

## NEGOTIATING GENDER EQUALITY: NU SCHOLARS' PERCEPTIONS OF WOMEN'S ROLE IN SUMENEP

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**Abstract:** The 1997 National Conference of Nahdlatul Ulama (NU) Scholars in Lombok issued a groundbreaking *fatwā* permitting women to hold the position of vice president—a progressive step in advancing gender justice within Islamic discourse. However, at the grassroots level, gender segregation remains deeply entrenched, particularly in Sumenep Regency. This study explores how NU feminists in Sumenep negotiate their struggle for gender equality and how local *kiai* and religious scholars respond to these efforts. Employing a qualitative approach with data collected through literature review, observation, interviews, and documentation, this research is framed by Islamic feminist theory. The findings reveal that gender discourse in NU Sumenep remains weak when confronted with the religious authority of *kiai* and traditional scholars. Their ambivalent and skeptical responses toward gender equality activism indicate that the discourse promoted by the NU Central Board (PBNU) has not been effectively internalized at the local level. Furthermore, the absence of *pesantren*-based initiatives on gender awareness perpetuates gender segregation, resulting in unequal competencies and opportunities between male and female students. This study highlights the gap between NU's progressive theological discourse and its limited cultural translation among rural communities.

**Keywords:** Feminism; Gender; Negotiation; Equality.

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## Introduction

The discourse on women and gender equality is not new within Nahdlatul Ulama (NU). Since its early formation in the 1920s and 1930s, NU engaged in debates regarding the rights and roles of women beyond traditional domestic spheres, including kitchens, wells, and household duties. Central questions included whether women were permitted to pursue education beyond the Qur'an, to ride bicycles or drive vehicles, to leave the house to attend religious activities, and the proper forms of interaction between men and women. These issues were considered crucial and were deliberated extensively in the *bahth al-masā'il* forums, which served as institutional platforms for discussing and resolving religious and social matters.<sup>1</sup>

Despite these early discussions, women were largely excluded from leadership roles within NU's organizational hierarchy. It was only in 1960 that women were formally accommodated in the Syuriah (steering) council of NU Central Board (PBNU), with representation limited to three female experts in *uṣūl al-fiqh*. However, women's participation remained minimal for decades, reemerging only in the PBNU management period of 2015-2021. In the subsequent period of 2022-2027, women's representation expanded to include positions across the Tanfidziyah (board), Mustasyar (advisory), and A'wan councils, marking a significant milestone nearly a century after NU's founding.<sup>2</sup>

While women's inclusion at the national level was slowly institutionalized, their involvement in regional and local NU organizations—such as PWNU, PCNU, and MWCNU—remained highly segregated from men. This structural separation reinforced a dichotomy of roles and responsibilities, limiting women's influence within organizational decision-making. Nevertheless, NU established autonomous female bodies to accommodate women's participation: Muslimat NU was founded on March 29, 1946, followed by Fatayat NU in 1951 for the youth organization, and the Nahdlatul Ulama

<sup>1</sup> Lies Marcoes-Natsir et al., *Peta Gerakan Perempuan Islam Pasca-Orde Baru* (Cirebon: Institut Studi Islam Fahmina, 2012), 85.

<sup>2</sup> Fahmi Irahmsyah and Maria Ulfah Anshor, "Contribution of the Nahdlatul Ulama (NU) Social Movement to Gender Issue and Empowerment of Women in Indonesia (1938-2022)," *The International Journal of Pegon: Islam Nusantara Civilization*, 11, no. 03 (2023): 1-28.

Women's Student Association (IPPNU) in 1955. These institutions provided structured avenues for women's engagement while maintaining gendered organizational boundaries.<sup>3</sup>

Although the segregation between men and women in NU organizations has often been considered advantageous in maintaining organizational order, it is deeply intertwined with the jurisprudential views of NU scholars and intellectuals regarding women.<sup>4</sup> Some progressive figures within NU have proposed internal reforms to reinterpret religious law (*fiqh*) that historically positioned women in subordinate roles. The culmination of these efforts was the issuance of the 1997 Fatwa by the National Conference of Islamic Scholars in Lombok, which affirmed the permissibility of women serving as vice president, irrespective of their political affiliations. This fatwa represented a significant attempt to reconcile gender equality with Islamic jurisprudence at the national level.<sup>5</sup>

Despite its progressive implications, the fatwa and related jurisprudential interpretations appear to have resonated primarily among the NU elite, including students and young cadres, while grassroots communities remain largely untouched by gender equality discourse. Autonomous organizations under the NU umbrella—such as Muslimat NU, Fatayat NU, and IPPNU—promote gender equality agendas; however, these initiatives often fail to intersect meaningfully with legal rulings concerning women's status formulated by the *bahth al-masā'il* institution, which predominantly relies on the traditional *qawh* method. This disjunction highlights a persistent gap between progressive legal interpretations and the everyday realities of local religious communities.<sup>6</sup>

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<sup>3</sup> Reka Gunawan *et al.*, "Gender Equality in Islamic Organizations: A Study on Nahdlatul Ulama," *Muharrrik: Jurnal Dakwah Dan Sosial*, 5, no. 2 (2022): 293-305.

<sup>4</sup> Nahdhiyyin and the Islamic boarding school students are educated in a religion that upholds the principles of belonging to the four schools of thought in the field of jurisprudence, namely the Ḥanafī school, the Shāfi'ī school, the Maliki school of thought, and the Ḥambālī school of thought, although in reality the nahdhiyyin are more inclined to accept the views of the Shāfi'ī school which positions women as beings who are weaker in all respects than men. See Huzaimah Tahido Yanggo, *Fikih Perempuan Kontemporer* (Jakarta: Ghalia Indonesia, 2010), 249.

<sup>5</sup> Natsir *et al.*, *Peta Gerakan Perempuan Islam Pasca-Orde Baru*, 87.

<sup>6</sup> Eni Zulaiha and Busro, "Tradisi Bahts Al-Masail Nahdhatul Ulama (NU): Pematangan Pemikiran Fikih Adil Gender Husein Muhammad," *Musawa: Jurnal Studi Gender dan Islam*, 19, no. 2 (2020): 205-218.

This phenomenon is particularly significant because gender equality holds a strategic role in shaping both religious and state life according to the principle of justice. Investigating the perceptions of NU scholars in Sumenep regarding women's roles and gender equality offers insight into this gap and the localized negotiation of gender norms. Three aspects make this inquiry especially pertinent: first, it reveals the diverse and dynamic ways in which NU Sumenep scholars conceptualize women's issues and gender equality, capturing the intellectual pluralism that characterizes local discourse within the broader framework of Islamic jurisprudence.

The second notable phenomenon is the emergence of hybrid cadres within the management of NU Regional Board (PCNU), Sumenep, who have begun to assert themselves in debates concerning women and gender discourse. These young cadres combine mastery of traditional religious knowledge with proficiency in modern scientific methodologies, having received education both in *pesantrens* (Islamic boarding schools) based on the *kitab kuning* and in higher education institutions. Their presence introduces a new dimension to intellectual negotiations, challenging the dominance of traditionalist discourse characterized by textualist interpretations of the *kitab kuning*. Despite their innovative perspectives, these hybrid cadres are often stigmatized as liberal, and in the context of gender issues, their ideas are sometimes perceived as threatening established social norms, including familial hierarchies.

The third phenomenon concerns a growing disjunction between the gender equality initiatives of NU women cadres and the perspectives of NU scholars in Sumenep, particularly as expressed through legal products regarding women's status formulated in branch-level *bahth al-masa'il* forums. Consequently, the gender equality agenda promoted by NU women cadres through discussions, seminars, and training within autonomous organizations often encounters resistance when confronted with traditional, gender-biased legal interpretations. This misalignment underscores the limitations of grassroots movements in translating progressive legal discourse into tangible social and organizational change, revealing the tension between formal jurisprudential innovation and entrenched cultural practices.

The prominence of women's issues and gender equality in scholarly and organizational discourse within NU is further evi-

denced by the extensive body of literature addressing these themes. Key contributions include *Rezim Gender di NU* by Jamal Ma'mur,<sup>7</sup> *Fiqh Perempuan* by Husein Muhammad,<sup>8</sup> and *Perempuan di Mata NU: Bahtsul Masail NU dari Masa ke Masa* by Sri Wahyuni and Habitun Wafirah, which collectively trace NU's jurisprudential deliberations on women's issues at the national level from 1926 to 1999.<sup>9</sup> In addition, research by Akhiriyati Sundari, such as "Isu Gender di Indonesia dalam Respon Nahdhatul Ulama" published in *Al-Maiyyah*, highlights NU's responses to gender issues in Indonesia, with particular attention to the integration of women into organizational management structures. These studies collectively underscore that discourse on gender within NU is both strategically significant and sensitive, reflecting broader tensions between tradition, jurisprudence, and social reform.<sup>10</sup>

Ita Musarrofa's research, "Analisis Wacana Kritis Terhadap Fatwa Bahtsul Masail Tentang Perempuan," published in the *Ulul Albab* journal, provides a critical examination of twelve *bahts al-masa'il* rulings related to women.<sup>11</sup> Similarly, Sri Roviana's study, "Gerakan Perempuan Nahdlatul Ulama dalam Transformasi Pendidikan Politik," highlights the limited emancipation and participation of women within the political sphere.<sup>12</sup> Siti Malikhah Towaf, in her research published in *Jurnal Aplikasi Manajemen*, emphasizes that the negative perspectives toward women prevalent in *pesantren* circles indicate that the *kitab kuning*, as a primary teaching source, often perpetuates gender bias.<sup>13</sup> Building on these insights, the present study focuses on a more specific domain: the perceptions and responses of NU Sumenep scholars regarding women and gender equality. The study aims to address the methodological challenges

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<sup>7</sup> Jamal Ma'mun, *Rezim Gender di NU* (Yogyakarta: Pustaka Pelajar, 2015).

<sup>8</sup> Husein Muhammad, *Fiqh Perempuan* (Yogyakarta: Diva Press, 2019).

<sup>9</sup> Sri Wahyuni and Habitun Wafirah, *Perempuan di Mata NU: Bahtsul Masail NU tentang Perempuan dari Masa ke Masa* (Yogyakarta: Gapura Publishing.com, 2014), 12.

<sup>10</sup> Akhiriyati Sundari, "Isu Gender di Indonesia dalam Respon Nahdhatul Ulama," *Jurnal Maiyyah* 10, no. 1 (2017): 103-114.

<sup>11</sup> Ita Musarrofa, "Analisis Wacana Kritis terhadap Fatwa Bahtsul Masail tentang Perempuan," *Jurnal Ulul Albab* 18, no. 02, (2017): 135-160.

<sup>12</sup> Sri Roviana, "Gerakan Perempuan Nahdhatul Ulama dalam Transformasi Pendidikan Politik," *Jurnal Pendidikan Islam* 3, no. 2, (2014): 403-424.

<sup>13</sup> Siti Malikhah Towaf, "Wawasan Gender dan Peran Produktif Perempuan Pesantren," *Jurnal Aplikasi Manajemen* 6, no. 2, (2008): 23-34.

faced by gender activists in internalizing and disseminating discourses on women and gender equality among Nahdliyin, both in Sumenep Regency and more broadly.

This research adopts a qualitative methodology, with data collected through interviews, participant observation, and document analysis. Interviews targeted informants directly related to the research theme, including gender activists, members of IPPNU, Fatayat NU, Muslimat NU, and affiliated NU institutions in Sumenep. Additionally, clerics and scholars within PCNU Sumenep's Syuriah and Tanfidziyah councils, as well as influential NU figures among Nahdliyin, were interviewed. Document analysis focused on *baḥth al-masā'il* products that discuss legal rulings concerning the status of women. All collected data underwent reflective analysis, recognizing the role of subjectivity from both the participants and the researcher as integral to interpretation. The research process included continuous verification, reduction, presentation, and synthesis of data to ensure rigorous and coherent conclusions.

The study is theoretically grounded in Islamic feminism, which provides a critical lens for examining the negotiation of gender equality within religious frameworks. Islamic feminism, while informed by global feminist thought, emerges as a distinct discourse that interrogates patriarchal interpretations of the Qur'an and Hadith, advocating for justice, equality, and contextualized reinterpretation.<sup>14</sup> Key figures such as Amina Wadud,<sup>15</sup> Fatimah Marnissi,<sup>16</sup>

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<sup>14</sup> Nasruddin Umar, *Argumen Kesetaraan Gender: Perspektif Al-Qur'an* (Jakarta: Paramadina, 1999), 34; Ratna Megawangi, *Mebiarkan Berbeda: Sudut Pandang Baru Tentang Relasi Gender* (Bandung: Mizan, 1999), 56.

<sup>15</sup> Amina Wadud is a Muslim feminist who was born in the United States in 1952 and converted to Islam in 1972. Her phenomenal work is titled "The Qur'an and Women: Rereading Sacred Texts from a Female Perspective." See Amina Wadud, "The Qur'an and Women," in Charles Kurzuman, *Liberal Islamic Discourse: Contemporary Islamic Thought on Global Issues* (Jakarta: Paramadina, 2003), 185.

<sup>16</sup> Fitri Nur Adinda and Irzum Fariyah, "Problems of Gender Equality in Perempuan yang Memesan Takdir: A Feminist Analysis by Fatima Mernissi," *Yinyang: Jurnal Studi Islam Gender dan Anak* 19, no. 1 (2024): 63-76; Fatima Mernissi, *Women and Islam: An Historical and Theological Inquiry* (Oxford: Basil Blackwell, 1991), 34-35.

Riffat Hasan,<sup>17</sup> and Asghar Ali Engineer<sup>18</sup> exemplify methodological approaches that combine hermeneutics, historical analysis, and textual deconstruction to challenge gender-biased religious readings. Within the Sumenep context, these frameworks enable an analytical mapping of NU scholars' perceptions of women's roles, highlighting the tension between preserving traditional jurisprudential authority and accommodating evolving conceptions of gender justice. Islamic feminism thus functions not only as a comparative theoretical tool but also as a normative reference, providing alternative perspectives that critique static interpretations while emphasizing the compatibility of authentic Islamic principles with gender equality.

### **Gender Issues among Nahdliyin in Sumenep**

NU's commitment to gender justice was reaffirmed by KH. Yahya Cholil Staquf, the Chairman of PBNU, during his address on gender equality at the *International Humanitarian Islamic Conference* held at the Grand Hyatt Jakarta, which coincided with the opening of the National Meeting (Rakornas) *Lembaga Kemaslahatan Keluarga* (Family Welfare Institute/LKGNU). He emphasized that Islam, since its inception, has upheld the principles of justice and equality, asserting that men and women are equal before God. However, he also cautioned against uncritically adopting the Western feminist framework, noting that feminism, as an ideology developed within secular traditions, cannot be accepted wholesale. According to him, not all feminist concepts are compatible with Islamic teachings, and Muslims should instead ground their pursuit of gender justice in the moral and theological foundations of Islam itself.<sup>19</sup>

Gus Yahya's statement immediately provoked a spectrum of responses. Some critics accused the PBNU Chairman of displaying anti-feminist tendencies, while others—particularly those within

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<sup>17</sup> Riffat Hassan, "Perempuan Islam dan Islam-Pasca Patriarkhi," in Fatima Mernissi dan Riffat Hassan, *Setara di Hadapan Allah: Relasi Relasi Laki-Laki dan Perempuan dalam Tradisi Islam Pasca Patriarkhi*, trans. Tim LSPPA (Yogyakarta: LSPPA, 1995), 99-100.

<sup>18</sup> Rifqi Aulia Rahman *et al.*, "Contextual Interpretation of Asghar Ali Engineer: Efforts to Reconstruct Nash on the Women Position in Primordial Society," *Muwazab* 16, no. 1 (2024), 1-18; Asghar Ali-Engineer, *Hak-Hak Perempuan dalam Islam* (Yogyakarta: Pustaka Pelajar, 2000), 55-82.

<sup>19</sup> Muhammad Yaufi Nur Mutiullah, "Defending Women Beyond Feminism, Gender Perspectives in Indonesia," *Theologia*, 35, no. 1 (2024), 87-108.

NU's cultural and intellectual movements advocating for women's rights—interpreted his remarks as a call for contextual authenticity. These supporters viewed his stance as an invitation for NU members to rediscover the indigenous Islamic traditions of gender justice rooted in *abl al-sunnah wa al-jamā'ah al-Nabdhīyah*. In this perspective, Gus Yahya's approach seeks to harmonize the universal ideals of equality with NU's theological heritage, emphasizing that the struggle for women's empowerment should emerge from within the epistemological framework of Islam rather than external ideological imports.<sup>20</sup>

The discourse on gender equality within NU continues to evolve through ongoing negotiations between progressive and conservative currents at the grassroots level—including within NU Sumenep.<sup>21</sup> The current composition of the PCNU Sumenep board reflects this diversity: some leaders hail from traditional *pesantren* backgrounds focused exclusively on teaching the *kitab kuning*, while others possess higher education credentials, including academic scholars. This heterogeneity fosters a vibrant intellectual climate characterized by dynamic and, at times, contentious debates. The Syuriah council remains largely dominated by *kiai* and *santri* from traditional *pesantrens* such as Sarang, Sidogiri, Ploso, and Kalabaan, whose influence continues to shape the legal and theological decision-making processes within PCNU Sumenep Regency.

The decisions of the *Babtsul Masail Nahdlatul Ulama (Baḥṡ al-Masā'il* Institute of NU/LBM NU) in Sumenep, particularly those concerning women, often culminate in theological and jurisprudential dilemmas. Divergent opinions among the *kiai* frequently arise when addressing legal issues related to women's status. One notable case concerns the legality of a *talak tiga*—a husband's pronouncement of three divorces at once—when the Religious Court (*Pengadi-*

<sup>20</sup> Wahyudi Akmaliah, "Cadar dan Tradisi Diskursif 'Ta'at' bagi Perempuan Muslim Indonesia," *Studia Islamika* 30, no. 1, (2023).

<sup>21</sup> Progressive NU are NU people who have an open mind to dialogue religion between textuality and contextuality. Usually, they are students who master the field of religion and the *kitab kuning* but also get acquainted with critical discourse in universities outside *pesantren*. While NU conservatives are NU people who only know religion in depth through *kitab kuning* that are traditionally read in boarding schools, especially salaf boarding schools.

*lan Agama*) rules it as a single divorce.<sup>22</sup> Although the court issues a certificate stating *talak satu*, many *kiai* participating in the LBM deliberation in Sendir Village, Lenteng District, maintained that such a pronouncement should still constitute *talak tiga*, citing authoritative Shafi'i jurisprudential texts (*kitab al-shāfi'iyah al-mu'tabarah*).<sup>23</sup> Despite the final LBM decision affirming the court's ruling, the persistent resistance among participants reflects the deep-rooted attachment to classical legal reasoning within NU's traditionalist framework.

A more recent *bahth al-masā'il* session centered on the legality of female circumcision following the issuance of Government Regulation No. 28 of 2024, which prohibits the practice. The discussion raised several critical questions: To what extent should medical claims and public health standards inform Islamic legal reasoning? Can female circumcision truly be considered a mere hygienic act, as some have argued? How should Islamic jurists respond to the anti-female circumcision campaigns and the global observance of International Day of Zero Tolerance for Female Genital Mutilation? These questions encapsulate the tension between traditional jurisprudence and modern state law, particularly when issues of bodily integrity and religious observance intersect.

Ultimately, the *bahth al-masā'il* of PCNU Sumenep concluded that the prohibition of female circumcision as stipulated in Government Regulation No. 28 of 2024 is not binding upon Muslims if the practice itself aligns with the principles of *shar'ah*. The LBM determined that female circumcision becomes unlawful only when its im-

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<sup>22</sup> This view refers to several books such as *al-Fiqh al-Islām wa Adillatuh*, vol. 9. *Iktitāf al-'Ulamā' li al-Māwardī*, vol. 1, also reflects on the decisions of Islamic countries that have prohibited (banned) triple *talaq* such as Egypt, Syria, and Kuwait. See Tim Penyusun, *Hasil-basil Keputusan Bahthul Masail MWCNU Lenteng Tahun 2023* (Sumenep: Jelajah Keislaman, 2023), 22.

<sup>23</sup> *Kitāb mu'tabarah* in the view of NU is the four madhhab books that can be used as the main source of reference in discussing the issue of Islamic law. These books are signs to maintain the frame of thought of salaf scholars who have been well organized, not a reflection of the exclusivity of NU. Although later the opinion of the importance of re-examining the word "*mu'tabarah*" whether the word is the nature of the pole (work) or the nature of *aqwal* (opinion). If it becomes the nature of *aqwal* then actually from any book as long as his opinion gives more benefit in the middle of people's lives he deserves to be a guide. See <https://maalysitubondo.ac.id/telaah-ulang-standarisiasi-kutub-mutabarah/?amp=1> (accessed December 21, 2024).

plementation contravenes Islamic legal guidelines. Accordingly, the council ruled that Muslims are not religiously obligated to comply with the government regulation, asserting that the practice remains permissible so long as it adheres to jurisprudential boundaries. However, due to time constraints and the extensive deliberation required for the first issue, the subsequent two agenda items were left unresolved.

## The Gender Discourse in Sumenep

Raudlatun,<sup>24</sup> one of the leading gender equality activists in Sumenep, shared her experiences and frustrations in advancing women's rights within a deeply traditional environment. She acknowledged that the challenges were formidable—not only confronting the entrenched patriarchal structures upheld by *kiai* and NU leaders, but also facing the internalized subordination among women themselves. Having been long co-opted by male-dominated religious interpretations, many women have come to accept inequality and discrimination as natural, even divinely ordained. Consequently, any attempt to question these injustices through the lens of gender equity is often met with suspicion and resistance from both male *kiai* and female leaders (*nyai*) within Fatayat and Muslimat NU.

According to Raudlatun, she frequently faces negative accusations for her activism, including being labeled as a woman who promotes disobedience toward husbands. As she explained:

Frankly, being a gender activist in Sumenep is incredibly challenging. Besides being accused of being liberal, we are often portrayed as encouraging women to rebel against their husbands. It is not uncommon for me and my fellow gender activists to receive sneers and cynical remarks from NU *kiai* in Sumenep.

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<sup>24</sup> Raudlatun is a lecture at one of the universities in Sumenep. She is also active in the organization of the otomom agency (Badan Otonom/Banom) of NU, namely Fatayat, as well as concurrently chairman of the Family Benefit Institution (LKK) PCNU Sumenep. Raudlatun is an alumnus of *Pesantren* Nurul Jadid, Paiton, Probolinggo. Her undergraduate studies were undertaken at UIN Syarif Hidayatullah, Jakarta and her master at UIN Sunan Ampel Surabaya. In addition, she is also chairman of the Madura Women's Ulema Forum (FUPM) and founder of *Perempuan Kobber* whose focus of activity is strengthening individual capacity related to issues of women and children and economic empowerment.

Her statement reflects the deeply rooted suspicion toward feminist discourse within traditional religious circles, where the pursuit of justice and equality for women is often misconstrued as rebellion against established norms.

Most of these accusations, she observed, originate from NU administrators with a *salaf* educational background who focus exclusively on the *kitab kuning* and lack exposure to contemporary academic and critical perspectives. For many of these *kiai*, gender justice is perceived as a Western-inspired provocation designed to incite women to challenge male authority. Raudlatun expressed her disappointment at being excluded from *bahth al-masā'il* discussions organized by LBM PCNU, despite the fact that the deliberations often address issues directly related to women's rights and welfare. Her exclusion underscores the limited participation of women in religious decision-making processes, reflecting broader structural barriers that hinder the internalization of gender-sensitive discourse within NU's traditional framework.

A similar concern was expressed by *Nyai* Choirun Nisa',<sup>25</sup> who lamented that throughout her long career—including during her tenure as head of PC Fatayat NU Sumenep—women have never been meaningfully involved in NU's *bahth al-masā'il* deliberations. She emphasized that women possess both the capacity and the deep moral concern necessary to contribute to discussions directly affecting their lives. Yet, systemic exclusion persists. She recalled that her candidacy for a position in the NU's Educational Board was rejected solely because of her gender, as the selection committee consisted entirely of male *kiai* from PCNU Sumenep. Reflecting on her experience, she noted: "During my time as the head of Fatayat, men had a significant influence on women's fate. According to the Sumenep *kiai*, women were considered too sensitive to lead and therefore expected to comply with men's decisions."

The *kiai* of Sumenep generally maintain that the presence of women in male-dominated forums remains problematic because it may lead to *fitnah* (moral suspicion). Such assumptions have not only

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<sup>25</sup> *Nyai* Choirun Nisa' is a gender activist, former chair of PC. Fatayat Sumenep, wife of KH. Imam Hendriadi, Deputy Rais PCNU Sumenep. She is an alumnus of *Pesantren* Tebuireng Jombang. Her Bachelor's and Master's degrees were taken at Hasyim Asy'ari University, Jombang. Apart from still being active in organizations under PCNU Sumenep, *Nyai* Anis is also the caretaker of *Pesantren* Al-Ifadlah Poreh, Lenteng, Sumenep, replacing her husband who recently died.

discouraged women's participation in religious deliberations but have also eroded their sense of self-worth, preventing them from acting as equal partners in religious and intellectual domains. This entrenched belief continues to shape gender dynamics within the organization and perpetuates structural inequality under the guise of moral propriety.

Nur Waida,<sup>26</sup> a gender activist and secretary of *Komunitas Perempuan Hebat Sumenep*—a community that supports widowed mothers or *single moms*—identified the absence of institutional and religious support as a major obstacle to achieving gender justice. She argued that the perception among *ulama* and *kiai* that women do not require higher education has contributed to women's low self-confidence and limited social mobility. This mindset, she added, has directly fueled the prevalence of early marriage in Sumenep. As she observed: “My conclusion is that NU *kiai* in Sumenep still adhere to textual interpretations and have yet to make the transition to contextual readings, especially regarding women's status.”

By contrast, Dina Kamilia Muafi, the current head of PC Fatayat NU Sumenep for the 2024-2029 term, adopts a different position from most other female activists in the region. She contends that the distinction between men and women should not be automatically interpreted as gender bias, arguing instead that such differences reflect divinely ordained natural roles. As she stated: “Regarding the different natures of men and women, we cannot consider them as indicators of bias. Precisely because of these differences, women cannot occupy every sphere that contradicts their natural dispositions as women.”

In discussing the struggle for gender equality, Dina emphasizes the importance of self-criticism among women themselves. According to her, many women still lack the confidence to engage on equal footing with men in intellectual or professional spaces, despite opportunities already provided by NU's leadership. Cultural barriers—such as feelings of *awuh pakewuh* (deference or hesitation)—often prevent women from sitting alongside *kiai* in organizational settings. Furthermore, Dina questions the overall preparedness of women's human resources, noting that few possess the expertise to meaning-

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<sup>26</sup> Nur Waida is a female activist, alumni of one of the private universities in Sumenep, ex-activist of PMII Sumenep, and now active in LKK PCNU Sumenep, in addition to her participation in the management of PC. Fatayat Sumenep.

fully contribute to legal or theological debates, which in turn limits their influence in *baḥth al-masā'il* deliberations.

## **A Critical Response to The Issue of Gender Equality**

NU is an organization characterized by a hierarchical structure that mirrors the traditional *kiai-santri* relationship commonly found in *pesantren*. This relational pattern is institutionalized in NU's Anggaran Dasar (Articles of Association/AD) and Anggaran Rumah Tangga (Bylaws/ART). According to Chapter VII of the AD, which regulates management and terms of service, Article 14(1) stipulates that the NU leadership structure consists of three main components: Mustasyar, Syuriah, and Tanfidziyah. Article 14(2) further explains that Mustasyar functions as an advisory board at all organizational levels—ranging from the central board (PBNU), provincial board (PWNU), and regional or branch board (PCNU), and sub-branch board (MWCNU).

Article 14(3) designates the Syuriah as the supreme leadership body within NU. Its daily executive structure comprises a Rais 'Aam (Supreme Leader), vice Rais, several Rais, a Katib 'Aam (General Secretary), and a number of Katib (Secretaries). Article 18 elaborates that Syuriah is responsible for guiding and supervising the implementation of organizational decisions at each administrative level. The existence of A'wan (assistants) is clarified in Article 15(1)(c), which defines them as members of the General Board assisting the Syuriah. Meanwhile, Article 14(4) stipulates that Tanfidziyah is responsible for executing the organizational decisions under the guidance of Syuriah and in accordance with the established hierarchy.

Based on NU's AD-ART, it is evident that the highest authority within the organization rests in the hands of the Syuriah at every level of its structure. Consequently, in this study, the perspectives of those within the Rais Syuriah ranks are considered key to understanding NU's official stance on various social issues. Nevertheless, it is also recognized that NU's structural policies do not always reflect the personal or collective views of the Rais Syuriah or other cultural *kiai*. Such discrepancies are often left unresolved or deliberately unaddressed out of respect for the *kiai*, guided by the principle of *adab* (moral courtesy) in dealing with scholars. As an Arabic

maxim often cited among students reminds, *al-adab fawq al-'ilm*—“courtesy stands above knowledge.”<sup>27</sup>

Any sophisticated arguments or postulates often carry little weight when they contradict the decisions of the *kiai*, including in the context of gender equality discourses in Sumenep. The perspectives of NU scholars and *kiai* in Sumenep regarding gender issues can be illustrated through the debate on female circumcision discussed during the *baḥṭs al-masā'il* of LBM PCNU Sumenep on November 10, 2024, held in Sumenep City. Nevertheless, individual opinions remain relevant in this study as they provide additional nuance and insight into other aspects of the gender equality discourse. Unfortunately, many clerics and scholars within the NU Sumenep management have limited engagement with issues concerning women and gender equality. Consequently, this study focuses on select *kiai* who demonstrate at least partial familiarity with these topics, including KH. Hafidhi Sarbini.

According to KH. Hafidhi Sarbini,<sup>28</sup> Rais Syuriah of PCNU Sumenep (2020-2025), the Qur'an clearly delineates the position of men and women, referencing QS. An-Nisa' verse 34, which asserts that men are *qawwāmūn* over women. He emphasizes that this directive extends across domains, from family matters to governance. However, KH. Hafidhi interprets the term *ma'rifaḥ* (definitive) as qualifying specific men and specific women, rather than applying universally to all men and all women. This interpretation allows for the possibility that some women may possess greater strength or capability than certain men. The term *qawwāmūn* itself, originally

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<sup>27</sup> The saying, “*al-adab fawq al-'ilm*,” is very popular, especially among students *nahdliyin* that no matter how smart a person but does not have adab or manners, then drop all his knowledge: can not be used as a reference, nor will produce any good. The work of scholars who became the reference of the students related to it is *Adab al-'Alim wa al-Muta'allim* by al-Nawawī. See al-Nawawī, *Adab di Atas Ilmu: Tuntunan Belajar Mengajar yang Barakah* (Yogyakarta: Diva Press, 2021), 3.

<sup>28</sup> KH. Hafidhi Sarbini, Rais Syuriah PCNU Sumenep 2020-2025, is an alumnus of *Pesantren Al-Anwar Sarang*, Central Java. This caregiver of *Pesantren Darul Istiqamah*, Batuan, Sumenep is known as a scholar who has a broad religious understanding (*tafaqquh fī al-dīn*). In addition to his work in the field of *baḥṭh al-masā'il*, he also often fills the show as sweet as a date before breaking the fast in Ramadan which is broadcasted live on Radio RRI Pro 1 Sumenep to answer religious issues (*masā'il al-fiqhīyah*) asked directly by the public.

meaning “standing,” implies not merely physical superiority but also resourcefulness and the ability to assume responsibility.<sup>29</sup>

Regarding inheritance, KH. Hafidhi maintains the traditional view that men receive twice the share of women, arguing that men possess greater reasoning capacity necessary for managing both familial and governmental affairs. He similarly rejects the notion of equal testimony between men and women. Concerning women serving as judges in religious or public courts, he acknowledges their appointment only insofar as it is sanctioned by the state, refraining from offering a personal judgment on whether such roles are permissible under Islamic jurisprudence.

In this context, KH. Hafidhi appears to exercise great caution in providing legal explanations, particularly concerning the authority of the ruler or the state. For instance, when asked about the status of *talak tiga* (triple divorces) pronounced by a husband—whether it automatically constitutes *talak tiga* or follows the decision of a judge—he explained that, from the perspective of the state, it does not automatically constitute *talak tiga*. However, from a religious standpoint, it is considered to have occurred. When informed that his opinion differed from the *baḥth al-masā’il* of PBNU ruling, he clarified that while outwardly the divorce may align with the judge’s decision, inwardly all *talak tiga* remain valid according to religious law. He analogized this to a person who recites the *shahādah* while harboring disbelief in their heart: outwardly, the individual is recognized as a Muslim, but inwardly, they remain in a state of hypocrisy.

KH. Hafidhi also asserts that women bear the absolute obligation to submit to and obey their husbands. He acknowledged that contemporary households often differ from the ideals described in classical texts, such as the expectation that the husband provides for the wife by handling shopping, cooking, and washing. Nevertheless, the obligation of obedience remains binding for the wife. In modern contexts where the wife assumes certain responsibilities traditionally assigned to the husband, this does not absolve her from obedience; she is seen as assisting her husband rather than contravening his authority. Mutual understanding between spouses is encouraged,

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<sup>29</sup> Muhammad Fajar Adyatama *et al.*, “Dinamika Makna Qawwam: Analisis Mufasir Perempuan terhadap Surah An-Nisa: 34,” *Kalimah: Jurnal Studi Agama-Agama dan Pemikiran Islam* 21, no. 2 (2023), 147-183.

but the fundamental jurisprudential provision remains intact: disobedience by the wife is considered sinful.

Allah requires something because it is his reward in the hereafter if it is the *Sunnah* of his reward in the hereafter and the results are better in this world. Allah only recommends (*Sunnah*), and does not require women to help complete the task of the husband, therefore fulfilling the wishes of the husband law is still mandatory for the wife and if she refuses then the threat is the Curse of Allah. We need to know that the benefits behind the provisions of the law (*Shari'ah*) of Allah can be the benefits in this world and the hereafter, there are those in the hereafter and there are those in this world only. If it is required by Allah means clear, besides there is a benefit in this world, there must be a benefit (reward) in the hereafter."

Regarding the involvement of women in planning gender equality initiatives, KH. Hafidhi invited NU gender activists in Sumenep to align their activities with actual needs and context-appropriate measures. He remains opposed to the integration of men and women in NU events. When asked about women occupying positions in the PCNU management, he responded succinctly that no female figure has yet been deemed necessary for inclusion. However, he did not exclude the possibility of future participation should the need arise. Other Rais representatives, including KH. Zainur Rahman Hammam, K. Moh. Halimi, and KH. Ahmad Washil Hasyim, appear to share a similar stance with the Rais Syuriyah of PCNU Sumenep.

The response to polygamy appears ambivalent, oscillating between acceptance and cautious reservation. KH. Hafidhi often provides evasive statements, framing polygamy as a matter of necessity rather than a practice that can be recommended or prohibited. According to him, it is impossible to forbid what is explicitly sanctioned in the Qur'an. He emphasized that the gender equality movement should not become preoccupied with questioning Shari'a provisions, such as polygamy, inheritance rights, divorce, or hijab. Although he did not further elaborate on the distinction between Shari'a and human jurisprudence, his position reflects a tendency to uphold traditional interpretations, particularly when some Syuriyah *kiai* themselves practice polygamy, rendering further critique unnecessary.

He also firmly rejects *ikhtilāf*—the intermingling of men and women—within NU events. He contends that the cultural milieu of Sumenep’s pesantren students is not yet prepared for such integration, despite the potential for jurisprudential debate. Regarding the inclusion of women in PCNU management, he considers it impractical because *kiai* and pesantren caretakers have historically not provided *uswah* (exemplary models) for such participation. He insists that NU should adhere to the pesantren tradition in matters of gender separation, and while the inclusion of women in PBNU or PWNU management might be culturally feasible elsewhere, it is unlikely to be implemented in Sumenep at present.

These statements and legal attitudes collectively indicate that the perspective of *kiai* of NU Sumenep, particularly Rais Syuriyah KH. Hafidhi Sarbini, is largely textual-conservative rather than contextual-progressive. His cautious and often evasive approach demonstrates reluctance to adopt firm positions when confronted with contemporary legal challenges. Furthermore, certain jurisprudential interpretations frequently diverge from state and governmental rulings, exemplified by the contrasting views on triple divorce and judicial decisions. Across multiple areas, whether concerning women or broader legal matters, NU Sumenep’s legal outputs often reflect an adherence to traditional norms over alignment with formal state policy.

*Kiai* outside the PCNU structure largely maintain similar perspectives, viewing women primarily as companions to their husbands within a patriarchal framework, while nevertheless acknowledging women’s potential roles in public life. *Pesantren* caretakers among the informants generally resist the inclusion of women in NU management structures parallel to male leadership. However, some concede that women may participate in *bahth al-masā’il* PCNU forums, particularly when deliberating on issues directly affecting women. Notable *kiai* in this regard include K. Dumairi and K. Hasbullah of Lenteng, K. Dardiri Z. Gate, K. Moh. Ishaq of Batang-Batang, K. Qumri of Batuan, K. A. Hazim of Guluk-Guluk, and Drs. K. Shadik of Rubaru, among others.

The Tanfidziah board of PCNU Sumenep exhibits a slightly more progressive stance regarding women’s issues and the discourse on gender equality. H. Pandji Taufik, Chairman of PCNU Sumenep, openly expressed his support for the efforts of gender activists in

the region. In private conversations, he affirmed his backing for women's pursuit of equal roles alongside men. However, he acknowledged that implementing policies to involve women in the PCNU management structure is a complex undertaking. NU, as an organization housing scholar and *kiai* in Sumenep, largely comprises pesantren caretakers who maintain a scripturalist and often conservative mindset. Despite his democratic disposition and humility toward senior *kiai*, H. Pandji Taufik refrains from leveraging his authority as chairman to unilaterally make decisions on such sensitive matters.

To date, complaints from women activists—particularly regarding their exclusion from discussions on legal issues in LBM PCNU—have been partially accommodated. However, this inclusion remains contingent on finding an appropriate format and technical implementation that avoids slander or disruption, with the blessing of the Syuriah being decisive. Simultaneously, as chairman, H. Pandji Taufik encourages NU women in Sumenep to enhance their scholarly competencies, especially in accessing classical *turath* texts. He noted that, historically, women's involvement has been emphasized more in ceremonial activities than in substantive religious and scientific discourse.

Zainul Hasan, Secretary of PCNU Sumenep for the 2020–2025 period, similarly expressed deep respect for gender equality issues and movements in Sumenep. He shared that he had once actively engaged in gender-related activism, though he distinguishes this from Western-style feminism, emphasizing Islam's indigenous concept of equality, *musāwāh*. According to Zainul Hasan, discussions on gender equality should be approached carefully post-reform to avoid provoking extreme reactions from elder *kiai*. Overly confrontational advocacy risks eliciting equally harsh responses from pesantren leaders, ultimately hindering rather than advancing the cause of gender equality.

Regarding the involvement of women in institutional leadership, he noted that their representation remains largely limited to autonomous bodies such as LKK, Lakpesdam, and LK, and not within branch management structures. Personally, he considers the presence of women in branch leadership to be non-essential. Nevertheless, he candidly admitted that, under current conditions, recruiting women into the management of NU Sumenep remains im-

practical due to entrenched patriarchal norms. While some younger *kiai* accept the idea, the majority of Syuriah members continue to resist women's participation in *bahth al-masā'il* deliberations, instead offering the alternative of separate *bahth al-masā'il* forums specifically for women.

### **Gender Issues and the Half-Hearted Response of NU Sumenep's *Kiai***

Information gathered from various sources indicates that the responses of *kiai* and NU Sumenep scholars to issues concerning women and gender equality are far from uniform. Some junior scholars within the Tanfidziyah administration respond positively to these issues, whereas senior scholars, particularly those in the Syuriah leadership structure, often exhibit skepticism or even outright suspicion toward the discourse and movements advocating gender equality. The senior *kiai*, who wield significant religious authority within the Sumenep community, frequently dominate debates during *bahth al-masā'il* deliberations. Although junior *kiai* in Tanfidziyah may occasionally express alternative viewpoints, they rarely challenge the authority of their senior counterparts. Consequently, *fiqh* discourse—both within and beyond *bahth masā'il* forums—remains largely under the control of elder scholars.

This prevailing condition underscores the dominance of textualism, conservatism, and scripturalist interpretations in religious understanding. Methodologically critical ideas advanced by younger *kiai* often lose traction when confronted with the sacrosanct norms of Teacher-Student relations. The deference to senior authority inhibits the capacity of young scholars to question legal decisions, even when these decisions present methodological inconsistencies. Moreover, many of the legal products produced under this structure frequently conflict with the national vision that NU, as an organization adhering to *abl al-sunnah wa al-jamā'ah*, seeks to uphold. One defining feature of Ahlussunnah wal Jama'ah is its alignment with government policy, emphasizing coherence with the state as a foundational principle.<sup>30</sup>

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<sup>30</sup> Many literatures, both by classical and modern scholars, asserts that complying with government policy is part of the basic principle of *abl al-sunnah wa al-jamā'ah* insofar as the policy is not in the form of immorality. Even if the policy is immo-

The sociology of Madurese society reflects a predominantly textual-scripturalist religious orientation characteristic of later pesantren traditions. This formalistic approach, which prioritizes fatwas over lived experience or moral sensibility (*dhamaq*), has recently contributed to the proliferation of religious extremism in Sumenep and Madura more broadly.<sup>31</sup> In more candid terms, the textualism observed among Sumenep *kiai* suggests that the greater a *kiai*'s mastery of jurisprudence (and perceived piety), the higher the potential for exhibiting anti-state tendencies. Here, "anti-state" does not signify outright rejection of the state, as seen in some Islamist groups that regard the Republic of Indonesia (NKRI) as *ṭāghūt*. Rather, it refers to a disposition that disregards state laws and derivative regulations while maintaining allegiance to traditional religious interpretations.

Some scholars hold the view that Islamic law is entirely separate from state law, a perspective that often manifests as a disregard for governmental authority. This attitude is reflected in various *baḥts al-masā'il* decisions and individual fatwas, such as the rejection of government recommendations for COVID-19 vaccination, legalization of the sale and production of unregulated cigarettes (even opposing taxation), recognition of triple talaq without judicial oversight, refusal to follow official determinations of fasting and holiday schedules, permitting Hajj outside the official ONH program, and allowing female circumcision despite its prohibition under government regulations, among others. Such decisions illustrate a pattern in which state regulations are subordinated to perceived religious obligations.

For most NU *kiai* in Sumenep, the opinions of classical Shafi'iyah scholars are considered definitive and beyond contestation. They accept these scholarly opinions uncritically, giving little to no consideration to the social, cultural, or political contexts in which they were originally formulated. This entrenched religious character explains the resistance of Sumenep *kiai* to feminist per-

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rality, we are only allowed to disobey the policy, but still obliged to obey other policies that are not immoral to God. 'Abd Allāh b. 'Abd al-Ḥāmid al-Atsra, *al-Wājiḥ fi 'Aqīdat Salaf al-Ṣāliḥ, Abl al-Sunnah wa al-Jamā'ah*, 10<sup>th</sup> ed. (Istanbul: Guraba, 1430H), 169-170.

<sup>31</sup> Achmad Bahrur Rozi, *Madura dalam Pertaruban Harga Diri; Memahami Konsep Nilai Harga Diri dalam Budaya Masyarakat Madura* (Yogyakarta: Cakrawala Pustaka, 2021), 204-205.

spectives on gender equality. According to these *kiai*, what classical jurisprudence prescribes regarding the differentiated status of men and women is absolute truth, immutable and not open to reinterpretation. At its most extreme, the discourse advocating equality between men and women is even perceived as a challenge to the *shari'ah* itself.

However, *fiqh*, understood within the framework of scientific inquiry, constitutes a human-constructed body of knowledge derived from but not identical to revelation. While Revelation embodies absolute truth, jurisprudence represents a systematically arranged interpretation of divine guidance, formulated by scholars in response to the exigencies of their historical and cultural context. The arguments and rulings developed in classical *fiqh* were necessarily shaped by the spatial and temporal conditions of their production.<sup>32</sup> Consequently, the “truths” articulated in jurisprudence are historically and contextually relative, reflecting the interests and ideological orientations prevalent at the time. Notably, much of medieval jurisprudence emerged during periods in which patriarchal norms were deeply embedded within Islamic civilization.

## Conclusion

The discourse on gender equality among NU Sumenep activists has long been present, with numerous women participating actively in this conversation. However, as a movement, its impact remains largely ceremonial and has yet to reach a substantive level—that is, the capacity to engage in meaningful dialogue, negotiation, and bargaining against the entrenched authority and patriarchal hegemony of *kiai* and NU Sumenep scholars, whose perspectives are deeply rooted in classical texts. The cautious and often skeptical stance of NU Sumenep scholars toward the gender equality discourse indicates that the initiatives originating from PBNU have not been fully internalized at the grassroots level. Many legal rulings and personal opinions of *kiai* and scholars still fall short of the ideals of gender equality championed by the NU elite at PBNU.

NU Sumenep's pesantren system, as a microcosm of the broader NU structure in the region, plays a critical role in shaping

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<sup>32</sup> Hulwati, “Memahami Kesetaraan Gender dalam Fiqh: Analisis Teori Evolusi Kontinuitas Fiqh,” *Kafa'ah Journal of Gender Studies* 5, no. 1 (2015): 23-40.

the prospects of the gender equality movement. To date, these pesantren function as religious institutions that largely do not support gender equality discourse and activism. The local pesantren culture maintains strict segregation between male and female students, resulting in significant disparities in scientific engagement and access to higher education. Female students often face severe restrictions in pursuing academic knowledge, with their roles in scholarly domains and opportunities for advanced education limited, as they are frequently perceived primarily in relation to their future marital responsibilities.

This study, focused on the responses of *kiai* and scholars in Sumenep Regency, particularly those affiliated with NU, is therefore context-specific. The perspectives presented herein may not be representative of scholars in other regions, where cultural and organizational dynamics may differ. Future research would benefit from an in-depth investigation into the experiences and perspectives of female santri, providing a more comprehensive understanding of their views on women's roles and gender equality within NU institutions.

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