

THE FUNCTIONAL ANALYSIS OF GENDER EQUALITY IN THE ISLAMIC LAW PERSPECTIVE

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Abstract

The causative factors of the gender equality problem include misunderstanding social roles between men and women as a result of an incomplete understanding of Islamic law. This misunderstanding of gender equality results in unequal conceptions placing the positions of men and women in society. This article aims to the primary data sources in this article are the Qur'an text which outlines the gender equality issues in the Islamic law perspective. This article is a qualitative study with a normative juridical approach by describing and analyzing the concept of gender in the Qur'an and fiqh. The results of this study explain that Islam teaches equality between humans, both men and women. At least there are five principles of gender equality in Islam, men and women are both servants of Allah Swt, men and women are both caliphs of Allah, men and women both accept the primordial covenant, men (Adam) and women (Hawa) are both actively involved in the events of the cosmic creation, and men and women have the same potential for achievement. The Qur'an emphasizes the equal status of men and women in terms of fundamental rights as their existence as human and divine beings.

Keywords : Gender, Equality, Islamic law

Abstrak

Faktor penyebab permasalahan kesetaraan gender antara lain kesalahpahaman peran sosial antara laki-laki dan perempuan akibat pemahaman hukum Islam yang belum sempurna. Pemahaman yang salah mengenai kesetaraan gender inilah yang mengakibatkan adanya ketimpangan konsepsi yang menempatkan posisi laki-laki dan perempuan dalam masyarakat. Artikel ini bertujuan agar sumber data primer dalam artikel ini adalah teks Al-Qur'an yang menguraikan permasalahan kesetaraan gender dalam perspektif hukum Islam. Artikel ini merupakan penelitian kualitatif dengan pendekatan yuridis normatif dengan mendeskripsikan dan menganalisis konsep gender dalam Al-Qur'an dan fiqh. Hasil penelitian ini menjelaskan bahwa Islam mengajarkan kesetaraan antara manusia, baik laki-laki maupun perempuan. Setidaknya ada lima prinsip kesetaraan gender dalam Islam, laki-laki dan perempuan sama-sama hamba Allah SWT, laki-laki dan perempuan sama-sama khalifah Allah, laki-laki dan perempuan sama-sama menerima akad primordial, laki-laki (Adam) dan perempuan (Hawa) adalah keduanya terlibat aktif dalam peristiwa penciptaan kosmis, serta laki-laki dan perempuan mempunyai potensi prestasi yang sama. Al-Qur'an menekankan persamaan kedudukan laki-laki dan perempuan dalam hal hak-hak dasar sebagai eksistensinya sebagai manusia dan makhluk Ilahi.

Kata Kunci: Gender, Kesetaraan, Hukum Islam

Introduction

Islam is a religion of rahmatan lil 'alamin that teaches equality between men and women without discrimination. The Qur'an and Hadith are the main sources of Muslim teachings, which contain universal values that guide human life. These values include humanity, justice, freedom, equality, and etc.¹ Related to the value of justice and humanity, Islam never tolerates discrimination or different treatment among human beings.²

The issue of gender equality has been a topic of discussion for many years, and it is a complex issue that is influenced by various factors such as cultural, social, and religious beliefs. These factors impact the view of women's role in society. Some roles that are currently discussed in gender equality studies concerning compensation, roles, education, decision - making, leadership, entrepreneurship, and career progression.³ Studies on gender equality from the perspective of Islam's juristic landscape began to be widely studied by scholars in the 20th century. Since then, studies on gender equality have been conducted using various approaches, especially comparisons between Islam and the West.⁴ In the context of Islam, the Quranic view of gender equality for women is a subject of complex discussion.

¹ Maslamah dan Suprapti Muzani, 'Konsep-Konsep Gender Menurut Perspektif Islam', *Jurnal SAWWA* 9, no. 2 (2014): 275–86.

² Mursyidah Thahir, ed., *Pemikiran Islam Tentang Pemberdayaan Perempuan* (Jakarta: PP Muslimat NU Kerjasama dengan Logos Wacana Ilmu, 2000).

³ Paola Belingeri et al., 'Twenty Years of Gender Equality Research: A Scoping Review Based on a New Semantic Indicator', *PLOS ONE* 16, no. 9 (21 September 2021): 1, <https://doi.org/10.1371/journal.pone.0256474>.

⁴ Ziba Mir-Hosseini, 'Islamic Law and the Question of Gender Equality', in *Routledge Handbook of Islamic Law* (Routledge, 2019), 340.

The Quran addresses gender issues in depth by highlighting the important role of women in society and emphasising their rights and responsibilities. The Quran states that women are equal in spiritual and moral standing to men and have the same right to be treated with equal respect and dignity. However, in practice, there is a gap between these principles and the reality of society. Cultural and social norms often lead to unfair treatment of women, marginalising them and making them objects of discrimination. This phenomenon points to the need for greater efforts to achieve true gender equality by addressing norms and practices that limit women's roles and rights. In this context, it is important for society and stakeholders to actively seek to change views, norms, and policies that disadvantage women so as to realise inclusive and equitable gender equality for all.

It is important to note that negative claims about women are not unique to Islam or any other religion. Gender discrimination is a global issue that affects women from all walks of life. The fight for gender equality is ongoing, and it requires the collective effort of individuals, communities, and governments to ensure that women are treated equally and with dignity in all areas of life.⁵

The view that Islam has indirectly demeaned and discriminated against women is a common perception held by the general public. However, this view is not entirely accurate and is often based on a limited understanding of Islamic teachings and practices.

It is important to note that Islam has a rich history of promoting women's rights and empowering them in various aspects of life.

⁵ Islah Gusmian, *Khazanah Tafsir Indonesia Dan Hermeneutika Hingga Ideologi* (Jakarta: Teraju, 2003).

For example, the Prophet Muhammad (peace be upon him) encouraged women to seek knowledge and education, and many female scholars emerged during the early Islamic period. The Quran also recognises the importance of women in society and emphasises their rights and responsibilities.

However, it is true that some cultural and social practices in Muslim-majority countries have resulted in the marginalisation and discrimination of women. These practices are not based on Islamic teachings but are rather influenced by local customs and traditions. Several gender equality studies in Muslim-majority countries show a strongly patriarchal cultural tendency that interferes with opportunities for women's gender equality, especially in countries in the Middle East and North Africa.^{6, 7, 8} Indeed, gender parity is highest in countries within these two regions.⁹

Furthermore, it is important to distinguish between cultural practices and religious teachings. While some cultural practices in Muslim-majority countries may be discriminatory towards women, these practices do not reflect the true teachings of Islam. It is also worth noting that many Muslim women around the world are actively

working to challenge these discriminatory practices and promote gender equality.¹⁰ As explained in Article 1, humans are born equal and free; as stated in Surah al-Hujurat verse 13, men and women have the same degree of rights and responsibilities as human beings created by God. Men and women in social life also have the same rights, but their roles are different according to the nature of their sexuality.¹¹ Based on this, this research will discuss the role and position between men and women in the view of Islam. Based on sources from the Qur'an and Hadith, this research will be analyzed and described clearly in a normative manner.

Method

This study uses a qualitative method with a content analysis approach. Because qualitative data encourages focus on events or phenomena that occur in genuine phenomena¹², The data in this study focuses on gender equality issues in primary and secondary data sources. First, the primary sources of this research are the Qur'an and Hadith, which are considered the primary sources of Islamic law. These texts contain numerous verses and words that provide guidance on the role and position of men and women in society. The research will analyse these texts and describe the position of men and women in Islam based on the principles and values contained in them. Second, secondary data sources are such things as journal articles, books, and other references. These sources will be used to supplement the analysis of the primary sources and provide additional insights into the role and position of men and women in Islam. In analysing the data, the writer basically uses a content analysis approach. In this regard, a content

⁶ Valentine M Moghadam, 'Gender Regimes in the Middle East and North Africa: The Power of Feminist Movements', *Social Politics: International Studies in Gender, State & Society* 27, no. 3 (1 September 2020): 467–85, <https://doi.org/10.1093/sp/jxaa019>.

⁷ Chokri Kooli and Hend Al Muftah, 'Female Labor Force Participation in the Middle East and North African Countries: Constraints and Levers', *Brazilian Journal of Policy and Development* 2, no. 1 (3 March 2020): 58–90, <https://doi.org/10.52367/BRJPD.2675-102X.2020.2.1.58-90>.

⁸ Sayeed Naqibullah Orfan and Safeerullah Samady, 'Students' Perceptions of Gender Equality: A Case Study of a Conflict-Stricken Country', *Cogent Social Sciences* 9, no. 1 (31 December 2023): 2225819, <https://doi.org/10.1080/23311886.2023.2225819>.

⁹ Natasza Kosakowska-Berezecka et al., 'Country-Level and Individual-Level Predictors of Men's Support for Gender Equality in 42 Countries', *European Journal of Social Psychology* 50, no. 6 (2020): 13, <https://doi.org/10.1002/ejsp.2696>.

¹⁰ Margaret Smith, *Rabiah Pergulatan Spiritual Perempuan* (Surabaya: Risalah Gusti, 1997).

¹¹ Baharuddin Lopa, *Al-Qur'an Dan Hak-Hak Asasi Manusia* (Yogyakarta: Bhakti Prima Yasa, 1996).

¹² Samiaji Sarosa, *Analisis Data Penelitian Kualitatif* (PT Kanisius, n.d.), 2.

analysis approach is a research technique that aims to produce an objective, systematic, and qualitative description of a linguistic message.¹³ Moreover, the research also used in this study is a normative juridical approach, which is a method of legal research that focuses on analysing and interpreting (Islamic) legal texts and principles. This normative juridical approach discerns (Islamic) legal texts and principles as a law that developed norms and existed in society.¹⁴ This approach is commonly used in Islamic legal studies to analyze the role and position of men and women in the view of Islam.

The normative juridical approach is a useful method for analysing Islamic law as it provides a systematic and structured framework for interpreting legal texts. This approach allows researchers to analyze legal principles and values in a consistent and logical manner, which can help clarify the position of men and women in Islam. Moreover, this approach is also a useful method for analysing the role and position of men and women in Islam. By using this approach, researchers can analyze legal texts in a systematic and structured manner, which can help clarify the principles and values contained in these texts. The use of primary and secondary sources also provides a comprehensive and nuanced understanding of the position of men and women in Islam.

Discussion

The Position of Women in Islam

The position of women in Islamic teachings is a topic that has been debated for many years. While Islamic teachings emphasise the importance of women and

their rights, the reality of society often falls short of these ideals. However, it is important to understand that this discrepancy between theory and practice is not unique to Islam and is a common issue in many societies around the world.

Islamic teachings recognize the importance of women in society and emphasise their rights and responsibilities. The Quran and Hadith contain numerous verses and sayings that highlight the importance of treating women with respect and dignity. For example, the Quran states that men and women are equal in the sight of God and that both are entitled to the same level of respect and dignity. The Prophet Muhammad (peace be upon him) also emphasised the importance of treating women well and encouraged his followers to respect their rights.

However, the reality of society often falls short of these ideals. In many Muslim-majority countries, women face discrimination and marginalisation in various aspects of life, including education, employment, and politics. This is often due to cultural and social practices that are not based on Islamic teachings but rather influenced by local customs and traditions.

Despite these challenges, many Muslim women around the world are actively working to challenge these discriminatory practices and promote gender equality. They are using Islamic teachings to advocate for their rights and empower themselves and other women. This includes promoting education for girls, challenging discriminatory laws and practices, and promoting women's participation in politics and other areas of public life.¹⁵

The emergence of movements that demand equality and equal rights between men and women is a global phenomenon

¹³ Prof Darmiyati Zuchdi Ed.D and Wiwiek Afifah M.Pd, *Analisis Konten Etnografi & Grounded Theory, dan Hermeneutika Dalam Penelitian* (Bumi Aksara, 2021), 4-5.

¹⁴ M. Erfan Riadi, 'Kedudukan Fatwa Ditinjau Dari Hukum Islam Dan Hukum Positif (Analisis Yuridis Normatif)', *Ulumuddin Journal of Islamic Legal Studies* 7, no. 1 (10 January 2013): 468, <https://doi.org/10.22219/ulumuddin.v7i1.1305>.

¹⁵ M. Quraish Shihab, *Membumikan Al-Qur'an* (Bandung: Mizan, 2004).

that has gained momentum in recent years. These movements have been fueled by a growing recognition of the importance of gender equality and the need to address the discrimination and marginalization that women face in various aspects of life.

In the context of Islam, there are many Muslim women who are actively working to promote gender equality and challenge discriminatory practices. These women are using Islamic teachings to advocate for their rights and empower themselves and other women. They are challenging traditional interpretations of Islamic texts that have been used to justify discrimination against women and promoting a more inclusive and egalitarian interpretation of Islam.

One example of such a movement is the Islamic Feminism Movement, which seeks to promote gender equality within an Islamic framework. Islamic feminists argue that Islam provides a basis for gender equality and that the discrimination and marginalisation of women in Muslim-majority countries are due to cultural and social practices that are not based on Islamic teachings..

Another example is the Women's Mosque Movement, which seeks to provide a space for women to worship and learn in an environment that is free from gender discrimination. This movement has gained popularity in recent years, with many women around the world participating in women-led prayer services and educational programs.

A life that depicts suffering for women equipped with tragic conditions is invisible to the eyes of the general human conscience. This usually happens when women experience domestic violence or the inequality of human rights between men and women. Therefore, it will lead to the emergence of a new discourse on gender. A discourse that talks about men and women as

equal beings but is different from the point of view of gender.¹⁶

Allah says in Surah al-Hujurat verse 13 as follows:¹⁷

Meaning: "O mankind, We created you from a male and a female and made you into nations and tribes so that you may know one another. Indeed, the noblest among you in the sight of Allah is the most pious among you. Verily, Allah knows best." (QS. al-Hujurat: 13)

In the reality of everyday life, gender is still an issue that often causes debate and conflict. The position of men, which is always associated with power and the determinants of all decisions, should begin to be debated and discussed. The inverse condition that is seen is the reality in the world of women, who have begun to challenge their existence and rights in the public and domestic spheres.

Women are not just objects that must submit to the will of men. Women have the same rights as men to participate in social, political, and economic life. Women also have the same rights as men to obtain education and self-development.¹⁸

However, the reality in society still shows discrimination against women. Many women do not have the same access as men in terms of education, employment, and decision-making. Many women are also victims of violence and sexual harassment.¹⁹

Therefore, it is important for us to fight for gender equality. Gender equality is

¹⁶ Hasnani Siri, 'Gender Dalam Perspektif Islam', *Jurnal Al-Maiyyah* 7, no. 2 (2014): 235.

¹⁷ 'Surat Al-Hujurat Ayat 13', in *Al-Qur'an Surat al-Hujurat Ayat 13*, n.d.

¹⁸ Putri Jannatur Rahmah and YUSDANI YUSDANI, 'Konsep Gender Equality Perspektif Islam: Studi Kasus Pengangkatan Putri Mahkota Sri Sultan Hamengkubuwana X Di Yogyakarta', *At-Thullab: Jurnal Mahasiswa Studi Islam* 2, no. 1 (2020): 362–80, <https://doi.org/10.20885/tullab.vol2.iss1.art13>.

¹⁹ Galih Orlando, 'Konsep Gender Pada Saksi Akta Dalam Pembuatan Akta Syariah Oleh Notaris Di Kabupaten Labuhanbatu Dalam Perspektif Hukum Positif Dan Hukum Islam', *Tarbiyah Bil Qalam* V, no. 2 (2021): 33–45.

not only the right of women but also the right of men to live in a fair and equitable society. We must fight for women's rights without violating men's rights.²⁰

We must also change society's view of women. Women are not just objects or tools to fulfill men's needs. Women are human beings who have the same dignity and potential as men.²¹

Education is the key to changing society's view of women. Education must make people realise that women have the same rights as men and that women are not objects that can be treated as they please.²²

In addition, we must also fight for women's rights through concrete actions. We can fight for women's rights by giving men equal access to education, employment, and decision-making. We can also fight for women's rights by providing protection against violence and sexual harassment.

Gender equality is a very important principle. Islam teaches us to treat women fairly and equally. Islam also teaches us to fight for women's rights without violating men's rights.²³ In the Islamic view, women are not just objects or tools to fulfil men's needs. Women are human beings who have the same dignity and potential as men. Therefore, we must fight for gender equality

as a very important principle in our social, political and economic lives.

This gender discourse is a gateway to the reality that the position of men who are always identical to the ruler, aka like a king and the determinant of all decisions, has now begun to slowly disappear, so it is worth discussing and talking about. The inverse condition that is seen is that there is a reality in the world of women who have begun to challenge their existence and rights in the public and domestic spheres.

The Concept of Gender Equality

Gender is a view or belief formed by society about how a woman or man should behave or think. For example, the view that the ideal woman must be good at cooking, good at taking care of herself, and gentle, or the belief that women are sensitive, emotional creatures, always using feelings. In contrast, men are portrayed as leaders, brave, protective, heads of the family, rational, firm, and so on. The point is that gender is a social sex created by society, which is not necessarily true.²⁴ Allah Swt explains in Surah al-Isra verse 70:

Meaning: And indeed We have honored the sons of Adam, We have taken them on the land and on the sea, We have given them sustenance from good things and We have favored them with a perfect surplus over most of the creatures We have created.

In understanding gender, it is first necessary to distinguish between gender and sex. The term gender comes from the English *gen*, which was later absorbed into Indonesian as *sex*. Meanwhile, *sex* is the sex seen from a biological perspective, which consists of male and female.²⁵

²⁰ Abdi Susanto, 'Konsep Gender Perspektif Islam', *Jurnal Kajian Gender Dan Anak* 2, no. 2 (2018): 1–10.

²¹ Muamar P. Igrisa, Naskur, and Muliadi Nur, 'Konsep Gender Terhadap Batasan Aurat Anak Angkat Perspektif Hukum Islam', *SPECTRUM: Journal of Gender and Children Studies* 2, no. 1 (2022): 34–45.

²² Nur Afif, Asep Ubaidillah, and Muhammad Sulhan, 'Konsep Kesetaraan Gender Perspektif Fatima Mernissi Dan Implikasinya Dalam Pendidikan Islam', *IQ (Ilmu Al-Qur'an): Jurnal Pendidikan Islam* 3, no. 02 (2021): 229–42, <https://doi.org/10.37542/iq.v3i02.131>.

²³ Nur Faizah, 'Konsep Qiwamah Dalam Yurisprudensi Islam Perspektif Keadilan Gender', *Al-Ahwal: Jurnal Hukum Keluarga Islam* 11, no. 1 (2019): 13, <https://doi.org/10.14421/ahwal.2018.11102>.

²⁴ Maslamah dan Suprapti Muzani, 'Konsep-Konsep Gender Menurut Perspektif Islam'.

²⁵ Muhammad Habib Adi Putra and Umi Sumbulah, 'Memaknai Kembali Konsep Nusyuz Dalam Kompilasi Hukum Islam Perspektif Gender & Maqashid Syariah Jasser Auda', *Egalita* 15, no. 1

According to Fakih, sex is a gender that is natural and has a function. The difference between men and women is seen from a biological perspective, both of which are not interchangeable. This means that sex is fixed and cannot be changed.

Meanwhile, gender is a social and cultural concept that refers to the roles and characteristics considered appropriate for a particular sex. Gender is not only related to the physical differences between men and women but also involves social and cultural norms that regulate a person's behaviour and mindset based on their gender.²⁶

In this context, gender is not something that is natural or fixed, but rather something that can change and is influenced by social and cultural factors. For example, in certain cultures, men are perceived as more dominant and aggressive, while women are perceived as more gentle and loving. These views then influence the way people behave and interact with each other.²⁷

However, the difference between gender and sex is often still confusing for some people. This is mainly because the concept of gender is often linked to issues such as sexual orientation or gender identity.

Sexual orientation refers to a person's sexual attraction to a particular gender. Meanwhile, gender identity refers to the way a person identifies themselves as male or female, or even as something else outside of these two categories.

(2020): 42–60, <https://doi.org/10.18860/egalita.v15i1.10179>.

²⁶ Muhammad Jamal Haider et al., 'Exploring Gender Effects in Intention to Islamic Mobile Banking Adoption: An Empirical Study', *Arab Economic and Business Journal* 13, no. 1 (2018): 25–38, <https://doi.org/10.1016/j.aebj.2018.01.002>.

²⁷ Hind Lebdaoui and Youssef Chetioui, 'Antecedents of Consumer Indebtedness in a Majority-Muslim Country: Assessing the Moderating Effects of Gender and Religiosity Using PLS-MGA', *Journal of Behavioral and Experimental Finance* 29 (2021): 100443, <https://doi.org/10.1016/j.jbef.2020.100443>.

When a person experiences a mismatch between their biological sex and their gender identity or sexual orientation, this can cause serious psychological or social problems. Therefore, it is important to understand the difference between gender and sex, as well as related issues such as sexual orientation or gender identity.

In the context of an increasingly complex and diverse society, a better understanding of gender and sex can help us understand ourselves and others better. It can also help us appreciate diversity and avoid discrimination or unfair treatment based on one's gender or sexual orientation.²⁸

For example, a male human is a human who has a penis, has a jakal (kalamenjing), and produces sperm. Whereas women have reproductive organs as well as the uterus, have a vagina, and have breastfeeding tools. These biological tools are often said to be God's provisions or nature.²⁹

Meanwhile, gender is a trait attached to men and women because it is socially constructed due to cultural, religious, and political influences. These traits are not inherent to a particular sex, but they are interchangeable. Differences in gender traits can change at any time and are conditional. For example, the notion of rational men and emotional women, strong men and weak women, powerful men, and gentlewomen. These traits can change and are not permanently attached. At certain times, there are not a few men who are gentle and emotional, while there are also women who are strong and rational. For example, in matriarchal societies, many women are

²⁸ Mansur Fakih, *Analisa Jender & Transformasi Sosial* (Yogyakarta: Pustaka Pelajar, 1999).

²⁹ Rohmatul Izzad, 'Konsep Kesetaraan Gender Dalam Islam', *AL ITQAN: Jurnal Studi Al-Qur'an* 4, no. 1 (2018): 29–52, <https://doi.org/10.47454/itqan.v4i1.678>.

stronger than men because of their involvement in warfare.³⁰

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The Gender Equality Concept on Islamic Perspectives

Islam comes as a religion based on text, or nash. The texts are the Qur'an and Hadith, or Sunnah, of the Prophet. The Qur'an and Hadith are the two main things in the whole building and the sources of Islamic knowledge. As something central in the hearts of Muslims, it is very natural that appreciation of it exceeds the attention and appreciation of other fields. The Qur'an and Hadith are the sources of inspiration and teachings for Muslims.³²

The Qur'an and Hadith are in the midst of a cultured society, and their presence is an impact of God's grace to guide and direct humans to live life well without violence, oppression, monopoly, destruction,

discrimination, and others.³³ Both the Qur'an and Hadith have the same ethical vision that is universal, although sometimes both respond to temporal and particular events.³⁴ This ethical vision is important in the presence of the Qur'an and the Hadith of the Prophet. Included in this scope is the rule or guidance of relations between men and women. From the Islamic paradigm above, several principles of gender equality in Islam are found.³⁵

First, men and women are both servants of Allah SWT, as affirmed in Q.S. Adz-Dzariat verse 56:

Meaning: "Meaning: "And I did not create the jinn and mankind, but that they should serve Me."³⁶ (Q.S. Adz-Dzariat: 56)

Secondly, men and women are both caliphs of Allah, as affirmed in QS. Al-An'am verse 165 and QS. Al-Baqarah verse 30:

Meaning: "And it is He who has made you rulers over the earth and has exalted some of you above others by a few degrees to test you in what He has given you. Verily, your Lord is swift in His torment, and He is Oft-forgiving, Most Merciful." ³⁷ (QS. Al-An'am: 165)

Third, men and women both accept the primordial covenant, as explained in QS. Al-A'raf verse 172:

Meaning: "And (remember) when your Lord brought forth the children of Adam from their ribs, and Allah bore witness to their souls, saying, "Am I not your Lord? They answered, Yes, you are our Lord; we

³³ Jonari Hanafi and Enjang Jamahsari IAILM, 'Konsep Pendidikan Gender Di Dalam Islam', *THORIQTUNA: Jurnal Pendidikan Islam* 2, no. 1 (2019): 120–55.

³⁴ Nita Katika, 'Konsep Kesetaraan Gender Dalam Pendidikan Islam', *Tsamratul Fikri* 14, no. 1 (2020): 31–42, <https://doi.org/10.47454/itqan.v4i1.678>.

³⁵ *Ibid.*

³⁶ Al-Qur'an Surat Adz-Dzariat ayat 56

³⁷ Al-Qur'an Surat Al-An'am ayat 165

³⁰ Yusuf Wibisono, *Konsep Kesetaraan Gender Dalam Perspektif Islam*, n.d.

³¹ Mansour Fakhri, *Membincang Feminisme Diskursus Gender Perspektif Islam*, (Surabaya: Risalah Gusti, 2014).

³² Siri, 'Gender Dalam Perspektif Islam'.

bear witness". We do so so that on the Day of Resurrection you may not say, "We were ignorant of this (the oneness of God)." ³⁸ (QS. Al-A'raf: 172)

Fourth, men (Adam) and women (Eve) are both actively involved in the events of the cosmic creation, as recorded in many verses, such as QS. Al-Baqarah verse 35; QS. Al-A'raf verses 20 and 22; and QS. Al-Baqarah verse 187:

Meaning: "So the shaitan whispered evil thoughts to both of them to reveal to both of them that which was concealed from them, namely their 'awrahs, and the shaitan said: "Your Lord has not forbidden you from approaching this tree, but that neither of you should become an angel, nor should you be of those who remain in Paradise". (QS. Al-A'raf: 20)

Meaning: "So the devil enticed them both (to eat of the fruit) by deceit. When they had tasted the fruit of the tree, their nakedness became apparent to them, and they began to cover themselves with the leaves of Paradise. Then their Lord called out to them: "Did I not forbid you both from the tree, and did I not say to you: "Verily, the shaitan is a real enemy to you both?" ³⁹ (QS. Al-A'raf: 22)

Meaning: "It is lawful for you on the nights of the fasting month to have intercourse with your wives; they are clothing for you, and you are clothing for them. Allah knows that you could not restrain your lusts, so He forgave you and pardoned you. So now mix with them and follow what Allah has prescribed for you, and eat and drink until the white thread of the black thread, which is dawn, becomes clear to you. Then complete the fast until the night comes, but do not mix with them while you are in tikaaf in the mosque. That is the prohibition of Allah, so do not approach it. Thus Allah

³⁸ Al-Qur'an Al-A'raf ayat 172

³⁹ Al-Qur'an Surat Al-A'raf ayat 22

explains His verses to men so that they may fear." ⁴⁰ (QS. Al-Baqarah: 187)

Fifth, men and women have the same potential for achievement, as found in QS. Ali's 'Imran verse 195; QS. An-Nisa' verse 124; QS. An-Nahl verse 97; and QS. Ghafir verse 40:

Meaning: "So their Lord granted their supplication (saying): "Surely I do not waste the deeds of those who do good among you, whether men or women, for some of you are descended from others. So those who emigrate, those who are expelled from their homes, those who are harmed in My cause, those who fight, and those who are slain, surely I will expiate their wrongs, and surely I will admit them to Paradise with rivers flowing beneath, as a reward with Allah. And Allah has with Him a good reward)

Meaning: "Whoever does righteous deeds, whether male or female, and is a believer, they shall enter Paradise, and they shall not be wronged in the least." ⁴¹ (QS. An-Nisa': 124)

Meaning: "Whoever does righteous deeds, whether male or female, while believing, We shall surely give him a good life, and We shall surely reward him with a better reward than what he has done." ⁴² (QS. An-Nahl: 97)

Meaning: "Whoever does righteous deeds, whether male or female, while believing, We shall surely give him a good life, and We shall surely reward him with a better reward than what he has done." ⁴³ (QS. An-Nahl: 97)

In particular, for the fifth principle, if it is related to the world of education, women and men have the same opportunity to actualize themselves by showing their respective competencies. In the teachings of Islam, women are obliged to pursue

⁴⁰ Al-Qur'an Surat Al-Baqarah ayat 187

⁴¹ Al-Qur'an Surat An-Nisa' ayat 124

⁴² Al-Qur'an Surat An-Nahl ayat 97

⁴³ Al-Qur'an Surat An-Nahl ayat 97

knowledge as well as men. Islam has equalised women and men in matters of spirituality and religious obligations without differences in knowledge or education..⁴⁴ In line with this, Nasaruddin Umar stated that Islam provides assertiveness that individual achievement, both in the spiritual field and professional career matters, does not have to be monopolized by one gender alone, but both men and women are entitled to the same opportunity to achieve optimal achievement.⁴⁵

Views or beliefs about gender are powerful social constructs that are collectively shaped by society. It defines the roles and norms expected of women and men in society. These social constructs may include aspects such as behaviours, attitudes, thoughts, and duties deemed appropriate to a particular gender.⁴⁶

However, it needs to be emphasized that the Qur'an, as the source of revelation for Muslims, teaches that there is no fundamental difference between men and women in the eyes of Allah. The Qur'an asserts that every individual, whether male or female, has the same rights and obligations and has the potential and ability to achieve closeness to Allah.

The principles of gender equality in Islam have a different orientation from the Western paradigm. Gender equality, in the view of the West, is more oriented in the framework of feminism and human rights discourses.⁴⁷ Meanwhile, gender equality in the Islamic view, as the author described in

⁴⁴ M. Athiyah Al-Abrasy, *Dasar-Dasar Pokok Pendidikan Islam, Terjemah Oleh Prof. H. Bustami A Gani Dan Bobar Babry L.I.S* (Jakarta: Bulan Bintang, 1974).

⁴⁵ Nasaruddin Umar, *Argumen Kesetaraan Gender Perspektif Al-Qur'an* (Jakarta: Dian Rakyat, 2010).

⁴⁶ Icep Maulana Zalnika and Muhammad Nurcholis, 'Analisis Gender Tentang Konsep Wali Nikah Menurut Kompilasi Hukum Islam', *Istinbath: Jurnal Pemikiran Hukum Islam* 14, no. 1 (2019): 1–30.

⁴⁷ Mir-Hosseini, 'Islamic Law and the Question of Gender Equality', 340.

the previous five principles, refers to the divine (Isaiah) teachings and values. The Qur'an emphasises the equal status of men and women in terms of fundamental rights and their existence as human and divine beings. Fundamentally, this covers all aspects of life, such as the right to education, the right to work, the right to communicate and participate in social life, and the right to own property and possessions.⁴⁸

In Islamic teachings, both men and women are called to respect, cooperate, and support each other in creating a just and harmonious society. Discrimination on the basis of gender is expressly rejected in the Quran, and the principles of equality and justice must therefore be continually affirmed and emphasised.⁴⁹

Muslims have an obligation to combat all forms of discrimination and build a just society where men and women get equal opportunities and treatment in all aspects of life. In practicing Islam, it is important to always refer to the Qur'an as the primary source of Islamic teachings and take the values of equality, justice, and respect for human rights as a guide in understanding and living the Qur'anic messages on gender.⁵⁰

Conclusion

Gender is a view or belief formed by society about how a woman or man should behave and think. Society's view of gender differences can lead to gender injustice. Islam acts as a mediator that puts men and women in a balanced position. However, sometimes there are still assumptions in society that differentiate the roles and positions of men

⁴⁸ Muhammad Ulul Albab, 'Konsep Emansipatoris Dalam Kajian Gender (Analisis Teori Subyektivisme)', *Tadrisuna Jurnal Pendidikan Islam Dan Kajian Islam* 3, no. 2 (2020): 142–50.

⁴⁹ Nurfitriani, 'Konsep Al-Qur'an Dan Hadis Tentang Radha'Ah Dan Hadhanah Perspektif Gender', *Jurnal Pemikiran Syariah Dan Hukum* 6, no. 1.772 (2022): 51–70.

⁵⁰ Maslamah dan Suprapti Muzani, 'Konsep-Konsep Gender Menurut Perspektif Islam'.

and women. The contributing factors include the misconception of society in understanding the social roles between men and women as a result of an incomplete understanding of the Qur'anic text. This certainly results in unbalanced conceptions of the position of men and women in community life. The difference that exalts or demeans between men and women is only the level of piety to Allah SWT.

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