




















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



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## Content

Friday Prayer for Women and Right to Worship Meliyani Sidiqah Sekolah Tinggi Hukum Bandung, Bandung, Indonesia ms.meliyanisidiqah@gmail.com Abstract The purpose is to discover the essence of Friday prayers for women and provide several views according to the right to worship for women. This phenomenon is considered an unusual thing because two different views lead society to divisions that must be immediately prevented. This paper is normative juridical research using an interdisciplinary approach because not only examines several views regarding Friday prayers for women normatively but also involves other branches of knowledge such as social, cultural and religious (interpretation of revelation and hadith) in society. Field research is only a complement to support research results. This paper presents different research on the substance of Friday prayers considered essential but received less attention from the public and most researchers, namely Friday prayers "for women". The results show that the essence of Friday prayers for women is sunnah (permitted/not prohibited), based on Surah Al- Jumu'ah verse 9 and hadiths that exclude the obligation of Friday prayers for women. Besides that, the action that is committed by women to perform Friday prayers is guaranteed by law. If someone prohibits or forces women to perform or not to perform Friday prayers, that person has violated someone's right and the law. Keywords: Friday; Prayer; Women

Abstrak Tujuan tulisan ini untuk menemukan hakikat shalat Jum'at bagi wanita, dan untuk memberikan beberapa pandangan berkaitan dengan hak untuk beribadah bagi wanita. Fenomena ini dianggap tidak biasa karena adanya dua pandangan berbeda yang menggiring masyarakat pada perpecahan yang harus segera dicegah. Tulisan ini adalah penelitian yuridis normatif dengan menggunakan metode pendekatan interdisipliner, karena tidak hanya mengkaji beberapa pandangan terkait shalat Jum'at bagi wanita secara normatif, melainkan juga melibatkan cabang ilmu lain seperti sosial, budaya, dan agama (penafsiran wahyu dan hadits) di masyarakat. Penelitian lapangan hanya sebagai pelengkap untuk mendukung hasil penelitian. Tulisan ini menyuguhkan perbedaan penelitian dari segi substansi shalat Jum'at yang dianggap esensi, namun kurang mendapat perhatian dari masyarakat maupun peneliti kebanyakan, yaitu shalat Jum'at "bagi wanita". Hasil penelitian menunjukkan bahwa hakikat shalat Jum'at bagi wanita hukumnya adalah sunnah (diperbolehkan/tidak dilarang), yang didasarkan pada Surat Al-Jumu'ah ayat 9 dan hadits-hadits yang mengecualikan sifat wajibnya shalat Jum'at bagi wanita. Selain itu, tindakan yang dilakukan wanita untuk melaksanakan shalat Jum'at dijamin oleh hukum. Apabila seseorang melarang atau memaksa wanita melaksanakan shalat Jum'at, maka orang itu melanggar hak asasi dan melanggar hukum. Kata kunci: Jum'at; Shalat; Wanita 1. INTRODUCTION The right to worship is a human right inherent in every human being which cannot be revoked by anyone, anywhere, and at any time.<sup>1</sup> The right to worship is not limited to gender differences. This means that both men and women have the right to worship according to their wishes.<sup>2</sup> Thus, the right to worship is also related to the topic of 1Martin P Siringoringo, "Pengaturan Dan Penerapan Jaminan Kebebasan Beragama Sebagai Hak Asasi Manusia Dalam Perspektif UUD 1945 Sebagai Hukum Dasar Negara," NJLO: Nommensen Journal of Legal Opinion 3, no. 1 (2022): 111–24, <https://doi.org/https://doi.org/10.51622/njlo.v3i1.618>. See: The Constitution of 1945 (1945), Article 29 paragraph (2); and The Law Number 39 of 1999 on Human Rights (1999), Article 4. 2See The Law Number 39 of 1999 on Human Rights, Article 22. discussion in this paper, namely the right to worship for women who perform Friday prayers. The legal issue of performing "Friday prayers"<sup>3</sup> for women are not a new problem, but it is a rare fact lately. Even today, reality shows that a few of group of women perform Friday prayers. For example, in Jakarta, Bandung, Medan, Yogyakarta, Solo, and every city including the villages around in Indonesia. However, many people are surprised by this fact because it is considered something unusual, thus triggering conflict in the community. It is inseparable from the role of ulema in the understanding conveyed to people, and the level of people's intellectual that rises the differences in comprehension regarding to "permissibility" or "obligation" for women to perform Friday prayers. These differences have an impact on the level of practice in society.

The community who understand this as an “obligation” will strictly enforce the provision. Meanwhile, the community who understand this as permissibility (sunnah) will apply the provision flexibly. However, this paper sees something “unfortunate” from the permissibility (sunnah) perspective because, at the practical level, the meaning of “permissibility” has disappeared. The reason is because people do not pay attention seriously to the matter of the blessing of Friday prayers. As a result, not a single women performed Friday prayers, and in society the stigma “Friday prayers are only performed by men” slowly risen. This paper is a development of several previous research on the same theme regarding Friday prayers but examines a different issue, namely the Friday prayers for women. The first research was from Anis, Kusnadi, and Rahmatullah. The research examined the scope of Friday prayers rules, namely the law, time, pillars and requirements for Friday prayers, and the priority of listening to the Friday sermon in a particular community. However, the research did not discuss the Friday prayers for women.<sup>4</sup> This paper claims that the research still discuss general issue regarding Friday prayers. The specificity of the research, which focuses on an activity in a community when listening to a sermon, the discussion is still within the scope of Friday prayers for men only. For that reason, this paper will discuss Friday prayers for women in general without focusing on the activities of one particular community. Thus, the general legal basis regarding Friday prayers for women can be found. The second research was from Saputra, Hakim, and Zulfikri. The focus of the research is the use of Arabic during sermon in a particular mosque. However, the substance of the discussion is the scope of the rules of Friday prayers, namely the requirements and pillars 3Friday prayers are two rak’ah prayers performed on Friday in the congregation after Friday’s sermons, after entering the dhuhur time. See: Mahmudin Hasibuan, “Sholat Jum’at,” *Al-Razi: Jurnal Ilmu Pengetahuan Dan Kemasyarakatan* 18, no. 2 (2018): 1–13, <https://ejournal.stai-br.ac.id/index.php/alrazi/article/view/24>. It was narrated from the Hadith at-Thabarani from Ibn Abbas that the command to carry out Friday prayers came down when Rasulullah saw. was in Mecca but it was not possible to perform the prayer at the Al-Haram Mosque because of many disturbances from infidels. After many friends migrated to Medina, Rasulullah saw. sent a letter that ordered a Friday prayer. See: H.S.A. Al-Hamdani, *Risalatul Jumu’ah*, Translated by H.A. Muhajir Bakri, 2nd ed. (Bandung: Al-Ma’arif, 1977), 7. 4Muh. Anis, Kusnadi, and Rahmatullah, “Shalat Dan Khutbah Jumat Di Sinjai (Telaah Fenomena Nongkrong Di Luar Mesjid Saat Khutbah),” *JURNAL MIMBAR: Media Intelektual Muslim Dan Bimbingan Rohani* 6, no. 1 (2020): 45– 72, <https://doi.org/https://doi.org/10.47435/mimbar.v6i1.374>. of Friday prayers, and several provisions regarding the Friday sermon. The research did not discuss the Friday prayers for women.<sup>5</sup> This paper claims that the research still discuss the general problem of Friday prayers only attended by men. Therefore, according to the substance of sermon, this paper will look at the benefits that can be provided for women who perform Friday prayers. The third research was from Roza and Tanjung. The research examined the law regarding missing Friday prayers three times during the COVID-19 pandemic. Overall, the research discussed the provisions for mandatory Friday prayers for men, not for women.<sup>6</sup> Therefore, this paper will also provide views regarding whether there are consequences for women who do not perform Friday prayers and whether there are consequences imposed on women who perform Friday prayers. The difference between this paper and the three researches above namely Friday prayers for women because there is difference in understanding regarding the permissibility of Friday prayers for women in society. Therefore, hopefully, this paper can contribute to providing information and expanding public knowledge in order to create tolerance. This paper will examine the essences of Friday prayers for women. Are women allowed to perform Friday prayers, or even required to perform it? Besides that, this paper will examine some perspective regarding the right to worship the Friday prayers for women. Do women have the right to worship Friday prayers or not? This paper aims to discover the essence of Friday prayer for women by uncovering the difference behind them. Another aim is to provide some perspective according to the right to worship for women on Friday prayers. 2. METHOD This paper is normative juridical research. The approach method used is interdisciplinary because besides examining several views regarding the matter normatively, it also involves other branches of subject such as social, cultural and religious views (interpretation of revelation and hadith) in society. The data used is secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials, uncluding The Holly Book, books, journals and online media, which are collected through library research and analised qualitatively. The field research using the interview method is only used as a complement to support the research result. 3. RESULTS AND DISCUSSION 3.1 The Essence of Friday Prayers for Women 5Arifa’i Saputra, Luqmanul Hakim, and Zulfikri, “Pemahaman Dan Implementasi Hadis Tentang Shalat Jum’at Masjid Raya Darul Ma’ruf Batang Kabung Ganting Kota Padang,” *Jurnal Ulunnuha* 10, no. 1 (2021): 114–34, <https://doi.org/https://doi.org/10.15548/ju.v10i1.2568>. 6Ahmad Fadhy

Roza and Dhiauddin Tanjung, "Hukum Meninggalkan Sholat Jumat 3 Kali Di Masa Pandemic Covid 19," *Risalah: Jurnal Pendidikan Dan Studi Islam* 8, no. 2 (2022): 523–34, <https://doi.org/https://doi.org/10.31943/jurnalrisalah.v8i2.283>. Friday or in Indonesia known as Jum'at is one of the names of the day known after the arrival of Islam. Before it was known as "Friday", it was called "Arubah"<sup>8</sup> or interpreted as the day of Al-Rahmah<sup>9</sup>. The name "Friday" or "Jum'at" began when Surah Al-Jumu'ah (Gathering Day) was revealed, precisely when the revelation regarding the implementation of Friday prayers was revealed.<sup>10</sup> Another opinion says that the name Friday (Jum'at) because on that day, Muslims gather to perform Friday prayers in congregation. So, the term Friday (Jum'at) is from the word Al-Jam'u, which means gathering or congregation.<sup>11</sup> In Islamic teachings, Friday prayers are mahdah<sup>12</sup> worship,<sup>13</sup> namely a type of worship that the time, place and procedures had been determined by Allah, without any human intervention,<sup>14</sup> as regulated in Surah Al-Jumu'ah, precisely verse 9, verse 10, and verse 11. If we look closely at Surah Al-Jumu'ah verse 915, there is an exclamation **أَوْفُوا بَعْدَ مَا بَعَدَ الْإِيمَانِ** (Yaa ayyuhalladziina aamanuu), which means "O ye who believe". Pronunciation of **أَوْفُوا** (aamanuu means "believe")<sup>16</sup> is addressed to believers, both men and women. It means that women are also included in the group of people called for in verse 9, namely the group 7. The days' names in the first phase of the Arab Jahiliyah period were carried out every three days in one month, for example: (1–3) Gharar; (4–6) Samar; (7–9) Zahar; (10–12) Darar; (13–15) Qomar; (16–18) Dara'; (19–21) Dholam; (22–24) Tsalatsu Anadis; (25–27) Tsalatsu Dawari; and (28–30) Tsalatsu Muhaq. In the second phase consist of: Syiyar (Saturday), Awwal (Sunday), Ahwan (Monday), Jubar (Tuesday), Dubar (Wednesday), Mu'nis (Thursday), and 'Arubah (Friday). After the coming of Islam, the days' names changed. One of them was 'Arubah became Friday. See: Halimi Zuhdy, "Sejarah Penamaan Hari Jumat, Muasal Terkikisnya Keangkuhan Manusia," nuonline, 2018, <https://islam.nu.or.id/syariah/sejarah-penamaan-hari-jumat-muasal-terkikisnya-keangkuhan-manusia-VUNgL>. 8According to Ibn Abdul Bar, it was named 'Arubah because it was a proud day, a presumptuous, decorated, and affection. Besides that, it was used as a day for showing off the work (poetry), wealth, magic, etc. See: Zuhdy. 9Muh. Yunan Putra, "Penutupan Jalan Umum Pada Saat Shalat Jum'at Berlangsung Menurut Hukum/Syariat Islam," *Sangaji: Jurnal Pemikiran Syariah Dan Hukum* 5, no. 1 (2021): 13–32, <https://doi.org/https://doi.org/10.52266/sangaji.v5i1.600>. 10In the Islamic history, it is said that during the migration to Medina, while still on the way to Medina, Rasulullah saw. performed Friday prayers in the valley (village) Bani Salim bin 'Auf. See: Syekh Muhammad Hudhari Bek, Nurul Yaqin, 13th ed. (Istiqamah Qairo, 1956), 86. Another opinion says that Friday prayers were established in Medina because Rasulullah saw. arrived (the migration) in Medina on Friday. See: Muhammad Husain Haekal, *Sejarah Hidup Muhammad*, Translated by Ali Audah, 3rd ed. (Pustaka Jaya Jakarta, 1979), 211. 11Al-Hamdani, *Risalatul Jumu'ah*, 7. 12Mahdah worship also called khassah worship (special) is a worship that has a relationship only to Allah, vertically (hablumminallah). See: Hepy Kusuma Astuti, "Penanaman Nilai-Nilai Ibadah Di Madrasah Ibtidaiyah Dalam Membentuk Karakter Religius," *MUMTAZ: Jurnal Pendidikan Agama Islam* 1, no. 2 (2022), <https://ejournal.iaiiibrahimiy.ac.id/index.php/mumtaz/article/view/1354>. Mahdah worship is a worship that has been explained the conditions, the provisions, and the pillars. See: Armadis, Said Agil Husin Al Munawar, and Alwizar, "Pendidikan Ibadah Shalat Anak Usia Dini Menurut Al-Qur'an Di Era Modern," *At-Tajdid: Journal of Islamic Studies* 2, no. 3 (2022): 99–107, <https://doi.org/http://dx.doi.org/10.24014/at-tajdid.v2i3.18447>. 13Hasyim, "Menyoal Konsep Ihthyath Dalam l'Adah Shalat Dluhur Ba'D Al-Jum'at," *CENDEKIA: Media Komunikasi Penelitian Dan Pengembangan Pendidikan Islam* 9, no. 2 (2017): 103–22, <https://doi.org/https://doi.org/10.37850/cendekia.v9i02.53>. 14Ferry Dwi Setiyawan, Rizal Isnanto, and Rinta Kridalukmana, "Aplikasi Pembelajaran Tatacara Shalat Jumat Berbasis Android," *Jurnal Teknologi Dan Sistem Komputer* 3, no. 3 (2015): 412–20. 15Translation: "O ye who believe! when the call is made for Prayer on Friday, hasten to the remembrance of Allah, and leave off all business. That is best for you, if you only knew." 16The word **أَوْفُوا** (aamanuu means "believe") is a pronunciation that can be found in many other letters and verses. For example, in Surah Al-Baqarah verse 183 which requires believers to fast ("O ye who believe! fasting is prescribed for you, as it was prescribed for those before you, so that you may guard against evil."). Then, Surah Al-Maidah verse 6 which regulates wudlu ("O ye who believe! when you stand up for Prayer, wash your faces, and your hands up to the elbow, and..."). Besides that, it can also be found in Surah Al-Hujurat verse 12 which gives an order to stay away from suspicious ("O ye who believe! avoid much suspicion; ..."). From some of these verses, all of them show that there is no difference both for men and women, related to the exclamations that are conveyed to him/her as believers. of believers. Thus, Allah Swt. calls on believers, both men and women, to perform Friday prayers. In verse 9, it is called, upon the believers to perform Friday

prayers and leave trade. As mentioned at the beginning of the discussion, “Arubah” (the name of Friday used previously) is a day for showing off, or in other words, a day full of entertainment to have fun so that you forget about Allah. So, with the revelation of this verse, there is an alteration to become a day full of faith, a day close to Allah, and a day full of Allah’s blessings by always remembering Allah. Performing Friday prayers is important for Muslims, so the trade must be left. It means all kinds of business (dunia affairs) or activities, especially trading. **No matter how big or how small** the business is and whatever the value of the losses according to human calculations, it is not comparable to the importance of Friday prayers. However, there are still differences regarding the “call” addressed to believers (men and women), namely regarding the law on carrying out Friday prayers which is interpreted as an “obligation”. According to Ibn Kathir, the word **أَوْعَسَافَ** (fas’au) in Surah Al-Jumu’ah verse 9 comes from the word **يَسْعَى** (sa’a), meaning walking fast but not running, or walking with attention and seriousness. The team of interpretive experts said that the word is fi’il ‘Amr, namely a word of command that indicates “obligation”. So, the sentence in verse 9 is a command in the form of an obligation to carry out Friday prayers for believers, both men and women, both people who live in the area and the travellers. 17 Regarding this “obligation”, Rasulullah saw. provided explanations in his hadiths, including the hadith from Tariq bin Shihab narrated by Abu Daud, which explains that everyone is obliged to perform Friday prayers, except servants, women, children and the sick. Likewise, the hadith from Jabir narrated by Ad-Daraquthni, explains the obligation to perform Friday prayers, except for sick people, travellers, women, small children or servants. Based on these hadiths, the groups of people mentioned are not obliged to perform Friday prayers. However, we have not found a single verse or single hadith which states that this group of people is prohibited from performing Friday prayers, or in other words, it is haram to perform Friday prayers. 18 In fiqh, it is agreed that the law for Friday prayers is fardu ‘ain<sup>19</sup> for mukallaf<sup>20</sup> men. It means a mukallaf man who does not perform Friday prayers is a sinner. Meanwhile, 17Edriagus Saputra, Zakiyah, and Dian Puspita Sari, “Kerukshahan Meninggalkan Shalat Jum’at Pada Hari Raya Idain (Studi Takhrij Hadis),” Fokus: Jurnal Kajian Keislaman Dan Kemasyarakatan 5, no. 2 (2020): 237–57, <https://doi.org/http://dx.doi.org/10.29240/jf.v5i2.1911>. 18M. Danusiri, “Hukum Shalat Jumat Bagi Wanita,” Pimpinan Daerah Muhammadiyah Kota Semarang, 2022, <https://muhammadiyahsemarangkota.org/2022/01/10/hukum-shalat-jumat-bagi-wanita/>. 19In terminology, fardu ‘ain means individual obligations. According to the terms, fardu ‘ain means an act that is firmly demanded by each mukallaf with the reward for those who do it, but sin for those who do not. See: Mukhlas Nugraha, “Konsep Ilmu Fardu Ain Dan Fardu Kifayah Dan Kepentingan Amalannya Dalam Kurikulum Pendidikan Islam,” TAFHIM: IKIM Journal of Islam and the Contemporary World 10 (2017): 103–49, <https://doi.org/https://doi.org/10.56389/tafhim.vol10no1.4>. 20Mukallaf is a person who has fulfilled several criteria (Muslims, baligh, healthy intelligence) to hold obligations from Allah. In general, mukallaf is a person who has received an obligation from Allah, both to be done or abandoned. servants, women, small children, sick people and travellers are given rukhsah<sup>21</sup> not to perform Friday prayers,<sup>22</sup> not subject to azimah<sup>23</sup>. By providing this dispensation, it is sunnah to carry out Friday prayers for women. It means that women who do not perform Friday prayers will not become sinners, while women who perform Friday prayers will grant rewards. Next is Surah Al-Jumu’ah verse 1024. Based on this verse, believers who have finished performing Friday prayers can return to carrying out their respective activities by always remembering Allah and asking for prayers for abundant sustenance from Allah. It shows that as believers, Muslims must always put Allah’s commands before their interests in the world because Allah’s grace will descend on those who carry out their obligations towards Allah. Meanwhile, in Surah Al-Jumu’ah verse 1125, this verse describes advice from Allah so that Muslims are not careless about their weaknesses (as humans who have desires). It describes a situation where some people ignore the command for Friday prayers. These people prefer to continue their world affairs such as trade or forms of entertainment that please them. So, indeed, these people are the ones who are losers (in the sight of Allah) because they abandon eternal pleasures to pursue momentary pleasures. While realizing that Allah Swt. is the giver of sustenance, as believers, Muslims should not feel worried or afraid. Tafsir of Al-Khazin and Al-Baghwi explained that those who stayed in the mosque were to listen to the sermon of Rasulullah saw. only 12 men and a woman, while the other congregation went to see a group of traders who had just arrived from Syria. There is also other information regarding this matter that the ones who stayed with Rasulullah saw. were 12 men and 7 women. This paper does not question the difference in the number of women who participate in Friday prayers with Rasulullah saw., because, in principle, the most important thing is the presence of a woman (women) who participate in Friday prayers. Ibnu Rushdi said that with the consensus of the ulema, Friday prayers are not obligatory for women. However, if they



attend Friday prayers, then they are all the Friday members See: Abdur Rakib, "Mukallaf Sebagai Subjek Hukum Dalam Fiqih Jinayah," *HAKAM: Jurnal Kajian Hukum Islam* 5, no. 2 (2021): 121–39, <https://doi.org/https://doi.org/10.33650/jhi.v5i2.3585>. 21Rukhsah is a legal dispensation that is prescribed by Allah Swt. to mukallaf in certain conditions. See: Abdul Wahab Khalaf in Dhaifina Fitriani, "Al-Ahkam: Kategori Dan Implementasi," *Tawazun: Journal of Sharia Economic Law* 4, no. 2 (2021): 184–95, <https://doi.org/http://dx.doi.org/10.21043/tawazun.v4i2.10673>. Rukhsah is divided into three, namely to abort an obligation when ageing (difficulty to carry out), the existence of exceptions, and nasakh (deletion), namely the law of Allah that applies to the people before us but is no longer valid for us. See: Sapiudin Shidiq in Fitriani. 22Syaiikh Kamil bin Uwaidah in Dulsukmi Kasim, "Faham Tentang Larangan Shalat Jumat Bagi Wanita Di Gorontalo," *Al-Ulum* 19, no. 1 (2019): 261–84, <https://doi.org/https://doi.org/10.30603/au.v19i1.693>. 23Azimah is a law determined by Allah for the first time in the general condition. See: Amir Syarifuddin in Syamsuddin, "Keringanan (Rukhsah) Meniadakan Shalat Jumat Dan Shalat Jama'ah Serta Kewajiban Menaati Ulul Amri," *Al-'Adl* 13, no. 2 (2020): 165–84, <https://doi.org/http://dx.doi.org/10.31332/aladl.v13i2.1869>. 24Translation: "And when the Prayer is finished, then disperse in the land and seek of Allah's grace, and remember Allah much that you may prosper." 25Translation: "But when they see some merchandise or amusement, they break up for it, and leave tee standing. Say, 'That which is with Allah is better than amusement and merchandise, and Allah is the Best of providers.'" like men.26 So, a series of conditions, pillars and rules in Friday prayers also apply to women who participate in Friday prayers from beginning to end because the validity of Friday prayers depends on whether the valid conditions of Friday prayers are fulfilled.27 For example, women must listen to the sermon because Jumhur scholars agree that the sermon before Friday prayers is a valid condition of Friday prayers, as narrated in the hadith from Jabir bin Samurah.28 Then, women perform Friday prayers in the congregation. Based on the agreement of the Jumhur ulema, the matter of "congregation" is one of the conditions for the validity of Friday prayers. 29 Women also need to pay attention to the sunnah of bathing before Friday prayers. The hadith narrated by Baihaqi from Ibn 'Umar says, in essence, that anyone who wants to perform Friday prayers, both men and women, should take a bath first.30 Due to their participation in Friday prayers, women who perform Friday prayers do not need to perform dhuhr prayers. As explained by Imam Jalaluddin Al-Mahally, people who have performed Friday prayers do not need to perform dhuhr prayers. However, people who do not perform Friday prayers are required to perform dhuhr prayers.31 It means that women who do not perform the Friday prayer are obliged to perform the dhuhr prayer, as is the obligation of the five obligatory prayers. In history, it is narrated that at the time Rasulullah saw. was still alive, women participated in Friday prayers. They prayed Friday prayers with Rasulullah saw. with men in the same mosque, but taking the position in the back row. So you can imagine that the row position taken by women when performing Friday prayers is behind the row of all men. As explained by Sayid Sabiq women attended the mosque during the time of Rasulullah saw. and they prayed Friday prayers with Rasulullah saw..32 Ummi Hisyam bint Haritsah bin Nu'man r.a. also explained that she was able to memorize the Surah Qaf (a relatively long letter, namely 45 verses) by listening to the reading of Rasulullah saw. during the sermon for a long time. 33 A different interpretation was given by the Ghairul Jumhur scholar. This group believes that Friday prayers are obligatory for both men and women. The reason is that in Surah Al-Jumu'ah verse 9, the khitab syara' (religious commandments) contained in that verse is addressed to men and women, as understood by famous ushul scholars. However, this 26Ibnu Rusydi in Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 13. 27Ahmad Dirgahayu Hidayat, "Tata Cara Shalat Jumat: Niat, Waktu, Syarat Dan Keutamaannya," nuonline, 2021, <https://islam.nu.or.id/syariah/tata-cara-shalat-jumat-niat-waktu-syarat-dan-keutamaannya-RMEnY>. 28Al-Imam Al-Hafidh Ibnu Hajar Al-'Asyqalani in Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 18. 29There are differences among Jumhur scholars regarding the number of members. Some argue that the number of congregational prayers is at least 40 people. If it is less than 40 people, then the Friday prayer becomes invalid. Instead, they must perform the dhuhr prayer. Some argue that Friday prayers may be done by less than 40 people, enough and valid with only 4 people, even though those present are travellers, servants, and so on. See: Syekh Al-'Allamah Zainuddin bin Abdul 'Aziz Al-Malibari in Noor-Matdawam, 17. 30Noor-Matdawam, 15. 31Syihabuddin Ahmad Al-Qaliyabi and Syihabuddin Ahmad 'Umairah in Noor-Matdawam, 14. 32Sayid Sabiq, *Fiqhus Sunnah*, 4th ed. (Mesir: Darul Kitab Al-Arabi, 1952), 93. 33Muhammad bin Ali bin Muhammad Asy-Syaukani in Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 14–15. commandment is not specifically for some humans (men only) unless there is a verse that takhsis the provision. Therefore, for the Ghairul Jumhur scholar, the hadith of Thariq bin Syihab is invalid, so it cannot takhsis the Surah Al-Jumu'ah verse 9.34 Besides that, if

viewed from a nahwu<sup>35</sup> perspective, the existence of *istisna'* (exception) in the hadith is from the word *إلا* (*ilaa*) which means "except", is intended for the pronunciation *جَمَاعَاتٍ* (*jamaa'atin*) which means "congregation", not for the "Friday prayer".<sup>36</sup> Therefore, this group also believes that Friday prayers are obligatory, whether held alone or in a congregation at the mosque. As expressed by Ibn Hazm, Friday is obligatory for every Muslim who is mukallaf. The Muhaqqiqin said that Friday prayers are obligatory on believers, men, free, slaves, and women, whether they are in good health or sick, living in villages or on travelling (*musafir*), whether city dwellers or desert dwellers as long as they are still sensible.<sup>37</sup> According to Al-'Alamah Muhammad Ahmad Syakir, the congregation is not a valid condition for Friday prayers but is only a requirement. It means that even without a congregation, Friday prayers are valid, just like other obligatory prayers.<sup>38</sup> This group admits that congregation is a requirement for Friday prayers, but the congregation is not a condition for the validity of Friday prayers. So according to Ghairul Jumhur scholars, Friday prayers can be held in congregation at the mosque and can be held at home. If there is an excuse for Friday prayers at the mosque, then Friday prayers should be held at home, which can be done in congregation with family or alone.<sup>39</sup> The hadiths which explain that Friday prayers must be held in the congregation by this group are said to be invalid hadiths.<sup>40</sup> From the description above, there are two different views. First, the view that allows women to perform or not perform Friday prayers. Second, the view that obligate women to perform Friday prayers. It means that no view prohibits women from performing Friday prayers. If in several mosques several women attend Friday prayers, it is not "strange" or "unnatural" because this was done during the time of Rasulullah saw. was still alive. However, the "essence of permissibility or obligation" has disappeared among people because the issue of Friday prayers for women is better understood from the context of women being "excluded". As understood, the meaning of "exclude" means not being able to be involved in something.

<sup>34</sup>Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 19. <sup>35</sup>In Indonesian language, nahwu science is called syntax, which is a grammatical study that discusses the relationship between words in a broader structure, including 1) syntactic functions; 2) discussion of both words (noun declination and verb conjugation); and 3) grammatical markers (suffix designs). See: Ana Wahyuning Sari, "Analisis Kesulitan Pembelajaran Nahwu Pada Siswa Kelas VIII MTS Al Irsyad Gajah Demak Tahun Ajaran 2015/2016," *Lisanul Arab: Journal of Arabic Learning and Teaching* 6, no. 1 (2017): 16–20, <https://doi.org/https://doi.org/10.15294/la.v6i1.14388>. <sup>36</sup>Al-Hamdani, Risalatul Jumu'ah, 117. <sup>37</sup>Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 19. <sup>38</sup>T.M. Hasbi Ash Shiddieqy, *Pedoman Shalat*, 6th ed. (Jakarta: Bulan Bintang, 1966), 417. <sup>39</sup>T.M. Hasbi Ash Shiddieqy in Al-Hamdani, Risalatul Jumu'ah, 11. <sup>40</sup>Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 18. Regarding this matter, there should be an attention to the provisions that precede it namely "Friday prayers are obligatory for men, except for four groups, namely women, sick people, children and servants" (in other hadiths also mention travellers). This paper considers that the exception is aimed at the "obligatory" command of Friday prayers, not at the "implementation" of Friday prayers. The exception aimed at the "obligatory" command of Friday prayers lead to the understanding that these four groups are not obliged to perform Friday prayers. In other word, if the four groups want to perform Friday prayers, they are still allowed. Meanwhile, the exception aimed at the "implementation" of Friday prayers lead to the understanding that these four groups are not permitted to perform Friday prayers. In other word, no one from the four groups can perform Friday prayers. Therefore, this paper considers that the meaning of the exception aimed at the "implementation" of Friday prayers for the four groups is a wrong understanding because it has the potential to prohibit these four groups from the implementation of Friday prayers. For example, if someone is sick and wants to perform Friday prayers, then should they be asked to leave the mosque because they are considered "excluded"? Certainly not. If there are small children (aged 3 or 5 or 7 or 9 or 11 years old) who perform Friday prayers, then should they be asked to leave the mosque because they are "excluded"? Certainly not. Likewise with women. This paper looks at the inconsistencies that occur in society. People feel "strange" and "surprised" when responding to the reality of women performing Friday prayers because they think that women are excluded from performing Friday prayers. However, people do not feel "strange" and "surprised" when responding to reality about sick people (those who use chairs during prayer, wheelchairs, people who are unable to stand and walk) or children (male) who participate in carrying out Friday prayer. Both sick people and children were in the same group as women and slave servants (the four excluded groups).

### 3.1 The Right to Worship of Friday Prayers for Women and Some Perspectives

The starting point for differences in understanding regarding women performing Friday prayers is the existence of hadiths which exclude women from the obligation to perform Friday prayers. Meanwhile, in Surah Al-Jumu'ah verse 9, the people who are called upon (obliged) to

perform Friday prayers are believers in general, which includes men and women. At least, this paper will provide an independent perspective without cornering or blaming anyone's understanding. This issue relates to the freedom of a person who wishes to carry out worship. In most places, Friday prayers performed by women are rare. However, in every region throughout Indonesia, there are still many women performing Friday prayers. It leads to misunderstanding that trigger divisions, commotions, and even actions that are detrimental to other communities. Human rights are a set of rights that are inherent in the nature and existence of humans as creatures of God Almighty and are His gifts that must be respected, upheld and protected by the state, law, government and everyone for the sake of honour and protection of human dignity.<sup>41</sup> According to Article 4 of The Law Number 39 of 1999 on Human Rights (Human Rights Law), the issue in this paper relate to the right to personal freedom and religion rights which include the right to worship. First, this paper considers that women have right to perform Friday prayers, which is mean is permissible. As previously explained, anyone who performs Friday prayers will get a reward from Allah Swt., so it cannot be prohibited for a woman who wants to get the reward by performing Friday prayers. According to Article 29 paragraph (2) of The Constitution of 1945, every citizen has the right to worship according to his/her beliefs. If a woman wishes to perform Friday prayers (which is related to Surah Al-Jumu'ah verse 9 which calls to perform Friday prayers for believers, both men and women), then her actions are justified or the actions do not violate the law. It means that no one can forbid a woman from performing Friday prayers. If someone prohibits a woman from performing Friday prayers, it is precisely that person who has violated the law because that person violates someone's human right to worship as guaranteed by Article 2 paragraph (2) of The Constitutional of 1945. Second, this paper considers the existence of the hadith of Rasulullah saw. which was later agreed upon by the Jumhur ulema, even though Surah Al-Jumu'ah verse 9 contains a command indicating the obligation, women are exempt from their obligation to perform Friday prayers.<sup>42</sup> The reason is that Jumhur scholars consider that the value of Tariq bin Syihab's hadith is mursal shahabi which can be used as hujjah<sup>43</sup> and reasons.<sup>44</sup> Therefore, it is sunnah for women to perform Friday prayers. According to Article 4 and Article 22 of Human Rights Law, the right to personal freedom and the right to worship are guaranteed to everyone. Whoever has freedom to carry out worship and not to carry out worship by his/her own beliefs. It means women has right not to perform Friday Prayers. If someone forces a woman to perform Friday prayers, then that person has violated the law because that person has violated someone's human rights that he/she is free not to carry out worship according to what he/she beliefs. The existence of hadiths which exclude several groups of people from the obligation to perform Friday prayers (one of them is women), proves that Islam is a wasathiyah (moderate) and waqi'iyah (realistic) religion. It shows the ability to provide conformity with all circumstances, namely provisions that generally apply under normal circumstances, but do not deny certain circumstances apart from normal practice.<sup>45</sup> For example, under normal circumstances, such as no war, or not being affected by natural disasters or various events beyond human control. It means that for women who are in normal circumstances, it <sup>41</sup>The Law Number 39 of 1999 on Human Rights, Article 1 number 1. <sup>42</sup>Al-Imamul Akbar Mohmoud Syaltout, Al-Fatawa, 3rd ed. (Qairo: Darul Qalam), 93. <sup>43</sup>Complete information about the hadith used as hujjah, see: Pipin Armita, "Penetapan Hadis Sebagai Hujjah Dalam Menjawab Isu-Isu Kontemporer (Studi Pada Bahtsul Masail Mukhtar NU Ke-33 Tahun 2015)," Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis 18, no. 1 (2017): 33–50, <https://doi.org/https://doi.org/10.14421/qh.2017.1801-03>. <sup>44</sup>Al-Hamdani, Risalatul Jumu'ah, 114. <sup>45</sup>Irdlon Sahil, "Analisa Hukum Islam Dalam Meninggalkan Shalat Jum'at Pada Masa Pandemi Corona Virus Disease 2019 (Covid-19)," Mutawasith: Jurnal Hukum Islam 3, no. 2 (2020): 200–215, <https://doi.org/https://doi.org/10.47971/mjhi.v3i2.238>. is better to perform Friday prayers. The most recent example is during the COVID-19 pandemic, which shows that the general provisions for Friday prayers which apply under normal circumstances, can be excluded under certain circumstances.<sup>46</sup> Third, this paper sees that it is very important to carry out Friday prayers in the congregation. The reason is to consider aspects of understanding and aspects of purpose. The name Friday (Jum'at) prayer is because people gather (jam'u) to perform prayers on that day. Meanwhile, the purpose of the gathering is so that prayer can be performed in the congregation. If the Friday prayers is not ordered to be carried out in the congregation, then what is the meaning of the bluff uttered by Rasulullah saw.. How important it is to carry out Friday prayers, as narrated by Ibnu Mas'ud r.a. that Rasulullah saw. wanted to go to the houses of men who did not perform Friday prayers but without excuse, then set fire to their houses.<sup>47</sup> This hadith illustrates how important it is for Friday prayers to be carried out in the congregation. If Friday prayers can be performed alone like the five obligatory prayers, then why is there such a threat? Meanwhile, for the five obligatory prayers, Rasulullah saw. did not

issue a similar threat. It means that the five obligatory prayers are allowed to be performed alone. Moreover, there is a superiority in prayer performed in congregation compared to praying alone, which gives an advantage of 27 degrees compared to praying alone.<sup>48</sup> Thus, women who want to perform Friday prayers must go to the mosque to perform Friday prayers in the congregation. Fourth, women who perform Friday prayers must listen to the two sermons delivered by the Khatib because the sermon and Friday prayers are an inseparable series in the Friday prayer procession.<sup>49</sup> The provisions that apply to the congregation (generally men) during the sermon also apply to the female congregation. For example, during the sermon, a member of the congregation must not speak at all, or even reprimand other members of the congregation. According to the hadith narrated by Imam Ahmad from Ibn Abbas, a person who speaks when the imam is preaching is like a donkey carrying several books.<sup>50</sup> Besides that, the hadith was also narrated by Malik from Abiz Zannod from Al-'Araj from Abi Hurairah that if a member of the congregation says "Quiet!" to other congregation members when the imam is giving a sermon to admonish them to listen to the sermon, then his/her Friday prayer will be in vain (Narrations of Imam Bukhari, Muslim, Tirmidhi, Nasa-i, Ibn Majah, and Ibn Huzaimah).<sup>51</sup> This hadith shows the importance of listening to 46 Muhammad Alwi HS, "Problematisasi Penerapan Kontekstualisasi Hadis Tentang Ancaman Orang Yang Meninggalkan Shalat Jum'at Masa Pandemi Covid-19," *Jurnal Studi Hadis Nusantara* 2, no. 2 (2020): 234–49, <https://doi.org/10.24235/jshn.v2i2.7654>. 47 Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 22. 48 Muhammad Ilyas, "Hadis Tentang Keutamaan Shalat Berjamaah," *Jurnal Riset Agama* 1, no. 2 (2021): 247–58, <https://doi.org/10.15575/jra.v1i2.14526>. 49 Anis, Kusnadi, and Rahmatullah, "Shalat Dan Khutbah Jumat Di Sinjai (Telaah Fenomena Nongkrong Di Luar Mesjid Saat Khutbah)." 50 Ramadhany Rahmi, "Urgensi Ketersediaan Juru Bahasa Isyarat Pada Khotbah Jumat Bagi Tuli," *INKLUSI: Journal of Disability Studies* 9, no. 2 (2022): 213–36, <https://doi.org/10.14421/ijds.090205>. 51 Noor-Matdawam, Masalah Shalat Jum'at Bagi Wanita, 24. the Friday sermon. It describes someone with good intentions reprimanding other person with even one word (to create a calm atmosphere), it can cancel his Friday. In this regard, certain consequences must be considered by women who wish to perform Friday prayers. If the woman has small children who feel fussy or have the potential to cause a commotion, then she must be able to prevent this from happening. For example, by advising the child, keeping the child close to her (so he/she doesn't run around with other children), or taking the last row position. She must also consider specificity when participating in the Friday prayer procession from the beginning to the end. She must understand, that if attention is focused on the child's behaviour, she will find it difficult to listen to the contents of the sermon delivered by the Khatib. Meanwhile, if she focuses her attention on listening to the sermon carefully, she loses her attention to her child. Therefore, if a woman considers many things that will disturb the Friday prayer procession, she does not need to force herself to perform Friday prayers. Regarding the problematic of women performing Friday prayers, this paper considers the reality is "normal". Understandably, women who perform Friday prayers feel a "special need" or "individual need" to Allah. In addition, current technological developments have provided a lot of convenience and efficiency in carrying out activities, so with all these benefits, it is natural that many women think that it is appropriate for them to be able to take time to perform Friday prayers. It cannot be denied that there are still many people who will feel surprised and strange about this reality. However, this paper views this phenomenon as a reaction resulting from a habitual mistake. Most people are used to the stigma of "Friday prayers are only for men". Meanwhile, for women, this paper found various answers, such as "The women's job is just to cook for the men for lunch after Friday prayers", "it is the women's job to look after the children", or "there were no such rules for women to attend Friday prayers", or even worse, "in my entire life, I have never seen any woman joined Friday prayers". Therefore, it is not surprising that some women experience verbal bullying.<sup>52</sup> Women are indeed exempt from the obligation to perform Friday prayers, that women have to look after their children, and that women also have to provide food for their families. This paper assesses that mistakes occur when society from time to time continues to realize the existence of hadiths that exclude women from the obligation to perform Friday prayers primarily. As a result, the essence of the appeal contained in Surah Al-Jumu'ah verse 9 seems to have disappeared. It is well known and can be proven that those who are called out in Surah Al-Jumu'ah verse 9 are believers, including women. According to Article 4 of Human Rights Law, the right to personal freedom (including the right to carry out worship and the right not to carry out worship) and any other basic rights are the right that cannot be violated under any circumstances and by anyone. It means every 52 This opinion was obtained from several residents who lived in Bandung when asked for information to their knowledge about women who performed Friday prayers. In this paper, the residents' answers are only used as a complementary



source to support the ideas that this paper wants to convey. single person wether man or woman, he/she is freely to decide to carry out worship or not to carry out worship according to his/her beliefs. In this pehenomenon, women are free to decide to perform the Friday prayers. This paper believes that society should also be aware that women are also allowed to perform Friday prayers as called for in Surah Al-Jumu'ah verse 9 if they do not have an excuse. For example, there is a war in the area where she lives. If she has a family member gets sick or has given birth, so she needs to look after and do various housework, or any other excuse. However, if there is nothing urgent or the matter can be postponed, then it would be better for **the women to be able to perform** Friday prayers and take the blessings of Friday prayers on this special day. How wise and prudent it would be if humans (men and women who are believers) were able to respond to this phenomenon carefully. Indeed as humans who are gifted with ratio (both men and women), everyone should use that ratio to think whether something is good or bad or whether something is right or wrong.<sup>53</sup> Even during the time of Rasulullah saw. was still alive, the ratio has functioned as a determinant of law. In the hadith of Mu'adz bin Jabal, when he was appointed by Rasulullah saw. to become a judge, it is narrated that when Rasulullah saw. asked about the grounds used to judge a case, Mu'adz answered that he used what was contained in the Book of Allah. If there is not in the Book of Allah, then Mu'adz uses the Sunnah of Rasulullah saw.. If there is not in the Sunnah of Rasulullah saw., then Mu'adz makes ijtihaad with all his might, namely using ru'ya (ratio).<sup>54</sup> From this information, it is known that the ratio is the third source of law that can be used to deal with a case. This paper sees that there is no harm caused when women perform Friday prayers. In fact, by carrying out Friday prayers, it is hoped that women can increase their piety and spiritual quality and be able to strengthen their relationship with Allah. Women's role is very vital in the family, especially in educating their children. When they listening to Friday sermons, the women gain knowledge about what the Khatib is delivering. Therefore, it is not a bad or wrong thing if women, as human beings, sit as part of the congregation and listen to sermons, because they will gain knowledge which can then be passed on to their children. This paper sees that Allah Swt. has placed humans (both men and women) in an equal position as believers to perform Friday prayers. The exception provisions originating from the hadith are motivated by the existence of certain circumstances which lead to hudud (limitations) causes changes in the provisions imposed on humans. For example, for women. Women are Allah's creatures who have been consecrated (qudrat) to be human beings whose bodies have a "life" phase such as menstruation, pregnancy, childbirth and breastfeeding. Women are given an award in the form of dispensation from the obligations of worship imposed on them as humans created by Allah. As in the hadith narrated by Ibn 53See Surah Al-Baqarah verse 44: **وَلَقَدْ عَلِمْتُمُ** (afalaa ta'qiluun, with translation "Will you not then understand?"); Surah Al-An'am verse 50: **وَلَقَدْ عَلِمْتُمُ** (afalaa tatafakkaruun, with translation "Will you not then reflect?"); Surah Al-An'am verse 80: **وَلَقَدْ عَلِمْتُمُ** (afalaa tatadzakkaruun, with translation "Will you not then be admonished?). 54T.M. Hasbi Ash Shiddieqy, Falsafah Hukum Islam, 1st ed. (Jakarta: Bulan Bintang, 1975), 48-49. Umar r.a. which says that women should not be prohibited from praying in the mosque, but it is better for them to pray at home.<sup>55</sup> However, the dispensation does not mean that it can be used by every woman to avoid the blessings of congregational prayers at the mosque. As human beings who equally have freedom and the right to worship, women have the right to perform Friday prayers which are not prohibited for them. Women can freely wish to get the blessings of Friday prayers and all the benefits they can obtain from Friday prayers, and women freely express gratitude to remember Allah by attending a Friday prayers gathering. Especially for a woman who doesn't have any excuse. Besides that, by looking at the various developments and advancements of technology and science that have made things easier for mankind, it is not something wrong or bad if there are women who want to perform Friday prayers as a form of worship which they feel is important to establish. It means the women who perform Friday prayers will receive rewards. Meanwhile, for women who do not perform Friday prayers, it will not be a sin for them. Humans have been endowed with basic rights, including the right to personal freedom to determine their will individually. Thus, no one can intervene in other people's human rights by prohibiting something they want or forcing something they don't want. So anyone who does it (prohibit/force someone's will) has committed a violation of human rights as explained in Article 6 of Human Rights Law. According to the topic of this paper, women who want to get blessings from Friday prayers for themselves by performing Friday prayers have the freedom to determine their will to worship. No one can forbid them from performing Friday prayers. Women who do not want to perform Friday prayers have the freedom to determine their will not to worship. **No one can force them to perform** Friday prayers to get blessings from Friday prayers. 4. CONCLUSION The essence of Friday prayers for women is sunnah, it is permitted or not prohibited. It is based on Surah Al-Jumu'ah verse 9 which calls for believers, both men and

women. The exception to the performance of Friday prayers for women is rukhshah. This reality was implemented during the time of Rasulullah saw. was still alive. It would be good for women to take part in the blessings of Friday prayers, as an expression of gratitude to Allah by gathering in the mosque to worship. The women who perform Friday prayers are guaranteed by Article 29 paragraph (2) of The Constitution of 1945, Article 4 and Article 22 of The Law Number 39 of 1999 on Human Rights. **Women as citizens have the right to worship according to their beliefs to perform Friday prayers. Women are free to decide by themselves to perform Friday prayers and it is justified which means do not violate the law. Besides, they grant the benefit and blessing of Friday prayers on this special day, meanwhile, these are not granted by women who do not perform it. If someone prohibits or forces a woman to perform or not to perform Friday prayers, that person has violated 55** Muhammad Habib Zainul Huda, "Intertekstualitas Hadis Perempuan Shalat Berjamaah Di Masjid," *Academic Journal of Islamic Principles and Philosophy* 3, no. 1 (2022): 109–42. <https://doi.org/https://doi.org/10.22515/ajipp.v3i1.5053>. someone's human right and has violated the law. **As rational human beings, it is a necessity to respect each other's rights and tolerate differences to create harmony and unity in society.** BIBLIOGRAPHY Al-Hamdani, H.S.A. *Risalatul Jumu'ah*. Translated by H.A. Muhajir Bakri. 2nd ed. Bandung: Al-Ma'arif, 1977. Anis, Muh., Kusnadi, and Rahmatullah. "Shalat Dan Khutbah Jumat Di Sinjai (Telaah Fenomena Nongkrong Di Luar Mesjid Saat Khutbah)." *JURNAL MIMBAR: Media Intelektual Muslim Dan Bimbingan Rohani* 6, no. 1 (2020): 45–72. <https://doi.org/https://doi.org/10.47435/mimbar.v6i1.374>. Armadis, Said Agil Husin Al Munawar, and Alwizar. 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