

Women and Political Rights in Islam (Focusing on Indonesia)

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Abstract. In the male dominated society, there are minimum political rights given to women. Particularly the increased of demand for extended female political participation, the matter of female involvement in politics on various levels has become a much debate. When it comes to women political participation and leadership, there seems to have been contradiction between the ideal expressed in sharia and actual practices in Muslim state policies. The debate over Muslim feminists today is more heteronormative debate, gender polarization and phallic masculinity (male desire). Therefore, Islamic feminism is between legitimacy and the need to restore the status of women's political rights from orthodox pressure and subjugation itself. Feminist ethics is more rearranging women's involvement in the society to be equal, balance, and proper treatment. Islam provides justice and equality for women. There is equal opportunity for both men and women, including equality in political rights. Nothing in the laws of Islam or in their intention can account for the generally low status of Muslim women. The existing situation is contrary to the law, because originally women in Islam were granted an equal place in human society. Cultural values related to women's sexuality in Muslim countries, which reflected the inequality of gender very much influenced by the formulation of law, both secular and Islamic law. The question of the role of religion on gender constructions, for example in Indonesia has not been asked often enough, but is clearly of great relevance to contemporary debates, as the country struggles towards a modern democratic state. The discussion on gender roles becomes particularly conspicuous when we turn to the matter of women's political participation in Islam. The question to be considered is how does the pre-existing, culturally rooted perception of women influence the interpretation of the Qur'anic position on women? The interpretation of the Qur'an itself is influenced by social, moral, economic and political concerns, including interpretation regarding women in political rights. Qualitative method is used to achieve the purpose of this study.

Keywords: Women, Gender, Political Rights, and Islam

1 Introduction

In many Muslim countries limited women are elected Members of Parliament. In Indonesia for instance, the Indonesian population is 50.2% female and the equality of male and female in political participation is guaranteed by the Indonesian Constitution of 1945 and with the signing of the UN Convention on political rights of women in 1961, However Indonesia is still essentially a man's world. Men still play the most significant roles outside the home. The most important jobs are still occupied by men, even though the number of women in high positions is growing and Indonesia has had a woman president.

The idea prevails that if a man is of high position, his wife enjoys the same husband's status. This shows that in fact there is still no true equality between men and women in Indonesia society. In general, women's participation in public life is limited in terms of areas and levels of decision-making. As a whole, women are minority in political life in Muslim countries, and the discussion of whether sharia allows women to active themselves in official spheres has to take account of this fact.

Indonesian Muslim women have a strong bargaining position within their households and their social spheres because they have some control over the acquisition and use of individual skills and resources. When compare with women in societies where households are hierarchical, embodying the ideal of age and gender distinctions in specific role constraints, Indonesian Muslim women are less bound by hierarchical constraints and somewhat freer to make independent, responsible decisions.

However, tradition also provides a sort of framework within which gender roles evolve. Family and lineages inheritance, status, and solidarity are points in gender ideology regarding women that emerges particularly in class societies, both in rural and urban regions. In general, women's participation in public life in Indonesia is limited in terms of areas and levels of decision-making.

Religion, cultural milieu, and a particular way of socialization have been pointed to as important factors influencing women's general non-participation in public life, in particular their lack of contribution to decision-making. Socialization plays an important role in inculcating a culture-specific "ideology of gender," which in the Indonesian context is characterized by dependency on, and subordination to, men, as well as rigid division of labor by sex. This ideology of gender appears to have been reinforced in recent years by the revivalist tendencies caused by the resurgence of religion and the reinvigoration of tradition side-by-side with the process of modernization.

Aware of these conditions, there are many women's movements and organizations that are struggling for a better situation for women. They are protesting against their subordination and are trying to find ever-more-effective ways to do so. There are many kinds of women's movements in Indonesia. However, some aim to preserve, rather than to change, women's position. Moreover, within the movement for change there are also many conflicting emphases and perspectives.

These conflicts are caused by divergent notions of the significance of gender differences and the division of labor based on sex, thus requiring deeper understanding of the impact of the processes of change on women's lives as Indonesian society responds to new challenges and demands. The plurality of both culture and religion, on the one hand, and the complexity of new factors, which influence Indonesian society, on the other, has to be taken into account in the discussion of the status and the position of women.

Although gender is a basic building block in any social formation or cultural tradition, a revolution against the condition of women in traditional Muslim societies is inevitable. Men have, historically, framed Muslim prescriptions for women. Islam, however, is not gender-specific but rather a faith system and a way of life open equally to women and men. In Indonesia, Islam has been largely ignored as an aspect of gender relations.

Actually, over a long period in the history of Indonesia itself, the position of women has been considered very important, especially in the area of politics. For example, in an 8th century Middle Java inscription, a ruling son, King Sanjaya, mentions the previous rule of his mother as queen. More recently, history records the rule of queens in the 17th century. Aceh was ruled by a queen for 34 years from 1641-1675: Sultanah Tajul Alam Safiatuddin Johan

Berdaulat--who governed for 34 years (1641-1675)--was crowned to succeed her husband because they had no children.

Both government officials and religious scholars approved the coronation of a woman, and it turned out that her reign was very productive for the development of Islamic law, literature, and science in the Aceh territory. She was both a stateswoman and a scholar. She wrote a book entitled "Masail al-Muhtadi li Ikhwan al-Muhtadi (Basic Guidance for the Beginner)." Many schools were built for both men and women, because, according to the Queen, Islam commanded that men and women should gain knowledge together.

In 1699 Kadhi Malk-ul Adil issued a fatwa from Mecca, which decreed that under Islam, women could not be leaders, and this fatwa served as an excuse to depose the last queen, Sri Ratu Kamalat Shah, and to bring to an end the rule of women. Another example from the 19th century is from eastern Indonesia, the South Celebes. Siti Aisyah We Tenriolle was an intelligent and strong-willed woman who became the Queen of Ternate in 1856, inheriting the rule from her grandfather. She united three regions during her reign, composed an epic of seven thousand folio pages, and founded the first school for both women and men in Ternate.

While these examples show something of the great strength of the heritage of Indonesian women, feudal and colonial life in Indonesia caused a weakening and decline in the status of Indonesian women over the period of the last hundred years. Men came to dominate women in the community. By the end of the 19th century, although women continued to have a strong role in agriculture and household economics, in general, feudalism and the backwardness and lack of education of middle-class women made it easy for men to overmaster them and to minimize their great contributions.

For the majority of Muslim women who have been kept for centuries in physical, mental, and emotional bondage and deprived of opportunities to see themselves as fully human, the task of defining what womanhood in Islam is, or even of analyzing the question, is overwhelming. All this is only possible through a rigorous understanding of Islam's heritage, its context, and its own defined goals.

Facing these historical facts, it is necessary that we ask not only what religion can do for women, but more importantly: what can women do with religion? In other words, how can women use religious traditions and values to their advantage? How can we meet traditional values half-way, so that the traditions can help change society?

Thus, it is my intention in this paper to provide a sympathetic but critical analysis of the Women and Political Rights in Islam. A clear understanding of the problem will be required. In this article I focus primarily on theoretical issues related to the rethinking and re-contextualizing of classical Islamic sources and literacy traditions about the position of women in political rights and particularly on the issue of women leadership in a modern context.

This paper deals with Islamic Law (Syari'ah) and jurisprudence (fiqh), which from the elements of Islam most directly responsible for the definition of women's roles and the boundaries of women's activities in the Islamic Community. Islamic concepts provide a framework of general ideas and paradigms that will give meaningful form on women perception. I hope this research will give theoretical contribution for women empowerment and close the gender gap in political participation between men and women.

2 Women in Socio-cultural and Political Development and Economic Status

Feminist consciousness and women's struggle against gender discrimination in society still seem to demand a certain improvement in socio-economic and political development. We experienced the suffering of many women in Third World societies is related to social and economic structure associated with pre-capitalist societies.

Therefore, economic, social development, political structure, and the degree of women's institutional participation in any society are crucial factors in women's emancipation. The government policies and the commitment to empowering women do not rest exclusively on extended educational and employment opportunities and formal legal rights, but also through active challenges to secular and religious patriarchal ideologies and custom. Tradition in itself may provide a sort of framework within which gender roles evolve, but it cannot explain women's status in contemporary Muslim countries. This explanation requires a more direct examination of norms pertaining to women's social and political participation and to the forms, which that participation has taken.

In the case of women's social and political status in Indonesia, adat, also important as it might be in the thousands of relatively isolated villages throughout the country, should not necessarily be expected to be of direct relevance to political behavior at national level. For the most part, there is little indication that adat prescriptions have shaped the views of educated, nationally oriented Indonesian toward women in politics.

The equality of males and females in political participation was guaranteed by the Indonesian Constitution of 1945, giving women as well as men the right to vote, stand for election and hold public office. Furthermore, Election Law No.15/1969 underlined the equal rights of all eligible citizens to vote and stand for election. Because of these developments, Indonesian women have exercised their civic and political rights by participating actively in the general elections since 1955 and holding public office.

At the national level, the political participation of women can be seen through their representation in Parliament. However, despite the fact that a very high percentage of women voters have exercised their franchise in various elections, women's representation in the key decision-making bodies at the national level is quite low, although the number and relative share of women in the membership of parliament and in the People's Consultative Assembly has increased since 1971. In 1993 women still accounted for only 12.4 percent of the total parliamentarians and 7.6 percent of the members of the People's Consultative Assembly

The figures above show us a comparatively small number of women being elected to the House of People Representatives, the Consultative Assembly, and political parties. Meanwhile, the number of women in Indonesia is larger than that of men. In 1980, the ratio of men to women was 98:100, and between 1985 and 1990 it was 99:100. It is worth that during elections approximately 81 % of the women exercised their right to vote. Therefore, the small number of women who became members of the House of Representatives, the Consultative Assembly, and the central boards of political organization seems to be unrepresentative and unfair. The presence of women in politics or in jobs related to politics is still considered strange by most people, male and female.

In the Indonesia political system, culture has also obstructed women's involvement in politics. There are some factors, which explain why the number of women who became members of the DPR, MPR, and of the central boards of the political organizations is very unproportionally given the number and position of women in Indonesian society. One of the

factors is the social value, which generated rigid stereotypes, and another is the hierarchy. Women are indeed exalted as wives and mothers, but this social cult of motherhood is combined with a socio-economic powerlessness. Thus the “naturally” weak and docile women are marginalized in society. Women are expected to stay at home to take care of domestic affairs and children.

Furthermore, many other hierarchies and stereotypes were created to place women in inferior and dependent positions. Women are generally considered less good at critical thinking, less capable of making judgements and decisions for themselves. They are also considered less curious, and weaker and in need of protection. Besides that, pattern emerged for the foundation of women's organizations, whether secular or religious. They were generally formed as counterpart organizations to exclusively male organizations, and the women directly involved in their formation were generally the wives of the founders of the male organizations. These women's organizations focused on education of women as their primary mission. The women's wings of religious reform movements have played active roles in advocating and implementing social and educational reforms but not included of political rights of women they focused on.

Economic circumstances also undoubtedly prevent many women from participating in politics. First, most women find keeping house without any electrical conveniences a full-time job. And second, the structure of the Indonesian economy tends to make it difficult for women to enter modern careers that might provide a basis for political interest and activity. These economic factors, along with the universal image of women as the weaker sex, probably contribute to a private attitude, which, though it rarely is articulated publicly, may be the major explanation for the lack of female political activity.

The low political participation of women is also attributed to the standard image of women as representing motherhood, dedication, and sacrifice, which are absolutely required for family and household prosperity. The woman is supposed to enhance her husband's career and status. Her biological nature is adduced to argue that women's duties should be limited to the sphere of the family. The lack of women's political participation is also attributed to the lack of professionalism among women.

If we return back to the general and presidential election in October 1999, the position of women was the question of the day. The leading candidate for the presidency in Indonesia's long, tortured political process was a woman, Megawati Sukarno Putri. Many people were faced with the question of whether or not a woman like Megawati could hold such a position, whether or not she was capable of serving as a president, and so on. And as coalition lobbying intensified some of her opponents began playing the Islamic card. However, closer to the election time the debate went back to the topic of gender. The controversy shifted between Megawati's gender to her leadership capability.

At the same time, the political discourse on women in Indonesia opened a new door for re-interpretation of the place of women in the realm of political power, in relation not only to the concept of power in Islamic teaching in the Qur'an but also to the role of women in the political arena in general. As a potentially divisive issue, Islam suddenly emerged, in the vacuum of the slow vote count, a restive but largely quiescent political force for decades. With Megawati Sukarno Putri's campaign for president, the discussion of gender and politics gained a whole new focus and perspective.

There is no question of a rise of militant Islam or an imposition of Islamic law. One year after the forced resignation of President Suharto, all of Indonesian politics were in flux and Islamic factions were shifting as they sought a new place in new political order. The wedge issue was gender. Despite the public agreement among most political commentators that the

real issue was not gender nor Islam but simply groups jockeying for power. All this was a political interpretation of Islamic law, not a religious interpretation.

Therefore, to give a picture of the economic and ideological forces, which shape women's careers, it is necessary to discuss the various functions of the women's movement. It now remains to venture some thoughts on women's possibilities in the face of further social change. Women not only participate fully in the processes of social change that is undergoing, but they also signify those processes. The need to work in the world for economic survival allows more freedom of movement for women. However, a woman's position cannot be judged solely by this.

As we investigate the realm of practice more deeply, various possibilities emerge from this situation. Woman's income-earning capacity may improve her decision-making position and control at home, but it may not significantly change her subordinate position. However, her situation may depend on how much she earns, whether her husband has a stable income, and whether there are other individuals to whom she can delegate her domestic tasks.

In Indonesia, women have always been active participants in the economic development process, although their contributions have not been duly recognized. It is generally accepted that women's work gives the main contribution to the stability of the household. They not only perform domestic chores but also help cultivate their family's land. However, their lack of recognition may be attributed to the fact that female workers were unpaid or were supported by their families so that they were not included in the national account statistics. Therefore, since most female work is unpaid, it has so far received little attention.

Furthermore, women's labor force participation has often been used as the main indicator for evaluating the status of women. There are, of course, other factors that determine the status of women, namely education and health, as well as women's social and legal position.

Under these conditions and stereotypes, young Muslim women have extremely limited opportunities to develop decision-making and leadership skills. They are not exposed to alternative styles of living. The male-dominated community prescribes their way of life. They have few, if any, models who could show them different ways of life, and thus, as mothers, they enculturate their own daughters just as they themselves have been enculturated, thereby continuing the cycle through the next generations.

3 Women's Political Rights in Islam

As always mentioned accordingly, religion is both a problem, in that its structures of dominance have oppressed women, and a solution, in that its vision of liberation or equality has generated powerful movements for social change. The same religious tradition may be both a problem and a solution. Islam's vision of human equality may be a source of strength even when much of the tradition compromises women's equality of power. It is stated in a verse of the Qur'an that "women have the same rights as those of men over women." The Qur'an in addressing the believers, often uses the expression "believing men and women" to emphasize the equality of men and women in regard to their respective duties, rights, virtues and merits.

History shows us that the role of women in Islam is as poorly understood in the West as any other aspect of Muslim culture. The responsible feminist is clearly confronted with a delicate dilemma: the extrication of the justified urge for universal female equality from self-seeking cultural intrusion. Tracing back through history, it must be noted, even when a

Muslim woman is able to acquire an education and secure a job, she is seldom able to free herself from the burden of traditionalism that confronts her on all sides. In the absence of any supportive literature or any social support structure, it is very difficult even for modernizing Muslim societies to respect women's role and place in society.

It is also clear that the conceptions, assumptions, and social customs and institutions relating to women that are derived from Middle Eastern traditions at the time of the Islamic conquests entered into, and helped shape, the very foundations of Islamic concepts and social practices as they developed during the first century of Islam. These facts, according to Leila Ahmed, emphasize the importance of considering Islamic formulations of gender in relation to changing codes and cultures, including the Islam.

In recent years, Islam--for instance in Indonesia--has played an increasingly central role in world affairs. With a population over two hundred million, 50.2 percent of whom are female, and eighty-seven percent of which are Muslims, Indonesia is the largest Muslim country in the world. Thus, Indonesia can avail itself of an excellent opportunity to play an influential role not only in the region of Southeast Asia, but in the Islamic world at large.

Any study pertinent to the role of religion--in this case Islam--in women's movements and religious institutions in Indonesia therefore is naturally of great importance. This is because religion is significant not only for an analysis of the position of women, but also for understanding social change as well. This understanding is significant, both for women and for the processes of social change. In order to understand, analyze, and begin to change the situation of women, insight into religious issues is foundational, even for women who do not think of themselves as religious.

The issue of Islamic law and its interpretation is also the aspect most responsible for many contemporary problems Muslim women face daily, as conservative political Islam reinstitutes so-called "traditional" Islamic law pertaining to women and family. The perception of the role of women in Islam affects every aspect of the lives of Muslim men and women. Like other patriarchal traditions, Islam has been accused of a variety of injustices toward women. These are seen as both actual--in terms of the treatment of women--and theoretical, insofar as women have been imagined as somehow lesser or inferior beings.

The question to be considered is how does the pre-existing, culturally rooted perception of women influence the interpretation of the Qur'anic position on women? The interpretation of the Qur'an itself is influenced by social, moral, economic and political concerns, including interpretation regarding women. Women's struggle for change has led to questioning of gender relations. This in turn has challenged Islamic leaders. Whereas Islamic theology and the government treat women as a unitary category, women's responses to public life and to politics have been differentiated by their socio-economic position and levels of religious observance. Therefore, it is necessary to analyze the experiences of women's movements of different classes and with different levels of adherence to religious ideology. This makes it possible to assess the nature of women's struggle for change and reform.

Religion is an important dimension of life and thought in which human beings focus on ultimate issues. On the other hand, culture is a historically transmitted pattern of meanings embodied in symbols. It is a system of inherited conceptions expressed in symbolic forms by means of which people communicate, perpetuate, and develop their knowledge and attitudes toward life. In the Islamic world, as in other cultural worlds, culture is best conceptualized as providing flexibility in how actors use any given symbol or symbols.

Islamic teaching essentially emphasizes that men and women are created equal. A famous passage defining the ideal traits of a Muslim links both men and women in each case. The righteous, both husbands and wives, will enjoy paradise. Power is here defined as the system

of arriving at decision-making in a direction, which provides personal autonomy. In the context of gender relations, power is concerned with both domestic and wider spheres of activity relating to class, politics, religion, and activity. How men and women participate in decision-making and express autonomy within and across their spheres of activity summarizes their power relationship to one another in the short and long term. The question is how are the two systems--gender relationships and the power of women--constructed to produce a specific system of gender in culture?

In general, much of the literature on Middle Eastern women continually seeks either to defend the position of women in Islam, or to attack Islamic culture as an entity affected by anti-female practices such as seclusion. However, some feminists, such as Azizah al-Hibri, Jane Smith, and Yvonne Haddad, have all described female roles that were less restricted by tribal laws or scripture than elsewhere in the world. They demonstrate that Islam in and of itself is not anti-female, and that Arab tribalism included practices such as matrilocality and multilinearity, which contrasted with the later development of patriarchal practices.

The question is what world religions have to say about women and how religious experience, symbols, doctrines and rituals have shaped women. Being female or male is the first specification of one's humanity, as Denise Larnd Carmody points out in *Women and World Religions*. In any society, as soon as the child emerges from the womb, the word goes out: "It's a girl" or "It's a boy." In the womb, the child has developed according to its genes and hormones, which are specific to its gender. As soon as it is outside the womb, the child begins a social development equally shaped by its sex. All onlookers react to the new baby in gender-specific ways programmed by their culture, and the religious dimension is no exception.

To be a Muslim woman today might have different implications for social roles and self-understanding depending on the culture or country where one lives. In many countries, the Muslim girl, like most other girls, is discriminated against from the moment of birth. In many Muslim societies, it is customary to regard a son as a gift from God and a daughter as a burden or trial. Girls are unlikely to receive an education that will help them become aware of their potential. They are kept at home to help with household chores and care for younger siblings. Mostly, their education is strongly oriented toward teaching them to fulfill their duties as wives and mothers. Early marriage for women is common. A girl moves from obeying her parents, especially her father, to obeying her husband and in-laws. Dependency and obedience are praised. From the beginning, almost all decisions are made for her.

Other world religions and cultures also do this, consciously or unconsciously. Their theologies, ethics, vices and virtues, rights and duties, considered typical of women and men, are specific to the gender. Thus, many religious traditions have considered women more prayerful and peaceful than men. Many have reserved community leadership and authority in ritual matters for men only. These attitudes shape the minds of both women and men, giving them unquestioned concepts that may further or retard their development. These religious and cultural values have considerably affected the role and position of women, women's perceptions of themselves, and the revolution of female emancipation and development.

In the Muslim tradition, it is often said that women and family are the foundations of the Islamic community, the heart of Muslim society. That centrality is reflected in Islamic law, the ideal blueprint for Muslim society, within which family law has often seemed sacrosanct. The Qur'an and the sunnah of the Prophet provide the textual sources for the development of law. The Qur'an's female exemplars (though to varying degrees) came to serve as "models." The word of God, however, is interpreted and applied in socio-historical contexts by human beings.

Sura 4, verse 34, is perhaps the most important Qur'anic verse dealing with the subject of men and women. Some translators have translated this verse to emphasize the supremacy of men over women:

...Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means. Therefore, the righteous women are devoutly obedient, and guard in (the husband's) absence what God would have them guard.....

The word *caiman*, here translated, is a difficult word to render in other languages. Some writers translate it as "protector" or "maintainer," for example in Yusuf Ali's translation, where he says that men are *qawwamuna* (have responsibility) over women. Linguistically, the word *caiman* means "breadwinners" or "those who provide a means of living." According to Riffat Hassan, a point of logic that must be made here is that the first sentence is not a descriptive one stating that all men as "a matter of fact" are providing for women, since obviously there are at least some men who do not provide for women.

What the sentence is stating, rather, is that men ought to have the capability to provide (since "ought" to imply "can"). In other words, this statement, which almost all Muslim societies have taken to be an actual description of all men, is in fact a normative statement pertaining to the Islamic concept of division of labor in a family structure. The Qur'an states that male and female believers are each other's *walis* (protectors, guardians).

Riffat Hasan argues that:

It is a profound irony and tragedy that the Qur'an, despite its strong affirmation of human equality and the need to do justice to all of Allah's creatures, has been interpreted by many Muslims, both ancient and modern, as sanctioning various forms of human inequality and even enslavement. For instance, even though the Qur'an states clearly that man and woman were made from the same source, at the same time, in the same manner, and that they stand equal in the sight of Allah, men and women is taken to be self-evident.

The fact that men are *qawwamun* does not mean that women are incapable of handling their own affairs, controlling themselves or of being leaders, whether among women, men and women, or even of nations, as has usually been assumed. Rather, the verse's intention is to establish a responsibility of men for the protection and maintenance of women in restricted social contexts or simply that in view of the heavy burden that most women shoulder with regard to family duties, women should not have the additional obligation of providing the means of living. It can certainly be argued that the basic notion involved here is one of moral guidance and caring.

According to Azizah Y. Al-Hibri, thus, at the same time that the Qur'an points out empirical differences among humans, such as those of gender, race and ethnicity, it asserts their natural equality. It bases any ranking among them on their individual moral choices. Consequently, from the perspective of these Qur'anic passages, no man is superior to a woman by virtue of his gender alone.

Furthermore, in sura 4:34, we come to the statement that God has given "the one more strength than the other." Most translations make it appear that the one who has more strength, excellence, or superiority is the man. However, the Qur'anic expression does not say that "all men are superior to or better than all women." Nor does it even imply that all men are preferred by God over all women. Advantages are explicitly specified in the Qur'an. Men have a certain advantage materially, resulting in certain responsibilities (or vice versa).

When the Qur'an says that "some (unspecified gender) are preferred by God over others," the expression literally means "some in relation to some," so that the statement could mean either that some men are superior to some others (men and/or women) or that some

women are superior to some others (men and/or women). According to Riffat Hassan, what is being stated in this verse is that some men are more blessed with the means to be better providers than are other men.

The next part of the verse begins with a "therefore," which indicates that this part is conditional upon the first: in other words, if men fulfill their assigned function of being providers, women must fulfill their corresponding duties. Most translations describe this duty in terms of the wife being "obedient" to the husband. In Yusuf Ali's translation the word *salihat*, is translated as "righteously obedient". What are outlined in the first part of this verse are the functions of all divisions of labor necessary for maintaining balance in any society. Men, who do not fulfill the responsibility of childbearing, are assigned the function of being breadwinners. Women are exempted from the responsibility of being breadwinners in order that they may fulfill their functions as separate but complementary; neither is higher or lower than the other.

In the Qur'an, responsibility and privileges are linked. Whoever has greater privileges, and other advantages, has greater responsibilities and vice versa. The material responsibility of men in the Qur'an, in which they are invested with the responsibility for support of women, has corresponding advantages (like a greater portion of the inheritance). This verse does not give men inherent superiority. It establishes mutual responsibility in society. Responsibility is not superiority.

4 Conclusion

The subject of gender relations in Islam is highly charged not only at the popular level, but among scholars as well. If some blame Islam for the accumulated ills of Muslim women, others see it as a beacon of light and reform. Still others insist that the status and role of women in Muslim societies should be attributed more to cultural and socio-economic forces than to religious values. Islamic law is thus the product of divine law (*syari'ah*) as understood (*fiqh*), interpreted and applied by male religious scholars in the past and preserved in legal texts and manuals. This means that men and men's experiences were included, and women and women's experiences were either excluded or interpreted through the male vision of the perspectives, desires, or needs of woman.

Islam provides justice and equality for women. There is equal opportunity for both men and women. Nothing in the laws of Islam or in their intention can account for the generally low status of Muslim women. The existing situation is contrary to the law, because originally women in Islam were granted an equal place in human society. The backwardness of women in Islam is not because Islam made them backward, but because of the societies and culture that they live in. The sharia's position on women has been historically misunderstood or ignored, to the detriment of women.

The Qur'an also states that "human beings were all created from the same nafs (soul)." It is reemphasizing their metaphysical sameness. The Qur'an also adds that the most honored humans in the sight of God are those who are the pious. The Qur'an and the Sunnah of the Prophet provide the textual sources for the development of law. The word of God, however, is interpreted and applied in socio-historical contexts by human beings. Cultural values related to women's sexuality, which reflected the inequality of gender, very much influenced the formulation of law, both secular law and Islamic law.

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