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***Fiqh* Contestation on Women's Public Leadership in Indonesia and Malaysia: Reproducing Qur'anic and Hadith Interpretations**

Muhammad Rikza Muqtada

Institut Agama Islam Negeri Kudus, Indonesia
email: mrmuqtada@iainkudus.ac.id

Istianah

Institut Agama Islam Negeri Kudus, Indonesia
email: istianah@iainkudus.ac.id

Ahmad Sharifuddin bin Mustapha

Universiti Tun Hussein onn Malaysia, Johor Malaysia
email: asharif@uthm.edu.my

Abdul Mufid

Institut Agama Islam Khozinatul Ulum Blora, Indonesia
email: abdulmufid@iaikhazin.ac.id

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Abstract:

This paper discusses the contestation of women's public leadership discourse among feminist activists in Indonesia and Malaysia and how the reproduction of *fiqh* on women's public leadership in both countries takes place. This research is a field study with data collection through interviews and direct interaction with women activists in both countries and documenting their works. Using the Islamic activism approach, it was found that: 1) The issue of women leaders in Indonesia and Malaysia is complex. Women are often held back by culture, religion and politics. Muslim feminist groups face resistance from conservative groups when they try to challenge gender

Author correspondence email: mrmuqtada@iainkudus.ac.id

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inequality. Furthermore, some sharia law make it harder for women to get legal protection and justice. More legal rights and support for women are therefore required to make politics more equal. 2) Feminist activists in Indonesia and Malaysia have reinterpreted Islamic texts to promote gender equality. They offer gender-responsive interpretation of the Qur'an and Hadith deemed to be fairer while supporting support social justice and gender equality. 3) The *fiqh* product of leadership concludes that the moral ideal in the Qur'an and hadith is for leaders to be competent (*qawwām*). People who fit this profile are well-suited to lead, particularly in a country that adheres to democratic principles.

Keywords:

Fiqh al-Siyāsah; Indonesian-Malaysian Feminists; Interpretation of the Qur'an-Hadith; Women's Leadership.

Introduction

Feminism has become a global movement in patriarchal countries with the aim of challenging the subordination of women. Feminist activism began when some women realized that other women were being mistreated. They worked together to form groups that fight for women's rights. These groups are typically categorized as non-governmental organizations (NGOs). They want to end the problems that women face because of the way society is set up.¹Feminist activism is an alternative way to fight for women's rights. There are different ways to do this with other ideas and actions which makes it difficult to know what is best.²

Feminism has long been a topic of interest in countries where women are subjugated, such as Indonesia and Malaysia. It has emerged as a global movement in these countries to challenge the subordination of women. However, how the feminist movement manifests in these contexts varies considerably. For example, women's

¹ Ahmad Arif Widiyanto, "Aktivisme, Filantropi Sosial dan Pemberdayaan Perempuan di Yogyakarta: Studi Terhadap Dinamika Aktivisme Yayasan Sahabat Ibu dalam Pemberdayaan Perempuan di Yogyakarta," *Jurnal Sosiologi Reflektif* 12, no. 2 (2018): 193, <https://doi.org/10.14421/jsr.v12i2.1316>.

² Ariel Heryanto and Sumit K. Mandal, *Menggugat Otoriterisme di Asia Tenggara: Perbandingan dan Pertautan Antara Indonesia dan Malaysia* (Jakarta: Kepustakaan Populer Gramedia, 2004), 298.

organizations in Indonesia, such as Fatayat, Muslimat, Aisyiyah, Persistri, and Women's al-Irsyad, still face challenges in politics. Women are deemed unable to become leaders because of *fiqh siyāsah* narrative that is the product of the Qur'an and hadith interpretation.³

Accordingly, women in Malaysia, spearheaded by Sister in Islam (SIS), are also engaged in a struggle against the hegemony of masculinity by discussing the deconstruction of the Qur'an and hadith interpretation.⁴ However, some women activists from *Institut Ahli Sunnah Wal Jamaah* (ISWAJ) of Universiti Tun Hussein Onn Malaysia (UTHM) present a counterpoint to the SIS view. ISWAJ maintains that the Qur'an and hadith have positioned women in a more honorable position as long as they adhere to the teachings of Islam. In this context, women are expected to remain in accordance with their commandments. The evidence of women bureaucrats in various institutions in Malaysia, including on the ISWAJ of UTHM campus, has demonstrated that women are still permitted to be active in the public sphere. Consequently, it is considered unethical for women to engage in resistance that opposes their natural rights, including the right to education, politics, inheritance, to determine marriage, and to actively participate in social interaction.⁵

The fact that there are various opinions on the position of women in Indonesia and Malaysia is evidence that the study of feminism is dynamic. A variety of discourses on women's activism in both countries have become a discipline in the study of the genealogy of feminism, the discourse of feminism in religion, and the movements of activists. This has led to the emergence of a variety of

³ Jamhari and Ismatu Ropi, *Citra Perempuan dalam Islam: Pandangan Ormas Keagamaan* (Jakarta: Gramedia Pustaka Utama, 2003).

⁴ Zuraidah Kamaruddin et al., "Women's Rights According to Sisters in Islam (SIS)'S Understanding; An Analysis from an Islamic Perspective," *Proceeding of International Conference of Empowering Islamic Civilization*, 2017, 103–12, <http://irep.iium.edu.my/62313/>; Naisiligaki Japhet, "Grassroots Muslim Women in Religious Conflict Prevention in Tanzania: Roles, Contributions, and Challenges," *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 1, no. 2 (2022): 147–66, <https://doi.org/10.18326/ijores.v1i2.147-166>.

⁵ Nur Zainatul Nadra, *The Position of Women in Malaysia*, direct interview, September 8, 2022.

feminist activism, including secular feminism, Muslim feminism, and Islamist feminism.⁶

The discourse of Islamic feminist activism is centrally concerned with the issue of progressive reinterpretation of the Qur'an and hadith. Muslim women activists advance the idea of feminism by reviving Islamic thought and promoting new interpretations of the Qur'an and hadith. They posit that it is not Islam that oppresses women, but interpretations of the Qur'an and hadith that are influenced by the cultural practices and values of a patriarchal society.⁷ In the context of Indonesia, some scholars, such as Pieterella van Doorn-Harder,⁸ Norbani B. Ismail,⁹ and Kristina Grossmann,¹⁰ highlight the emergence of feminism, citing dissatisfaction with the interpretation of the Qur'an and hadith texts that marginalize women as a driving force behind the movement. The interpretations taught in Indonesia are deemed to always carry masculine nuances, which do not benefit the political position of women. Notable Indonesian feminist activists include Nina Nurmila,¹¹ Masdar Farid Masudi,¹²

⁶ Azza M Karam, "Women, Islamisms and the State: Contemporary Feminisms in Egypt," in *Background and Theoretical Considerations*, ed. Azza M Karam (London: Palgrave Macmillan UK, 1998), 1-31, https://doi.org/10.1057/9780230371590_1.

⁷ Zainah Anwar, "What Islam, Whose Islam? Sisters in Islam and the Struggle for Women's Rights," in *The Politics of Multiculturalism*, ed. Robert W. Hefner (Hawaii: University of Hawaii Press, 2017), 227-52, <https://doi.org/https://doi.org/10.1515/9780824864965-010>; Faqihuddin Abdul Qodir, *Qiro'ah Mubadalah Tafsir Progresif untuk Keadilan Gender Dalam Islam* (Yogyakarta: IRCiSoD, 2019); Nina Nurmila, *Menjadi Feminis Muslim* (Bandung: Afkaruna, 2022).

⁸ Pieterella van Doorn-Harder, *Women Shaping Islam: Reading the Qu'ran in Indonesia* (Chicago: University of Illinois Press, 2010), 50.

⁹ Norbani B. Ismail, "The Qur'anic Exegesis, Reformism, and Women in Twentieth Century Indonesia," *Studia Islamika* 24, no. 3 (2017): 469-501, <https://doi.org/10.15408/sdi.v24i3.5187>.

¹⁰ Kristina Grossmann, "Muslim Female Activists and Sharia in Indonesia: Scopes of Acting in National and International Perspectives," *Review of Indonesian and Malaysian Affairs* 48, no. 1 (January 1, 2014): 95-125, <https://search.informit.org/doi/10.3316/ielapa.893907979281091>.

¹¹ 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>; Nurmila, *Menjadi Feminis Muslim*.

¹² Rosalia Sciortino, Lies Marcoes Natsir, and Masdar F. Mas'udi, "Learning from Islam: Advocacy of Reproductive Rights in Indonesian Pesantren," *Reproductive Health Matters* 4, no. 8 (1996): 86-96, [https://doi.org/10.1016/S0968-8080\(96\)90305-5](https://doi.org/10.1016/S0968-8080(96)90305-5).

Alimatul Qibtiyah,¹³ Siti Syamsiyatun,¹⁴ Nur Rofi'ah,¹⁵ Siti Musdah Mulia,¹⁶ Faqihuddin Abdul Kodir,¹⁷ and several other researchers. In parallel with the development of technology, feminist ideas are also being expressed through social media. In this context, social media represents a means of articulating equality and justice for women. Examples of such accounts include the IG account *Mubādalāh*.id with 39,900 followers, Ngaji Keadilan Gender Islam (KGI) hosted by Nur Rofi'ah with 7,824 followers, Sisters in Islam Malaysia with 3,746 followers, and Awwammalaysia as an independent feminist non-profit organization with 8,337 followers.

Meanwhile, in Malaysia, the discourse of feminism has been propagated by Zainah Anwar,¹⁸ the founder of SIS, and Zuraidah Kamaruddin,¹⁹ who argue that the oppression of women in Muslim societies does not stem from Islamic teachings, but from some interpretations of Islamic sources – the Qur'an and hadith – interpreted by men. They develop Amina Wadud's idea of reconstructing the interpretation of the Qur'an and hadith from a woman's perspective. For them, men and women are created by God for the same purpose, namely to serve as caliphs. Consequently, all have the right to interact with their religious scriptures.²⁰

¹³ Alimatul Qibtiyah, "Mapping of Muslims' Understandings on Gender Issues in Islam at Six Universities in Yogyakarta, Indonesia," *Al-Jami'ah* 56, no. 2 (2018): 305–40, <https://doi.org/10.14421/ajis.2018.562.305-340>.

¹⁴ Siti Syamsiyatun, "Muslim Women's Politics in Advancing Their Gender Interests: A Case-Study of Nasyiatul Aisyiyah in Indonesia New Order Era," *Al-Jami'ah: Journal of Islamic Studies* 45, no. 1 (2007): 57–89, <https://doi.org/10.14421/ajis.2007.451.57-89>.

¹⁵ Nur Rofiah, *Nalar Kritis Muslimah Refleksi Atas Keperempuanan Kemanusiaan dan Keislaman*, 1st Ed (Bandung: Afkaruna, 2021).

¹⁶ Siti Musdah Mulia, *Perempuan dan Politik* (Jakarta: Gramedia Pustaka Utama, 2005); Siti Musdah Mulia, Saparinah Sadli, and Djohan Effendi, *Muslimah Reformis: Perempuan Pembaharu Keagamaan*, 1st Ed (Bandung: Mizan, 2005).

¹⁷ Qodir, *Qiro'ah Mubadalah Tafsir Progresif untuk Keadilan Gender dalam Islam*; Faqihuddin Abdul Qodir, *Perempuan (Bukan) Sumber Fitnah Mengaji Ulang Hadis Dengan Metode Mubadalah*, 1st Ed (Bandung: Afkaruna, 2021).

¹⁸ Anwar, "What Islam, Whose Islam? Sisters in Islam and the Struggle for Women's Rights."

¹⁹ Kamaruddin et al., "Women's Rights According to Sisters in Islam (SIS)'S Understanding: An Analysis from an Islamic Perspective," 90.

²⁰ Sister in Islam, "Q&A Booklet: Are Men and Women Equal Before Allah," sistersinislam.org, 2015,

Mohd Roslan Mohd Nor said that Malaysian religious figures who oppose women in government usually use arguments from the Qur'an and Hadith, while those who support women's participation also use these sources from a different perspective. He furthermore mentioned that women in government were a special privilege for the wives of the Prophet Muhammad, while women's involvement in Malaysian politics came from Western culture. At first, women were paid less than men so this situation led to a movement for equal rights. This is called feminism (*al-nisāwīyyah*). However, later, according to him, the feminist movement has made women believe there is no difference between men and women. Malaysian women think the right to vote and free elections will end discrimination in politics.²¹

In a broader scope, the figure of women in leadership is often underestimated or sidelined. This is due to the strong patriarchal culture that has been maintained for a long time. In most Indonesian and Malaysian societies, religion has a strong influence on culture and daily life. Some religious interpretations can lead to views that limit women's roles and abilities, thus creating barriers to women's leadership in various fields. For example, some religious interpretations hold that women should play a more traditional role in the home and family and should not be involved in public affairs or hold leadership positions. However, the prospects for women's leadership are not entirely determined by religious interpretations. There are different religious understandings in society, and many religious and community leaders support women's participation in leadership and promote gender equality. There are also efforts by women themselves to reinterpret religious teachings to be more inclusive of women and to support their participation in various spheres of life.

Interestingly, although there are many writings that discuss the movement of women's activism in Southeast Asia, there are still counter-narratives against it. For example, Karimuddin Nasution and Mohd Faizulamri Mohd Saad say that the main mission of Muslim feminists is to achieve equality between men and women in all

www.sistersinislam.org.my/files/downloads/are_men_and_women_equal_before_allah.pdf.

²¹ Mohd Roslan Mohd Nor, "Wanita dan Politik Pilihan Raya Menurut Perspektif Al-Qur'an," in *The 2nd Annual International Qur'anic Conference*, 2012, 361.

respects. To fulfil this mission, they establish basic principles of gender equality taken from the Qur'an and Hadith and then interpret them textually. If this conflicts with verses that position men and women differently, they will usually reject it on the grounds that it contradicts the principle of gender equality. Feminists use Qur'anic verses as principles of gender equality. Unfortunately, these verses seem to be applied excessively.²²

This paper therefore examines in greater depth the formation of dogmatic beliefs among feminist activists about the propagation of feminism in the context of women's public leadership. It therefore focuses on the forms of contestation of women's public leadership carried out by feminist activists in Indonesia and Malaysia, their propaganda in deconstructing gender-responsive Qur'an-Hadith interpretations, and their initiatives in reproducing the *fiqh* discourse on women's public leadership in both countries. It argues that the power dynamics within an organization have a profound influence on the interpretation of religious texts. These interpretations are then employed to motivate women activists to promote feminism.

Methods

This is field research²³ with the data obtained from the following methods: a) interviews conducted with women activists, comprising three Fatayat members, five Muslimat members, two Aisyiyah members, one KOPRI member, two Sister in Islam (SIS) members, and two Muslimah officials at APIUM Universiti Malaya, Faculty of Quranic Studies and Sunnah USIM, and two PPUK-ISWAJ UTHM officials, and one academic. b) Literary observation on works of women activists related to feminism.²⁴ The data was subjected to a series of processing stages, including editing, classification, verification, analysis, and conclusion. The data analysis employs an Islamic activism approach,²⁵ a part of *fiqh siyāsah*, whereby the

²² Karimuddin Nasution and Mohd Faizulamri Mohd Saad, "Analysis of Feminist Principles in The Da'wah Agenda of Gender Equality," *International Journal of Media and Communication Research* 1, no. 2 (2020): 14–23, <https://doi.org/10.25299/ijmcr.v1i2.5269>.

²³ Husaini Usman, *Metodologi Penelitian Sosial* (Jakarta: Bumi Aksara, 2006), 5.

²⁴ Moh. Nadzir, *Metode Penelitian* (Jakarta: Ghalia Indonesia, 1988).

²⁵ Quintan Wiktorowicz, *Aktivisme Islam: Pendekatan Teori Gerakan Sosial* (Jakarta: Demokrasi Project Yayasan Abad Demokrasi, 2012).

mobilization of resources, framing strategies, alliances, and context become the focus of the study.

Result and Discussion

The Contestation of Women's Public Leadership in Indonesia and Malaysia

The issue of women's leadership at the highest political level in Indonesia and Malaysia continues to be a matter of contention.²⁶ The integration of women and politics is a concept that is challenging to envisage in developing countries. This is due to the influence of cultural norms that portray women's roles as being confined to the domestic sphere, with politics being perceived as a domain of male power. Zainah Anwar states as follows:

“The position of women is not favored by religious authorities. Such interpretations are almost always gender-biased, while being supported by the inherent patriarchal culture. Almost all studies have shown that oppressive interpretations of the Qur'an are largely influenced by cultural practices and values that regard women as inferior and subordinate to men.”²⁷

Zainah Anwar highlights how religious authorities' interpretations are gender-biased, influenced by patriarchal cultures that see women as inferior. This pervasive view hampers women's progress in political arenas.”

On the other hand, Nadra, the head of the Research, Documentation and Publishing of ISWAJ-UTHM, states below:

“It can be argued that Islam has accorded women a position of great esteem. The concept of marriage, with guardians and witnesses, provides women with security against potential distress. The Qur'an commands both

²⁶ Fatima Mernissi, *The Forgotten Queens of Islam*, Trans. Mary Jo Lakeland (Oxford: Oxford University Press, 2003).

²⁷ Zainah Anwar, “The Position of Malaysian Women in Islam, Q&A in Gender Seminar Held by PSGA IAIN Kudus,” in *What Islam, Whose Islam?*, ed. Anwar, 2022, 229.

men and women to seek knowledge and grants women the right to inheritance. Additionally, women are allowed to participate in public activities, including teaching at institutions like UTHM, and can hold positions of authority within the university. Islam recognizes and humanizes women. In light of these rights, what further grounds exist for protest? While women are permitted to engage in the public sphere, they are also expected to prioritize traditional roles as mothers and wives, including child care and household maintenance. It is evident that women are not suited for roles such as head of state."²⁸

Nadra's statement indicates a duality that reflects broader societal tensions between traditional gender roles and modern aspirations for gender equality.

Relating to that, Nur Mahmudah, a KUPI activist and head of PSGA of IAIN Kudus, states so:

"Women often do more housework than men because they have more family responsibilities. This makes their working hours longer. Women who also work outside the home need family support because they have a lot to do at home. All family members should share the work around the house. The person who has the freest time should do more. Women do the housework because they love their families."

Nur Mahmudah's statement highlights a dichotomy that presents a challenging environment for women seeking leadership roles, given societal expectations that often encourage them to prioritize family over career.

The contemporary profile of women in Indonesia and Malaysia can be described as one of individuals caught in a quandary. On the one hand, women are expected to engage in activities across a range of sectors. On the other hand, there are expectations that they will not neglect their intrinsic nature as women. This dilemma is

²⁸ Nadra, *The Position of Women in Malaysia*.

experienced by women who have a career and feel a calling to dedicate their talents and expertise to the development of the nation and state. Conversely, they are frequently burdened by the perception that they are obliged to serve their families.²⁹

This dilemma has given rise to a variety of advocacy initiatives. The advocacy for women's rights through women's organizations in Indonesia, such as Fatayat and Muslimat, has drawn on cultural and religious traditions. Islam is employed as a framework to challenge the subordination of women that is purported to be in accordance with Islamic teachings.³⁰ Consequently, such groups are designated as Muslim feminists. In Indonesia, Muslim feminists are predominantly alumni of Islamic institutions such as the Institut Agama Islam Negeri (IAIN) or Universitas Islam Negeri (UIN), or *pesantren*. In Malaysia, there is also a women's organization, Sister in Islam (SIS), which employs an Islamic framework, utilizing the Qur'an and hadith, in its efforts to advance feminism.³¹

In the context of Muslim feminism, two distinct responses from Muslim activists in Indonesia can be identified. The *first* response is those who accept and adopt Muslim feminism for academic activism as well as feminist activism. These groups frequently endeavor to facilitate an understanding of feminist values and Islamic principles. The objective is to demonstrate that feminism is compatible with Islam and that it can be used to reinforce the comprehension of gender equity and equality within a religious context.

²⁹ Benni Erick; Masyitah Masyitah, "Keterwakilan Perempuan Dalam Partai Politik Perspektif Siyasa Syar'iyah," *Jurnal Sosial Humaniora Sigli* 3, no. 2 (2020): 200-212, <https://doi.org/http://dx.doi.org/10.47647/jsh.v3i2.312>.

³⁰ Susan Blackburn, "Feminism and the Women's Movement in the World's Largest Islamic Nation," in *Women's Movements in Asia: Feminisms and Transnational Activism*, ed. Mina Roces and Louise P. Edwards (Milton Park: Milton Park, Abingdon, Oxon; New York, NY, 2010).

³¹ Azza Basarudin, *Humanizing the Sacred: Sisters in Islam and the Struggle for Gender Justice in Malaysia* (Seattle: University of Washington Press, 2016); Leila Hessini, "Reclaiming and Reframing Sexual Rights in Muslim-Majority Contexts: The Role of Individual and Collective Movements in Shifting Patriarchal Discourse and Practice," *Summer* 22, no. 2 (2016): 69-80; Norani Othman, "Muslim Women and The Challenge of Islamic Fundamentalism/Extremism: An Overview of Southeast Asian Muslim Women's Struggle for Human Rights and Gender Equality," *Women's Studies International Forum* 29, no. 4 (2006): 339-53, <https://doi.org/https://doi.org/10.1016/j.wsif.2006.05.008>.

The *second* response is that of those who reject and counter-publish the Muslim feminism movement with Islamist publications. This group espouses the view that the roles of men and women are complementary, with women fulfilling the traditional roles of housewives and mothers, while men are primarily responsible for providing for their families. It is possible for women to participate in the public sphere, provided that they do not neglect their natural obligations to the family. In Indonesia, it can be seen from women activists from the *Partai Keadilan Sejahtera* (PKS), who tend to oppose gender equality.

In Malay-Muslim community, meanwhile, the patriarchal culture and religious arguments put forward in an attempt to undermine women's rights are particularly prevalent. This is typically evident in public discourse, given that Malaysia is a Muslim-majority country. The institutionalization of shari'a, which encompasses a distinct Islamic legal system, has a direct impact on the prevalence of violence against women in Malaysia. This is evident in the experiences of Muslim women and non-Muslim women alike. The rise of Malaysian religious fundamentalist forces, particularly Islamic fundamentalism, has been identified by all interviewees from this research as a significant challenge to the local women's movement.

The challenge of Islamic fundamentalism has emerged as a new and persistent difficulty for the local women's movement. In the past, state institutions such as the *Jabatan Kemajuan Islam Malaysia* (JAKIM) and *Jabatan Agama Islam Selangor* (JAIS), which are religious authorities responsible for regulating and supervising normative Islamic discourse and practice, were not particularly influential or powerful. However, JAKIM and JAIS have become effective instruments for the state to institutionalize Islam. They have also exhibited a patriarchal interpretation of religion, becoming increasingly fundamentalist in recent years. This development has significant implications for Muslim women, who are subjected to the arbitrary supervision of state-sanctioned patriarchal religious authorities, ostensibly as moral guardians and defenders of Islam.³²

³² Amirah, Peran Perempuan dalam Perpolitikan di Malaysia, Email, 2022; Barbara, Peran Perempuan dalam Perpolitikan di Malaysia, Email, 2022; Lili, Peran Perempuan dalam Perpolitikan di Malaysia, Email, 2022.

Sisters in Islam, a local women's organization renowned for its advocacy of gender equality in Islam, has received considerable criticism with accusations being made that it opposes interpretations of the Qur'an, hadith, and Islamic law. These accusations have been made by conservative Islamic groups such as *Ikatan Muslimin Malaysia* (ISMA). Now, Sisters in Islam continues to engage in litigation against JAIS which has issued a religious edict designating Sisters in Islam as a "deviant group."³³

The current legal and social framework in Malaysia profoundly disadvantages Muslim women by denying them protection and justice afforded to other women. Farah, a Women's Aid Organization (WAO) activist, states:

"In the event of a woman being raped by her husband, she is unable to seek protection in the civil court. To seek redress, it is necessary to first appear before a Sharia court, where it is explained that the husband has the right to do what he has done and that marital rape is not a recognized offense. This is a profoundly disheartening situation. As a Muslim woman in this country, she is not afforded the same rights as other women."³⁴

The excerpt profoundly shows how empowering women with legal protections and societal support is crucial for ensuring their rights and dignity are upheld in all spheres of life. The contention over women's leadership in Indonesia and Malaysia is therefore a multifaceted issue, deeply rooted in cultural, religious, and socio-political contexts. Gender biases in religious interpretations and patriarchal cultures impede women's progress in politics, while societal expectations often compel women to prioritize traditional roles over career aspirations. Efforts to challenge gender inequality, including those undertaken by Muslim feminist organizations, encounter resistance from conservative groups. The institutionalization of Sharia law in Malaysia serves to further marginalize women, denying them legal protection and justice. It is therefore imperative to empower women with legal safeguards and societal support if we are to overcome these barriers and ensure gender equality in political leadership.

³³ Anwar, "What Islam, Whose Islam? Sisters in Islam and the Struggle for Women's Rights"; Basarudin, *Humanizing the Sacred: Sisters in Islam and the Struggle for Gender Justice in Malaysia*.

³⁴ Farah, Peran Perempuan dalam Perpolitikan di Malaysia, Email, 2022.

Indonesia and Malaysia Feminist Activists' Propaganda in Reproducing Gender-Responsive Qur'an-Hadith Interpretations

Nur Mahmudah and other feminist activists posit that impediments to women assuming leadership roles are a consequence of *fiqh siyāsah* construct which is unfavorable to women. The construction of *fiqh siyāsah* is informed by the interpretation of misogynistic religious texts that are biased towards patriarchal cultural values.³⁵ The term "misogynistic" here is used to describe interpretation of religious texts (the Qur'an and hadith) which marginalizes one party, namely women, in the form of marginalization or subordination. When misogyny is associated with the study of religious texts, religious dimension becomes a crucial aspect. The necessity for the reinterpretation of religious texts, such as the Qur'an and hadith, to combat the propagation of misogynistic ideologies, is deemed to be necessarily acknowledged.³⁶

The issue of reinterpretation of the Qur'an and hadith reached a peak with the development of feminist activist movement. This movement has disseminated its feminist ideas to public spaces through scientific forums and published articles. One of them is Waliko Yahya, a gender activist at UIN Syaifuddin Zuhri Purwokerto who stated so:

“The Qur'an and hadith don't discriminate against women. The Prophet came into the world to give women an honorable position and uphold their rights. Misogynistic traditions must be understood in the context of society in which they were delivered. Before Islam, women were mistreated. They were seen as goods that could be traded (*an-Nahl*: 58). Women had no power to be independent, let alone to lead. However, the Qur'an also tells the story of Bilqis, a female queen who was known to be just. This is what we must convey in the interpretation of verses about leadership”.³⁷

³⁵ Nur Mahmudah, *Perempuan dan Gender, direct interview*, Oktober 2022.

³⁶ Muhammad Rikza Muqtada, “Kritik Nalar Hadis Misoginis,” *Musāwa Jurnal Studi Gender dan Islam* 13, no. 2 (2014): 87, <https://doi.org/10.14421/musawa.2014.132.87-98>.

³⁷ Waliko Yahya, *Pernikahan Poligami*, Phone, Oktober 2022.

In line with him, Ermawati, a feminism activist at UIN Sultan Thaha Jambi, also expressed a similar view:

"The existence of Qur'anic verses and misogyny traditions needs to be reviewed and returned to a more appropriate understanding and meaning. (This is mainly) because the Prophet was very respectful to women. We need to know that the Prophet's wife, Aisha, also led the battle of *Jamāl*."³⁸

Waliko Yahya and Ermawati provide a compelling argument for re-evaluating traditional interpretations of Islamic texts concerning women's roles. Their analysis suggests that a more contextual and historically informed reading of these texts can uncover a tradition of respect and equality that has often been overshadowed by patriarchal interpretations. This perspective promotes a vision of Islam that supports gender equality and women's rights, aligning with broader contemporary movements for social justice and equality.

In Malaysia, Zainah Anwar, the head of SIS, also thinks some interpretations of Islamic texts about family law are wrong. She says that some male scholars have dominated the process of interpreting and writing down Islamic law, which has led to the idea that men and women are different and unequal.³⁹ The SIS group challenges some interpretations of Islamic law and practice. They say that some interpretations are encouraged by Islamic rival groups and the state religious bureaucracy⁴⁰ so that some interpretations only consider opinions of certain individuals. They accuse these individuals of being closed-minded and unable to accept modern interpretations. Zainah Anwar stated:

"(It is made as if) according to Islam, women have no rights. The SIS shows that women are oppressed in Muslim societies because men interpret Islam wrongly.

³⁸ Ermawati Hasan, *Pernikahan Poligami*, Phone, Oktober 2022.

³⁹ Anwar, "What Islam, Whose Islam? Sisters in Islam and the Struggle for Women's Rights"; Islam, "Q&A Booklet: Are Men and Women Equal Before Allah."

⁴⁰ Farish A. Noor, "Reformist Muslim Thinkers in Malaysia; Engaging with Power to Uplift the Umma?," in *Reformist Voices of Islam: Mediating Islam and Modernity, 1st Ed*, ed. Farish A. Noor (NewYork: Routledge, 2009), 222.

The Qur'an is in fact a revelation that uplifts women's dignity."

Zainah implies advocacy for a new lens which to read the Qur'an that does not discriminate against women and that opens a public space for women to raise their concerns about their rights under Shariah law.⁴¹

In the other word, Zainah and her SIS colleagues want to change how women's rights are seen. The group found that people think women are inferior to men, which affects how they read the Qur'an. SIS regrets those who misinterpret the verses.⁴² SIS says how they want to understand the Qur'an and hadith based on feminism notion that all Muslims are equal in Islamic life, including public leadership.

In conclusion, feminist activism in Indonesia and Malaysia has played a significant role in the reinterpretation of Qur'anic and hadith texts to promote a gender-responsive ones. Their endeavors to reinterpret the Qur'an and Hadith are intended to dismantle patriarchal biases and to promote a vision of Islam that aligns with contemporary movements for social justice and gender equality.

***Fiqh* Discourse on Women's Public Leadership in the Perspective of Indonesian and Malaysian Feminist Activists**

The issue of women's leadership at the highest political level remains a contentious topic.⁴³ In matters of *Fiqh al-Siyāsah*, al-Mawardi (d. 1058) is frequently cited as a source for Muslim politicians seeking to take a political stance. *Al-Aḥkām al-Sultānīyah wa al-Wilāyāt al-Dīnīyah* of al-Mawardi discussed the imamate in the sense of the

⁴¹ Anwar, "What Islam, Whose Islam? Sisters in Islam and the Struggle for Women's Rights."

⁴² Anwar, 229; Susanto Susanto, Muhamad Iqbal, and Wawan Supriyatna, "Menciptakan Sistem Peradilan Efisien Dengan Sistem E-Court Pada Pengadilan Negeri dan Pengadilan Agama Se-Tangerang Raya," *JCH (Jurnal Cendekia Hukum)* 6, no. 1 (2020): 104, <https://doi.org/10.33760/jch.v6i1.287>; Islam, "Q&A Booklet: Are Men and Women Equal Before Allah."

⁴³ Fatima Mernissi, *The Forgotten Queens of Islam, Trans* (Oxford: Oxford University Press, 2003).

caliphate (*khilāfah*: Islamic leadership) and its requirements.⁴⁴ It is somewhat surprising, therefore, that gender was not included as a condition. Nevertheless, Asghar Ali Engineer notes that al-Mawardi argued that a woman cannot be appointed head of state.⁴⁵

Although the gender clause is absent from *al-Aḥkām al-Sultāniyyah*, Abu Ya'la al-Farra' (d. 1113) and subsequent scholars explicitly included gender as one of the conditions for leadership. For instance, Ahmad Shafi'i b. Ali al-Qalqashandi (d. 1418) enumerated masculinity as the inaugural of fourteen eligibility criteria. His decision was based on the hadith reported by al-Bukhari and narrated by Abu Bakra (Nufay' ibn al-Harith) about the leadership of Booran b. Sarawaih b. Kisra.⁴⁶ Ahmad Shafi'i elucidates the necessity for a leader to engage in discourse with other men pertaining to matters of state, a practice that Islam prohibits for women. A woman is considered to be incomplete in herself, given that she is unable to control her own marriage. Consequently, it is argued that she cannot be made a leader over others.⁴⁷ This is the prevailing view among Muslims globally.

The integration of women and politics is a challenging concept to envisage, particularly in developing countries. This is due to the influence of cultural norms that have shaped the perception of women's roles and responsibilities. In many regions, the concept of women's roles is limited to the family environment, with politics being perceived as a domain of power. The contemporary profile of women in Indonesia and Malaysia can be described as one of individuals caught in a state of internal conflict. On the one hand, women are expected to engage in activities across a range of sectors. On the other hand, there are expectations that they will not neglect their intrinsic nature as women. This dilemma is experienced by women who have a career, who feel a calling to dedicate their talents and expertise to the development of the nation and state. Conversely,

⁴⁴ Abu al Hasan Ali Ibn Muhammad Ibn Habib al Basari al Baghdadi Al-Mawardi, *Al-Aḥkām al-Sultāniyyah wa al-Wilāyāt al-Dīniyyah*, ed. Ahmad Mubarak Al-Baghdadi (Kuwait: Maktab Dar Ibn Qutaiba, 1989).

⁴⁵ Zakyi Ibrahim, "Reinstating the Queens: Reassessing the Hadith on Women's Political Leadership," *American Journal of Islamic Social Sciences* 33, no. 2 (2016): 5–9, <https://doi.org/10.12816/0037436>.

⁴⁶ Abī Abdillāh Muḥammad bin Ismā'īl Al-Bukhārī, *Al-Jāmi' Al-Ṣaḥīḥ li Al-Imām Al-Bukhārī* (Beirut: *Dar Ta'zīz al-Najah*, 1422), Hadith 4425.

⁴⁷ Abu al-Abbas Ahmad Ibn Ali Al-Qalqashandi, *Maṭāhir al-Imāfah fī Ma'ālim al-Khilāfah*, 1st Ed (Bairut: al-Mazra'a Binayah al-Iman, 1980), 31–32.

women are frequently constrained by the perception that they must serve their families.⁴⁸

The male-dominated order of human life over women has a long historical precedent. In this order, women are positioned as the second human being, which has significant implications for social life in society. The proportion of women in positions of political authority is low and imbalanced in comparison to the number of men. This phenomenon is referred to as the inequality of gender relations in politics.⁴⁹ In developing countries, the relationship between women and politics is often presented as a dichotomy, with women being used as a rhetorical device to enhance the electability of political parties. Nevertheless, the fulfilment of parliamentary votes in the two countries differs considerably. In Indonesia, the proportion of women elected to parliament is often in excess of 30%. In Malaysia, however, this figure is much lower, with less than 30% of the electorate voting for women candidates.⁵⁰

The growth of feminist activism was driven by a sense of social concern, particularly regarding the plight of fellow women. Those who care about the common fate of women form autonomous organisations in the form of non-governmental organisations (NGOs) to fight for the rights of women from limitations, discrimination, marginalisation and subordination due to patriarchal structural inequality.⁵¹ The feminist movement emerged as an alternative to fight for the interests of women who failed to be accommodated, where the factors are very complex and diverse. The complexity and diversity of women's issues have led to variations in women's activism, which has resulted in the formulation of diverse methodologies and actions. This diversity can be observed in the issues that are fought for, the perspectives that are used, the agendas

⁴⁸ Masyitah, "Keterwakilan Perempuan dalam Partai Politik Perspektif Siyash Syar'iyah."

⁴⁹ Masyitah, 202.

⁵⁰ Piya Sukhani, "Women's Political Representation: Progressing in Malaysia?," 2020, www.rsis.edu.sg.

⁵¹ Widiyanto, "Aktivisme, Filantropi Sosial dan Pemberdayaan Perempuan di Yogyakarta: Studi Terhadap Dinamika Aktivisme Yayasan Sahabat Ibu dalam Pemberdayaan Perempuan di Yogyakarta."

that are set, the approaches that are employed, and the strategies that are implemented.⁵²

The discourse on women's public leadership, initiated by feminist activists, always begins with the interpretation of the Qur'an and hadith, which is then internalized into a political movement. In this context, literally misogynistic verses of the Qur'an and hadith texts can be interpreted using the theory initiated by women's reformer Amina Wadud. Wadud proposes the use of feminist hermeneutics to interpret the Qur'an and hadith related to women's issues. Her proposal has received considerable attention from various segments of Muslim community, including academic intellectuals and women's rights activists. The operation of hermeneutics initiated by Wadud is to analyze all texts that contain references to women, either separately or together with men, using traditional methods ranging from considering social-historical context, linguistical analysis, women's experience, and ethical principles. However, it is important to note that in analyzing the specific terms of this method, each text must be considered in its entirety, taking into account the following; contextual analysis, thematic intertextuality, language and syntactic structure, textual principles, and context of *weltanschauung* or worldview.⁵³ There are some Qur'anic verses and hadith texts are often highlighted by feminist activists. This can be seen in Table 1.

Table 1. The Qur'anic Verses and Hadith Texts Deemed as Misogynist

No	Gender Theme	The Qur'anic Verse	The Hadith	Gender Injustice Issues
1	Marginalization of women	Surah <i>an-Nisā'</i> : 1-3 and 34.	Riwayat of Bukhari: 4073, riwayat of Muslim: 593-594, and riwayat of Abu Dawud: 1794.	The origin of the creation of women, women as a source of bad luck, women and men are not equal before God, wives must ask for their husband's pleasure and permission.

⁵² Heryanto and Mandal, *Menggugat Otoriterisme Di Asia Tenggara: Perbandingan dan Pertautan Antara Indonesia dan Malaysia*, 298.

⁵³ Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (Oxford: Oxford University Press, 1999), 5.

No	Gender Theme	The Qur'anic Verse	The Hadith	Gender Injustice Issues
2	Stereotypes against women	Surah <i>an-Naml</i> : 23, Surah <i>al-Imron</i> : 195, Surah <i>an-Nahl</i> : 97, Surah <i>an-Nūr</i> : 31.	Riwayah of Bukhari: 1467.	Restriction of women's movement, women are prohibited from travelling without a <i>mahram</i> .
3	Violence against women	Surah <i>al-Baqarah</i> : 223, Surah <i>an-Nisā'</i> : 3, 11, 40	Riwayah of Abu Dawud: 1835, and riwayat of Muslim: 593-594	Punishment for women who are unfaithful, the prohibition of wives to ask their husbands for divorce, the curse of angels for women who refuse to have sex with their husbands, the permissibility of polygamy, inheritance rights and the testimony of half a man.
4	Women's multiple roles	Surah <i>an-Nahl</i> : 97, Surah <i>at-Taubah</i> : 71, Surah <i>al-Hujurat</i> : 13, Surah <i>al-A'raf</i> : 199, Surah <i>al-Isrā'</i> : 37 and 84, Surah <i>an-Nisā'</i> : 25, Surah <i>al-Rūm</i> : 21, Surah <i>āl-Imrān</i> : 159	Riwayah of Bukhari 849, 1930, 4421, 4801, and riwayat of Muslim 3380	Multitasking women, women working in the domestic space.
5	Subordination to women	Surah <i>As-Sabā'</i> : 35, surah <i>an-Nisā'</i> : 34	Riwayah of Muslim: 510-511.	Women's leadership.

The misogynistic verses and hadith texts of the Qur'an in Table 1 are said to often be interpreted from a masculine perspective. These themes are often criticized by feminist activists who challenge interpretive products that they believe do not take into account the latest developments in knowledge, such as gender and human rights issues. In this regard, Faqihuddin Abdul Qodir proposes the

mubādalāh method as a new approach to interpreting literally misogynistic texts.⁵⁴

In the context of the discourse on women's public leadership, the interpretation of verses and hadiths has invited comments from the heads of women's rights advocacy institutions, such as Zaitunah Subhan from SIS and Faqihuddin Abdul Qadir from Fahmina Institute, as well as several women activists from gender advocacy institutions in State Islamic Universities in Indonesia. These commentators are not willing to let women always be positioned as second-class citizens under men. They think that in a society that is still patriarchal, women are often positioned as inferior beings (*konco wingking* in Javanese terms) who must submit to men. Unfortunately, issues relating to men's responsibilities towards women and the call to refrain from domestic violence are rarely voiced.

The dissemination of propaganda is invariably predicated upon the interpretation of religious narratives about the verse of *an-Nisā'*: 34. Nina Nurmila expressed criticism of the politicization beyond the interpretation of the verse. From the perspective of gender justice, she think that the verse actually sets out the criteria for becoming a leader, namely *rijāl* and *qawwām*. This implies that a leader must possess certain advantages over their partner, including a higher level of education and income, as well as the capacity to protect to their people.⁵⁵ Zaitunah Subhan, meanwhile, argued that the word *rijāl* is the plural of *rajul* or *rijlun*, which refer to feet or legs, respectively, and therefore denotes those who walk or work to earn an income, which usually takes place outside the home, as opposed to those within the domestic sphere. Accordingly, Subhan's sociological analysis indicates that anyone engaged in public activities is referred to as '*rijāl*', while those within the domestic sphere are designated as '*nisā'*'.⁵⁶

Accordingly, Husein Muhammad further noted that although interpreters have stated that *qawwām* means leader, protector, responsible, educator, organizer, or something similar, the superiority that men have over women is due to their intellect and physique.

⁵⁴ Qodir, *Qiro'ah Mubadalah Tafsir Progresif untuk Keadilan Gender dalam Islam*.

⁵⁵ Nurmila, "The Influence of Global Muslim Feminism on Indonesian Muslim Feminist Discourse."

⁵⁶ Zaitunah Subhan and M. Imam Aziz, *Tafsir Kebencian: Studi Bias Jender dalam Tafsir al-Qur'an* (Yogyakarta: LKiS Pelangi Aksara, 1999).

However, according to Husein, in order to gain an accurate understanding of Qs. *an-Nisā'*: 34, it is essential to consider the context in which it explains the power of men over women in the domestic sphere (the household). In order to fully comprehend the verse, it is necessary to approach it from a sociological and contextual perspective.⁵⁷

Furthermore, the prohibition of women assuming public leadership roles is reinforced by al-Bukhari's narration: 4073, with an emphasis on "a people will not be fortunate if they are led by women." Siti Musdah Mulia stated that the hadith text exhibits numerous irregularities. Quoting Fatimah Mernissi, Mulia noted that there was only one narrator of the hadith, and that it was narrated 23 years after the Prophet's death, during the time of the dispute between Aisha and 'Ali. Many hadith commentators fail to consider the context or *asbāb al-wurūd* of the hadith.⁵⁸ Consequently, Masdar F. Mas'udi corroborates by stating that the text of the hadith cannot be used as a basis for the prohibition of women from becoming leaders. Certain conditions must be met to become a leader, including the ability to act justly, possession of requisite knowledge to enable doing *ijtihad*, physical health, the absence of any disability, the capacity to organize effectively, and courage. Consequently, if a man or woman possesses these qualities, they are entitled to assume a leadership role.⁵⁹

Husein Muhammad, in the same vein, posited that the above hadith was expressed in terms of notification or information, not in the form of legal legitimization. The hadith cannot therefore be understood in isolation but instead in its essence. Neither can it be generalized to all cases since it is specific to the case of the Persians. The above hadith is untenable when faced with historical facts that demonstrate the existence of numerous women leaders, including Bilqis, Indira Gandhi, Margaret Tacher, Srimavo Bandaranaike, Benazir Butho, and Hasina Zia. The success or failure of leading a nation is not contingent on gender, but rather on the system implemented and the

⁵⁷ Husein Muhammad, *Fiqh Perempuan: Refleksi Kiai Atas Wacana Agama dan Gender* (Yogyakarta: LKiS, 2019).

⁵⁸ Siti Musdah Mulia and Ahmad Baso, "Muslimah Reformis: Perempuan Pembaru Keagamaan," Mizan, 2005, <https://lccn.loc.gov/2005348536>.

⁵⁹ Masdar Farid Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan* (Bandung: Mizan, 1997).

ability to lead.⁶⁰ Accordingly, Lailiyatun Nafisah, a researcher and gender activist at UIN Sunan Kalijaga Yogyakarta, stated:

"I reject the existence of misogynistic traditions related to the prohibition of women becoming leaders, because these traditions lead to social discrimination and contradict logic. The fact is that in Islamic history, many women have established themselves as leaders. In Indonesia, numerous women have assumed leadership roles, including *Ratu Nur Alam Naqiyatuddin Syah* (1675-1678), *Ratu Inayatsyah Zakiyatuddin Syah* (1678-1688), and *Ratu Kamalat Syah* (1688-1699). Moreover, numerous women have played pivotal roles in the advancement of Islamic teachings."⁶¹

To sum up those data and make to make a brief illustration, we perform it in Table 2 as follow:

Tabel 2. The Interpretation of Qur'an and Hadith on Women's Public Leadership

Text Sources	Feminist Activist	Ideas
Verse of <i>an-Nisā'</i> : 34	Nina Nurmila	The verse explains the criteria to be a leader, namely <i>rijāl</i> who is <i>qawwām</i> . A person who is born as a <i>dzakar</i> (male gender) does not automatically become a <i>rijāl</i> , because a <i>rijāl</i> is someone who has certain criteria.
	Zaitunah Subhan	The verse does not speak of normative male leadership, but rather a contextual verse about economic function. The word <i>rijāl</i> is the plural of <i>rajul</i> or <i>rijlun</i> (feet), meaning that those who walk to work are called <i>rijāl</i> , while those who are at home are called <i>nisa'</i> . In this sense, a man's superiority is diminished if he is unable to provide for his family.
Riwayat of al-Bukhari number 4073	Siti Musdah Mulia	The text of the hadith has many irregularities, as it was narrated from only one person, and many traditionists have ignored the context of the <i>asbāb al-wurūd</i> of the hadith.

⁶⁰ Muhammad, *Fiqh Perempuan: Refleksi Kiai Atas Wacana Agama dan Gender*.

⁶¹ Lailiyatun Nafisah, *Perempuan dan Politik*, Phone, Oktober 2022.

Feminist Activist	Ideas
Masdar Farid Mas'udi	The text of the hadith cannot be used as a basis to prohibit women from becoming leaders. The requirements to be a leader are to be just, capable of jurisprudence, physically healthy, not physically disabled, able to organize, and have courage.
Lailiyatun Nafisah	The hadith leads to social discrimination and defies logic. In fact, in the history of Islam, there were many women who established themselves as leaders, such as Bilqis.
Hussein Muhammad	The hadith is expressed in terms of notification or information, not in terms of legal legitimization.

Table 2 illustrates the deconstruction of traditional interpretations that limit women's leadership roles in Islam. Those advocate for a more nuanced understanding of religious texts that considers contextual factors and emphasizes leadership qualities over gender. It is a fundamental principle of equality that both women and men are entitled to assume leadership roles, provided that they meet the requisite criteria. The relationship between men and women is one of partnership, whereby they work together to invite goodness and to prevent evil, as verse of *at-Taubah*: 71 mentioned. The verse is supported by other verses, including verse of *al-Baqarah*: 30, verse of *al-An'am*: 165, verse of *Yunus*: 14, and verse of *Hud*: 61. Faqihuddin posited that the equation between women and men is that they are both caliphs of Allah on earth. This implies that there is no longer an assumption that women are inferior beings, or that they are half-human or half-male. All humans are complete beings, and their presence in the world is to complement, help, and work together to bring goodness and eliminate badness in accordance with the Qur'an's vision of mercy for the universe (*al-Anbiya'*: 107).

In summary, while traditional Islamic jurisprudence (*fiqh*) has historically excluded women from leadership roles, contemporary feminist scholarship advocates for a more inclusive interpretation. This approach emphasizes qualities over gender, challenges patriarchal readings of religious texts, and aligns with broader principles of equality and justice.

Conclusion

The discussion on the contestation of women's public leadership by feminist activism in Indonesia and Malaysia resulted in the following conclusions: 1) The issue of women in leadership in Indonesia and Malaysia is complex. It is affected by culture, religion, and politics. Women are often held back by gender bias in religious interpretation and traditional expectations. Muslim feminist groups face resistance from conservative groups when they try to challenge gender inequality. Sharia law in Malaysia makes it harder for women to get legal protection and justice. 2) Feminist activists in Indonesia and Malaysia have reinterpreted Islamic texts to promote gender equality. They want to change how the Qur'an and Hadith are interpreted in gender-responsive way to make them fairer and to support social justice and gender equality. 3) The *fiqh* product of leadership concludes that the moral ideal contained in the Qur'an and hadith is to give the requirement of *qawwām* (competence) to the leader. Those who fulfil these requirements are therefore entitled to be leaders, particularly in a country that adheres to the principles of democracy. Research on women's leadership will be more compelling if it is contextualized within the broader framework of global geopolitics among religious leaders. This is particularly relevant given the observed increase in the prevalence of leadership labeled as religious in recent years.

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