

The Perspective of Women's Hakiki Justice: New Methods in Gender Based Research

Perspektif Keadilan Hakiki Perempuan: Metode Baru dalam Penelitian Berbasis Gender

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Abstract

The concept of Women's hakiki justice, initiated by Nur Rofiah, serves as a gender-based analytical perspective in research. Its foundational principle emphasizes that justice must not position the strong and dominant as the sole standard for assessing the weak and vulnerable. This framework pays particular attention to women's distinctive experiences, namely biological experiences (menstruation, pregnancy, childbirth, postpartum recovery, and breastfeeding) and social experiences (stigmatization, marginalization, subordination, violence, and double burdens). Women can attain hakiki justice only when their five biological experiences are adequately facilitated and their five social vulnerabilities are eliminated. This study employs a qualitative design, utilizing library data processed through descriptive-analytical methods. One illustrative example examined in the study is the concept of marriage as presented in Qur'an Surah al-Rūm (30): 21. The pursuit of Women's hakiki justice continues to seek clearer pathways and more concrete steps for implementation. Additionally, the framework introduces three types of Qur'anic verses (starting-point verses, intermediate-goal verses, and final-goal verses) as a methodological approach to realizing the ideals of Islam. This is further demonstrated through the application of the marriage concept, supported by other essential elements such as the shared aspiration of achieving sakinah, mawaddah, and rahmah (harmonious, affectionate, and compassionate households), which aim to create collective well-being. In this view, marriage is understood as a partnership in which both spouses stand in a reciprocal relational framework, making marriage a solemn covenant between husband and wife before God. It then requires the cultivation of dignified conduct, fairness, and mutual consent within the marital relationship.

Keywords: Women's hakiki justice, Gender-based, Method

Abstrak

Keadilan Hakiki Perempuan diinisiasi oleh Nur Rofiah, menjadi sebuah perspektif dalam penelitian berbasis gender. Prinsip dasarnya yaitu keadilan

yang tidak menjadikan pihak yang kuat dan dominant sebagai standar Tunggal pihak yang lemah dan rentan. Tentu dengan melihat pengalaman khas perempuan, yaitu pengalaman biologis (menstruasi, hamil, melahirkan, nifas, dan menyusui) dan pengalaman sosial (stigmatisasi, marginalisasi, subordinasi, kekerasan, dan beban ganda). Perempuan hanya bisa memperoleh keadilan hakiki jika disikapi dengan memastikan lima pengalaman biologis untuk difasilitasi dan lima pengalaman sosial untuk ditiadakan. Adapun jenis penelitian ini termasuk dalam penelitian kualitatif dengan mengolah data pustaka menggunakan metode deskriptif-analitis. Salah satu contoh yang diangkat adalah konsep pernikahan dalam QS. ar-Rum (30):21. Keadilan hakiki perempuan masih berusaha untuk menemukan caranya yang lebih rinci dan langkah lebih konkret. Di samping juga memperkenalkan tiga jenis ayat dalam Al-Qur'an yaitu ayat titik berangkat, ayat target antara dan ayat tujuan final sebagai upaya untuk sampai kepada cita-cita Islam. Selanjutnya sebagai contoh pengaplikasian dengan berangkat dari konsep pernikahan dan didukung oleh unsur-unsur lainnya seperti bagaimana samawa dalam pernikahan yang menjadi cita-cita bersama dan menciptakan kemaslahatan bersama. Pernikahan yang dimaksudkan dengan menekankan bahwa keduanya dalam relasi berpasangan, menjadikan pernikahan tersebut sebagai sebuah janji kokoh antara suami istri kepada Allah. Kemudian membangun pergaulan yang bermartabat, adil dan saling rida antara keduanya.

Kata Kunci: *Keadilan Hakiki Perempuan, Basis Gender, Metodologi*

Introduction

Efforts to develop gender-just interpretive approaches have continuously been undertaken by feminists and gender activists. Nevertheless, the persistence of patriarchal culture remains an inevitable reality. Patriarchy is not only embedded in societal modes of thinking but also manifests across various aspects of social and religious life. This condition cannot be overlooked. Accordingly, ongoing efforts are directed toward promoting egalitarian interpretations and toward critically disengaging from patriarchal structures. Certain issues require more in-depth scholarly investigation and specific analytical frameworks to avoid interpretive practices that may result in gender bias. To date, the development of gender-just readings continue to evolve, particularly in the search for methodological patterns applicable to the resolution of religious issues.

From the perspective of Muslim feminists, the history of Qur'anic interpretation has largely tended to privilege male authority while, at the same time, marginalizing women's voices.¹ In light of this reality, gender-related problems remain substantial and require serious and systematic solutions. One important arena for addressing these issues is the academic field, particularly through research-based inquiry. Thus far, gender inequality persists due to the limited application of gender justice principles and the absence of gender-sensitive perspectives in many scholarly works. Existing studies often remain general in nature and do not adequately position gender as a central analytical category.² Therefore, as outlined earlier, further efforts are needed to develop research models grounded in a gender perspective, particularly in terms of methodological approaches and gender analysis. The primary aim of such efforts is to accommodate the interests and experiences of both men and women in a proportional and equitable manner.

In line with these objectives, the Congress of Indonesian Women Ulama (Kongres Ulama Perempuan Indonesia: KUPI)³ has played a significant role in proposing and promoting gender-just and dignified interpretive methodologies. Since the first KUPI congress in 2017, discussions have focused on the formulation of gender-just interpretive methods. These discussions were further developed during the second KUPI congress held in Jepara, Central Java, in 2022. The methodologies under discussion continue to be refined to establish more systematic and applicable frameworks. At least three interpretive approaches have

¹ Barbara Frayer Stowasser, *Women in the Quran Tradition, and Interpretation*, (New York: Oxford University Press, 1994), 5.

² Nuril Huda, et al. "Pengembangan Model Penelitian Perspektif Gender", *Jurnal penelitian dan Evolusi Pendidikan*, No. 2, 2019. 306.

³ KUPI (Kongres Ulama Perempuan Indonesia) is a social, cultural, intellectual, and spiritual movement of Indonesian women ulama aimed at realizing a just civilization. This civilization is characterized by positioning both men and women as fully human beings and as complete subjects within the system of life.

been proposed. The first is the *Ma'rūf* approach introduced by Hj. Badriyah Fayumi.⁴ The second is the *Qirā'ah Mubādalah* method⁵, initiated by Faqih Abdul Kodir. The third is the concept of *Keadilan Hakiki Perempuan* (Women's Hakiki Justice), introduced by Nur Rofiah, which constitutes the focus of this article.

As a relatively new perspective and methodological proposal, *Women's Hakiki Justice* raises questions even at the level of terminology. What kind of justice is intended to be pursued? In discussions on justice, it is argued that the enforcement of justice aims to preserve harmonious life; however, if justice is measured and constructed through human reasoning, it remains merely an attempt to approximate justice. It is further asserted that *hakiki* justice exists solely with God, the Most Just. Nevertheless, within societies, justice is socially produced and becomes operative in specific communal contexts. This indicates that justice is the result of *ijtihad* and constitutes a product of a particular nation or society.⁶ Within the framework of *Women's Hakiki Justice*, the fundamental principle lies in rejecting the dominant party as the sole standard for determining the well-being of others.⁷ *Women's Hakiki Justice* is therefore inseparable from the broader perspective of justice. This perspective continues to uphold justice for both men and women, while at the same time providing particular

⁴ The Ma'rūf approach is applied to address socio-theological problems within the Muslim community concerning human social relations, particularly those affecting vulnerable groups such as women, children, and minorities. Faqihuddin Abdul Kodir, *Metodologi Fatwa KUPI Pokok-Pokok Pikiran Keagamaan Kongres Ulama Perempuan Indonesia*, (Cirebon: KUPI, 2021), 103.

⁵ A reciprocal reading between men and women. Mubadalah emphasizes that the world should be perceived through the perspectives of both men and women, managed by both men and women, and enjoyed by both men and women. The relationship between the two must be genuinely based on partnership and cooperation, characterized by mutual empowerment, complementarity, support, and assistance. Faqihuddin Abdul Kodir, *Qira'ah Mubadalah*, (Yogyakarta: IRCiSoD, 2019), 51.

⁶ Eli Agustami, "Keadilan dalam Perspektif Al-Qur'an", *Jurnal Taushiah FAI-UISU*, Vol. 9, No. 2, 2019, 8.

⁷ Faqihuddin Abdul Kodir, *Metodologi Fatwa KUPI Pokok-Pokok Pikiran Keagamaan Kongres Ulama Perempuan Indonesia*, 24.

attention to women's distinctive biological and social conditions without marginalizing them.

Accordingly, this study seeks to briefly examine the perspective of *Women's Hakiki Justice* as formulated by Nur Rofiah and to position it as a methodological approach in gender studies. The discussion focuses on its fundamental principles, key elements, and the extent to which this perspective or method may function as an analytical framework for addressing issues related to gendered interpretations of Qur'anic verses.⁸ One example explored in this study is the verse on marriage in Q.S. al-Rūm (30): 21, which is analyzed to understand how *Women's Hakiki Justice* is articulated within marital relations between men and women as husband and wife. This study employs a qualitative research design, utilizing library-based data and a descriptive-analytical method. The primary source is Nur Rofiah's book *Nalar Kritis Muslimah*, supported by other relevant works related to her thought as the initiator of *Women's Hakiki Justice*. Ultimately, this article seeks to respond to the issues under discussion.

Several previous studies have addressed related themes. Adienda Nabyla Al-Gifani, for instance, examines gender equality discourse in the Qur'an from Nur Rofiah's perspective. Departing from the observation that the Qur'an has often been interpreted through a non-gender-sensitive lens, the study highlights values of gender equality inherent in the Qur'an. As a progressive Muslim scholar, Nur Rofiah offers innovative contributions to feminist interpretation by proposing a perspective that emphasizes liberation and justice for women. The findings indicate that her intellectual formation is influenced by education, social environment, and lived experience. The *Ngaji Keadilan Gender Islam* (KGI) forum is presented as a medium for demonstrating that gender justice is intrinsic to Islamic teachings.

⁸ Gender, as argued by Musdah Mulia, refers to the roles, functions, attitudes, responsibilities, rights, and patterns of behavior attributed to women and men as a result of cultural constructions and the social environment in which individuals grow and are socialized. As both a cultural and social construct, gender is used to identify women and men within socio-cultural contexts. Furthermore, Inayah Rohmaniyah argues that gender differences are manifested because they are formed, socialized, reinforced, and even constructed socially and culturally through religious teachings and other social institutions. Inayah Rohmaniyah, "Gender dalam Islam" *Esensia Jurnal Ilmu-Ilmu Ushuluddin*, Vol. 1, No. 1, 2008, 98.

Gender equality in the Qur'an is thus understood through contextual interpretation using the perspective of *Women's Hakiki Justice*, which places women's lived experiences at the center of analysis.⁹

Subsequently, Herlega Oktaria examined Nur Rofiah's thought in the book *Nalar Kritis Muslimah* and its relevance to verbal violence against early childhood. The findings of this study, derived from *Nalar Kritis Muslimah*, emphasize the importance of understanding the differences between men and women based on two fundamental aspects, namely biological sex and gender. In this regard, Herlega's research focuses on the influence and role of parents in children's development. The study further demonstrates that several arguments presented in *Nalar Kritis Muslimah* are highly relevant to issues of verbal violence experienced by young children, particularly within family and caregiving contexts.¹⁰

Furthermore, Arivia Adhillani discusses the empowerment of women's critical reasoning within the Ngaji Keadilan Gender Islam (KGI) forum through an analysis grounded in Amina Wadud's feminist thought. The study reveals that the KGI forum plays a strategic role in advancing Women's *Hakiki Justice* across various aspects of life. It also highlights efforts to cultivate women's critical awareness, which is institutionally accommodated through KGI activities. This empowerment is then analytically juxtaposed with Amina Wadud's theory, which underscores that Qur'anic interpretation must pay careful attention to several key elements, including contextualization of the verses, coherence between the text and its meaning, and the alignment of textual interpretation with lived realities.¹¹ Similarly, Nur Afriani Fariha, in her study entitled "Gender Justice Arguments from Nur Rofiah's Perspective (A Study of Nalar Kritis Muslimah)," arrives

⁹ Adienda Nabyla Al-Gifani "Wacana Kesetaraan Gender dalam Al-Qur'an Menurut Pandangan Nur Rofiah", *Undergraduate Thesis*, Faculty of Ushuluddin, UIN Sunan Gunung Djati, Bandung, 2021

¹⁰ Herlega Oktaria "Pemikiran Nyai Nur Rofiah dalam Buku Nalar Kritis Muslimah dan Relevansinya Terhadap Kekerasan Verbal Anak Usia Dini", *Undergraduate Thesis*, Faculty of Tarbiyah and Tadris, UIN Fatmawati Sukarno, Bengkulu, 2022

¹¹ Arivia Adhillani "Pemberdayaan Nalar Kritis Perempuan dalam Forum Ngaji Keadilan Gender Islam (KGI) Analisis Feminisme Amina Wadud", *Undergraduate Thesis*, Aqidah and Islamic Philosophy, Faculty of Ushuluddin and Philosophy, UIN Sunan Ampel Surabaya, 2021

at conclusions consistent with previous research. Her study asserts that discourses on gender equality in the Qur'an require a contextual understanding of the verses, employing the perspective of Women's *Hakiki* Justice. This perspective is applied as an interpretive framework for Qur'anic verses related to women and gender relations.¹²

Despite the growing body of research on Nur Rofiah's thought, existing studies have not yet specifically examined Women's *Hakiki* Justice as a distinct perspective or methodological approach in gender research. There remains a lack of scholarly discussion regarding the operational principles and working mechanisms of this perspective within gender analysis. Therefore, this study seeks to address this gap by providing a systematic review of Women's *Hakiki* Justice, whether it can be positioned as a theory, a perspective, or a normative framework within gender studies. Through this effort, the research aims to contribute to a clearer academic understanding of the conceptual standing and methodological potential of Women's *Hakiki* Justice in the analysis of gender-related issues.

Discussion

Women's *Hakiki* Justice: A New Perspective in Gender Research

The book *Nalar Kritis Muslimah: Reflections on Womanhood, Humanity, and Islam* serves as the primary reference in discussions of Women's *Hakiki* Justice. This work provides extensive explanations of the concept, although it does not yet offer a detailed and systematic account of its operational mechanism as a research method. The perspective of Women's *Hakiki* Justice was initiated by Nur Rofiah.¹³ The book itself is a compilation of writings produced between 2013 and

¹² Nur Afriani Fariha "Argumen Keadilan Gender Perspektif Nur Rofiah (Kajian Atas Buku Nalar Kritis Muslimah)", *Undergraduate Thesis*, Faculty of Ushuluddin and Dakwah, Institut Ilmu Al-Qur'an (IIQ) Jakarta, 2022

¹³ She is an academic and prominent female intellectual widely recognized as an activist in gender and women's issues. She is currently an active lecturer at the University of PTIQ Jakarta. She earned her doctoral degree in Qur'anic Studies and Tafsir from Ankara University, Turkey. In addition to her active engagement as a speaker in numerous academic and public forums, she also initiated *Ngaji Keadilan Gender Islam* (KGI), which continues to be conducted regularly in both offline and online formats and has progressed through several cohorts.

2020 and is marked by several important milestones, including the first Congress of Indonesian Women Ulama (KUPI) held in Cirebon in April 2017. At that time, efforts were made to formulate a methodological framework for women ulama in Indonesia by integrating lived experience-based approaches with Islamic texts. From this process emerged the perspective known as *Women's Hakiki Justice*. This development was further strengthened by the establishment of *Ngaji Keadilan Gender Islam* (KGI) in June 2019, which functioned as a continuous process for refining Islamic studies methodologies grounded in the perspective of *Women's Hakiki Justice*.¹⁴

The emergence of this perspective is closely linked to the limited attention given to gender-just interpretations within religious discourse. At its early stage, particularly when introduced by KUPI in 2017, *Women's Hakiki Justice* became one of the key methodological foundations for Indonesian women ulama. The central effort of this perspective is to avoid positioning the dominant group as the sole standard of justice for others, including in gender relations between men and women. In this regard, the prioritization of women's lived experiences becomes a crucial element within *Women's Hakiki Justice*, as women's experiences differ fundamentally from those of men.

In many gender relations, men have traditionally been positioned as the standard of public justice. However, women possess distinct biological and social experiences that men do not share. These experiences shape what can be considered just, wise, and beneficial for women, which may not necessarily correspond to what is deemed beneficial for men. A practice or interpretation can only be regarded as truly just and beneficial for women if it does not diminish their biological well-being, does not exacerbate biological suffering, and does not subject them to gender-based injustice.¹⁵ In this context, both equality and difference between human beings require serious attention. Justice must be upheld in relations between men and women

¹⁴ See the introduction in Nur Rofiah, *Nalar Kritis Muslimah Refleksi atas Keperempuanan, Kemanusiaan, dan Keislaman*, (Bandung: Afkaruna, 2020)

¹⁵ Nur Rofiah, *Nalar Kritis Muslimah Refleksi atas Keperempuanan, Kemanusiaan, dan Keislaman*, 58-59.

in accordance with contextual realities, as women possess rights equal to those of men.¹⁶

Women's distinctive conditions can be categorized into two dimensions. First, there are five biological experiences: menstruation, pregnancy, childbirth, postpartum bleeding, and breastfeeding. Second, there are five social experiences: stigmatization, marginalization, subordination, violence, and double burden, all of which are imposed on women simply because of their gender. These socially constructed conditions constitute forms of gender injustice. Women can only attain *Women's Hakiki Justice* when their biological experiences are adequately facilitated, and their social injustices are eliminated. If even one of these dimensions is neglected, the resulting justice remains merely formal rather than substantive. This emphasis on women's distinctive experiences constitutes a foundational principle of *Women's Hakiki Justice*. The underlying assumption is that even the most sophisticated methodological tools will fail to produce gender-just religious interpretations if they are applied within perspectives that remain unjust toward women.¹⁷

Further analysis reveals that this perspective integrates women's perspectives into existing methodologies of Islamic studies, whether articulated by classical scholars or developed by contemporary Muslim thinkers. Its strategic focus lies in recognizing the differences between women and men as human beings. As emphasized earlier, its core principle rejects the dominant group as the sole benchmark of public welfare. In the context of gender relations, this means rejecting male-centered standards of benefit as the exclusive measure of women's welfare. Instead, attention must be directed toward women's particular conditions, encompassing both their biological and social human experiences.¹⁸

Women's lived experiences—both physical and social—should therefore be taken into serious consideration and adopted as essential

¹⁶ Husein Muhammad, *Islam Agama Ramah Perempuan*, (IRCiSoD: Yogyakarta, 2021), 71.

¹⁷ Faqihuddin Abdul Kodir, *Metodologi Fatwa KUPI Pokok-Pokok Pikiran Keagamaan Kongres Ulama Perempuan Indonesia*, 18.

¹⁸ Faqihuddin Abdul Kodir, *Metodologi Fatwa KUPI Pokok-Pokok Pikiran Keagamaan Kongres Ulama Perempuan Indonesia*, 24.

references in the formulation of legal decisions and religious rulings, both in general human affairs and, more specifically, in matters directly affecting women.¹⁹ The efforts of gender advocates and women's rights activists can be understood as part of a broader endeavor to articulate gender justice, including the establishment of principles that position gender justice as a central consciousness in interpretation. These efforts involve recognizing gender justice as a legitimate interpretive parameter and actively incorporating women's voices into religious interpretation.²⁰ Such initiatives continue to be promoted as part of the ongoing pursuit of dignified justice.

Moreover, while acknowledging diversity, women and men share both similarities and differences. In striving to realize *Women's Hakiki Justice*, both dimensions must be addressed simultaneously. Women and men share an inherent status as servants of God and a moral mandate as *khalifah fi al-ard*. Both are physical, intellectual, and spiritual beings whose worth is determined by the extent to which they employ their reason and moral agency for the common good. Both serve as equal partners as husbands and wives in marriage, as a *zawāj* relationship characterized by mutual responsibility for preserving inner tranquility. Both are members of the family responsible for creating and enjoying familial well-being. Both are members of society entrusted with the duty of *amr ma'rūf nahi munkar* to become the best community. Finally, both are citizens responsible for contributing to the realization of a state that serves as a blessing for all citizens and for the broader universe.²¹

Differences between women and men must also be carefully considered so that neither becomes the sole standard for the other. For instance, men should not function as the exclusive benchmark of justice for women. At the very least, attention must be paid to the biological differences between women and men as human beings, such as differences in reproductive systems, as well as to social differences

¹⁹ Faqihuddin Abdul Kodir, *Metodologi Fatwa KUPI Pokok-Pokok Pikiran Keagamaan Kongres Ulama Perempuan Indonesia*, 33.

²⁰ Helmi Ali Yafie, et al. *Modul Pengkaderan Ulama Perempuan Perspektif Kesetaraan*, (Jakarta: Rahima, 2011), 79.

²¹ Nur Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan" [Tafsir Perspektif Keadilan Hakiki Perempuan – ibihafisir.ID](http://ibihafisir.ID) (Accessed 08/11/2022)

shaped by patriarchal structures. These structures have historically positioned women as objects and men as subjects and have even gone further by constructing women as secondary subjects while men are regarded as primary subjects. *Women's Hakiki Justice* calls for a principle in which justice must not exacerbate women's already painful biological experiences, nor may it contain any form of injustice toward women.²² This perspective not only seeks to prevent male-centered standards of justice but also emphasizes the importance of acknowledging diversity among women themselves, so that no single group of women becomes the sole standard of justice for other women.

Nur Rofiah further explains that the spirit of *Women's Hakiki Justice* is clearly reflected in the Qur'an when it is understood as a system and a process. When examined closely, the Qur'an provides guidance through three interrelated dimensions. First, it functions as a mission or ideal, aiming to establish a life system that becomes a blessing for all, both men and women. Second, it serves as a moral foundation, encompassing values that encourage human beings to cultivate noble character, including justice, humanity, collective welfare, security, *tawhīd*, *ihsān*, faith, and other ethical principles. Third, it operates as a method or pathway, offering practical and pragmatic guidance for transforming existing life systems during the period of revelation toward the ideal system envisioned by Islam.

On this basis, Qur'anic verses may be categorized into three types. First are the "starting-point verses," which reflect patterns of thought and behavior prevalent in society that view women as objects, commodities, or non-human entities. Such perspectives were subject to transformation throughout the period of revelation. Examples include verses depicting women as adornments for men or references to heavenly maidens. Second are the "intermediate-target verses," which represent a form of compromise between objectifying views of women and the recognition of women as full subjects. These verses are marked

²² Based on Nur Rofiah's presentation at the Second Congress of Indonesian Women Ulama (KUPI II), held in Jepara, Central Java, on the Main Stage of the KUPI Congress, Friday, 25 November 2022.

by assumptions that position men as primary subjects and women as secondary subjects, resulting in women being valued at a fraction of men's value. Examples include verses concerning daughters' inheritance shares, women's testimony in debt transactions, and polygamy. Third are the "final-objective verses," which reflect the full humanity of both men and women and assume that both are complete subjects within the life system. Examples include verses advocating just monogamy, verses articulating moral missions and foundations, inheritance provisions that allocate equal shares (one-sixth each) to both father and mother when the deceased has offspring, and women's testimony in the context of *li'ān*, where both spouses take five oaths.²³

Women's Hakiki Justice, as applied to all human beings and particularly to women, calls for a mode of Islamic practice that continually moves toward the life system envisioned by Islam as a blessing for the universe and is animated by Islamic moral foundations that uphold human dignity, including dignity toward women. The Qur'an, as a comprehensive system of teachings, provides complete and holistic guidance for the process of humanizing humanity, including the full humanization of women. According to Nur Rofiah, such an understanding is crucial for preventing interpretive tendencies that legitimize injustice against women, as well as for avoiding the mistake of treating the problems addressed by the Qur'an as the ultimate ideals of Islam. This perspective also cautions against elevating intermediate-target or starting-point verses as final objectives, while encouraging Muslim societies to move closer to, and eventually realize, the life system envisioned by Islam.

In her discussion on *Mewujudkan Peradaban Islam Rahmatan li al-Ālamīn*, Nur Rofiah emphasizes that both the strong and the weak are equally bound in absolute submission to God and to the values of collective goodness. Power, in any form, is viewed as a trust (*amānah*) from God that must be used to empower rather than exploit those who are vulnerable, so that no group becomes marginalized (*mustad'afin*). This principle also aims to prevent dominant groups from becoming

²³ Nur Rofiah, "Tafsir Perspektif Keadilan *Hakiki* Perempuan" [Tafsir Perspektif Keadilan Hakiki Perempuan – ibihafsir.ID](http://ibihafsir.ID) (Accessed 08/11/2022)

the sole standard of goodness, including in relations between men and women. Each party must be recognized as a complete human being, with both unique characteristics and shared attributes. The *Women's Hakiki Justice* articulated by Nur Rofiah therefore transcends textual, formal, legal, or procedural notions of justice that focus solely on equality while neglecting difference.

Viewing Marriage Verses through the Concept of Women's *Hakiki Justice*

The following discussion on marriage largely draws upon the narrative articulated by Nur Rofiah.²⁴ It is explained that the value of human beings, both men and women, including husbands and wives is determined by the extent to which they can employ reason and moral consciousness so that every action produces *maslahah* (benefit), both for themselves and for others. Every human being, whether male or female, inherently possesses the status of being solely a servant of God ('*abd Allah*). There is no concept of enslaving or being enslaved by any person or any entity. Furthermore, every human being is endowed with a mandate as a *khalifah* on earth²⁵ whose responsibility is to create the widest possible benefit. Marriage, therefore, does not annul this inherent status and mandate. On the contrary, in Islam, marriage should strengthen the awareness that every human being remains a servant of God. Consequently, relations of mutual enslavement between spouses -whether husband over wife or vice versa- are fundamentally impermissible.

Marriage in Islam must also reaffirm the shared commitment of both spouses as *khalifah* on earth, tasked with generating benefit not only within the family sphere but also beyond it. Accordingly, men and

²⁴ Based on Nur Rofiah's presentation at the Second Congress of Indonesian Women Ulama (KUPI II), held in Jepara, Central Java, on the Main Stage of the KUPI Congress, Friday, 25 November 2022.

²⁵ As vicegerents on earth, Allah created human beings to carry out the mandate of bringing goodness, welfare, and prosperity to all creatures. This mandate applies equally to both men and women as servants of Allah, who are created for a noble purpose. Therefore, all human roles in life, insofar as they represent the mandate of vicegerency from Allah, must be carried out through cooperation and mutuality between men and women. Faqihuddin Abdul Kodir, *Relasi Mubadalah Muslim dengan Umat Berbeda Agama*, (Yogyakarta: IRCiSoD, 2022), 182.

women, as husbands and wives, are required to function as a team oriented toward *maslahah* in family life, society, and other social domains. The value of spouses is thus measured by their ability to firmly uphold their commitment to God and to demonstrate that commitment through acts that promote the well-being of others. Islamic marriage must therefore consider that *maslahah* for men and women as spouses entails becoming fully human beings and complete subjects. As whole beings, neither party should serve as the sole standard of benefit for the other. Hence, the perspective of *Women's Hakiki Justice* becomes critically important in marriage, particularly by considering women's lived experiences, including their reproductive systems, as an essential consideration in realizing marital *maslahah*.

This includes the imperative not to construct marital arrangements that exacerbate women's reproductive suffering. Women's reproductive experiences differ fundamentally from those of men. Women undergo menstruation, which may occur weekly and often involves physical pain, followed by pregnancy for nine months, childbirth, postpartum recovery, and breastfeeding for up to two years. These experiences frequently entail pain, fatigue, and cumulative physical strain. Therefore, *maslahah* should never entail increasing women's biological suffering, especially within the marital context. In addition, women experience distinct social realities shaped by patriarchal systems that render them vulnerable to stigmatization, marginalization, subordination, violence, and double burdens simply because they are women. Consequently, *maslahah* necessarily includes *sakinah* (inner tranquility) within the family, which constitutes a shared human responsibility.

Marriage is described as a solemn covenant (*mithaqan ghaliza*), intended to create tranquility and dignified companionship. Both spouses must stand as equals and ensure mutual consent and satisfaction. Tranquility of the soul must be understood as a condition that guarantees peace for both husband and wife. Marital relations characterized by *mawaddah* and *rahmah* signify love and compassion—love that benefits both the one who loves and the one who is loved, and love that ensures mutual happiness. Accordingly, both spouses must internalize that their relationship is one of pairing (*zawaj*), that marriage

constitutes a solemn covenant between husband and wife before God, and that it necessitates dignified interaction (*mu'asharah bil ma'ruf*), justice, and mutual consent. Both must also recognize that they originate from the same soul and share physical, intellectual, and spiritual dimensions, so that *Sakinah*: the shared aspiration of marriage, can be realized and generate collective *maslahah*.

This vision is articulated in Qur'an Surah Ar-Rum (30):21, which states:

وَمِنْ أَيْتَهُ أَنْ خَلَقَ لَكُمْ مِنْ أَنفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً
وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيٍ لِقَوْمٍ يَتَعَكَّرُونَ

"And among His signs is that He created for you spouses from among yourselves so that you may find tranquility in them, and He placed between you affection and mercy. Indeed, in that are signs for a people who reflect."

Marriage within the household represents the relational bond between men and women as husband and wife. The attainment of *sakinah*, *mawaddah*, and *rahmah* is initiated through mutual effort, requiring balanced contributions from both spouses. The term *sakinah* is an active verb form that denotes an ongoing process extending into the present and the future. Thus, tranquility must be continually cultivated. The foundation of *sakinah*, as indicated in the verse, lies in affection (*mawaddah*) and compassion (*rahmah*). The state of *sakinah* emerges because of the strengthening of these two elements. While *mawaddah* primarily affects personal happiness, *rahmah* manifests in concern for the partner's well-being. Both husband and wife must actively manage and nurture these elements to foster warmth and shared happiness.²⁶

Historically, wives within marital systems were often depicted as servants to husbands, sexual objects, and subjects of absolute male

²⁶ Faqihuddin Abdul Kodir, *Perempuan (bukan) Makhluuk Domestik*, (Bandung: Afkaruna, 2022), 110-111.

authority, where wives were regarded as the property of their husbands. Such relational patterns positioned men as the center of power and holders of full authority. Consequently, the humanization of wives became an essential step toward recognizing both spouses as paired beings. This concern becomes particularly salient when examined through the lens of *Women's Hakiki Justice*. The desired marital relationship is one of reciprocity and mutual humanization, where men and women, or husbands and wives, are no longer situated within relations of domination and subordination but are recognized as two dignified subjects oriented toward shared *maslahah*.

Within the framework of marriage informed by *Women's Hakiki Justice*, certain Qur'anic verses, such as those concerning polygamy or wife-beating, appear incongruent with this perspective. These verses originate from assumptions that initially positioned women as objects. This issue must be examined through the threefold classification of Qur'anic verses as articulated by Nur Rofiah: first, the *starting-point verses*, which reflect assumptions of women as objects; second, the *intermediate target verses*, which mediate between the starting point and the final objective and often contain assumptions of male superiority; and third, the *final objective verses*, which reflect Islam's highest ethical ideal of full subjectivity for both men and women. For example, the polygamy verse limiting marriage to four wives (Qur'an 4:3) functions as an intermediate target. When justice among multiple wives cannot be achieved, the text directs toward monogamy as the final objective, thereby preventing injustice toward women.

In summary, the perspective of *Women's Hakiki Justice* initiated by Nur Rofiah is fundamentally conceptual in nature. As such, its elaboration requires support from additional analytical elements, which may explain the use of the term "perspective." From this conceptual foundation emerge core values, as demonstrated in the discussion of marriage in this study. These include *sakinah* as a demand for tranquility, mutual love and compassion, the incompatibility of polygamy with *Women's Hakiki Justice* based on the considerations outlined, and the recognition of marriage as a union between complete human beings and full subjects. The central values of marriage include

pairing (*zawaj*), commitment to a solemn covenant with God, dignified interaction (*mu'asharah bil ma'ruf*), justice, and mutual consent.

As a further note, *Women's Hakiki Justice* may be developed along two trajectories: a specific form and a general form. The latter, namely *Hakiki Justice* in a broader sense, may offer solutions for other Qur'anic issues beyond gender. In this way, *Hakiki Justice* would not be limited to gender concerns but would also address wider humanitarian issues, while providing greater conceptual space for men and ensuring that the perspective is perceived as universally just.

Beyond this, more detailed procedures and concrete steps are required for this evolving perspective to function as a method or theory with a systematic framework. The classification of verses into starting points, intermediate targets, and final objectives could serve as a structured methodological pathway in research on *Women's Hakiki Justice*. Furthermore, starting-point verses may include pre-revelatory events or un-verseified experiences that capture women lived realities, suggesting that the term "starting point" need not be restricted solely to explicit textual verses. It is also necessary to compile lists of verses reflecting final objectives, as well as strategies for addressing anomalies that may hinder the realization of those objectives.

Finally, the concept of *Women's Hakiki Justice* itself requires further elaboration, grounded in a well-established paradigm. This is essential to respond to critiques that perceive the perspective as merely assumption-based or as partial advocacy for women. Clarification is also needed regarding what constitutes women's distinctive experiences, their boundaries, and criteria, particularly in relation to the five social experiences of women. Nevertheless, the perspective of *Women's Hakiki Justice* deserves full appreciation as an effort to develop a gender-just understanding of religion. Continued development is necessary to formulate more concrete steps and systematic patterns so that it may evolve into a theory, method, or comprehensive analytical framework that not only addresses gender-related verses but also broader humanitarian concerns.

Conclusion

The perspective of Women's Hakiki Justice, as initiated by Nur Rofiah, is grounded in the fundamental principle that justice must not take the position of the strong and dominant as the sole standard for the weak and vulnerable. This perspective places particular emphasis on women's distinctive experiences, encompassing both biological experiences (such as menstruation, pregnancy, childbirth, postpartum recovery, and breastfeeding) and social experiences, including stigmatization, marginalization, subordination, violence, and the burden of multiple roles. As a mode of interpretation within gender studies, Women's Hakiki Justice offers a novel framework for reading religious texts from a gender-just standpoint. Although this perspective is still in the process of developing more detailed procedures and concrete methodological steps, it nonetheless contributes a significant and more gender-equitable alternative to existing approaches.

One illustrative application of the Women's Hakiki Justice perspective can be found in the interpretation of marital relations as articulated in Q.S. al-Rūm (30): 21. Departing from this conceptual foundation and supported by related elements, the ideal of *sakinah* (tranquility) in marriage is envisioned as a shared aspiration that generates mutual well-being. This vision requires the presence of tranquility, love, and compassion between both parties, ensuring the happiness of both spouses. Within this framework, Women's Hakiki Justice is understood as incompatible with practices such as polygamy or wife-beating, as these undermine the principle of full subjecthood and mutual dignity.

Marriage, from this perspective, emphasizes a relational partnership (*zawāj*), recognizes marriage as a solemn covenant between husband and wife before God, promotes dignified companionship (*mu'āsharah bi al-ma'rūf*), and upholds justice and mutual consent between both parties. Accordingly, Women's Hakiki Justice provides an important interpretive approach for understanding marital relations between men and women as husbands and wives. At the very least, this perspective offers a constructive pathway for addressing and resolving

persistent challenges in the interpretation of gender-related Qur'anic verses.

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