo, "Conceptualizing Authority of the Legalization of Indonesian Womens Rights in Islamic Law," *Journal of Indonesian Islam*, Vol. 11, No. 2, 2017, pp. 500–503.

can be carried out with sufficient economic needs and peace of mind living in the world.

The number of women as heads of families is growing over the years. This increase is especially evident in conflict and disaster areas. According to the Central Statistics Agency (BPS) in 2018, quoted from the August 3, 2020 edition of *Kompas Daily*, there were 10.3 million households with 15.7 percent women as the head of the family. One of the factors that causes the woman to become the head of the family is divorced from her husband. Another cause is when the husband is not the main moneymaker because of disability or losing his job. There are also women whose husbands are not the head of the family because of polygamy, unemployment, or illness.³⁵

In the construction and views of society in East Java, women as single parents are seen as a form of weakness in the internal family. People only see that without ever wanting to see the various factors that cause women to be single parents. People in East Java tend to give bad judgment and labels to single parent women. This makes many women work hard to survive to meet all the family needs. On the other hand, this condition also makes women do not want to be separated from their husbands even though internally in the family they experience domestic violence and injustice. They prefer to hold them and do not get the label as a single parent woman from the society.³⁶

For single-parent women, problems and pressures do not only come from the family, but also arise from the society, especially in the work places, for example, those who work as *pedagang kali lima*, selling products on street. However, the stigma and public perception of single parent women, as described above, seems to have begun to change and be erased when society has worked together to face the Covid-19 pandemic.

³⁵ Editor Team, "Melihat Kondisi Perempuan Kepala Keluarga Saat Pandemi...," *Kompas.com*, August 4, 2020, <https://nasional.kompas.com/read/2020/08/04/07293301/melihat-kondisi-perempuan-kepala-keluarga-saat-pandemi?page=all>.

³⁶ Interview with Single Parent Woman in East Java on August 1-30, 2021.

This can be seen from various society responses as providing grants and even various training for single parent women.³⁷

In reality, women get a special stigma when they are single parents, both because of divorce and death. This is a challenge in the Covid-19 pandemic. East Java Province contributes many single parent women both because of divorce and death. With these challenges, of course, the single parent women in East Java have the responsibilities to maintain their family by meeting all the family needs.

In the mainstreaming process through transactions, *Maqashid Al-Syari'ah* values are realized by actualizing *Maqashid Al-Syari'ah* in society in response to a large number of single parent women in East Java. Creating social harmony is a goal of the actualization of the Islamic law that must be realized as the conception of *Maqashid Al-Syari'ah*. This realization is pursued by the transaction of *Maqashid Al-Syari'ah* as a means of controlling society in dealing with certain conditions, including the current pandemic conditions.

Maqashid Al-Syari'ah transaction as an effort to deconstruct public understanding of discriminatory elimination are followed by the awareness and assistance to re-understand Islam as a religion of *rahmatan lil alamin* (blessing for all), which is anti-discrimination and labeling. The transaction process continues towards the three basic conceptions of Islam in treating fellow human beings including justice (*adalah*), mercy (*rahmah*), and equality (*musawa*), as the initial conception of *maqashid*. The substances of *maqashid al-syari'ah* are *hifdz al-din*, *al-nafs*, *al-aql*, *al-nasl*, *al-mal*, and *al-'usrah*.

At the end of the discussion on the legality of *Maqashid Al-Syari'ah*, Ibnu 'Asyur emphasized the importance of the following preparations before establishing a *maqashid* as follow: first, comprehensively knowing the meaning of a *nash* and the background of its revelation. Second,

³⁷ Interview with Single Parent Woman in East Java on August 1-30, 2021.

conducting methodological observations on the texts which in their *dzahir* seem to contain paradoxes. Third, analyzing the text of *nash* which are thought to have multiple meanings by analogizing to other text that clearly shows the law, and fourth, making methodological compromises by placing *Maqashid Al-Syari'ah* in line with religious texts to be discussed with the contemporary reality. This is for the sake of creating a living, humanist concept of Islamic jurisprudence and accommodating the public benefit.³⁸

Women as the Head of the Family amid Covid-19 Pandemic

Based on the data from the Office of Women Empowerment, Child Protection and Population Service of East Java regarding a large number of widows in the Covid-19 pandemic, the government conducted various forms of training and assistance to improve the family economic condition. This is based on a phenomenon that single parent women encounter various economic difficulties during the pandemic. Those trainings are entrepreneurship training and family financial management. These trainings are based on the concern and participation of the government in helping family problems, especially their economic problems.³⁹

In addition to mentoring single parent women in East Java province, the government through the Office of Women Empowerment, Child Protection, and Population invited the society to jointly pay attention to single parent women and their family members. In this case, cooperation between the government and the community to provide empowerment and protection for women is very much needed.⁴⁰ In practice, those

³⁸ Muhammad Thahir Ibn 'Asyur, *Maqasid Al-Syari'ah Al-Islamiyyah* (Tunisia: Dar Sukhun Li al Nashr wa al Tawzi', 2007).

³⁹ Ardiansyah Fajar, "2,9 Juta Perempuan Jatim Single Parent, Terbanyak Saat Pandemi," *IDN Times Jatim*, August 29, 2021, <https://jatim.idntimes.com/news/jatim/ardiansyah-fajar/29-juta-perempuan-jatim-single-parent-terbanyak-saat-pandemik/3>.

⁴⁰ Editor Team, "Covid-19 Bikin Tiga Ribu Perempuan Jadi Single Parent di Jatim," *JawaPos.com*, August 25, 2021, <https://www.google.com/amp/s/www.jawapos.com/>

efforts provide solutions to family sustainability. This happened because the Covid-19 pandemic had a significant impact, especially on the family economy.

The government of East Java through the Office of Women Empowerment, Child Protection, and Population also collaborate with various private training institutions and various Non-Governmental Organizations (NGOs). In addition to direct assistance, currently, they with the Ministry of Women Empowerment and Child Protection is preparing an application for the Women's Curation House so that assistance can be carried out independently. This application contains training that can be used by single parent women. There is also a vent feature that is expected to help the psychological pressure experienced by the victims of the pandemic.⁴¹

The main problem in families in the era of the Covid-19 pandemic is how to maintain and be able to meet all family needs amid the collapse of the economic system due to Covid-19 because many sectors of family income sources have been affected by the pandemic. In the mainstreaming process through the trans-internalization of *Maqashid Al-Syari'ah*,⁴² the strengthening of single parent women's families in East Java is implemented with various reinforcements by government institutions and social institutions. This can be seen in the various responses from government agencies and social institutions that participate in strengthening single parent women's families in East Java province.

In this aspect, mainstreaming can reveal the need for changes in goals, strategies, and actions to ensure that everyone can have a good

jpg-today/25/08/2021/Covid-19-bikin-tiga-ribu-perempuan-jadi-single-parent-di-jatim/%3Famp.

⁴¹ Editor Team, "4 Ribu Ibu Tunggal Baru Akibat Covid-19, DP3AK Jatim Siapkan Aplikasi," *IDN Times Jatim*, September 14, 2021, <https://jatim.idntimes.com/news/jatim/fitria-madia/4-ribu-ibu-tunggal-baru-akibat-Covid-19-dp3ak-jatim-siapkan-aplikasi/4>.

⁴² Ahmad Muhtadi Anshor & Muhammad Ngizzul Muttaqin, "Kebijakan Pemerintah Indonesia dalam Pencegahan Penyebaran Corona Virus Disease 2019 (Covid-19) Perspektif Maqashid Syari'ah," *Al-Istimbath: Jurnal Hukum Islam*, Vol. 5, No. 2, 2020.

influence, participate in, and benefit from community activities and in the development process. Thus, mainstreaming can cause changes in the order of social life, related to the structure, procedures, and culture to create a conducive living environment for the achievement of life goals and human benefit.⁴³

Human benefits are summarized in five basic things (*dharuriyyat* or *kulliyat al-khams*).⁴⁴ According to al-Syathibi,⁴⁵ it is like a symbiotic mutualism between the existence (*wujud*) and the emptiness (*adam*). If humans exist then this life will also exist. If humans are destroyed or perished then life will also end and disappear. Therefore, these five fundamental elements are the basic principles of human rights (HAM) in Islam. As for realizing the five elements, al-Syathibi provides two solutions. First, keeping its existence safe and lasting (*min nahiyat al-wujud*) and guarding and preventing all things that can damage and negate it (*min nahiyati al-adam*).

Conclusion

Mainstreaming the transformation of *Maqashid Al-Syari'ah* to build the resilience of single parent women's families in East Java can be viewed through the awareness of single parent women in meeting family needs. This awareness is conducted through various practices by single parent women in East Java who carry out all private and public activities for the benefit of the family. As an effort to transform *Maqashid Al-Syari'ah*, the embodiment of protecting the family as the basis of *Maqashid Al-Syari'ah* becomes relevant as a basis in all efforts to maintain the existence of the family.

⁴³ Iffatin Nur, A. Hasyim Nawawi, Hiba Fajarwati, Hani Chusna, "Embracing Radicalism and Extremism in Indonesia with the Beauty of Islam," *Asian Research Journal of Arts & Social Sciences*, Vol. 10, No. 2, 2020.

⁴⁴ Saim Kayadibi, "The State As An Essential Value (Daruriyyat) of The Maqashid Al-Shari'ah," *Abkam: Jurnal Ilmu Syariah*, Vol. 19, No. 1, 2019.

⁴⁵ Abu Ishaq al-Shatibi, *Al-I'tisham* (Beirut: Dar al-'Ilm al-Malayi, 2008), p. 76.

In the mainstreaming aspect through *Maqashid Al-Syari'ah* transactions, the strengthening of single parent women's families is actualized by building a community that implements *Maqashid Al-Syari'ah* values. This Community Construction in the study of *Maqashid Al-Syari'ah* is implemented with the religious support and moral support for single-parent women. Indirectly, *Maqashid Al-Syari'ah* transaction process is an implementation of the protection of the mind (*hifdz al-'aql*) and the protection of human dignity (*hifdz al-'irdz*). So that *Maqashid Al-Syari'ah* transaction process can provide a new order in dealing with the problems of single parent women in East Java during the current pandemic.

In the aspect of mainstreaming through trans-internalization of *Maqashid Al-Syari'ah*, the strengthening of single parent women's families is the follow-up by the government agencies and the community to assist single parent families. The assistance is in the form of training and economic empowerment to assist with internal family problems. The main objective of the training is how to Make use of the benefits in the form of solutions for the misfortune of the single parent women's household. To sum up, the trans-internalization process runs with the support from various parties to realize the resilience and integrity of single parent women's families.

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