

Gender construction in the classical fiqh book *Masāil al-Nisā'*: Analysis from Judith Butler's perspective

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Article information	Abstract
Submitted: 2025-03-14 Revised: 2025-06-09 Published: 2025-12-28	A major issue in classical fiqh is gender representation, where women are often positioned subordinate to men. <i>Masāilun al-Nisā'</i> constructs female identities and domestic roles through the repetition of socio-religious norms. This study examines these performative mechanisms using Judith Butler's framework to reveal both explicit and implicit gender biases. Employing a descriptive qualitative-interpretative approach, thematic analysis, and Butler's gender performativity theory, the research analyzes primary texts and supporting literature to uncover constructions of women's roles, identities, and subordination in domestic contexts. Findings indicate that <i>Masāilun al-Nisā'</i> constructs female gender identities normatively and performatively within the Javanese context. While affirming moral-spiritual equality, the text prioritizes domestic roles. Butler's perspective emphasizes that gender hierarchies are socially and religiously constructed, producing female identities recognized through piety, obedience, and domesticity, while reproducing patriarchal structures. These findings expand understanding of gender performativity in local fiqh texts, highlighting the interaction between religion and social construction. Practically, the study informs gender-sensitive religious curricula, revision of classical interpretations, and women's empowerment in education, economic participation, and public engagement.

Keywords:
Gender, Judith Butler, *Masāilun al-Nisā'*, Performatif, Woman.



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INTRODUCTION

One of the important issues in classical fiqh studies is the presence of gender-biased representations, in which women are often positioned in a subordinate status compared to men. Fiqh functions as a primary foundation for Muslims in practicing religious teachings, especially for communities that do not have direct access to sources such as the Qur'an and Hadith (Yani et al., 2022). As a product of scholars' *ijtihad*, fiqh serves as a bridge between religious texts and the social realities of the Muslim community (Suyadi et al., 2020). Fiqh rulings are subsequently disseminated through classical texts written in Arabic or *pegon* to facilitate public understanding, particularly within pesantren environments (Prayogi et al., 2025). However, some classical fiqh texts contain perspectives that position women unequally (Gouda & Potrafke, 2016), despite the fundamental Islamic principles that uphold women's dignity and justice (Marvi et al., 2025; Tadros & Shutt, 2024). Therefore, the unequal gender representations found in classical fiqh texts need to be critically examined, considering that these works are often treated as normative references in determining women's roles and positions within both the family and society (Abou El Fadl, 2017).

Research on women's fiqh in Islam has been widely conducted, particularly regarding the construction of women's roles and positions in the reference books of pesantren. Jufri & Jupri (2019) compared Uqudullujain and Yusuf Qardhawi's *Fiqh al-Nisa* concerning working wives and found differing views on the obligation of a wife to obtain her husband's permission. Abdurrohim & Ali (2019) revealed gender bias in Taqrib, especially concerning the restriction of women's roles in marriage and judiciary matters. Gojali et al. (2020) showed that many pesantren still uphold conservative views about women. Moreover, Zali et al. (2024) emphasized the importance of communication, cooperation, and mutual consultation between husband and wife to achieve household harmony. Mayyadah (2021) identified three scholarly approaches (*manhaj*) in women's fiqh: *tasyaddud*, *tafrit/tahallul*, and *wasathiyah*, with legal reasoning based on textual analysis, *maqasid*, social realities, and the psychological aspects of women. Widjaja (2023) highlighted that the struggle for women's rights in Southeast Asia continues within the framework of Islamic law. These findings underscore the importance of gender-critical reading of classical texts.

Although many studies have examined gender bias in various fiqh texts, specific research on *Masā'ilun al-Nisā'*, which explicitly focuses on women, remains very limited (Ahmad et al., 2024). This book is particularly relevant because it discusses women's issues from adolescence to marital relations and contains socio-religious norms that have the potential to perpetuate gender inequality within the family (Njuki et al., 2022; Marlina et al., 2025). Therefore, this study employs Judith Butler's theory of performative gender construction as an analytical framework to examine how religious norms in the text shape and reproduce the subordination of women through the repetition of normative discourse (Sumadi & Nurteti, 2024). This approach enables a critical analysis of the influence of the text on women's identities, roles, and positions within family structures (Abou El Fadl, 2017).

This study aims to critically examine how *Masā'ilun al-Nisā'* constructs women's identities and roles through its religious narratives, as well as how the repeated norms within the text function to reproduce women's subordinate positions within the family. By employing Judith Butler's theory of gender performativity, this research seeks to explain the mechanisms through which the repetition of socio-religious norms limits women's roles and identities, while also uncovering both explicit and implicit gender bias embedded in the text. Theoretically, this study contributes to the development of gender studies within Islamic scholarship, particularly in the critical reading of classical texts. Practically, the findings are expected to open space for more gender just and responsive interpretations, serving as a

reference for developing a more egalitarian understanding of women's fiqh within the family and society.

This study concludes that *Masā'ilun al-Nisā'* shapes women's identities and roles through religious narratives that normatively affirm women's subordinate position within the family. The repetition of social and religious norms in the text functions as a performative mechanism that reproduces gender constructions, as explained through Judith Butler's theoretical framework. The findings indicate that norms related to obedience, restrictions on women's roles in the domestic sphere, and the regulation of husband wife relations appear repeatedly, thereby reinforcing particular social positions for women. Based on these findings, this study formulates key questions: how *Masā'ilun al-Nisā'* constructs women's identities and roles through its religious narratives; how Butler's theory of gender performativity explains the reproduction of subordinate roles; and which norms are repeatedly articulated and what their impacts are on the construction of women's gender roles within the family.

METHOD

Research Approach

This study employs a qualitative descriptive interpretative approach with a primary focus on the analysis of *Masā'ilun al-Nisā'*. This approach is chosen to explore the construction of meaning within the text in a deep and critical manner, as emphasized by Ahmed et al. (2025), who highlight the importance of contextual understanding in qualitative analysis. The study is directed toward rereading women's gender roles and identities within the domestic sphere of the family, paying close attention to the interaction between language, religious norms, and social practices. This approach is consistent with Judith Butler's theory of gender performativity (1988), which asserts that gender is not an essential or innate identity, but is formed through social practices reproduced through language, actions, and cultural norms. This perspective is further supported by McKinlay (2010) as well as Jenkins and Finneman (2017), who demonstrate that gender identity is shaped through social interaction and the repetition of norms, thereby producing particular social positions. Accordingly, this approach enables a critical analysis of how religious texts contribute to the construction of gender within family life.

Data Sources and Analysis Units

The primary data of this study are derived from *Masā'ilun al-Nisā'*, particularly the chapters and sections that discuss domestic law, women's roles, and husband-wife relations. The selection of these units of analysis is based on their relevance to the research focus on gender construction. In addition, secondary literature is employed as supporting data to ensure the validity of the interpretation and to provide a comparative perspective. By determining specific units of analysis, this study is able to more precisely identify how women's gender roles and identities are framed through religious discourse.

Data Collection Techniques

Data collection was conducted through an in-depth literature review of *Masā'ilun al-Nisā'* as the primary source. The reading was carried out both textually and contextually, with the aim of identifying textual sections that construct representations of women's roles, whether implicitly or explicitly (Bingham, 2023). This study also takes into account the historical and social context of the text, including its temporal background, cultural setting, and prevailing social norms at the time of its composition, in order to ensure a more accurate and context-sensitive interpretation. This approach enables the researcher not only

to read the text literally, but also to uncover the underlying meanings embedded in the norms and social practices represented in the book.

Data Analysis

The data were analyzed using thematic analysis (Ayre & McCaffery, 2022). The analytical process began with textual coding, involving close and in-depth reading of the text and assigning labels to significant segments related to gender representation (Assarroudi et al., 2018). These codes were then grouped into broader categories or themes to identify patterns and structures of meaning (Green et al., 2007). Critical analysis was subsequently conducted using Judith Butler's theory of gender performativity to interpret how gender norms are formed and reproduced through religious discourse. For example, the phrase "the wife is obliged to obey" was analyzed as a performative act that reinforces women's subordination within domestic practices. To ensure the validity of the findings, this study employed triangulation through secondary literature, peer review, and an audit trail, thereby enhancing the credibility and trustworthiness of the data interpretation.

Research Procedures

The research procedure was conducted systematically. The initial stage involved identifying relevant chapters or themes in *Masāilun al-Nisā'*. Subsequently, significant textual segments were coded using thematic analysis. These codes were then grouped into major themes related to the construction of gender roles. The next stage consisted of critical analysis by applying the theory of gender performativity to uncover the performative processes underlying representations of women. The final stage involved drawing conclusions regarding how the text reproduces and normalizes gender norms within the institution of the family. This systematic procedure ensures that the research is conducted in a clear manner and that its findings are academically accountable.

Ethical Considerations

This study takes into account the sensitivity of religious texts by maintaining respect for the values embodied in the book, preserving interpretive neutrality, and avoiding interpretations that marginalize any party. The researcher seeks to interpret the text objectively without altering its original context, while ensuring that discussions of women's gender roles are presented critically yet remain respectful of religious traditions.

RESULTS AND DISCUSSION

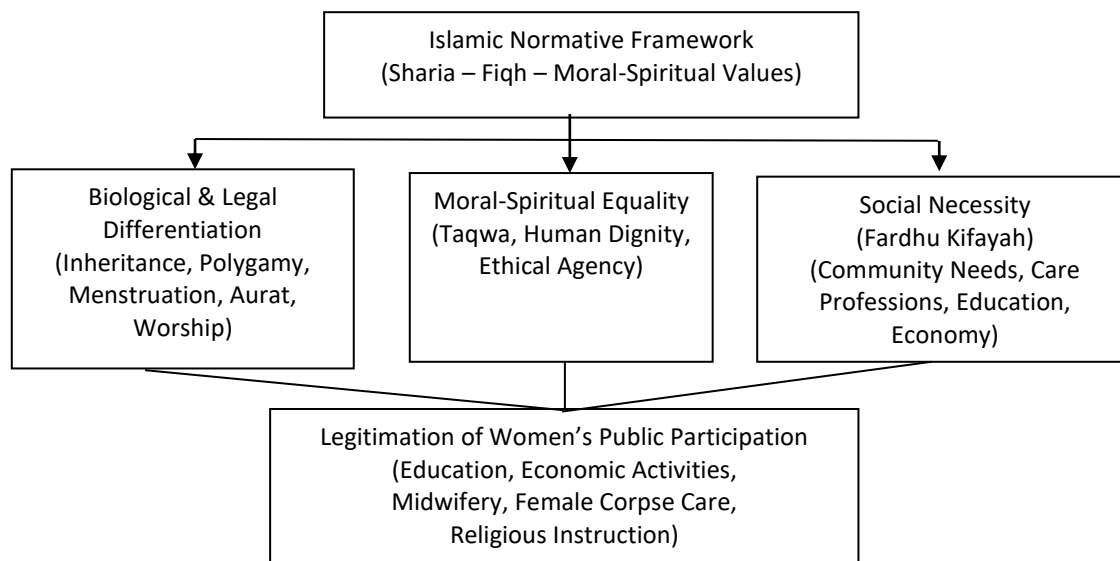
Results

Normative construction of women's roles in *Masāilun al-Nisā'*

The findings of this study indicate that *Masāilun al-Nisā'* by Misbah bin Zainul Mustofa represents a distinctive pattern of Javanese pesantren Islamic thought that is responsive to women's issues while simultaneously transcending the patriarchal cultural boundaries of its time. The book functions not only as a text of women's fiqh, but also as a medium for transmitting contextualized Islamic normative values, with the use of Javanese *Pegon* serving as an inclusive pedagogical strategy.

Substantively, *Masāilun al-Nisā'* presents a dialectic between the moral spiritual equality of women and men and the biological and legal distinctions acknowledged within Islamic law. A key finding of this study lies in how the text legitimizes women's public roles particularly in education, economic activities, and caregiving professions on the basis of social necessity (*maṣlaḥah*) and the concept of *farḍ kifāyah*. This approach can be considered progressive within the cultural context of Javanese society in the 1980s.

Figure 1
Conceptual Framework of Women's Roles in Masāilun al-Nisa



The findings indicate that *Masāilun al-Nisā'* consistently affirms the moral spiritual equality of women and men as its primary normative foundation. This equality is constructed through classical Islamic concepts such as *taqwā*, *amānah*, and individual moral responsibility, rather than through the framework of modern feminism. Through this approach, women are positioned as autonomous ethical and religious subjects, possessing full capacity for moral decision-making and religious practice, while rejecting the reduction of women to merely passive domestic actors.

At the same time, the text acknowledges biological and legal distinctions related to menstruation, postpartum bleeding, religious obligations, jihad, inheritance, and polygamy. These distinctions are understood as contextual functions of Islamic law rather than as expressions of a value hierarchy between the sexes. Such distinctions serve to regulate the distribution of roles and responsibilities proportionally, without negating women's social capacities. These findings underscore that differences within Islamic law, as represented in *Masāilun al-Nisā'*, are functional in nature and are not intended to restrict women's participation in the social sphere.

Furthermore, *Masāilun al-Nisā'* explicitly legitimizes women's public roles based on social necessity through the frameworks of *maṣlahah* and *fard kifayah*. Women are viewed not only as permitted, but in certain circumstances as obligated, to be involved in fields such as education, economic activities, and caregiving professions that cannot be performed by men, including bathing deceased women and midwifery practices.

Within the Javanese cultural context, which traditionally restricted women's mobility through practices such as *pingitan*, this line of argumentation functions as a religious counter-discourse that opens ethical and legitimate spaces for women's participation in society. At the same time, it presents a model of pesantren-based Islamic thought that is contextual and relatively progressive.

Dress codes and binary gender production in the book *Masāilun al-Nisā'*

The findings of this study indicate that *Masāilun al-Nisā'* functions not only as a normative fiqh text regulating women's behavior, but also as a discursive mechanism that shapes gender identity. Through the regulation of the body and dress, the text actively reproduces the boundaries of binary gender that are legitimized by religious authority.

By employing Judith Butler's theory of performativity, these findings suggest that gender identity in *Masāilun al-Nisā'* is not understood as an autonomous psychological or biological expression, but rather as the result of regulative practices that are socially and religiously repeated through fiqh and hadith discourse.

Table 1
Thematic Findings on Gender Regulation in Masāilun al-Nisā'

Main Theme	Description of Findings	Normative Basis	Gender Implications
Regulation of Body and Dress	Clothing is positioned as a primary marker of gender identity, requiring a clear distinction between male and female appearance	Hadith prohibiting <i>tashabbuh</i> (cross-gender imitation)	Women's bodies become objects of moral and religious surveillance
Religious Textual Authority	Hadiths are repeatedly cited and interpreted literally to justify dress regulations	Hadith narrated by Aisha and Ibn Abbas	Dress norms are legitimized as absolute religious truths
Reproduction of Binary Gender	Masculinity and femininity are constructed as fixed and opposing categories	Textual fiqh-based interpretation	Binary gender distinctions appear natural and unquestionable
Social Discipline of Women	Deviations from dress norms are labeled as moral and religious violations	Religious authority in pesantren contexts	Restriction of women's autonomy over bodily expression
Gender Performativity	Gender identity is constituted through repetitive, regulated dress practices	Religious norms as regulatory practices	Gender identity emerges as an effect of normative repetition

The analysis of *Masāilun al-Nisā'* demonstrates that dress regulations particularly prohibitions against women wearing clothing resembling men's attire function as performative practices that regulate gender identity. Through explicit hadith on *tasyabbuh*, clothing is framed not as personal choice but as a moral and religious marker. Within Judith Butler's framework, these rules operate as regulatory practices that produce gender identity through repeated enforcement and religious legitimation, shaping how women's bodies and expressions are understood and judged.

Moreover, the text illustrates how religious authority naturalizes binary gender distinctions by portraying gender nonconformity as moral deviance. Gender identity emerges not as an internal or biological essence, but as a social construction produced through fiqh discourse, communal surveillance, and pesantren norms. Dress prohibitions thus function as symbolic power, disciplining women's bodies while reinforcing patriarchal and binary gender systems in Muslim societies.

The domestic role of women in the book *Masāilun al-Nisā'*

The findings of this study indicate that *Masāilun al-Nisā'* constructs an understanding of gender through a framework that naturalizes women's roles, particularly by positioning women within the domestic sphere. Gender is presented as something that appears natural or given, in which differences in roles between men and women are explained as direct consequences of their respective innate natures (*ṭabī'ah*). Within this construction, women are understood to possess inherent characteristics such as meticulousness, gentleness, and patience, which are then used as normative grounds for positioning women as household managers, child educators, and companions to their husbands. This approach demonstrates how fiqh texts do not merely regulate social roles, but also produce meanings of gender through religious legitimation.

Table 2

Naturalization of Women's Domestic Roles in Masā'ilun al-Nisā'

Main Theme	Description of Findings	Normative Basis	Gender Implications
Naturalization of Gender Roles	Women's domestic roles are framed as natural and inherent to their biological identity	Concept of <i>ṭhabī'at</i> (natural disposition)	Domestic labor is perceived as women's primary and proper domain
Moral Construction of Femininity	Women are characterized as meticulous, gentle, and nurturing	Religious–moral discourse	Femininity is associated with care, obedience, and moral responsibility
Centrality of Domestic Sphere	Household management and child-rearing are defined as women's core duties	Fiqh-based normative assumptions	Public roles become secondary or conditional for women
Conditional Public Participation	Women may work or pursue education if necessary and morally safe	Religious permissibility discourse	Women's public roles remain subordinate to domestic obligations
Gender Complementarity	Women are positioned as supporters of husbands and family stability	Complementary gender ideology	Reinforcement of hierarchical but normalized gender relations

The analysis of *Masā'ilun al-Nisā'* shows that women's placement in the domestic sphere is framed not as socially constructed but as a consequence of their natural disposition (*ṭabī'ah*). Traits such as meticulousness and gentleness are depicted as naturally directing women toward household management and child-rearing, normalizing gendered divisions of labor. While the text allows women to pursue work and education, such participation is conditional, subordinate, and justified only when it does not conflict with domestic duties or idealized femininity. Women's engagement in the public sphere is therefore treated as an exception rather than an autonomous right, continually negotiated alongside household obligations. Overall, *Masā'ilun al-Nisā'* integrates religious legitimation with a complementary gender ideology, constructing women as primary moral actors within the family while naturalizing domestic roles as essential to their identity. This framework perpetuates hierarchical gender relations, masking them as natural order and reinforcing gender-based role divisions in Javanese Muslim society.

Naturalization of masculine authority in husband-wife relations in the *Masā'ilun al-Nisā'*

The analysis of *Masā'ilun al-Nisā'* shows that husband wife relations are constructed through a normative fiqh framework that positions men as the primary holders of authority within the household. Male superiority is legitimized through textual interpretations of religious sources, particularly the verse “*wa li al-rijālī ‘alayhinna darajah*” (Qur'an 2:228), which is understood as a theological basis for male leadership and decision-making rights. This authority is attached to biological sex rather than to individual ethical or rational capacity, thereby presenting gender hierarchy as a natural and religious order.

Although the text employs a discourse of balance between rights and obligations, this balance is asymmetrical. Women's rights and duties are constructed within a framework of service, obedience, and domestic management, while men are positioned as directors and decision-makers. Within this framework, women's obedience to their husbands is understood not merely as a social norm, but also as an indicator of religious piety.

Moreover, *Masā'ilun al-Nisā'* reproduces the ideal female identity through the regulation of domestic practices and women's bodies, such as the obligation to serve one's husband, maintain physical appearance, and adjust religious practices according to the husband's permission. These practices operate as gender performances that are normatively

repeated, thereby linking women's piety to domestic obedience and subordination within a patriarchal family structure.

Table 3

Discursive Construction of Gender Hierarchy in Masāilun al-Nisā'

Theme	Textual Basis	Discursive Function	Gender Implication
Scriptural Authority	Male Interpretation of <i>darajah</i> (Q. 2:228)	Naturalizes male leadership	Legitimizes hierarchical marriage
Asymmetrical Complementarity	"Balanced rights and duties" discourse	Masks inequality as harmony	Normalizes female obedience
Domestic Femininity	Service, beauty, sexual availability	Regulates women's bodies	Defines piety through submission
Conditional Religious Agency	Worship tied to husband's consent	Controls female spirituality	Subordinates women's autonomy

Overall, *Masāilun al-Nisā'* reproduces a patriarchal family model through mechanisms of sacred textual legitimation, the language of complementarity, and the regulation of women's domestic practices. Women's gender identity is constructed as a performance of piety that is bound to obedience to the husband, such that failure to fulfill domestic roles is perceived not only as a social violation but also as a form of religious deviation. These findings underscore that fiqh does not merely regulate family relations, but actively produces and stabilizes gender hierarchies in everyday life.

Discussion

Performativity, fiqh, and the construction of gender in *Masāilun al-Nisā'*

The findings of this study indicate that *Masāilun al-Nisā'* represents a normative and contextual construction of gender. The text affirms the moral spiritual equality of men and women within the framework of Islamic law, while simultaneously establishing biological and legal distinctions that are extended into the regulation of social roles, particularly within the domestic sphere. Women are constructed as religious subjects who are moral and responsible for caregiving and family harmony, based on naturalized assumptions about gentleness and meticulousness (Htun & Weldon, 2015). The equality articulated in the text is therefore conditional, as it continues to operate within role structures determined by fiqh norms and local Javanese cultural values (Shuhufi & Purkon, 2023).

From the perspective of Judith Butler's theory of performativity, the gender construction in *Masāilun al-Nisā'* does not reflect a fixed biological essence, but is formed through discursive practices that are repeatedly enacted and religiously legitimized (McKinlay, 2010; Nussbaumer et al., 2024). Fiqh norms function as regulatory practices that govern how women "ought" to behave, work, and assume roles within both the family and society (Dawood, 2024). Through the repetition of discourse on domestic obedience and the religious legitimation of women's public roles based on *farḍ kifāyah*, women's gender identity is performatively produced and appears as something natural and inevitable (Butler, 1990; Utami et al., 2022). This process aligns with Butler's argument that gender identity does not precede social practice, but is instead generated through the repetition of norms that gain social recognition.

Within the patriarchal socio-cultural context of Javanese society, *Masāilun al-Nisā'* can be read as a negotiated text between Islamic teachings and local cultural realities. Amid practices that restrict women's mobility, such as *pingitan*, the text opens a space for religious legitimation of women's involvement in education and economic activities, particularly when required by social necessity (Iqbal et al., 2022). However, this flexibility

remains situated within a hegemonic binary gender framework, meaning that women's public roles do not fully dismantle existing hierarchical structures. Thus, *Masā'ilun al-Nisā'* functions not only as a women's fiqh text, but also as an instrument for the production of gender identity that is regulated through religious norms and performatively reproduced within Javanese Muslim society (Sangidu et al., 2024).

Regulating gender through religious discourse, dress codes, and female piety

The results of the analysis indicate that *Masā'ilun al-Nisā'* functions not only as a normative fiqh text, but also as a discursive mechanism that produces and reproduces women's gender identity through the regulation of dress. The prohibition against women wearing clothing that resembles men's attire, and vice versa, operates as a performative practice that repeatedly and normatively affirms the boundaries of binary gender (Jager, 2025). Within Butler's theory of performativity, such dress regulations do not reflect a natural gender essence, but rather constitute gender identity through the repetition of acts that are religiously legitimized (Butler, 1988; Butler, 1990). Consequently, clothing is positioned not merely as a moral issue, but as a symbolic instrument that constructs women's piety through compliance with prescribed norms of femininity.

Conceptually, the relationships among the elements in these findings reveal both direct and mediating mechanisms. Textually interpreted hadith discourse functions as a structural variable that directly shapes dress norms, while religious authority and social institutions such as pesantren act as mediators that ensure the reproduction of these norms through bodily surveillance and discipline. This process is further moderated by a patriarchal cultural context that links women's piety to physical appearance and symbolic obedience (Leiliyanti et al., 2022). From Butler's perspective, it is precisely these socially sanctioned and repeatedly enacted dress practices that produce the illusion of gender as something stable and natural, whereas in reality it is an effect of regulatory practices that are continuously reiterated (Adrian, 2015).

These findings both reinforce and extend previous studies on gender bias in fiqh texts and Islamic religious traditions that tend to normalize women's subordination through symbols of piety (Sumadi, 2018; Sangidu et al., 2024). The novelty of this study lies in its reading of *Masā'ilun al-Nisā'* through the lens of gender performativity, demonstrating that dress regulation is not merely a reflection of religious norms, but a form of power practice that socially and culturally constructs gender identity. Within the context of Javanese Muslim society and pesantren traditions, such dress prohibitions intersect with local cultural values that place women within a more tightly regulated moral space than men (Ansor, 2016; Smith-Hefner, 2025). However, in contemporary social realities characterized by women's mobility and practical needs, these rigid gender constructions become problematic, as they overlook the fluid, contextual, and performative nature of gender as emphasized by Butler (1990).

Performativity, domesticity, and religious construction of female gender

The main findings of this study show that *Masā'ilun al-Nisā'* systematically represents gender as something that appears natural, particularly through the positioning of women within the domestic sphere. Women are constructed as possessing innate qualities such as meticulousness, gentleness, and patience, which are then used to legitimize domestic responsibilities, childrearing, and companionship toward husbands (Mustofa, n.d.). Thus, the text does not merely contain fiqh norms, but also functions as a discursive instrument that produces an ideal gender identity. In line with Butler (1990), what is described in the text as

"women's *fiṭrah*" is in fact the result of the repeated enactment of socio-religious norms that are continuously reproduced until they appear natural. In other words, women's domesticity is not a consequence of biological essence, but rather the outcome of a socially performed role institutionalized through religious authority (Chan & Di, 2024).

An analysis of the mechanisms linking the variables reveals both direct and mediating interactions among religious discourse, gendered role division, and the internalization of women's identities. Religious discourse operates directly by framing domestic roles as women's religious obligations, while also functioning mediately through cultural values and social institutions that reinforce the gender-based division between domestic and public spheres (Assyltay, 2024; Sharabi et al., 2025). Within Butler's framework (1988, 1990), this process can be understood as a *stylization of the body*, namely the repetition of actions, gestures, and domestic responsibilities that creates the illusion of a stable and "natural" female identity. These norms simultaneously generate disciplinary mechanisms: women who deviate from domestic roles are positioned as straying from both piety and social norms. Thus, gender regulation in this context operates through the normalization of practices that are repeatedly enacted and religiously legitimized, rather than through explicit coercion.

Within the existing literature, these findings both reinforce and extend studies on gender bias in classical and traditional fiqh texts. In line with Dewi (2016), this study affirms that the construction of women's domesticity in *Masā'ilun al-Nisā'* is closely linked to the ideology of state *ibuism* that was dominant in the 1980s, when women were positioned primarily as mothers and companions to their husbands. The novelty of this research lies in its performative reading of a Javanese fiqh text written in *pegon* script, demonstrating how local religious texts function as media for the production of hegemonic gender identities. In comparison with representations of women in national struggles and political participation (Siswantari et al., 2024), *Masā'ilun al-Nisā'* presents a more subtle legitimation of patriarchy, as it is wrapped in the discourse of piety. Thus, gender in religious texts is not a reflection of biological reality, but rather the product of performative construction shaped by the surrounding social, cultural, and institutional contexts (Leca & Cruz, 2021).

Performativity and gender hierarchy in *Masā'ilun al-Nisā'* household roles

The findings of this study indicate that *Masā'ilun al-Nisā'* does not merely contain family norms, but systematically constructs a hierarchical gender configuration through religious legitimation. Husband wife relations are framed within an unequal structure of authority, in which men are positioned as decision-making subjects while women are assigned comprehensive domestic roles (Cui et al., 2023; Widiastuti et al., 2024). The interpretation of Qur'an 2:228, particularly the phrase *wa li al-rijāli 'alayhinna darajah*, serves as a theological foundation for the naturalization of male superiority within the household. Within this construction, women's obedience is understood not only as a social obligation, but also as an indicator of religious piety (Saefudin et al., 2023). Consequently, female identity is shaped through a series of moral, emotional, and sexual demands that are normatively attached to women. Butler's theory of performativity helps explain that this configuration is not an expression of biological destiny, but rather the result of the repeated enactment of religious discourse and practices that continually affirm particular gender identities as "natural" and "correct" (Butler, 1988).

Furthermore, these findings demonstrate that religious discourse functions as a mediating mechanism between normative texts and everyday gender relations. Religious interpretation does not operate neutrally; instead, it mediates the formation of power relations by defining the boundaries of roles, responsibilities, and authority within the family

(Vermeer, 2014; Abidin, 2020). Male authority operates directly through textual legitimation, while domestic obligations and obedience function as mechanisms of internalization that lead women to accept hierarchical structures as moral normality. However, this dynamic does not occur within a static social context. Contemporary social changes particularly the increasing participation of women in the public sphere introduce moderating factors that begin to destabilize traditional gender performances (Aulia et al., 2024; Bellani & Hidalgo-Hidalgo, 2025). Nevertheless, the findings show that such shifts often result in a double burden, as domestic roles continue to be attached to women as standards of piety, both socially and religiously (Howes et al., 2024; Kidd et al., 2025).

In relation to previous scholarship, this study confirms that gender perspectives in *Masā'ilun al-Nisā'* are consistent with the mainstream of classical fiqh, which positions women in domestic and subordinate roles, as also found in *'Uqūd al-Lujayn*, *Fath al-Mu'in*, and *al-Majmū'* (Rohmah & Malik, 2022). However, the principal contribution of this research lies in its critical reading through the lens of gender performativity, which reveals that such hierarchies are historical and discursive rather than natural or innate. In the contemporary Indonesian context, this patriarchal discursive legacy continues to be reproduced through religious sermons, social media, and Islamic educational institutions, thereby extending its influence within everyday husband wife relations (Rosyid, 2020). Therefore, an analysis of *Masā'ilun al-Nisā'* is important not only for understanding gender constructions in classical Islamic literature, but also for opening space for religious reinterpretations that are more responsive to principles of gender justice and the realities of modern family life (Langaji et al., 2024; Fakhyadi et al., 2025).

The findings also expand the application of gender performativity theory (Butler, 1988, 1990) within the context of local fiqh texts, demonstrating that gender identity is not essential but is formed through the repetition of religious and social norms. By integrating perspectives from fiqh, local culture, and domestic practices, this study highlights how hierarchical gender relations are produced through the interaction between religious discourse and social construction in shaping women's identities. Practically, these results support the development of religious education curricula and gender literacy programs that are sensitive to local norms, including in pesantren. They also recommend revisiting interpretations of classical texts to support women's public participation, egalitarian approaches to dress codes, and women's empowerment in economic and educational spheres without undermining religious values.

This study has limitations, as it analyzes *Masā'ilun al-Nisā'* only within the Javanese socio-cultural context; therefore, generalization to other Muslim communities requires further investigation involving additional texts and cases. Future research is encouraged to examine the implementation of gender norms in everyday life, including women's roles in both domestic and public spheres. Comparative studies of women-focused fiqh texts across different regions could offer cross-cultural insights. Moreover, future research may explore the influence of digital media and contemporary social practices on the construction and performativity of women's gender identities in order to better understand shifts in religious and social norms.

CONCLUSION

This study concludes that *Masā'ilun al-Nisā'* systematically constructs female gender identities through normative and performative mechanisms within the Javanese socio-cultural context. Although it affirms moral-spiritual equality, the text prioritizes domestic roles, positioning women as child caregivers, household managers, and maintainers of family

harmony. Through the repetition of religious discourse, dress codes, and ritual practices, gender norms are naturalized, making hierarchies appear inevitable. Judith Butler's performativity perspective shows that these norms are not biologically essential but are shaped through social and religious practices, reinforced by institutional and cultural authority. While limited public participation offers some flexibility, patriarchal structures remain dominant, producing socially recognized female identities through piety, obedience, and domesticity. Thus, Masāilun al-Nisā' functions as a classical fiqh instrument that legitimizes and reproduces hierarchical gender relations in contemporary Javanese Muslim society.

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AUTHOR CONTRIBUTION STATEMENT

Fina Mazida Husna: Conceptualization; Data Curation; Formal Analysis; Methodology; Writing Original Draft. **Indar Wahyuni:** Formal Analysis; Resources; Writing Original Draft. **Mowafg Masuwd:** Formal Analysis; Visualization; Writing Review & Editing.

REFERENCE

- Abdurrohim, N., & Ali, H. (2019). Kontekstualisasi kedudukan dan peran perempuan dalam kitab taqrib. *Jurnal Perspektif*, 3(1), 57–74. <https://doi.org/10.15575/jp.v3i1.35>
- Abidin, K. (2020). Interpretation of Family Members' Involvement in Religious Groups. *Society*, 8(2), 695–706. <https://doi.org/10.33019/society.v8i2.178>
- Abou El Fadl, K. (2017). Qur'anic ethics and Islamic law. *Journal of Islamic Ethics*, 1(1–2), 7–28. <https://doi.org/10.1163/24685542-12340002>
- Adrian, S. W. (2015). Psychological IVF: Conceptualizing emotional choreography in a fertility clinic. *Distinktion: Scandinavian Journal of Social Theory*, 16(3), 302–317. <https://doi.org/10.1080/1600910X.2015.1091780>
- Ahmad, N., Zamri, Z., & Omarali, N. (2024). Islamic nations' approaches to combating gender discrimination against women: An examination of the Southeast Asia region. *De Jure: Jurnal Hukum dan Syar'iah*, 16(2), 501–530. <https://doi.org/10.18860/j-fsh.v16i2.29965>
- Ahmed, S. K., Mohammed, R. A., Nashwan, A. J., Ibrahim, R. H., Abdalla, A. Q., Ameen, B. M. M., & Khahir, R. M. (2025). Using thematic analysis in qualitative research. *Journal of Medicine, Surgery, and Public Health*, 6, 100198. <https://doi.org/10.1016/j.glmedi.2025.100198>
- Ansor, M. (2016). Post-Islamism and the remaking of islamic public sphere in post-reform Indonesia. *Studia Islamika*, 23(3), 471–515. <https://doi.org/10.15408/sdi.v23i3.2412>
- Aryawati, N. P. A., Triuwono, I., Roekhudin, R., & Mardiaty, E. (2024). Bibliometric analysis on Scopus database related internal control in university: A mapping landscape. *Cogent Business & Management*, 11(1). <https://doi.org/10.1080/23311975.2024.2422566>

- Assarroudi, A., Heshmati Nabavi, F., Armat, M. R., Ebadi, A., & Vaismoradi, M. (2018). Directed qualitative content analysis: The description and elaboration of its underpinning methods and data analysis process. *Journal of Research in Nursing*, 23(1), 42–55. <https://doi.org/10.1177/1744987117741667>
- Assyltay, T. (2024). Discourse analysis of religious authority and gender norms in Kazakh social media: Rizabek Battauly's patriarchal views. *International Journal of Religion*, 5(11), 4540–4549. <https://doi.org/10.61707/3hrq2e56>
- Aulia, S. S., Marzuki, S., Suyato, & Arpanudin, I. (2024). Women in gender equality movement: A systematic literature review. *Frontiers in Sociology*, 9, 1432383. <https://doi.org/10.3389/fsoc.2024.1432383>
- Ayre, J., & McCaffery, K. J. (2022). Research note: Thematic analysis in qualitative research. *Journal of Physiotherapy*, 68(1), 76–79. <https://doi.org/10.1016/j.jphys.2021.11.002>
- Bahroni. (2022). Gender dalam perspektif kitab kuning dan fiqih Islam klasik. *Al-Gharra: Jurnal Hukum Keluarga Islam*, 1, 62–75.
- Bellani, L., & Hidalgo-Hidalgo, M. (2025). Bridging the gender gap: Women's education and political representation. *Economics of Education Review*, 104, 102605. <https://doi.org/10.1016/j.econedurev.2024.102605>
- Bengtsson, M. (2016). How to plan and perform a qualitative study using content analysis. *NursingPlus Open*, 2, 8–14. <https://doi.org/10.1016/j.npls.2016.01.001>
- Bingham, A. J. (2023). From data management to actionable findings: A five-phase process of qualitative data analysis. *International Journal of Qualitative Methods*, 22. <https://doi.org/10.1177/16094069231183620>
- Butler, J. (1988). Performative acts and gender constitution: An essay in phenomenology and feminist theory. *Theatre Journal*, 40(4), 519–531. <https://doi.org/10.2307/3207893>
- Butler, J. (1990). *Gender trouble: Feminism and the subversion of identity*. Routledge. https://selforganizedseminar.wordpress.com/wp-content/uploads/2011/07/butler-gender_trouble.pdf
- Butler, J. (2011). *Bodies That Matter: On the Discursive Limits of Sex* (1st ed.). Routledge. <https://doi.org/10.4324/9780203828274>
- Chan, E., & Di, D. (2024). Faithfully gendered? How religious attendance shapes views of women's leadership in politics and business cross-nationally. *Socius: Sociological Research for a Dynamic World*, 10. <https://doi.org/10.1177/23780231241286377>
- Cui, C., Yu, S., & Huang, Y. (2023). His house, her house? Gender inequality and homeownership among married couples in urban China. *Cities*, 134, 104187. <https://doi.org/10.1016/j.cities.2022.104187>
- Dawood, S. (2024). Islamic Law and Gender Equality: Challenges and Reforms in Sri Lanka's Muslim Marriage and Divorce Act. *Journal of Islamic Law*, 5(2), 288–305. <https://doi.org/10.24260/jil.v5i2.2833>
- Dewi, K. H. (2016). Demokratisasi dan dekonstruksi ideologi gender orde baru. *Jurnal Penelitian Politik*, 4(1), 59–68. <https://doi.org/10.14203/jpp.v4i1.450>
- Fakhyadi, D., Samsudin, M. A., Dasrianto, V., Danil, M., & Wahyudi, A. A. (2025). Reconstructing Gender Relations for Family Resilience in Minangkabau: Integrating Islamic Law and Customary Law. *Al-Ahkam*, 35(1), 1–30. <https://doi.org/10.21580/ahkam.2025.35.1.22906>

- Gojali, D., Abdurrohim, N., & Ali, H. (2020). The Representation of Women's Role and Position in Taqrib Book: A Discourse Analysis Study. *Mazahib*, 19(1), 135-160. <https://doi.org/10.21093/mj.v19i1.1737>
- Gouda, M., & Potrafke, N. (2016). Gender equality in Muslim-majority countries. *Economic Systems*, 40(4), 683–698. <https://doi.org/10.1016/j.ecosys.2016.04.002>
- Green, J., Willis, K., Hughes, E., Small, R., Welch, N., Gibbs, L., & Daly, J. (2007). Generating best evidence from qualitative research: The role of data analysis. *Australian and New Zealand Journal of Public Health*, 31(6), 545–550. <https://doi.org/10.1111/j.1753-6405.2007.00141.x>
- Hook, G. A. (2016). Judith Butler's gender performativity and recognition. In *Sole parent students and higher education*. Palgrave Macmillan. https://doi.org/10.1057/978-1-137-59887-5_5
- Howes, A., Brokalaki, Z., Sharifonnasabi, Z., & Licsandru, T. C. (2024). Towards an understanding of domestic practice as commodified work. *Journal of Marketing Management*, 40(17–18), 1529–1569. <https://doi.org/10.1080/0267257X.2024.2406940>
- Htun, M., & Weldon, S. L. (2015). Religious power, the state, women's rights, and family law. *Politics & Gender*, 11(3), 451–477. <https://doi.org/10.1017/S1743923X15000239>
- Iqbal, A., Hassan, S., Mahmood, H., & Tanveer, M. (2022). Gender equality, education, economic growth and religious tensions nexus in developing countries: A spatial analysis approach. *Heliyon*, 8(11), e11394. <https://doi.org/10.1016/j.heliyon.2022.e11394>
- Jager, S. (2025). Gender and creativity in fashion practices. *Clothing Cultures*, 10(2), 163–175. https://doi.org/10.1386/cc_00076_1
- Jenkins, J., & Finneman, T. (2017). Gender trouble in the workplace: Applying Judith Butler's theory of performativity to news organizations. *Feminist Media Studies*, 18(2), 157–172. <https://doi.org/10.1080/14680777.2017.1308412>
- Jufri, M., & Jupri, R. (2019). Hak dan kewajiban istri yang berkarier: Studi komparatif antara Kitab 'Uqudullujain dan Kitab Fikih Wanita Yusuf Qardhawi. *Istidlal: Jurnal Ekonomi dan Hukum Islam*, 3, 57–80. <https://doi.org/10.35316/istidlal.v3i1.130>
- Kidd, A. N., Pisegna, M., Smitheram, J., Jahnecke, N., & Harries, T. (2025). Thinking female bodyspace and housing through corporeal feminist theory. *Housing, Theory and Society*, 42(5), 595–612. <https://doi.org/10.1080/14036096.2025.2490238>
- Langaji, A., Hafid, S. A., Bakti, A. F., & Haris, A. G. (2024). Islamic feminists' rejection of the textual understanding of misogynistic hadiths for the advancement of gender justice in Makassar, Indonesia. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 8(1), 196–215. <https://doi.org/10.22373/sjkh.v8i1.19856>
- Le Loarne-Lemaire, S., Bertrand, G., Maalaoui, A., Kraus, S., & Schiavone, F. (2024). Shaping entrepreneurial gender play: Intersubjectivity and performativity among female entrepreneurs. *Scandinavian Journal of Management*, 40(1), 101316. <https://doi.org/10.1016/j.scaman.2023.101316>
- Leca, B., & Cruz, L. B. (2021). Enabling critical performativity: The role of institutional context and critical performative work. *Organization*, 28(6), 903-929. <https://doi.org/10.1177/1350508421995759>

- Leiliyanti, E., Dewi, D., Putri, L., Fariza, F., Saputra, Z., Wiyakintra, A., & Albab, M. (2022). Patriarchal language evaluation of Muslim women's body, sexuality, and domestication discourse on Indonesian male clerics preaching. *Changing Societies & Personalities*, 6(3), 634–654. <https://doi.org/10.15826/csp.2022.6.3.193>
- Marlina, S., Adawiyah, R., Maryani, M., Elvira Zahara, A., & Guswendra, R. (2025). Social injustice: The dilemma of family resilience in early marriage to supporting regenerative development. *Substantive Justice International Journal of Law*, 8(1), 1–8. <https://doi.org/10.56087/substantivejustice.v8i1.293>
- Marvi, N., Mollazadeh, S., Azmoude, E., & Babazadeh, R. (2025). The application of Islamic laws in different dimensions of women's empowerment: A narrative review. *Journal of Midwifery and Reproductive Health*, 13(4), 5000–5011. <https://doi.org/10.22038/jmrh.2023.68841.2018>
- Mayyadah, M. (2021). Perbedaan Manhaj Ulama dalam Fikih Perempuan Kontemporer dan Realitasnya di Indonesia. *Al-Manahij: Jurnal Kajian Hukum Islam*, 15(2), 277–292. <https://doi.org/10.24090/mnh.v15i2.5066>
- McKinlay, A. (2010). Performativity and the politics of identity: Putting Butler to work. *Critical Perspectives on Accounting*, 21(3), 232–242. <https://doi.org/10.1016/j.cpa.2008.01.011>
- Mustofa, M. B. Z. (n.d.). *Masā'il al-nisā'*. Maktabah Bala Buku.
- Njuki, J., Eissler, S., Malapit, H., Meinzen-Dick, R., Bryan, E., & Quisumbing, A. (2022). A review of evidence on gender equality, women's empowerment, and food systems. *Global Food Security*, 33, 100622. <https://doi.org/10.1016/j.gfs.2022.100622>
- Nussbaumer, L., Blankvoort, N., & Farias, L. (2024). Challenging the gender binary in occupation-based research: A feminist critical discourse analysis of sex differences. *Journal of Occupational Science*, 32(3), 517–532. <https://doi.org/10.1080/14427591.2024.2374309>
- Prayogi, A., Nasrullah, R., & Singgih Setiawan. (2025). The evolution of fiqh in the digital era: Challenges and adaptations in islamic jurisprudence. *The Journal of Religion and Communication Studies*, 2(1), 15–25. <https://doi.org/10.61511/jorcs.v2i1.2025.1751>
- Rohmah, E. I., & Malik, A. J. (2022). Peran wanita untuk mewujudkan keluarga sakinah dalam pemikiran Islam klasik dan kontemporer. *Al-Hukama'*, 12(2), 96–112. <https://doi.org/10.15642/alhukama.2022.12.2.96-112>
- Rosyid, A. A. (2020). Maskulinitas dalam media online: Analisis wacana kritis dalam kajian ceramah ustaz salaf. *MEDIASI Jurnal Kajian Dan Terapan Media, Bahasa, Komunikasi*, 1(3), 189–201. <https://doi.org/10.46961/mediasi.v1i3.141>
- Saefudin, A., Arif, M., Karwadi, K., Rahmawati, A., Paduka, W., & Andriyani, S. (2023). Women, piety, and religious behavior: Case study of the Muslimah Ummahat Sholehah community in Sukodono Tahunan Jepara. *Fikrah: Jurnal Ilmu Aqidah dan Studi Keagamaan*, 11(2). <http://dx.doi.org/10.21043/fikrah.v11i2.16948>
- Sangidu, S., Prasetyo, A. T., Arianti, F., Saka, P. A., Hidayati, S., & Nelly, N. (2024). Islam and the tradition of gender: Exploring the intersection of religion and culture in Indonesia. *International Journal of Religion*, 5(2), 37–46. <https://doi.org/10.61707/mekpfr87>
- Sharabi, M., Shdema, I., Manadreh, D., & Tannous-Haddad, L. (2025). Muslim working women: The effect of cultural values and degree of religiosity on the centrality of work, family, and other life domains. *World*, 6(2), 43. <https://doi.org/10.3390/world6020043>

- Shuhufi, M., & Purkon, A. (2023). Harmonization of Islamic law and local culture: A study of Indonesian Sundanese ethnic culture. *Jurnal Ilmiah Al-Syir'ah*, 21(1), 138–153. <https://doi.org/10.30984/jis.v21i1.1870>
- Siswantari, A., Abdurakhman, Mulyatari, D., Haghia, R. S., & Rahman, S. S. (2024). Women and politics: Women's participation in the Indonesian national political movement, 1923–1942. *Paramita*, 34(1), 21–30. <https://doi.org/10.15294/paramita.v34i1.44657>
- Smith-Hefner, N. J. (2025). Gender and Islam in Indonesian Studies, A Retrospective. *Studia Islamika*, 32(1), 75–99. <https://doi.org/10.36712/sdi.v32i1.45296>
- Sumadi, S. (2018). Ideologi bias gender dalam lembaran fikih populer di Indonesia. *Al-Afkar, Journal For Islamic Studies*, 1(1), 1–15. https://doi.org/10.31943/afkar_journal.v1i1.1
- Sumadi, S., & Nurteti, L. (2024). Women's communication strategy in realizing equality in Pesantren Darussalam: Analysis in the perspective of gender performativity. *Al-Afkar, Journal For Islamic Studies*, 7(4), 687–698. <https://doi.org/10.31943/afkarjournal.v7i4.1675>
- Suyadi, S., Nuryana, Z., & Fauzi, N. A. F. (2020). The fiqh of disaster: The mitigation of Covid-19 in the perspective of Islamic education-neuroscience. *International Journal of Disaster Risk Reduction*, 51, 101848. <https://doi.org/10.1016/j.ijdr.2020.101848>
- Tadros, M., & Shutt, C. (2024). Gender in development: What lessons for addressing inequality on the grounds of religion or (non)-belief? *World Development*, 174, 106452. <https://doi.org/10.1016/j.worlddev.2023.106452>
- Utami, M., Siwi, E. J., & Suryani, R. W. (2022). Teori performativitas Judith Butler dalam tokoh utama film animasi Disney Pixar *Brave*. *Artchive: Indonesian Journal of Visual Art and Design*, 3(2), 113–123. <https://doi.org/10.53666/artchive.v3i2.3194>
- Vermeer, P. (2014). Religion and family life: An overview of current research and suggestions for future research. *Religions*, 5(2), 402–421. <https://doi.org/10.3390/rel5020402>
- Widiastuti, T., Al-shami, S. A., Mawardi, I., Zulaikha, S., Haron, R., Kasri, R. A., Al Mustofa, M. U., & Dewi, E. P. (2024). Capturing the barriers and strategic solutions for women empowerment: Delphy analytical network process. *Journal of Open Innovation: Technology, Market, and Complexity*, 10(3), 100345. <https://doi.org/10.1016/j.joitmc.2024.100345>
- Widjaja, G. (2023). Review on the Women's Rights and Islamic Law in Southeast Asia. *Journal of Law and Sustainable Development*, 11(7), e7851. <https://doi.org/10.55908/sdgs.v11i7.751>
- Yani, M. T., Mahfud, C., Sa'adillah, S. A. P. R., Bustami, M. R., Maskuri, & Taufiq, A. (2022). Advancing the discourse of Muslim politics in Indonesia: A study on political orientation of Kiai as religious elites in Nahdlatul Ulama. *Heliyon*, 8(12), e12218. <https://doi.org/10.1016/j.heliyon.2022.e12218>
- Zali, M., Siregar, K., Fitriani, Y., Winanda, C., & Sirait, F. (2024). Analisis hukum islam: Kewajiban nafkah suami dan solusi bagi istri yang terpaksa bekerja. *Journal of Gender and Social Inclusion in Muslim Societies*, 5(1), 25–38. <http://dx.doi.org/10.30829/jgsims.v5i1.20716>