

TRACING GENDER EQUALITY IN RESTRICTIONS ON FEMALE TEACHERS' TEACHING ROLES IN PESANTREN

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Abstract

This study aims to reveal the existence of gender inequality in the implementation of education in *pesantren* because there is a phenomenon in the form of *pesantren* regulations that limit the teaching role of female teachers, especially female teachers are prohibited from teaching in male student classes. This restriction of teaching roles creates the impression that *pesantren* have marginalised the role of female teachers. Considering the negative impression on *pesantren* institutions due to this phenomenon, this issue needs to be explored more deeply, especially from the perspective of the *pesantren* teachers themselves who are assumed to be marginalised in their roles. This study observed the above phenomenon by exploring the opinions of teachers in *pesantrens* using a qualitative approach through questionnaire instruments and in-depth interviews. The sample size for the questionnaire instrument in this study was 70 *pesantren* teachers consisting of 35 female teachers and 35 male teachers, while in-depth interviews were conducted with 3 teachers. The results revealed that these restrictions cannot be rashly claimed as a form of regulatory policy that is not gender fair. This is because the data obtained shows that the majority of *pesantren* teachers, both male and female, agree with the restrictions with various reasons and arguments.

Keywords: Gender Equality; Gender in Education; Gender in *Pesantren*; Islamic Education; Teacher Perceptions

Abstrak

Penelitian ini bertujuan untuk mengungkap adanya ketimpangan gender dalam penyelenggaraan pendidikan di *pesantren* karena didapati sebuah fenomena berupa regulasi *pesantren* yang membatasi peran mengajar guru perempuan, khususnya guru perempuan dilarang mengajar di kelas siswa laki-laki. Pembatasan peran mengajar ini menimbulkan kesan bahwa *pesantren* telah melakukan marginalisasi terhadap peran guru perempuan. Menimbang atas adanya kesan negatif pada instansi *pesantren* karena fenomena tersebut, maka masalah ini perlu digali lebih dalam, khususnya dari sudut pandang guru *pesantren* itu sendiri yang diasumsikan termarginalisasi perannya. Penelitian ini mengamati fenomena di atas dengan menggali pendapat para guru di pondok *pesantren* dengan menggunakan pendekatan kualitatif melalui instrumen kuesioner dan wawancara mendalam. Jumlah sampel untuk instrumen kuesioner dalam penelitian ini adalah 150 guru *pesantren* yang terdiri dari 75 guru perempuan dan 75 guru laki-laki. Sedangkan untuk wawancara mendalam dilakukan terhadap 3 guru. Hasil penelitian mengungkapkan bahwa pembatasan tersebut tidak dapat secara gegabah diklaim sebagai bentuk kebijakan regulasi yang tidak adil gender. Hal ini dikarenakan data yang diperoleh justru menunjukkan bahwa mayoritas guru *pesantren*, baik laki-laki maupun perempuan, setuju dengan pembatasan tersebut dengan berbagai alasan dan argumentasi.

Kata Kunci: Kesetaraan Gender; Gender dalam Pendidikan; Gender di Pesantren; Pendidikan Islam; Persepsi Guru

Background

Today's gender discourse is increasingly alive and developing in various aspects of life. Gender studies are able to attract great attention in the eyes of researchers and readers from academia. This is because there are too many phenomena in people's lives related to gender equality that have not been touched and continue to be studied so that it becomes very interesting for readers about the novelty of the study. One of the untouched gender phenomena is related to the existence of gender distinctions in the implementation of education in the *pesantren* environment. One of the gender distinctions that are often found in *pesantren* is related to the limitation of teaching roles between male and female teachers in *pesantren*.

In the *pesantren* environment, there is a pattern or a kind of unique and unique rule in allocating a teacher's teaching role. It turns out that female teachers are only given permission to teach female student classes and may not teach in male student classes, but not vice versa for male teachers. This reality is very interesting to be traced and studied, whether the allocation rules made by the *pesantren* caregivers can be concluded as a gender unfair policy, a patriarchal policy, marginalisation of female teachers, or there are other factors. Through this research, the authors tries to explore the answers to the above questions by digging up information and opinions from the *pesantren* teachers themselves on this phenomenon.

In principle, men and women have equal positions, rights, obligations, and opportunities in the life of the nation, state, society, and family. Likewise, their position in terms of their position as actors of human resource development through education. It is enough that R.A Kartini is an iconic figure who fights for women's emancipation in Indonesia, which is the tip of the milestone for the liberation of women in Indonesia who have been marginalised.¹ Although efforts to improve gender justice and equality in education and social order continue to be made, in fact this problem has not become obsolete.

The discourse on gender inequality is certainly familiar and can be found many studies that discuss it. Yuni Sulistyowati², Anik Ifitah³, et al, and Risdawati Ahmad have photographed the gap between men and women in the world of work and social order with the conclusion that in Indonesia, especially in the world of work and social order, gender inequality is still found in practice, although the data found also leads to a decrease and shrinkage of the gender gap. They consider that solutions to overcome discrimination against women in the world of work and social order can be pursued through government regulations and education. Furthermore, Rustan Efendy⁴, Desti Damayanti, et al.⁵, Dika Dona, et al.⁶, Opy and

¹ Citra Mustikawati, 'Pemahaman Emansipasi Wanita (Studi Hermeneutika Makna Emansipasi Wanita Dalam Pemikiran R. A. Kartini Pada Buku Habis Gelap Terbitlah Terang)', *Jurnal Kajian Komunikasi*, 3.1 (2015), 68.

² Yuni Sulistyowati, 'Kesetaraan Gender Dalam Lingkup Pendidikan Dan Tata Sosial', *Ijongs: Indonesian Journal of Gender Studies*, 1.2 (2020).

³ Anik Ifitah and others, 'Kesetaraan Gender Dalam Hukum Ketenagakerjaan', *Eksekusi: Jurnal Ilmu Hukum Dan Administrasi Negara*, 1.2 (2023) <<https://doi.org/https://doi.org/10.55606/eksekusi.v1i2.471>>.

⁴ Rustan Efendy, 'Kesetaraan Gender Dalam Pendidikan', *Jurnal Al-Maiyyah*, 7.2 (2014).

⁵ Desti Damayanti and others, 'Kesetaraan Gender Dalam Pendidikan Menurut Perspektif Faqihuddin Abdul Kodir', *Nanggroe: Jurnal Pengabdian Cendikia*, 2.3 (2023), 184–188.

⁶ Dika Dona Syahputra, Melly Br Bangun, and Silvia Mariah Handayani, 'Budaya Patriarki Dan Ketidaksetaraan Gender Dalam Pendidikan Di Desa Bontoraja, Kabupaten Bulukumba', *Sustainable Jurnal Kajian Mutu Pendidikan*, 6.2 (2023), 608–16 <<https://doi.org/10.32923/kjmp.v6i2.4028>>.

Subhan⁷, and Chairani Astina⁸ have examined the issue of gender inequality in education and found the conclusion that in the world of education in Indonesia also cannot be said to be successful in realising gender equality, many factors affect this reality, for example the perpetuation of the patriarchal mindset, myths, local culture, curriculum orientation, facilities and subsidies, teacher treatment, and so on. In fact, men and women have the same rights in education. Lutfiana Dwi Mayasari⁹, Najib Jauharia, and Siti Malikhah Towaf¹⁰ have written about gender issues in the world of *pesantren* which explain that both from existing Islamic literature and also the implementation of education in ideal *pesantren* are women-friendly and there is no discrimination against women.

Then Iksan Kamil Sahri and Lailatul Hidayah¹¹ have conducted research on the phenomenon of single sex rooms applied in educational units under the auspices of Al-Fithrah *pesantren*. The results of the study suggest that in the policy and management of students, Al-Fithrah equalises the educational needs of both male and female students. Although it was also found that in Al-Fithrah the male did not have an *ustadzah* while in Al-Fithrah the female had a male *ustadz*. The single classroom policy is based more on *pesantren* tradition than gender discrimination.

Furthermore, there is also research by Evi Muafiah which examines the segregation applied by two Islamic educational institutions, namely

Pondok Pesantren Darul Huda and Pondok Pesantren Wali Songo.¹² The results of the study revealed that the segregation carried out by PPDH and PPWS when viewed from the perspective of Single Sex Education (SSE) has positive implications for the existence of female students in their learning. The implementation of segregation has a positive impact, because it has succeeded in increasing female students' academic potential and independent attitude. Therefore, it seems that segregation does not only mean separation in a negative sense, but also in the sense of independence that can maximise the potential and abilities of female students in the learning process. This shows that segregation between boys and girls is not always seen as an act of marginalisation that has a detrimental impact on women.

Then it talks about Islamic tradition and its relationship with gender, several previous studies were also found. For example, Moh Anuar Ramli wrote a research entitled Gender Bias in Muslim Societies: Between Islamic Teachings and Local Traditions.¹³ The results of his research found that in Muslim societies, not all gender-biased practices are based on religious factors, on the contrary there are several practices or actions that are based on various principles. One of them is that there are practices that are oriented towards good traditions (*urf sahib*). For example, the *'amal ahl al-Madinah* is recognised as a source of law for Imam Malik. This is because Madinah was the centre of

⁷ Opy Trisnawati and Subhan Widiyansyah, 'Kesetaraan Gender Terhadap Perempuan Dalam Bidang Pendidikan Di Perguruan Tinggi', (*J-Psh Jurnal Pendidikan Sosiologi Dan Humaniora*, 13.2 (2022), 339–347 <<https://doi.org/https://doi.org/10.26418/jpsh.v13i2.54606>>.

⁸ Chairani Astina, 'Ketimpangan Gender Dalam Pendidikan', *Manarul Quran: Jurnal Studi Agama Dan Budaya*, 13, 2016, 15–27

⁹ Lutfiana Dwi Mayasari, 'Internalisasi Nilai Kesetaraan Gender Dalam Pendidikan Di Pondok Pesantren Al Iman Ponorogo', Tarbawi Ngabar: Jurnal of Education, 4.2 (2023), 115–138 .

¹⁰ Najib Jauhari and Siti Malikhah Towaf, 'Kesetaraan Gender Di Pesantren Dalam Kajian Literatur', Sejarah Dan

Budaya; Jurnal Sejarah, Budaya, Dan Pengajarannya, 13.2 (2019), 179–188.

¹¹ Sahri Sahri, Iksan Kamil, and Lailatul Hidayah, 'Kesetaraan Gender Di Pesantren NU: Sebuah Telaah Atas Single Sex Classroom Di Pendidikan Diniyah Formal Ulya Pondok Pesantren Al Fithrah Surabaya', JNUS:Journal of Nahdlatul Ulama Studies, 1.1 (2020), 67–105.

¹² Evi Muafiah, 'Realitas Segregasi Gender Di Pesantren', *Proceedings of Annual Conference for Muslim Scholars*, 2018, 1066–78 <<https://doi.org/https://doi.org/10.36835/ancoms.v0iSer ies%202.206>>.

¹³ Mohd Anuar Ramli, 'Bias Gender Dalam Masyarakat Muslim: Antara Ajaran Islam Dengan Tradisi Tempatan', Journal of Fiqh, 7.1 (2010), 49–70 .

interpretation of the Qur'an and implementation of al-Sunnah. Another example is like taking into account the contribution of women in the household which led to the birth of the concept of *Harta Sepencarian*, *Perpantangan* and so on. This shows that in Islam, not all traditions are negative and primitive. If it is considered good, then it is appropriate to preserve it and can even become a legal principle in Islam as '*amal abl al-Madinah*'.

The results of the research conducted by Evi Muafiah and Moh Anuar Ramli above are important information for the authors to open space for the assumption that the regulation of educational institutions that have a pattern of distinction between men and women does not always have a bad influence and lead to the marginalisation of women. This question is the real core of the authors's current research, namely whether it is true that female teachers who are limited in their roles by only being allowed to teach female students feel injustice and feel marginalised or actually do not feel that way or even vice versa.

Therefore, in this paper, the authors wants to further narrow down the distinction towards how the perceptions of *pesantren* teachers are related to gender distinction. Is it true that the distinction leads to discrimination against women or what the female teachers themselves feel is the opposite, namely that the distinction regulation policy actually arises from women-friendly ideas and aims to protect women. Thus, according to the authors, this research will be an important reference for readers not to be hasty in assessing gender distinctions that occur in *pesantren*, especially in terms of the division of teaching roles.

Method

The approach used in this research is qualitative in which the social phenomenon that is the object of research is scientifically researched by prioritising the process of in-depth

communication interaction between the researcher and the phenomenon to be discussed.¹⁴ Then as said by Suprayogo and Tobroni, that a study must have a research analysis unit which can be an individual, group, organisation, object or time adjusted to the focus of the problem.¹⁵ Here, the authors determines the unit of analysis in this study in the form of the opinions of *pesantren* teachers in East Java regarding the restrictions on the role of female teachers in *pesantren*.

As for data collection techniques, the authors uses the questionnaire method and in-depth interviews. The authors managed to obtain data from a questionnaire distributed to 70 respondents with a percentage of 50% male teachers and 50% female teachers. Then from the 70 respondents, 3 respondents were taken to conduct in-depth interviews with the aim of deepening the exploration and elaboration of data.¹⁶

The questionnaire that was distributed contained 2 questions, among others; 1) Can female teachers (who are not *dzurriyah Kiai*) teach male students in your *pesantren*?; 2) What do you think about the prohibition of female teachers teaching in male student classes? The 2 questions above have been paired with specific answer options to facilitate data collection, these options include; a) for question 1, the authors provides 3 answer options; 1) Allowed; 2) Not allowed; 3) Blank entries that can be filled in by the respondents themselves; b) for question 2, the authors also provides 3 answer options; 1) Agree, because it aims to minimise mudhorot in accordance with the fiqh rule '*dar'u al-mafasid muqaddamun 'ala jalbi al-mashalih*'; 2) Disagree, because it is not gender-fair. Men and women have the same opportunity to participate in developing human resources through education.

The authors conducted in-depth interviews as an effort to clarify something that seemed important to be deepened, for example about

¹⁴ Lexy Johannes Moelong, *Metodologi Penelitian Kualitatif* (Bandung: PT. Rosdakarya, 1993), 3.

¹⁵ Imam Suprayogo, *Metodologi Penelitian Sosial-Agama* (Bandung: Remaja Rosdakarya Offset, 2001), 48.

¹⁶ Lukman Nul Hakim, 'Ulasan Metodologi Kualitatif: Wawancara Terhadap Elit', *Aspirasi*, 4.2 (2013), 167-168.

respondents who said they agreed based on mudhorot considerations. The term mudhorot itself has multiple interpretations. Thus, the term will be deepened to understand what the respondents meant by mudhorot, which they used as an excuse to answer, in what form or model.

Results and Data Presentation

From the questionnaire that the authors distributed through the google drive link to teachers in *pesantren*, the authors managed to collect 70 answers from 70 *pesantren* teachers in East Java, especially in Malang City and Malang Regency. In general, the respondents are still dominated by *pesantren* teachers in Malang City and Malang Regency, but some respondents also come from outside Malang which the authors cannot mention the name of the institution one by one in order to maintain the privacy of the respondents.¹⁷

From the aspect of gender, male and female teacher respondents showed the same percentage, namely 50%-50% with a composition of 35 male teachers and 35 female teachers. This figure is decisive in the conclusion of the answers at the end because it makes it possible to present a fair answer from the perspective of two parties, namely male and female teachers.

Furthermore, the authors also presents data related to the last education of the respondents, considering this according to the authors to be a variable that determines their perspective in understanding and answering research questions.¹⁸ The authors's questionnaire here was successfully filled in by respondents with a variety of final education, to be precise, there were three levels of final education that took part in providing responses, namely starting from high school, S1, and S2.

As for the data related to the answers related to the main question of this research, from 70 respondents who were willing to fill out the

questionnaire, the authors got varied answers. From the authors's first question, the authors got an answer that strengthened the authors's initial hypothesis at the beginning which stated that in *pesantren* education institutions, there are many unique and distinctive teacher allocation regulations with the restriction that female teachers are not given permission to teach in male student classes. Of the 70 respondents, 67.1% stated that their *pesantren* did not allow female teachers to teach in male student classes, 28.6% were still allowed, and 5% answered conditionally.

Furthermore, for the second question about the perception of *pesantren* teachers on the prohibition of female teachers teaching in male student classes, the authors managed to collect various answers. The answers are sorted from the highest percentage, among others; 67.1% agree, because it aims to minimise mudhorot according to the principle of 'Dar'u al Mafasid Muqaddamun "ala Jalbi al Mashalih", 20% disagree because it is not gender fair, and the rest of the answers are varied. More details can be seen in the authors's explanation in the form of diagrams and tables below:

Table 1.

Categori	Male teachers	Female teachers	Teachers with the highest education of SLTA	Teachers with the highest education of S1 to S3
	71% Agree	65% Agree	34% Agree	72% Agree
	29% Don't agree	35% Don't agree and relative	66% Don't agree and relative	28% Don't agree and relative

Table 2.

It is allowed, if it is difficult for male students to get teachers in certain fields

¹⁷ John W Creswell, *Qualitative Inquiry & Research Design Choosing Among Five Approaches* (California: Sage Publication Inc., 2007).

¹⁸ Soekarwati Soekarwati, 'Blended E-Learning', Fire Engineering, 2006, 16-18.

Varied answers to question 1	and only married/elderly teachers are allowed. It should not be allowed whether it is dzurriyat kiyai or not, considering that if it is a <i>pesantren</i> specifically for men, even if it is a combined <i>pesantren</i> where there are both men and women, it is better if the teachers are also separated according to their gender.
Varied answer to question 2	For the sake of education, female teachers can teach in boys and male teachers can teach in girls. If the number of male teachers is limited, then it is legitimate for female teachers to take part in teaching in the male student class. But maybe some conditions need to be given, such as being married etc. Between agreeing and disagreeing. Agree if the teacher is unmarried/young. Disagree if, for example, the female teacher is obedient and only focuses on serving and teaching. Agree with a note that it is safe from <i>fitnah</i> . Such as covering the aurat, being assertive and not dowdy, and there is a consideration of seniority (not too close in age to students). Neutral, if it does not cause <i>fitnah</i> there is no problem and with a small number. I think it's okay, because nowadays whether the teacher is a man or a woman does not guarantee that he or she will be protected from harm. With the current situation and conditions of Al Mardiyah, the need for educators can be met without the need for female teachers to teach male student. However, if faced with different conditions, I personally have another opinion tendency regarding this matter. Disagree. because all aspects of this life have been given by Allah in this world a sense of fairness, also related to the category of human gender, Muamalat, mutual respect and so on. also as humans must know, limit, distinguish GOOD and BAD according to Allah's commands and the teachings of the Prophet Muhammad Saw. For the <i>pesantren</i> where I teach, it is allowed because of the limited number of teachers, especially in Mandarin language subjects, it is allowed for female teachers to teach in male student classes, while still paying attention to several provisions and the teacher's code of ethics.

¹⁹ Interview, Tuesday, 03 December 2024.

Table 3.

Categorisation of varied answers to question 2	Considering marital status
	Considering potential <i>mudhorot</i>
	Considering the availability of teacher personnel
	Considering the development of teacher competence
	Connecting with God's justice

As for the results of the interview, here the authors took a sampling of 3 respondents who answered that they agreed with the limitation of the teaching role of female teachers in *pesantren* for reasons of minimising harm. The authors here does not mention the names of the interviewees who were sampled for in-depth interviews as a form of maintaining the confidentiality and dignity of the interviewees themselves. The following are the results of the authors's interviews which focus on the elaboration of the meaning of *mudhorot* according to the views of the informants;

Table 4.

Question	How do you interpret the meaning of 'Mudhorot' here, so that it becomes your consideration/reason for agreeing to limit the teaching role of teachers?	Can a male teacher not cause potential harm when teaching the opposite sex?
Interviewee first informant answer ¹⁹	<i>Mudhorot</i> what I mean here is the potential for badness/danger. If a woman teaches male students, and the teacher happens to be beautiful, it will be very disruptive to the learning and can divert the focus of the students' learning.	It is possible, but the percentage of the possibility is lower than that of male students being taught by female teachers. Men are equipped with 1 lust, but are very vulnerable in controlling it. Unlike women who, despite being equipped with 9 desires, are blessed with the strength from God to control them all.
Interviewee second	<i>Mudhorot</i> is a danger. Women	You can, but it will be very rare. Men

informant answer ²⁰	are physically weaker than men. And in teaching conditions in the classroom, if one class is all male, and only one woman is the teacher. So when there are things that are not desirable, it is very possible that there will be a 'disaster' for this female teacher. Because this female teacher will not be able to stem the power of the men in the class.	have higher power even when facing female students in the same class. After all, women also tend to be shy, and will not do things that lead to the harm that befalls male teachers.
Interviewee third informant answer ²¹	<i>Mudhorot</i> includes danger, badness, and negative things that can happen to female teachers and male students. The restrictions imposed by the <i>pesantren</i> actually glorify women. The <i>pesantren</i> caregivers see that <i>mudhorot</i> really has a great potential to occur if female teachers teach male students. The caregivers actually took the initiative to glorify women by saving them from the potential dangers of the female teacher.	It is possible, but the possibility is minimal. Therefore, we also use the fiqh rule 'if there is a collision between one <i>mudharat</i> and another, the least and lightest <i>mudharat</i> is taken'.

Discussion

A. Principle of Gender Equality

Gender equality is like a "sacred" phrase (term) often uttered by social activists, feminists, politicians, and even state officials. The term gender equality in practice is almost always

interpreted as a condition of "inequality" experienced by women. Therefore, the term gender equality is often associated with terms of discrimination against women, subordination, oppression, unfair treatment, and the like. These terms can indeed arouse emotions, annoyance, and trigger great sympathy for women. Therefore, the mainstream feminist agenda (structural, functional, conflict, and socialist) since the beginning of this century until now is "how to realize gender equality quantitatively, namely men and women must both (fifty-fifty) play a role both outside and inside".²²

The term gender equality in the understanding of the general public often gives rise to a sense of ambivalence. Do men and women really have to be the same so that everything must be equal? What about the biological differences between men and women that often bring conditions of inequality. On the one hand, there are those who really hope for equality, because they consider that the concept of gender is a social construct. So that differences in gender do not need to result in differences in gender roles and behavior in the social level. On the other hand, there are those who think that differences in gender will always have an impact on the construction of the concept of gender in social life. The two groups above basically have the same principle, namely eliminating discrimination and injustice against women. However, both of them also differ in understanding justice. Does justice have to distribute something equally or does justice have to distribute something according to the proportion and capacity of each and not have to be equal? By looking at the concept of gender equality above, it can be concluded that gender equality does not only provide benefits to one party. Namely women, but also provides benefits to men.²³

²⁰ Interview, Tuesday, 03 December 2024.

²¹ Interview, Wednesday, 04 December 2024.

²² Ratna Megawangi, *Membiarkan Berbeda* (Bandung: Mizan, 1999), 9.

²³ Ratna Megawangi, *Membiarkan Berbeda* (Bandung: Mizan, 1999), 10-11.

B. Gender Equality in Education

Education in gender equality is a combination of education and gender. Education as concluded by the authors is a conscious effort made by adults to help and guide the growth and development of students regularly and systematically towards maturity through teaching guidance, training, and devoted in order to develop the personality and abilities of students to the level of maturity, and this is done both inside and outside of school which lasts a lifetime, in order to achieve the highest safety and happiness. While gender the authors concludes is a concept used to define the differences between men and women, which are constructed socially and culturally by linking them to the biological characteristics of each sex, so that later it will have an impact on the position and role of men and women in their lives.

From the definition of gender equality application in education that has been described above, it can be concluded that the application of gender equality in education is the application or use of opportunities and chances between men and women in getting guidance for the growth and development of students regularly and systematically towards maturity through teaching guidance, training, and devoted to developing the personality and abilities of students to the level of maturity, and this is done both inside and outside of school which lasts a lifetime, in order to achieve the highest safety and happiness.²⁴ This is in line with national education as stated in the National Education System Law No. 20 of 2003 Article 4 Paragraph (1) which states that: "education is organized democratically and fairly and is non-discriminatory by upholding human rights, religious values, cultural values, and national diversity".²⁵

As for now, the phenomenon of gender segregation in the implementation of education is only found by the authors in the Islamic education environment of *Pesantren*. And although here the authors takes a sample of the opinions of *pesantren* teachers in East Java only, the actual separation and distinction between male and female student does not only occur in East Java *pesantren*, but also *pesantren* outside East Java. For example, in *Pesantren Bustanul Muttaqin*, Merbau Mataram District, South Lampung Regency, which was researched by Desi Romadani in her thesis.²⁶ In general education institutions or Islamic education but not *pesantren*, the application of regulations with mixing patterns between men and women, both at the level of students and teachers is still very dominant.

Thus, it can be concluded that there are striking differences between *pesantren* education and non *pesantren* Islamic education and general education in regulating the mixing and separation of male and female students. This will make the study in this research interesting because the unique regulation pattern in this *pesantren*, which in general seems to be contrary to gender theory in education, turns out to have a positive side and wisdom and actually has a good impact, both on educational activities and students' personalities so that later it will be able to become an inspiration or pilot for other education systems outside of *pesantren* institutions.

C. Gender Segregated Tradition of Islamic Education in Indonesian *Pesantren*

Islam teaches its followers to study without differentiating between genders. Islam also gives equal rights to men and women to get access to education without any distinction. This is as the hadith of the Prophet Muhammad which means: "Seeking knowledge is obligatory for every Muslim

²⁴ Laelatussa'adah, 'Aplikasi Kesetaraan Gender Dalam Pendidikan Pada Sekolah Menengah Kec. Kresek Balaraja Banten' (Universitas Islam Negeri Syarif Hidayatullah, 2007), 27.

²⁵ Umaedi, Manajemen Mutu Berbasis Sekolah/Madrasah (MMBS/M) (Jakarta: CEQM, 2004), 345.

²⁶ Desi Romadani, 'Relasi Gender Dalam Konstruksi Masyarakat Pesantren (Studi Pondok Pesantren Bustanul Muttaqin Kecamatan Merbau Mataram Kabupaten Lampung Selatan)' (Universitas Islam Negeri Raden Intan, 2023).

and Muslim woman'. Education during the Prophet's time began when he was appointed as a Prophet who then started by hiding until openly. However, there are differences in the delivery of this education. The opportunity for women to take part in learning is still limited by the surrounding culture and not as free as men. But the Prophet Muhammad SAW gradually began to change the culture by providing equal opportunities for women to get education.²⁷

Pesantren as one of the Islamic educational institutions is an indigenous educational institution. *Pesantren* as an educational institution has a very strategic role in conveying the concepts of Islamic teachings to the community, which are related to issues of worship, muamalah and morals. The Javanese Muslim community, especially in the current atmosphere of technology and information globalisation, prefers *pesantren* as the best alternative to save the morals of their children. One of the greatest hopes of the community is for their children to have noble morals, in accordance with Islamic teachings, while at the same time being able to study Islamic and general sciences simultaneously.²⁸ This moral education is one of the reasons why Muslims still consider education in *pesantren* to be very important.

One of the things that has become a tradition in *pesantren* is the implementation of a gender segregation system in the education process. The definition of gender segregation when associated with the tradition in *pesantren* is the separation between male and female students or teachers in daily learning inside or outside the classroom and the separation of residence. This gender segregation tradition is applied because *pesantren* is

an institution that upholds the works of medieval fiqh which forbid the meeting of men and women in one place and even forbid the appearance of women in the public sphere.²⁹ If they must be in the public domain, then they must be in the women's community only and if men and women must be in one place, then the positions must be separated by a dividing curtain or usually men in front and women in the back. So it is not surprising that there is gender segregation or separation between men and women in learning in *pesantren*.

D. The rule *Dar'ul Mafāsīd Muqaddamun 'alā Jalbil Maṣālih*

The meaning of the rule *Dar'ul Mafāsīd Muqaddamun 'alā Jalbil Maṣālih* is that rejecting harm is more important than attracting benefit. This rule is a derivative of the main fiqh rule, namely الضرر يزال which means linguistically that difficulties must be eliminated, the intention of this rule is to leave things that can harm or have a bad impact on others or oneself.³⁰

The meaning of the *Dar'ul Mafāsīd Muqaddamun 'alā Jalbil Maṣālih* rule is that if two things happen which contain *mafsadat* and *maslahah*, then the *mafsadat* aspect (damage or prohibition) must be avoided.³¹ Based on this rule, we should prioritize rejecting benefits rather than attracting benefits. This means that if in a case there is a dispute between rejecting *mafsadat* (damage) and accepting *maslahah* (goodness), then what is more important is rejecting *mafsadat* (damage). If the damage to a case is not removed or rejected, it is feared that greater damage or danger will arise.³² The basis of sharia comes from

²⁷ Samsul Nizar, *Sejarah Pendidikan Islam, Menelusuri Jejak Sejarah Pendidikan Era Rasulullah Sampai Indonesia* (Jakarta: Kencana, 2007), 215.

²⁸ Azyumardi Azra, *Pendidikan Islam: Tradisi Dan Modernisasi Menuju Milenium Baru* (Jakarta: Logos Wacana Ilmu, 1999), 109.

²⁹ Kholid Mawardi, 'Madrasah Banat: Potret Pendidikan Anak Perempuan NU Masa Kolonial Belanda', *Jurnal Studi Gender Dan Anak: Yin Yang*, 3.2 (2008), 239.

³⁰ Saipul Nasution and others, 'Hukum Game Online Dalam Kaidah Dar'ul Mafasid Muqaddamu 'ala Jalbil Mashalih', *Jurnal Syari'ah*, 4.1 (2021), 7.

³¹ Fathurrahman Azhari, *QAWAID FIQHIYYAH MUAMALAH* (Banjarmasin: Lembaga Pemberdayaan Kualitas Ummat (LPKU), 2015), 111.

³² Mif Rohim, *Buku Ajar Qawa'id Fiqhiyyah (Inspirasi Dan Dasar Penetapan Hukum)* (Jombang: LPPM UNHASY Tebuireng, 2019), 111.

maslahah and *mafsadat*. The principles of this rule are:

ماهيتم عنه فاجتنبهوه، وما امرتكم بهفأتوانمه ما استطعتم

Maslahah when viewed from an etymological perspective has the meaning of benefit, *maslahah* itself can be interpreted as something or work that contains benefits for both oneself and the general public. Several scholars of *ushul fiqh* interpret *Maslahah* as taking a benefit from an action and rejecting harm with the intention of maintaining a sharia law. Imam al-Ghazali provides a view related to *Maslahah*, that taking a benefit must be in line with what has been prescribed, even if the *maslahah* is contrary to the will or desire of humans, why is that? Imam al-Ghazali is of the opinion that most *maslahah* that is used as a basis is by following human lust or desires which makes it loose from the path of applicable sharia.³³

E. Analysis of Gender Inequality in the Policy Prohibiting Female Teachers from Teaching in Male student Classes

In this sub-topic, the authors analyzes the data obtained through questionnaires and interviews, then the authors combines it with related theories that the authors has also explained in the previous discussion. From the initial data obtained through questionnaires, it reveals that 67.1% of respondents said that in their *pesantren*, a female teacher was not given permission to teach male students. This fact, if seen at a glance, is certainly perceived as a practice of gender inequality, because there is an imbalance in gender roles in the rules.³⁴ Likewise, if it is associated with the study of gender equality in education, teaching opportunities should be given with the same portion between male and female teachers.³⁵ However, the problem is that it should not be that simple in interpreting a phenomenon. There needs to be consideration and analysis from other

perspectives in order to find a more objective answer.

The reality of the limitation of teaching roles that occurs among female teachers, which in theory gender and education are unfair, is not directly proportional to the data obtained by the authors from the third question in the distributed questionnaire. From the third question, the incoming data is rather surprising. The data states that 67.1% of respondents said they agreed with the limitation. Of course, the figure of 67.1% was then analyzed by the authors to determine the gender in the composition of the 67.1%. This is important to know to ensure that the figure of 67.1% is evenly distributed between men and women in order to increase the level of objectivity of the answers. The results of the gender analysis state that the figure of 67.1% is not dominated by the voices of male teachers, but is relatively evenly distributed between men and women, namely at 71% of male teachers agree, and also 65% of female teachers agree.

From the data and analysis above, the conclusion related to the existence of gender inequality in the limitation of the teaching role of female teachers in *pesantren* is certainly now rejected because it is impossible for the restriction to have an unequal value even though 65% of female teachers agree with it. Female teachers should reject and say they disagree if the restriction has a negative impact in the form of injustice for them. This paradox certainly requires further, more in-depth analysis, so the authors also conducted in-depth interviews for several respondents from female teachers who agreed.

In-depth interviews were conducted by the authors by taking 3 samples from respondents in the questionnaire. Of the 3 informants, they stated that they agreed to the restriction because they considered the potential harm that could occur if female teachers taught in male students' classes.

³³ Syarif Hidayatullah, 'Maslahah Mursalah Menurut Al-Ghazali', *Al-Mizan*, 2.1 (2018), 116.

³⁴ Ratna Megawangi, *Membiarkan Berbeda* (Bandung: Mizan, 1999), 10-11.

³⁵ Umaedi, *Manajemen Mutu Berbasis Sekolah/Madrasah (MMBS/M)* (Jakarta: CEQM, 2004), 345.

The reasons and considerations in the answers 'agree' of the three informants were also stated during the interview, namely that the restriction was carried out with the intention of applying the fiqh principle of *Dar'ul Mafāsīd Muqaddamun 'alā Jalbil Maṣālih*, namely that rejecting harm is prioritized over attracting benefits.³⁶

The answers of the 3 informants above which relate to the fiqh principle of *Dar'ul Mafāsīd Muqaddamun 'alā Jalbil Maṣālih* certainly do not fully answer all questions. The authors is suspicious of this answer because the diction of mudhorot they mentioned is still too general so that further study is needed. And of course it makes the authors think critically whether only when female teachers teach male students can open up the potential for harm, why not the other way around. Therefore, the authors conducted an in-depth study for the umpteenth time through interviews related to the suspicion. The results of the in-depth study have been clearly presented by the authors in the table in the results discussion.

From the table, it is concluded that the harm that the resource person meant refers to several things, including the potential to disrupt the focus of male students' learning and the vulnerability of female teachers to receiving dangerous treatment in class. More interestingly, the third resource person stated that the limitation of teaching roles applied in *pesantren* actually had a positive impact in the form of saving *pesantren* policy makers from female teachers from potential dangers that are very likely to occur. Of course, this is not an act of marginalizing women, but rather honoring women. Then it is related to whether only female teachers pose a danger when teaching male students and not vice versa. Here the resource person gave answers including because women are better able to control their lust than male teachers, male teachers are more endowed with the strength to protect themselves if threatened with danger,

and there are also those who relate it to the fiqh principle which states "if one harm collides with another, then the smallest and lightest harm is taken".³⁷

Thus, from the many descriptions above, the authors concludes that the existence of restrictions on teaching roles for female teachers made by the *pesantren* policy makers (caretakers), should not be hastily viewed as a form of gender inequality practice in *pesantren*. Because in reality in the field, the female teachers actually agree with the regulation because they feel honored by the restrictions because they feel protected and kept away by the caretakers of the pondok from things that are potentially harmful to them. Of course, with the implementation of unique regulations like this, they also feel proud and happy because they can apply the fiqh principle which states that rejecting harm is prioritized over attracting benefits. Although if they are given free space to teach in the male student class, it will provide a positive effect (*maslahah*) in the form of improving the quality, competence, and teaching experience, these benefits must be set aside and prioritized to avoid harm in the form of harm that is very likely to occur as the results of the authors's interview.

As a scientific research, the results of this study are certainly new data that the authors believes are important regarding the issue of gender inequality in education, especially *pesantren* education. The answers from this study are not the same as the results of previous studies. Where they stated that there is gender inequality in the world of work and education in Indonesia. Of course, *pesantren* education cannot be equated with the world of work or non-*pesantren* education. *pesantren* education has its own traditions and characteristics based on strongly held religious principles, which cannot simply be considered as a patriarchal attitude. Likewise, *pesantren* education also stands independently by having its own regulations that

³⁶ Saipul Nasution and others, 'Hukum Game Online Dalam Kaidah Dar'ul Mafasid Muqaddamu 'alā Jalbil Mashalih', Jurnal Syari'ah, 4.1 (2021), 7.

³⁷ Syarif Hidayatullah, 'Maslahah Mursalah Menurut Al-Ghazali', Al-Mizan, 2.1 (2018), 116.

are not subordinate to the government institutions above it.

This study also strengthens and provides additional arguments to the results of research conducted by Iksan Kamil Sahri and Lailatul Hidayah regarding the phenomenon of single sex rooms implemented in educational units under the auspices of the Al-Fithrah *pesantren*.³⁸ One of the results of her research revealed that there were also restrictions on the teaching role of female teachers, which she then concluded was more towards the tradition of the *pesantren*, not the practice of gender inequality. This study provides improvements by revealing that the restrictions on the teaching role of female teachers are not limited to the tradition of *pesantren* without evidence and origins, but rather the tradition of *pesantren* that are based on the treasury of Islamic knowledge itself, especially in the field of fiqh, ushul fiqh, and fiqh rules.

Conclusion

In the *pesantren* environment, there is a pattern or a kind of unique and unique rule in allocating a teacher's teaching role. It turns out that female teachers are only given permission to teach female student classes and may not teach in male student classes, but not for male teachers. Whereas in principle, men and women have an equal position in relation to being actors of human resource development through education. Of course, the regulations that limit the teaching role of women above create the impression that *pesantren* have marginalised the role of female teachers. To ascertain whether it is true that the *pesantren* regulations cause gender inequality or the opposite, it is necessary to conduct a deeper research of this phenomenon, especially from the perspective of the *pesantren* teachers themselves. Of the 70 *pesantren* teachers consisting of 35 male teachers and 35 female teachers who filled out the questionnaire, there were varied answers regarding

the restrictions on the teaching role of female teachers in *pesantren*.

First, 67.1% of teachers agree because it aims to minimise *mudhorot* in accordance with the principle of '*Dar'u al Mafasid Muqaddamun 'ala Jalbi al Mashalih*', 20% disagree because it is not gender fair, and the rest of the answers are mixed with categorisation 71% of male teachers agree and 29% of them disagree, 65% of female teachers agree and 35% of them disagree and relatively. Second, if their relative answers are reduced, the results show that between agreeing and disagreeing, they will consider several aspects, namely marital status, potential *mudhorot*, and the availability of teachers. Third, from the results of in-depth interviews, 3 interviewees stated that they agreed to the restriction because they considered the potential harm that could occur if female teachers taught in male student classes with the intention of applying the fiqh rule *Dar'ul Mafasid Muqaddamun 'ala Jalbil Maṣalih*, namely rejecting *mafsadah* takes precedence over attracting benefits. Fourth, it is concluded that the *mudhorot* that the informants mean leads to several things, including the potential to disrupt the focus of male student learning and the vulnerability of female teachers to harmful treatment in the classroom so that the restrictions on teaching roles applied in *pesantren* actually have a positive impact in the form of saving *pesantren* policy makers from female teachers from potential dangers that are very likely to occur. Thus, from the many descriptions above, the authors concludes that the restrictions on teaching roles for female teachers made by *pesantren* policy makers (caregivers), should not be hastily seen as a form of gender inequality practices in *pesantren*. Because in reality in the field, the female teachers actually agree with the regulation because they feel ennobled by the restriction because they feel protected and kept away by the caregivers of the *pesantren* from things that have great potential to happen to them.

³⁸ Iksan Kamil Sahri, and Lailatul Hidayah, 'Kesetaraan Gender Di Pesantren NU: Sebuah Telaah Atas Single Sex Classroom Di Pendidikan Diniyah Formal Ulya

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