

## **WOMEN’S EQUALITY IN ISLAMIC TEACHINGS SEEN THROUGH THE PERSPECTIVE OF FAIR AND CIVILIZED HUMANITY (KEMANUSIAAN YANG ADIL DAN BERADAB)**

**Jirzanah**

Faculty of Philosophy, Universitas Gadjah Mada, Yogyakarta, Indonesia

Email: [jirzanah@ugm.ac.id](mailto:jirzanah@ugm.ac.id)

**Budi Sutrisna**

Faculty of Philosophy, Universitas Gadjah Mada, Yogyakarta, Indonesia

### **Abstrak**

*Pandangan Islam mengenai kesetaraan gender menantang ideologi patriarki yang telah mapan dalam budaya masyarakat di berbagai belahan dunia. Penting untuk menganalisis ajaran Islam mengenai kesetaraan gender melalui makna filosofis dari prinsip kemanusiaan yang adil dan beradab. Analisis filosofis menghasilkan pemahaman yang paradigmatis dan universal. Permasalahan yang diangkat dalam artikel berikut menyoal pendefinisian ajaran islam mengenai kesetaraan gender yang dianalisis melalui perspektif kemanusiaan yang adil dan beradab. Tujuan dari penelitian ini adalah untuk memperoleh konsep yang universal dan paradigmatis mengenai kesetaraan gender. Metode analisis yang digunakan adalah hermeneutika filosofis yang melalui beberapa tahapan, yakni melalui tahapan pemahaman, penafsiran, deskripsi, koherensi internal, dan analisis holistik. Hasil dari penelitian menunjukkan bahwa Islam mengajarkan bahwa dalam relasi gender, posisi perempuan adalah setara, yaitu tidak merendahkan, tidak mengumbar, dan tidak pula menyamakan (emansipasi yang kabur) antara laki-laki dan perempuan. Konsep kemanusiaan yang diajarkan oleh Islam dan sila kedua Pancasila menunjukkan kesamaan, yakni didasarkan kepada hakikat dasar manusia. Kemanusiaan yang diajarkan oleh Islam dan sila kedua Pancasila tidak membedakan jenis kelamin, status sosial, afiliasi agama, latar belakang etnis, dan ras. Laki-laki dan perempuan merupakan komponen yang saling melengkapi dalam kemanusiaan karena baik laki-laki dan perempuan*

*bertanggung jawab untuk mewujudkan hubungan yang adil, beradab, dan demokratis di antara manusia.*

**Kata kunci:** *Islam, Gender, Kemanusiaan, Pancasila, Kesetaraan*

**Abstract**

The Islamic vision of women's equality challenges the view of patriarchal ideology that has been established in the culture of society in various parts of the world. It is important to analyze Islamic teachings regarding women's equality through the philosophical meaning of a fair and civilized humanity principle. Philosophical analysis produces a paradigmatic and universal understanding. The problem studied is the description of Islamic teachings regarding women's equality and the analysis results are reviewed from the perspective of a fair and civilized humanity. The aim is to obtain a paradigmatic and universal concept of gender equality. The analysis uses the method of philosophical hermeneutics, through the stages of understanding, interpretation, description, internal coherence, and holistic analysis. The study results show that Islam teaches the position of women to be equal in gender relations, that is, not to demean, not indulge, nor to equate (blurred emancipation) between men and women. The humanity taught by Islam and the second precept of Pancasila is the same, that is, it is based on the nature of human nature. Humanity taught by Islam and the second precept of Pancasila do not differentiate between gender, social status, religious affiliation, ethnic background and race in the contexts of life. Men and women are components together in humanity, because men and women are responsible for realizing fair, civilized, and democratic relations.

**Keywords:** *Islam, Gender, Humanity, Pancasila, Equality*

**Received:** February, 4 2023 | **Reviewed:** April, 11 2023 | **Accepted:** Aug, 25 2023

---

**INTRODUCTION**

While changing continuously, discourse of gender equality and status of women never lost their relevance in academic debates. Islamic discourse on women's equality crucially contributes to that relevance. These contributions appear in a number of

interpretations on Islamic basic teaching on gender. Buchori (2023: 112) argues that men and women have equal potential to be ideal servants of God and to fulfill their roles as *khalifah* (God's representation) on the earth. Syifa (2019) notes that women have the right to education and work outside the home, as long as it does not interfere with their familial responsibilities. Shofan (2021: 211) emphasizes the need to empower women and increase their representation in decision-making positions. Anggoro (2019) introduces the concept of *qirāah mubādalah*, which promotes mutual respect and fairness between men and women in Islamic rituals in all aspects of life. Etin Anwar (2017: 49) explains that the revolutionary Islamic teachings and vision of women's equality challenge the views of established patriarchal ideology in global culture. The social role of women has been cultivated based on a pattern of dependence on fathers, brothers and male employers. This patriarchal logic of gender thinking in Arab culture was established long before Islam's expansion. The patriarchal logic of thinking about gender does not disappear along with the development of Islamic religious teachings.

Patriarchal culture provides space for a hierarchical view that determines the hegemony of men over women (Adisa et al., 2019: 1). Patriarchal culture can be found in almost all the history of human civilization until the mid-20th century. Humans in various countries have traditionally determined and obeyed patriarchal social institutions. The social institutions that determine the hegemony of men over women are socialized from generation to generation so that, in the end, they become social values, social norms, and formal laws (Darwin, 2005: 59).

The Quran is a source of discourse on ethics, law, eschatology, biology, philosophy, and history, as well as gender equality and justice. The fact that some Muslims seek gender equality and justice often contains claims about hierarchical gender that are contrary to the divine teachings of Islam. Claims about gender that are hierarchical, in turn have an influence on the drafting of the concept of a gender system and, of course also on the concept of human

identity. Claims about hierarchical gender are contrary to the principles of equality and equity, which are the main pillars of Islamic social structure and human identity (Anwar, 2017: 51).

The content of the philosophical meaning of the just and civilized humanity precepts is a philosophical discussion to seek the deepest understanding down to the true meaning of the just and civilized precepts of humanity. The fundamental understanding will lead to an abstract and paradigmatic understanding, ensuring broad general validity (Kaelan, 2009: 22).

The principle of just and civilized humanity (*Kemanusiaan yang adil dan beradab*) is the second principle of Pancasila. The idea of a human essence is an idea about the nature of a person's identity, which is made up of a variety of complicated ideas about different aspects of a person's character (Iriansyah, 2021; Pardosi et al., 2019). The composition of human nature is the unity of body and soul, called monodualist unity. Human nature is the unity of the nature of individual beings and social beings, called monodualist unity (Jirzanah, 2023: 23). The position of human nature is unity as an autonomous creature that stands alone and God's creature, called unity monodualist. The essence of the human being as a unity of three pairs, namely natural composition, natural nature and natural position, is called monopluralism. The essential characteristics or primary values always attached to humans as monoplural beings are fair and civilized traits (Amien, 2017). Fairness is the fulfillment of what is obligatory as a right in the relationship of living together. Civilized is the administration of life with the highest dignity. Civilized human beings are human beings with noble dignity. A fair human being is a human being who always fulfills what is obligatory as a right in the relationship of living together. Fair and civilized human beings are attitudes, decisions and human actions in realizing justice based on noble moral values and norms (Soeprapto, 2014: 91).

The Quran, as a source of discourse on women's equality, is analyzed from the point of view of the philosophical meaning of the fair and civilized precepts of humanity which will be very

interesting. Islamic teachings on women's equality as the basis of divine gender equality teachings are analyzed from a fair and civilized humanity that is paradigmatic and universal and will produce a universal concept of gender equality and justice because it is in accordance with human nature (Wadho et al., 2019).

## DISCUSSION

### 1. Islamic Views on Women

Etin Anwar (2017: 49) explains the origin of human events according to Islam. The Quran mentions the creation of Adam and mankind in general in several chapters and verses without distinguishing them so that it can be interpreted as an inclusive humanitarian point of view, namely:

a. Sura. Al-Hijr (15) verse 26-33 mentions as follows.

Verse 26: And indeed We have created man (Adam) from dry clay (derived) from black mud which is given form.

Verse 27: And We created the jinn before (Adam) from a scorching fire.

Verse 28: And (remember) when your Lord said to the angels "Indeed I will create a man from dry clay (which originates) from black mud which is given a form.

Verse 29: So when I have perfected (the incident), and I have breathed out My (creation) spirit, then you submit to him in prostration.

Verse 30: Then all the angels bowed down together.

b. Sura. Noah: 17-18, Sura. Thaha: 55, Sura. Hud: 61, Sura. Al-Hajj: 5, Sura. Al-An'am: 2, Sura. Al-Shafat: 11, Sura. Ar-Rahman: 14, Sura. Al-Hijr: 26, Sura. Al-Mukminun: 12, Sura. Al-Furqan: 54, Sura. An-Nisa: 1, Sura. Al-A'raf: 11, Sura. Al-Hijr: 28-29, Sura. At-Tin: 4 mentioned as follows.

All humans come from a certain kind of soil, not from water. Even though they come from a specific type of soil, that does not mean that humans are not biological creatures that make water a vital source of life. The land that is the origin of human occurrence, is located on one of the planets that contain water. The earth element

by itself includes the water element within it. Water as a vital resource in human life is explained more clearly in the process of human reproduction.

The process of human development, commonly called reproduction, is explained in several verses of the Qur'an, including: Sura. Al-Qiyamah: 37, Sura. Al-Insan: 2, Sura. As-Sajdah: 8, Sura. Al-Mu'minun: 14 which explains that the process of human reproduction is that the element of water (liquid) contained in the soil is more dominant than the element of soil. These verses hint at how dominant liquid is in human life, as is the case with other biological creatures.

Etin Anwar (2017: 132) concludes that, in essence, humans are not only physical beings, but also spiritual beings. Humans have intellectual abilities and moral qualities that are directed toward goodness. The nature of a perfect human being is the priority of humans as God's creation compared to other God's creatures. This human virtue is bestowed by God as a means of human authority ability as God's caliph in the world. God bestows honor on man because of his superior quality abilities compared to all other God's creatures in the macrocosm.

The Qur' an contains many verses about the origin of human creation which can be interpreted as an inclusive human perspective (Nawaz et al., 2021: 208). This inclusive view has theological, philosophical and sociological implications. Some Muslims have indeed been carried away by a culture of patriarchal ideology which refers to differences in gender hierarchies, for example with regard to the premise of Adam's superiority over Eve. The facts about the theory of creation in inclusive Islamic teachings can provide a basis for an inclusive interpretation of humanity. This inclusive human interpretation provides the basis for an equal gender view, that men and women are both God's main creatures and were created to need and complement each other (Haqqani, 2018: 65).

The revolutionary Islamic vision of the nature of women as human beings challenges the culturally established view that the female self is shaped by patterns of dependence on fathers, brothers,

employers, and even male members of the tribe. Women in the context of this social role, on the one hand, the glory and status of women are closely related to the membership of men in superior families and more broadly as part of their tribe. This patriarchal logic of gender thinking does not disappear with the development of Islam (Anwar, 2017: 49).

Islam does not discriminate against women, spoil women, or equate (blurred emancipation) between men and women. Islam respects women and elevates them to an equal degree. The point is, whoever is a believer, both male and female, who does good, that person will be entered into heaven (Salim, 1991: 11).

Women who receive an inheritance are not equal to men. Fathers and husbands in Islamic teachings also have special authority, but not to the extent of interfering with a woman's personal commitment to God. Women in worldly affairs also obtain rights like men (Umar, 1999: 259).

The existence of both men and women in the Quran places more emphasis on their capacity as servants (Sura. Al-Dzariyat: 56) and as God's representatives on earth (Sura. Al-An'am: 165). Humans are the only existentialist creatures, because only human beings can go up and down in rank with God. Although humans are the best creation (Sura. At-Tin: 4), it is not impossible that they will go down to the lowest degree (Sura. At-Tin: 5), even lower than animals (Sura. Al-A'raf: 179). The issue of human gender in their capacity as servants and caliphs has never been questioned (Umar, 1999: 220). The Quran does not mention in detail the origins of the incident with women; there is only a story about the pride of the Devil which affected Adam and his partner, so he had to leave heaven (Sura. Al-Baqarah: 34-38, Sura. Al-A'raf: 11-27, Sura. Thaha: 155-123). Eve can only be seen in the hadiths as the only wife of Adam. The couple, Adam and Eve, gave birth to several sons and daughters who were then cross-mated. These new pairs were the beginning of the human population to develop (Umar, 1999: 231).

Al-Quran always relates the similarity of human origin with a human position as caliph, *basyar*, and *al-insan* inclusively. The

caliph pointed to the supremacy of humans without distinguishing between men and women on earth and the ability bestowed by Allah to be able to distinguish between right and wrong. *Basyar* pointed to the same human function as a physical creature that needs food (Sura. Al-Anbiya: 8) are not eternal (Sura. Ibrahim: 11, Sura. Al-Mukminun: 24, Sura. al-Kahf: 110, and Sura. Hud : 27), and looking for income to the market (Sura. Al-Furqan: 7) (Anwar, 2017: 119).

The fact that everyone is born to different parents, ethnicities, races, cultures, religions, nations, and civilizations is evidence of the state of plurality, which is a characteristic that always accompanies human life (Anwar, 2017: 125). The Quran in Sura. al-Hujarat verse 13, states: O people, verily We created you from a male and a female and made you nations and tribes so that you may know one another. Indeed, the most honorable person in the sight of Allah is the most pious among you. Truly, Allah is All-Knowing, Knowing.

The hadith of the prophet, which indicates that woman (Eve) was created from one of Adam's ribs, is a hadith that means, "Indeed, women were created from a crooked rib. If you try to straighten it, it will break. If you let it, then you will enjoy it while remaining in a crooked state" (Bukhari, Hadith 5184).

Ribs as the origin of women have been commented on by several Muslim thinkers, including Quraish Shihab who said, "Broken ribs must be understood in a figurative sense, in the sense that the hadith warns men to deal with women wisely. Women have characteristics, characters and tendencies that are not the same as men. If not realized, it will be able to lead men to behave unnaturally. Men will not be able to change the character and nature of women. Even if men try to change it, the consequences will be fatal, that is, as fatal as straightening crooked ribs" (Umar, 1999: 238).

Islam provides provisions (laws) in the way of daily life to maintain the purity and dignity of women. These provisions are not meant to narrow the space for women to move, but to guard against anything that will have bad consequences (Alarefi, 2009).



Opportunities to achieve maximum performance is no different between men and women, specifically emphasized in three verses, namely Sura. Al-Imran: 195, Sura. An-Nisa: 124, and Sura. An-Nahl: 97. These three verses imply the concept of equality ideal between men and women and emphasizes that individual achievement, both in the spiritual and professional careers, should not be monopolized by one gender only. Men and women have the same opportunity to achieve optimal performance (Umar, 1999: 263-265).

## **2. The Meaning of Fair and Civilized Humanity Philosophy**

The Pancasila precepts' philosophical meaning will be deeply rooted in abstract and paradigmatic thinking, with a wide range of universal general applicability. All humans can apply and employ it everywhere and whenever due to its universal general width (Kaelan, 2009: 22).

Pancasila, as the basis of the state, is a unified whole of the Pancasila precepts called organic unity. The Pancasila precepts in organic unity add their special characteristics to the special characteristics of the other precepts. Each of the Pancasila precepts has its own special characteristics. Still, as the basic precepts of the state it has a unified set of special characteristics that are unanimous with the special characteristics of the other precepts.

The Pancasila precepts as an organic unit have a hierarchical relationship. Each precept whose sequence precedes the other precepts is the general concept and basis for the content of the meanings of the precepts behind it (Muqsith et al., 2022: 810). Each precept behind the other precepts, is a specialization of the precepts before it. The five precepts of Pancasila have a binding relationship with one another, so Pancasila is a unified whole. Each of the Pancasila precepts can have its own meaning. Still, the meaning content as the basic precepts of the state is a unified whole with the other precepts (Soeprapto, 2014: 77).

The meaning of Pancasila as the basis of the state, a unity between one precept and the other precepts, is called a hierarchical

unity. The content of the meaning of the Pancasila precepts as a hierarchical whole means that the sequence of the five Pancasila precepts is a series of levels in the breadth of its content. Each precept after the other is a specialization of the precepts before it. Each precept in the sequence ahead of the other precepts becomes the general basis and source of value for the precepts behind it. The contents of the meaning of the five precepts of Pancasila are always in a binding and hierarchical relationship between one another. The precepts of the One and Only God in the organic and hierarchical composition of the unit form the basis (soul) of fair and civilized Humanity precepts, and the next three precepts, namely Indonesian Unity, Democracy led by wisdom in deliberations/representations, and Social justice for all people of Indonesia. (Soeprapto, 2014: 78).

The concept of the content of the philosophical meaning of the precepts of Belief in the One and Only God, whose general abstract nature is universal, is the conformity of the characteristics and conditions within the state with the essence of God as the first cause of everything or *Causa Prima* (Notonagoro, 1980: 74). Because the very beginning is that there is a first, which is forever or eternal, and His existence is a must. His presence is a must, meaning His presence is absolute at all times. Because there is only one first, it is the origin of all things, everything depends on Him. Absolute nature The first cause is perfect and powerful, unchanging, unlimited, and the regulator of natural order so that all His creatures are obliged to accept and obey (Notonagoro, 1980: 76).

Compatibility is a relationship that has absolute nature and necessity between the Indonesian state as a result and God as the cause. The Indonesian state and God have a direct relationship, namely, as stated in the Proclamation of Independence and the third paragraph of the Preamble to the 1945 Constitution. The independence of the Indonesian state can occur with the blessings and grace of God Almighty. The absolute indirect relationship between the Indonesian state and God is the cause, that is because Indonesian people are God's creatures.

The precepts of the One and Only God in organic and hierarchical unity underlie and animate the other four precepts. Opposition in matters of divinity, anti-divine or anti-religious attitudes, and actions, and religious coercion is not possible in Indonesia. The Indonesian state only knows true tolerance.

The Republic of Indonesia, although not a religious state, has a state order and legal order that recognizes God's law, natural law, and moral (ethical) law. Although not written down, God's law, natural law, and ethical law are a source of material and value for the state and Indonesian positive law (Notonagoro, 1980: 76).

The concept of the philosophical meaning of the just and civilized precepts of humanity is based on the understanding of human nature. The concept of human nature that has been known is that of Plato, Thomas Aquinas, David Hume, Immanuel Kant, John Stuart Mill, John Dewey, and John Macmurray.

The views of these philosophers form the basis for the necessity of elements in compiling the concept of human nature, namely:

- a. The aspect of human unity-complexity as a living being consisting of elements at different levels. The element of the soul by Plato is seen as human nature. The element of reason or reason that is united with the body is seen by Aquinas as human nature.
- b. Elements of human historicity. Hume's view is that human nature always changes according to the conditions of time and place. Kant believes that human nature is fixed as the core and basis of human life which is constantly changing.
- c. Elements of human sociality. Mill's view that personal freedom is human nature. Dewey's view is that being social beings is human nature. Macmurray believes that individuality or individuals are human nature (Hadi, 1996: 39).

Various views of Indonesian thinkers regarding the concept of human nature, which is seen as fulfilling these three requirements, is from Notonagoro. Notonagoro's concept of human nature is a

concept of wholeness consisting of complexity called monopluralism. Human nature is a monopluralist creature consisting of the following elements.

The essence of the composition is the body and soul as a monodualist unit. The human soul has abilities that are unique to humans that are not possessed by other creatures, namely reason, intention, and taste. Its essence is that individual beings and social beings are monodualist units. Its essential position is as a free and independent being and God's Creature as a monodual entity. The unity of structure, nature, and position is essentially a unity, namely a monopluralist unit (Notonagoro, 1980: 90).

The adjectives or qualities of value that must be attached to humans as monopluralist beings are fair and civilized values. The monoplural elements of human nature give rise to complex necessities of life. All the complex needs of life must be met, both physical, psychological, individual, social, and religious. Fair means that attitudes, decisions, and actions are based on noble moral values and norms so that they are not arbitrary in maintaining a balance between the rights and obligations of fellow citizens regardless of differences in race, ethnicity, and social strata. Civilized means virtuous, namely attitudes, decisions, and actions based on moral values and norms in fulfilling their rights and freedoms, which relate to the relationship with God, with every person, with the state, and with society. It also involves freedom of expression and achieving a decent life. Every citizen has the same position concerning state laws (Soeprapto, 2014: 91).

A fair and civilized humanitarian state contains the principles of humanity or internationalism embodied in relations and respect for all nations and all countries. Indonesian nationalism or nationalism is not chauvinistic, that is, it does not narrowly contain excessive self-esteem (Notonagoro, 1980: 92). The Indonesian state has an absolute mono-dualist nature of humanity, so the Indonesian state is not liberal and not a mere state of power or dictatorship. The State of Indonesia consists of individuals who live together both physically and mentally, who have individual needs and interests

as well as common needs and interests, which are held not to interfere with each other, but in cooperation. The State of Indonesia is a country of cultural laws.

The cultural law state has the objectives of preventing disturbances, maintaining order, security, and peace inside and outside, and aiming to maintain all needs and interests to achieve justice. The rule of law and culture guarantees that everyone gets everything they are entitled to achieve common prosperity and happiness, namely that everyone has their needs and interests met, which include the need for food and clothing, in terms of culture and spirituality.

The cultural law state has a form of incarnation in human life, namely, human rights and obligations. Human rights and obligations are always in a dynamic balance. A dynamic balance means that the weight, shape, and ratio of the balance are always changing according to demand, the needs of the situation, and the times. Human rights and obligations continuously carry out a process of adjustment between two things that appear in conflict, namely between the elements of the body and the soul, between the nature of the individual and social beings (Notonagoro, 1980: 127).

Human nature is the basis and source of human rights. Human rights are inherent in human nature, not a gift from the authorities, nor a gift from the state or society. Human nature is the philosophical basis of human rights, so that their philosophical views on humans very much determine views on human rights.

The views of the Indonesian state and nation towards human rights are different and contradictory to the state and nation which adhere to the views of materialism and atheism. Countries and nations that follow materialism and atheism have the view that human rights have nothing to do with human nature as creatures of God Almighty (Soeprapto, 2014: 128).

### 3. Analysis of Women's Equality Teachings

The Quran contains many verses about the origin of human creation, which can be interpreted as an inclusive perspective of humanity, which includes the humanity of Adam and Eve, male and female. The facts about the theory of creation in inclusive Islamic teachings can provide a basis for an inclusive interpretation of humanity. This inclusive human interpretation provides the basis for an equal view of gender that men and women are both God's main creatures and were created to need and complement each other. It is innate to need and complement each other which makes the difference in tasks between men and women (Anwar, 2017: 132).

Universal human values must always be attached to the culture of any society. Humans as social subjects cannot be contested, and their existence requires recognition and protection. Every human being is always unique in himself, so no one is exactly the same or imitates another. Man as himself there can be no uniformity. Men and women also may not be exactly the same (Anwar, 2017: 151).

Islamic teachings about inclusive humanity are no different from the concept of human nature according to the principle of just and civilized humanity as a monopluralist being that does not differentiate between men and women. Islamic teachings regarding intellectual abilities and moral qualities directed towards goodness are the primacy of humans as God's creation compared to other God's creatures, which are also not different from the concept of a just and civilized humanity.

Fair and civilized humanity means that attitudes, decisions and actions are based on the values of truth, goodness, beauty, and religion, as well as noble moral norms so that they are not arbitrary in maintaining a balance between the rights and obligations of others regardless of gender differences, race, ethnicity, and social strata. Every citizen is guaranteed his rights and freedoms, which relate to his relationship with God, with everyone, with the state, and with society, and also concerns freedom of expression and achieving a decent life in accordance with basic human rights. Every

citizen of the nation and state has the same rights and obligations, and has the same position with respect to state law or laws (Soeprapto, 2014: 94).

A just and civilized view of humanity towards human rights is the same as Islamic teachings. The difference regarding gender equality between Islamic teachings and Pancasila is not principled. Pancasila calls for gender equality between men and women to be completely the same, except for those concerning their natural duties as men and women. Islamic teachings call for equality.

Islam teaches the equality position of women, that is, it does not demean women, spoil women, and equate (blurred emancipation) between men and women. Men and women have different rights and obligations in family life. Men and women also have different rights in terms of inheritance because they have different responsibilities in the family. Men and women naturally have different biological characteristics and reproductive roles (Nurdin, 2020: 34).

#### **4. Contribution to Gender Policy in Indonesia**

Contribution is based on Islamic religious teachings regarding the equal position of women, namely not demeaning women, spoiling women, and equating (blurred emancipation) between men and women. Men and women have different functions, rights, and obligations in family life because of their different responsibilities to the family. Men and women naturally have different biological characteristics and reproductive roles (Giunchi, 2014).

Gender equality and equality policies are conditions, attitudes, and thoughts that do not discriminate and give recognition of rights, respect for dignity, and equal participation in all areas of life for men and women. Characteristics of women's equality teachings regarding gender policies that need to be considered are conditions, attitudes, and thoughts that recognize the differences in the reproductive roles of women and men but do not differentiate and recognize rights, respect for dignity, and equal participation in all

areas of life with men. Men and women naturally have different biological characteristics and reproductive roles, so their functions, rights, and obligations in family life are different.

The different reproductive roles must be realized and understood as a relationship that requires each other between men and women. These different reproductive roles should not lead to discriminatory treatment of women in making decisions in the political, economic, social, and cultural fields.

The concept of equality and gender equality does not blame biological differences between men and women for creating hierarchies in political, economic, social, and cultural relationships. This gender hierarchy in a patriarchal society creates gaps in women's participation in all areas of life which results in a low quality of life for women. The gap in women's participation has resulted in a low quality of life for women due to the lack of access to education for women, the low standard of women's health, high infant, and maternal mortality rates, as well as increased violence against women both in the public and domestic sectors. The low quality of life for women will not occur if men and women have equal access to education and health services because it is rooted in the concept of gender equality (Darwin, 2005: 58).

Gender equality and equality policies in Indonesia are based on the principle of fair and civilized humanity and its implementation in the Body of the 1945 Constitution of the Republic of Indonesia after being amended. The body of the 1945 Constitution of the Republic of Indonesia contains provisions regarding human rights and obligations in Article 28. Article 28 of the body of the 1945 Constitution of the Republic of Indonesia does not contain a single article that mentions differences in basic rights and obligations between men and women.

The body of the 1945 Constitution of the Republic of Indonesia consists of several articles, namely:

**Article 28 A:**

Everyone has the right to live and has the right to defend his life and existence.



**Article 28 B:**

- (1) Everyone has the right to form a family and continue offspring through a legal marriage.
- (2) Every child has the right to survival, growth and development and is entitled to protection from violence and discrimination.

**Article 28 C:**

- (1) Everyone has the right to self-development through the fulfillment of their basic needs, the right to receive education and to benefit from science and technology, art and culture, in order to improve the quality of life and for the welfare of mankind.
- (2) Everyone has the right to advance himself in fighting for his rights collectively to develop his community, nation and state.

**Article 28 D:**

- (1) Everyone has the right to recognition, guarantees, protection and legal certainty that is fair and equal treatment before the law.
- (2) Everyone has the right to work and receive fair compensation and treatment in a work relationship.
- (3) Every citizen has the right to equal opportunity in government.
- (4) Everyone has the right of citizenship status.

**Article 28 E:**

- (1) Everyone is free to embrace religion and worship according to their religion, choose education and teaching, choose a job, choose citizenship, choose a place to live in the territory of the country and leave it, and has the right to return.
- (2) Every person has the freedom to believe in beliefs, express thoughts and attitudes, according to his conscience.

- (3) Everyone has the right to freedom of association, assembly and expression of opinion.

**(1) Article 28 F:**

Everyone has the right to communicate and obtain information to develop his personality and social environment, and has the right to seek, obtain, possess, store, process and convey information using all types of available channels.

**(2) Article 28 G:**

- (1) Everyone has the right of protection for himself/herself, family, honor, dignity and property under his control, and has the right to feel safe and protected from threats of fear to do or not do something which is a human right.
- (2) Everyone has the right to be free from torture and treatment that degrades human dignity and has the right to obtain political asylum from another country.

**(3) Article 28 H:**

- (1) Everyone has the right to live in physical and spiritual prosperity, to have a place to live, to have a good and healthy environment and to receive health services.
- (2) Everyone shall receive facilities and special treatment to obtain the same opportunities and benefits in order to achieve equality and justice.
- (3) Everyone has the right to social security which enables his/her complete self-development as a dignified human being.
- (4) Everyone has the right to have private property rights and these property rights may not be taken over arbitrarily by anyone.

**(4) Article 28 I:**

- (1) The right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to have a religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be

prosecuted on a retroactive basis are human rights. which cannot be reduced under any circumstances.

- (2) Everyone has the right to be free from discriminatory treatment on any basis and is entitled to protection against such discriminatory treatment.
- (3) The cultural identity and rights of traditional communities are respected in accordance with the times and civilizations.
- (4) The protection, promotion, enforcement and fulfillment of human rights is the responsibility of the state, especially the government.
- (5) To uphold and protect human rights in accordance with the principles of a democratic rule of law, the implementation of human rights is guaranteed, regulated and set forth in laws and regulations.

**Article 28 J:** article that states the existence of human rights obligations.

- (1) Everyone is obliged to respect the human rights of other people in the orderly life of society, nation and state.
- (2) In exercising his rights and freedoms, every person is obliged to comply with the restrictions determined by law with the sole purpose of guaranteeing the recognition and respect for the rights and freedoms of others and to fulfill just demands in accordance with moral considerations, values, religion, security, and public order in a democratic society.

The women's movement in the 1970s had its own meaning, both positive and negative. One positive phenomenon that can be noted is the promulgation of the 1974 Marriage Law. Although the Marriage Law only regulates civil servants, it symbolizes the state's partiality towards women. The Marriage Law places strict restrictions on male civil servants who wish to practice polygamy.

An important progress worth noting is the issuance of Presidential Instruction No. 9 of 2000. This Presidential Instruction can be called a monumental product, because this Presidential

Instruction emphasizes the necessity for every government agency at the central and regional levels to carry out gender mainstreaming (Silfiah & Humiati, 2023: 15). Presidential Instruction No. 9 of 2000 did not resonate, moreover there were very few political organizations and mass organizations that paid serious attention to the issue of women's empowerment and gender equality. Women's political struggle in the 2004 elections faced many challenges. It is difficult to meet the quota for women in parliament, which is at least 30 percent. Many political parties have failed to meet this quota because, on the one hand, the number of female figures participating in politics may still be limited. On the other hand, many male politicians are less enthusiastic about fulfilling this quota (Pepinsky, 2019). This tendency can be seen from the names of women placed in serial numbers that are not very numerous (Darwin, 2005: 53-55).

Darwin (2005: 59-63) explained that efforts to overcome gender inequality need to be continued. Efforts to overcome gender inequality can be broadly divided into three strategic models, namely:

*First*, women in development (*Gender in Development* or *GID*). The struggle for gender equality started from a situation where women's rights to work and be involved in the development process were denied. This first strategy offers a development strategy that places women as assets and targets, not as development burdens.

*Second*, the strategy of gender and development (*Gender and Development* or *GAD*). The gender and development movement is a reaction to the failure of the implementation of the first strategy (*GID*). Suppose *GID* focuses its movement on women as a biological reality, then *GAD* focuses on gender relations in social life. The *GAD* strategy is pursued by providing equal access for men and women.

*Third*, the gender mainstreaming strategy (*Gender Mainstreaming* or *GM*). *GM* is the maturation of the *GAD* strategy, whose basic objective is to make gender the mainstay of development.

## CONCLUSION

Islam teaches the equal position of women, namely not humiliating women, spoiling women, and equating (obscure emancipation) between men and women. Islam respects women and elevates them to the same level as men. The human soul has intellectual abilities and moral qualities directed toward goodness. This human virtue is bestowed by God as a means of human authority ability as God's caliph in the world. Men and women are God's main creatures and were created to need and complement each other.

The contents of the philosophical conceptual meaning of just and civilized humanity are important for analyzing Islamic teachings about divine women's equality because they will produce universal concepts of gender equality and justice.

The content of the philosophical conceptual meaning of just and civilized humanity is based on human nature. The essence of a human being is a monopluralist being as a unit consisting of his natural composition, nature, and position. The essence of the composition of human nature is a being with a body and soul as a unit. The essence of human nature is the natural nature of individual beings and social beings as a whole. The nature of the human position is the position of nature as a free being and God's creature as a unit. The privilege of human nature is to have psychological abilities, namely, reason, will, and taste. A just and civilized means that attitudes, decisions, and actions are based on the values of truth, goodness, beauty, religion, and noble moral norms. Just and civilized nature causes attitudes and actions that are not arbitrary in maintaining a balance between the rights and obligations of fellow human beings regardless of differences in gender, race, ethnicity, social strata, and skin color.

The theory of human creation, according to Islamic teachings, can provide a basis for an inclusive interpretation of humanity. This inclusive human interpretation provides the basis for an equal view of gender that men and women are both God's main creatures. Men

and women have different reproductive roles, but men and women were created to need and complement each other.

Humanity taught by Islam and Pancasila does not discriminate against gender, race, ethnicity, social strata, religious affiliation, or ethnic background in life contexts. Men and women are components together in humanity because men and women are responsible for creating just and democratically civilized relations in human life. Such a relationship would be impossible to realize if there was an unequal gender relationship between men and women.

The concept of equality and gender equality in Indonesia needs to pay attention to three strategies, namely women in development, gender and development, and gender mainstreaming. A strategy that places women as assets and targets provides equal access for men and women, and gender as the main stream of development.

## REFERENCES

- Adisa, T. A., Abdulraheem, I., & Isiaka, S. B. (2019). Patriarchal hegemony: Investigating the impact of patriarchy on women's work-life balance. *Gender in Management: An International Journal*, 34(1), 19–33. <https://doi.org/10.1108/GM-07-2018-0095>
- Alarefi, A. S. (2009). Overview of Islamic Law. *International Criminal Law Review*, 9(4), 707–731. <https://doi.org/10.1163/156753609X12487030862782>
- Amien, M. M. (2017). Causa Materialis Pancasila Menurut Notonagoro. *Jurnal Filsafat*, 16(1), 18–26. <https://doi.org/10.22146/JF.23212>
- Anggoro, T. (2019). Konsep Kesetaraan Gender Dalam Islam. *Afkaruna*, 15(1). <https://doi.org/10.18196/aiijis.2019.0098.129-134>
- Anwar, E. (2017). *Jati diri Perempuan dalam Islam*. Mizan. Bandung.
- Buchori, U., Iman, F., Ishom, M., & Al-Ayubi, S. (2023). Kesetaraan Gender Dan Hubungan M Pandangan Islam Tentang Kesetaraan Gender Perspektif Kemanusiaan. *Jurnal Alwatzikhoebillah : Kajian Islam, Pendidikan, Ekonomi, Humaniora,*

9(1), 112–123.

<https://doi.org/10.37567/alwatzikhoebillah.v9i1.1554>

Darwin, M., (2005). *Negara dan Perempuan*. Grha Guru. Yogyakarta.

Giunchi, E. A. (2014). Gender and Equality in Muslim Family Law, Justice, and Ethics in the Islamic Legal Tradition: By Ziba Mir-Hosseini, Kari Vogt, Lena Larsen, and Christian Moe, eds.. *American Journal of Islam and Society*, 31(4), 118–120.

<https://doi.org/10.35632/ajis.v31i4.1073>

Haqqani, S. (2018). Women in the Qur'an: An Emancipatory Reading: Asma Lamrabet Translated from the French by Myriam Francois-Cerrah. Square View, 2016. 172 pages. *American Journal of Islamic Social Sciences*, 35(4), 68–71.

<https://doi.org/10.35632/ajiss.v35i4.476>

Iriansyah, A. (2021). Implementasi Sila-Sila Pancasila dalam Mencapai Cita-Cita Nasional Bangsa Indonesia. *PROYEKSI (Jurnal Ilmu-Ilmu Sosial Dan Humaniora)*, 26(2), 122.

<https://doi.org/10.26418/proyeksi.v26i2.2887>

Jirzanah. (2023). *Urgensi Filsafat Pancasila Bagi Implementasi Pancasila*. Penerbit Deepublish. Yogyakarta

Kaelan. (2009). *Filsafat Pancasila*. Paradigma. Yogyakarta.

Muqsyith, M. A., Muzykant, V. L., Tayibnapis, R. G., & Pratomo, R. R. (2022). Revolutionizing Pancasila as the ideology of Indonesians. *RUDN Journal of Sociology*, 22(4), 860–871.

<https://doi.org/10.22363/2313-2272-2022-22-4-860-871>

Nawaz, S., Shabbir, M. S., Shaheen, K., & Koser, M. (2021). The Role of Human Rights and Obligations toward Cross Gender Empowerment under the domain of Islamic Laws. *IRASD Journal of Management*, 3(3), 208–217.

<https://doi.org/10.52131/jom.2021.0303.0039>

Notonagoro. (1980). *Pancasila secara Ilmiah Populer*. Pantjuran Tudjuh. Jakarta.

Nurdin, Y. Y. (2020). Menimbang Kesesuaian Pancasila dengan Al-Quran. *Khazanah Pendidikan Islam*, 2(1), 34–42.

<https://doi.org/10.15575/kp.v2i1.8129>

- Pardosi, M. T., Maharani, S. D., & Munir, M. (2019). The Core of the Essence of Humans of Pancasila According to Notonagoro: Autonomous and Responsible. *Asian Journal of Social Science Studies*, 4(4), 129-135. <https://doi.org/10.20849/ajsss.v4i4.696>.
- Pepinsky, T. (2019). Islam and Indonesia's 2019 Presidential Election. *Asia Policy*, 26(4), 54–62. <https://doi.org/10.1353/asp.2019.0049>
- Salim, H. (1991), *Wanita Islam.*, PT. Remaja Rosdakarya., Bandung
- Shofan, M. (2021). Islam, Kesetaraan Gender, dan Pemberdayaan Kaum Perempuan. *MAARIF*, 16(2), 183–190. <https://doi.org/10.47651/mrf.v16i2.143>
- Silfiah, R. I., & Humiati, H. (2023). The Relevance of Gender Mainstreaming in Indonesia to Women's Rights in Islamic Law. *Lampung Journal of International Law*, 5(1), 15-28. <https://doi.org/10.25041/lajil.v5i1.2757>
- Soeprapto, S. (2014). *Konsep Inventif Etika Pancasila Berdasar Filsafat Pancasila Notonagoro*. UNY Press. Yogyakarta.
- Syifa, N. D. (2019). *Kesetaraan Gender dan Relevansinya dalam Pendidikan Islam: Studi Pemikiran M. Quraish Shihab dalam Buku 'Perempuan dari Cinta Sampai Seks; Dari Nikah Mut'ah Sampai Nikah Sunnah; Dari Bias Lama Sampai Bias Baru'*. (Publication No. 1503016034) [Undergraduate Thesis, UIN Walisongo]. UIN Walisongo Repository. <http://eprints.walisongo.ac.id/id/eprint/10461/>
- Umar, N. (1999) *Argumen Kesetaraan Gender Perspektif Quran*. Paramadina. Jakarta.
- Wadho, K. H., Ali, R., & Abdin, Z. U. (2019). English-Islam, Human Rights and Globalization. *The Scholar Islamic Academic Research Journal*, 5(2), 55-80. <https://doi.org/10.29370/siarj/issue9ar10>