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Kongres Ulama Perempuan Indonesia (KUPI) and *Mubādalah* Approach in Interpreting the Gender Biased-Qur'anic Verses

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email: arif_junaidi@walisongo.ac.id -Jl. Prof. Dr. HAMKA, Kampus 3, Ngaliyan Semarang 50185, Indonesia Abstract: Conventional interpretation of the Ouran often leads to the understanding that the verses are gender biased. This study is intended to discuss the *mubādalah* approach used by Kongres Ulama Perempuan Indonesia (KUPI) in interpreting the verses of the Qur'an that are considered gender bias. The question is how the Our'an can be interpreted and how it can be explained. This study is a library study, focusing entirely on the existing library data. The study uses descriptive analysis with a hermeneutic approach, a tafsir analysis that considers the context of interpretation. This study concluded that the *mubādalah* approach that becomes the "official approach" of KUPI is relevant for interpreting gender biased-verses of the Qur'an. It is because the traditional and conventional interpretation makes it as if the verses of the Our'an subordinate women, maltreating women in their relationship with men. Interpretation of the Quranic verses considered gender biased with the mubādalah approach in the context of the KUPI struggle is an appropriate advocative interpretation model for the improvement and fairness of gender relations.

Keywords:

gender bias; KUPI; *mubādalah* approach; Our'anic verses

Abstrak: Penafsiran al-Qur'an secara konvensional seringkali berimbas pada pemahaman bahwa ayat-ayat al-Qur'an itu bias gender. Studi ini dimaksudkan untuk mendiskusikan pendekatan mubādalah yang dipergunakan oleh Kongres Ulama Perempuan Indonesia (KUPI) dalam menafsirkan ayat-ayat al-Qur'an yang dianggap bias gender. Kajian ini menjawab pertanyaan bagaimana pendekatan mubādalah digunakan dalam menafsirkan ayat-ayat tersebut, konteks apa yang melatarbelakangi penafsiran ayat-ayat tersebut. Studi ini adalah studi kepustakaan, karena studi bertumpu sepenuhnya pada data kepustakaan yang ada. Kajian ini menggunakan analisis deskriptif dengan pendekatan hermeneutik, sebuah analisis tafsir yang mempertimbangkan konteks penafsiran. Studi ini menyimpulkan bahwa pendekatan mubādalah yang menjadi "pendekatan resmi" KUPI sangat relevan untuk digunakan dalam menafsirkan ayatavat al-Qur'an yang bias gender. Hal ini karena penafsiran secara tradisional dan konvensional menjadikan seolah-olah ayat-ayat al-Qur'an mensubordinasi perempuan, memperlakukan perempuan secara tidak adil dalam relasinya dengan laki-laki. Penafsiran terhadap ayat-ayat al-Qur'an yang dinilai bias gender dengan pendekatan *mubādalah* dalam konteks perjuangan KUPI merupakan model penafsiran advokatif yang tepat untuk perbaikan dan keadilan dan keadilan relasi gender.

Kata Kunci: bias gender; KUPI; pendekatan mubādalah; ayat-ayat Qur'an

A. Introduction

The movement of Indonesian Islamic women passing through their home territory has never stopped. This movement does not just appear but develops following the evolution of the situation. Regarding its history, the Indonesian Muslim women's movement has long historical roots until Sultanah Shafiatuddin (d. 1675), the first Queen of Aceh who led the Aceh Darusssalam Sultanate. When Sultan Iskandar Tsani, her husband who became Sultan of Aceh, died in 1641, no male family was considered worthy to replace him. Shafiatuddin was appointed Sultan to replace her husband. Her treatment as the first female sultan gave rise to debate and controversy over whether and not a woman could become king. These disputes and controversies have led to several revolts that have taken place in some of its territories. Her intelligence and cleverness in leadership enabled him to wipe out the rebellions. She was also considered successful in leading the government in the Sultanate of Aceh Darussalam.¹ Her political policies of defending women are seen to raise the level of women equal to men.²

The success story of Sultanah Shafiatuddin in leading the Aceh Darussalam Sultanate in the political world inspired the next Muslim women to move into other fields. Cut Nya' Dien appeared as a Muslim woman who could move the people's struggle against the Dutch colonization in Aceh.³ As an Aceh woman, the courage and intelligence she had during her life seemed to ruin the perception of those who still view women as weak creatures and only as

¹ Dedeh Mursyi, "Kepemimpinan para Perempuan Muslim dari Kerajaan Aceh Darussalam (1641-1699)," *Jurnal Tamaddun: Jurnal Sejarah dan Kebudayaan Islam* 5, no. 1 (2017): 60–77, https://doi.org/10.24235/tamaddun.v5i1.1990.

² Muarrief Rahmat, "Komunikasi Politik Sultanah Safiatuddin Aceh," *Jurnal Peurawi: Media Kajian Komunikasi Islam* 5, no. 2 (2022): 1–13, https://doi.org/10.22373/jp.v5i2.12156.

³ Cut Novita Srikandi, "Representasi Sosok Cut Nyak Dien sebagai Agensi Feminisme Alternatif dalam Film Tjoet Nja'Dhien," *Litera* 20, no. 3 (2021): 387–404, https://doi.org/10.21831/ltr.v20i3.41648.

complementaries, especially societies that still adhere to patriarchal culture. For some traditional Islamic societies that still adhere to the patriarchal culture, the story of Cut Nyak Dien is considered an exception in the war because of the struggle to defend themselves that requires the participation of women and children, as described in *Hikayat Perang Sabil.*⁴

Meanwhile, the appearance of RA. Kartini (1879-1904) as a pioneer in women's education was evidence of the emergence of new awareness among Indonesian Muslim women, even Indonesians in general. She chose education as a path of struggle to recognize equality between women and men. Her greatest contribution was to the application of the doctrines of modern European feminism to his society.⁵ She is considered a Muslim woman who symbolized the beginning of the women's emancipation movement in Indonesia. Kartini's educational movements inspired later generations, such as Siti Walidah (1872-1946), the wife of KH. Ahmad Dahlan, founder of the Persyarikatan Muhammadiyah, a woman who participated in the movement of Aisyiyah, a Muhammadiyah women's organization.⁶ Following the spirit of the Muslim women of his predecessor, Rahmah El-Yunusiah (1900-1969 M), who pioneered education for Muslim women by establishing Madrasah Diniyyah Putri in Minangkabau. Meanwhile, Nyai Khoiriyyah Hasyim (1906-1983), the daughter of KH. Hashim Asy'ari, the founder of Nahdlatul Ulama, established Madrasat al-Banāt, a special school for women, when still in Makkah and the training for the female students after her coming back to Jombang.⁷

Although Indonesian Muslim women have carried out many emancipation and equality movements, they are still sporadic and run individually. Their struggles are still not massively organized, and each is not connected. When a Muslim woman who fought for the sake of equality for women died, her line of

⁴ R. Michael Feener, "Aceh: Masa Lalu dan Studi Masa Kini," in *Memetakan Masa Lalu Aceh*, ed. R. Michael Feener, Patrick Dally, and Anthony Reid (Denpasar: Pustaka Larasan, 2011).

⁵ J. S. Taylor, "Raden Ajeng Kartini," *Signs: Journal of Women in Culture and Society* 1, no. 3, Part 1 (1976): 639–61.

⁶ Dian Ardiyani, "Konsep Pendidikan Perempuan Siti Walidah," *Tajdida: Jurnal Pemikiran dan Gerakan Muhammadiyah* 15, no. 1 (2017): 12–20, https://journals.ums.ac.id/index.php/tajdida/article/view/5753.

⁷ Fitrotul Muzayanah, "Gerakan Sosio-Intelektual Nyai Khoiriyah Hasyim," *The International Journal of Pegon: Islam Nusantara Civilization* 4, no. 02 (2020): 139–202, https://doi.org/10.51925/inc.v4i02.34.

struggle stopped. Although there have been massive Muslim women's movements, such as *'Aisyiyah*⁸ among the Muhammadiyah and *Muslimat* among the NU,⁹ they were still under the subordination of their central organization.

The movement and participation of Muslim women became increasingly growing. It has also increasingly changed from sporadic and personal to massive and organized. The movement of Muslim women to align themselves with men only found momentum long after Indonesia entered the era of reformation. The movement became more massive, directed and organized after it hosted *Kongres Ulama Perempuan Indonesia* (KUPI), which was held for the first time in Pesantren Kebon Jambu Babakan Ciwaringin Cirebon on April 25-27, 2017. The first congress was attended by about 500 activists and female scholars from 15 countries.¹⁰ After consolidating and strengthening the network, this group of activists and female scholars organized the 2nd *Kongres Ulama Perempuan Indonesia* (KUPI) in Semarang and Jepara on November 24-26, 2022.¹¹ The Congress attended by 1,500 female scholars from 31 countries was held in two phases, namely an international conference held at Universitas Islam Negeri Walisongo Semarang on November 23, 2022, and Congress at the Pesantren Hasyim Asy'ari in Bangsri, Jepara on November 24-26, 2022.¹²

The religious movement and women's activists that organized the KUPI are moving massively, more directly, and systematically. This movement even

⁸ 'Aisyiyah, founded by Siti Walidah on May 19, 1917, aims to advance the lives of women among Muhammadiyah so that they have equality with men. See Zainul Arifin, "Aisyiyah dan Pembinaan Pemberdayaan Perempuan Sebagai Upaya Mencapai Kesetaraan Gender," *Forum for Development Studies* 44, no. 1 (2017): 68–71, https://doi.org/10.15294/fis.v44i1.15548.

⁹ Muslimat NU, which was founded on March 29, 1946, aims to mobilize the work of NU women who have families so that they can coexist with men who also serve a lot in NU. See Abdul Hafiz and Muhammad Sungaidi, "Pemberdayaan Perempuan Kiprah Muslimat NU," *Dakwah: Jurnal Kajian Dakwah dan Kemasyarakatan* 25, no. 2 (2021): 194–208, https://doi.org/10.15408/dakwah.v25i2.23238.

¹⁰ KUPI Web Administrator, "Sejarah dan Latar Belakang KUPI," kupi.or.id, accessed November 30, 2022, https://kupi.or.id/tentang-kupi/.

¹¹ Syaiful Mustaqim, "Kongres Berakhir, Inilah 8 Hasil Rekomendasi KUPI II di Jepara," November 26, 2022, https://jateng.nu.or.id/nasional/kongres-berakhir-inilah-8-hasil-rekomendasikupi-ii-di-jepara-BVeso.

¹² Eva Mazrieva, "Lebih 1.500 Ulama Perempuan dari 31 Negara Ramaikan Kongres Ulama Perempuan Indonesia," VoA Indonesia, November 25, 2022, https://www.voaindonesia.com/a/lebih-1-500-ulama-perempuan-dari-31-negara-ramaikan-kongres-ulama-perempuan-indonesia/6849671.html.

has a theme of struggle and an approach to interpretation. The intended approach is the *mubādalah* approach, a progressive paradigmatic approach used to embrace women in various life dimensions and address social inequalities into a broader scope. In reading religious texts such as the Qur'an, this approach considers that it is not suitable for the interpretation of religion and practice of diversity to be used as the foundation for domination between one side and the other based on gender, especially to preserve hegemony and tyranny. This approach makes us aware that all of God's creation in this world is monotonous and unethical if viewed with only one (man) perspective. The relationship of both must be truly based on partnership and cooperation so that there are efforts to strengthen, complement, support and other deviations in the maintenance of life.¹³

The interpretation approach introduced by Faqihuddin Abdul Kodir became the strategy of *Kongres Ulama Perempuan Indonesia* (KUPI) in elaborating religious messages in the Qur'an that often impressed women's subordination.¹⁴ Religious fatwas extracted from the texts of the Koran and the hadiths of the Prophet always base their formulation on this approach. How KUPI uses this approach in understanding the gender biased-Quranic verses is a very interesting to study.

This study is not the first to study the *mubādalah* approach used by KUPI in understanding and interpreting the verses of the Qur'an, especially the gender bias of the Quran. There have been many studies conducted by previous researchers on the same topics. Anisa Muflihah and Ali Mursyid, for example, tried to examine the institutionalized interpretation of KUPI produced in its first congress in 2017 on the issue of sexual violence. The interpretation of the verses of sexual violence in the KUPI perspective states two things: First, sexual violence is committed both outside of marriage and within marriage, it is illegal. Second, rape and adultery, although both are prohibited sexual relations in Islam, are different. Rape is a crime in which the perpetrator forces the victim to

¹³ Faqihuddin Abdul Kodir, *Qira'ah Mubādalah : Tafsir Progresif untuk Keadilan Gender dalam Islam* (Yogyakarta: IRCiSoD, 2019), 51.

¹⁴ KUPI Web Administrator, "KUPI II Luncurkan Metodologi Fatwa dengan Tiga Pendekatan," November 23, 2022, https://kupi.or.id/kupi-ii-luncurkan-metodologi-fatwa-dengan-tigapendekatan/; Faqihuddin Abdul Kodir, "Metodologi Fatwa KUPI," Fahmina Institute, February 21, 2022, https://fahmina.or.id/metodologi-fatwa-kupi/.

have sexual intercourse, in which case the performer and victim are different. The offender committed two prohibited acts simultaneously: bribery and forcible punishment. While the victim did not commit the mistake of being forced, so, victims of sexual violence should not be equated with cases of adultery and should be compensated.¹⁵

Meanwhile, Amrin Ma'ruf, Wilodati and Tutin Aryanti studied the genealogy of KUPI thought and movement in the discourse of gender interpretation in the post-reformation era. This study looked at how the presence of KUPI became the representation of female scholars in the gender-based knowledge production discourse in the competition. This discourse is spread in the public spaces that is disseminated but not in the party's environment, especially on the knowledge of female scholars. The knowledge agency for female scholars forms new perspectives on personal ethics, fiqh policy formulation model, and gender-based knowledge direction. KUPI is one of the public spaces on the conception of gender knowledge in the competition dominated by patriarchal domination. KUPI represents the gender voice of the party either digitally or open to the public post-reform with various appearances of gender activists.¹⁶

Meanwhile, Zunly Nadia saw the religious discourse used by KUPI to develop religious moderation in Indonesia. Zunly sees the religious development of KUPI as an important activity in which women's religious views are shown on various societal problems. What KUPI does in this religious movement is one of the religious movements of moderation. This is because the use of the *mubādalah* perspective, the real justice, and the experience of women as the basis of the religious view of KUPI, which shows the existence of dialectics between text and context, as well as the dialectic between texts, author and audiences performed in a balanced manner. So this religious view of

¹⁵ Anisa Muflihah and Ali Mursyid, "Tafsir Ayat-Ayat Kekerasan Seksual: Analisis Metodologis terhadap Penafsiran Kongres Ulama Perempuan Indonesia (KUPI)," *Misykat: Jurnal Ilmu-Ilmu al-Quran Hadits, Syari'ah dan Tarbiyah* 6, no. 2 (2021): 1–40, https://doi.org/10.33511/misykat.v6n2.1-40.

¹⁶ Amrin Ma'ruf, Wilodati Wilodati, and Tutin Aryanti, "Kongres Ulama Perempuan Indonesia dalam Wacana Merebut Tafsir Gender pasca Reformasi: Sebuah Tinjauan Genealogi," *Musawa: Jurnal Studi Gender dan Islam* 20, no. 2 (2021): 127–46, https://doi.org/10.14421/musawa.2021.202.127-146.

KUPI reflects a very contextual *ijtihād* and is expected to solve society's problems.¹⁷

Eva F. Nisa examined the contradictory online narratives behind the implementation of the congress organized by female scholars in Indonesia. Based on intermittent offline research mostly conducted in Jakarta and online research from 2017 to 2018, this article argues that KUPI, with its symbolic preference, has strengthened civil Islamic voices in Indonesia. KUPI has productively attracted global attention because its progressive agenda emphasizes that women can be scholars. However, there are other women's voices related to Islam and gender that are not less powerful, as they use information and communication technology militantly. In turn, their position could be said to promote conservatism. In a local context, the ideological positions not in line with the agenda that KUPI chooses have greater attractiveness. Progressive and conservative Indonesian Muslim women perform not only in the context of democratic pluralism and religious expression offline and online, but also in the intricate interaction between Islam, civil society and gender equality.¹⁸

Unlike the previous studies, this study will focus on the *mubādalah* approach used by KUPI in interpreting Qur'anic verses, especially verses that are gender biased. This study will also focus on the context of interpreting the gender biased-Qur'anic verses, covering historical and social background bringing about the interpretation.

This research is library research,¹⁹ because this research is entirely based on library data. The paradigm used is a qualitative paradigm,²⁰ because what is

¹⁷ Zunly Nadia, "Ulama Perempuan dan Moderasi Beragama: Kajian atas Musyawarah Keagamaan Kongres Ulama Perempuan Indonesia," in *Prosiding Konferensi Nasional Gender dan Gerakan Sosial* (Palembang: UIN Raden Fatah Palembang, 2022), 718–29, http://proceedings.radenfatah.ac.id/index.php/kggs/article/view/317/249.

¹⁸ Eva F. Nisa, "Muslim Women in Contemporary Indonesia: Online Conflicting Narratives behind the Women Ulama Congress," *Asian Studies Review* 43, no. 3 (2019): 434–54, https://doi.org/10.1080/10357823.2019.1632796.

¹⁹ Library research is research that is limited to library collection materials only without the need for field research. Library research is certainly not as easy as some people imagine because they have to read a lot of library collections, both in the form of books, magazines, documents, journals and others both printed and online. See Mestika Zed, *Metode Penelitian Kepustakaan* (Jakarta: Yayasan Pustaka Obor Indonesia, 2008), 1–2.

²⁰ Qualitative research is research conducted to seek a deep understanding of a symptom, fact or reality. This research tries to get a deeper picture and a holistic or comprehensive understanding.

sought and digged is meaning, not numbers. This research data includes books, journals and printed and online documents related to KUPI and approaches to interpreting gender biased-Qur'anic verses. The data collection technique used is documentation by reading the available data sources relevant to this study's topic.

While the method of data analysis used is descriptive analysis, that is, analysis by collecting and describing the data according to the actual data is structured, processed, and analyzed to give a picture of the existing problem. Data on how I use the approach to interpret the Qur'an is compiled and processed to obtain a true picture. The study also used a hermeneutic approach that tries to describe how an event in past time and culture can be understood and become meaningful in our present situation to get a complete picture of how KUPI interpreted the verses of the Qur'an. This approach assumes that everyone comes to the text with their questions and hopes, and it makes sense to require an interpreter to set aside his subjectivity and interpret a text without the initial understanding and questions it raises.²¹

B. *Kongres Ulama Perempuan Indonesia* (KUPI): History and Movement

The movement of female scholars and activists who joined *Kongres Ulama Perempuan Indonesia* (KUPI) began when Lies Marcoes worked at *Perhimpunan Pengembangan Pesantren dan Masyarakat* (P3M), the development association for gender mainstreaming. This work was continued by Rahima, guided by Farha Ciciek, Eridani, and then produced a subsidiary of another agency, Fahmina in Cirebon. Fahmina's step of work appears to be more agile and moving quite forward because it has strong ideas with the icon of Hussein Muhammad, Faqihuddin Abdul Kodir and Marzuki Wahid. Fahmina through Faqihuddin created the song "*Shalawat Musawah*" that in later days became a 'Mars song' for every event. The mainstreaming work of gender and Islam is widely developed in the leadership of PP Fatayat NU where Maria Ulfah Anshor

based on the natural situation of the phenomenon to be studied, and the researcher himself acts as a key instrument to obtain the data needed. See Yoki Yusanto, "Ragam Pendekatan Penelitian Kualitatif," *Journal of Scientific Communication* 1, no. 1 (2019): 1–13, https://doi.org/10.31506/jsc.v1i1.7764.

²¹ Farid Esack, *al-Quran, Liberalisme, Pluralisme: Membebaskan yang Tertindas*, ed. Samsurizal Panggabean and Yuliani Liputo, trans. Watung A. Budiman (Bandung: Mizan, 2000), 83.

became the general leader. It could be Fatayat NU, in the time of Maria Ulfah is the only mass-based Islamic women's organization that prioritizes gender perspectives in its work systematically and structured.

In 2009, Neng Dara Afiah, one of Fatayat NU's activists, became one member of the National Commission of Women (*Komnas Perempuan*). Together with Kamala Candrakirana, Hussein Muhammad, Tati Krisnawaty, and Nani Zulminarni, who were assisted by the National Commission of Women, Yenny Widjaja, and Yuni Nurhamida, she initiated the founding of the Alimat organization. As its name suggests, the organization pretends to be a place where female scholars from various disciplines of Islamic science join to be able to answer issues that discriminate against and eliminate violence against women in the name of the teachings of Islam. Several female activists are involved in this organization, and it hopes there will be an exchange of thoughts with the female empirical realities that activists overshadow.

These three organizations, Rahima, Fahmina, and Alimat, moved to organize this first KUPI, minus Fatayat NU. The latter organization was represented only by its alumni, namely Neng Dara Affiah and Maria Ulfah Anshor, and some others.²² Actively involved in the preparation of this first Congress were Husein Muhammad, Hindun Anisah, Faqihuddin Abdul Kodir, Afwah Mumtazah, Nur Rofiah, Nur Achmad, Helmi Ali, Masruchah, and Kusnaedi. There were also in it all the friends of the executor of Rahima at that time: Eridani, Maman Abdurrahman, M. by Syafran, Kusumaningtyas, Ulfah Mutia Hizma, Imam Siswoko, Mawardi, Nur Khayati Aidah, and Mustika.²³ In this first Congress, Badriyah Fayumi was chosen as Chairman of KUPI, after previously becoming the head of steering committee of the congress.²⁴

KUPI, held in 2017, was the first congress attended by more than 500 people from Indonesia and 15 other countries from all over the continent. In addition to the female practitioners in the country, there are also world women, among them Mossarat Qadeem (Pakistan), Zainah Anwar (Malaysia), Hatoon

²² Neng Dara Affiah, "Cerita dibalik Kongres Ulama Perempuan Indonesia (KUPI)," Kupipedia, April 29, 2017, https://kupipedia.id/index.php/Cerita_dibalik_Kongres_Ulama_Perempuan_Indonesia_(KUPI).

²³ Tim KUPI, *Dokumen Resmi Proses dan Hasil Kongres Ulama Perempuan Indonesia 25-27 April 2017 M (28-30 Rajab 1438 H)* (Cirebon: Kongres Ulama Perempuan Indonesia, 2017), 17.

²⁴ Tsani Itsna Ariyanti, "Badriyah Fayumi," Kupipedia, October 12, 2022, https://kupipedia.id/index.php/Badriyah_Fayumi.

Al-Fasi (Saudi Arabia), Sureya Roble-Hersi (Kenya), Fatima Akilu (Nigeria), and Roya Rahmani (the ambassador of Afghanistan in Indonesia). The congress was held for three days from April 25 to 27, 2017.

The congress has four main objectives, namely: First, to recognize and strengthen the existence and role of female scholars in the succession of Islam and the Indonesian nation; second, to open meeting space for female scientists of the homeland and the world to share experiences about the work of empowerment of women and social justice to shape the values of Islam, nationality and humanity; third, to build the common knowledge about the equality of women, and their contribution to the progress of women's and civilization of mankind; fourth, to formulate the *fatwa* and religious views of women educators of Indonesia on contemporary issues in the perspective of Islam *raḥmatan lil 'ālamīn.*²⁵

After the first congress, KUPI was still consistent in fighting for the fate of women. KUPI took part in overseeing the issue of *Permendikbud* No. 30 of 2021 on the Prevention and Control of Sexual Violence (PPKS) in the colleges in Indonesia and *Peraturan Menteri Agama RI* (PMA) No. 73 of 2022 on the prevention and management of sexual violence in the Education Unit in the Ministry of Religious Affairs. KUPI also participated in the struggle to raise the minimum age for marriage from 16 to 19 years in UU No. 16 of 2019 on amendments to the UU No. 1 of 1974 on Marriage.²⁶

After the first congress, KUPI was still active in establishing relationships and developing a wider network. With more perfect preparations, female activists and scholars held a second congress. In this 2nd Congress, KUPI cooperated with Universitas Islam Negeri Walisongo Semarang. Therefore, before holding the Congress in Jepara on November 24-26, 2022, KUPI organized an international conference at the university on November 23, 2022, attended by all congress participants and academics from domestic and overseas scholars. One day later, the 2nd Congress was held at the Pesantren Hasyim Asyari Jepara on November 24-26, 2022, attended by 1,500 women scholars from 31 countries.²⁷

²⁵ KUPI Web Administrator, "Sejarah dan Latar Belakang KUPI."

²⁶ KUPI Web Administrator, "Kongres Kedua Ulama Perempuan Indonesia," kupi.or.id, November 10, 2022, https://kupi.or.id/kongres-kedua-ulama-perempuan-indonesia/.

 $^{^{\}rm 27}$ Mazrieva, "Lebih 1.500 Ulama Perempuan dari 31 Negara Ramaikan Kongres Ulama Perempuan Indonesia."

C. The *Mubādalah* Approach in Interpreting the Gender Biased-Qur'anic Verses

Etymologically, the word '*mubādalah*' is a *maşdar* (gerund) form of *bādala*, which means something mutual.²⁸ Terminologically, *mubādalah* is an approach used to understand religious texts within the framework of mutual-alignment. In practice, the use of the *mubādalah* approach introduced by Faqihuddin Abdul Kodir, one of the KUPI activists, must meet the following steps: first, the affirmation of religious texts, both the Qur'an and Hadith, which is universal as the basic of digestion of the text that is focused in a study. The universal text meant here refers to texts that are not affiliated to one of the sexes.²⁹ Second, find the main message within a text's ideal moral. To find the text's primary message or ideal moral, subjects and objects present in the text are removed, for then the predicate is taken to get its meaning. Third, formulate the main message (*maghzā*) from a text to then be signified by incorporating men and women as subjects spoken by the text. From such an effort of interpretation, it is expected that there will no longer be any gender-appropriate human identification in the domestic sphere, especially in the public sphere.³⁰

The *mubādalah* approach, which later became the official approach of KUPI,³¹ puts men and women as equal subjects. This approach is based on three premises of Islamic teachings. First, Islam is present with all its texts and teachings for men and women. So, a text, which could be because of a particular context newly greeted men, it actually also greets women. The texts greeting woman are also to greet man. In using this approach there should be an effort to find primary meanings that can apply to both men and women, including in creating the goodness (*jalb al-maṣāliḥ*) and evading the evil (*dar'u al-mafāsid*). Second, the principle of the relationship between men and women is cooperation and deviation, not hegemony and power. Any legal decision that leads to a hegemonic and despotic model of relationship is contrary to this principle. Therefore, there must be an effort to re-digest with a *mubādalah*

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²⁸ Muhammad ibn Mukrim ibn Manzūr, *Lisān al-'Arab* (Beirut: Dār al-Kutub al-Ilmīyah, 1994), 48.

 ²⁹ Kodir, Qira'ah Mubādalah : Tafsir Progresif untuk Keadilan Gender dalam Islam, 200.
 ³⁰ Kodir, 250.

³¹ KUPI Web Administrator, "KUPI II Luncurkan Metodologi Fatwa dengan Tiga Pendekatan."

approach so that the legal decisions born are in harmony with the principle of cooperation and indifference, stated in QS. al-Taubah (9): 71. Third, in line with the above two principles, all religious texts of both the Qur'an and the Hadith are open to reinterpretation, and all legal decisions, as long as they relate to contextual technical matters, can also be changed.³²

The usage of *mubādalah* approach is done to interpret the gender biased-Qur'anic verses. In this case, Faqihuddin contemplates using the *mubādalah* approach to understand the Qur'anic verses explaining the sylph in paradise, understood only as a form of pleasure for men. The existence of the worshippers in heaven is described in QS al-Wāqi'ah: 35-38, QS. al-Dukhān: 54, QS. al-Ṭūr: 20, QS. al-Raḥmān: 56 and others. Generally, *mufassir*s describe those beautiful sylphs are intended for believing men ³³

The sylphs in heaven are always interpreted as means of the peak of satisfaction and enjoyment reserved for men, without being followed up with an adequate explanation regarding the pleasures reserved for women. The impact is that there is anxiety for women about their future existence in heaven.³⁴ Islam exists to greet men and women as whole human beings. Heaven will also be the final stop to experience pleasure and happiness for both of them. So what is needed is a deep reflection on an interpretation. Because usually, a question is asked by men and answered by men. Such as the perception of heaven that departs from reason, awareness, and expectations of men. The impact is that all religious attitudes and statements serve more men's needs, hopes, and perspectives.³⁵ Because of this, there is anxiety over the mainstream religious interpretation that pampers men with promises of heavenly angels, regardless of the feelings of women who become their partners when they are in the world. What's more, it also ignores the feelings of

³² Kodir, "Metodologi Fatwa KUPI."

³³ In interpreting QS. al-Dukhān: 54, for example, the slyph reserved for men in heaven are described as beautiful angels who are always in a state of purity and do not experience menstruation. See Jār Allāh Abū al-Qāsim Maḥmūd ibn 'Umar al-Zamakhsharī, "al-Kashshāf 'an Ḥaqā'iq Ghawāmiḍ al-Tanzīl wa 'Uyūn al-Aqāwīl fī Wujūh al-Ta'wīl" (Riyãḍ: Maktabah al-'Ubaykān, 1998), 474; Ibn Kathir, quoting Ibn Abi Hatim, even described the beauty of the angels with the expression that when the angels spit in the vast sea, the sea water will become fresh. See Ismā'il ibn 'Umar Ibn Kathīr, *Tafsīr al-Qur'ān al-'Azīm* (Beirut: Dār al-Kutub al-'Ilmyyah, 1433), 261.

³⁴ Kodir, Qira'ah Mubādalah: Tafsir Progresif untuk Keadilan Gender dalam Islam, 40.
³⁵ Kodir, 105.

children who are very close to their mother as a woman, so this closeness creates religious emotions that are anxious about the mother's fate in the afterlife when the father has fun with the sylphs in heaven.³⁶

Thus, the *mubādalah* approach requires that in interpreting the Qur'anic verses about the sylphs in heaven, which are intended for believing men who enter heaven, the same thing can apply to women. Women who believe and go to heaven will also get the same pleasure, get a handsome angel, or get their husband back in the world who loves him wholeheartedly with the look of a handsome man.

The *mubādalah* approach is also used in understanding family leadership as explained in QS. al-Nisā': 34. The verse explains that men (husbands) are leaders for women (wives), because Allah has made some of them (men) superior to some others (women), and because they (men) have provided maintenance from their wealth.³⁷ Most of the *mufassir* explained that the leadership of men over women in the family is in line with Islamic provisions. Most scholars understand the verse as a normative provision that applies all the time. In the sense that men (husbands) as family leaders are the basic rules of religion that apply anywhere, anytime, and under any circumstances. The impact of this interpretation is that many people think it is the nature of the man (husband) to be the family's leader. So, that he has full authority in managing his family.³⁸

Husein Muhammad, a KUPI activist, explained that to understand QS. al-Nisā': 34 someone must see why Allah made men as family leaders. The above verse mentions, "*bimā faḍḍallāhu ba'ḍahum 'alā ba'ḍin*". That is because some of them (men) were given by Allah to have an advantage over some women.³⁹ Al-Rāzī explained that men become heads of families because they have two advantages over women: knowledge and nature. So far it has always been

³⁶ Kodir, 41.

³⁷ The man as the husband becomes the head of the household because the husband provides for and works for the benefit of his family. See Muḥammad ibn Jarīr al-Ṭabarī, Jāmi' al-Bāyan fī Ta'wīl al-Qur'ān, 4th ed. (Beirut: Dār al-Kutub al-'Ilmiyah, 2009), Book 8th: 290.

³⁸ Editor of *Mubādalah*.id, "Tafsir *Mubādalah* Surat al-Nisa Ayat 34," *Mubādalah*.*Id*, December 26, 2022, https://mubādalah.id/tafsir-mubādalah-surat-al-nisa-ayat-34/.

³⁹ Halya Millati, "Prinsip Tafsir Husein Muhammad dalam Ayat Relasi Laki-Laki dan Perempuan (1)," tafsiralquran.id, January 3, 2021, https://tafsiralquran.id/prinsip-tafsir-husein-muhammad-dalam-ayat-relasi-laki-dan-perempuan-1/.

understood that men have reasoning abilities and brains that are smarter than women. Men also have physical strength and courage than women.⁴⁰ Apart from the advantages that God has given to some men, other reasons become a factor for men to become leaders in the family. *"Wabimā anfaqū min amwālihim"*, because they (men) have provided a living from their wealth. Thus it can be understood why God made men as leaders over women and their families. First, because of his ability to reason; secondly, physical strength; and third, he already provides a living for his family.⁴¹

Husein Muhammad explained that women will also have these three advantages by looking at these reasons. Because these three things are not something natural that human beings cannot change, for example, women can have intelligent reasoning abilities if their parents provide space to access education. Because with education, someone, both male and female, will have intellectual skills. Likewise, with physical strength, this is not something natural but must be processed. Allowing women to do activities outside the home, to work or sports, will make them physically strong.

Furthermore, regarding living, work to earn a living and support is not work that can only be done by men. Today, many women seek and provide for their families, even their husbands. Thus, the family leader is a role that does not have to be male. Women can also be the head of the family because of the three advantages that are the reasons why men, as family leaders, can have women.

Therefore, Husein Muhammad concluded that QS. al-Nisā': 34 is an informative or *khabarī* verse, which informs about social, cultural realities and the division of labor between men and women that applies to the revelation of the verses of the al-Qur'an. Thus, the concept of family leadership is contained in QS. al-Nisā': 34 does not apply today because society's social, cultural, and economic realities have changed a lot.⁴² Husband and wife are not in a position to subordinate each other but complement each other's deficiencies. Both of them must collaborate and work together to build a happy family. According to

⁴⁰ Muḥammad ibn 'Umar ibn al-Ḥusain ibn al-Ḥasan ibn 'Ali al-Rāzī, *al-Taſsīr al-Kabīr*, 4th ed. (Beirut: Dar al-Kutub al-'Ilmiyah, 2004), 192.

⁴¹ Editor of *Mubādalah*.id, "Tafsir *Mubādalah* Surat al-Nisa Ayat 34."

⁴² Editor of Mubādalah.id.

the *mubādalah* approach, to realize justice in the household, husband and wife must make mutual help through working together, such as mutual consultation, mutual democracy, and mutual taking and giving in building harmonious relationships.⁴³

The *mubādalah* approach is used in a congregation by KUPI activists when discussing about Qur'anic verses related to sexual violence. In the congress held at the Pesantren Kebon Jambu Cirebon on April 25-27, 2017, activists raised strategic issues, including the issue of sexual violence. In the thematic discussions held at the congress, activists discussed verses related to sexual violence, such as QS. al-Isrā': 70, QS. al-Nisā': 19, QS. al-Taubah: 71, QS. al-Nūr: 4-5, QS. al-Ahzāb: 58, QS. al-Burūj: 10, and QS al-Nūr: 33. In understanding all of these verses, KUPI institutionally interprets that sexual violence in all its forms is an unjust act because this makes women as social objects that seem to have no sovereignty over their bodies. The perpetrators deliberately take advantage of women's powerlessness for their interests, regardless of the various kinds of bad consequences that women will experience as victims. So that sometimes victims have to feel the consequences systemically for a very long time.⁴⁴

One example of sexual violence is rape. Although it is possible that the time when the rape occurred was very short, the differences in organs, functions, and the reproductive period between men as perpetrators and women as victims are very different. As a perpetrator, a man wants to have sexual intercourse with a woman forcefully, then the man controls it. Meanwhile, a woman as a victim who does not wish to have a relationship will experience serious physical or psychological injuries. Another obvious difference is that a woman, as a victim, can become pregnant and give birth. She then has to breastfeed and care for the child she gives birth to, while the perpetrator of the rape is free from all that suffering.⁴⁵

Violence against women can also take the form of verbal abuse by accusing them of committing or causing adultery. This is also understood that a

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⁴³ Siti Nurjanah et al., "al-Mubādalah fi Mafhūmi Fiqhi al-Mar'ah al-Mu'āshirah bī Indūnīsiyā," *Al-Ihkam: Jurnal Hukum & Pranata Sosial* 17, no. 1 (2022): 189–215, https://doi.org/10.19105/allhkam.v17i1.6140.

⁴⁴ Tim KUPI, Dokumen Resmi Proses dan Hasil Kongres Ulama Perempuan Indonesia 25-27 April 2017 M (28-30 Rajab 1438 H), 77–78.

⁴⁵ Tim KUPI, 78.

woman is a source of slander for men because they are seen as a sexual seducer often positions women as the guilty party. In cases of rape, a woman is often blamed for being seduced first. Meanwhile, a man who commits rape has never questioned his failure to control his lust so that he commits the crime. A woman cannot be blamed for the failure of a man who cannot control his lust, so he rapes his victim.

D. The Women's Movement and the Context of Interpretation of Gender Biased- Qur'anic Verses

The rise of women has long historical roots. Women have started their work long before Indonesia's independence. They are engaged in areas of life that align with the challenges and demands of their era, not only in social, political, economic, cultural, educational, and religious backgrounds. The appearance of figures such as Kartini, Rahmah el-Yunusiyah, Siti Walidah Ahmad Dahlan, Khoiriyyah Hasyim, and others marked the emergence of a new awareness among women that they had risen to fight for their equality with men.

The emergence of awareness among female activists and clerics to rise up to fight for equality alongside men continued until Indonesia became independent and entered the reformation period. When Indonesia entered the reformation era in 1998, various women's organizations appeared, which revived the struggle of women who not only defended their society but also defended and thought about the fate of marginalized communities, defended the common people, defended children's rights, fought for democracy and women's labor rights, defended women from objects of violence and crime through the rule of law, even women who take part in politics.⁴⁶

The activists and women clerics are well aware that the problems and challenges faced by women are not as simple as they used to be but are increasingly complex. Old problems that have not been resolved and added to with new problems along with the rapid growth of industrialization and the development of science and technology in the information field, for example, the matter of the lack of involvement of women in the decision-making process,

⁴⁶ Sri Hidayati Djoeffan, "Gerakan Feminisme di Indonesia: Tantangan dan Strategi Mendatang," *Mimbar: Jurnal Sosial dan Pembangunan* 17, no. 3 (2001): 284–300, https://doi.org/10.29313/mimbar.v17i3.49.

the large number of women who are victims of harassment at work or in the workplace. Public facilities, exploitation of women to become workers abroad, minimum wages for women compared to men, the large number of women who are victims of sexual exploitation and pornography on social media, and others.

The Reformation era brought blessings with the opening of the tap for freedom and expression became more open. Democracy, which was hailed as a friendly system to all parties, has begun to assume its new role. During the Old and New Order eras, democracy felt biased and sometimes even ran away from its grip. In the reformation era, democracy seems to be the best way out and was a haven for freedom of the press, freedom of expression, opinion, association, and others. Even though the faucet of democracy has been wide open, the existence of women in many fields after the reformation has been slow and somewhat unexpected. Many factors seem to hinder the progress of women's existence both in terms of participation and existence. Women still seem unable to be free from culture's confines and understand how Indonesian women should be. Many Indonesian women are still considered not independent politically, educationally, economically, culturally, and religiously.47

The women's movement began to emerge in the first decade of the 21st century when a collective awareness emerged among women that they had to rise from their slump. In line with the predictions of futurologists who predict that the 21st century will be the century of women's awakening,⁴⁸ female activists and scholars have begun to move and develop their wings and networks. Starting from the 2004 and 2009 legislative elections, the quota for women was at least 30%, whether they were sitting on political party officials, as candidates for members of the KPU (National Electional Commission), or as candidates for members of the DPR/DPRD. Since then, Indonesian women who have not been aware that they have been affected by gender vibrations (genderquakes) have begun to rise up to fight for affirmative action policies. In

⁴⁷ Indra Fauzan, "Politik dan Perempuan di Indonesia Pasca Reformasi," *Jurnal Ilmiah Mimbar Demokrasi* 17, no. 1 (2017): 15–38, https://doi.org/10.21009/jimd.v17i1.8760.

⁴⁸ Tyas Retno Wulan, "Pemetaan Gerakan Perempuan di Indonesia dan Implikasinya terhadap Penguatan Public Sphere di Pedesaan," *Yinyang: Jurnal Studi Islam Gender dan Anak* 3, no. 1 (2008): 120–139, https://ejournal.uinsaizu.ac.id/index.php/yinyang/article/view/192.

the 2014 election, women again had another chance that the political parties participating in the election must meet the requirements to include at least 30% representation of women in the management of political parties at the central level (UU No. 8/2012, article 15) and candidacy for members of the DPR/DPRD (UU No. 8/2012 article 55).⁴⁹

Accommodation towards the role of women in the political field then spread to other fields. The women's movement became more massive and focused. The women's movement, which consisted of various organizations and groups, took advantage of this golden momentum and pushed for better reforms. Efforts to reform are carried out through suggestions and advocacy to political elites to encourage increased representation and participation of women in the political arena and other fields.⁵⁰

In this national situation, gender activist groups and women clerics are starting to move. Women activists who are members of Rahima, Fahmina, Alimat, and Fatayat NU have begun to develop new Islamic discourses that are more gender-responsive. From here, a new awareness emerged to establish networks that both are interested in women's advocacy. It gave birth to the idea of forming KUPI. This association serves as a meeting place for female activists from various women's organizations. Hence, the first Congress of KUPI was held at the Pesantren Kebon Jambu Cirebon on April 25-27, 2017, and the second congress at Universitas Islam Negeri Walisongo Semarang and Pesantren Hasyim Asyari Jepara on November 23-26, 2022.

Meanwhile, the development of civilization also implied the availability of Islamic knowledge in interpreting gender verses in Indonesia. Reformers such as Riffat Hassan, Amina Wadud, Asghar Ali, and Nasr Hamid Abu Zayd brought theological reform thoughts to the KUPI intellectual circle network. This knowledge is disseminated through seminars on campus, translation books, and direct learning through closed discussions.⁵¹

⁴⁹ Very Wahyudi, "Peran Politik Perempuan dalam Persfektif Gender," *Politea: Jurnal Politik Islam* 1, no. 1 (2019): 63–83, https://doi.org/10.20414/politea.v1i1.813.

⁵⁰ Ani Widyani Soetjipto, *Politik Harapan: Perjalanan Politik Perempuan Indonesia Pasca Reformasi*, ed. Fitri Bintang Timur (Tangerang: Marjin Kiri, 2011), 113.

⁵¹ Nina Nurmila, "The Influence of Global Muslim Feminism on Indonesian Muslim Feminist Discourse," *Al-Jami'ah: Journal of Islamic Studies* 49, no. 1 (2011): 33–64, https://doi.org/10.14421/ajis.2011.491.33-64.

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To strengthen the basis of religious thought that the women activists who are members of the KUPI have begun to develop a methodological framework to become a solid basis for religious thoughts. Hence, these women activists developed the *mubādalah* approach, used to understand the Qur'anic verses and *hadith* within the framework of mutuality. This approach, introduced by Faqihuddin Abdul Kodir, was formulated in quite a long time. Faqihuddin explained that the approach he developed was inspired by the thoughts of his teachers, namely Masdar Farid Mas'udi, who developed a lot of the *qaț'iy* and *zanny* methodologies,⁵² and Husein Muhammad, who developed a lot of the monotheism framework methodology in his interpretation.⁵³ This approach is the result of concocting the basic concepts of *fiqh*, *tafsīr*, and concepts developed by his two teachers, as well as thinkers from overseas, such as Riffat Hassan, Amina Wadud, Asghar Ali, and Nasr Hamid Abu Zayd.

The *mubādalah* approach introduced by Faqihuddin and accepted as the KUPI's "official approach" is indeed very relevant for completing the gender biased-Qur'anic verses. This approach can be used to reinterpret the Qur'anic verses, which, in understanding traditional interpretations, subordinate women to interpretations that align men and women. Thus, the emphasis on interpreting the gender biased-Qur'anic verses will be more enlightened.

E. Conclusion

The *mubādalah* approach as "official approach" of KUPI is relevant for interpreting gender-biased Qur'anic verses. Conventional approaches used by previous *mufassirs* will make the Qur'anic verses seem gender biased. Traditional and conventional interpretations make it appear as if the Qur'anic

⁵² Masdar Farid Mas'udi understands qath'iy texts as texts that are eternal, unchanging in content, clear and firm in nature, regarding the principles of justice in Islam. Zhanni texts are interpreted as explanatory texts of qath'i texts that are more partial and contextual, so that in qath'i texts it is possible to change the law according to the context of the event. According to Masdar, texts that contain issues in the family, social, and societal realms are categorized as types of zhann texts. See Masdar F. Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan: Dialog Fiqih Pemberdayaan* (Bandung: Mizan, 2000), 155–56.

⁵³ The monotheistic paradigm teaches humans not to carry out oppressive activities against fellow humans because of social class. The monotheistic paradigm views that, in fact, only God is a deity with absolute power with his power covering humans. There is no human whose status is above other humans. This approach is used to analyze the laws applied to men and women who are seen as having equal degrees and rights. See K.H. Husein Muhammad, *Perempuan, Islam, dan Negara* (Yogyakarta: IRCiSoD, 2022), 110.

verses subordinate women and treat them unfairly compared to men. In this context, the *mubādalah* approach finds its importance and significance.

Interpretation of gender-biased Qur'anic verses using the *mubādalah* approach is carried out in the context of the KUPI struggle to provide advocacy for improving the fate of women. Interpreting the Qur'anic verses using the *mubādalah* approach provides a theological basis for liberating women from subordination by men.[s]

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