Gender Bias in the Perspective of Patriarchy Theory, Islamic Jurisprudence and Gender Equality in Indonesia

Husnul Khotimah, Moh. Rois
State Islamic Institute of Kediri, Indonesia

Abstract:

The issue of gender bias is a sensitive and enduring matter that can lead to undesirable consequences and spark movements within a community to advocate for change. This research aims to analyze the root causes of gender bias from the perspective of Patriarchy Theory, Islamic Jurisprudence as theological legitimization and Gender Equality. The research methodology uses library research and content analysis as the data analysis technique. The research findings identify five gender biases that remain subjects of controversy to this day: (1) marginalization; (2) subordination; (3) stereotypes; (4) double or multiple burdens, and (5) violence manifested in physical and sexual conditions experienced by women. The Patriarchy Theory places men above women regardless of circumstances, while Gender Equality advocates for equal positions and access to rights for both men and women across all aspects of life. On the other hand, Islamic Jurisprudence views the existence of men and women as complementary to one another. No party is considered superior or inferior. Gender bias is an ever-present issue that demands ongoing attention and efforts to address it. Understanding it through the lenses of different perspectives can shed light on the complexities of the problem and pave the way for a more equitable and just society.

Keywords: gender bias; gender equality; patriarchy theory; islamic jurisprudence

Introduction

Etymologically, gender is anatomical relationship between men and women.[1] In the terminological context, gender defined the position of men and women are constructed by humans through various social processes, like men are strong, should not cry, and must protect whereas women are weak and whiny.[2] Gender is defined as society's connotation to determine social roles based on gender.[3] Another definition states that gender is used to identify differences between males and females.[4] Both definitions are not new to society, considering that socio-cultural conditions have long stereotyped the roles of women and men. For instance, a

---

[1] Zulkifli Ismail et al., "Kesetaraan Gender Ditinjau Dari Sudut Pandang Normatif Dan Sosiologis," Sasi 26, no. 2 (2020): 154, https://doi.org/10.47268/sasi.v26i2.224.

[2] Janet Shibley Hyde, "The Gender Similarities Hypothesis," American Psychologist 60, no. 6 (2005): 581–92, https://doi.org/10.1037/0003-066X.60.6.581.

[3] Andik Wahyun Muqoyyidin, "Wacana Kesetaraan Gender : Pemikiran Islam Kontemporer Tentang Gerakan Feminisme Islam," Al-Ulum 13, no. 2 (2013): 491–512; Ruth Roded, "Jewish and Islamic Religious Feminist Exegesis of the Sacred Books: Adam, Woman, and Gender," A Journal of Jewish Women's Studies and Gender 6, no. 1 (2015).

[4] Ismail et al., "Kesetaraan Gender Ditinjau Dari Sudut Pandang Normatif Dan Sosiologis."

woman is often seen as weak if she holds a significant leadership position, while a man may face stigma if he engages in household chores or childcare. Such distinctions are instilled from childhood, where boys are discouraged from expressing emotions, especially crying, in unwanted situations. These gender-based differences can lead to biases in various perspectives and persist as controversial subjects over time.

In essence, these differences would not be problematic if they did not result in injustice, especially towards women. However, the reality is the emergence of gender bias, taking the form of marginalization, subordination, stereotypes, double or multiple burdens and physical or sexual violence against women (Fakih, 1997). According to data from www.komnasperempuan.go.id, there were 338,496 cases of Gender-Based Violence (GBV) reported in 2022, a 50% increase from the 327,629 cases in 2021. Disturbingly, a survey by Lentera Sintas Indonesia and Magdalene found that 93% of sexual violence survivors did not dare to report their cases due to various reasons. Gender bias is also evident in the political sphere, with women being allocated no more than 15% of seats in elections year after year. Discrimination also extends to women's wages in several countries, such as Austria, Mexico, Finland, and the UK, where they earn 15.7% less than men.

These conditions are synonymous with the concept of patriarchy, which tightly hold a paternalistic view, empowering men to lead women in all aspects to form a complete social dynamic.[5] This concept asserts that men are more dominant than women in six structures: household, employment and wages, politics, power, sexuality, and culture.[6] Despite having careers outside the home, women are still seen as primarily responsible for household duties, while men are often perceived as sole providers without concern for domestic matters.[7] These gender-based behavioral patterns are considered natural and serve to minimize competition between husbands and wives at home.[8] Maxwell contends that this reality cannot be denied because men and women are assigned different behaviors to complement their physical differences.[9]

Islam also plays a role in interpreting the concept of gender differences. Islam views equality in positioning men and women in various aspects of life. For instance, Q.S. Al A'raf 165 highlights that humans are *khalifah* on earth, Q.S. Adz-Dzariyat 56 and QS. al-An'am 165 emphasize equal opportunities to become righteous servants, and QS. an Nahl 97 and QS. Ali Imran 195 acknowledge the potential for career development irrespective of gender. However, biases in interpreting the Quranic verses and Hadiths are evident, as seen in the absence of Islamic jurisprudence dedicated to women, resulting in the marginalization of their roles.[10]

---

[5] Saroha Pinem, Kesehatan Reproduksi dan Kontrasepsi (Jakarta: Trans Info Media, 2009); Sastyarini, Glosarium, Seks, Dan Gender (Yogyakarta: Carasuati Books, 2007); Goode, Sosiologi Keluarga (Jakarta: Bumi Aksara, 2007).

[6] Sylvia Walby, Teorisasi Patriarki (Yogyakarta: Jalasutra, 2014).

[7] Ihromi, Bunga Rampai Sosiologi Keluarga (Jakarta: Yayasan Obor Indonesia, 2004).

[8] Martin Zwick, "Complexity Theory and Political Change: Talcott Parsons Occupies Wall Street," Complexity and the Human Experience: Modeling Complexity in the Humanities and Social Sciences, no. May 2012 (2014): 141–60, https://doi.org/10.4032/9789814463270.

[9] Judy Robertson, Gender Equlity in Higher Education (New York: Brill, 2018); Julianna Koch and Danielle M. Thomsen, "Gender Equality Mood across States and Over Time," State Politics & Policy Quarterly 17, no. 4 (2017): 351–60.

[10] M. Abid al Jabiri, Binayat Aql 'Arabi (Beirut: Markaz Dirasat al-Wihdah al-Qrabiyyah, 2009).

Some examples include Muhammad Abduh's prohibition of women from becoming leaders[11] Muhammad Jamal's statement on women as mere back-ups for men at home, and the concept of *mahram* that restricts women from traveling without their partner's permission[12] Such statements urge Muslims to critically examine the historical context of religious texts and contextualize them within contemporary civilization.[13]

Gender aspects cannot be examined in isolation but are closely related to the concepts of masculinity and femininity in individuals. This relates to the unequal status of men and women in social and cultural values.[14] This can be observed in the emergence of the concept of gender equality advocated by feminists like Mary Wollstonecraft and John Stuart Mill, who actively fought for women's rights. From a sociological perspective, gender equality can be achieved when each party recognizes their responsibilities and roles. Efforts to achieve this involve fostering a detailed understanding of gender definitions. The Directorate of Community Education states that Family Education with a Gender Perspective (FEGP) is an effort to understand the rights and obligations between women and men in achieving justice and gender equality within the family, such as respecting differences of opinion, ensuring equal access to education, economy, and other resources.[15] Key indicators include (1) Access to resources, (2) Control over their possessions, (3) Participation in leadership, both in public and domestic spheres, and (4) Participation in parliament. When these indicators are met, gender equality can be realized

The government's support for gender equality has been substantial, with policies like Presidential Regulation No. 9 of 2000 on Gender Mainstreaming during President KH. Abdurahman Wahid's term, and the paradigm shift to allow women to explore their talents beyond traditional roles. Consequently, gender bias analysis is a fascinating endeavor that can be undertaken by examining it through three different perspectives: the Theory of Patriarchy, Islamic Jurisprudence, and Gender Equality

Research Methods

The research methodology employed in this study is literature review, a research method that utilizes literary or textual sources to obtain data. Creswell emphasizes that a literature review involves summarizing books and journal articles, both national and international, as well as other documents that describe theories and research findings relevant to the study.[16] The research will utilize a descriptive approach to provide a comprehensive understanding of the phenomena experienced by research subjects in scientific language. Data analysis will be conducted using

---

[11] Erlies Erviena, "Kepemimpinan Perempuan Dalam Al-Quran Reinterpretasi Pemikiran Quraish Shihab Tentang Konsep Al-Qawwamah Dengan Perspektif Qira'ah Mubadalah," 2021.

[12] Moh. Khasan, Rekonstruksi Fiqh Perempuan: Telaah terhadap Pemikiran Muhammad Syahrur, 2009.

[13] Amin Abdullah, Pendekatan Integratif-Interkonektif (Yogyakarta: Pustaka Pelajar, 2006).

[14] Nasharuddin Umar, Argumen Kesetaraan Gender Perspektif Al-Quran (Jakarta: Paramadina, 1999).

[15] Dudi Badruzaman, Yus Hermansyah, and Irpan Helmi, "Kesetaraan Gender untuk Perempuan Korban Kekerasan dalam Rumah Tangga," Justitia et Pax 36, no. 1 (2020): 127–41, https://doi.org/10.24002/jep.v36i1.2475.

[16] John W. Creswell, Qualitative Inquiry and Research Design: Chosing Among Five Approaches (Yogyakarta: Pustaka Pelajar, 2015).

content analysis

Results and Discussion

In his book "Gender Analysis and Social Transformation," Mansour Fakih mentions five gender biases that are still debated by various parties to this day. These biases are (1) marginalization; (2) subordination; (3) stereotypes; (4) double or multiple burdens; and (5) violence manifested in physical and sexual conditions against women.

Firstly, marginalization refers to the process of sidelining individuals based on their gender, leading to poverty. The misconception that gender is synonymous with sex continues to persist. Some forms of marginalization include women being more susceptible to job termination due to their numerous leaves, such as maternity leave, which leads to wage discrimination. Data shows that 36% of women face reduced working hours to care for their children, and 57% experience anxiety due to job loss.[17] As a result, women have limited opportunities for career advancement outside the home. Additionally, some legal provisions and traditions place women in a subordinate position to men, such as the distribution of marital property (*gono gini*), requiring husbands' presence in credit applications, and numerous other examples in society.

Secondly, subordination refers to the belief that the roles performed by women are inferior to others. Women are often confined to domestic duties, associated with not requiring higher education, while men are expected to work outside the home, need higher education. This creates a lack of space for women in decision-making processes

Thirdly, stereotypes arise from ascribing certain attributes based on subjective categories.[18] Stereotyping women with their femininity and emphasizing emotion over reason is used to undermine women's drive for self-development. These stereotypes are ingrained from childhood and evolve with development.[19] For example, during schooling, boys are often considered harder to control compared to obedient girls. The presence of men with the opportunity for polygamy is deemed acceptable even when they flirt or engage in extramarital affairs

Fourthly, double or multiple burden refers to the unequal distribution of workload on one gender.[20] The burden of household chores and roles as a wife, mother, and homemaker cannot be replaced by anyone, even if they have demanding

---

[17] Samsul Rizal et al., "Identifikasi Tenaga Kerja yang Kehilangan Upah/Pendapatan selama Pendemi Covid 19," Jurnal Ekonomi Dan Bisnis 9, no. 1 (2022): 146–56, https://caritulisan.com/media/394513-none-a7372c04.pdf.

[18] David J. Schneider, The Psychology of Stereotyping (New York: The Guilford Press, 2004).

[19] Nancy Eisenberg, Handbook of Child Psychology, Social, Emotional, and Personality Development - Google Books, 2006, https://books.google.com/books?hl=en&lr=&id=sg4Qr7qZrXYC&oi=fnd&pg=PR7&dq=Eisenberg+handbook+of+child+psychology&ots=YBPhpUYjuJ&sig=woYmDDi4E8p3HQ-Kwkq6ePiGS2U#v=onepage&q=Eisenberg handbook of child psychology&f=false; David G. Perry and Rachel E. Pauletti, "Gender Identity in Childhood: A Review of the Literature," International Journal of Behavioral Development 43, no. 4 (2019), https://doi.org/https://doi.org/10.1177/0165025418811129.

[20] Lusia Palulungan, Perempuan, Masyarakat Patriarki Dan Kesetaraan Gender (Makasar: Yayasan Bakti, 2020).

ICOLESS

The 6ᵗʰ International Conference on Law, Technology, Spirituality and Society (ICOLESS). 6ᵗʰ-7ᵗʰ, September, 2023
Sharia Faculty UIN Maulana Malik Ibrahim Malang, Indonesia

occupations.[21] Data indicates that almost 90% of women handle such tasks, even if they have careers outside the home.[22] Even in cases where both partners have careers, women are expected to come home and take care of household chores, which are often considered taboo for men. Similarly, men's involvement in social roles cannot be replaced even when they are tired from providing for their families

Fifthly, violence against women in physical and sexual contexts represents a form of discrimination. The image of "the second sex" diminishes the significance of women's existence. The emergence of knowledge societies and global villages coincides with pluralism discourse, which ultimately increases gender discrimination.[23] This begins with the misconstrued understanding of gender in associating physical characteristics with psychological traits. Feminine physical attributes are linked to being gentle and obedient, while masculine physical attributes are associated with strength and bravery. This fosters various forms of violence, such as domestic violence, genital mutilation, sexual harassment, and sexual exploitation. Data from the American Association of University Women reveals that 83% of women have experienced sexual harassment, including lewd comments and inappropriate actions.[24]

Discussion

Undeniably, the existence of the five forms of gender bias mentioned above has negative implications for women. Many rights that should be available to women are unfortunately denied to them. On the other hand, at times, this situation also provides advantages to certain groups of women. Syafiq Hasyim argues that the emergence of gender bias is influenced by several factors: (1) genealogical aspects, the absence of gender studies regulating the proportion of women and men; (2) aspects of knowledge transmission, where the dissemination of jurisprudential knowledge is predominantly through male channels; (3) cultural aspects, where the patriarchal socio-geographic conditions significantly influence Islamic jurisprudence; and (4) androcentric nature in forming Islamic discourses, which is also influenced by modernity and gender equality

The concept of patriarchy is clearly defined, placing men above women regardless of circumstances. However, Islamic jurisprudence has evolved within the paradigm of Ushul Fiqih based on principles such as *Ijma'* (consensus), *Qiyas* (analogy), *Maslahah Mursalah* (public interest), preservation of *Urf* (customs), and changing laws with changing times.[25] The perspective of gender equality stands in stark contrast to patriarchal norms and positions women and men on equal footing.

One concrete manifestation of the first gender bias is the marginalization of women in the workforce. Patriarchy dictates that the responsibility for providing for

---

[21] Adi Ismanto and Elly Suhartini, "Beban Ganda Wanita Karir di PT. Pjb UP Paiton (Double Burden of Career Women in PT. Pjb UP Paiton)," Artikel Ilmiah Hasil Penelitian Mahasiswa 1, no. 1 (2014): 1–5.

[22] Luthfia Rahma Halizah and Ergina Faralita, "Budaya Patriarki dan Kesetaraan Gender," Wasaka Hukum 11, no. 1 (2023): 11–32.

[23] Joey Sprague and Diane Kbbrynowicz, "A Femminst Epistemology in Janet Saltzman Chafets," in Handbook of Sosiology of Gender (New York: Springer Science & Busisines Media, 2006), 25–27; Mansour Fakih, Analisis Gender dan Transformasi Sosial (Yogyakarta: Pustaka Pelajar, 1997).

[24] Eisenberg, Handbook of Child Psychology, Social, Emotional, and Personality Development - Google Books.

[25] Taufiq Adnan Amal, Rekonstruksi Sejarah Al-Quran (Tangerang: Pustaka Alvabet, 2013).

the family lies solely on men, leading to the underutilization of women's potential. This is evident in the high rate of female unemployment, despite their ability to contribute to various sectors with appropriate skills. However, data reveals that the biggest obstacle to women's careers is often family-related considerations.[26] Thus the patriarchal concept continues to affect women's labor participation.

On the other hand, Islamic jurisprudence offers women some opportunities to maximize their potential in various aspects of life while preserving their dignity and values. However, there are still debates surrounding certain gender biases, such as the concept of marriage. While patriarchal norms restrict women's decision-making within households, Islamic jurisprudence positions women as partners in building a family and assigns some responsibilities to men to guide women along the right path.

Another gender bias is evident in discriminatory practices in the workplace, including wage disparities, limited opportunities, and barriers to female leadership.[27] The National Commision on Violence Against Woman reported in 2021 that out of 3528 workplace violance cases, 76% constituted sexual violence, including verbal and physical abuse. This implies that women are better safeguarded when confined to their homes or engaged in domestic activities, rather than being in the public domain. Similar sentiments are echoed in Islamic Jurisprudence, where Islam upholds the utmost respect for women and does not prohibit them from leaving their homes. Women are permitted to work and assist their husbands, provided they do not expose their modesty and maintain their dignity and purity. Nevertheless, it is deemed preferable for women to stay at home, as mentioned in QS. Al-Ahzab 33. This viewpoint is also supported by Qasim Amin in a treatise discussing women's right and advocating for emancipation.[28]

Regarding inheritance, patriarchy denies daughters and widows the right to inherit, while Islamic jurisprudence provides clear guidelines for female inheritance, ensuring fairness and balance among heirs waris [29]. This implies that they are unable to receive any heritance regardless of the reason. This is evident in the Supreme Court ruling No. 446 K/Pdt/2009 dated July 10, 2009. The issue of inheritance is elucidated in the Fiqh Mawaris, where women receive a predetermined share of inheritance as per the guidelines set forth in the Islamic way of life This is stated in QS. an-Nisa 11 and KHI Article 174, which demonstrate that justice in Islam is not

---

[26] Ellin Herlina, "Faktor-Faktor yang Mempengaruhi Kesempatan Kerja Wanita dan Implikasinya terhadap Kesejahteraan Keluarga di Kabupaten Cirebon," Jurnal Ekonomi Program Pascasarjana Universitas Borobudur 18, no. 2 (2015): 172–207, ejournal.borobudur.ac.id; Marisa Arum Larasati, Sunarto Sunarto, and Lintang Ratri Rahmiaji, "Esensi Pengalaman Kesetaraan Gender Pekerja Perempuan di PT. PLN (Persero) Unit Induk Distribusi Jawa Tengah dan di Yogyakarta," Interaksi Online 10, no. 2 (2022): 38–56.

[27] Eisenberg, Handbook of Child Psychology, Social, Emotional, and Personality Development - Google Books; Jeffy Tanaka and Christina Yanita Setyawati, "Pengaruh Gender Stereotype dan Entrepreneurial Self-Efficacy terhadap Entrepreneurial Intention pada Mahasiswi Universitas Ciputra," Performa 6, no. 3 (2021): 226–35, https://doi.org/10.37715/jp.v6i3.2525.

[28] Qasim Amin, The Liberation of Woman and The New Women (Kairo Mesir: American University in Cairo Press, 2000); Mutrofin, "Kesetaraan Gender dalam Pandangan Amina Wadud dan Riffat Hassan," Teosofi, Jurnal Tasawuf dan Pemikiran Islam 03, no. 01 (2013): 236–66.

[29] Israpil Israpil, "Budaya Patriarki Dan Kekerasan Terhadap Perempuan (Sejarah Dan Perkembangannya)," Pusaka 5, no. 2 (2017): 141–50, https://doi.org/10.31969/pusaka.v5i2.176; Fransisca Jallie Pattiruhu, "Critical Legal Feminism pada Kedudukan Perempuan dalam Hak Waris pada Sistem Patriarki," Culture & Society: Journal Of Anthropological Research 2, no. 1 (2020): 24–30, https://doi.org/10.24036/csjar.v2i1.57.

about absolute equality, but rather a principle of balance that is highly upheld. This signifies a humanitarian revolution in thought, heart, and governance that Islam has undertaken to emancipate women from slavery and subjugation to the Creator When compared to conditions prior to the advent of Islam, the status of women has significantly improved, as in ancient times, women did not receive any portion of the inheritance

The second gender bias is subordination manifested in the concept of the household. The Patriarchy theory states that women are unequivocally under the control of men. As a result, women do not have the authority to make any decisions within the household. This theory staunchly holds that men are the highest authorities in the family, and women are followers. Therefore, whatever actions women undertake must receive permission from men.[30] In other words, women are subordinate to men, ultimately leading to differences in rights and responsibilities between women and men. Women become more dominant in the domestic sector, while men are more dominant in the public sector. This concept still serves as a guideline for some segments of contemporary society, where men tend to be disinterested in household affairs and delegate them to their partners. The consequence is a shift in the role of wives, who should act as partners but are shifted to a hierarchical concept with subordinates.

Quran places women on equal footing with men in societal activities.[31] Nasharuddin Umar asserts that the gender-related verses that identify differences in roles between men and women are not discriminatory differences that harm either party, but rather differences intended for mutual respect and complementarity.[32] Therefore, the hadith about Eve being created from Adam's rib signifies that women play the role of partners with men in building a household, not as leaders or subordinates

In the concept of gender equality, subordination is nonexistent. This is because women hold an equal position with men, resulting in task allocation that disregards gender aspects. For instance, it is perfectly normal for men to engage in domestic tasks traditionally associated with women, such as sweeping, doing laundry, and washing dishes, while women, as their partners, do cooking, mopping, and organizing clothes in the wardrobe. This can be achieved through cooperation between women and men

The third bias, stereotypes, affects women's leadership positions. A leader is expected to possess capabilities and strengths that enable them to influence others to collectively engage in specific activities to achieve one or several objectives.[33] The effectiveness of a leader is determined by their adeptness in influencing and directing their members. Leadership capacity begins within the family structure. This exerts significant influence on the concept of political leadership, where there is limited legislation that favors women. Moreover, the political realm is often associated with a harsh and competitive environment that demands rationality and appears to sideline emotions. This condition starkly contrasts with the perception of women as

---

[30] Zaitunah Subhan, Al-Quran dan Perempuan, Menuju Kesetaraan dalam Penafsiran (Jakarta: Prenada Media Group, 2015).
[31] Siti Musdah Mulia, Kemuliaan Wanita dalam Islam (Jakarta: Megawati Institusi, 2014).
[32] Umar, Argumen Kesetaraan Gender Perspektif Al-Quran.
[33] Pasolang, Kepemimpinan Birokrasi (Bandung: Alfabeta, 2010).

maintainers of women, meaning that men are still given rights and responsibilities to guide their partners to avoid going astray. This is evident in the concept of Nusyuz. According to At-Thabari, Nusyuz refers to a wife's disobedience to her husband due to various reasons, such as dissatisfaction with her husband's treatment or the failure to fulfill her rights. QS. An-Nisa 34 instructs advising and separating the bed from a wife displaying Nusyuz towards her husband. This verse is interpreted to legitimize the superiority of men, the social system, and tolerance towards violence against women.[42]

In terms of gender equality, the concept of leadership can be controlled by women, such as in the realms of issuing fatwas, professions, education and teaching, administration, and more. Women are even allowed to lead a nation.[43] his condition has been realized in various regions by providing ample opportunities for women to explore their capabilities

The fourth gender bias is the double or multiple burden. The Patriarchy theory does not acknowledge the existence of double or multiple burdens as women's position is considered behind men and focused on domestic affairs. However, in Islamic jurisprudence and the concept of gender equality, many women, despite being exhausted from activities outside the home, still bear the sole responsibility of domestic tasks

The fifth gender bias is violence against women, both physical and sexual. Patriarchy normalizes women being objectified and treated as sexual objects by men, perpetuating cases of sexual violence against women as long as the concept of male superiority and female inferiority is firmly upheld. One of the solutions proposed is for women to strive to break free from social constructs by balancing masculine power (Fushshilat & Apsari, 2020; Mutiah, 2019).[44]

QS. an-Nur 31-33 states that Islam prohibits all forms of violence and oppression, including sexual crimes that lead to adultery, acts cursed by Allah SWT. Sexual crimes demean human dignity, particularly for women as victims. Therefore, within Maqashid Shariah, it is emphasized the importance of practicing al-Kulliyatul Khams, which includes guidelines for women to minimize such violence, such as adhering to Islamic teachings in dressing modestly, avoiding embellishing oneself to prevent temptation, and the need to be accompanied by a mahram when engaging in activities outside the home

The perspective of gender equality views physical and sexual violence against women as a result of Patriarchy, with men being perpetrators of violence and women always becoming victims. The Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) as an international instrument for protecting women's rights likens such violence as a barrier to women's active participation in societal activities. Several legal foundations have addressed this issue, such as Law No. 7 of 1984, Law No. 23 of 2004, and the Indonesian Criminal

---

[42] Bella Munita Sary, "Konsep Nusyuz dalam Kompilasi Hukum Islam menurut Siti Musdah Mulia" (Yogyakarta, 2022).

[43] Erviena, "Kepemimpinan Perempuan dalam Al-Quran Reinterpretasi Pemikiran Quraish Shihab tentang Konsep Al-Qawwamah dengan Perspektif Qira'ah Mubadalah."

[44] Sonza Rahmanirwana Fushshilat and Nurliana Cipta Apsari, "Patriarchal Social System as the Root of Sexual Violence Against Women," Prosiding Penelitian Dan Pengabdian Kepada Masyarakat 7, no. 1 (2020): 121, https://doi.org/10.24198/jppm.v7i1.27455; Riska Mutiah, "Sistem Patriarki dan Kekerasan atas Perempuan," Komunitas 10, no. 1 (2019): 58–74, https://doi.org/10.20414/komunitas.v10i1.1191.

Code (KUHP) Articles 285-288 on the Elimination of Domestic Violence.

Conclusion

In conclusion, understanding and analyzing these gender biases from the perspectives of patriarchy, Islamic jurisprudence, and gender equality provide valuable insights for addressing the challenges women face in society. It is crucial to continue advocating for gender equality, drawing inspiration from Islamic principles that emphasize respect, fairness, and complementarity between women and men. By challenging patriarchal norms and promoting gender inclusivity, we can work towards a more equitable and harmonious world for all

Table 1. Gender Bias in the Perspective of Patriarchy Theory, Islamic Jurisprudence and Gender Equality in Indonesia

Gender Bias	Patriarchy Theory	Islamic Jurisprudence	Gender Equality
Marginalitation	Woman do not get public space to explore their capabilities.	Woman get public space as long as they are able to maintain the dignity of themselves and their families	Woman get public space the widest possible to explore its capabilities
Subordination	Men are the highest authority in the household, so women must obtain permission from their husband	QS. An-Nisa 34 implies that in the household the man is the head of the household and the leader for the woman.	Women have the space to make decisions for the themselves
Stereotype	Women are men's subordinates so that decisions made by men must be obeyed by women	Women come from the ribs of men, who place themselves as companions to their partners while still placing men as leaders for women	Women have more competence, which is able to replace men's position in any condition
Double/multiple burden	The role of 100% as a wife, mother of children and even as a housewife cannot be separated from women	Women are allowed to have careers outside the home as long as they do not leave their responsibilities as teacher for their children	There is a balance between the roles of men and women where both complement each other
Physical and sexual violence	The position of women to be used as sexual object for men becomes commonplace when men superiority and female inferiority are still upheld	Islam upholds the degree of women by providing guidance in the Quran to minimize physical and sexual violence against women	There are several legal foundations that protect and fight for women's rights to get equal access to men.

Bibliography

———. Woman and Islam: Historical and Theological Enquiry. India: South Asia Books, 2002.

Abdullah, Amin. Pendekatan Integratif-Interkonektif. Yogyakarta: Pustaka Pelajar, 2006.

Ad-Dimasyqi, Abu al-FidaIsma'il ibnu Katsir. Tafsir Al-Quran Al-Azhim. Riyadh:

Dar al-Thayyibah, 1999.

Al-Jaziri, Abdurrahman. Kitab Al-Fiqhala Al-Mazahib Al-Arba'ah Juz 1. Beirut: Dar al-Ilmiyyah, n.d.

Amal, Taufiq Adnan. Rekonstruksi Sejarah Al-Quran. Tangerang: Pustaka Alvabet, 2013.

Amin, Qasim. The Liberation of Woman and The New Women. Kairo Mesir: American University in Cairo Press, 2000.

Az-Zuhaili, Wahbah. Al-Fiqhul Islami Wa Adillatuhu. Damaskus: Dar al-Fikr, 2007.

Badruzaman, Dudi, Yus Hermansyah, and Irpan Helmi. "Kesetaraan Gender Untuk Perempuan Korban Kekerasan Dalam Rumah Tangga." Justitia et Pax 36, no. 1 (2020): 127–41. https://doi.org/10.24002/jep.v36i1.2475.

Creswell, John W. Qualitative Inquiry and Research Design: Chosing Among Five Approaches. Yogyakarta: Pustaka Pelajar, 2015.

Eisenberg, Nancy. Handbook of Child Psychology, Social, Emotional, and Personality Development - Google Books, 2006. https://books.google.com/books?hl=en&lr=&id=sg4Qr7qZrXYC&oi=fnd&pg=PR7&dq=Eisenberg+handbook+of+child+psychology&ots=YBPhpUYjuJ&sig=woYmDDi4E8p3HQ-Kwkq6ePiGS2U#v=onepage&q=Eisenberg handbook of child psychology&f=false.

Erviena, Erlies. "Kepemimpinan Perempuan Dalam Al-Quran Reinterpretasi Pemikiran Quraish Shihab Tentang Konsep Al-Qawwamah Dengan Perspektif Qira'ah Mubadalah," 2021.

Fakih, Mansour. Analisis Gender Dan Transformasi Sosial. Yogyakarta: Pustaka Pelajar, 1997.

Fushshilat, Sonza Rahmanirwana, and Nurliana Cipta Apsari. "Patriarchal Social System As the Root of Sexual Violence Against Women." Prosiding Penelitian Dan Pengabdian Kepada Masyarakat 7, no. 1 (2020): 121. https://doi.org/10.24198/jppm.v7i1.27455.

Goode. Sosiologi Keluarga. Jakarta: Bumi Aksara, 2007.

Halizah, Luthfia Rahma, and Ergina Faralita. "Budaya Patriarki Dan Kesetaraan Gender." Wasaka Hukum 11, no. 1 (2023): 11–32.

Herlina, Ellin. "Faktor-Faktor Yang Mempengaruhi Kesempatan Kerja Wanita Dan Implikasinya Terhadap Kesejahteraan Keluarga Di Kabupaten Cirebon." Jurnal Ekonomi Program Pascasarjana Universitas Borobudur 18, no. 2 (2015): 172–207. ejournal.borobudur.ac.id.

Hyde, Janet Shibley. "The Gender Similarities Hypothesis." American Psychologist 60, no. 6 (2005): 581–92. https://doi.org/10.1037/0003-066X.60.6.581.

Ihromi. Bunga Rampai Sosiologi Keluarga. Jakarta: Yayasan Obor Indonesia, 2004.

Ismail, Zulkifli, Melanie Pita Lestari, Panti Rahayu, and Fransiska Novita Eleanora. "Kesetaraan Gender Ditinjau Dari Sudut Pandang Normatif Dan Sosiologis."

Sasi 26, no. 2 (2020): 154. https://doi.org/10.47268/sasi.v26i2.224.

Ismanto, Adi, and Elly Suhartini. "Beban Ganda Wanita Karir Di PT. Pjb UP Paiton (Double Burden of Career Women in PT. Pjb UP Paiton)." Artikel Ilmiah Hasil Penelitian Mahasiswa 1, no. 1 (2014): 1–5.

Israpil, Israpil. "Budaya Patriarki Dan Kekerasan Terhadap Perempuan (Sejarah Dan Perkembangannya)." Pusaka 5, no. 2 (2017): 141–50. https://doi.org/10.31969/pusaka.v5i2.176.

Jabiri, M. Abid al. Binayat Aql 'Arabi. Beirut: Markaz Dirasat al-Wihdah al-Qrabiyyah, 2009.

Khasan, Moh. Rekonstruksi Fiqh Perempuan: Telaah Terhadap Pemikiran Muhammad Syahrur, 2009.

Koch, Julianna, and Danielle M. Thomsen. "Gender Equality Mood across States and Over Time." State Politics & Policy Quarterly 17, no. 4 (2017): 351–60.

Larasati, Marisa Arum, Sunarto Sunarto, and Lintang Ratri Rahmiaji. "Esensi Pengalaman Kesetaraan Gender Pekerja Perempuan Di Pt. Pln (Persero) Unit Induk Distribusi Jawa Tengah Dan Di Yogyakarta." Interaksi Online 10, no. 2 (2022): 38–56.

Marcoes, Lies. Maqashid Al-Islam: Konsep Perlindungan Manusia Dalam Perspektif Islam. Jakarta: Rumah Kitab, 2018.

Mernissi, Fatema. Hidden from History: The Forgotten Queens of Islam. Lahore, Pakistan: ASR Publication, 1994.

Mulia, Siti Musdah. Kemuliaan Wanita Dalam Islam. Jakarta: Megawati Institusi, 2014.

Muqoyyidin, Andik Wahyun. "Wacana Kesetaraan Gender : Pemikiran Islam Kontemporer Tentang Gerakan Feminisme Islam." Al-Ulum 13, no. 2 (2013): 491–512.

Mutiah, Riska. "Sistem Patriarki Dan Kekerasan Atas Perempuan." Komunitas 10, no. 1 (2019): 58–74. https://doi.org/10.20414/komunitas.v10i1.1191.

Mutrofin. "Kesetaraan Gender Dalam Pandangan Amina Wadud Dan Riffat Hassan." Teosofi, Jurnal Tasawuf Dan Pemikiran Islam 03, no. 01 (2013): 236–66.

Palulungan, Lusia. Perempuan, Masyarakat Patriarki Dan Kesetaraan Gender. Makasar: Yayasan Bakti, 2020.

Pasolang. Kepemimpinan Birokrasi. Bandung: Alfabeta, 2010.

Pattiruhu, Fransisca Jallie. "Critical Legal Feminism Pada Kedudukan Perempuan Dalam Hak Waris Pada Sistem Patriarki." Culture & Society: Journal Of Anthropological Research 2, no. 1 (2020): 24–30. https://doi.org/10.24036/csjar.v2i1.57.

Perry, David G., and Rachel E. Pauletti. "Gender Identity in Childhood: A Review of the Literature." International Journal of Behavioral Development 43, no. 4 (2019). https://doi.org/https://doi.org/10.1177/0165025418811129.

Pinem, Saroha. Kesehatan Reproduksi Dan Kontrasepsi. Jakarta: Trans Info Media, 2009.

Putra. Media Dan Politik. Yogyakarta: Graha Ilmu, 2012.

Rizal, Samsul, Irwan Abdullah, Sahrullah, and laila nur Atika. "Identifikasi Tenaga Kerja Yang Kehilangan Upah/Pendapatan Selama Pendemi Covid 19." Jurnal Ekonomi Dan Bisnis 9, no. 1 (2022): 146–56. https://caritulisan.com/media/394513-none-a7372c04.pdf.

Robertson, Judy. Gender Equlity in Higher Education. New York: Brill, 2018.

Roded, Ruth. "Jewish and Islamic Religious Feminist Exegesis of the Sacred Books: Adam, Woman, and Gender." A Journal of Jewish Women's Studies and Gender 6, no. 1 (2015).

Saladin, Tomy. "Menyoal Kepemimpinan Wanita Dalam Hadits Nabi SAW." Mahkamah : Jurnal Kajian Hukum Islam 7, no. 1 (2022): 99. https://doi.org/10.24235/mahkamah.v7i1.10323.

Saputra, Hendri. "Pemikiran Musdah Mulia Tentang Kepemimpinan Politik Perempuan." Tesis 1, no. 2 (2015): 1–144.

Sary, Bella Munita. "Konsep Nusyuz Dalam Kompilasi Hukum Islam Menurut Siti Musdah Mulia." Yogyakarta, 2022.

Sastyarini. Glosarium, Seks, Dan Gender. Yogyakarta: Carasuati Books, 2007.

Schneider, David J. The Psychology of Stereotyping. New York: The Guilford Press, 2004.

Shihab, Quraish. Tafsir Al-Misbah. Jakarta: Lentera Hati, 2002.

Sprague, Joey, and Diane Kbbrynowicz. "A Femminst Epistemology in Janet Saltzman Chafets." In Handbook of Sosiology of Gender, 25–27. New York: Springer Science & Busisines Media, 2006.

Subhan, Zaitunah. Al-Quran Dan Perempuan, Menuju Kesetaraan Dalam Penafsiran. Jakarta: Prenada Media Group, 2015.

Tanaka, Jeffy, and Christina Yanita Setyawati. "Pengaruh Gender Stereotype Dan Entrepreneurial Self-Efficacy Terhadap Entrepreneurial Intention Pada Mahasiswi Universitas Ciputra." Performa 6, no. 3 (2021): 226–35. https://doi.org/10.37715/jp.v6i3.2525.

Umar, Nasharuddin. Argumen Kesetaraan Gender Perspektif Al-Quran. Jakarta: Paramadina, 1999.

Walby, Sylvia. Teorisasi Patriarki. Yogyakarta: Jalasutra, 2014.

Zwick, Martin. "Complexity Theory and Political Change: Talcott Parsons Occupies Wall Street." Complexity and the Human Experience: Modeling Complexity in the Humanities and Social Sciences, no. May 2012 (2014): 141–60. https://doi.org/10.4032/9789814463270.