



ISLAMIC ECONOMICS: A SURVEY RELATED TO THE LITERATURE OF WORKING WOMEN

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Abstract: Various issues related to women are significant concerns across different layers of society. These issues are often constructed by the socio-cultural systems in which individuals reside, leading to various justifications being put forward. This phenomenon has inevitably sparked debates, including among Muslims. This study tries to build a concept related to women working through a literature Islamic economic approach. Classification of various concepts proposed by Al-Quran, Hadist, Islamic economists, *Maqashid al-Syariah* will also be discussed. This paper is a survey of the literature on Islamic economics which focuses on the Working Women and Islamic approaches through the Koran, hadith, opinions of scholars, maqashid sharia perspective, to produce the concept of working women. By this observation, we will be able to produce the concept of working women in Islam and to see the different points of view among the scholars in conceiving working women subject matter, as well as see the shades of thought in the object of study. The research findings indicate that Islam upholds the value of equality, with no prohibition against women working outside the home. However, Islamic law sets certain boundaries. Women who work are expected to prioritize the well-being of their families and communities while viewing their work as an act of worship

Keywords: Concept, Islamic Economics, Islamic Approach, Maqashid-Al-Syariah, Working Women

Abstrak: Isu-isu terkait perempuan merupakan masalah yang penting dalam berbagai lapisan masyarakat. Isu ini sering kali dibentuk oleh sistem sosial-budaya tempat individu berada, yang kemudian melahirkan berbagai pembenaran. Fenomena ini memicu perdebatan, termasuk di kalangan umat Muslim. Penelitian ini bertujuan untuk mengembangkan konsep perempuan bekerja melalui pendekatan ekonomi Islam dalam literatur yang ada. Pembahasan akan mencakup klasifikasi berbagai konsep yang diusulkan oleh Al-Qur'an, Hadis, para ekonom Islam, serta prinsip Maqashid al-Syariah. Makalah ini merupakan tinjauan literatur ekonomi Islam yang memfokuskan perhatian pada perempuan bekerja dan pendekatannya dalam Islam melalui Al-Qur'an, Hadis, pendapat para ulama, serta perspektif maqashid syariah, untuk menghasilkan konsep perempuan bekerja. Melalui penelitian ini, diharapkan dapat dirumuskan konsep perempuan bekerja dalam Islam dan melihat perbedaan pandangan di kalangan ulama mengenai masalah tersebut, serta mengungkap nuansa pemikiran dalam objek kajian. Hasil penelitian menunjukkan bahwa Islam mengedepankan nilai kesetaraan dan tidak melarang perempuan untuk bekerja di luar rumah. Namun, hukum Islam memberikan batasan tertentu. Perempuan yang bekerja diharapkan untuk memprioritaskan kemaslahatan keluarga dan masyarakat serta menjadikan pekerjaannya sebagai bentuk ibadah.

Kata Kunci: Konsep, Ekonomi Islam, Pendekatan Islam, Maqashid al-Syariah, Perempuan Bekerja

Introduction

Islam upholds the value of equality¹. All humans have the same position before God². The difference between humans is only from the level of their piety³. Fulfilling the level of piety requires humans, both men and women, to carry out their obligations and have rights that must be accepted⁴. This has consequences for differences in roles and responsibilities⁵. Men with the position of husbands are given the obligation to earn a living. Women are naturally endowed with reproductive organs for giving birth and breastfeeding. This natural condition has consequences for women's limited time and time in playing a broad role⁶. Especially for work.

Women in Islam are not prohibited from working⁷. However, Islamic teachings strongly encourage women to take care of their families and households. Women who work are required to maintain the benefit of the family, the benefit of the workplace and the benefit of the environment⁸. The main motivation for women to work is as part of worship⁹.

The incomplete meaning of these teachings causes the issue of women working outside the home to be debated and never resolved among Muslims and in various levels of society¹⁰. In general, these issues are part of the social system and the environment in which

¹ Ahmad, "The Status of Women in Islam." *Al-Litihad* 8, no. 2 (1980): <https://doi.org/10.1057/9780230503311>.

² Priscilla Offenbauer, "Women in Islamic Societies: A Selected Review of Social Scientific Literature," in *Women in Islamic Societies: A Literature Review of Social Science Scholarship* (Washington, D.C.: Federal Research Division Library of Congress, 2005), 1–119.

³ M Al-Ghazali, *Kadaya Al-Mar'ah – Women's Issues*, Shurook Publishing, 1990.

⁴ Sidani Yusuf. "Women , Work , and Islam in Arab Societies." *Women in Management Review* 20, no. 7 (2005): 498–512. <https://doi.org/10.1108/09649420510624738>.

⁵ alimatul Qibtiyah, "Indonesian Muslim Women And The Gender," *Journal Of Indonesian Islam* 03, no. 01 (2009): 49–58.

⁶ Shagufta Omar, *Women in Islam: Frequently Asked Questions*, International Muslim Women Union (IMWU) Pakistan Chapter (Pakistan: International Muslim Women Union (IMWU) Pakistan Chapter, 2012).

⁷ Muhammad Azeem, Mohammad Ramzan, and Tahir Akbar, "Is Women Employment Blessing or Otherwise ? A Price Worth Paying : An Islamic Perspective," *International Journal of Business and Sosial Science* 4, no. 2 (2013): 226–33;

⁷ Asar A K and Bouhedda Ghaliya, "Islāmic Guidelines for Women to Work and Hold," *International Journal of Science and Research (IJSR)* 6, no. 14 (2015): 1311;

⁷ Iftikhar Hussain et al., "Integrating Factors Influencing Consumers ' Halal Products Purchase : Application of Theory of Reasoned Action," *Journal of International Food & Agribusiness Marketing* 28, no. 1 (2016): 35–58, <https://doi.org/10.1080/08974438.2015.1006973>;

⁷ Rodney Wilson, "Economic Empowerment of Women in the Islamic World Theory and Practice," *Advances in Research on Islamic Economics and Finance* 1 (2020): 41;

⁷ Eugenie Samier and Eman Elkaleh, "Towards a Model of Muslim Women's Management Empowerment: Philosophical and Historical Evidence and Critical Approaches," *Administrative Sciences* 11, no. 2 (2021), <https://doi.org/10.3390/ADMSCI11020047>.

⁸ Ahmad Bin Muhammad Husni et al., "Family Problems - Wife's Work - And Its Solution in the Light of Maqasid Shariah," *Asian Social Science* 11, no. 18 (2015): 164–73, <https://doi.org/10.5539/ass.v11n18p164>;

⁸ Siti Nur Azizah, Abdul Qoyum, and Prasojo, "Islam , Women Labor and Economic Development," in *Proceeding of Conference on Islamic Management, Accounting, and Economics (CIMAE)*, 2019, 221–34;

⁸ Zuraidah Kamaruddin, "Involvement of Women in Economy: An Explication from the Islamic Perspective," *Revista Gestão Inovação e Tecnologias* 11, no. 2 (2021): 970–76, <https://doi.org/10.47059/revistageintec.v11i2.1729>.

⁹ Abdul Haris and Siti Nur Azizah, "International Mobility Based on Women Labour: Study of Changes in Socio-Economic-Cultural Family Former Migrant Worker Jakarta Bulaksari In the Village, District Bantarsari, Cilacap Seen From the Perspective of Islamic Economic Theory," *Ijtima' Iyya Journal of Muslim Society Research* 3, no. 1 (2018): 129–49, <https://doi.org/10.24090/ijtimaiyya.v3i1.1744>.

¹⁰ Nadia Sonneveld and Ahmed Tanfik, "Gender, Islam and Judgeship in Egypt," *International Journal of Law in Context* 11, no. 3 (2015): 341–60, <https://doi.org/10.1017/S1744552315000142>.

they live¹¹. The values attached to women are social constructions that involve various forces. Thus the understanding and meaning of women is an attempt to understand society in a wider context¹².

Differences in society's views on the role of women exacerbate this issue. By law (custom), the position of women is determined to be under men. In a traditional family with two parents, the father is seen as the breadwinner of the family while the mother is the caregiver and the housewife¹³. This role has evolved over the years until there is a cultural shift from traditional values to secular-rational values. These cultural shifts formed the modern family. Upholding equality¹⁴. Modern families allow mothers to work outside the home and involve their husbands/fathers in carrying out domestic tasks¹⁵; ¹⁶. The shift from traditional to modern culture and values is marked by job specialization, greater organizational complexity, and higher levels of education.¹⁷. The consequences received by the community are the transformation of life together in the field of technology, traditional social organizations towards an economic pattern¹⁸. There is a change in the social position of women¹⁹. Women who were originally claimed to only occupy the domestic or household area, are now starting to play a role in the public sphere. Working outside the home²⁰.

Several reasons were given to get justification in society regarding women's participation in the public sphere. These include the family's financial needs, improving the family's standard of living, fulfilling primary needs, secondary needs, the need for parental costs, and the cost of children's education. ²¹. Social and networking needs, high awareness of

¹¹ Corrêa, Sonia, and Richard Parker. "Sexuality, Human Rights, and Demographic Thinking: Connections and Disjunctions in a Changing World." *Sexuality Research and Social Policy* 1, no. 1 (2004): 15–38. <https://doi.org/10.1525/srsp.2004.1.1.15>.

¹² European Commission, "European Commission Report on the Impact of Demographic Change" (Europa, 2020).

¹³ Gayle Kaufman, "Do Gender Role Attitudes Matter? Family Formation and Dissolution among Traditional and Egalitarian Men and Women," *Journal of Family Issues* 21, no. 1 (2000): 128–44, <https://doi.org/10.1177/019251300021001006>.

¹⁴ *Thung Ju Lan*, "Women and Modernization," *Jurnal Masyarakat & Budaya* 17, no. 1 (2015): 17–28.

¹⁵ Pleck, Joseph H, Freya L. Sonenstein, and Leighton C. Ku. "Masculinity Ideology and Its Correlates." *Applied Social Psychology* 06, no. Gender issues in contemporary society (1993): 85–110.

¹⁶ Theunissen, Bedelia, L. J. Van Vuuren, and Deléne Visser. "Communication of Job-Related Information and Work Family Conflict in Dual-Career Couples." *SA Journal of Industrial Psychology* 29, no. 1 (2003): 18–25. <https://doi.org/10.4102/sajip.v29i1.81>.

¹⁷ S.N. Eisenstadt, "Transformation of Social Political, and Cultural Orders in Modernization," *American Sociological Review* 30, no. 5 (1965): 659–73, <https://doi.org/https://doi.org/10.2307/2091135>.

¹⁸ Niels Spierings, Jeroen Smits, and Mieke Verloo, "On the Compatibility of Islam and Gender Equality Effects of Modernization, State Islamization, and Democracy on Women's Labor Market Participation in 45 Muslim Countries," *Social Indicators Research* 90, no. 3 (2009): 503–22, <https://doi.org/10.1007/s11205-008-9274-z>.

¹⁹ *Thrivaty Arsal, Muhammad Basri, and Sumartono Tono*, "Bakul: Contribution of Rural Women to Family Economy through Informal Sector Activities," *KOMUNITAS: International Journal of Indonesian Society and Culture* 9, no. 1 (2017): 136–42, <https://doi.org/10.15294/komunitas.v9i1.8906>.

²⁰ Carmen Sarasua, "Women's Work and Structural Change: Occupational Structure in Eighteenth-Century Spain," *Economic History Review* 72, no. 2 (2019): 481–509, <https://doi.org/10.1111/ehr.12733>.

²¹ Alina Botezat and Friedhelm Pfeiffer, "The Impact of Parents Migration on the Well-Being of Children Left Behind Initial Evidence from Romania," *SSRN Electronic Journal* 14, no. 029 (2014): 3–27.

national development²². The parents of the mother want the mother to work²³, as well as meet their own needs and maintain a career or job before marriage²⁴.

Several studies have stated that cultural shifts from traditional values to secular-rational values also shape the characteristics of working women. They are: raising self-confidence²⁵, contributing to the family, add insight to plan a better life²⁶, oriented to success in every aspect of life, career oriented and personal satisfaction²⁷, have a sense of self-respect and pride in being a successful and modern working woman and mother²⁸, high financial literacy²⁹, have power in family decision making³⁰, high-tech literacy, family health literacy³¹. Also, there is a sense of security and comfort because they have health insurance and investments, savings and pensions³². On the other hand, the cultural shift from traditional values to secular-rational values also has negative effects. They are: family lacks attention due to the little time given by working mothers³³, the duration of breastfeeding is shortened because the mother has to return to work after the 3-month maternity leave period is over³⁴, the emergence of conflicts disturbs the harmony of husband and wife relationships and even increases the probability of separation or divorce 6 times³⁵, lack of supervision and control over children, reduced interaction with the family has an impact on the quality of children's growth in terms of health, mental, cognitive and education, and the emergence of tests anxious about separation and juvenile delinquency.

This condition is of course a difficult choice for women. As well as giving the consequences of a double burden that must be accepted. On the one hand, they carry out their role in the domestic sphere and on the other hand, they play a role in the public sphere

²² Esther Duflo, "Women Empowerment and Economic Development," *Journal of Economic Literature* 50, no. 4 (2012): 1051–79, <https://doi.org/10.1257/jel.50.4.1051>.

²³ Caitlyn Collins et al., "The Gendered Consequences of a Weak Infrastructure of Care: School Reopening Plans and Parents' Employment During the COVID-19 Pandemic," *Gender and Society* 35, no. 2 (2021): 180–93, <https://doi.org/10.1177/08912432211001300>.

²⁴ Tina Afiatin et al., "Happiness of Working Mothers Through Family Life Stages," *ANIMA Indonesian Psychological Journal* 31, no. 3 (2016): 101–10, <https://doi.org/10.24123/aipj.v31i3.569>.

²⁵ Carolyn J. Heinrich, "Parents' Employment and Children's Wellbeing," *Future of Children* 24, no. 1 (2014): 121–46, <https://doi.org/10.1353/foc.2014.0000>.

²⁶ John J. Davies and Douglas A. Gentile, "Responses to Children's Media Use in Families With and Without Siblings: A Family Development Perspective," *Family Relations* 61, no. 3 (2012): 410–25, <https://doi.org/10.1111/j.1741-3729.2012.00703.x>.

²⁷ Ankita Verma and Yashwant Singh Negi, "Working Women and Motherhood – a Review," *Annals of Agri Bio Research* 25, no. 1 (2020): 170–78.

²⁸ Stephiana, Olga, and I. Dewa Gede Karma Wisana. "The Mother's Role in Child Development: The Effect of Maternal Employment on Cognitive Development." *Pertanika Journal of Social Sciences and Humanities* 27, no. 4 (2019): 2571–83.

²⁹ Siti Nur Azizah and Annisa Nur Salam, "Determinants Of Mother ' S Financial Literacy On Family Economic Welfare : Maqashid Sharia," *Journal Research of Social Science, Economic, and Management* 01, no. 2 (2021): 163–81.

³⁰ Alexandra Bernasek and Vickie L. Bajtelsmit, "Predictors of Women's Involvement in Household Financial Decision-Making," *Journal of Financial Counseling and Planning* 13, no. 2 (2002): 39–48.

³¹ Dharmendra Yadav, "Financial Literacy among Women Employees," *Sabdha Sharita* 3, no. 12 (2017): 177–81.

³² Samier, Eugenie, and Eman Elkaleh. "Towards a Model of Muslim Women's Management Empowerment: Philosophical and Historical Evidence and Critical Approaches." *Administrative Sciences* 11, no. 2 (2021). <https://doi.org/10.3390/ADMSCI11020047>.

³³ Silvia Mendolia, "Maternal Working Hours and the Well-Being of Adolescent Children: Evidence from British Data," *The Institute for the Study of Labor (IZA)*, August 2014 (Germany, 2014), <https://doi.org/10.1007/s10834-015-9480-1>.

³⁴ Nadia Cahya Dwinanda et al., "Impact Of Working Mother To Children's Health In Indonesia," *EcceS (Economics, Social, and Development Studies)* 8, no. 1 (2021): 44, <https://doi.org/10.24252/ecc.v8i1.21023>.

³⁵ Presser, Harriet B. "Nonstandard Work Schedules and Marital Instability." *Journal of Marriage and Family* 62, no. 1 (2000): 93–110. <https://doi.org/10.1111/j.1741-3737.2000.00093.x>.

to help earn a living. Therefore, this phenomenon is still a matter of debate and deserves attention.

This study responds to the issue of women working in an Islamic perspective which is classified based on the Koran, Hadith, Islamic economics, and Maqashid al-Syariah. The literature study used and discussed in detail in this study guides women who work outside the home. This research is structured as follows; the first explores the position and role of women in Islam, the second discusses in detail working women as conceptualized in the Koran, Hadith, Islamic economics, and the internalization of Maqashid al-Syariah.

The Role and Position of Women in Islam

Islam is a religion that upholds the equality of all creatures. Islam abolishes the jahiliyyah tradition which discriminates against women³⁶. Islam distinguishes humans in the reality of piety. The differentiation of piety gives birth to a difference in the level of pious deeds for the benefit of mankind³⁷ so that it raises the role of humanity between one individual and another regardless of gender, ethnic group or race.

Extrapolating the position and role of women in Islamic society through Islamic religious texts is an interesting approach. There is still a lot of debate about the role and position of women in Islam which is caused by misinterpretations. One of the many debates that still arise is related to the position of women in marriage, family life, divorce, custody, and inheritance. Several Muslim feminists have played an important role in this debate. They provide an egalitarian interpretation of the text, and show the important role of women in early Islam, such as Khadijah, Aisha who are examples of this approach..

The position of women in Islam as explained in the Qur'an is the same as that of men, namely equality as servants of Allah, equality as caliphs on earth, and equality in the provision of potential. However, in more detail in the Qur'an, it is explained about the differences in social roles between men and women, as a consequence of differences in nature

By nature, in a marriage, the role of a woman is as a wife, as a mother and as a social being who cannot let go of his attachment to other human beings. Thus, Islam elevates a woman and gives her freedom, honour, and an independent personality. So, she has the right to choose a mate, has inheritance rights, given full ownership of her property, even other parties including husbands are not allowed to interfere unless there is sincerity from her. While men are breadwinners and family protectors, educators, both for mothers, children, wives and sisters.

Women in Sharia Economic Law

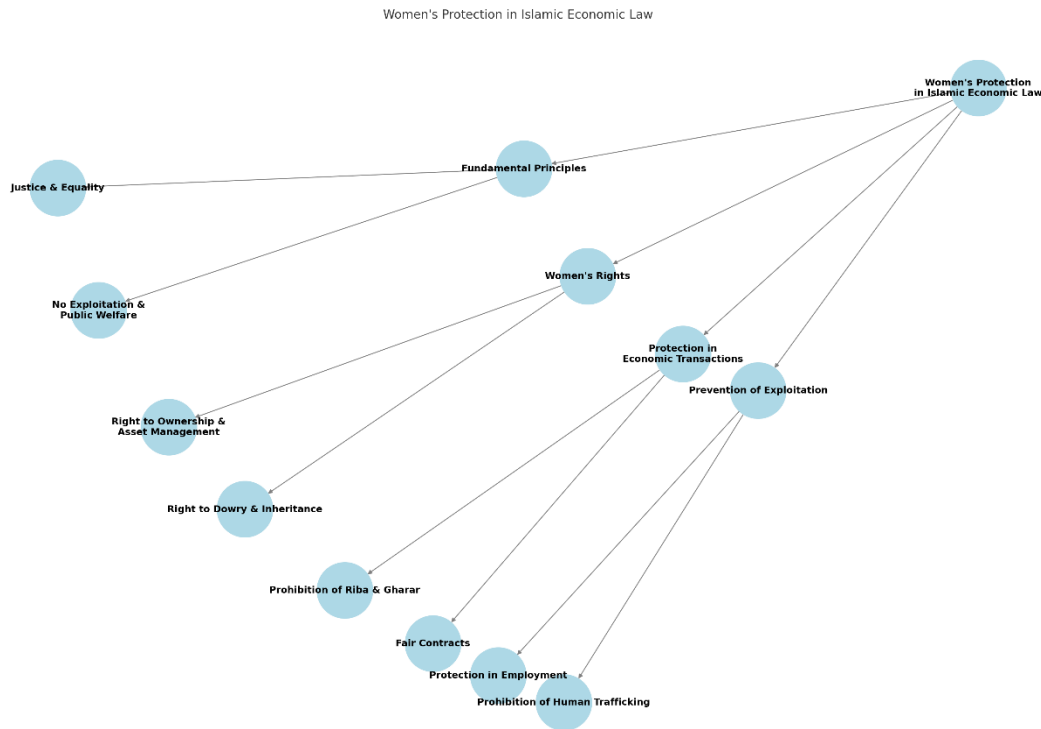
Islamic economic law is fundamentally based on several key principles that uphold justice, equality, and protection for women in economic activities. The principle of justice ('Adl) ensures that women's rights are safeguarded, preventing any form of disadvantage in financial transactions. Equality (Musawah) guarantees that women have the same economic rights as men, particularly in terms of asset ownership and management. Furthermore, the principle of no exploitation (La Dharar wa La Dhirar) strictly prohibits any form of economic exploitation of women, ensuring fair and ethical treatment in all financial dealings. Lastly, public interest (Maslahah) emphasizes the importance of protecting women's economic well-being as part of the broader objective of promoting social welfare and stability. These

³⁶ A Ahmad, "The Status of Women in Islam," *Al-I'tihad* 8, no. 2 (1980), <https://doi.org/10.1057/9780230503311>.

³⁷ Sally Baden, "The Position of Women in Islamic Countries : Possibilities , Constraints and Strategies for Change," *Bridge Development - Gender* 44, no. 4 (1992): 5.

principles collectively establish a legal framework that upholds fairness and inclusivity within the Islamic economic system.

The details can be illustrated in the flowchart below.



Source: Author Construct

Its meaning from the perspective of Islamic economic law, women hold a well-defined position and are granted protection based on the principles of justice, balance, and welfare in Islam. Islamic law neither discriminates against nor restricts women's participation in economic activities, as long as they remain within Sharia regulations while considering their responsibilities within the family and society. Within this framework, women possess extensive rights in various economic aspects, including asset ownership, entrepreneurship, investment, and workforce participation. Moreover, Islam explicitly ensures the protection of women's economic rights to prevent exploitation and discrimination within the economic system³⁸. A further analysis of Islamic economic law concerning women includes the following aspects:

The first aspect concerns the right to ownership and wealth management³⁹. Islam grants women full rights to ownership and the management of wealth, particularly assets obtained through inheritance, dowries (*mahr*), and wealth acquired through their own efforts, business ventures, or employment. Women are granted full autonomy to own, manage, and utilize their wealth without requiring permission from their husbands, fathers, or guardians.

As affirmed in the Qur'an, Surah An-Nisa (4:32):

"For men is a share of what they have earned, and for women is a share of what they have earned."
(QS. An-Nisa: 32)

38 Furqani, H., & Echchabi, A. "Who is Homo Islamicus? A Qur'anic perspective on the economic agent in Islamic economics." *ISRA International Journal of Islamic Finance*. (2022).

39 Nur Hidayah, "Reinterpretasi Hak-Hak Ekonomi Perempuan Dalam Islam". *Abkam*. Vol. XIV, No. 1, Januari (2014).

The second aspect pertains to the specific perspective of Islamic economic law regarding women's rights in employment and entrepreneurship⁴⁰. Women are recognized as capable of undertaking dual roles as mothers, wives, and professionals; however, achieving this balance necessitates adequate support from family members. With sufficient support, women can effectively fulfill both domestic and economic responsibilities. Encouraging women's engagement in entrepreneurship is essential for fostering economic empowerment and enhancing household financial stability.

Islamic economic law provides a structured framework that regulates women's participation in economic activities, outlining principles for conducting halal (permissible) business transactions and maintaining ethical labor relations. Islam acknowledges and promotes women's active engagement in economic endeavors, as emphasized in the Qur'an, Surah Al-Jumu'ah (62:10):

"When the prayer has been concluded, disperse within the land and seek the bounty of Allah, and remember Allah often that you may succeed."

In this context, Islam grants women the right to work and engage in entrepreneurship, provided their activities comply with Sharia principles. Several key ethical and legal considerations governing women's participation in the workforce include; ensuring that employment or business activities adhere to halal principles and Islamic ethical standards. Maintaining Islamic decorum and professional integrity in interactions with colleagues of the opposite gender. Balancing professional obligations with familial responsibilities, particularly within the marital framework. Preventing exploitation and ensuring compliance with Sharia-based economic regulations.

By adhering to these principles, women can actively contribute to household financial sustainability while achieving self-actualization within economic and social spheres. The role of women in Islamic economic history is well-documented, exemplified by Khadijah (RA), the wife of Prophet Muhammad (PBUH), who was a highly successful entrepreneur and played a pivotal role in ensuring financial security for her family.

Third, Islamic economic law places significant emphasis on the role of women in finance and investment. Islam grants women the right to participate in various economic activities, including investment and financial management, provided that these activities align with Sharia principles. These principles ensure that women have the autonomy to manage their wealth and make independent investment decisions. As previously discussed, this practice is exemplified by Khadijah (R.A.), the wife of the Prophet Muhammad, who was a wealthy merchant with exceptional financial and investment management skills. This historical precedent underscores that women's participation in economic activities is not a recent development but has long been recognized and supported by the egalitarian principles of Islam. Moreover, this principle is further reinforced by Sharia economic law, which guarantees women's property rights and financial independence based on three primary factors: inheritance, dowry, and earnings from their own labor⁴¹.

Existing research indicates that in the modern context, several countries with Sharia-based economic systems have established regulatory frameworks to support and ensure the active participation of women in the financial sector. A study on the role of microfinance in women's empowerment in India found that microfinance initiatives significantly enhance

⁴⁰ Nurasiah Ahmad & Hilma Nafsiyati, "Women Entrepreneurs Dalam Konsep Hukum Islam (Sebagai Upaya Penerapan Home-Based Business/Hbb)." *Jurnal Al-Karim : Jurnal Pendidikan, Psikologi Dan Studi Islam*, 7(1), (2022)72–92. Retrieved from <https://jurnal.staiyaptip.ac.id/index.php/alkarim/article/view/24>.

⁴¹ Israhadi, E. "Analysis of Sharia Economic Law and Government Policies in Enhancing Sharia Investment in Indonesia. *Journal of Legal, Ethical and Regulatory Issues*, 23, (2020).

women's economic capacity and contribute to their overall empowerment⁴². Although the study focuses on India, similar approaches are applied within Islamic economic frameworks, where Sharia-compliant financial institutions offer services designed to facilitate women's participation in the financial sector⁴³. However, it is essential to note that while Islam permits women's economic engagement, it also emphasizes the importance of maintaining a balance between economic activities and social as well as familial responsibilities.

Fourth, Islamic economic law underscores that the financial responsibility of providing for the family is assigned to men, including fathers, husbands, or guardians⁴⁴. Women are not obligated to earn a livelihood; however, if they choose to contribute to the family's financial well-being, it is permissible as long as it does not compromise their primary responsibilities. Moreover, any income earned by women remains their exclusive property both economic and non-economic spheres. Such exploitation is fundamentally incompatible with Islamic principles, which emphasize justice (*al-'adl*), well-being (*maslahah*), and the protection of human rights. Within the framework of Islamic economic law, all forms of exploitation—including wage discrimination, substandard working conditions, and gender-based disparities in the labor market—are strictly prohibited.

The Legal Position of Women in the Workforce under Positive Law.

The principle of equal rights and opportunities for women in the workforce is a fundamental component of positive law in Indonesia. One of the primary legal frameworks governing this issue is Law No. 13 of 2003 on Manpower (UU Ketenagakerjaan)⁴⁵. This legislation outlines various labor rights, including provisions ensuring equal employment opportunities for women, legal protection against workplace discrimination⁴⁶, and guarantees for their overall well-being in professional environments⁴⁷.

More details can be illustrated in the chart below

⁴² Bhoopathy, D., & Devi, D. "A Study On Role Of Micro Finance In Women Empowerment". *International Journal of Approximate Reasoning*, 4, (2016), 1105-1110.

⁴³ Sakai, M., & Fauzia, A. (2016). Performing Muslim Womanhood: Muslim Business Women Moderating Islamic Practices in Contemporary Indonesia. *Islam and Christian-Muslim Relations*, 27, 229-249.

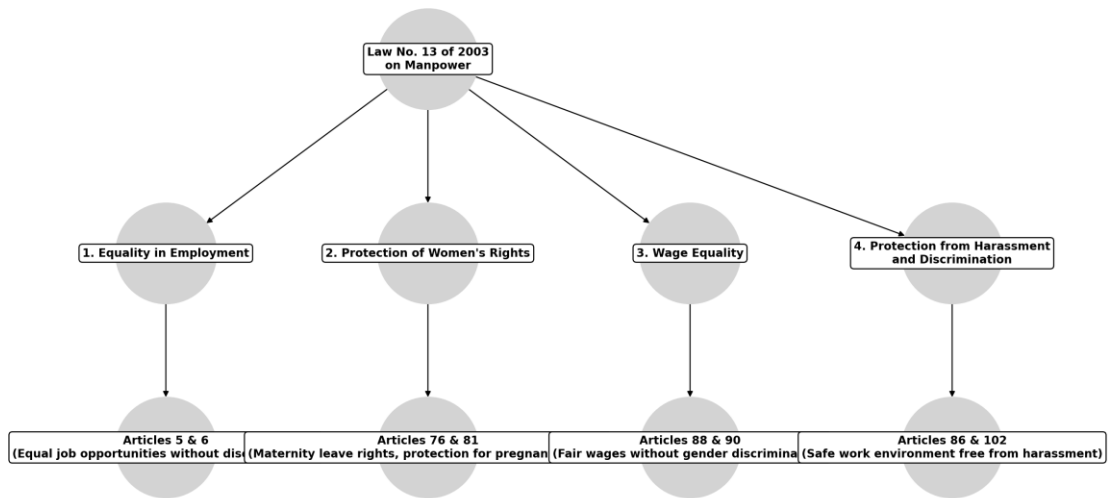
⁴⁴ Karimuddin, K., Abbas, S., Sarong, A., & Afrizal, A. (2021). Standardisasi Nafkah Istri: Studi Perbandingan Mazhab Maliki dan Mazhab Syafi'i. *Media Syari'ah : Wahana Kajian Hukum Islam dan Pranata Sosial*.

⁴⁵ Republik Indonesia. *Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan*. Lembaran Negara Republik Indonesia Tahun 2003 Nomor 39.

⁴⁶ Setiawan, B., & Sari, M. "Gender Equality in Indonesian Labor Law: A Critical Analysis of Law No. 13 of 2003 on Manpower." *Indonesian Journal of Law and Society*, 2(1), (2020). 45-60. <https://doi.org/xxxx>

⁴⁷ International Labour Organization (ILO). *Women in Business and Management: The Business Case for Change*. Geneva: ILO. (2019).

Chart of Equality of Rights and Opportunities in Positive Law
(Law No. 13 of 2003 on Manpower)



Source: Author Constructed

The diagram above illustrates that Law Number 13 of 2003 on Manpower plays a pivotal role in ensuring gender equality in employment by guaranteeing equal rights and opportunities for women in the workforce. This regulation ensures that women have equitable access to employment, receive fair remuneration, and are afforded special protections concerning reproductive health and occupational safety.

Article 5 stipulates that all workers are entitled to equal opportunities in obtaining employment without discrimination based on gender, ethnicity, race, religion, or political affiliation. Similarly, Article 6 asserts that every worker has the right to fair treatment without discrimination. The implication of these provisions is that employers must not restrict women's access to specific job opportunities solely on the basis of gender, except in cases where the nature of the job poses explicit risks to women's health and safety.

Furthermore, the Manpower Law provides specific protections for female workers concerning maternity rights, working hours, and working conditions. Article 76 explicitly prohibits employers from assigning pregnant women to work that may endanger their health or that of the fetus. Moreover, female workers cannot be compelled to work between 11:00 PM and 7:00 AM unless adequate protective measures are in place. Article 81 stipulates that female employees are entitled to three months of maternity leave, comprising 1.5 months before childbirth and 1.5 months after childbirth. Additionally, employers are required to grant leave to female employees who experience a miscarriage. Article 82 guarantees that women who have recently given birth are entitled to sufficient time for breastfeeding. Consequently, employers are obligated to provide appropriate facilities and adequate time for female employees to fulfill their biological responsibilities without compromising their employment rights.

Additionally, Article 88 ensures that all workers have the right to fair wages without gender-based discrimination. Article 90 prohibits employers from paying wages below the minimum wage established by the government. These provisions imply that employers are required to ensure equal remuneration for men and women performing the same or equivalent work. Furthermore, discrimination in benefits or workplace facilities provided to female employees is strictly prohibited.

Although the Manpower Law does not explicitly address sexual harassment, certain provisions provide a foundation for protection against such misconduct. Article 86 guarantees that all workers have the right to occupational safety and health protection, which includes safeguards against harassment and discrimination. Additionally, Article 102 mandates that employers and employees foster a harmonious, safe, and respectful working environment. The implication of these provisions is that employers are responsible for ensuring a safe workplace for female employees, which includes implementing anti-sexual harassment policies and establishing mechanisms for reporting and addressing complaints from victims.

Women Work in Islamic Economic Perspective

Islamic economics aims for the benefit or welfare of humans in the field of property or material wealth⁴⁸. One of the important discussions in the discipline of Islamic Economics is the frame of work or livelihood issues that are associated with the procedures for acquiring wealth and its utilization, both for consumptive activities and in terms of distribution⁴⁹. Three pillars are used to build an economic system in the view of Islam, namely how property is obtained, which involves ownership (*al-milkijah*), then how to manage property ownership (*tasharruf fil milkijah*), and how the distribution of wealth in the community.

Work is an important element in the Islamic economic system, because work is the main driver of economic activity both macro and micro. At the micro-level, work is a means for every human being to survive. Work makes humans able to fulfil their life needs as a provision to worship God. At a macro level, work is a community activity that is part of the production factors that determine the aggregate productivity which is a measure of the level of economic growth of a country. Thus, the people's ability to work and their productivity becomes a determining aspect of the progress and decline of a nation.

Therefore, the Islamic economic system does not only view work as the main driver of economic activity, but also considers work as a noble act to realize the common good. Work is the command of Allah SWT and is the sunnah of the Prophet Muhammad. So, all forms of unemployment, including begging is a despicable act. Thus, working in an Islamic economic system is a must for every Muslim, as a *syara'* obligation and is seen as a form of worship for those who do it. Thus, the Islamic economic perspective fully supports the role of women to work. However, he strongly encourages women to take care of their families and households. Women who work are required to maintain the benefit of the family, the benefit of the workplace and the benefit of the environment⁵⁰. The main motivation for women to work is as a part of worship⁵¹.

Women at work must always adhere to the principle of monotheism. Work is a manifestation of an affirmation of nature and human dignity before God, as well as positioning oneself as a representative of the circulation of sustenance (*sunatullah*), namely

⁴⁸ M. Umer Chapra, "Is It Necessary to Have Islamic Economics?," *Journal of Socio-Economics* 29, no. 1 (2000): 21–37, [https://doi.org/10.1016/S1053-5357\(00\)00051-2](https://doi.org/10.1016/S1053-5357(00)00051-2).

⁴⁹ Patricia Sloane-White, "Working in the Islamic Economy: Sharia-Ization and the Malaysian Workplace," *Sojourn: N: Journal of Social Issues in Southeast Asia* 33, no. S (2018): S264–95, <https://doi.org/10.1355/sj33-Sj>.

⁵⁰ Ahmad Bin Muhammad Husni et al., "Family Problems - Wife's Work - And Its Solution in the Light of Maqasid Shariah," *Asian Social Science* 11, no. 18 (2015): 164–73, <https://doi.org/10.5539/ass.v11n18p164>; Siti Nur Azizah, Abdul Qoyum, and Prasojo, "Islam , Women Labor and Economic Development," in *Proceeding of Conference on Islamic Management, Accounting, and Economics (CIMAE)*, 2019, 221–34; Zuraidah Kamaruddin, "Involvement of Women in Economy: An Explication from the Islamic Perspective," *Revista Gestão Inovação e Tecnologias* 11, no. 2 (2021): 970–76, <https://doi.org/10.47059/revistageintec.v11i2.1729>.

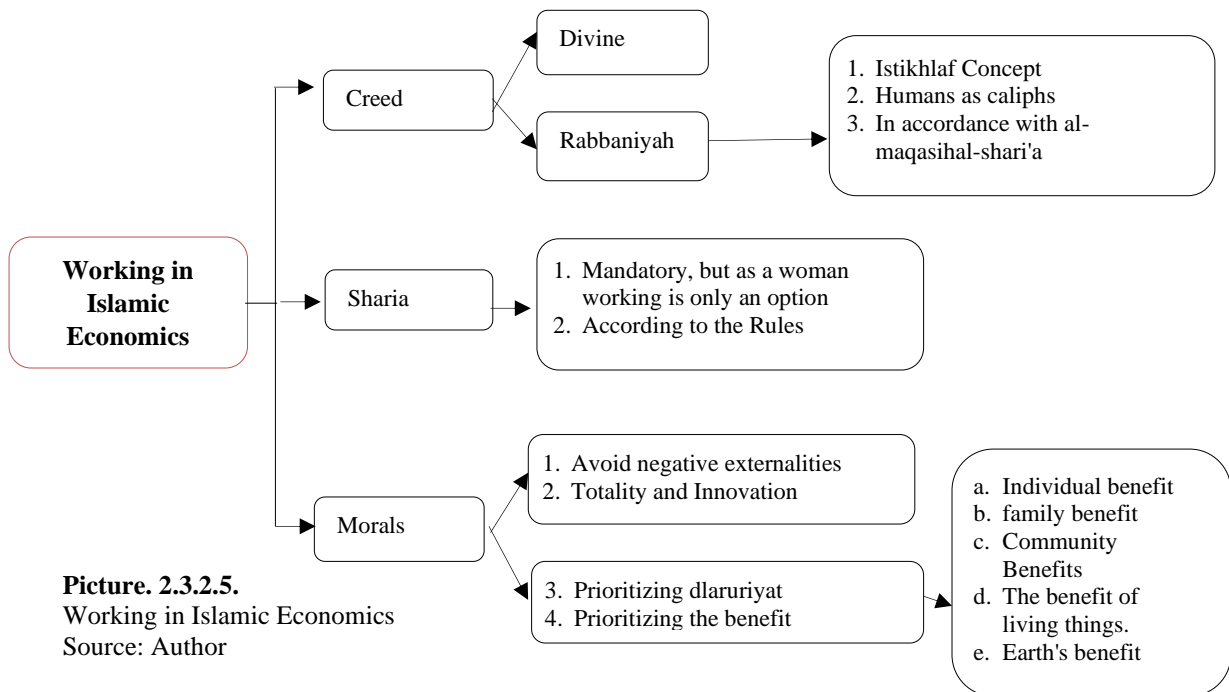
⁵¹ Haris and Azizah, "International Mobility Based on Women Labour: Study of Changes in Socio-Economic-Cultural Family Former Migrant Worker Jakatawa Bulaksari In the Village, District Bantarsari, Cilacap Seen From the Perspective of Islamic Economic Theory."

giving value and benefits to fellow human beings. Thus, women in work are always trustworthy⁵², striving to increase productivity and loyalty to the company⁵³, not only material-oriented⁵⁴, improving morality and doing halal work⁵⁵, maintaining a balance of family responsibilities⁵⁶, and staying away from an unhygienic environment, exploitation and discrimination both for herself, her family and the environment⁵⁷.

Thus, the purpose of women working is to gain benefit (*jalb almashālib*) and reject evil (*daf al-mafāsīd*). All activities carried out by women, including work, aim to benefit in getting *Falah*, namely to achieve perfection in the hereafter. If this *falah* can be achieved, humans will achieve happiness in this world and the hereafter⁵⁸.

From the above theory, it can be concluded that women working in Islamic economics must follow the following rules:

Figure 1
Working in Islamic Economics



Picture. 2.3.2.5.
Working in Islamic Economics
Source: Author

⁵² Azeem, Muhammad, Mohammad Ramzan, and Tahir Akbar. "Is Women Employment Blessing or Otherwise ? A Price Worth Paying : An Islamic Perspective." *International Journal of Business and Sosial Science* 4, no. 2 (2013): 226–33.

⁵³ Wilson, Rodney. "Economic Empowerment of Women in the Islamic World Theory and Practice." *Advances in Research on Islamic Economics and Finance* 1 (2020): 41.

⁵⁴ Samier and Elkaleh, "Towards a Model of Muslim Women's Management Empowerment: Philosophical and Historical Evidence and Critical Approaches." *Administrative Sciences* 11, no. 2 (2021). <https://doi.org/10.3390/ADMSCI11020047>.

⁵⁵ Toseef Azid, "Appraisal of the Status on Research on Labor Economics in the Islamic Framework," in 7th International Conference on Islamic Economics (Jeddah, Saudi Arabia: King Abdulaziz University, Islamic Economics Institute, 2008), 183–98.

⁵⁶ K and Ghalia, "Islāmic Guidelines for Women to Work and Hold." *International Journal of Science and Research (IJSR)* 6, no. 14 (2015): 1311.

⁵⁷ Chapra, M Umer. "The Islamic Vision of Development in the Light of Maqāsid Al-Sharī'Ah." Jeddah, Saudi Arabia, 2009.

⁵⁸ Azid, "Appraisal of the Status on Research on Labor Economics in the Islamic Framework." In 7th International Conference on Islamic Economics, 183–98. Jeddah, Saudi Arabia: King Abdulaziz University, Islamic Economics Institute, 2008.

Women work in the Qur'an

The Qur'an talks about women in various surah, and concerns various aspects of life. Starting from verses that talk about their rights and obligations, to those that describe the privileges of woman figures in the history of religion and humanity.

As stated in Surah An-Nisa:9, the Qur'an does not specify in terms of practical theoretical economic concepts, but always encourages its people to prosper in the economic field, including women.

"Should be afraid of those who should (die) leave after them, weak offspring (who) they are worried about. So, fear Allah and speak with the right words (in terms of protecting the rights of their offspring)."

Furthermore, in the Qur'an, there is a theme of economic activity as many as twenty kinds of terminology, which are repeated 370 times⁵⁹. This shows a manifestation of the existence of a strong economic and welfare spirit in the Qur'an.

Thus, every Muslim as an individual including women has the same responsibility to form and produce productive work⁶⁰. This kind of responsibility does not only have a human dimension, but also a divine dimension, meaning that in being responsible for all production activities (including work) humans are required to be responsible in front of fellow humans, and before God when in the hereafter.⁶¹

Therefore, Allah loves Muslims who work hard for their lives⁶². Allah confirms in QS. Al-Jumu'ah: 10 related to work orders, as well as the principle of work which lies in its contribution to the convenience of others who receive services or energy.

"When the (Friday) prayer has been performed, scatter you on the earth, seek Allah's bounty, and remember Allah as much as possible so that you may be lucky."

The verse above implies a recommendation to respect equality regardless of property ownership, type of work. The attitude of condescending others because they view their work is highly opposed in Islam.

In surah Al-Isra: 70, Allah has bestowed glory on all mankind on this earth regardless of gender, race, and ethnicity. This means that in the Qur'an women have the same position as men in terms of taking opportunities to do business (ahliyah) and control over assets (tasaruf)

Women in the Qur'an are not prohibited from working. Women are allowed to take their rights to work and choose jobs as long as they can protect themselves from conditions that can cause slander, maintain the honor, maintain decency, and do not bring harm to themselves, their families and society⁶³. In addition, working women must continue to

⁵⁹ This calculation is as quoted by Mustaq Ahmad from CC's dissertation. Torrey, The Commercial-Theological Terms in the Newspaper.

⁶⁰ Sidani, Yusuf. "Women, Work, and Islam in Arab Societies." *Women in Management Review* 20, no. 7 (2005): 498–512. <https://doi.org/10.1108/09649420510624738>.

⁶¹ Offenhauer, "Women in Islamic Societies: A Selected Review of Social Scientific Literature." In *Women in Islamic Societies: A Literature Review of Social Science Scholarship*, 1–119. Washington, D.C.: Federal Research Division Library of Congress, 2005.

⁶² Amiroh Ambarwati, "Tenaga Kerja Wanita Dalam Perspektif Islam," *MUWÁZÁH* 1, no. 2 (2009): 101–8.

⁶³ Azeem, Ramzan, and Akbar, "Is Women Employment Blessing or Otherwise? A Price Worth Paying: An Islamic Perspective." *International Journal of Business and Sosial Science* 4, no. 2 (2013): 226–33.

prioritize their families as their main responsibility (Hassan, 1994). Working women have full authority over the income they earn⁶⁴.

As narrated in the Qur'an surah Al-Qasas verse 23, it is a clear indication that women are generally allowed to work. Moreover, the wife of the Prophet, Khadijah (RA) was a successful businessman. Khadijah (RA) used her wealth for the cause of Allah and used all of it for da'wah.

"When he arrived at the water source of Madyan's country, he found there a group of people who were giving water (the cattle) and he found behind them there were two women who were pushing (the cattle from the water source). He (Moses) said, "What do you mean (to do so)?" The two (women) replied, "We cannot give water (our cattle) before the shepherds return (the cattle), while our fathers are elderly parents." (Surah Al-Qasas: 23)

Women and men in work get the same reward if the work is done based on faith. As explained in Surah An-Nahl Verse 97:

"Whoever does good, whether male or female, while he is a believer, indeed, We will certainly give him a good life and We will reward him with a better reward than what they always did"

Furthermore, Allah SWT said QS. at-Taubah: 105:

"Work! Then Allah, His messenger, and the believers will see your work. You will be returned to (Substance) who knows the unseen and the real. Then He will tell you what you have been doing."

The verse describes that human men and women at work must be guided by the values of goodness to get a guarantee of a good life (in the afterlife)⁶⁵.

Women who work based on faith will give birth to piety which is manifested in wise, nurturing, tolerant, honest, and responsible attitudes in every job⁶⁶. all of this is done so that when working, it must always begin with the intention of worship, sincerely hoping for the pleasure and blessings of Allah Ta'ala.

The equality of women and men is also reflected in the types of work that are forbidden for men and also forbidden for women. Allah has also established moral and social rules to achieve this benefit. Therefore, both women and men doing their work must comply with these rules. Some of these moral and social rules include; maintaining decency, having noble character, maintaining self-respect, working based on professionalism, working according to nature, maintaining family goals⁶⁷.

Women who Work in the Perspective of Al-Hadith

Hadith (collectively known as Sunnah or Hadith) are the words, deeds, decrees and approvals of the Prophet Muhammad that form the basis of Islamic law. Hadith is used as a source of Islamic law other than the Qur'an, in this case, the position of Hadith is the second source of law after the Qur'an⁶⁸.

⁶⁴ Ahmad, Nadzrah, Mohd. Haeqal Ishak, and Mohammed Farid Ali al-Fijawi. "Women's Rights in the Qur'an, Sunnah and Heritage of Islam." *Journal of Islam in Asia* 17, no. 3 (2020): 321–31. <https://doi.org/10.31436/jia.v17i3.1004>.

⁶⁵ Julie Elisabeth Pruzan-jørgensen, DIIS REPORT: Islamic Women's Activism in the Arab World, 2012.

⁶⁶ Sloane-White, "Working in the Islamic Economy: Sharia-Ization and the Malaysian Workplace." *Sojourn: N: Journal of Social Issues in Southeast Asia* 33, no. S (2018): S264–95. <https://doi.org/10.1355/sj33-Sj>.

⁶⁷ Wilson, "Economic Empowerment of Women in the Islamic World Theory and Practice." *Advances in Research on Islamic Economics and Finance* 1 (2020): 41.

⁶⁸ Khairul Nizam bin Zainal Badri, "Hadith Scholars Personality Development Review : Relevance In The Development of Psychological Behavior," *Dinamika* 13, no. 2 (2021): 83–88.

One of the important discussions in the hadith perspective is related to the position and role of women. Because along with the times, women have a dual role, namely as housewives and workers. The form of work that women can accomplish does not have certain benchmarks⁶⁹.

The work and activities carried out by women during the time of the Prophet Muhammad were quite diverse⁷⁰, such as being directly involved in wars, working hand in hand with men, some working as bridal make-up, midwives, and government administration. Even women had a very important role in the early days of Islam. One of them is Khadijah (RA), the first wife of the Prophet Muhammad is a successful businessman. Khadijah is one of the profiles of strong female workers, having a high work ethic, and reliable managerial abilities. Khadijah came out of the boundaries of the customs and culture of ignorance⁷¹. Khadijah (RA) used her wealth for the cause of Allah and used all of it for da'wah. Even in many worship activities of the Prophet Muhammad, Khadijah must be with him and help him, such as providing water to take ablution. Muhammad mentioned Khadijah's most important features in one of his sayings:

"When everyone chased and shunned me, he believed in me. When everyone denied me, he believed in my honesty. When everyone left me, he gave all his wealth to me." (HR. Ahmad, 6:117.)

Khadijah RA is a type of woman who is full of initiative, both in public and private life (Mernissi, 1994), this is enshrined in the words of the Prophet.

Abdullah bin Ja'far said: I heard Ali karramallahu wajhah said, I heard the Messenger of Allah (SAW) said that the best women are Maryam, the son of Imran and Khadijah RA (Bukhari).

Another example is Siti Aisyah, the wife of the Prophet had played an important role in the world of politics and the military. When the Prophet was still alive, he often went out of Medina in various war operations. And after the death of Rasulullah SAW, Aisyah was a teacher of friends who were able to provide explanations and information about Islamic teachings. She was also considered to challenge many hadiths that demean the role of women.

Other names are such as Umm Salim bint Malhan who made up Shafiyah bin Huyay the wife of the Prophet Muhammad SAW. There are also nurses or midwives, and so on. The wife of the Prophet SAW, Zainab bint Jahsy, also actively worked as a tanner for animal skins, and she gave alms. Raithah, the wife of the Prophet Abdullah ibn Mas'ud's best friend, was very active in work because her husband and child at that time were unable to provide for her family's life. Al-Syifa', a woman who was good at writing, was assigned by Caliph Umar RA as an officer in charge of the market in Medina.

Many examples of women that occurred during the time of the Prophet Muhammad who participated in various fields of business and work. Rasulullah SAW gave a lot of attention and direction to women to make the best use of their time and fill it with useful jobs.

In this regard, among other things, he said:

The best "game" for a Muslim woman in her house is spinning/weaving. (Hadith narrated by Abu Nu'aim from Abdullah bin Rabi' Al-Ansari)

⁶⁹Ahmad, A. "The Status of Women in Islam." *Al-Ltihad* 8, no. 2 (1980). <https://doi.org/10.1057/9780230503311>

⁷⁰ Ahmad, Ishak, and Ali al-Fijawi, "Women's Rights in the Qur'an, Sunnah and Heritage of Islam." *Journal of Islam in Asia* 17, no. 3 (2020): 321–31. <https://doi.org/10.31436/jia.v17i3.1004>.

⁷¹Al-muqbil, Mohammed Muqbil Nasser. "The Legal Purposes Of Women 's Employment." *Psychology and Education* 58, no. 2 (2021): 1658–66. <https://doi.org/https://doi.org/10.17762/pae.v58i2.2321>.

In a hadith narrated by Abdullah bin Mas'ud's wife, Rithah, came to the Messenger of Allah and said:

"O Messenger of Allah, I am a working woman, I sell my work. I'm doing this because I, my husband, and my son won't have many possessions." Then the Messenger of Allah replied: "You will get a reward for what you spend on them."

In another hadith narrated from Abu Mas'ûd al-Ansarî, that the Prophet. said, "If a Muslim provides for his family and he hopes to get a reward from it, then for him the reward is like charity." (Muttafaq 'alayh)

On various occasions, the Prophet Muhammad also said:

"Trying to earn sustenance legally is part of jibad." (Shibab: 304).

This means that it can be understood that working for women and wives is allowed as long as it is seen from the existing benefit elements and adapted to the conditions that occur. Like the wife of the prophet, Khadijah had the opportunity to leave the house to take care of her business. Even though they have had several children since history recorded that Khadijah RA was blessed with several children from the Prophet Muhammad. However, in running her business, Khadijah did not necessarily leave absolutely the main task of the household, namely educating children.

Women Work in the Perspective of the Ulama

Islam wants women to be the rulers of home life the stairs. This opinion is always warm so this is much debated. But in reality, many women now have to work outside the home to provide for their household life. Seeing this reality certainly reduces the value and aspects of the role of women in the household. So that the rights and obligations of a wife obtained by the husband are not fully obtained, especially in matters of birth. In this regard, several opinions have emerged, some allow women to work but not a few who state that women are prohibited from working outside the home, especially without permission.

Diverse opinions regarding whether or not a woman is allowed to work in fiqh began with the letter of al-Ahzab verse 33:

لَا تَبْرُجِ الْجَاهِلِيَّةَ الْأُولَىٰ أَقِمْنَ الصَّلَاةَ آتِينَ الزَّكَاةَ اطَّعْنَ اللَّهَ لَهُ ۗ إِنَّمَا اللَّهُ لِيُذْهِبَ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ ۗ

"Stay (stay) in your houses and do not dress (and behave) like the ignorant people. Establish prayer, pay zakat, and obey Allah and His Messenger. Verily, Allah only intends to remove sins from you, O Ahlulbait, and to cleanse you thoroughly."

Al qurthubi (d. 671 H) argues that Muslim women are generally ordered to stay at home. However, he admits that the relation of this verse is more directed to the wives of the prophet Muhammad SAW, but women other than the wives of the prophet are also included in the order. The same thing was also translated by Ibn Kathir who said that the verse above implies that women are not allowed to leave the house unless there is a need that is justified by religion.

Classical scholars have determined that the role of women is strictly limited at home. The main task of women is to take care of their husbands and children. A wife is not allowed to go outside unless she gets permission from her husband first. The importance of women staying at home is that home is the most suitable place for women or a wife⁷²

According to Binbaz (1985), one of the classical or traditional clerics from Saudi Arabia, a woman's task is to make herself sufficient to stay at home and devote herself to taking care of the family. If a woman is forced to work, she can only work with certain criteria

⁷² Sidani, Yusuf. "Women , Work , and Islam in Arab Societies." *Women in Management Review* 20, no. 7 (2005): 498–512. <https://doi.org/10.1108/09649420510624738>.

that do not violate her feminine nature, such as being a teacher, nurse, accompanied by strict regulations such as wearing a veil when interacting with men.

According to⁷³ one of the modern clerics from Egypt, starting from his anxiety about the condition of women in Saudi Arabia who tend to be less involved in the economic and political sphere. He agrees that women's participation in the economic sphere of "work" must be supported and welcomed. He also argues that wearing a veil that covers the hair "veil" is necessary but does not create an impression that hinders women's work participation. Also, the interaction between men and women on the condition that they maintain norms are expected to be acceptable.

Modern scholars from Egypt states that the advancement of women requires support from the revival of Muslim thought and reform in Islamic jurisprudence. For instance, hijab is as a means of guarding not a tool of oppression for women which in the end hinders women's participation in the public sphere. Therefore, women must be given the freedom to choose their roles in every stage of their life⁷⁴

One modern cleric from Morocco, argues that women can together with men create an atmosphere conducive to the progress and development of mankind in various parts of the world. Therefore, women wherever they are, should always try to be able to develop themselves by increasing education and knowledge, so that they are not left behind in any case including work. Working for women cannot be separated from the natural values that have been outlined by Allah SWT accompanied by the implementation of obligations following syara' guidance as contained in the Holy Qur'an and Al-Hadith⁷⁵.

one of the modern scholars from Indonesia, in the interpretation of Al-Misbah, he criticizes Surah Al-Ahzab verse 33 that (قرن) as the reading of Asim Abu Ja'far comes from the word (اقررن) which means stay and in a safe place. In addition, many scholars read by giving the letter qaf so that it becomes qirna which comes from the word (قارار) qarār which means to be somewhere and the word qirna is comes from the word (وقار) waqār which means honourable. Next to the explanation of the word (وقرن), Shihab discusses the meaning by using the reading method (qirā āt) which is different from the reading method by Imam Nafi', 'Asim and the majority (Jumhūr)⁷⁶. Thus, he interprets women ordained to stay at home properly and women are prohibited from leaving the house except in an emergency.

Working Women in Maqashid al-Shariah perspective

Imam al-Ghazali In his book al-Mustasfâ min 'Ilm al-Usl (1991), argues that maqâshid al-syar'ah or what is called maslahat is a statement of achieving benefits and rejecting harm. Maslahat itself is essentially maintaining the objectives of the Shari'a which is divided into five things, namely: the benefit of religion (hifd al-din), the benefit of the soul (hifz al-nafs), the benefit of reason (hifz al-aql), the benefit of offspring (hifd al-nasl) and the benefit of property (hifz al-mal).

This opinion is followed and perfected by As-Syatibi (W 790) that the urgency of life is the fulfilment of maslahah (jalb al-masalih) of all humans and to save them from danger (daf'u al-mafasid/ dar'u al-mafasid). . As well as explicitly saying that the main purpose of

⁷³ Al-Ghazali, M. "Kadaya Al-Mar'ah – Women's Issues." 1990.

⁷⁴ Mernissi, Fatima. "Women And Islam An Historical And Theological." United States Of America: British Library, 1991.

⁷⁵ Sihab, M Quraish. *Tafsir Al-Misbah Jilid 10 Kesan, Pesan Dan Keserasian Al-Qur'an*. Cetakan ke. Jakarta: Lentera Hati, 2005.

⁷⁶ Mohd Hisyam Abdul Rahim and Zulkifli Mohd Yusoff, "Shihab's Perspective on Working Women Issue: An Analysis in His Book, Tafsir, Al-Misbah," *International Journal of Social Science and Humanity*, 2013, <https://doi.org/10.7763/ijssh.2012.v2.59>.

Allah establishing His laws is to realize the benefits of human life, both in this world and in the hereafter. Therefore, taklif in the field of law must lead to the realization of the legal objectives.

At the economic level, Al-Ghazali (W 505) and As-Syatibi (W790) explained that humans in carrying out economic activities must be able to maintain the objectives of Islamic law (Maqashid al-Syariah). Thus, he indirectly protects the benefit of his family. Supported by theory of⁷⁷, all activities that can be carried out by humans, including work aimed at benefiting in getting Falah, namely to achieve perfection in the hereafter, a situation where the two aspects do not cause conflict.⁷⁸ explained that basically, maqâshid al-syarî'ah contains all that is needed by humans to realize Falah and hayâtan thayyibah within the limits of sharia. Furthermore, in realizing the benefit, it is necessary to measure the maintenance of 5 main elements, namely (Alghazali, w. 505 H/1111 M; As-Syatibi, M. Umer Chapra, 1992); religion (*din*) namely the maintenance and development of faith (dîn). As a consequence, women in work must have a balance between material and spiritual encouragement, increase family and social solidarity, maintain morality⁷⁹

Soul (*nafs*) is related to the maintenance and development of the human soul to ensure the survival of the soul and its welfare to carry out its role as caliph effectively. Women at work must protect themselves and avoid hazardous work. For example, the threat of violence, crime and murder, the production of drugs and food that endanger human health, exploitation of natural resources that damage the ecology and endanger human life and others⁸⁰.

Intellect (*'aql*) is a characteristic that distinguishes every human being and needs to be developed continuously to improve personal and community welfare. Women work based on economic rationality and use knowledge as capital. Islamic economic rationality is based on the principle of justice which contains elements of equality, equity and a balance of economic benefits⁸¹.

Descendants (*nasl*), related to the maintenance of offspring (children) to ensure the continuity of the child's life to have a high quality, both spiritually, physically and mentally. For the maintenance and development of heredity elements (*nasl*), working women must be able to maintain the marriage and family integrity, ensure adequate nutrition for children, fulfil life needs, ensure the availability of economic resources for present and future generations, clean and healthy environment free from conflict, and guarantee the safety of the bereaved family. Wealth (*mâl*) relates to some of the consequences of the protection and development of the property. Women work to protect property as a means to meet the needs of life and expand freedom in consumption.

Conclusion and Suggestion

This study provides a response to the issue of women working in an Islamic perspective which is classified based on the Qur'an, Hadith, Islamic economics, Maqashid al-Syariah. Various issues related to women are important issues in various levels of society. Issues related to women are constructions of the socio-cultural system in which they live. So,

⁷⁷ Siddiqi, Muhammad Najatullah. "An Islamic Approach to Economic." In *Islam: Source and Purpose of Knowledge*, Ed. Ed. IIT. Washington DC: International Institute of Islamic Thought, 1988.

⁷⁸ Chapra, M. Umer. "Is It Necessary to Have Islamic Economics?" *Journal of Socio-Economics* 29, no. 1 (2000): 21–37. [https://doi.org/10.1016/S1053-5357\(00\)00051-2](https://doi.org/10.1016/S1053-5357(00)00051-2).

⁷⁹ Young et al. (2019)

⁸⁰ Husni et al., "Family Problems - Wife's Work - And Its Solution in the Light of Maqasid Shariah." *Asian Social Science* 11, no. 18 (2015): 164–73. <https://doi.org/10.5539/ass.v11n18p164>.

⁸¹ Chapra, "The Islamic Vision of Development in the Light of Maqâsid Al-Sharî'Ah." Jeddah, Saudi Arabia, 2009.

various reasons were put forward to justify it. This phenomenon of course raises debate, including among Muslims. The literature study used and discussed in detail in this study guides women who work outside the home. That Islam upholds the value of equality. So, there is no prohibition for women to work outside the home. It's just that the law limits it. In connection with this research, there are some limitations, especially in exploring the verses of the Qur'an and their interpretations. Also, this contains the lack of delivery of hadith. Thus, further research is expected to deepen the interpretation of the Qur'an and hadith.

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