



WOMEN'S LEADERSHIP IN ISLAM IN POST-REFORMATION INDONESIA

Muhammad Abidin¹, Dhiauddin Tanjung²

^{1,2} Pascasarjana UIN Sumatera Utara Medan, Indonesia

Email: ¹muhammad.abidin21@yahoo.com, ²dhiauddintanjung@uinsu.ac.id

Abstract

This research aims to (1) find out the position of women in Islam (2) find out what the laws regarding women's leadership in Islam are in post-reformation Indonesia. This research was designed using qualitative methods to be able to explain in as much detail as possible the position and legal leadership of women in Islam in post-reformation Indonesia. This type of research is normative research which takes references from books whose subject is women's leadership. Meanwhile, the object of this research is Islamic law relating to women. To collect data, researchers used reading techniques and then recorded the results. Meanwhile, the analysis technique is descriptive. The results of this research are: The development of the existence of women in leadership in post-reformation Indonesia continues to develop. debate between classical scholars and contemporary scholars who disagree with each other in interpreting verses and hadiths regarding women's leadership. In this case, classical scholars indicate that it is prohibited for women to become leaders in public affairs. Recently, contemporary scholars have interpreted contextually the verses and hadiths of the Prophet to understand that Islam does not prohibit women from occupying a position or becoming leaders in public affairs. Even becoming head of state, provided that he meets the criteria and is able to carry out these duties.

Keywords: Leadership, Women, Islam, Indonesia, Post-Reformation

INTRODUCTION

It is impossible to talk about women without mentioning their role and position in society, as well as political issues. Since the era of colonialism and the beginning of independence in the political arena, the role and position of women has been clearly discriminated against; it is a human right that everyone can enjoy (Rohmatullah, 2017). But ironically, many women are not aware of their rights. Gender inequality continues to persist in Indonesian politics. In Indonesia, where women are the majority, it must be accepted that they are still naive in political debates. Their influence on decision makers is still very limited. In reality, there is a social stigma that reduces the importance of women's roles and achievements. For the 2014 elections, there were more laws and regulations governing women's representation than before, including a 30 percent quota intended to increase the number of women in the legislature (Hasanah & Musyafak, 2017).

Even compared to previous elections, this legislative regulation is more numerous and comprehensive. However, from 2014 to 2019, the number of women elected as members of the DPR RI fell from 101 to 79, a decrease of 17.86 percent. In the 2014 elections, there was an increase in the number of female legislative candidates running for office. (Hayati, 2023) However, the results are inversely proportional to this increase. In society, men and women have their respective roles. It is possible for men and women to maintain their separate roles in society without becoming less equal because the minds and brains of men and women determine the same values.

Indonesia's recent political changes hold enormous promise for women whose political rights have been stalled for too long (Suwardi, 2015).

The reasons and stigma regarding weakness that exist in women include others (Sadari, 2017):

1. Self-confidence tends to be lacking;

A leader lacks confidence in leading an institution because of a lack of support from subordinates for the progress of the organization he leads and this can have negative consequences for the development of subordinates at work and for the organization they lead. This turns out to be one of the weaknesses of a woman in leading an institution.

2. Lack of courage/decisiveness in making decisions;

The nature of analysis and carefulness in making every decision can be one of the advantages of a female leader, but the analysis that she has chosen correctly is not clearly expressed in front of her subordinates. Making firm decisions can reflect a leader's authority.

3. Authoritarian and dictating nature;

Sometimes foam appears in an organization from superiors, therefore there are also subordinates who do not obey orders from superiors, this is what gives rise to the authoritarian nature of a leader, sometimes appearing and dictating every task carried out by subordinates because of subordinates' disobedience to superiors.

The problem that will be addressed in this article is women becoming leaders, both state/government leaders and leaders in other positions according to the provisions of Islamic law in Post-Reformation Indonesia. This problem may be ancient from the perspective of today's thinking, but in the context of *siyasa* jurisprudence, it is very rare for *fuqaha* (Islamic law experts) to justify women becoming leaders, both as heads of state/leaders and in other positions. (Suwardi, 2015) This is because there is an authentic hadith from the Prophet which says "a people who appoint a woman as their leader will not be lucky." Below we will explain the arguments of these scholars and to what extent their opinions can be accepted.

The requirement for maleness to become head of state/government is no longer debated by the jurists, especially the classical ones. This requirement is seen as something that is self-evident and *a priori* in nature. Because of that, they didn't discuss it at length anymore. (Azizah et al., 2021) Some even just skip it because it's so clear and doesn't need confirmation. According to Imam al-Harain al-Juwaini (478/1085), the ulama had agreed that women should not be priests and judges. He didn't explain the reason. Rasyid Rida (1935) quoted the opinion of at-Taftazani who stated that the requirements for an imam (head of state/government) are *amukallaf*, Muslim, just, independent, male, *mujtahid*, brave, wise, capable, physically healthy and from among Quraysh. Furthermore, Rasyid Rida also quoted the requirements for priests put forward by Hanafiah scholars, namely Muslim, male, independent, intelligent, brave and from among the Quraysh (Sadari, 2017).

Al-Mawardi, one of the leading experts in *siyasa* jurisprudence who was a contemporary of al-Juwaini but older, did not mention maleness as one of the seven requirements for an imam that he put forward in *al Ahkam as-Sultaniyyah*. However, this cannot be interpreted to mean that al-Mawardi justifies women becoming imams



considering that this condition, as emphasized by al-Juwaini, has become the *ijma'* of the ulama (Yandy & Mustajab, 2021). Moreover, al-Mawardi requires maleness to be a judge, while it has become a ruling of the *fuqaha* that whatever is required of a judge is required of an imam. Therefore, we find the argument in his discussion of the conditions for judges (Hasanah & Musyafak, 2017).

From the description above, it appears that there are two reasons put forward by al-Mawardi for rejecting the ability of women to become judges, and therefore also to become imams, namely, firstly, the existence of *ijma'* ulama and secondly because women do not have the level of intelligence and wisdom that men have, which is the case. It is illat in al-Mawardi's view why Allah placed leadership in the hands of men. discussing the requirements for priests, al-Mawardi makes wisdom and knowledge two of the conditions that must be fulfilled by priests.

Said al-Afghani who wrote *Aisyah wa as-Siyasah* (Aisyah and Politics) begins his discussion with a chapter entitled "*al-Mar'ah wa as-Siyasah*" (Women and Politics). In it he expressed his arguments about the impermissibility of women entering the political arena and especially becoming heads of government. According to Sa'id al-Afghani, *Sunnatullah* has determined that there are characteristic and eternal differences between men and women in terms of physiological, emotional and mental (Sadari, 2017). Politics and government require far-sightedness, precise logic, careful calculations, tough endurance and the ability to control emotions and desires in a way that women do not have. Therefore, politics is an art specifically for men, while the art suitable for women is family and home. These natural differences between men and women, which result in different responsibilities for each, cannot be ignored. Any disregard is a violation of the laws of nature (Fetra, 2020).

Based on the long description above, it is a big question that the majority of the Indonesian population is Muslim, which questions the legal leadership of women. This can be seen from politics in Indonesia, especially post-reformation, where the gates are opened as wide as possible to anyone, this is in the name of the post-reformation spirit of democracy. The position and role of women after reform is the same as men and many women are even directly involved in Indonesian politics, this is proven by the election of the first female president, namely Megawati Soekarno Putri. Recently, women have also been found occupying strategic government positions.

METHOD

This research was designed using qualitative methods to be able to explain in as much detail as possible the laws of women's leadership in post-reformation Indonesia. This type of research is normative research so that the research stages are carried out by collecting library sources, both primary and secondary, which take references from literature (books/articles/journals) whose subject is law (Ilaina et al., 2022). To collect data, researchers used reading techniques and then recorded the results. Meanwhile, the analysis technique is descriptive qualitative, then to understand phenomena or events by analyzing and researching relevant information. So researchers will conduct research by analyzing data taken from relevant literature,

sorting information, comparing other literature, then set out in this article (Darmalaksana, 2020).

RESULT AND DISCUSSION

A. The position of women in Islam

The term woman can also be viewed from several concepts, for example (gender) which views women biologically and the concept of gender which views women as a social construction. From several concepts of understanding about women and men that are expressed, differences arise between men and women naturally (biologically) in various forms of cultural context, often underlying the existing role differentiation (Pratiwi et al., n.d.).

As a result, there is often an imbalance in roles and positions between men and women, which in some cases can give rise to male and female domination. Men with their biological characteristics and traits with an instrumental orientation, namely active, protective and leader. Women with biological characteristics with emotional characteristics such as passiveness, sacrifice for femininity. A woman who leads an organization also has traits or personality traits that are gentle, gentle, and wise towards her subordinates so she can lead successfully. In leadership as mentioned above, there is a lot of negotiation and adjustment that many people cannot tolerate. Often decisions are taken based on individual cases (Yumna & Abidin, 2019).

Islam itself is not a patriarchal religion. Islam does not teach that a woman's position is below a man. Islam teaches that when a woman marries, the responsibility for herself lies with the man who becomes her husband. Hadith shows that Islam gives great respect to women, because the best Muslim men are those who do good to their wives. Islam gives high honor to Muslim women. There is no obligation for them to earn a living. Instead of depicting women as weak and burdensome to men, this is Islam's respect for women in relation to their very vital duties in the family home (Rahmi, 2021).

Islam provides the same obligations and rights for men and women, but men are given one level higher than women, not to belittle them, but in a household, men become priests who have responsibilities and tasks that are not easy in looking after their wives. and their future children. God's Word:

يٰۤاَيُّهَا النَّاسُ اِنَّا خَلَقْنٰكُمْ مِنْ ذَكَرٍ وَّاُنْثٰى وَجَعَلْنٰكُمْ شُعُوْبًا وَّقَبَاۤىِٕلَ لِتَعَارَفُوْۤا اِنَّ
اَكْرَمَكُمْ عِنْدَ اللّٰهِ اَتْقٰىكُمْ اِنَّ اللّٰهَ عَلِيْمٌ حَبِيْرٌ .

Meaning: O people, indeed We created you from a man and a woman and made you into nations and tribes so that you may know each other. Indeed, the noblest among you in the sight of Allah is the most pious among you. Indeed, Allah is All-Knowing, All-Knowing (Agama, 2016).



Based on the verse above, men and women are both slaves. The main duty of servants is to serve and worship. This can be understood in His words: "And I did not create jinn and humans except to worship Me" (QS. al-Dzariyat: 56). In human capacity as servants, there is no difference between men and women. The only difference that can be used as a measure to glorify or lower their rank is the value of their devotion. Achievements of devotion can be achieved by anyone, regardless of differences in gender, ethnicity or certain ethnic groups (Azis et al., 2023).

B. Women's Leadership in Islam in Post-Reformation Indonesia

Post-reform women's participation has increasingly increased and dominated, this is due to their tenacity in calling for equal rights with men, including in matters of leadership. The demand for equal rights for women is apparently based on several assumptions that there are not many differences between women and men, only the opportunity to develop is what differentiates them (Suwardi, 2015).

The presence of women's movements around the world has had an impact on the nuances of the Indonesian women's movement after reform. This influence can be seen in the form of the emergence of emancipatory ideas. A democratic country like Indonesia should have women have the same position and rights in building the nation as stated in the 1945 Constitution article 27 (1) which states about the equal position of citizens under law and government with exceptions. This article shows concern for human rights as well as a balance between rights and obligations and the absence of discrimination among citizens. Apart from that, there are no written regulations that prohibit women from becoming leaders. For example, MPR Decree No. II/1973 states that both women and men as long as they meet the characteristics of a state leader are allowed to run and be elected by the public as president (Yandy & Mustajab, 2021).

Based on the ethical principles of religion, especially Islam, it does not even hint at anything related to discrimination against women, on the contrary, Islam has guaranteed women's rights as rights given to men, including the right to be leaders. Women who become leaders continue to exist and continue. The reality is that in many countries women have been accepted to occupy positions within a country and in their respective environments or regions. Women have the same rights and opportunities to lead, several names of women who have become leaders include the former president of the Republic of Indonesia, Megawati Soekarno Putri, the former president of Pakistan, Benazir Bhuto, as well as a number of female ministers in a number of countries, such as Indonesia, Pakistan and etc (Azizah et al., 2021).

Apart from that, there are several terms or redactions in the text of the Koran and hadith regarding leadership. Among them;

...الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا
مِنْ أَمْوَالِهِمْ ...

Meaning: men are leaders for women, because Allah has preferred some of them (men) over others (women), and because they (men) have spent some of their wealth (Agama, 2016).

النَّ يُفْلِحَ قَوْمٌ وَالْوَأْمُرُهُمْ أَمَّا (رواه البخاري والنسائي والترمذي وأحمد)

Meaning: "A people who hand over their affairs to women will not succeed" (Sadari, 2017).

This hadith has been narrated by Imam Bukhari, he said: "has told us Uthman bin Hatsam, he said: "has told us Auf from Hasan al-kami Uthman from Abu Bakrah he said: "Indeed Allah has benefited me with a sentence during the war Jamal. When news reached the Prophet SAW that the Persians had crowned Princess Kisra as king, the Messenger of Allah spontaneously said: "The people who hand over their affairs to a woman will not be lucky." (Sadari, 2017).

1. Opinion of Classical Ulama

Imam Ahmad, Imam Malik, and Imam Syafi'i argue that women have no right to be leaders, even in a more limited scope. Because, after all, being a leader, whether with broad or limited power, is essentially the same. The only difference is the area of authority. In fact, the Prophet clearly forbade a woman to become a leader. Meanwhile, Abu Hanifah, a woman is allowed to be a judge, but not a judge in criminal cases (Rohmatullah, 2017).

Al-Thabari said that men's leadership over women is not only about physical strength, but education and responsibility in fulfilling the obligations determined by Allah, namely the obligation to pay dowry, living and kifayah. According to ar-Razi, men's advantages include two things: essential nature and sharia law, essential nature includes knowledge (al-'ilm) and physical ability (al-qudrah), according to him men's intellect and knowledge are more perfect than women. Meanwhile, sharia law is the obligation to pay the dowry and provide maintenance (Rohmatullah, 2017).

If the author analyzes the opinion above, the hadith texts from Abu Bakrah and Q.S. an Nisa 4:34 is the most basic reason among classical scholars who require leadership to be in the hands of men and reject the role of women being allowed to occupy that position. The consensus of scholars states that leadership and guardianship are absolutely not prohibited for women. In Islam, the head of state is a



thought leader, a representative of his people and who speaks on behalf of his people. The welfare and danger of many people are in his hands.

Therefore, he is the one who decides on war, peace, agreements, attacks, and so on after deliberating with the *ahlul halli wal 'aqdi*. The leader of the state is also obliged to lead Friday prayers in the mosque, be the imam of fardu prayers, decide disputes (if he has free time). Meanwhile, women are not required to perform Friday prayers, have certain times when they cannot perform prayers, and so on.

2. Opinions of Contemporary Ulama

Ali Jumah Muhammad Abdul Wahab, the mufti of Egypt, was among the influential ulama who allowed women to become heads of state and any high positions such as judges, ministers, members of the DPR, etc. However, he agreed with Yusuf Qardhawi that the position of al-Imamah al-`Udzma which oversees all Muslims in the world must be held by a man because one of his duties is to be the prayer leader (Masniati, 2015).

Yusuf al-Qordhawi allowed women to participate in politics. He explained that the interpretation of Surah An-Nisa verse 34 is that men are leaders for women within the family or household. If we look at the interpretation of Surah An-Nisa verse 34, it is clear that the man is the leader of the woman, acting as an adult towards her, controlling her, and educating her when she commits deviations. "Because Allah has favored some of them over others. Namely, because men are superior and better than women. Therefore, prophethood is only given to men (Rahmi, 2021).

Al-Ghazali is of the opinion that women should not be state and judicial *khlaifah* based on the proof of the hadith narrated by Abi Bakrah above, adherents of this opinion think that women's psychological conditions make them weak in making decisions and women lack freedom to carry out state activities, considering the natural role of women as Mother. Dr. Muhammad Sayid Thanthawi, Shaykh al-Azhar and Grand Mufti of Egypt. states that women's leadership in any position does not conflict with sharia. Both as head of state (*al-uzma* region) and positions below him. Ibnu Jarir at-Tobari allowed women to become absolute leaders. Quraisy Shihab said that men's privileges here are not only due to gender differences but also privileges that are commensurate with the responsibilities they must fulfill towards their wives, namely living. If the two aspects above are not present in the husband (the power and obligation to provide income) then there is no privilege for him and the wife can just take over the "leadership" in the household (Rohmatullah, 2017).

So in essence, according to the author, post-reformation, there is a lot of participation of women who take part and play a role in politics and lead and serve in strategic positions, in this case anyone and whatever their gender (male or female) has the right to be a leader, and the measure of leadership is capability, capacity and scientific quality. and can bring benefits to the people, nation and state. Because the teachings of Islamic Sharia are essentially equality and equality. It is only the quality of piety that makes humans different from one another. And in modern times, post-

reformation, leadership is not personal - individuals, but institutions (executive, legislative and judicial), there are also academic circles, and other educated people who synergize and cooperate in managing government.

CONCLUSION

The development of the existence of women in leadership in post-reformation Indonesia continues to develop, this is the impact of the rules/regulations that are made, so it is concluded that rules that are legal and binding are an important indicator for women's groups. Furthermore, there is a debate between classical scholars and contemporary scholars who disagree with each other in interpreting verses and hadiths regarding women's leadership. In this case, classical scholars point out that it is prohibited for women to become leaders in public affairs. Therefore, the majority of ulama firmly stated that women's leadership in public affairs is prohibited.

However, recently contemporary scholars have contextually interpreted the Prophet's verses and hadith to understand that Islam does not prohibit women from holding positions or becoming leaders in public affairs. Even becoming head of state, provided that he meets the criteria and is able to carry out these duties. Therefore, this hadith must be understood contextually, because the content of the instructions is temporal.

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