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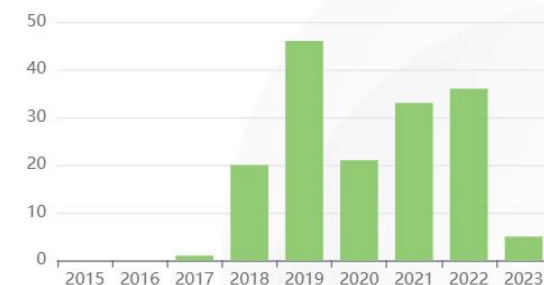
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i10-index	5	5

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Articles

Implementation of Tax Practices on Zakat as a Solution to Increase Zakat Effectiveness in Indonesia

Pujiati Pujiati, Chandra Warsito

1-15

[PDF](#)

[DOI](#) | Abstract views: 114 , PDF downloads: 52

Assessing Agency Theory and Solutions on the Financing of Revenue Sharing Systems in Islamic Banking

Nur Anisa Setyaningrum, M. Nur Kholis Setiawan, Siti Maghfiroh, Saiful Ansori

16-27

[PDF](#)

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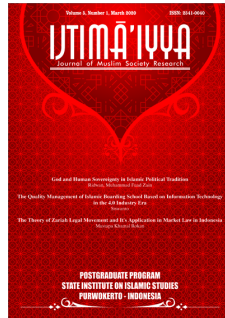
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Home About Announcements Current Archives Submissions Indexing Site

Home / Archives / Vol 5 No 1 (2020)



DOI: <https://doi.org/10.24090/ijtimaiyya.v5i1>

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Articles

An Application on Prisoners Treatment Model Based of Islamic Religion in The Correctional Institutions

Irma Cahyaningtyas, Nina Mirantie Wirasaputri

1-9

PDF



| Abstract views: 126 , PDF downloads: 80

God and Human Sovereignty in Islamic Political Tradition

Ridwan Ridwan, Muhammad Fuad Zain

10-18

PDF



| Abstract views: 111 , PDF downloads: 115

A Model of Mixed Strategic Orientations Based on Environment in Achieving a Tough Performance of MSMEs

Darmanto Darmanto, Sri Wardaya, Lilis Sulistyani, Basuki Sri Rahayu

19-36

PDF



| Abstract views: 100 , PDF downloads: 97

The Quality Management of Islamic Boarding School Based on Information Technology in the 4.0 Industry Era

Siswanto Siswanto

37-46

PDF



| Abstract views: 124 , PDF downloads: 105

Gender Construction in Islamic Perspective

Aditya Yuli Sulistyawan, Siti Sarah Nurfaidah

47-56

PDF



| Abstract views: 102 , PDF downloads: 93

Character Education as A Form of Strengthening School Cultural in SDIT Imam Syafi'i Kebumen
M Slamet Yahya

57-68



PDF



| Abstract views: 60 , PDF downloads: 46

The Theory of Zariah Legal Movement and It's Application in Market Law in Indonesia
Mustapa Khamal Rokan

69-83



PDF



| Abstract views: 69 , PDF downloads: 67



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Gender Construction in Islamic Perspective

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Abstract

Gender issues are still a topic that is often discussed in society. Gender is related to the social construction of the division of activities between women and men. Along with the development of times there are many assumptions that say that women still accept injustice and are still discriminated against so that many are demanding gender equality for women. In the Qur'an many verses describe justice and equality between women and men in their responsibilities and carrying out their role, but there are still many people who do not understand the contents of the verses in question. The public or broad audience needs to understand gender construction in this Islamic perspective to be able to realize the ideal gender construction in life, especially in the context of Islamic society.

Keywords: *construction, gender, islamic perspective*

A. Introduction

Gender is an issue that is still widely discussed among the Islamic community to this day. The dynamics of understanding of gender relations among people are quite diverse. There are still many societies that consider gender only to be limited to women's and men's identities, although some others have understood that gender is not only a matter of nature as men and women, further than that gender is a role that is carried out in accordance with prevailing community culture.

Gender equality jargon so far is quite often heard in various walks of life. The high promotion efforts undertaken so far have at least succeeded in placing a positive public view of this gender equality jargon. Even though in reality, people do not really understand the concept of gender equality properly. The proof, the application of gender relations in life does not simultaneously show a positive influence. Men as culturally dominant often reject this jargon in their daily lives. Various cases of violence against women, for example, according to data from the Annual Note of the National Commission on Violence Against Women (Komnas Perempuan), the



God and Human Sovereignty in Islamic Political Tradition

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Abstract

The debate on the concept of political sovereignty leads to the question of whether sovereignty comes from God or humans. It is related to the foundation of state management and has implications for the political system. Islamic political tradition has not an authoritative text that explains sovereignty. This thesis was conducted based on the evidence of Islamic political history which did not present a concept of universal and standard sovereignty. Muslim thinkers proposed some alternative ideas of sovereignty such as nomocratic, theo-democracy, and democracy. The author sees that the sovereignty concept in Islam is discussed as *ijtihad* (intellectual interpretation and judgment) which leads to multiple interpretations in some contemporary Muslim countries show that the sovereignty concept in Islam is dynamic and can be negotiated according to the political needs of the society.

Keywords: *political sovereignty, nomocratic, theo-democracy, democracy*

A. Introduction

The study of the relationship between state and religion in Islam has been a classical discourse, but it seems to be contemporarily actual and academically debatable among Islamic scholars. The attempts to find the bases for the conceptualization of the relationship between state and religion, including the concept of sovereignty, can be easily found in classical literature as well as contemporary ones. The conflict between Islamic and Western civilization in terms of political ideas, such as the concepts of nation-state, nationalism, and sovereignty has led to different responses and debates among Muslim scholars (Azra, 1996: 10).

Sovereignty is one of the essential elements of a state and represents the highest authority to govern the nation (Suryadi, 2007: 35). H.A. Fuad said stated that, the sovereignty of a nation can be originated from God, the nation itself, people, or constitutions. Further, he added that for Muslims, the sovereignty is originally from

Gender Construction in Islamic Perspective

by Aditya Yuli Sulistyawan

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Gender Construction in Islamic Perspective

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Abstract

Gender issues are still a topic that is often discussed in society. Gender is related to the social construction of the division of activities between women and men. Along with the development of times there are many assumptions that say that women still accept injustice and are still discriminated against so that many are demanding gender equality for women. In the Qur'an many verses describe justice and equality between women and men in their responsibilities and carrying out their role, but there are still many people who do not understand the contents of the verses in question. The public or broad audience needs to understand gender construction in this Islamic perspective to be able to realize the ideal gender construction in life, especially in the context of Islamic society.

Keywords: *construction, gender, islamic perspective*

A. Introduction

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Gender equality jargon so far is quite often heard in various walks of life. The high promotion efforts undertaken so far have at least succeeded in placing a positive public view of this gender equality jargon. Even though in reality, people do not really understand the concept of gender equality properly. The proof, the application of gender relations in life does not simultaneously show a positive influence. Men as culturally dominant often reject this jargon in their daily lives. Various cases of violence against women, for example, according to data from the Annual Note of the National Commission on Violence Against Women (Komnas Perempuan), the

number of violence against women in 2019 was 406,178, this number increased compared to the previous year of 348,466. This high rate of violence against women is largely domestic violence, which is due to gender relations between men and women in the household. (Komnas Perempuan, 2019)

Some understanding of the community that is still visible and shows the meaning of gender equality that is still felt to occur is: the view that women are in charge of doing domestic work, while men are considered inappropriate (Rahminawati, 2001). Even the situation as depicted in the following illustration still occurs in many societies:

The mother and daughter have a duty to provide food on the dining table, then tidy up and wash the dirty dishes. Father and son, after the meal is available, then eat, and leave the table without lifting the dirty dishes they have used. A wife, even though she also works to help support the family, continues to carry out this service as an obligation. A girl, although she is both in school and busy with her work, still has to help with domestic work, while her brother has more time with his friends. This symptom is still common even in urban areas. Thus, the division of workload between women and men becomes unbalanced.

Gender bias conditions are still very much felt in the community. Although on the one hand the distribution of gender equality jargon is quite massive, on the other hand the facts that show gender inequality occur so real. This is because in addition to patriarchal culture which is so strong and inherent in society, it also occurs due to the lack of public understanding of gender construction both in the scientific context and in the Islamic perspective.

Indonesian people who are predominantly Muslim certainly have a religious understanding that quite influences their belief system on everything, including regarding this gender construction. Therefore, it is important to know and understand gender in an Islamic perspective in order to give enlightenment and belief to the people about the ideal concept of the division of work between men and women according to Islam. Gender relations in the perspective of Islam are very closely related to Islamic law and fiqh. Where to study it must be based on the Al-Quran as the word of Allah SWT and al-hadith.

Before the advent of Islam, Greece looked down on women so lowly. Women do not have a noble status and position in society. Even the belief that women are the cause of all the suffering and calamity that befell humans. So, women are the lowest level creatures. (Hasan, 2018) Meanwhile, in Roman society, there is a specific view that women are only a place to satisfy men's passions. Even their slogan "Bind them without releasing them ..." men have as much rights to their families as the king's rights to his people. He has the right to arrange his wife and daughter in accordance with his appetite. (Hasan, 2018)

According to the Jews in the pre-Islamic period, women also saw similar things. Women are the lowest and most despicable creatures. Women are like valuables that can be bought in markets. They assume that for men, women are a door to hell because women are accused of moving and leading them to sin. From women

emanates a wellspring of disaster that befalls all humans. They believe that women are anathema because they have tempted Adam. (Hasan, 2018)

Before and at the beginning of Islam came, the Arabs were still in the era of ignorance. The position of women in the Arab ignorance was described in accordance with the culture and general attitude of the community who did not feel happy and proud when mothers or a wife gave birth to a daughter, some even buried their daughters alive. As in the An-nahl verses 57-59 Allah SWT says (Al-Quran):

يَتَوَرَّى مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَ بِهِ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ ۗ أَلَا سَاءَ مَا يَحْكُمُونَ ۚ وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ۚ وَيُخْفُونَ لَهَا الْأُنثَىٰ سِحْنَةً ۖ وَهُمْ مَا يُشْتَهُونَ

It means: "And they appointed unto God daughters. Glory to Allah, while for themselves (they determine) what they like (ie sons). And if someone of them is given the news with (birth) daughter, black (red goes) face, and he is very angry. He hid himself from the crowd, because of the bad news conveyed to him. Will he maintain it by enduring humiliation or will he bury it in the ground (alive)? Know, what a terrible thing they set it. (Q.S An-nahl 57-59)

Before the advent of Islam, daughters who were still alive because they were not killed and buried alive would not have inheritance rights. Ignorant people at that time gave full inheritance rights to boys. However, the big change came when Islam emerged, women were finally given inheritance rights. Islam came to bring light, provide light in the dark, to be a guide in error. Islam greatly glorifies a woman, with the arrival of Islam there are no more women born directly killed or buried alive.

From these various descriptions, it is very interesting for us to explore further about how Islamic arrangements regarding gender construction between men and women. This will be the main problem in this paper. Understanding the Islamic perspective on gender construction will help us understand gender reality better. Such understanding will improve the quality of life between men and women in social spaces that have been dominated by patriarchal culture.

B. Content

1. General Understanding of Gender

In Indonesian there are no gender words or terms. In the English dictionary, the meaning of the word sex and gender is not clearly distinguished. Both are interpreted as gender. A deeper analysis is needed about gender issues. This is closely related to gender injustice with the wider cultural structure of society. Because in general, society views gender only to the gender of women and men. This perception needs to be changed to avoid misunderstanding in understanding gender.

In the Indonesian dictionary it has been stated that women are people who have a uterus, can menstruate (for those who have baligh), have pregnancy, give birth to children and can breastfeed. While women are women whose age has entered adulthood. From this definition we can conclude that women are human beings who

are destined to have undifferentiated age. But a woman is someone who is already mature and can sort and choose the right and wrong.

According to Mansour Fakih "Gender" cannot be separated from the word "sex". Sex (sex) is the specialization or division of two sexes that are biologically determined to be attached to a particular sex. (Fakih, 2010) These biological features include Adam's apple, penis in men and uterus, vagina in women. Gender is a trait inherent to men and women who are socially constructed. (Fakih, 2010) These constructions, for example, stigma that men are family leaders, strong, rational, etc., and the gentle, emotional, irrational nature that is embedded in women. So it can be said that sex is a "given" while gender is a form of social construction, but in its development sex and gender become increasingly difficult to dichotomize. The fusion between sex and gender occurs because of the "embedding" that is normalized, so that gender and sex are naturalized as an inherent thing, for example the necessity of a woman to be feminine and the obligation of men to be masculine. Unlike sex given, gender as a social construction has its own time context, Ivan Illich said:

"Gender distinguishes place, time, tools, tasks, forms of speech, gestures, and perceptions, which are associated with men and which are associated with women in culture. The association shapes social gender because it is specifically tied to a particular place and time." (Illich, 2007)

Gender is a social construction that is formed to be embedded in a particular sex for example through the division of labor and so forth. In several studies, Pierre Bourdieu for example, in the results of his research on the Qubail community stated that there is a social construction which is then pinned to a particular body and legitimates a form of dominance related to morals and ethics (Bourdieu's term: doxa and habitus) (Bourdieu, 2011). While sex is a sex that refers to a certain vital organ, the biological difference then becomes a legitimacy for certain social constructions of how a person performs his role. Bourdieu said:

".. biological bodies become objective bases of intersectional differences, namely sex in the sense of genders constructed as two hierarchical essences/biological production imperatives do not determine the symbolic organization of sexual division of labor and the symbolic organization of the entire natural order and social. Rather, there is an arbitrary construction of everything biological, especially of the body, both masculine and feminine, of its uses and functions, especially in biological reproduction." (Bourdieu, 2011)

In his historical genealogical study set out in the History of Sexuality, Michel Foucault said that sex does not appear as it is given an which through various discourses. Here the concept of sex cannot be separated from gender. (Foucault, 2009) According to Jean Baudrillard in Victoria Grace, gender is a myth of tagging. Jean Baudrillard is a post-structuralist figure who rejects the definite structure of meaning between signifier and signified. According to Structuralists, markers always refer to markers, while according to Baudrillard, markers are myths that are

always referred to by markers, but in that effort markers always miss and compete with other markers (Grace, 2000). As a series of markers, symbols that are formed in the rules of "codes", then gender is a marker to be addressed by sex as a marker, thus gender is the construction of nature. Markers that turned out to be in a more decisive position than describing markers, then can not be separated anymore between what is reality and what is not, Baudrillard called it hyperreality.

Society in patriarchy culture in the middle of their lives contributes in placing men and women in their respective roles (Muthmainnah, 2006). Where people assume that men are more suitable to be placed in work outside the home (public). Meanwhile the community thinks that women are more suited to domestic work.

With this perception, women in Indonesia still experience social discrimination and various forms of gender injustice. Although, in reality there are many freedoms felt by women such as education to tertiary institutions and jobs in accordance with their profession and women have played many roles in various sectors, but social discrimination is still widely felt by women.

Gender injustice is manifested in various forms, including marginalization, marginalization and stereotyping (Alfarizi, 2017). Marginalization which is caused by the development that starts from the movement of manpower shifts to mechanical power which causes women to be marginalized by sophisticated industrial equipment which is mostly managed by men. There is also what is known as subordination, which is an assumption that considers that one sex is more important than the other sex. Such an assumption has long ago, where women are considered to be inferior to men, it can be seen in the bureaucratic system that most men usually occupy positions in government, although now there are not a few women in the government system. As for the nature of stereotypes (negative labeling) on certain matters, these stereotypes give rise to discrimination for women, for example women will be seen as someone who has a function and war as domestic workers or who play a role in domestic work. The label "housewife" obtained by a woman will be detrimental to the woman herself, where when a man who is looking for the main income will result in a woman making a living only referred to as odd or extra and tends to be underestimated.

One of the factors causing gender inequality is the patriarchal tradition. According to Sylvia Walby, Patriarchy is a condition where men dominate women in several aspects of social relations which are spread out among others in relations of production, the state, violence by men, in sexuality, and in cultural institutions (Walby, 1996). There is a relationship between one social relationship with another and has an impact on the unequal relations between men and women.

Based on these relations, Sylvia Walby said there are two main domains where patriarchy continues to maintain and reproduce itself: the private and public domains. Patriarchy extends itself not only in the private sphere but also in the public sphere. While private patriarchy is inclined to control over women as wives and property, public patriarchy is more inclined to the issue of citizenship, employment regulated by the state which Walby says is a collective patriarchy because it does not only take place in the private sphere but also in the public sphere.

5 Form of Patriarchy	Private	Public
Dominant structure	Household Production	Employment/State
Wider patriarchal structures	Employment State Sexuality Violence Culture	Household Production Sexuality Violence Culture
Period	19th century	20th century
Mode of expropriation	Individual	Collective
Patriarchal Strategy	Exclusionary	Segregationist

Table 1. Patriarki Publik dan Privat (Wilby, 1996)

Through these definitions, it can be said that patriarchy is a network of power with the dominance of one particular sex compared to the other sex, namely the dominance of men in women in many sectors. This domination creates its own social system that reflects and perpetuates the values of domination as a way of life and culture of certain societies.

The form of domination of men over women due to the strong patriarchal tradition is clearly seen in the many cases of domestic violence (KDRT) that befall women as victims. Some of the reasons include the strong view that domestic violence is a private matter, and therefore must be solved privately by husband and wife. This is also related to the ideology of family harmonization, which is mainly the burden attached to the wife's role as guardian of family norms. In addition, they still hold the myths about family institutions. In one of the contents of the myth is emphasized that the wife is obliged to serve the interests of her husband as head of the household. This form of service includes protecting the good name of the husband which is also interpreted as the good name of the family. So reporting the behavior of the husband who is not pleased with the wife's heart is always interpreted by the community as a violation of the good name of the family. Only an unkind wife will do that. In the philosophy of Javanese life, for example, the words "*olo meneng, becik meneng (if bad keep quiet, if good keep quiet)*" or advice that is often echoed for daughters as wives must be "*swarga nunut neroko katut (heaven follows, hell follows)*". (Munti, 2008)

In addition to the issue of domestic violence, we can associate gender injustice with human trafficking (trafficking) that befalls most women. Where many women are traded to be used as domestic workers or can also be used as commercial sex employees. The impact of these activities is not insignificant from women who experience losses because the benefits gained are not much. Besides the losses experienced by women one of them gets physical violence because it is considered negligent when doing something by the employer. It can be seen in reality that a woman who works as a Female Worker (TKW) is not uncommon to get abusive treatment from her employer, this can happen because a woman cannot work according to her employer's wishes. Not infrequently also news about those who do not get a salary from their employers and are not allowed to return to their homeland

to meet his family, even though his work contract has expired. Truly this treatment embodies the injustice received by a woman.

2. Gender Construction in Islamic Perspective

The position of women and men is regulated by Allah SWT in the Qur'an An-nahl verse 97 which means: "Whoever does good deeds, both men and women in a state of faith, then we will actually give him a good and real life We will reward them with a reward that is better than what they have done."

Allah SWT created his creatures solely to worship Him. Thus, both men and women are given the same responsibility in the form of devotion to the creator. Because with this worship that will make women and men considered to be noble by Allah SWT. His highness a servant is not seen from the strength he wrestles, clever he argues, and everything that he thinks is great in worldly eyes. However, the glory of a servant that is when he can devout Allah Almighty. Where when a servant can carry out the commands of Allah and stay away from all its prohibitions, that is the plus point of a servant either woman or man in the eyes of Allah SWT.

Before the advent of Islam, women did not inherit when their relatives died. However, after Islam came down the inheritance verse by giving women inheritance rights. Thus, male heirs and women have the same right to get an inheritance. This happens in order to elevate a woman, to glorify a woman, to give full rights according to the Shari'a, to eliminate adversity in herself, to keep away from all insults, curses, humility, social discrimination, intimidation, and to save women from any downturn that befalls them. In addition, for the sake of raising the degree of women, to be included by Allah SWT in one of the letters in the Koran which is An-nisa's fourth letter which means "woman".

In glorifying a woman, Islam explains that the degree of a mother is higher than that of a father. In one of the hadiths of Abu Hurairah radhiyallaahu 'anhu, he said, "Someone came to the Prophet sallallaahu 'alaihi wasallam and said, 'O Messenger of Allah, to whom should I serve first?' Prophet shalallaahu 'alaihi wasallam replied, 'Your mother!' And the person asked again, 'Then who else?' The Prophet (peace be upon him) alaihi wasallam answered, 'Your mother!' The person asked again, 'Then who else?' He replied, 'Your mother.' The person asked again, 'Then who else, 'Prophet sallallaahu' alaihi wasallam replied, 'Then your father.' "(Narrated by Bukhari No. 5971 and Muslim No. 2548) (Purnama, 2016).

From this hadith we know that a mother gives rights to her child, where she conceives a child who is tired for 9 months 10 days, and gives birth to her child with a struggle and sacrifice, between life and death so that her child can live in the world properly After giving birth to a mother breastfeeding her child for 2 years. MasyaAllah, what a noble woman in Islam that is mentioned three times by Rasulullah SAW.

Islam upholds the dignity of women. Religion in some ways occupies similarities between men and women. These similarities include: First, the similarity in terms of piety. Both men and women have the same responsibilities in the case of taqwa (Aqil, 2018). They are obliged to devote to Allah because with this they will

become God's noble creatures. As in Surah Al-Hujurat verse 13 Allah SWT says, which means *"O people, indeed We created you from a man and a woman, made you nationalities and tribes so that you knew each other. Surely the most noble among you by Allah is the most pious among you. Surely Allah is All-knowing, All-knowing."*

Secondly, similarity has the role of khilafah. They both have the same opportunity in carrying out the functions of managing and prospering the world according to their potential, competence, functions and roles (Islam, 2019). Third, equality in worship, morals, and social. Although they differ in the technician's deeds, both have similarities in matters of worship, where men and women are required to carry out the prayer, fasting, alms, and other obligatory worship. (Aqil, 2018) In addition, men and women must have moral values or good character in social life, neighbors, or in their own families. As in the word of Allah SWT surah Al-Ahzab verse 35 which means: *"Verily Muslim men and women, believing men and women, men and women who remain in their obedience, true men and women, patient men and women, special men and women, charity men and women, fasting men and women, men and women who maintain their honor, men and women who often mention (name) Allah, Allah has provided them with great forgiveness and merit."*

These are some of the similarities between men and women in Islam that we need to know about and need to reflect on in our daily lives. In the Qur'an the right portion of women's rights has been given. besides that, we must know that in the Qur'an the similarity has been written between men and women especially in devotion and deeds of worship to Allah SWT.

Al-Qur'an produces the greatest revolution and influences the giving of dignity and honor to women, because in the Qur'an it has been stated that women are noble figures with various special rights. Thus the Al-Qur'an provides a very clear explanation, without being able to cover up with the lies of the liars who justify the assumption that women are too constrained by religious rules that originate from the Al-Qur'an. This requires us to open our eyes and hearts that the teachings of Islam do not restrain women and do not limit the space for women who are still in accordance with Islamic teachings.

Behind the discourse of gender equality in society that demands equal rights and obligations between women and men, it should be noted that in Islam, women have been privileged and treated equally with men in accordance with their portions. In Islam it is still men who are leaders and protectors for women, but thus men cannot arbitrarily treat women violently or indecently. Can not be fully equated with women men in various ways. Just as in the prayer, women cannot be in front of men, women may not be the prayer leaders for men because there are rules that govern them in the Al-Qur'an. Women have a special role according to the level that has been given as well as men.

Actually the concept of gender in the Islamic view has been in accordance with the nature and role of men and women, both of which have their respective roles and responsibilities in accordance with the command of Allah SWT, with this concept of equality it is not permissible for both to bring down and humiliate each other, but

both must complement each other's roles and responsibilities in accordance with the commands of Allah SWT. Mutual care and protect one another, also respect each other and respect in every condition that is being faced.

In terms of parallels as described by Allah in the Al-Qur'an and the hadith, there has never been any one-to-one drop, both men with strengths or women with other strengths. In fact, both are equal in responsibility. This is very much different from the regulatory systems that have existed before that made men wrong women. For example, there is no qishash if someone kills a woman, Islam is not like that!!! Allah says, meaning, "*Every self will be responsible for what he has done.*" (Surat al-Muzammil: 38). Thus Islam has actually given justice to men and women, not equality. The sense of fairness here is to give their rights to both according to what they must receive, and to put things in their proper place. This is the harmony of gender relations created by Islam for us, its adherents.

C. Conclusion

As a scientific society, we must understand that gender is not a biological attribute, but is related to the sociocultural community which states that gender is a social cultural concept of society that distinguishes the position, roles, traits, and responsibilities between men and women. However, as the majority community in Indonesia who embraces Islam we must understand that in Islam, men and women have been given the same position in several ways, such as the duty of devoting to Allah SWT, believing and doing good deeds, preaching and spreading goodness, worship, have *akhlakul kharimah*, plays a role in the social community, and matters relating to *hablumminallah* and other *hablumminannas*.

Islam has given glory to women in accordance with their privileges and in accordance with their portions. Allah SWT has given justice to men and women as they should, nothing is restricted and nothing is humiliated. Thus Islam actually has given justice to men and women, even though it is not an equality. An understanding of fairness here is to give their rights to both according to what they must receive, and to put things in their place. This is the harmony of gender relations created by Islam for us, its adherents.

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PAGE 1

PAGE 2

PAGE 3

PAGE 4

PAGE 5

PAGE 6

PAGE 7

PAGE 8

PAGE 9

PAGE 10