

The Traces of Qur'anic Women's Hakiki Justice Interpretation in Kupi's Fatwas

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Abstract

Mainstream Islamic epistemologies are gender biased due to two primary reasons. First, women are often seen as men's sexual tools and reproductive machinery, making them sexual objects. Second, legalistic interpretations of the Qur'an require formal interpretation. The Indonesian Women Ulama Congress (KUPI) proposes an alternative Qur'anic women's *Hakiki* Justice interpretation. In this context, women are respected as whole persons with physical, intellectual, and spiritual qualities deserving of respect as complete subjects. Islamic welfare ideals are shaped by their unique bodily and social human experiences. Islamic teaching system consists of vision, moral foundation, and method verses. As a process of transformation, the verses comprise the starting point, intermediate, and final goals verses. KUPI's fatwas are examined for Qur'anic women's *hakiki* justice interpretation. The library research method is employed using credible books and online resources. The key texts are *Nalar Kritis Muslimah*^{Metodologi Fatwa KUPI</sub> books, and KUPI's fatwas documents on the Kupipedia website. The results highlight that the traces of Qur'anic women's *hakiki* justice interpretation in KUPI's fatwas are indicated by how KUPI integrated women's bodily and social experiences in understanding the issues and the Qur'an.}

Keywords: Tafsir, Qur'anic Women's Hakiki Justice Interpretation, KUPI, fatwa

A. Introduction

In April 2017, the first Indonesian Women Ulama Congress (KUPI) issued three fatwas, namely on sexual violence, child marriage, and environmental destruction. In November 2023, the second KUPI issued five fatwas, namely violence in the name of religion, waste management, forced marriage, pregnancy due to rape, and female genital cutting and injuring (P2GP).

KUPI responded to these eight issues differently compared to mainstream responses. Common perspectives on the issues are that child marriage is permissible, wives are obligated to fulfil their husband's sexual demands, coercive guardians *(wali mujbir)* are allowed to force women into marriage, abortion is forbidden, and female circumcision is Sunnah. Issues regarding environmental destruction, violence in the name of religion, and waste management generally were not responded to from women's perspectives.

KUPI responded differently to these eight issues. Protecting children from the dangers of marriage is obligatory; committing sexual violence, whether within or outside marriage, is forbidden; protecting women from the danger of forced marriage is obligatory; protecting women's lives from the danger of pregnancy due to rape is obligatory; and performing female genital cutting and injuring without medical reasons is forbidden. Environmental destruction considers explicitly its impact on women, violence in the name of religion specifically prohibits the marginalization of women, and waste management explicitly emphasizes it as a collective duty of males and females.

These different responses reflect the different methods of KUPI's fatwa, particularly regarding views on women's humanity and the Qur'an as the primary source of Islamic teachings that are closely related to the trilogy approach used by KUPI, namely *Ma'ruf*, *Mubadalah*, and *Women's Hakiki Justice*.

Women's Hakiki Justice becomes the focus of research because this is the approach that integrates women's bodily and social experiences due to differences in reproductive systems and differential treatment in patriarchal systems between women and men. This approach is triggered by male dominance in interpreting the Qur'an, which leads to the neglect of women's experiences in fatwa.

Research on KUPI has been conducted extensively. Rohmaniyah et al. (2022) revealed that KUPI had redefined the concept of ulama, developed inclusive gender epistemology, and criticized unfair gender fatwa issues (Rohmaniyah et al., 2022). The involvement of women as religious authorities has countered male dominance in interpreting religious texts and has incorporated women's experiences as a source of religious knowledge (Agustina & Ismah, 2024; RASYIDAH, n.d.; Rohmaniyah et al., 2022).

The involvement of women's experiences in the formulation of KUPI fatwas is a testament to its inclusive, non-masculine dominant religious interpretations (RASYIDAH, n.d.). This approach has opened up fair and equal spaces for both men

and women, as demonstrated by the concept of the KUPI trilogy, namely *Ma'rūf*, *Mubādalah*, and *Women's Hakiki Justice* (Agustina & Ismah, 2024). The principle of reciprocity between men and women, as embodied in the concept of *Mubadalah* is a key aspect of KUPI's interpretation (Nikmatullah, 2024). For instance, KUPI interprets the meaning of *ijbār* not as the father's right to forcibly marry off his daughter, but as a form of responsibility and affection from the guardian towards his daughter (Agustina & Ismah, 2024).

KUPI, as a moral movement, uplifts the status and role of women, the well-being of children, and sustainable environmental issues, to strengthen moderate nationalism (Kusmana, 2019). However, women's participation in fatwas has disrupted traditional norms, challenging gender structures in fatwa-making institutions (Ismah, 2024). Thus, KUPI as a progressive group also faces challenges from conservative Muslims, indicating a complex interaction between Islam, civil society, and gender equality (Nisa, 2019). Therefore, Koos and Ismah (2023) focused on researching the challenges faced by KUPI in opposing male authority, centered on males, and patriarchy in Islam (Kloos & Ismah, 2023).

The above research on KUPI shows that the Women's Hakiki Justice, one of the KUPI trilogy, has not yet been the focus of research. However, few research on women's *hakiki* justice can be found in Fariha (2022) who revealed the women's biological experiences as the typical interpretation by Nur Rofi'ah. Additionally, Mayaziza (2023) investigated Nur Rofi'ah's interpretation in understanding verses about gender relation and its relevance with KUPI fatwas.

Furthermore, Pasya (2023) highlighted three distinct forms of agency within the concept of women's *hakiki* justice as explored by using Saba Mahmood's discourse and agency theory. The various types of agency encompass challenging interpretations, opposing sexual objectification, and addressing subordination. The research provides a clearer understanding how the notion of women's *hakiki* justice is used to examine the many aspects of justice in relation to gender justice.

Previous researchers have also employed the concept of women's *hakiki* justice in examining several topics including marriage (Suhayati, 2023), female reproduction (Rofi'ah, n.d), and childfree (Aprilyanti, 2022). Interestingly, as a social media activist, Nur Rofi'ah gained notice from Nurmahmudah (n.d.) for her social media activism where she analyzed Qur'anic verses from a gender justice standpoint. This endeavor aims to restore gender-inclusive interpretations by defining core concepts, such as the role of humanity as servants of Allah and as caliphs. It seeks to address different challenges, including marital relations and other related concerns (Mahmudah, n.d). Nur Rofi'ah's involvement in *Ngaji KGI* has positively influenced the congregation by empowering them and improving their ability to think critically in analyzing various phenomena.

This study aims to find the traces of Qur'anic Women's Hakiki Justice interpretation in KUPI's fatwas. Its focus is to answer the following three questions: 1) What is Women's Hakiki Justice? 2) How to interpret the Qur'an from the perspective of Women's Hakiki Justice? 3) What are the traces of Qur'anic Women's Hakiki Justice interpretation in KUPI's fatwas? These three questions serve as guidelines in writing this article.

The study is library research with primary data sourced from three main books: Faqihuddin Abdul Kodir's book *Metodologi Fatwa KUPI*, Nur Rofiah's book *Nalar Kritis Muslimah*, and the manuscripts of the first and second KUPI fatwas on the Kupipedia website. To complement and strengthen the above data, this article also cites relevant other books and articles on the internet about the theme.

B. Discussion

1. Women's Hakiki Justice

The word '*adalah* (justice) originates from the Arabic language, *al-'adl*, which etymologically means being in the middle of things (Ahmad Warson Al-Munawwir, 1997). The word *al-'adl* (just) in the Qur'an is mentioned 28 times, which etymologically means being in the middle (Muhammad Fu'ad Abd al-Baqiy, 1981). Justice means impartial, unbiased, or treating all equally (equality). Another term for justice is *al-qist*, *al-misl* (equal share or equivalent). Terminologically, justice means equating something with another, both in terms of value and measurement, so that it becomes impartial and indistinguishable. Justice also means siding with or adhering to the truth (Abdul Aziz Dahlan, 1997).

Justice demands that everyone in the same situation be treated equally. In the legal field, it means that the law applies universally, the same worldwide, and does not recognize exceptions (Franz Magnis Suseno, 1994). Social justice must be upheld without discrimination based on wealth or poverty, officials or common people, women or men; they must be treated equally and given equal opportunities (Franz Magnis Suseno, 1994). Sayyid Qutb asserts that Islam does not acknowledge differences based on status and position (Sayyid Qutub, 1984). Murtadha Muthahhari also uses the word *al-adl* (just) to mean equality and denial (negation) of any differences (Murtadha Muthahhari, 1981).

Gender justice between men and women arises because of the patriarchal system that treats women differently from men. Patriarchy can be understood as the manifestation and institutionalization of male dominance over women in society (Lerner, 1986). Its manifestations can appear through various media and methods (Chandraningrum, 2013). The bleeding and pain accompanying women's reproductive experiences are viewed as dangerous and harmful curses (Nasaruddin Umar, 1995). The Romans regarded women as mere arousers of lust and had no power over their femininity (Muhammad Haekal, n.d.).

This negative view of women's bodily experiences led to dangerous practices against women in various parts of the world. For example, ironing newly developed breasts of girls in Cameroon, Africa (Rebecca Tapscott, 2012), confining women during menstruation in tight and closed places in Nepal (Nixon Joshy, Kamini Prakash, n.d.), female genital mutilation in Africa (Annika Johanssona, n.d.), self-immolation with husband's corpse (Sati) in India (Nehaluddin Ahmad, n.d.).

The above facts indicate that achieving Women's Hakiki Justice requires considering both similar and different experiences between men and women, at least women's bodily and social experiences. The different reproductive systems lead to different bodily experiences between men and women. Men's body only has one role in human reproduction. It is to release sperm, which lasts for minutes and has a pleasurable impact. Meanwhile, a woman's body undergoes menstruation, pregnancy, childbirth, postpartum, and breastfeeding, ranging from hours, days, weeks, and months to years. These experiences are described in the Qur'an as experiences accompanied by pain (*adza*), fatigue (*kurhan*), and even multiple pain (*wahnan ala warning*).

Socially, the patriarchal system provides different social experiences between men and women. The patriarchal system can be divided into hard and soft lines. Hard-line patriarchy views men as the only human and, therefore, positions them as the sole subjects, while women are seen as property and thus placed as objects (hard-line patriarchy). Soft-line patriarchy views men as the main humans and, therefore, positions them as the primary subjects, while women are seen as secondary humans and thus become secondary subjects. In any form of patriarchal system, women are vulnerable to experiencing injustice simply because they are women, namely stigmatization (negative view of women), marginalization (exclusion), subordination (considered low or lower), violence, and double burden (domestic and public) (Mansour Faqih, 2008).

Therefore, Women's Hakiki justice requires women's bodily experiences not to become more painful and no gender injustice against women, even though men do not have the same experiences. (Nur Rofiah, 2022b).

2. Qur'anic Women's Hakiki Justice Interpretation

Women's Hakiki Justice characterized by viewing women as whole human beings and full subjects. The Quran asserts that women are human beings (Quran, al-Hujurat/49:13) who have the inherent status as the only servants of Allah (Quran, Adz-Dzariyat/51:56) and the vicegerent on earth (Quran, al-Ahzab/33:72) with the mandate to realize welfare on earth. Both men and women values are determined by piety (Quran, al-Hujurat/49:13).

Amina Wadud stressed the importance of reading the Qur'an holistically with the paradigm of Tauhid as the center of awareness so that the message of equality between men and women as fellow creatures of Allah will be seen clearly (Amina Wadud, 1999). Men and women are equally full subjects in the life system, meaning they are equally responsible for realizing welfare and enjoying it while preventing evil and being protected from it. Both are also whole human beings, meaning they are physical, intellectual, and spiritual creations.

The Quran acknowledges women's bodily experiences as human experiences that are the responsibility of both men and women as human beings. Surah Al-Baqarah/2:222 and Surah Luqman/31:14 change the negative view of menstruation, pregnancy, childbirth, postpartum period, and breastfeeding to empathize with them by mentioning menstruation *adza* (something causing pain) and pregnancy to breastfeeding as *wahn ala wahnin* (multiple pain). Even though menstruation was believed to contain poison by Greeks and Romans (Laura Fingerson, 2007).

Women's social experiences are also given special attention in the Quran. First, stigmatization or negative labels on women. For example, Surah Al-Baqarah/2:36, Al-A'raf/7:20, Surah Thaha/20:120 assert that the tempter of Prophet Adam was not Eve, but satan. Second, marginalization. For example, Surah Al-Mujadilah/58:1 provides an example of the need to listen to the voices of women who are victims of injustice in resolving a case (M. Ahmad Jadul Mawla (et. all), 2009). Third, subordination. For example Surah An-Nisa/4:11,12,19 shifts the position of women from being objects inherited to subjects who receive, even becoming inheritance givers, which only lasted for 23 years in the 7th century AD. Fourth, violence. For example, Surah An-Nisa/4:3 emphasizes that monogamy is more likely to be just (Az-Zamakhsyari, 1407), Surah An-Nisa/4:23 prohibits incest, Surah Al-Bagarah/2:187 affirms that husbands and wives are both subjects in sexual relations, Surah An-Nur/24:33 confirms that women who are prostituted are not perpetrators but victims. Fifth, double burden. The mandate of human, male and female, as vicegerent on earth indicates that the welfare on earth, both in the domestic and public spheres, is the joint responsibility of men and women.

The spirit of the Quran to give special attention to women's bodily and social experiences above shows the importance of formulating forms of general welfare (al-Mashlahah al-Ammah) as the goal of Islamic law (Maqashid al-Shariah) to also consider them. The high maternal mortality rate is seen as neglect of hifdzunnafsi (safeguarding life), the prohibition of women's education as neglect of hifdzul aqli (safeguarding intellect), harassment and sexual violence as neglect of hifdzul irdl (safeguarding dignity), etc.

According to the perspective of Women's Hakiki Justice, the Quran must be understood as a system and a process. As a system, all of its verses are intertwined. They can be categorized into three hierarchal types (Nur Rofiah, n.d.):

- 1. Missionary Verses. They are verses about the final goal of all guidance. For example, Surah Al-Anbiya/21:107 asserts the mission of Islam to bring blessing to all and Surah Al-Fajr/89:27-28 explains that humans must return to Allah as tranquil souls (an-Nafsul Muthmainnah) (Fakhruddin ar-Razi, 2005).
- 2. Moral Foundation Verses. They are verses about Islam's principles and fundamental values , such as iman, Islam, ihsan, tauhid (monotheism), taqwa (piety), humanity, justice, peace, safety, health, environmental preservation, and other virtues. These principles and fundamental values verses animate the entire Quran. For example, Surah Al-Ikhlas/112:1-4 about monotheism, Al-Hujurat/49:13 about taqwa (piety), Al-Maidah/5:8 about justice, etc.
- 3. Method Verses. These verses provide practical guidance on making an unjust system as just as possible according to the community's capabilities. For example, they include verses about war, human slavery, polygamy, female witness value, the female portion of the inheritance, hudud, etc.

Missionary and Moral Foundation verses are verses with universal guidance. The principle of *Al-Ibratu bi Umumil Lafdzi* (the message held in the generality of its wording) applies. Meanwhile, Method Verses are verses with contextual messages. The principle of *Al-Ibratu bi Khususis Sabab* (the message held is the specific context) applies. These verses can be applied anytime and anywhere as long as the context of community life is still similar and the social changes do not lead to their literal application being contradictory to the mission or moral foundation of the Quran. The root of gender-biased Qur'anic interpretation is applying the principle of *Al-Ibratu bi Umumil Lafdzi* to the contextual verses on women (Nasaruddin Umar, 1998).

As a process, the Quran is seen as it reveals the Quran as a documentation of a long and interconnected process of systemic changes in Arab society at that time. The Quranic verses, as part of this process, play a pivotal role in recording three distinct types of verses (Nur Rofiah, 2022b). These types are:

Starting Point Verses. They are verses that reflect the views and traditions of Arab society that still regard women as property, thus positioning them as objects. For example, verses about the virgins of paradise who are described as beautiful women with smooth skin, and if copulated with, return to virginity no matter how many times.

Intermediate Target Verses. They are verses that regard women as human but not as a whole. These verses are characterized by the view that the value of women is a fraction of that of men. For example, Surah An-Nisa/4:3 on polygamy that values wives are $\frac{1}{2}$, $\frac{1}{3}$, $\frac{1}{4}$ of husbands. Likewise, the inheritance of a daughter and the value of a female's witness value in debt cases is half that of men. As intermediate targets, these verses should not be understood as ideal conditions.

Final Goal Verses. These verses regard women as human and position them as complete subjects. For instance, Surah al-Hujurat/49:13 affirms that the worth of men and women is equally dependent on piety (taqwa), Surah an-Nahl/6:97 and an-Nisa/4:124 affirms men and women who believe and do righteous deeds will equally be granted a beautiful life and enter paradise, and At-Taubah, 9:71 confirms male and female believers are mutual guardians of one another, as well as all Missionary and Moral Foundation verses. Some Method verses provide a closer approach to the final goal than others. For example, the message of monogamy in Qs. an-Nisa/4:3, which is mentioned as closer to avoiding injustice (*adna anlaa ta'uuluu*), the verses about the equal witness values of husband and wife in the oath of Li'an, which is both five times (Qs. an-Nur/24:6-9), the verses about inheritance from father and mother, which are both entitled to 1/6 (Qs. An-Nisa/4:11). Nevertheless, the final goals are fair monogamous marriage, witness value based on competence, and the portion of inheritance based on the financial conditions of each inheritor and their contribution to the inheritance.

The problem of gender-biased interpretation towards women does not lie in the Qur'anic verses but rather in how humans interpret them:

- 1. Treating Method Verses as Missionary Verses.
- 2. Understanding the Qur'anic verses by disregarding Missionary Verses and Moral Foundations.
- 3. Treating contextual verses as universal verses.
- 4. Disregarding the Final Goal Verses in understanding Intermediate Target verses and Starting Point verses.
- 5. Treating Intermediate Target and even Starting Point verses as the Final Goal verses.

3. Traces in KUPI's Fatwas

KUPI's fatwas are processed through pre-KUPI serial seminars and discussed in Musyawarah Keagamaan (Religious Deliberations) during the congress. KUPI has been held twice, in Cirebon in 2017 and Jepara in 2023. The first KUPI resulted in 3 fatwas, namely: 1) To protect children from the dangers of marriage is obligatory; 2) To commit sexual violence, whether within or outside of marriage, is forbidden; 3) To destroy the environment, even in the name of development, is forbidden (KUPI Team, 2017).

KUPI 2 produced five fatwas, namely: 1) To marginalize women, which impacts the security of the state from the danger of violence in the name of religion is forbidden; 2) To let waste damages environmental sustainability and threatens human safety, especially women, is forbidden; 3) To protect women from the danger of forced marriage is obligatory; 4) To protect women's lives from the danger of pregnancy due to rape is obligatory; 5) To protect women from the danger of harmful female genital cutting and injuring without medical reasons is forbidden (kupipedia, n.d.).

The traces of Qur'anic Women's Hakiki Justice interpretation in KUPI's fatwas, which we will delve into, hold significant implications. These traces encompass at least two substantial aspects. First is the perspective on women as human beings, thus positioned as full subjects. Second, the perspective on the Qur'an as a system and process.

Until now, the perspective on women as sexual objects to be wary of as a source of temptation for men is still easily found as collected in *Speaking in God's Name* book. (Khaled M. Abou El Fadl, 2003). Such a perspective then gives rise to patterns of fatwas regarding women's actions in any form as follows:

- 1. If it absolutely causes temptation, then it is forbidden.
- 2. If it might cause temptation, then it is deemed reprehensible.
- 3. If it absolutely does not cause temptation, then it is permissible.

The legal status of the same actions differs depending on whether they are done by a beautiful woman or otherwise (Nur Rofiah, 2022a).

The perspective of viewing women as sexual objects, as mentioned above, reflects the neglect of women's intellectual and spiritual aspects. Women's opinions, thoughts, intuitions, and feelings are equally considered unimportant to be taken into account in the process of formulating the welfare of Islam in fatwas.

KUPI reaffirms the perspective that women are physical, intellectual, and spiritual beings. Therefore, women's opinions, thoughts, intuitions, or feelings are considered when understanding an issue. Qur'anic verses and other authoritative texts serve as reference sources, and both are analyzed until the formulation of forms of welfare in fatwas.

The pattern of fatwas also becomes different. If based on the importance of preventing harm and danger from any action, then the pattern is as follows:

- 1. If an action is absolutely causing harm, especially danger to men and/or women, then it is forbidden.
- 2. If an action may result in harm to men and/or women, then it is considered reprehensible.
- 3. If an action absolutely does not result in harm, especially danger to men and/or women, then it is permissible.

If based on the importance of realizing welfare, then the pattern is as follows: 1) If to realize welfare for men and/or women, an action must be done, then it is obligatory; 2) If to realize welfare for men and/or women, an action is preferable to be done, then it is recommended (sunnah); 3) If to realize welfare for men and/or women, an action must not be done, then it is forbidden (Nur Rofiah, 2022a).

In mainstream fatwas, women, whether as issues, perspectives, or agents of change, are often positioned as secondary subjects or even objects. Therefore, issues related to women's experiences, both bodily and social, are often seen as peripheral issues that do not need to be prioritized compared to issues relevant to everyone. Issues such as child marriage, sexual violence, forced marriage, pregnancy due to rape, and female genital cutting and injuring are often considered less important compared to issues like bitcoin, Friday prayers during COVID, vaccination during fasting, etc.

The same occurs with women's perspectives. Fatwa towards any issue, even those related to women's bodily and social experiences, such as child marriage, sexual violence, forced marriage, pregnancy resulting from rape, and female genital cutting and injuring, which are highly relevant to women, often ignore women's perspectives. Fatwa related to environmental destruction, waste management, and violence in the name of religion often disregard women's positions in the whirlwind of these problems.

Musyawarah Keagamaan (The Religious Deliberations) of KUPI have a very different situation. Women are considered essential subjects as issues, perspectives, or agents of change. Five of the eight issues discussed in the Religious Deliberations are specific to women's experiences, and all issues, including the other three, are processed using a women's perspective, ensuring concrete forms of their bodily and social impacts on women.

For example, the KUPI's fatwa on child marriage, sexual violence, forced marriage, pregnancy due to rape, and female genital cutting and injuring. Pregnancy, childbirth, postpartum, and breastfeeding at an adult age, even because of dignified sexual relations with a beloved husband and reproductive organs in an intact and healthy condition, already have physical and emotional impacts, especially at a young age, or due to sexual violence, rape, forced marriage, or if genital organs have been injured or even cut without a medical reason. KUPI's fatwa takes issues of female genital cutting with the contention that any detrimental action that can cause either short or long-term bad effects on women is strongly forbidden. Female genital cutting without medical reason does not align with Islamic principles. KUPI Team (2017) stated that:

"The male and female genitals have different anatomical and structural functions. Women have a weekly menstrual cycle with painful effects (adzâ), pregnancy of about nine months, childbirth of hours or days, weekly or monthly *nifas*, breastfeeding for two years, the effect of which is exhaustion (kurhan), pain and fatigue continuously and repeatedly (wahnan alâ wahnin). Meanwhile, males only produce sperm for a short period of time and have a pleasant effect. The above differences in reproductive experience cause a significant difference in the act of cutting both genitals. Unlike in Men, the same actions can have a negative impact even hazardous in women".

Unlike male genital cutting which does more benefit in terms of male sexual reproduction health, female genital cutting does more harm (*mafsadat*) than benefit (*maslahah*). This argument is also revealed in the document of KUPI's fatwa quoting QS. Al-Ahzab (33): 58 about the prohibition of hurting human beings. "Those who hurt the faithful and the believers without their iniquity have indeed borne the lies and the manifest sin" (QS. Al-Ahzab (33): 58).

Similarly, there are social impacts. The five above-mentioned social issues are also linked to women's social vulnerability. First, *stigmatization* in the form of viewing women as sources of temptation, so they should be married off immediately rather than committing adultery (Rumah Kitab, 2016); if necessary, forced female genital cutting and injuring is done to prevent promiscuity, and when they become victims of rape and become pregnant, they are vulnerable to being blamed as the cause of the rape. Second, *marginalization* in the lack of women's consent or concerns in many child marriages, sexual violence including rape, forced marriage, especially those performed on infants. Third, *subordination* in the form of women being viewed as sexual objects, so their physical and emotional pain is deemed unimportant. Fourth, *violence*, both physical and non-physical.

Fifth, *double burden* in the form of women's vulnerability in carrying both domestic and public responsibilities, either due to divorce or neglect of responsibility for the long-term effects of rape.

Women as agents of change play a significant role in the process, from determining issues, discussing them in pre-KUPI serial seminars, drafting texts, deciding in the Religious Deliberations (Musyawarah Keagamaan), and even using them as tools for social change and policy advocacy.

The influence of Qur'anic Women's Hakiki Justice interpretation in KUPI's fatwas is fascinating. It is evident in how KUPI, with the Qur'an as its primary source, incorporates these interpretations (kupipedia, n.d.):

- To gather Qur'anic verses on blessing the universe, the command to do good, and the prohibition of evil. This step shows that KUPI's fatwas are always based on Missionary and Moral Foundation verses. For example, KUPI's fatwas are always firmly based on fundamental principles of Islamic teaching. One verse demonstrates the moral foundation as stated in KUPI's fatwa document which is about the command to treat women dignifiedly as in QS. An-Nisa (4): 19. On the basis of missionary verses, one of KUPI's fatwas referred to QS. Ali-Imron (3): 110 which is about the command to be the best *ummah*; doing good deeds, and avoiding evil.
- 2. To gather verses about a specific case that can inspire in addressing the problem.
- 3. To analyze the importance of eliminating the negative impacts and dangers inherent in these issues by the Mission and Moral Foundations of the Qur'an.
- 4. To reinterpret verses used as legitimacy for opposing views by positioning them as intermediate targets or even starting points that need to be understood contextually.

C. Conclusion

This study shows that the traces of Qur'anic Women's Hakiki Justice interpretation in KUPI's fatwas are visible in two aspects; First, The perspective on women as whole human and full subjects. KUPI rejects the assumption of women as sexual objects that become a source of temptation. Instead, women are seen as whole human beings and full subjects, so their bodily and social experiences as humans are considered essential. The Second, The perspective on the Qur'an as a system and process in which fatwas on any issue, whenever and wherever, must continuously move towards missionary verses, be imbued with moral foundations, and continuously move towards final goal verses without considering Intermediate Target Verses let alone Starting Point Verses as the Final Goal Verse.

This research's findings differ from those of others in that they show that KUPI has provided a way to respond to genderbiased fatwas towards women not only by presenting alternative interpretations but also by dismantling paradigms about women's humanity and the Qur'an. However, this research only examines one of the three interrelated KUPI approaches: the perspective of Women's Hakiki Justice. So, it does not yet cover the perspectives of *Ma'ruf* and *Mubadalah*.

REFERENCES

- Abdul Aziz Dahlan, (ed.). (1997). *Ensiklopedi Hukum Islam*. PT Ichtiar Baru Van Hoeve.
- Agustina, A. M., & Ismah, N. (2024). Challenging Traditional Islamic Authority: Indonesian Female Ulama and the Fatwa Against Forced Marriages. *Journal of Islamic Law*, 5(1), 125–146.
- Ahmad Warson Al-Munawwir. (1997). *Kamus Al-Munawwir Arab-Indonesia Terlengkap*. Pustaka Progressif.
- Amina Wadud. (1999). *Qur'an and Women: Re-reading the Scared Text from a Woman's Perspective*. Oxford University Press.
- Annika Johanssona. (n.d.). Female Genital Mutilation (FGM) in Somaliland – Why is Change so Slow? Https://Www.Diva-Portal.Org. Retrieved January 25, 2024, from https:// www.diva-portal.org/smash/get/diva2:1751378/ FULLTEXT01.pdf
- Az-Zamakhsyari. (1407). Tafsir Al-Kasysyaf. Dar al-Kutubil Arabi.
- Chandraningrum, D. (2013). Ekofeminisme dalam Tafsir Agama, Pendidikan, Ekonomi, dan Budaya, Yogyakarta. Jalasutra.
- Fakhruddin ar-Razi. (2005). Mafatihul Ghaib. Darul Fikri.
- Franz Magnis Suseno. (1994). Etika Politik Prinsip-prinsip Moral dasar Kenegaraan Modern. Gramedia.
- Ismah, N. (2024). Women's Fatwa-Making in Indonesia: Gender, Authority, and Everyday Legal Practice. International Journal of Islam in Asia, 4(1–2), 75–97.
- Khaled M. Abou El Fadl. (2003). *Atas Nama Tuhan: Dari Fikih Otoriter ke Fikih Otoritatif.* penerjemah R. Cecep Lukman Hakim. Serambi.
- Kloos, D., & Ismah, N. (2023). Siting Islamic feminism: The Indonesian Congress of Women Islamic Scholars and the challenge of challenging patriarchal authority. *History and Anthropology*, 34(5), 818–843.

- kupipedia. (n.d.). Hasil Musyawarah Keagamaan Kongres Ulama Perempuan Indonesia Ke-2,. Kupipedia.Id. Retrieved January 25, 2024, from https://kupipedia.id/index.php/Hasil_ Musyawarah_Keagamaan_Kongres_Ulama_Perempuan_ Indonesia_Ke-2
- Kusmana, K. (2019). The Qur'an, Woman and Nationalism In Indonesia: Ulama Perempuan's Moral Movement. *Al-Jami'ah: Journal of Islamic Studies*, 57(1), 83–116.
- Laura Fingerson. (2007). *Girls in Power; Gender, Body and Menstruation in Adolescence*. State University of New York Press.
- Lerner, G. (1986). *The Creation of Patriarchy: Women and History*. Oxford University Press.
- M. Ahmad Jadul Mawla (et. all). (2009). Kisah-kisah Al-Qur'an. Zaman.
- Mansour Faqih. (2008). Analisis Gender dan Transformasi Sosial. InsistPress.
- Muhammad Fu'ad Abd al-Baqiy. (1981). *Al-Mu'jamul Mufahras li Alfazil Qur'anil Karim.* Dar al-Fikr.
- Muhammad Haekal. (n.d.). *Sejarah Hidup Muhammad*. penerjemah Ali Audah. Pustaka Jaya.
- Murtadha Muthahhari. (1981). Keadilan Ilahi atas Pandangan Dunia Islam. Mizan.
- Nasaruddin Umar. (1995). Teologi Menstruasi: Antara Mitologi dan Kitab Suci. *Jurnal Ulumul Quran*, 4(2), 71.
- Nasaruddin Umar. (1998). Argumen Kesetaraan Gender Perspektif al-Qur'an. Paramadina.
- Nehaluddin Ahmad. (n.d.). Sati Tradition Widow Burning in India: A Socio- legal Examination. Www.Researchgate. Net. Retrieved January 25, 2024, from https://www. researchgate.net/publication/237707719_Sati_ Tradition_-_Widow_Burning_In_India_A_Socio-Legal_ Examination

- Nikmatullah, N. (2024). Male Ulama Reinterpretation of the Gender Hadith in Indonesian Socio Cultural Contexts. *Pharos Journal of Theology*, 105(2). http//: www.pharosjot. com
- Nisa, E. F. (2019). Muslim Women in Contemporary Indonesia: Online Conflicting Narratives behind the Women Ulama Congress. *Asian Studies Review*, 43(3). https://doi.org/10. 1080/10357823.2019.1632796
- Nixon Joshy, Kamini Prakash, K. R. (n.d.). Social Taboos and Menstrual Practices in the Pindar Valley. Journals.Sagepub. Com. Retrieved January 25, 2024, from https://journals. sagepub.com/doi/full/10.1177/0971521518811171
- Nur Rofiah. (n.d.). *Tafsir Perspektif Keadilan Hakiki Perempuan*. Ibihtafsir.Id. Retrieved January 25, 2024, from Tafsir Perspektif Keadilan Hakiki Perempuan – ibihtafsir.ID
- Nur Rofiah. (2022a). *Fatwa, Female, dan Fitnah*. Ibihtafsir.Id. https://ibihtafsir.id/2022/01/09/fatwa-female-danfitnah/
- Nur Rofiah. (2022b). Reading the Qur'an throughWomen's Experiences. In *Justice and Beauty in Muslim Marriage* (p. 62). Oneworld Publication.
- RASYIDAH, H. S. (n.d.). Female Ulama's Authority: Deconstructing Masculine Domination in Islamic Norms and Practices.
- Rebecca Tapscott. (2012). Understanding Breast "Ironing": A Study of the Methods, Motivations, and Outcomes of Breast Flattening Practices in Cameroon. Feinstein International Center. https://fic.tufts.edu/wp-content/uploads/ Understanding-breast-flattening.pdf
- Rohmaniyah, I., Kotele, S., & Widiastuti, R. S. K. (2022). *Reclaiming* an Authority: Women's Ulama Congress Network (KUPI) and a New Trend of Religious Discourse in Indonesia.
- Rumah Kitab. (2016). Kesaksian Pengantin Bocah. Rumah Kita Bersama.

- Said Abdullah Seib Al-Hatimy. (1994). *Cintra Sebuah Identitas Wanita Dalam Perjalanan Sejarah*. Risalah Gusti.
- Sayyid Qutub. (1984). Keadilan Sosial dalam Islam. In *Islam* dan Pembaharuan (p. 224). penerjemah Machnun Husein. Rajawali.
- Tim KUPI. (2017). Dokumen Resmi Proses dan Hasil Kongres Ulama Perempuan Indonesia. Kongres Ulama Perempuan Indonesia.