

TRENDS IN MODERN WOMEN'S RELATIONS IN SOCIAL PROBLEMS: Islamic Law in Tafsir Al-Qurtubi

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Abstract: This study aims to analyze modern women's relationships and the accompanying social problems from an Islamic legal perspective, using Imam al-Qurtubi's Tafsir al-Jāmi' li Ahkām al-Qur'ān as the primary reference. This research gap lies in the limited number of studies directly linking classical fiqh interpretations to contemporary women's socio-legal problems through contextual and socio-legal approaches. This study employed a qualitative approach using interpretive analysis and normative-contextual studies. Data were collected through a literature review of Tafsir al-Qurtubi, fiqh books, and academic studies on Islamic law and gender, supplemented with empirical social data from official sources and social observations of modern women's relationships. The analysis techniques used are textual analysis, historical-contextual analysis, and a comparative analysis of the normative construction of the interpretation and contemporary social reality. The results of this study indicate that although the Tafsir Al-Qurtubī was born in a medieval patriarchal social context, it consistently positions women as equal legal and moral subjects. Key concepts such as qiwāmah (the act of worship), honor, and women's public role are interpreted as responsibilities and protections rather than as the basis for the legitimacy of domination. In this context, Tafsir Al-Qurtubī is a relevant normative basis for formulating just, inclusive, and welfare-oriented legal solutions for modern women.

Keywords: Women's Relations, Social Problems, Islamic Law, Tafsir Al-Qurtubi

Abstract: Penelitian ini bertujuan untuk menganalisis hubungan perempuan modern dan masalah sosial yang menyertainya dari perspektif hukum Islam, dengan menggunakan Tafsir al-Jāmi'li Ahkām al-Qur'an karya Imam al-Qurtubi sebagai referensi utama. Kesenjangan penelitian ini terletak pada terbatasnya jumlah studi yang secara langsung menghubungkan interpretasi fiqih klasik dengan masalah sosial-hukum perempuan kontemporer melalui pendekatan kontekstual dan sosial-hukum. Penelitian ini menggunakan pendekatan kualitatif dengan menggunakan analisis interpretatif dan studi normatif-kontekstual. Data dikumpulkan melalui tinjauan pustaka Tafsir al-Qurtubi, buku-buku fiqih, dan studi akademis yang berkaitan dengan hukum Islam dan gender, diperkaya dengan data sosial empiris dari sumber resmi dan observasi sosial tentang hubungan perempuan modern. Teknik analisis yang digunakan adalah analisis tekstual, analisis kontekstual historis, dan analisis komparatif antara konstruksi normatif interpretasi dan realitas sosial kontemporer. Hasil penelitian ini menunjukkan bahwa meskipun Tafsir Al-Qurtubi lahir dalam konteks sosial patriarki abad pertengahan, ia secara konsisten menempatkan perempuan sebagai subjek hukum dan moral yang setara. Konsep-konsep kunci seperti qiwamah (ibadah), kehormatan, dan peran publik perempuan ditafsirkan sebagai tanggung jawab dan perlindungan, bukan sebagai legitimasi dominasi. Melalui pembacaan kontekstual ini, Tafsir Al-Qurtubi relevan sebagai dasar normatif untuk merumuskan solusi hukum yang adil, inklusif, dan berorientasi pada kesejahteraan bagi perempuan modern.

Kata Kunci: Relasi Perempuan, Problem Sosial, Hukum Islam, Tafsir Al-Qurtubi

Introduction

The development of women's roles in modern society has brought various new challenges that require in-depth study from an Islamic legal perspective.¹ Tafsir Al-Qurtubi, known for its comprehensive tahlili methodology, provides an important foundation for understanding women's position in contemporary society.² Rapid social change in the 21st century has brought

about significant transformations, particularly regarding the role and position of women in society. Modernization, globalization, and technological developments have created opportunities for women to participate actively in public and private life.³ However, these changes also give rise to complex and challenging social problems that require in-depth understanding and comprehensive solutions⁴. One crucial aspect of

¹ Cecilia L. Ridgeway, "How Gender Inequality Persists In The Modern World," Oxford University Press 16 (2011): 181-87.

² Mahmud Yunus Mustofa And Firmanda Taufiq, "Islamic Feminism: Discourse On Gender And Sexuality In Contemporary Islam Islamic Feminism: Discourse On Gender And Sexuality In Contemporary Islam By Lanasirri, 2021, London And New York, Routledge, £31.19, Paperback 143 Pp., ISBN 978-0-367-90238-4.," Gender, Place & Culture 31, No. 3 (2024): 408-11, <https://doi.org/10.1080/0966369x.2023.2270268>.

³ Muhammad Amin, "Social Relations In The Qur'an," Qist: Journal Of Quran And Tafseer

Studies 1, No. 1 (2022): 30-47, <https://doi.org/10.23917/Qist.V1i1.523>.

⁴ B H Nugroho, A Mustaniruddin, And A Taufik, "Ideological Contestation On The Production Of Gender Exegesis Within Institutional Quranic Interpretation In Indonesia," Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis 25, No. 2 (2024): 346-69, <https://doi.org/10.14421/Qh.V25i2.5388>; Ilham Mundzir And Yulianti Muthmainnah, "The Progressiveness Of Quranic Interpretation In The Fatwa Of Muhammadiyah On Female Circumcision," Indonesian Journal Of Islam And Muslim Societies 12, No. 2 (2022): 285-311, <https://doi.org/10.18326/Ijims.V12i2.285-311>.

understanding the dynamics of modern women's relationships is to view them through the lens of Islamic law.⁵ The Qur'an and Sunnah, as the primary sources of Islamic law, provide guidance on women's rights and obligations in various aspects of life.⁶ However, interpretations of these religious texts are not always uniform, and Muslim scholars differ on how Islamic law should be applied in a modern context. Studies on the relationship between modern women and various social problems are generally examined through sociological approaches, gender studies, and contemporary Islamic law⁷, which emphasize normative fiqh, human rights discourse, and modern Islamic interpretations.⁸

Although these studies make important contributions to understanding the position and relations of women in modern society,⁹ Most research still relies on a normative framework or a positive Islamic law approach without deeply exploring the interpretative

basis of classical tafsir.¹⁰ The Qur'an offers several hints about women, both good and bad; women are active participants in both good and evil, at all times and in all places.¹¹ Women are often seen as gentle, caring, and loving¹². Still, they can also be strong figures who work to earn a living to support their families and more.¹³ Thus, the issue of women is already expressed in the Qur'an. Specifically, there remains a lack of research directly linking trends in the relationship between modern women and social problems with the perspective of Islamic law, as formulated in Tafsir al-Qurtubi. This tafsir is known for its distinctive features: it combines Qur'anic interpretation with in-depth analysis of Islamic law. It serves as an important reference in Islamic jurisprudence¹⁴, particularly the Maliki school. However, al-Qurtubi's views on women's social relations, moral responsibilities, and their legal implications in the context of contemporary social

⁵ S Fikriawan, S Anwar, And M Ardiansyah, "The Paradigm Of Progressive Judge's Decision And Its Contribution To Islamic Legal Reform In Indonesia," *Al-Manahij: Jurnal Kajian Hukum Islam* 15, No. 2 (2021): 249-66, <https://doi.org/10.24090/Mnh.V15i2.4730>;

Ahmad Arief Et Al., "Reconstructing The Indonesian Legal System Through The Lens Of Maṣlaḥah Mursalah," *Al-Manahij: Jurnal Kajian Hukum Islam* 19, No. 1 (June 2025):117-32, <https://doi.org/10.24090/MNH.V19i1.7861>.

⁶ Adji Pratama, Khoirul Ma, And Nanda Nabilah Islamiyah, "The Concept Of Gender In An Islamic Perspective," *Journal Of Legal Restoration* 6, No. 1 (2023): 40-50.

⁷ Fahrudin Ali Sabri And Walida Asitasari, "The Legal Contestation Surrounding Female Genital Mutilation In Islamic Boarding Schools: Perspective Of Legal Pluralism And Its Impact On Women," *El-Mashlahah* 15, No. 2 (2025): 347-68, <https://doi.org/10.23971/Elmashlahah.V15i2.9774>

⁸ Ihyani Malik Et Al., "Gender Analysis In The Islamic Law-Based Ecofeminism Movement For Ecosystem Protection," *El-Mashlahah* 15, No. 1 (2025): 101-24, <https://doi.org/10.23971/Elmashlahah.V15i1.9040>

⁹ Deri Rizal Et Al., "Portrait Of Regional Regulations For Public Order And Tranquility In A Tolerant And Inclusive Society In West Sumatra," *El-Mashlahah* 15, No. 2 (2025): 213-30, <https://doi.org/10.23971/Elmashlahah.V15i2.782>.

¹⁰ N Azis And T Anggraini, "Polygamy In The Perspective Of Tafsir Al-Aḥkām And Islamic Law: An Examination Of The Gayo Luwes Community In Aceh, Indonesia," *Samarah* 7, No. 3 (2023): 1682-1707, <https://doi.org/10.22373/Sjkh.V7i3.20021>.

¹¹ Imad Al-Hilali, *Encyclopedia Of Women Of The Qur'an, True Stories Of Women Revealed By The Book Of Allah*, (Jakarta: QAF, 2024), P. 13.

¹² Zahrudin. (2024). *Contemporary Interpretation*. *Al-Manahij*, 18(1), 45-63.

God Willing **بِعَظْمِ اللَّهِ الرَّجَالِ النَّصِيْبِ** God bless you ¹³

وَسَلُّوا اللَّهَ مِنْ فَضْلِهِ ۚ إِنَّ اللَّهَ كَانَ بِكُنْ God Willing

"Do Not Be Envious Of What Allah Has Given Some Of You More Than Others. For Men Is A Share Of What They Have Earned, And For Women Is A Share Of What They Have Earned. Ask Allah For Some Of His Bounty. Indeed, Allah Is All-Knowing Of All Things." (Qs. An-Nisā`[4]:32

¹⁴ Inna Fauziatal Ngazizah Et Al., "Localizing Islamic Law: Marriage Practices And The Pak Ponjen Tradition In Kudus," *El-Mashlahah* 15, No. 1 (2025): 5978, <https://doi.org/10.23971/Elmashlahah.V15i1.8906>.

problems remain rarely explored. Consequently, tensions arise between the social realities of modern women and the normative constructions of Islamic law inherited from the past. This tension gives rise to various socio-legal problems, restrictions on public space, and social stigma against women's life choices¹⁵.

Tafsir Al-Qurtubi, Imam Al-Qurtubi's monumental work, is an important reference in the study of Islamic law. This tafsir offers a comprehensive interpretation of the Qur'an, including verses about women. Although it was written in the Middle Ages, Al-Qurtubi's interpretation remains relevant to study in the contemporary context because it provides insight into how Islamic law was understood and applied.

This tafsir is known for its strong fiqh style, emphasizing aspects of law, language, and the history of hadith. Al-Qurtubi interprets Qur'anic verses with great attention to their practical legal implications. Therefore, this interpretation is often used as a reference in the formation of normative Islamic law, both in fiqh texts and in family law practices in various Muslim societies. However, this strong focus on normative and legal aspects often results in women's social experiences not appearing as historical subjects in their own right, but rather as part of the structure of male relations. In this interpretation, women's identities are more often tied to their roles as wives, mothers, or members of the lineage. In academic literature, this issue has been widely discussed. However, most of these studies still focus on textual criticism

and interpretive methods, without directly linking them to the socio-legal problems faced by modern women.¹⁶

On the other hand, contemporary Islamic legal studies often discuss women's issues from a regulatory perspective but often fail to critically revisit the classical interpretations that underpin the law's legitimacy. This research gap is the basis for this study. There is still very limited research specifically linking the interpretation of the Qur'an to the Islamic legal system, particularly in relation to the socio-legal problems faced by modern women, where this interpretation significantly shapes normative Islamic perspectives. Without contextual rereading, classical interpretations can be used to legitimize inequality within the family and society.¹⁷ Therefore, a critical analysis of the patterns of women's relations in the interpretation of the Qur'an is necessary. However, it is important to note that the social and cultural context of Al-Qurtubi's time differed significantly from that of the modern era. Therefore, Al-Qurtubi's interpretation requires critical and contextual analysis, taking into account the changes occurring in modern society. Islamic law, when properly interpreted, can be an instrument for realizing just and balanced equality. Al-Qurtubi's interpretation of the verses concerning these rights needs to be studied in depth to determine whether they remain relevant to the conditions of modern women, who are increasingly economically and socially independent.

¹⁵ Muhammad Mahsus, "Contextual Interpretation And The Existence Of Women And Their Implications For Equalization Of The Inheritance Of Men And Women," *Journal Of Islamic Law* 1, No. 1 (2020): 25–44, <https://doi.org/10.24260/Jil.V1i1.19>; Fatima Muhammad Sani And Atiku Garba Yahaya, "The Place Of Arabic In The Conduct Of Women Tafsir In Jos Metropolis, Nigeria," *Tahdzib Al-Akhlaq: Jurnal Pendidikan Islam* 6, No. 2 (2023): 238–46, <https://doi.org/10.34005/Tahdzib.V6i2.3202>.

¹⁶ Mohammad Noviani Ardi Et Al., "Family Harmony And Quality Of Life: A Personal

Relationship Approach Of Gabriel Marcel In The Age Of Social Media Networks," *Samarah* 9, No. 3 (2025): 1416–38, <https://doi.org/10.22373/Epnm321>.

¹⁷ Trianah Sofiani, Iqbal Kamalludin, And Raihanah Abdullah, "Violence Against Women In Pre-Marital Relationships: The Ngemblok Tradition Among The Muslim Community In Rembang," *Journal Of Islamic Law* 5, No. 2 (2024): 147–69, <https://doi.org/10.24260/Jil.V5i2.2680>.

In addition, women's role in society, including the right to education, the right to work, and the right to participate in public life, is an important issue in modern women's relations.¹⁸ In Al-Qurtubi's interpretation of verses relating to the role of women in society, it is important to note that Al-Qurtubi's interpretation is not always single and static. There is room for reinterpretation and contextualization. Therefore, this study aims to critically analyze Al-Qurtubi's interpretation of Al-Qur'an verses concerning women and assess its relevance to the modern context. It is hoped that this study will contribute to understanding and formulating fair, pro-women legal solutions for addressing various complex social problems.

Method

This research employs a qualitative approach with interpretive analysis as the primary method¹⁹. Data were collected through an in-depth literature review of Imam al-Qurtubi's Tafsir al-Jami' li Ahkam al-Qur'an, focusing on Qur'anic verses addressing women's roles, social relations, moral responsibility, family structure, and public participation. The selection of verses was conducted thematically, based on their legal and socio-normative relevance to contemporary issues faced by women²⁰.

In addition to textual analysis, the study incorporates observational data to contextualize classical interpretations within present-day social realities. The observation was conducted in a non-participant, qualitative manner, focusing on social practices related to women's participation in family decision-making, economic activities, and public spaces. These observations were not intended to produce statistical generalizations, but rather to capture recurring social patterns, norms, and gendered interactions that reflect ongoing tensions between normative Islamic discourse and lived social practices.²¹

The observational data provided contextual evidence for the socio-legal analysis, enabling a comparative reading of al-Qurtubi's normative interpretations and contemporary manifestations of gender relations. Data analysis was carried out in three stages: first, textual-interpretive analysis to identify al-Qurtubi's legal reasoning and normative assumptions; second, historical-contextual analysis to situate these interpretations within their socio-cultural background; and third, comparative socio-legal analysis to assess the relevance and implications of classical tafsir for contemporary social problems faced by women.²²

¹⁸ Asma Barlas, *Believing Women In Islam: Unreading Patriarchal Interpretations Of The Qur'an*, University Of Texas Press., Vol. 2, 2019.

¹⁹ S Carnochan, A Das, And M J Austin, "A Qualitative Study On Strengthening The Client-Worker Relationship In Welfare-To-Work Services," *Journal Of The Society For Social Work And Research* 14, No. 3 (2023): 677-702, <https://doi.org/10.1086/714309>.

²⁰ A A Hameed, "The Methodology Of Tafsir Al-Mubsir Li-Nur Al-Quran: The Only Complete Exegesis Written By A Woman (Naila Hashim Sabri)," *Albayan* 14, No. 1 (2016): 30-50, <https://doi.org/10.1163/22321969-12340030>.

²¹ M Faizin Et Al., "Optimizing Prenuptial Agreements For Asset Protection: A Maqashid Sharia Based Approach," *Al-Istinbath: Jurnal Hukum*

Islam 9, No. 2 (2024): 375-98, <https://doi.org/10.29240/jhi.v9i2.11064>; Yuliatin Et Al., "Reciprocity And Debt In Marriage Traditions In Jambi: An Inheritance Calculation Analysis From The Perspective Of Maqashid Al-Shari'Ah," *Al-Istinbath: Jurnal Hukum Islam* 10, No. 1(2025):154-71, <https://doi.org/10.29240/jhi.v10i1.11127>; Yuliatin Et Al., "Empowerment And Protection Of The Elderly In Islamic Boarding Schools From A Social Fiqh Perspective," *Al-'Adalah* 20, No. 2 (2023): 405-26, <https://doi.org/10.24042/adalah.v20i2.17913>.

²² Shinta Nurani, "Implikasi Tafsir Klasik Terhadap Subordinasi Gender: Perempuan Sebagai Makhluk Kedua," *Muwazah*, 2016, <https://doi.org/10.28918/Muwazah.V7i2.518>.

This methodological framework enables the study to engage critically with classical tafsir while avoiding ahistorical readings, positioning Tafsīr al-Qurṭubī as a normative resource that can be contextualized to address modern socio-legal challenges related to gender and social justice²³.

Results and Discussion

The relationship between women in the interpretation of the Qur’an. The ubi demonstrates a pattern consistent with medieval social structures, placing women in very close relationships with men, whether as wives, mothers, or members of the lineage. This pattern is evident in almost all the stories about women that have been interpreted. Positions women as independent social subjects, but always within a framework of relationships with male figures. This finding aligns with studies of Islamic historiography, which suggest that society’s patriarchal structure heavily influenced classical interpretations.

Table 1. Stories of Women in the Qur’an

Name	Type	Quran Surah
Khadijah	Good	QS An-Nisa' : 69
Aisha	Good	QS An-Nisa' : 69
Maryam	Good	QS Al-Imran:42-45Q.S. Maryam: 16-21
Asia	Good	QS Al-Qasas: 9
Fatima	Good	QS Al-Kauthar: 1-3
Umm Hakim (Abu Jahal’s wife)	Bad	QS Al-Masad :1-5
Umm Jamil (Abu Lahab’s wife)	Bad	(QS Al Masad:4-5)
Waliyah (Prophet Noah’s Wife)	Bad	QS At-Tahrim:10-12

²³ Hameed, “The Methodology Of Tafsir Al-Mubsir Li-Nur Al-Quran: The Only Complete Exegesis Written By A Woman (Naila Hashim Sabri).”
²⁴ Najiburrohman Najiburrohaman And Nabila Habsyi, “Women’s Morals In The Qur’an: Study Of

Name not mentioned (Prophet Lut’s wife)	Bad	QS Al-A’raf:80-84 Q.S. Al-Hijr:57-77
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Source: The Qur’an

Table 2. Characteristics of Good Women based on stories in the Qur’an

Type	Description	QS/ Story
Morals	Noble, pious, faithful, kind, and honest	The story of the noble and good wife of the Prophet Muhammad
Characteristic Behavior	Patient, Caring, Wise Always try to do good.	(QS An-Nisa’: 69)

Source: Compiled from various sources, author, 2025

Table 3. Characteristics of Bad Women based on stories in the Qur’an

Type	Description	QS/ Story
Morals	Bad, Selfish, and Arrogant	The Story of Abu Lahab’s Wife, The Story of Abu Jahal’s Wife (QS Al-Masad: 1-5)
Characteristic Behavior	Wicked Always trying to do evil.	The Story of Prophet Noah’s Wife (QS At-Tahrim:10-12) The Story of Prophet Lut’s Wife (QS Al-A’raf: 80-84, QS Al-Hijr: 57-77)

Source: Compiled from various sources, author, 2025

The results of this study construct a typology of female characters through a comparative approach between religious normative values and contemporary sociological realities. As idealized standards for women, characters such as Khadijah, Aisha, Maryam, Asiyah, and Fatimah are considered to possess positive traits, including nobility, honesty, patience, and wisdom.²⁴Conversely, negative characters associated with egoism, arrogance, and destructive actions, as seen in the stories of

Nadirsyah Hosen’s Thoughts In “Tafsir Qur’an Di Medsos: Mengkaji Makna Dan Rahasia Ayat Suci Pada Era Media Sosial”,” *Tajdid* 30, No. 2 (2024): 188,
<https://doi.org/10.36667/Tajdid.V30i2.1552>.

Abu Lahab’s wife and the wife of Prophet Noah, serve as warnings about moral violations in social relationships. This shows that descriptions of women’s good and bad traits appear in the Qur’an, as explained in surahs and verses.

The Relationship of Modern Women in Social Problems from the Perspective of Islamic Law and the Interpretation of Al-Qurthubi

Tafsir Al-Qurtubi examines various social dynamics that influence modern humans. Based on Imam Al-Qurtubi’s legal writings, we can see a connection between classical texts and contemporary issues, including public policy, economic development, and other social concerns.

Table 4. Relationship between Modern Women and Social Problems

Relations Aspects	Current Problems	Al-Qurthubi’s view	Legal Impact
Social Status	Gender discrimination and stereotypes	Women have the same moral responsibilities (legal subjects)	Legal equality and social responsibility
Relation Family	Domestic violence and role inequality	Family leader (qiwamah) means protecting	Family justice
Public Role	Restrictions on access to work and the economy	Women can be active in public spaces (ethics & benefits)	Social and economic legality of women
Moral	Exploitation and physical	Maintaining honor is a	Preventive law against

	objectification of women	shared obligation	social harassment
Protection	Gender-based violence	Protection of the human dignity principle	The state is obliged to guarantee the security and rights of women

Source: Compiled from various sources, author, 2025

The table above shows that the construction of Islamic law, derived from the interpretation of the Qur’an, shapes contemporary women’s relationships in social issues²⁵. This study found that women are consistently positioned as legal subjects with equal moral capacity and social responsibility, based on the analysis of the Tafsir Al-Qurtubi. This contrasts with contemporary social customs that often marginalize women based on partial and ahistorical religious interpretations.

According to data from the Central Statistics Agency (BPS), women’s participation in social leadership structures and public decision-making in Indonesia remains relatively low. Nationally, the percentage of women in social leadership positions ranges from 0.00% to 18%, while men still hold more than 75% of strategic positions.²⁶ This inequality shows that although women make up almost 49.5 percent of Indonesia’s total population, their representation in the public sphere does not yet reflect this demographic proportion. Geographically, regional variations show a consistent pattern. The Java and Bali-Nusa Tenggara regions recorded relatively higher levels of female

²⁵ Aisha Bewley, Tafsir Al-Qurtubi Classical Commentary of The Holy Qur’an, Ed. Abdalhabdalhaqq Bewley And Printed And Bound By The Bath Pressaqq Bewley And Printed And Bound By The Bath Press, Vol. I (London NW: Bookwork, Norwich, 2003).

²⁶ Central Statistics Agency (BPS), Indonesian Gender Statistics, 2025. <https://www.bps.go.id/subject/40/gender.html>.

participation, at around 23–25%, while the Kalimantan, Maluku, and Papua regions were in the range of 13–17%.²⁷

This difference indicates that socio-cultural factors and local structures significantly influence women’s access, not solely religious norms. In this context, social practices that restrict women run counter to the principles of justice and equality emphasized in Tafsir al-Qurtubi. Due to a narrow understanding of the concept of qiwamah, the issue of unequal roles and domestic violence experienced by modern women is often legitimized within the context of family relations. However, research indicates that Al-Qurtubi interpreted qiwamah as a responsibility and obligation for social protection rather than as a means of legitimizing absolute power. Therefore, any form of violence that harms women contradicts the principle of justice in Islamic law.

Furthermore, Al-Qurtubi interprets aspects of women’s morality and honor, which are often used as a basis for social restrictions. There is no burden placed exclusively on women to maintain honor; rather, building ethical social relations is everyone’s responsibility. Therefore, Islamic law’s approach to social issues related to women is preventative and protective rather than repressive. Overall, the information in this table demonstrates that Islamic law, as interpreted by Al-Qurtubi, is highly relevant to addressing social issues facing women today.²⁸ This interpretation can serve as a basis for developing more inclusive and gender-just legal and social policies. Principles such as justice, the protection of human dignity, and social welfare can serve as a basis.

Forms of Relationships Permissible for Modern Women from the Perspective of Islamic Law and the Interpretation of Al-Qurthubi

In modern Islamic legal discourse, discussing the types of relationships permitted for contemporary women is crucial, particularly in the context of ever-changing social dynamics. Beyond moral and cultural aspects, women’s social relations have significant legal consequences. Therefore, a normative framework that can accommodate Islamic values in contemporary social conditions is necessary.

Table 5. Permissible Relationships of Modern Women

Form of Relations	Modern Context	Al-Qurthubi’s view	Islamic Law
Interaction between the Opposite Sexes	Work and Education	Allowed with manners and ethics	Mubah (with conditions)
Public Role	Social and Political	Part of the public interest	Yes (according to Sharia principles)
Economic Independence	Career and Business	Full rights to property	Halal and Legal
Access to Education	Schools and Courses	Obligation to seek knowledge	Mandatory / Sunnah
Community Relations	Social activities	Fair social relations	Allowed (based on ethics)
Voice and Opinion	Discussion and Advocacy	Moral capacity is recognized	(May be useful)

Source: Compiled from various sources, author, 2025

The table above shows that Islamic law, as interpreted by Al-Qurtubi, provides ample space for modern women to establish social relationships in various areas of life. This study found that social interactions between women and non-mahram men are not absolutely prohibited; they are permitted as long as they adhere to ethical standards and social etiquette and do not cause harm. Al-Qurtubi emphasized that prohibitions in

²⁷ Central Statistics Agency (BPS), *Gender Development Index By Province*, 2025. <https://www.bps.go.id/publication.html>

²⁸ Aisha Bewley, *Tafsir Al-Qurtubi Classical Commentary Of The Holy Qur’an*.

social relationships are aimed more at the potential for slander and moral violations than at the interactions themselves. In the public sphere, research indicates that Al-Qurtubi's interpretation does not preclude women's participation in social, economic, and community affairs. Women's involvement is understood as part of efforts to realize the public good (*maslahah' ammah*), as long as it remains within the corridor of sharia values. This finding provides a normative basis for legitimizing the public role of modern women in Muslim societies.

Furthermore, this research confirms that women's economic independence is a right recognized by Islamic law. Al-Qurtubi interprets verses on property ownership as recognizing women's economic capacity, including the right to work and to manage wealth independently. This is relevant to the conditions of modern women who are active in the workplace and in entrepreneurship. Women's data: 49.5% of Indonesia's total population, but their involvement in public decision-making positions is still below 25%.²⁹ Legally, women's equality is guaranteed by Article 27 paragraph (1) and Article 28D paragraph (1) of the 1945 Constitution, and strengthened through Law No. 39 of 1999 concerning Human Rights and Law No. 7 of 1984 concerning the Elimination of All Forms of Discrimination against Women (CEDAW).³⁰

From a development perspective, Indonesia's Gender Development Index (GDI) is in the range of 91-92 percent, indicating that women's access to education and health is relatively equal to men's.³¹

However, disparities remain evident in the dimensions of social relations and power. This situation confirms that the limitations on modern women's relationships are not caused by legal prohibitions or Islamic principles, but rather by structural factors and partial religious interpretations. This aligns with Tafsir Al-Qurtubi, which emphasises the equality of human values and moral responsibility between men and women, while acknowledging that role differences are contextual rather than hierarchical.

In terms of education, Tafsir Al-Qurtubi emphasizes that women's access to knowledge is a fundamental need that is not limited by gender. This research found that seeking knowledge for women is not only permitted but, under certain conditions, can be considered obligatory, particularly when it relates to fulfilling social and moral responsibilities. Furthermore, Islamic law permits women to engage in social relations across communities within social, humanitarian, and cultural contexts. Al-Qurtubi views *mu'amalah* relations as a space that can be adapted to the social context while upholding the principles of social ethics, equality, and justice. Therefore, Islamic law does not oppose women's involvement in contemporary social networks. Overall, the results of this study confirm that modern women have strong legal legitimacy to establish broad and productive social relations. Islamic law, as interpreted by Al-Qurtubi, is not restrictive toward women but rather provides an ethical and normative framework aimed at maintaining a balance among social freedom, moral responsibility, and the common good.

²⁹ Central Statistics Agency (BPS), *Indonesian Gender Statistics*, 2025. <https://www.bps.go.id/Subject/40/Gender.Html>

³⁰ Republic Of Indonesia, *The 1945 Constitution Of The Republic Of Indonesia*; Law No. 39 Of 1999

Concerning Human Rights; Law No. 7 Of 1984 (CEDAW), <https://peraturan.bpk.go.id>

³¹ Central Statistics Agency (BPS), *Indonesia Gender Development Index (IPG)*, 2025. <https://www.bps.go.id/Indicator/40/468/1/IpG.Html>

Social and Legal Problems of Modern Women’s Relations and Efforts to Solve Them

Modern women’s relationships present various social problems that impact legal aspects, such as inequality, violence, and discrimination. Islamic law, through the principles of justice and welfare, and Tafsir Al-Qurtubi, as a fiqh interpretation, provide a normative framework for understanding and resolving these problems in context.

Table 6. Problems of Modern Women’s Relationships

Main Problem	Modern Women’s Relations	The View of Al-Qurthubi’s Interpretation	Settlement Efforts According to Islamic Law
Gender inequality	Subordination of women in the family and society	Relations hips are built on responsibility and fairness.	Reconstructi on of equal relations based on Sharia justice
Gender-based violence	Domestic and social violence	Violence is a form of injustice (zulm)	Legal protection and sanctions for perpetrators
Economic exploitation of women	Double workloa d and wage inequality	Women’s economic rights are recognize d independ ently	Enforcemen t of economic justice and property rights
Stigmatiz ation and moral control	Double moral standard s towards women	Honor guarding is collective	Social justice, ethics, and the elimination of stigma
Restrictio ns on public spaces	Prohibiti on of social and political roles	Public participat ion is permitted based on public interest.	Legitimacy of women’s public roles

Distortion of religious interpretation	Gender bias in legal interpretation	Interpreta tion must be comprehe nsive and contextua l	Maqā-based reinterpretationsīd al-syarī’ah
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Source: Compiled from various sources, author, 2025

The table above shows that modern women face various social problems with legal implications across the family, economic, and public spheres. One major problem is unequal gender relations, which are often interpreted as legitimizing male domination over women. However, research indicates that, in Al-Qurtubi’s interpretation, gender relations are understood as a division of social and moral responsibilities rather than a hierarchy of power. Therefore, Islamic law demands the enforcement of relational justice and the elimination of subordination practices that harm women. Another prominent social problem is violence against women, both in the form of domestic and social violence. This research found that Al-Qurtubi firmly rejects all forms of injustice (zulm) in social relations. Violence has no legal legitimacy in Islam, so Islamic law places the protection of women as a moral and legal obligation. The state and society are seen as having a responsibility to provide protection and sanctions against perpetrators of violence.

In the economic sphere, modern women often face exploitation in the form of double workloads and wage inequality. According to the Tafsir Al-Qurtubi, women have independent economic rights, including the right to work, own, and manage property. Therefore, the practice of economic exploitation contradicts the principles of justice in Islamic law, which require the protection of women’s economic rights and a fair distribution of roles. Furthermore, this research also uncovered the problem of moral stigmatization of women, where women are often subjected to excessive social control. Al-Qurtubi emphasized that maintaining honor

(‘ird) is a collective responsibility, not a one-sided burden for women. Therefore, Islamic law offers a solution by upholding ethical standards and eliminating dual moral standards in society. The problem of restricting women’s public space is also a crucial issue in modern social relations. This research shows that Al-Qurtubi’s interpretation does not preclude women’s participation in the public sphere, provided it is oriented towards the public interest and Sharia ethics. Discriminatory restrictions actually contradict the principle of public interest, which is the foundation of Islamic law. Finally, the distortion of religious interpretations that are gender-biased is a structural problem in modern women’s relations. Al-Qurtubi emphasized the importance of a contextual and comprehensive understanding of legal verses. Therefore, the solution offered by Islamic law is a reinterpretation of religious texts based on the *maqā* (meaning of meaning). *ṣid al-syarī’ah*, so that legal interpretation remains relevant and just in facing modern social dynamics.

The findings of this study confirm that Al-Qurthubi’s interpretation is a construction of women’s relations rooted in a medieval social context. Yet it still contains Islamic legal principles relevant to addressing the social problems faced by modern women. The pattern of women’s relations presented by Al-Qurthubi – which is almost always associated with family structures and male figures – is consistent with the findings of previous classical exegetical research, which has stated that pre-modern exegetical works were influenced by the patriarchal social structures of their time. The historiographical study of Islamic exegesis also shows that this representation is more a reflection of the social context than a normative determination of the Qur’an itself.

However, unlike some previous studies that viewed classical interpretations as restrictive of women’s social space, this study demonstrates that Al-Qurtubi consistently

positions women as legal and moral subjects. This strengthens the argument in contemporary Islamic legal studies that gender inequality stems more from social practices and partial interpretations, rather than from the fundamental principles of Islamic law. Therefore, this study expands on previous studies by positioning Al-Qurtubi’s interpretation as a normative source that can be read contextually. In the context of family relations, this study confirms the conclusions of modern Islamic legal studies that criticize the hierarchical interpretation of *qiwāmah*. Al-Qurtubi interpreted *qiwāmah* as a responsibility and obligation to protect, not a legitimate form of domination. This finding distinguishes Al-Qurtubi’s interpretation from some normative *fiqh* approaches that still understand *qiwāmah* as a structural authority and emphasizes that domestic violence has no legitimate basis in Islamic law.

Regarding women’s public roles, this research aligns with contemporary Islamic legal studies that emphasize the principle of *maslahah* as the basis for women’s social and economic participation. Contrary to the view that classical interpretations are restrictive, Al-Qurtubi demonstrates Islamic law’s flexibility in accommodating women’s involvement in the public sphere, provided it is oriented toward social welfare and ethics. This demonstrates a continuity between classical interpretations and modern Islamic legal discourse. Regarding women’s morality and honor, this research strengthens Islamic ethical studies that reject dual moral standards. Al-Qurtubi emphasized that maintaining honor (‘ird) is a collective responsibility of society, not a unilateral burden on women. These findings go beyond previous research, which tends to focus on normative analyses of moral verses, demonstrating that Al-Qurtubi’s approach is preventive and protective of women’s social problems. In economics, the findings of this study are consistent with classical Islamic jurisprudence and modern Islamic law,

which recognize women's independent economic rights. Al-Qurtubi's interpretation affirms women's ownership rights and economic independence, making the economic exploitation and double workload experienced by modern women unjustifiable under Islamic law. Thus, women's economic problems reflect the failure of social structures and policies, rather than the normative consequences of Sharia law. Overall, compared with previous studies that tend to separate classical interpretations from contemporary social problems, this study offers a new contribution by demonstrating that Tafsir Al-Qurtubi can serve as a normative bridge between classical texts and modern social realities. The main difference lies in its contextual approach, which positions classical interpretations as the basis for reconstructing just, inclusive, and welfare-oriented social relations between women.

Conclusion

This study demonstrates that Tafsir al-Qurtubī, although produced within the socio-cultural framework of the medieval Islamic world, contains legal and ethical principles that remain relevant for addressing contemporary social problems faced by women. The analysis confirms that representations of women in al-Qurtubī's interpretations are strongly influenced by the patriarchal social structures of his time, particularly through the positioning of women within family and lineage-based relationships. However, these representations should be understood as contextual reflections rather than as fixed, normative prescriptions for gender hierarchy. The findings reveal that al-Qurtubī consistently conceptualizes women as moral and legal subjects (*mukallaf*) who bear equal ethical responsibility under Islamic law. Central legal concepts often associated with gender inequality, such as *qiwamah*, moral authority, and family leadership, are interpreted as responsibilities and protective obligations rather than as instruments of

domination. When examined through a contextual and *maqāṣid*-oriented perspective, these concepts provide a strong normative basis for rejecting violence, discrimination, and unjust power relations in both domestic and public spheres. Furthermore, this study shows that Islamic law, as articulated in Tafsir al-Qurtubī does not inherently restrict women's participation in public, social, and economic life. Women's engagement in education, economic activities, and social relations is recognized as legally permissible and, in certain circumstances, essential for the realization of public welfare (*maṣlaḥah 'āmmah*). Consequently, the marginalization of women in contemporary societies cannot be attributed to Islamic legal norms per se, but rather to partial, ahistorical, and gender-biased interpretations that detach legal rulings from their ethical objectives.

This research contributes to contemporary Islamic legal and gender studies by bridging the gap between classical tafsir and modern socio-legal discourse. It challenges the assumption that classical exegesis is inherently restrictive toward women. It demonstrates that Tafsir al-Qurtubī can serve as a normative resource for reconstructing gender-just social relations when approached critically and contextually. The study thus underscores that gender inequality in Muslim societies is more accurately understood as a product of social structures and interpretive practices rather than a direct outcome of Islamic law. From a practical perspective, the findings offer important implications for legal reform, policy development, and religious discourse in Muslim societies. By foregrounding principles of justice, human dignity, and social welfare embedded in Islamic law, Tafsir al-Qurtubī can inform more inclusive legal and social frameworks that protect women's rights while maintaining religious legitimacy. Ultimately, this study affirms that a contextual reading of classical tafsir enables Islamic law to remain responsive to contemporary gender-related

challenges and to function as a foundation for equitable and ethical social relations.

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