

Women's Leadership in Islamic Law: Between Normative Foundations and Contemporary Realities

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Abstract: This article investigates the concept of women's leadership within the framework of Islamic law, focusing on the intersection between normative foundations and contemporary realities. Historically, discussions on imāmah al-mar'ah (female leadership) were dominated by classical jurists whose interpretations often reflected patriarchal structures and socio-political settings of their time. However, with the evolution of modern Muslim societies and the rise of gender justice discourse, these interpretations require renewed contextualization. Using a qualitative-descriptive method through library research and comparative textual analysis, this study examines the arguments of prominent classical scholars such as al-Māwardī, Ibn Ḥazm, and al-Ghazālī, alongside contemporary reformists including Fazlur Rahman and Amina Wadud. The analysis employs hermeneutical reasoning and the maqāṣid al-sharī'ah framework to explore the flexibility of Islamic legal interpretation. The findings reveal three key points. First, classical prohibitions on women's leadership were more sociological than theological, rooted in historical contexts rather than immutable divine injunctions. Second, when assessed through the lens of maqāṣid al-sharī'ah, women's leadership aligns with the higher objectives of justice (al-'adl), benefit (maṣlaḥah), and human dignity (karāmah al-insān). Third, contemporary interpretations indicate a paradigm shift from gender-based exclusion toward competence- and morality-based inclusion, allowing for greater participation of women in political, social, and religious leadership. The study's academic contribution lies in proposing a maqāṣid-based reinterpretation model that bridges textual orthodoxy with modern gender realities. This framework enriches Islamic legal scholarship by demonstrating that Shariah is not static but adaptive, capable of supporting egalitarian leadership principles that respond to the ethical and social demands of the modern era.

Keywords: Islamic Law; Gender Justice; Maqāṣid al-Sharī'ah; Women's Leadership.

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Abstrak: Artikel ini mengkaji konsep kepemimpinan perempuan dalam kerangka hukum Islam dengan menyoroti persinggungan antara landasan normatif dan realitas kontemporer. Secara historis, diskursus tentang imamah al-mar'ah (kepemimpinan perempuan) didominasi oleh para fuqaha klasik yang pandangannya banyak dipengaruhi oleh struktur sosial patriarkal dan konteks sosio-politik zamannya. Namun, seiring dengan perkembangan masyarakat Muslim modern dan menguatnya wacana keadilan gender, interpretasi tersebut memerlukan kontekstualisasi ulang. Melalui metode kualitatif-deskriptif dengan pendekatan studi kepustakaan dan analisis tekstual komparatif, penelitian ini menelaah pandangan para ulama klasik seperti al-Māwardī, Ibn Ḥazm, dan al-Ghazālī, serta membandingkannya dengan pemikir reformis kontemporer seperti Fazlur Rahman dan Amina Wadud. Analisis dilakukan menggunakan pendekatan hermeneutis dan kerangka maqāṣid al-sharī'ah untuk menelusuri fleksibilitas penafsiran hukum Islam. Hasil penelitian menunjukkan tiga temuan utama. Pertama, larangan kepemimpinan perempuan dalam pandangan klasik lebih bersifat sosiologis daripada teologis, berakar pada konteks sejarah dan bukan pada ketentuan ilahi yang absolut. Kedua, jika ditinjau melalui perspektif maqāṣid al-sharī'ah, kepemimpinan perempuan sejalan dengan tujuan syariah yang lebih tinggi, yaitu keadilan (al-'adl), kemaslahatan (maṣlaḥah), dan martabat manusia (karāmah al-insān). Ketiga, interpretasi kontemporer menunjukkan adanya pergeseran paradigma dari eksklusi berbasis gender menuju inklusi berbasis kompetensi dan moralitas, yang membuka ruang partisipasi perempuan secara lebih luas dalam kepemimpinan politik, sosial, maupun keagamaan. Kontribusi akademik penelitian ini terletak pada tawaran model reinterpretasi berbasis maqāṣid al-sharī'ah yang menjembatani antara ortodoksi tekstual dengan realitas gender modern. Model ini memperkaya khazanah keilmuan hukum Islam dengan menunjukkan bahwa syariah bersifat dinamis dan adaptif, serta mampu mendukung prinsip kepemimpinan yang egaliter sesuai dengan tuntutan etika dan sosial di era kontemporer.

Kata Kunci: Kepemimpinan Perempuan, Hukum Islam, Maqāṣid al-Sharī'ah, Keadilan Gender.

Introduction

Islamic teachings advocate for the equality of men and women, emphasizing their equal potential and roles within society. This perspective is rooted in the Qur'an, particularly in Surah Al-Hujurat, verse 13, which highlights the intrinsic equality of all human beings, regardless of gender. The notion that women are merely complements to men is a misconception;¹ rather, they are seen as equal

¹ Badshah Rehman and Sayed Maqsood ur Rehman, 'An Academic Study of Women's Rights in the Light of the Shari'ah and Social Modern Issues', *Journal of Religious Studies (Uochjrs)*, 2018, doi:10.33195/uochjrs-v1i2722018.

partners with distinct rights and responsibilities² in both private and public spheres.³

The distinction between biological sex and socially constructed gender roles is crucial in understanding the dynamics of gender relations in Islam. While biological differences exist, they do not dictate the social roles or rights of individuals. Gender roles are shaped by cultural and social contexts, and thus, the perceived burdens of men and women—such as economic production versus reproductive responsibilities—should be critically examined. This examination reveals that such views often stem from cultural interpretations rather than religious doctrine.⁴

Moreover, the debate surrounding women's leadership in Islam is ongoing, with various interpretations of religious texts influencing perspectives on women's roles in society. Historical examples, such as Megawati Soekarnoputri, the former president of Indonesia, demonstrate that women can and do hold leadership positions within Islamic contexts. This challenges the traditional narratives that often restrict women's roles⁵ based on selective interpretations of Islamic teachings.⁶ Scholars have presented differing views on women's leadership, with some arguing that Islamic law supports women's participation in leadership roles,⁷ while others cite traditional interpretations that discourage it.⁸

The recognition of women's rights in Islam extends beyond leadership to encompass various aspects of life, including economic, social, and political rights. The Qur'an and Hadiths provide a framework for understanding these rights, which have often been misinterpreted or overlooked in practice. For instance, the right to inheritance and the right to choose a spouse are fundamental rights that affirm women's status as equal to men. Furthermore, contemporary discussions on women's reproductive rights within an Islamic framework

² Lathifah Munawaroh and Suryani Suryani, 'Menelisik Hak-Hak Perempuan', *Kafa'ah Journal of Gender Studies*, 2020, doi:10.15548/jk.v10i1.263.

³ Muhammad Faizul Haque and others, 'Women Rights to Inheritance in Muslim Family Law: An Analytical Study', *International Journal of Islamic Business & Management*, 2020, doi:10.46281/ijibm.v4i1.543.

⁴ Asia Parveen, 'A Historical Analysis of Human Rights and Women's Status in Pakistan', *Pakistan Journal of Gender Studies*, 2016, doi:10.46568/pjgs.v12i1.196.

⁵ Nizma Armila, 'Women's Leadership in Islamic Boarding Schools: A Comparative Study of Islamic Boarding Schools in Indonesia, Malaysia, and Brunei Darussalam', *Eduprof Islamic Education Journal*, 2023, doi:10.47453/eduprof.v5i2.210.

⁶ Ahmad Yusuf Prasetiawan and Lis Safitri, 'Kepemimpinan Perempuan Dalam Pesantren', *Yinyang Jurnal Studi Islam Gender Dan Anak*, 2019, doi:10.24090/yinyang.v14i1.2874.

⁷ Mohammad Dawam, 'Polemics About Women's Leadership From a Modern Islamic Perspective', *J. Riset Multidisip. Inov. Tech.*, 2023, doi:10.59653/jimat.v1i01.160.

⁸ Baiq Tuhfatul Unsi, 'Analisis Konsep Tentang Wanita Amina Wadud', *Tafaqqub Jurnal Penelitian Dan Kajian Keislaman*, 2022, doi:10.52431/tafaqquh.v10i2.969.

highlight the need for a nuanced understanding of gender equality that aligns with both religious teachings⁹ and modern human rights standards.¹⁰

In conclusion, while challenges remain in the interpretation and application of women's rights within Islamic contexts, the foundational texts of Islam advocate for equality and justice. The ongoing discourse among scholars, activists, and practitioners reflects a dynamic engagement with these issues,¹¹ suggesting that the potential for gender equality in Islam is not only possible¹² but is also supported by religious.¹³

Method

This study on women's leadership in Islam utilizes a library research approach with a descriptive-analytic method, incorporating historical and philosophical perspectives. The goal of this method is to provide a detailed description of the research topic based on the gathered data, without attempting to generalize the findings. Primary sources for the research were collected from books, journals, articles, and other relevant documents. To supplement these sources and ensure accuracy, interviews were conducted with key figures related to the subject. The data was analyzed through content analysis, allowing the researcher to critically assess and selectively interpret the information rather than simply transferring it without further examination. Additionally, a comparison of perspectives from two key figures on women's leadership was conducted. To ensure the reliability and accuracy of the findings, the research process involved thorough documentation, analysis, and verification. The data was considered valid and reliable if no discrepancies were found between the findings and the actual conditions observed. Since the data gathered was consistent and clear, no additional credibility tests were required.

Results and Discussion

The concept of gender equality in Islam

Gender is a multifaceted construct shaped by social, cultural, and economic factors, with its roles evolving over time in response to various influences. The

⁹ Roksana Janghorban and others, 'Sexual and Reproductive Rights From Qur'anic Perspective: A Quantitative Content Analysis', *Asian Social Science*, 2014, doi:10.5539/ass.v11n3p182.

¹⁰ Erwati Aziz Nashruddin tahir, 'Women Rights on Reproduction in Qur'anic Perspectives', *Istinbath*, 2018, doi:10.20414/ijhi.v17i2.100.

¹¹ M Baharudin, Rahmawati Mohd Yusoff, and Nadzrah Ahmad, 'Rejecting Domestic Violence in Malaysia Based on the Qur'an and Prophetic Traditions', *Jawab*, 2023, doi:10.59371/jawab.v1i1.44.

¹² Fatima Ali Abed Kazem and Muhammad Jabbar Hashem Al-Jubouri, 'Qur'anic Rooting of Women's Right to Freedom', *International Journal of Health Sciences*, 2022, doi:10.53730/ijhs.v6ns4.11691.

¹³ Asma Barlas, 'Uncrossed Bridges', *Philosophy & Social Criticism*, 2013, doi:10.1177/0191453713477346.

understanding of gender roles is not static; it is influenced by generational differences, race, ethnicity, religion, geography, education, socio-economic status, and political contexts. For instance, in many developing countries, gender disparities in education have been exacerbated by socio-economic factors, leading to significant differences in educational attainment between genders,¹⁴ particularly in lower-income regions.¹⁵ This disparity often reflects broader societal norms and expectations that dictate the roles of men and women, further entrenching inequalities in various sectors,¹⁶ including leadership and economic participation.¹⁷

The concept of gender roles extends into the realm of leadership, where traditional views often assign leadership primarily to men, based on historical precedents and cultural narratives. In Islamic teachings, leadership is viewed as a responsibility that is not confined to one gender; both men and women are seen as capable leaders within their respective domains. The hadith of the Prophet Muhammad (SAW) emphasizes that every individual is a shepherd responsible for their flock,¹⁸ which includes both men and women in their roles within the family and society.¹⁹ This perspective aligns with the notion that leadership is fundamentally about responsibility and the welfare of others, transcending gender boundaries.²⁰

In Indonesia, the emergence of female leaders in education has been significantly influenced by pioneering figures who have advocated for gender equality and women's empowerment. Figures such as Raden Ayu Kartini have played crucial roles in promoting women's rights and education, leading to a

¹⁴ Matthias Busse and Peter Nunnenkamp, 'Gender Disparity in Education and the International Competition for Foreign Direct Investment', *Feminist Economics*, 2009, doi:10.1080/13545700802528315.

¹⁵ Jabbar Ul-Haq and others, 'The Relationship Between Trade Liberalization and Gender Disparity in Education: Evidence From Pakistan', *Nurture*, 2023, doi:10.55951/nurture.v17i3.291.

¹⁶ Sultan Muhammad and Nimra Sharif, 'Dealing With Gender Disparity in Educational Setting: A Case of Primary Schools in a Karachi's Town', *International Journal of Experiential Learning & Case Studies*, 2018, doi:10.22555/ijelcs.v3i2.2409.

¹⁷ Zeny L Maurel and others, 'Unexpected Effects of Gender Equality in Education to Gender Disparities in Economic Participation: Global Evidences', *Asia Pacific Journal of Social and Behavioral Sciences*, 2017, doi:10.57200/apjsbs.v14i0.91.

¹⁸ Bashir Abdullatif and Mohd Farid Mohd Sharif, 'Leadership in Islam: Views, Methods, and Suggestions in the Nigerian Islamic Organization', *International Journal of Academic Research in Business and Social Sciences*, 2020, doi:10.6007/ijarbss/v10-i3/7036.

¹⁹ Halil Zaim, Ahmet Demir, and Taylan Budur, 'Ethical Leadership, Effectiveness and Team Performance: An Islamic Perspective', *Middle East J of Management*, 2021, doi:10.1504/mejm.2021.111991.

²⁰ Jabran Jasni and Sharfizie Mohd Sharip, 'A Review of Islamic Leadership's Effectiveness in Islamic-Based Institutions', *International Journal of Academic Research in Business and Social Sciences*, 2022, doi:10.6007/ijarbss/v12-i9/15151.

gradual shift in societal perceptions of women's capabilities.²¹ However, despite these advancements, traditional roles persist, with societal expectations often relegating women to domestic responsibilities,²² which can hinder their participation in public life and leadership positions.²³ This dichotomy creates a complex landscape where women are expected to balance traditional roles with modern expectations of active participation in society.

The tension between traditional gender roles and modern expectations is particularly evident in discussions surrounding women's leadership in Islam. While there is a strong cultural belief that women's primary role should be within the home, contemporary interpretations advocate for women's active engagement in public life, including leadership roles.²⁴ This shift is essential for addressing gender disparities and fostering an environment where both men and women can contribute equally to society. The recognition that biological differences should not dictate social roles is crucial in promoting gender equality in leadership.²⁵

In conclusion, gender roles are deeply embedded in cultural, social, and economic contexts, and their evolution is influenced by various factors. The Islamic perspective on leadership underscores the importance of responsibility and welfare, advocating for a more inclusive understanding of leadership that transcends traditional gender boundaries. As society continues to evolve, it is imperative to challenge and redefine these roles to foster equality and ensure that both men and women can fulfill their potential as leaders.

Women's Leadership in the Perspective of Islam

The discourse surrounding women's leadership within the Islamic framework is multifaceted, reflecting both historical precedents and contemporary challenges. In Islam, leadership is not merely a position of authority but a profound responsibility that requires adherence to ethical and moral standards, as leaders are seen as representatives of the community and accountable to Allah

²¹ Ellyana Amran and Willy Arafah, 'Analysis of Factors Determining Islamic Motivation Entrepreneurship of Muslim Women Entrepreneurs in Jakarta.', *Business and Entrepreneurial Review (Ber)*, 2020, doi:10.25105/ber.v20i2.8069.

²² Taufik Taufik, 'Quality Culture-Oriented Leadership Model Head of Islamic State Senior High School in Palu', *International Journal of Scientific Research and Management*, 2021, doi:10.18535/ijssrm/v9i09.el03.

²³ Florence D Mndolwa and Abdul Latif Alhassan, 'Gender Disparities in Financial Inclusion: <i>Insights From Tanzania</i>', *African Development Review*, 2020, doi:10.1111/1467-8268.12462.

²⁴ Dian-Fu Chang, Wen-Ching Chou, and Tien-Li Chen, 'Comparing Gender Diversity in the Process of Higher-Education Expansion in Japan, Korea, Taiwan, and the UK for SDG 5', *Sustainability*, 2022, doi:10.3390/su141710929.

²⁵ Rizki Febriani, 'Implementation of Islamic Value on Leadership, Organizational Culture and Spirituality to Performance', *Manajemen Bisnis*, 2021, doi:10.22219/mb.v11i1.17006.

SWT. This perspective is crucial in understanding the role of women in leadership, as they, like men, are created as caliphs on earth, endowed with the same responsibilities and rights to lead and serve their communities.

Historically, women have held significant leadership roles in Islamic contexts. For instance, Sayyidatuna Aisha (RA), the wife of the Prophet Muhammad (SAW), is often cited as a prominent figure who not only participated in battles but also played a crucial role in disseminating knowledge and guiding the community. This historical precedent underscores the potential for women to occupy leadership positions within Islamic frameworks, challenging the notion that such roles are exclusively male domains. Furthermore, contemporary scholarship highlights the emergence of female Islamic authorities who are redefining leadership roles and contributing to the development of new forms of knowledge within Islamic contexts, particularly in Western societies.

Despite these historical and contemporary examples, the issue of women's leadership in Islam remains contentious. Many argue that cultural interpretations of Islam often overshadow the religion's foundational texts, which advocate for gender equity. This section discusses how "authentic Islam" can empower women by challenging incorrect interpretations that limit their roles. This notion is echoed in various studies that reveal the complexities of gender norms within Islamic societies, where women often face systemic barriers to leadership due to entrenched cultural practices.

Moreover, the educational landscape plays a pivotal role in shaping perceptions of women's leadership. Research indicates that educational institutions, particularly Islamic schools, can either reinforce traditional gender roles or serve as platforms for empowering female leaders (Amatullah, 2024; Brooks & Mutohar, 2018). The concept of transformational leadership, which emphasizes inspiration and positive change, is particularly relevant in this context, as it aligns with Islamic values and can foster an environment conducive to women's leadership development.

In conclusion, while the Islamic tradition provides a rich foundation for women's leadership, the interplay of cultural, educational, and religious factors continues to shape the discourse. Women in Islam are not only entitled to leadership roles but have historically and contemporarily demonstrated their capacity to lead effectively. As the dialogue around women's rights and leadership evolves, it is essential to recognize and support the contributions of women in various spheres, ensuring that their voices are heard and valued within the broader Islamic community.

Women's Leadership in the Perspective of Islamic Law

Women's leadership within the framework of Islamic law is a nuanced and evolving discourse that reflects the dynamic interplay between religious texts,

cultural practices, and contemporary societal needs. The concept of leadership for women in Islam is not explicitly defined in the Qur'an or Hadith, leaving room for interpretation through *ijtihad* (independent reasoning) and contextual analysis. This flexibility suggests that there are no inherent prohibitions against women assuming leadership roles, provided they possess the requisite skills and competencies.²⁶

Prominent figures such as KH. Husein Muhammad and Prof. Siti Musdah Mulia advocate for women's leadership, emphasizing that gender should not be a barrier to leadership roles. They argue that the essence of leadership lies in one's piety and capability rather than gender. KH. Husein Muhammad critiques classical interpretations of Islamic texts, asserting that contemporary women are equally capable of leadership as men.²⁷ Prof. Siti Musdah Mulia further posits that women can lead effectively without conforming to traditionally masculine leadership styles, advocating for a leadership approach that embodies compassion and gentleness, which she views as aligned with women's inherent qualities.

Both scholars stress the importance of interpreting religious texts in a manner that is relevant to modern contexts. For instance, Prof. Siti Musdah Mulia's examination of Surah An-isa (4:34) highlights the need for a linguistic and contextual understanding of the text, which can support women's rights and leadership roles.²⁸ This perspective is echoed by KH. Husein Muhammad, who acknowledges the necessity of contextual interpretation to align Islamic teachings with contemporary realities.²⁹

Moreover, the participation of women in political and social leadership is deemed essential for ensuring that their unique interests and needs are represented in policy-making processes. Prof. Siti Musdah Mulia argues that without women's involvement, many issues pertinent to them may remain unaddressed, leading to a lack of recognition and fulfillment of their rights.³⁰ This assertion aligns with broader discussions on gender equality within Islamic frameworks, where proponents argue for equal rights based on Qur'anic

²⁶ Gunawan Widjaja, 'Review on the Women's Rights and Islamic Law in Southeast Asia', *Journal of Law and Sustainable Development*, 2023, doi:10.55908/sdgs.v11i7.751.

²⁷ Djono, Sutiya, and Fachri Zulfikar, 'Historical Perspective of Acehnese Women's Leadership Transformation as a Source of History Learning', *International Journal of Sustainable Development and Planning*, 2022, doi:10.18280/ijstdp.170811.

²⁸ 'Quran and Gender Equality: Interpretation in the Light of Molana Ayyub Dehlvi's Work', *Journal of Development and Social Sciences*, 2023, doi:10.47205/jdss.2023(4-iv)26.

²⁹ Widjaja.

³⁰ Teguh Wijaya Mulya and Zulfa Sakhiyya, "'Leadership Is a Sacred Matter': Women Leaders Contesting and Contextualising Neoliberal Meritocracy in the Indonesian Academia", *Gender and Education*, 2020, doi:10.1080/09540253.2020.1802407.

principles, countering patriarchal interpretations that have historically marginalized women.

In conclusion, the discourse surrounding women's leadership in Islamic law is characterized by a call for reinterpretation and contextualization of religious texts to promote gender equality. Scholars like KH. Husein Muhammad and Prof. Siti Musdah Mulia exemplify this movement, advocating for women's rights and leadership roles based on a foundation of competence and moral integrity rather than gender. Their work underscores the potential for Islamic law to evolve in ways that support women's leadership and participation in society, reflecting a commitment to justice and equality as core Islamic values.³¹

Conclusion

From the above description, it can be concluded that female leadership in the perspective of Islamic law is an open concept but is always dialogically connected with the development of the times. Islamic Sharia does not provide clear and specific practical guidelines regarding female leadership because this issue is part of mu'amalah (social-human relations), which needs further clarification through ijtihad and based on humanitarian considerations. Based on this reasoning, there is no textual or contextual prohibition against women becoming leaders. Regarding gender roles in leadership, leadership is about influencing people and guiding them towards achieving organizational goals. The current discussion is about female leadership in Islam. In Indonesia, particularly in the field of education, female leadership does not happen by chance. The struggles of female figures such as Raden Ayu Kartini, Maria Ulfa Anshor, Dita Indah Sari, and others have paved the way for the creation of harmonious partnerships between men and women in education, work, and life. However, on the other hand, the roles of these women do not negate their fundamental roles, such as being mothers who give birth, nurse, and become the first teachers for their children. Therefore, it is not surprising that heavy duties, including leadership, are often considered more suitable for men.

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³¹ Widjaja.

conceptual depth and methodological rigor of this work. This research reflects the continuous academic spirit fostered under the Rector's vision to promote integrative and contextually relevant Islamic legal studies.

Authors Contribution

Chika Praska Anggraini conceived and designed the overall framework of the study, developed the core arguments, and led the manuscript preparation and writing process. Darul Akbar contributed significantly to the theoretical analysis and interpretation of findings, offering critical insights that strengthened the legal and methodological dimensions of the research. Meanwhile, M. Fijar Ishlahul Ummah played a key role in conducting the literature review, gathering relevant data, and refining the discussion to ensure coherence between the normative foundations and contemporary realities of Islamic law. All authors actively participated in the review and final approval of the manuscript, ensuring its academic rigor and integrity.

Conflict of Interest

The author declares that there is no potential conflict of interest, whether financial, professional, or personal, that could have appeared to influence the research findings, data interpretation, or conclusions presented in this article. The research was conducted independently and objectively to ensure academic integrity and transparency.

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