

## The Concept of *Sakinah* as a Normative-Theological Foundation for Gender Equality in Islamic Family Law

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|| Received : 05-08-2025    || Accepted: 27-09-2025    || Published: 28-09-2025

### Abstract

The concept of *sakinah* in Islam is normatively understood as the ultimate objective of marriage, characterized by tranquility, affection, and compassion, as emphasized in the Qur'an, Surah al-Rūm (30:21). Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI) also affirm that the ideal family is one founded upon *sakinah*, *mawaddah*, and *rahmah*. Nevertheless, social realities reveal a considerable gap between these normative ideals and actual practices in society, where patriarchal culture continues to dominate and often places marital relations in unequal positions. Previous studies have largely focused on the normative dimension or state regulation concerning the notion of a *sakinah* family, but relatively few have specifically linked it to the issue of gender equality. This study seeks to re-examine the concept of *sakinah* as a foundation for fostering gender equality within the family. Employing a qualitative method based on library research, it draws upon Qur'anic verses, Prophetic traditions, exegetical literature, Indonesian family law regulations, and the works of contemporary scholars. The analysis applies content analysis and discourse analysis to uncover both the normative meaning of *sakinah* and the embedded gender narratives within interpretations and legal regulations. The findings suggest that *sakinah* should not be understood merely as a state of harmony, but rather as a relational construct grounded in reciprocity and equality between husband and wife. This underscores the potential of *sakinah* as a normative framework for building families that are just and egalitarian. The contribution of this research lies in offering a new perspective for the development of Islamic family law that is more responsive to the principles of gender justice and attuned to the dynamics of contemporary Muslim societies.

[Konsep *sakinah* dalam Islam secara normatif dipahami sebagai tujuan utama perkawinan yang menghadirkan ketenteraman, cinta, dan kasih sayang, sebagaimana ditegaskan dalam Al-Qur'an surah Ar-Rūm ayat 21. Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan serta Kompilasi Hukum Islam (KHI) juga menegaskan bahwa keluarga ideal adalah keluarga yang *sakinah*, *mawaddah*, dan *rahmah*. Namun, realitas sosial memperlihatkan adanya kesenjangan antara idealitas normatif dengan praktik di masyarakat, di mana budaya patriarkal masih mendominasi dan menempatkan relasi suami-istri dalam posisi yang tidak setara. Kajian sebelumnya umumnya menitikberatkan pada aspek normatif atau regulasi negara mengenai keluarga *sakinah*, tetapi belum banyak yang secara khusus mengaitkannya dengan isu kesetaraan gender. Penelitian ini bertujuan menelaah kembali konsep *sakinah* sebagai landasan bagi terciptanya kesetaraan gender dalam keluarga. Dengan menggunakan metode kualitatif berbasis

*studi pustaka (library research), penelitian ini menghimpun data dari ayat-ayat Al-Qur'an, hadis, literatur tafsir, regulasi hukum keluarga di Indonesia, serta pemikiran ulama kontemporer. Analisis dilakukan melalui pendekatan analisis isi dan analisis wacana untuk menyingkap makna normatif sakinah sekaligus menguraikan narasi gender yang termuat dalam penafsiran maupun regulasi. Hasil penelitian menunjukkan bahwa sakinah tidak semata-mata dimaknai sebagai kondisi harmonis, melainkan juga sebagai konstruksi relasi yang berlandaskan kesalingan dan kesetaraan antara suami dan istri. Temuan ini menegaskan bahwa konsep sakinah memiliki potensi besar sebagai kerangka normatif dalam membangun keluarga yang adil dan egaliter. Kontribusi penelitian ini terletak pada penyajian perspektif baru bagi pengembangan hukum keluarga Islam yang lebih responsif terhadap nilai-nilai keadilan gender serta relevan dengan dinamika masyarakat muslim kontemporer.]*

**Keywords:** *Sakinah, Gender Equality, Islamic Family Law, Gender Justice.*

**How to Cite:** Al-kautsar, A. M. (2025). The Concept of Sakinah as a Normative-Theological Foundation for Gender Equality in Islamic Family Law. *Jurnal Mediasas: Media Ilmu Syari'ah Dan Abwal Al-Syakhsyiyah*, 8(3), 615–623. <https://doi.org/10.58824/mediasas.v8i3.436>



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## INTRODUCTION

Marriage in Islam is regarded as a sacred bond aimed at establishing a family founded on *sakinah*, *mawaddah*, and *rahmah*. The Qur'an, Surah al-Rūm (30:21), affirms that God created spouses so that humankind may attain tranquility, love, and compassion. This verse provides a theological foundation that marriage is not merely a formal contract between a man and a woman, but rather an institution oriented toward achieving spiritual serenity and familial harmony (Putra et al., 2022; Riaya et al., 2024; Sanah, 2024). Accordingly, *sakinah* occupies a central position in Islamic teachings, serving both as a spiritual and social objective of marriage.

This normative ideal is further reinforced within Indonesia's family law framework. Article 1 of Law No. 1 of 1974 on Marriage stipulates that the purpose of marriage is to form a happy and everlasting family based on the belief in the Almighty God ((UU No 1, 1974 Tentang Perkawinan., n.d.). Similarly, Article 3 of the Compilation of Islamic Law (KHI) emphasizes that the ideal family is one characterized by *sakinah*, *mawaddah*, and *rahmah* (Kementrian Agama Ri, 2018). Hence, both religious texts and positive legal regulations place *sakinah* as the primary foundation of family life. At this point, there is a clear alignment between religious norms and positive law in determining the essential purpose of marriage.

However, social realities reveal a substantial gap between normative ideals and practical implementation. Deeply rooted patriarchal culture often renders marital relations unequal. Men are positioned as the dominant authority within the household, while women are relegated to a subordinate role (Sopariyah & Khairunnisa, 2024). Consequently, the concept of *sakinah* is frequently reduced to the wife's obedience to her husband, without emphasizing the principles of reciprocity and justice. Such conditions frequently give rise to gender inequality, imbalances in domestic and public roles, and contribute to the growing rates of marital conflict and divorce (Warman et al., 2023). This phenomenon underscores the significant disparity between the normative ideals that marriage is intended to realize and the empirical realities of everyday life.

A number of previous studies have examined *sakinah* as a psychological and spiritual condition that engenders tranquility within the household. Others have highlighted *sakinah*

in the context of marital counseling and state policies concerning the *sakinah* family program (Lestari, 2022; Ritonga et al., 2023; Siagian & Misrah, 2024). Nevertheless, these studies generally do not explicitly situate *sakinah* as a basis for gender equality within the family. This indicates a gap in the academic literature concerning the linkage between the concept of *sakinah* and the reconstruction of egalitarian relations between husband and wife in Islamic family law.

This study seeks to address this gap by offering a critical analysis of the concept of *sakinah*. Through a normative-theological approach combined with gender studies, it endeavors to reinterpret *sakinah* not merely as a spiritual condition but also as a theological and juridical foundation capable of sustaining gender equality within Muslim families. The findings of this research are expected to enrich the body of knowledge in the field of Islamic family law, reinforce the normative legitimacy for realizing gender equality in the household, and provide a substantive contribution to the development of Islamic family law that is more just, inclusive, and responsive to the dynamics of contemporary society.

## **METHOD**

This study employs a qualitative design with a library research approach (Fadli, 2021). The methodology combines a normative-theological perspective with gender analysis, as the primary aim is to critically examine the concept of *sakinah* in religious texts and Islamic family law, while exploring its potential as a foundation for gender equality within Muslim families.

The data sources consist of both primary and secondary materials. Primary data include Qur'anic verses, Prophetic traditions, exegetical works, and Indonesian family law regulations such as the Compilation of Islamic Law (KHI) and Law No. 1 of 1974 on Marriage. Secondary data comprise scholarly works, books, and relevant journal articles, obtained through an in-depth literature review that carefully considers credibility, relevance, and novelty, particularly focusing on academic publications from the past five to ten years in order to maintain the continuity of the state of the art.

This research adopts a descriptive-analytical character, systematically outlining the concept of *sakinah* from a normative-theological perspective while simultaneously analyzing its connection to the issue of gender equality. The study is intended to bridge Islamic legal norms and doctrines with the empirical realities of gender relations in family practice. Data were analyzed using content analysis to uncover the normative meaning of *sakinah* within religious texts and legal documents, as well as discourse analysis to reveal gender narratives—both supportive and restrictive of equality—embedded in interpretations and regulations. Through this methodological framework, the study seeks to construct a critical understanding that *sakinah* should not only signify spiritual tranquility but also serve as a theological and juridical foundation for egalitarian relations between husband and wife in Muslim families.

## **RESULTS AND DISCUSSION**

### **The Concept of Sakinah from a Normative-Theological Perspective**

In social tradition, the term *sakinah* is often narrowly understood as inner peace derived from the marital bond (Kumala & Tresnawati, 2017). While such an interpretation aligns with the psychological need of human beings to live in companionship with a spouse, it reduces the broader meaning of *sakinah* by limiting it to the emotional dimension. This neglects the wider normative and ethical aspects inherent in the concept. In fact, both the Qur'an and Hadith emphasize that *sakinah* represents the ideal purpose of marriage,

integrating spiritual, emotional, social, and moral dimensions in family life (Djuned & Husna, 2019; Sanah, 2024).

The Qur'an, Surah al-Rūm (30:21), serves as the primary text in understanding the notion of *sakinah*. God declares:

*“And among His signs is that He created for you spouses from among yourselves, so that you may incline toward them and find tranquility in them; and He placed between you affection and mercy. Indeed, in that are clear signs for a people who reflect.”* (Ministry of Religious Affairs, Republic of Indonesia, 2004).

The verse underscores that the primary objective of marriage is the attainment of tranquility (*sakinah*). This tranquility is not merely an emotional state but a condition built upon the solid foundations of love (*mawaddah*) and compassion (*rahmah*). *Mawaddah* is understood as an affectionate love that brings personal happiness, while *rahmah* reflects an active commitment to ensure the happiness of one's spouse. Thus, *sakinah* constitutes a shared achievement grounded in reciprocity, wherein both husband and wife bear equal responsibility to give and receive happiness. In this light, the term *azwāj* in the verse is more appropriately interpreted as “spouses” in a general sense, thereby applying equally to both parties (Faqihuddin Abdul Qodir, 2019).

Contemporary interpretations of *sakinah* also highlight broader dimensions beyond inner peace. Progressive Muslim scholars frame it as a foundation for equality and justice within the household. Quraish Shihab, for instance, emphasizes that tranquility does not denote a static condition but a harmonious state attainable only when marital relations are based on mutual understanding, complementarity, and support. Accordingly, *sakinah* is not an instantaneous gift of marriage but a process continuously nurtured through healthy relationships (Nisa, 2022; Sholihah & Al-Faruq, 2020; Wahyu Permadi & Elok Halimatus Sadiyah, 2023).

A similar emphasis is found in the works of Husein Muhammad, Nur Rofi'ah, and Faqihuddin Abdul Qodir, who argue that *sakinah* must be interpreted in line with the principle of *mu'āsyarah bi al-ma'rūf* (Qur'an, An-Nisā' 4:19)—living together in kindness, respect, and reciprocity (Faqihuddin Abdul Qodir, 2019; Husein Muhammad, 2019; Nur Rofi'ah, 2020). This principle explicitly rejects patriarchal relationships that elevate one party above the other.

The ethical dimension of *sakinah* is also affirmed in the Prophetic tradition: “The best of you is the one who is best to his family, and I am the best among you to my family” (Muhammad bin Isa al-Tirmidhi, 2000). This hadith demonstrates that good conduct toward one's family is a moral benchmark in Islam, applying equally to men and women. Thus, the quality of marriage is measured by moral behavior reflected in kindness and respect within spousal relations. This reinforces the view that *sakinah* can only be realized when husband and wife mutually uphold benevolence and respect (Faqihuddin Abdul Qodir, 2019).

Furthermore, the Qur'anic command in An-Nisā' (4:19) concerning *mu'āsyarah bi al-ma'rūf* provides a solid normative foundation for just family relations. The term *ma'rūf* carries a universal meaning encompassing goodness, fairness, and justice that remain contextually relevant. Hence, a household built upon this principle must be characterized by equality, mutual respect, and shared responsibility (Hilmi, 2023; Muhammad, 2022). Conversely, relationships marked by domination and hierarchy contradict this principle, as genuine tranquility cannot coexist with injustice.

Some interpretations have invoked Qur'an An-Nisā' (4:34) regarding *qiwamah* as legitimizing male dominance in the household. However, contextual readings indicate that

*qiwamah* is not intended to establish absolute male authority based solely on gender, but rather to denote functional responsibility based on capability and accountability. The verse is universal and may apply to either men or women, making it more accurate to understand *qiwamah* as a functional role in fulfilling family needs rather than a license for unilateral control. When read in conjunction with Ar-Rūm (30:21) and An-Nisā' (4:19), it becomes clear that *qiwamah* must be interpreted in a functional, not hierarchical, sense (Muhammad Syafirin, 2024; Zakiah, 2023).

Through this normative-theological analysis, it becomes evident that *sakinah* embodies values extending beyond emotional tranquility. It constitutes a spiritual, social, and moral foundation requiring love, compassion, respect, and shared responsibility. Consequently, *sakinah* does not accommodate hierarchical relations that position the husband as sole authority and the wife as subordinate. Instead, it affirms egalitarian relations grounded in mutual support. This perspective provides a strong basis for understanding *sakinah* as the foundation of gender equality within Muslim families.

### ***Sakinah as the Foundation of Gender Equality in Family Law***

The concept of *sakinah* in Islamic family law occupies a fundamental position as it encompasses values of tranquility, affection, and mercy. These values are universal and may serve as the foundation for creating egalitarian and just marital relations (Faqihuddin Abdul Qodir, 2019). Nevertheless, its implementation in national regulations, such as Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI), still reflects gender bias, producing tension between the normative ideals of *sakinah* and the realities of positive law (Kamal, 2018).

The Marriage Law, particularly Article 31(3), stipulates that the husband is the head of the household while the wife is a homemaker. This normative formulation reinforces hierarchical relations that privilege men within family structures (Law No. 1 of 1974 on Marriage, n.d.). Such a provision contradicts the spirit of *sakinah*, which emphasizes reciprocity, partnership, and balance of roles.

KHI Articles 79 and 80 strengthen this dichotomy by designating the husband as the breadwinner and the wife as the domestic manager (Ministry of Religious Affairs, 2018). Although intended to preserve harmony, these provisions perpetuate the domestication of women. The essence of *sakinah* resists unilateral role assignments because it demands mutuality and shared responsibility (Faqihuddin Abdul Qodir, 2019).

Legal norms that separate roles based on gender produce serious social implications. They reinforce stereotypes that confine women to the domestic sphere while granting men dominance in the public domain. In the long term, such constructs risk perpetuating the subordination of women within the family, a reality that runs counter to the values of *sakinah*, which require justice and equality.

Comparative studies of family law in other Muslim-majority countries provide useful insights. Morocco, for instance, through the 2004 reform of the *Mudawwanah al-Usrah*, enshrined the principle of equality between spouses in household management. The reform abolished male dominance as head of the family and replaced it with the principle of partnership. This demonstrates that Islamic family law can be reinterpreted in line with the spirit of *sakinah*, which demands equality (Buskens, 2010).

Tunisia provides another important reference. Since 1956, through the *Code du Statut Personnel*, the country has abolished polygamy and emphasized gender equality in marriage. These regulations are regarded as progressive because they integrate Islamic values with universal principles of justice. *Sakinah* can thus be viewed as a theological justification for such policies.



Egypt, with its strong Islamic legal tradition, has introduced partial reforms through its *Law of Personal Status*, granting women new rights such as the right to initiate divorce (*khul'*). Although facing resistance, these reforms reflect an interpretive space aligned with the values of *sakinah*.

In Southeast Asia, Malaysia offers another example. The Islamic Family Law of Selangor affirms women's rights regarding divorce, alimony, and joint property. However, the legal framework still preserves the designation of men as heads of households, reflecting a tension between traditional values and modern demands in the application of *sakinah* in family law.

In the Indonesian context, efforts to reconstruct family law still face significant challenges. Although certain provisions, such as Article 31(1) of the Marriage Law, recognize the balance of rights and responsibilities, other provisions reaffirm gender hierarchy. This indicates the persistence of normative ambiguity that requires reinterpretation.

At the global level, gender equality has become an international standard through the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). As a state party, Indonesia is obliged to harmonize its domestic regulations with these principles. The concept of *sakinah* can serve as a theological bridge for reconciling Islamic family law with international standards.

International scholarship has also emphasized the need for gender justice in family law. Mir-Hosseini (2009) argues that Islamic family law must undergo continuous reform to align with the principles of *maqāṣid al-sharī'ah*, particularly justice (*'adl*) and welfare (*maṣlaḥah*). Within this framework, *sakinah* can be understood as a *maqāṣid* that underpins egalitarian relations.

From a sociological perspective, hierarchical interpretations of spousal roles often give rise to discriminatory practices. Global studies reveal that states designating men as heads of families tend to record lower levels of women's participation in education and employment (World Bank, 2021). This strengthens the argument that an egalitarian interpretation of *sakinah* is more relevant to human development needs.

Moreover, the values of *sakinah* align with human rights approaches. Tranquility, affection, and mercy can be articulated as fundamental rights of every family member. Reinterpreting *sakinah* is therefore not merely a theological agenda but also a constitutional obligation of the state to fulfill the rights of its citizens.

In addition, reinterpreting *sakinah* contributes to social stability. Egalitarian households are more adaptive to socio-economic changes. International research indicates that gender equality within families correlates positively with child welfare and societal stability (UN Women, 2020). This demonstrates that *sakinah*-based family law reform has far-reaching effects beyond the domestic sphere.

At the academic level, the discourse on *sakinah* as the foundation of gender equality necessitates a multidisciplinary approach. Normative-theological perspectives must be complemented by sociological, anthropological, and juridical analyses. Thus, *sakinah* may be understood not only as a religious doctrine but also as a dynamic social construct responsive to global contexts.

The key challenge lies in resistance to reinterpretation, often perceived as contradicting tradition. Yet, experiences from other countries show that family law reform does not undermine Islamic values but rather actualizes them in line with contemporary needs. As a universal value, *sakinah* has significant potential to harmonize religious texts with modern demands.

Accordingly, aligning *sakinah* with egalitarian family law is not merely a domestic agenda but also part of a global movement toward gender justice. Indonesia can learn from other reform experiences while positioning *sakinah* as a distinctive normative strength rooted in Islamic tradition.

Ultimately, the development of Islamic family law in Indonesia must be directed toward a framework that is just, inclusive, and responsive. *Sakinah* as a theological foundation may serve as a point of convergence between Islamic teachings, the principles of *maqāṣid al-sharīʿah*, and international human rights standards. In this way, Islamic family law becomes not only normatively relevant but also adaptive to the needs of contemporary society.

From this discussion, it is evident that *sakinah* is not merely a spiritual concept but also a theological and juridical basis for egalitarian relations within Muslim families. Through progressive reinterpretation, *sakinah* can serve as a central foundation for building Islamic family law that is more just, equal, and contributive to global societal development.

## CONCLUSION

This study finds that the concept of *sakinah*, when viewed through a normative-theological lens, does not merely represent emotional tranquility but also affirms the principles of love (*mawaddah*), compassion (*rahmah*), and *muʿāsharah bi al-maʿrif* as the core foundations of family relations. Within this framework, *sakinah* rejects hierarchical patterns that elevate one party over the other, instead emphasizing reciprocity and partnership. However, when these values are implemented in Indonesian family law, particularly through Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI), normative constructions still exhibit gender bias, often confining women's roles to the domestic sphere. This reflects a gap between the egalitarian spirit of *sakinah* and its application in legal regulation.

The main contribution of this study is to propose a reinterpretation of *sakinah* as a basis for gender equality in Islamic family law. By using Qur'an 30:21 and Article 31(1) of the Marriage Law as interpretive entry points, this research enriches the academic discourse on the urgency of reconstructing family law to become more inclusive, egalitarian, and aligned with normative Islamic principles. The findings further provide theological and juridical foundations for reforming family law in ways that are responsive to the demands of gender justice in contemporary Muslim societies.

The limitation of this study lies in its focus on normative-theological analysis and legal regulation, without engaging empirical aspects of how *sakinah* is practiced within households. Future research should therefore adopt field-based approaches to examine the extent to which egalitarian interpretations of *sakinah* can be actualized in diverse social contexts. Such investigations would complement the present findings by offering empirical grounding.

Accordingly, this study aims to serve as a foundation for policymakers, academics, and practitioners of Islamic family law to promote legal reform and develop gender-sensitive marriage guidance programs. Ultimately, these efforts seek to realize Muslim families that are just, harmonious, and sustainable.

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