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Gender Discourse and Women Movements in Nahdlatul Ulama (NU)

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ABSTRACT

The involvement of NU gender activists with the feminism ideas, the strengthening of democracy issues in Islam, and the effects of civil society development introduced by NGO or new social movement have made gender discourse and women movement inside NU in dynamic. The occurrence of the new discourses brought by some NU gender activist results in the thought and movement among the NU activists community. It also happens inside the NU's structure. Further implication, some activists who disagree with the thought and movement of *Muslimat* and *Fatayat* as NU female organization found other institutions outside the NU's structure. It shows that gender thought and women movement in NU is not static and anti-politics, on the contrary, it becomes dynamic and political because each actor involved inside try to affect and dominate each other both in discursive and praxis levels. This article aims to explain critically the various studies that have been done about the gender discourse and the women movements in NU. The discussion will begin with the development of the gender discourse and women movements in the general overview, the development gender discourse and Muslim women movements, the influence of the gender discourse and women movements in NU. After that, it will be followed by the analysis of various literatures on gender discourse and women movements in NU as seen from the structural and cultural perspectives.

Key words: gender discourse, women movement, Nahdlatul Ulama

INTRODUCTION

Nahdlatul Ulama (NU), which is categorized as a traditionalist Islamic organization was experiencing dynamic motion in it that is characterized by the introduction of new discourses in the intellectual tradition. Qodir (2011) states that the emergence of groups of young NU with progressive thinking has shifted from traditionalist NU categorization into neo-traditionalist, despite the presence of the group of progressive NU in a indigenization spirit of Islam raises the pros and cons in NU. Effendi (2008) in his dissertation also notes that the phenomenon of the emergence of NU young clerics and young intellectuals, both men and women, is not only interesting in terms of developments in the NU, but also shows that the differences between modernists and traditionalists are no longer relevant.

Gender thought in NU began to develop dynamically since the inclusion of gender discourse brought by NU gender activists in the 1990s, particularly among young activists. Robinson (2009) linked the emergence of progressive gender activists in NU with the background in education, contiguity with the ideas of feminism, and the inclusion of the issue of democracy in Islam that influence on the thinking and their movements. Meanwhile, according to Raharjo (2011), the emergence of a young generation in NU that is critical toward NU intellectual tradition, espe-

cially jurisprudence, due to the influence of civil society development that is engendered by NGOs or the new social movements.

The inclusion of a new discourse that was brought by some NU gender activists is implicated in the occurrence of differences in thought and action among NU gender activists. Further implications, partly of NU gender activists who did not agree with the thought and movements of Muslimat and Fatayat as NU women organizations, establishing institutions outside NU structures such as Yayasan Kesejahteraan Fatayat in 1998 in Yogyakarta, Rahima in 2000 in Jakarta, Fahmina 2000 in Cirebon, and Puan Amal Hayati 2000 in Jakarta. The empirical fact implies there is a contestation of gender thought and women movements in NU. NU intellectual tradition might be able to accommodate a wide range of gender thought at the level of discursive, but it could not easily accommodate in the level of praxis.

The presence of the new gender thoughts on the one hand can be read as a threat to the ideas and groups that are already established even cause divisions, but on the other hand it could also be interpreted as a new energy to the dynamics and flexibility of NU. Thus it can be said that the gender thought and women movements in NU are not static and a-political, just the opposite is dynamic and political because each of the actors involved in it trying to influence each other and dominate in both the discursive and praxis levels. This is what makes contestation of discourse of gender and women movements in NU interesting to discuss.

Based on the above background, this article aims to explain critically the various studies that have been done about the gender discourse and

the women movements in NU. The critical explanation becomes basis for formulating the theoretical categorization as a perspective to see the discourse and women movements that develop in NU. The discussion will begin with the development of the gender discourse and women movements in the general overview, the development gender discourse and Muslim women movements, the influence of the gender discourse and women movements in NU. After that, it will be followed by the analysis of various literatures on gender discourse and women movements in NU as seen from the structural and cultural perspectives.

THEORITICAL FRAMEWORK

THE DEVELOPMENT OF GENDER DISCOURSE AND WOMEN MOVEMENTS: A GENERAL OVERVIEW

Understanding women movement, which was then commonly known as the feminist movement, must be understood from the context and the social, economic, and political condition at the time of its emergence. This is because of the emergence of the women movements in Europe, America, and the Islamic countries are affected by the objective conditions of the structural changes that happen in society. Therefore, one way to understand the women movements is to search the explanation from the history.

The women movements in the early development were focused on particular specific issues. In Europe, the momentum of the French revolution and the industrial revolution in Britain became the starting point of awareness of women to demand their rights. In France, the women movements demanded their rights as citizens in the political field, both the right to vote and the right to be

elected. In the UK, the women movements demanded equal rights after the industrial revolution. Although at the time, the women movements had not used the term feminism. Furthermore, the influence of the women movements spread to Europe, USA, and the colonized countries that mostly were eastern nations (Cott, 1987).

Feminist movement in America emerged in around the late 19th century. At first, this movement focused on the right to vote for women. After the right to vote for women was approved in 1920, the feminist movement drowned. The women's position until 1950 was not sued. At that time, the role of women in the domestic sector was considered as an ideal role though at that time many women worked in the public sector. Then in the 1960s when it emerged the liberal movement, the feminist movement in the spirit of liberalism re-emerged by suing that the traditional role of women in the domestic sector had put women in a subordinate position (Muqoyyidin, 2013).

Feminism began to bloom discussed in academic circles in Indonesia since the 1980s. At first, feminism got strong opposition, especially from the patriarchal structures and was considered destabilizing the existing establishment. This can be understood because the information obtained by the society is not wide enough and the stereotype of feminism that came from Western countries with liberal or radical views that were considered not in accordance with the conditions of the people in Indonesia, even considered contrary to religious principles. At first, the women movements in Indonesia was better known as women emancipation, which substantially had in common,

that was an effort to empower women, but with a developed outlook at that time (Rahmawati, 2006). According to Darwin (2004), the idea of gender equality struggled by the women movements was actually not entirely new to the Indonesian context. The history of women emancipation in Indonesia can be withdrawn since the time of colonialism-imperialism through female warriors who fought both physical and non-physical, then followed by the emergence of various women organizations in the struggle for independence, in the old order era, the new order era, to reformation era. Although it is also not entirely mistaken that assumption of some people claims that the concept of gender equality voiced by Western feminists is more about their response to the situation and condition of gender injustice that surrounds them.

However, almost the entire argument about gender originated from an assumption that gender inequality between men and women occurs through a long historical process, formed, socialized, constructed social and cultural, including by the patriarchal society culture and religious traditions. So that the condition is regarded as something generally accepted, natural, innate, and even becomes the rule of God, and indisputable.

In feminism, sex and gender concepts are clearly distinguished. Sex involves the physiological differences that are natural and in the community, this could be the division of gender roles following the natural physiological conditions that are natural (Azizah, 2013). While gender is a social construction about how it should be men and women who cling to the nature of masculine and feminine. Gender differences between men and women which bear differences in gender roles will

not be sued if the gender roles do not cause problems of injustice or subordination of men to women or vice versa. Gender as a social construction result is maybe different between communities and different from time to time and influenced by social, cultural, economic, political, and even religious factors. As a social construction, gender can be reconstructed and even deconstructed (Ilyas, 2006 ; Fakhri, 1999).

According to Muqoyyidin (2013) the gender discourse in Islamic context can be categorized in four appearances, they are gender as thought discourse, gender as a movement, gender as the development from social and religion issues, and gender as an approach in Islamic study. According to Muslih, as quoted by Muqoyyudin, gender activists among Muslims in Indonesia do not all equip themselves with an understanding of gender thought with the basis of ideology. Therefore, some of them are no more than a bunch of women with several activities such as women organizations formed by countries or women organization as their husbands' career companion. Though as an idea, gender can be different or even contrary to the traditions and culture that has been established. Or vice versa, on the other hand, there are groups of women demanding freedom under the pretext of gender equality, which it is often counterproductive and leading to poor judgment of society towards gender. Gender as a movement is understood as a women or feminist movement. This region became area for ongoing work of feminist activists who usually form the organizations that are independent or affiliating with certain organizations or with government institutions.

Various women movements in Indonesia can

perform a variety of activities to empower women with the same sector of movement. But if we look closely, they have a different rationale that is influenced by the ideas of feminism that they profess. According to Muqoyyidin, the majority of gender as a women's movement in Indonesia adheres to the ideology of liberal feminism. This domination along with the symptoms of global liberalization becomes part of the understanding of capitalism. However, other variations found in the study conducted by Rahmawati (2000) to several women NGOs in Yogyakarta, which indicate the existence of mix-liberal ideology between feminism, socialist feminism, and feminism based on religion. They are not too concerned about the absolute ideology basis as basic ideology, but they take some aspects that they think it is relevant for the case of Indonesia and emphasize on women empowerment movements at the praxis level.

It is not easy to look for a point of similarities and differences to understand various developing feminism thought, because each sect was born with different theoretical background. But, one point that can be understood is their lawsuit or rejection to the patriarchal structure that is considered subordinating women. According to that assumption, Megawangi (2000) classifies feminism into two major variants, they are modern feminism theory group and cultural feminism theory group.

The modern feminism theory group is feminism theories which try to do social transformation with revolutionary change. Existentialist philosophy becomes the basic from this theory, that naturally, there is no difference between men and women. Women have to include in men's world to get the equal position and status. Therefore, women need to adopt masculine qualities and have

masculine characters in order to be able to compete with men. Feminist theories that belong to this group are liberal feminism, socialist, marxist, radical, and liberation theology.

Cultural feminism theory group is feminist theories that try to do social transformation with evolutionary change. Deterministic understanding of biology becomes the basis of this theory, that naturally there are some differences between men and women so that there appear feminine and masculine qualities. Therefore, in order to undermine the patriarchy ideology, women should accentuate their feminine qualities. If women can enter into the men's world, the feminine qualities can turn from the hierarchical patriarchal system into matriarchal egalitarian system.

The modern feminism theory group criticizes the cultural feminism theory group because their thought is considered perpetuating the patriarchal system. The romanticism of feminine qualities will cause women to stay in their position as caregiver and keeper figures. While the cultural feminism theory group criticizes the modern feminism theory group because their thought is considered only making women to become men imitation in masculine world because they adopt masculine qualities, such as competitive, dominant, fighter, and etc. So that it will change the actor composition of men and women, but it does not change the patriarchal domination.

Ecofeminism theory was born as a reaction toward modern feminism theory that tends to see individual as *Teori ekofeminisme lahir sebagai reaksi terhadap teori feminisme modern yang cenderung melihat individu sebagai autonomous beings who are separated from environmental influences and can determine their own*

destiny. Ecofeminism theory sees individual as bound being and interacts with his environment. Furthermore, the contiguity between ecofeminism religion produces a new theory called spirituality ecofeminism. Ecofeminism spirituality theory sued liberation theology that aims to deconstruct the religious understanding that is male bias, remove patriarchy, and search theological foundation of equality between men and women in all aspects of life. Spirituality ecofeminism offers an internal transformation that is creating awareness of spirituality of the relationship between humans and the universe, seeing the common core of the different, not with external transformation performed by the modern feminism theory that is deemed to have failed.

GENDER DISCOURSE AND ISLAMIC WOMEN MOVEMENTS: NEW PERSPECTIVE REDEFINING INTERPRETATION OF RELIGIOUS TEXTS

Islamic feminism, like feminism in general, does not arise from a single thought prevailing in all Islamic countries or countries with a majority of Muslim population. Islamic feminism can be understood as a discourse, analysis tool, and movement that is always historical and contextual in answering actual women issues regarding injustice.

Among the contemporary Muslim feminists who question the historical Islamic teaching are Asghar Ali Engineer from India, Rifaat Hassan from Pakistan, Amina Wadud Muhsin from Malaysia, and Fatima Mernissi of Morocco. They argue that Al Qur'an does not see the inferiority of women compared to men. The problem lies in the mufassir, that almost all men, who interpret Al Qur'an inappropriately because interpreting religious texts about women from the men's

perspective (Ilyas, 2006).

Characteristic of Islamic feminism is the intensive dialogue between the principles of justice and equality that exist in religious texts with the reality of the treatment to Muslim women in Muslim society. Change in perception and interpretation of religious texts is the key word for Islamic feminism dealing with the status quo of traditional interpretations that subordinate women. Patriarchy is considered as the cause of misogynistic tendencies in the interpretation of religious texts. Muslim feminism objectives not only liberate Muslim women from gender bias on the interpretation of religious texts, but also men from social structures and religious views that do not give relationship justice between men and women in various spheres of life (Rachman, 2000).

Therefore, according to Baroroh (2002), There are two Muslim feminists focus of attention in fighting for gender equality. *First*, gender inequality between men and women in the social structure of the Muslim society is not rooted from Islamic teaching, but on the understanding that male bias which is believed to be the basic Islamic teachings. *Second*, to achieve gender equality, it needs to reassess sources of Islamic teaching related to gender relations rest on the basic principles of Islamic teaching that are justice and equality.

Muslim feminists distinguish texts into two: The first is the verses that cross the context, it means absolute and universal, there is only one absolute interpretation binding on all space and time, should not be abandoned, and become a foundation in understanding the verses that are sociological. *Second*, sociological verses, they are practical verses that respond the culture of Arab society when the verses were revealed, these verses

provisions should be implemented as long as they are still significant and providing benefit in the present. However, if the circumstances are different and requiring a change, then the interpretation can and should be changed (Muhammad, 2001).

The influence of Islamic feminism towards Muslim women activists in Indonesia started to be felt since the 1990s. Publication of translated books, especially by Riffat Hassan, Fatima Mernissi, Amina Wadud, and Asghar Ali Engineer has provided a new perspective among gender activists. They are looking for an alternative interpretation about the relationship between men and women that is more fair and equitable in the Al Qur'an and Hadith. At the same time, openness to feminist issues also started to appear in Indonesian intellectual circles that are influential such as Nurcholis Madjid, Quraish Shihab, Djohan Effendi, Jalaluddin Rakhmat, Abdurrahman Wahid, Lies Marcoes, Wardah Hafidz, Siti Ruhaini Dzuhayatin, Huzaemah Tahido Yanggo, Masdar Farid Mas'udi, and etc.

RESEARCH METHODS

Literature review conducted are included in the category of library research. Data collection technique used was technical documentation, by collecting various journal articles, theses, dissertations, books, that related to gender discourse and women movement in NU. Besides documentation also obtained from the official website of the NU, Fatayat, and Rahima.

RESULT AND ANALYSIS

THE INFLUENCE OF GENDER DISCOURSE AND WOMEN MOVEMENT TO NU: PROS AND CONS

Among NU, the inclusion of gender discourse and the women movements can not be separated from NU gender activists contiguity with the feminism ideas, especially that developed in the Islamic world in the 1990s, the inclusion of issues of democracy in Islam, and influence the development of new social movements (Robinson, 2009 ; Raharjo, 2011).

Bruinessen (1994) in his study, noted that after NU returned to Khittah in 1926, various discussions about religious issues become increasingly prevalent. In the late 1980s and early 1990s, under the leadership of Abdurrahman Wahid (Gus Dur), critical efforts done to develop a new discourse, implement and extend coverage of reasoning traditional fiqh to an area of contemporary problems. The most general fiqh implementation is the creation of fatwa as *jam'iyah* authoritative provision through bahtsul masa'il institution.

The traditionalist clerics tend to be textual in interpreting fiqh and rejecting ijtihad. But, along with the development of problems of society in economic, political, social, and cultural, it emerges problems that require answers, while there is no reference in the fiqh book or, at least, it is difficult to translate in the traditional fiqh discourse.

Responding that problem, most of the young NU clerics attempt to expand the fatwa coverage and improve the reasoning quality that they use as the basis of formulation. Many young clerics studied in Egypt or Saudi Arabia and knew other madhhabs besides Shafi that predominantly referenced by NU clerics. Interestingly, the criticism toward textual fiqh interpretation did not come from the

NU young generation who experience modern education, but it came from young generation who experience smarter Islamic boarding school education. One of the young cleric at that time who introduced critical reasoning and changes in bahtsul masa'il pattern was Kiai Musthofa Bisri from Rembang, followed by Kiai Muchith Muzadi from Jember, and Kiai Sahal Mahfudz.

One of critical generation is Masdar F. Mas'udi who pioneered the idea of contextual reinterpretation of fiqh. He rejected the attitude of taqlid on four madhhabs adopted by NU, which in practice was dominated by Shafi madhhab. Masdar organized a critical discussion about the *kitab kuning* (yellow book) to broaden the discourse of the established fiqh and highlighted the social problems. The discussion was conducted to understand the contextual *kitab kuning*, which the socio-cultural and historical context needs to be understood when classical books were made, rather than being taqlid on what is written in the book, but to understand and apply their methods of analysis and reasoning (*manhaj*) into the context of the new situation (taqlid on the method used in making the law). This new approach offered was shaking the position and authority of traditional clerics.

The inclusion of gender discourse and Muslim women movements into NU clearly implies to the emergence of pros and cons in NU. The debate is rooted in views about the women position and male-female relations in Islam. Generally, that view is divided into two groups. The first group is they who consider that male-female relation nowadays is in accordance with Islamic teaching, so that it does not need to be sued. This first group considers that feminists' lawsuit toward the women fiqh written

in *kitab kuningis* often exaggerated and erroneous. The mistakes lie on: first, *syari'at* problems often get mixed with *fiqh* problems. Second, the feminists often generalize a case that applies specifically. Third, the clerics' opinions which the law foundation is not necessarily strong is often considered as opinions that represent Islam about women. While the second group is they who think that women still get unfair and discrimination treatment. This condition is not accordance with Islamic values that prioritized justice. This second group see the problems of discrimination and unfairness toward women, one of which sourced from the interpretation of religious text interpretation that is rigid and textual, so that it is needed the contextual reinterpretation. This group gives criticism to the first group who as if placing religious text interpretation (*fiqh*) as religious text itself that cannot or difficult to change (Isma'il, 2000; Fakih, 2000; Mas'udi, 2000).

Several opinions are cons, one of which stated by (Wahid, 2000) who gives sharp criticism toward *fiqh* interpretation done by Fatima Mernissi. Wahid said that Mernissi made a mistake in understanding information, assumption, and full of prejudice in her thinking pattern. According to Wahid, there is no misogynistic tendencies in the hadith narrated by Abu Hurairah and Imam Bukhari as pointed by Mernissi.

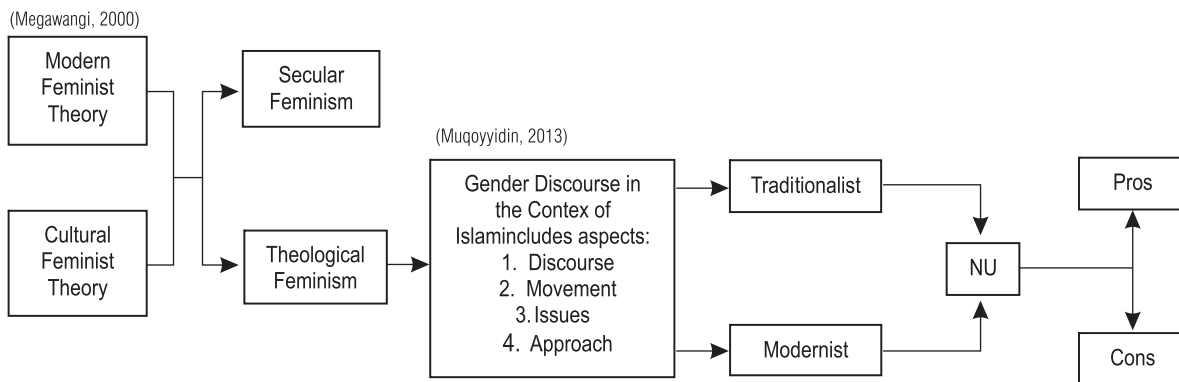
Al-Hasany (2000) even mentions feminism is outdated traditional problems, that is not in accordance with with Islamic values as derived from the liberal Western civilization. Ironically, the United Nations helped legitimizing the struggle of feminism, so that UN member states should also follow it and feminism became a global issue. He quoted some research results and books that show

feminism failure in Western countries and even counter-productive to the struggle of feminism itself. From the failure example, Al-Hasany questioned the positive values of feminism and again contrasted with Islamic values set out in the Qur'an and Hadith. According to Al-Hasany, Muslims who spread the ideas of feminism due to their weakness in understanding the Islamic teachings, anything that comes from the West was considered modern so that various gender issues was legalized by the argument of the Qur'an and Hadith as eclectic culture. According to him, a mistake of Muslim scientists thought about the ideas of feminism can be seen from the justifications, interpolation, subjectivity, and inaccuracy. Justification is an effort to justify new practices by subjecting the texts on the interpretation desired by the interpreter, instead of changing the reality in accordance with the texts. Interpolation is inserting texts into a certain frame of mind possessed by the thinkers, the idea of feminism which is a non-Islamic conceptual framework used as a framework to understand the texts. If the existing texts are not in accordance with the framework of thought, they will be rejected and will look for new texts with various rationalizations. Subjectivity is taking a particular attitude prematurely toward the texts. Two thinkers see the same texts, but from a different perspective. Inaccuracy is carelessness or ignorance of thinker that he adhered to the texts that are not valid.

Softer opinions delivered by Ismail (2000) who says that the *fiqh* of women that is based on *ijtihad* can be re-interpreted in accordance with the changing times. The call made by Muslim feminists to reinterpretation and reconstruction contextually *fiqh* could be carried along into the *fiqh* sphere as

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the *istinbath ijthadi* results and must be carried by people or group of people who are truly competent and meeting certain conditions, such as field the science of *usul fiqh*. While who include in the territory of the *Shari'a Islamiya* cannot be changed.

On the contrary, some supporting opinions also appear in the *Nahdlatul Ulama* community, not only from the young activists but also from the *Kiai* (Male Muslims Clerics) and *Nyai* (Female Muslims Clerics) who are open to the *fiqh* (jurisprudence) reinterpretation contextually. Mahfudh (2012) in his book, explains that *fiqh* as a *shari'a* reflection has four main teaching components, such as *'ubudiyah* (liturgy), *mu'amalah* (professional and civil relations), *munahakah* (marriage), and *jinayah* (criminal). Strengthening the Bruinessen's research result, Mahfudh states that after *Kiai Bisri*, there are some changes in viewing the *fiqh* itself, from viewing it as an "orthodoxy truth" paradigm to a "social signification" paradigm. If the first paradigm shows reality to the truth of *fiqh*, the second

uses *fiqh* as a counter discourse among the politics signification which is lasting. If the first paradigm shows the "black and white" characteristic, the second shows its nuanced characteristic in dealing with social reality. Therefore, Mahfudh, then, introduces the term of social *fiqh* nuance.

According to Mas'udi (2000) the masculine bias in the yellow book can be understood when we consider the modern context in which the gender issue which finds justice in the men and women relation appears. In order not to be trapped in the suspicious and judgmental behavior toward the yellow book, people must understand the historical context of the yellow book making. When the yellow book puts women to be men's inferiority, it can be understood from some factors: First, the teaching of *Al-Qur'an* and *hadits* tends not to put men and women equally. Second, almost all of the yellow book author men which make it difficult to avoid the masculine bias. Third, the yellow book is law product in its era that is in the middle era which was dominated by the patriarchal culture. If

the cultural positions are different then the views will also be different.

Religion has been involved in unfair great cultural wave toward women. Unconsciously, there has been reciprocal power between culture and religion which gives great power in creating subordination and suppression toward women. Even though there are agreements about religion will not be discriminative in every life aspects, the social reality shows that discrimination does occur, especially in the gender relation between men and women locally and in public. Therefore, there are gap and imbalance between religious idealism and social reality. The gap must be changed with critical intellectual strategies toward religious text considered as people beliefs. It will enable to separate the cultural dimension from religious dimension. In the popular perspective of NU, *fiqh* reinterpretation and reconstruction in present social context are needed (Muhammad, 2001).

VIEWING THE DISPUTE OF GENDER AND WOMEN MOVEMENT STUDY IN NU FROM STRUCTURAL AND CULTURAL PERSPECTIVES

Some researches about women studies and movements have been conducted such as by: Bruinessen (1994), Hasyim and Bush (1998), Thoaha (2003), Zahro (2004), Muhammad (2001), Candland and Nurjanah (2004), Rumadi (2008), Effendi (2008), Rumadi (2008), Arnez (2009), Monika (2009), Mufidah (2010), Affiah (2010), Nuryantono and Sukontamarn (2010), Harisudin (2010), Hamidah (2011), Marhumah (2011), Harder (2012), Anshor (2012), Harder (2012), Astutik (2013), and Ma'mur (2014). The studies above can be categorized into two: First, Women discourse and movement of NU from structural perspective.

Second, Women discourse and movement of NU from cultural perspective. This categorization is in line with the factual condition of NU which has unique characteristics since it can be seen from institutional formal perspective as *jam'iyah* (organization/structural) and from mass basic perspective as *jama'ah* (community/cultural).

A. STRUCTURAL PERSPECTIVE

Structural perspective puts NU's structure, in this case are *Bahtsul Masa'il*, *Muslimat*, and *Fatayat*, as the actors taking role in producing gender thought and conducting women empowerment. *Bahtsul Masa'il* institution as the *fatwa* creator authority holder on various public issues become the dispute field of various thoughts including the gender thought inside. Some researches have been done toward *Bahtsul Masa'il* institution such as those done by Zahro (2004), Anshor (2012), and Ma'mur (2014). Zahro did a research on methods, the yellow books which become references, the applied *mazhab*, and the law decision validity (*istinbat*) done by *Bahtsul Masa'il* PBNU (Higher Board of Nahdlatul Ulama) in range of time from Muktamar I year 1926 to Muktamar XXX year 1999. His research finding concludes that the decisions made have been in accordance with the applied conditions. However, there is no definite agreement or final understanding toward the authoritative books (yellow books) which are made as the references in making decisions in *Bahtsul Masa'il*. The absence of agreement toward the authoritative books arises various different interpretations toward the same issue because each interpretation is based on different yellow book reference.

In the regional secretariat area, Anshor did

research about the dynamic of *Bahtsul Masa'il* PWNU (Regional Board of Nahdlatul Ulama) of East Java in doing *mazhab*. According to him, the *Bahtsul Masa'il* of PWNU of East Java has experienced thought liberalization. It is understood that *Bahtsul Masa'il* has been encouraged to release itself from the main four *mazhab* in NU (Hanafi, Maliki, Shafi'i, and Hambali) as far as it is not against the Articles of Association Bylaws (AD ART) and even though it is still in little scale.

The weakness of Zahro and Anshor studies is the studies do not reveal the social, political, and economic contexts in which they affect the decisions of *Bahtsul Masa'il*. Therefore, it makes the decisions are made as if they are only some practical issues controlled by "value" and run through the procedures of "fiqh". In fact, there are many NU decisions controlled by "strategy" and are not independent as a single issue. Even though Zahro and Anshor's researches include about the existence of gender issue discussed in *Bahtsul Masa'il*, these researches do not explain the details of gender issues discussed and how the discussion dynamic is.

A little difference with the previous two researches, Ma'mur (2014) tries to include thought battle inter some groups in making *fatwa* in *Bahtsul Masa'il*. Ma'mur specifically discusses the dynamic of gender thought in the forum of *Bahtsul Masa'il* PBNU in the range of time from 1989-2010 involving conservative, moderate, and progressive groups. The gender issues becoming controversy cover cross-religion marriage, *mut'ah* marriage, women working at night shift outside the house, women leadership, trafficking, and women circumcision. The cross-religion marriage is dominated by the conservative group. The women working at

night shift outside the house issue and women circumcision issues are dominated by moderate group. Meanwhile, the women leadership and trafficking are dominated by liberal group. With the dynamic description, Ma'mur states that NU's thought on gender is with religious gender that is gender based on religious values.

Another study from structural perspective is the study about NU women autonomy organization, they are *Muslimat* and *Fatayat*. *Muslimat* is a women organization of NU which is for adult women, while *Fatayat* is a women organization of NU which is for young women. From some researches done toward both organizations, it can be concluded that *Fatayat* is considered more progressive than *Muslimat* seen from gender thought and working programs done by both organizations.

Muslimat absorbs more conservative gender values as a result of value socialization in NU's culture and interacts more with national gender politics. The research done by Candland and Nurjanah (2004) on *Muslimat*'s involvement supports the Family Planning Program (KB) which becomes the government's program. At the beginning, the different views among the *Kiai* and *Nyai* on Family Planning Program as a program limiting the population caused by the differences in interpreting *fiqh*. However, at the end, the opinions which support this program are more dominant along with the intensity on the government socialization on this program.

Fatayat is more dominated by NU's young women who have higher educational backgrounds, wider mobility and networks, interactions with feminism ideas, and democracy issues in Islam. According to Arnez (2009), *Fatayat* has been experiencing changes toward a more progressive direc-

tion since 1980's. Since that decade, *Fatayat* has experienced important changes in its movement objective and strategy that is doing women empowerment based on Islamic values. It applies local cultural approach and Islamic values as its movement strategy.

The occurrence of new approaches about women's involvement in development that are Gender and Development (GAD) approach and gender analysis put aside previous approaches that are Women and Development (WAD) and Women in Development (WID) approach which are failed in their implementations. It greatly affects toward gender thought and programs run by *Fatayat*. The research finding concluded by Affiah (2010) shows that the use of gender analysis by *Fatayat* considers a background of discourse and policy battle toward WID and GAD approaches. GAD approach becomes the basic individual view to do counter culture in encountering the values standardized by society and the Nation. The effects seen from the use of gender analysis by *Fatayat* are the switch on its views, programs, and activities based on gender analysis.

Funding source also becomes one factor of the independence differences on *Muslimat* and *Fatayatin* developing their thoughts and movements. Nuryantono and Sukontamarn (2010) review the link between *Muslimat* and *Fatayat* funding sources with the women empowerment programs independency done by both institutions. The bigger the funding is, the weaker its bargaining position to create women empowerment programs out of the government's mainstream. While the more independent the funding is, the more progressive the women empowerment

programs done by the women organizations are.

B. CULTURAL PERSPECTIVE

Cultural perspective puts gender activists out of NU's structure as the actor taking role in reproducing gender thought and doing women empowerment (at next, it is called as cultural gender activists). This perspective positively assesses gender reconstruction efforts done by cultural gender activists.

In the era of Abdurahman Wahid leadership, a renewal wave appears inside NU driven by NU youth. Effendi finds that there are changes in religious view among NU youth community and in behavior toward gender injustice in Islamic women community which come from old *fiqh* tradition understood and accepted as the religious teaching standard. The emergence of NU youth is not only in young *Kiai* and young *Nyai* circles but also among the educated NU's young women. Many NU gender activists involved in social activities and religious discourses. In this case, they look for and develop feminism principals through local cultural perspective and Islamic teachings (Effendi, 2008).

According to Effendi, the emergence of NU young generation with various discourses is caused by three facilitating main factors. First, the existence of intellectual tradition formulated in *mazhabiyah* traditional paradigm framework. This tradition is supported and maintained through the existence of Islamic boarding houses as cultural institutions and *bahtsul masa'ilas* the intellectual discourse. Second, the existence of Islamic boarding houses as traditional educational institutions in which Islamic boarding houses taking role as the cultural infrastructures which maintain the continuity of traditional and local and at the same time

are also open toward changes and developments. Third, the existence of *Kiai* plays role not only as religious leaders but also as social leaders.

Understanding the role of *Kiai*, *Nyai*, and the tradition of Islamic boarding houses as the gender reconstruction agent, Hasyim and Bush (1998) have different views with Effendi. Hasyim and Bush criticize the patriarchal culture preserved in Islamic boarding houses through yellow books and *Kiai*-Islamic boarding house Islamic boarding house students relation. They explain the factors causing the discrimination toward women inside NU, they are: First, the role of *Kiai* or *Nyai* in developing gender discourses is less appreciative. Second, gender discourses inside NU is highly oriented to *fiqh*. Third, the two factors develop rapidly inside NU especially in the *Kiai* and Islamic boarding houses circles because culturally, these institutions are paternalistic and patriarchal. In the context of traditional Islamic society, there are meeting points between patriarchal culture and traditions which are dominant in the life of Islamic boarding houses and *Kiai*. With this background, *fiqh* often marginalizes women. The condition is supported by the limited amount of Muslim men, moreover the amount of Muslim women, who understand and are able to interpret religious texts such as Al Qur'an, *Hadits*, and various Islamic literatures. They entrust and are tunduk to the people who are considered of having abilities in interpreting Islamic texts such as *Kiai* and *Nyai* as the cultural and religious broker. The problem is when the *Kiai* and *Nyai* are not sensitive to the gender issues.

However, Hasyim and Bush have different opinion with Effendi. They are in one same perspective in viewing actors outside NU's structure such as *Kiai*, *Nyai*, and Islamic boarding houses

institutions have important roles in reconstructing thought gender in discursive and praxis levels. Moreover, considering the position of *Kiai* and *Nyai* as social cultural broker and religious broker who becomes the reference of the Islamic boarding house students and society in grassroot level. The problem is whether *Kiai*, *Nyai*, and Islamic boarding house institutions are open to the developing gender issues in society or not.

The researches about gender interpretations in Islamic boarding house environments are also done by Mufidah (2010) and Marhumah (2011). Mufidah reviews on the gender interpretations which are formed in the Islamic boarding house circles categorized in the conservative, moderate, and progressive groups. While Marhumah reviews about gender interpretations in Islamic boarding houses by focusing on *Kiai*, *Nyai*, teachers, and Islamic boarding house students as the gender values socialization agents in those Islamic boarding houses.

Rumadi (2008) did research about contemporary thought developing inside NU and focusing on NU's cultural movement in doing counter discourses toward the dominant thoughts. The developing thoughts among NU's progressive activist circles are called by Rumadi, as post traditionalism. Even though, this research does not specifically discuss about the gender thoughts but it discusses the issue as a part of the thorough discussion, at least, the progressive thought description inside NU in feminism studies driven by P3M, Fahmina, LkiS, and Desantara as an institution formed by NU's progressive activists. While the more specific research done about gender thoughts in the cultural gender activist circle done by Hamidah (2011) which reviews on the thoughts of

Masdar Farid Mas'udi, Husein Muhammad, Syafiq Hasyim, Siti Musdah Mulia, and Maria Ulfa Anshor about basic women *fiqh* theology and methodology reconstruction which is gender-fair. This research more emphasizes on individual thoughts of some NU's progressive gender activists.

Commonly, cultural gender activists consider that women still receive unfair treatments and are discriminated. This condition is considered not in accordance with Islamic values which highlight equality. One of the causes of the discrimination and inequality issues toward women is the religious text interpretations which are too stiff and textual. The main criticism toward *fiqh* is its contents which are considered of not supporting women's issues as *fiqh* is made by men and in men's perspectives. Therefore, religious text contextualization and reinterpretation on women's issues are needed. They use terminology, idioms, and *fiqhun-nisa* paradigm (*fiqh* about women) as the tool to introduce, discuss, and promote the women empowerment agenda. The use of *fiqhun nisais* aimed at conditioning *fiqh* to be more relevant with socio-historical context in *nahdliyin* circle. Astutik (2013) mentions strategy applied by Muslim feminists as organic intellectuals which is called by Astutik in the political term as cultural affirmation, that is a strategy to introduce gender equality and justice in Indonesian Muslims society through cultures. Culture becoming a target as it is considered as a tool which preserves gender injustice in society. By using the cultural facility, the Muslims feminists are willingly to change the conservative arrangements. Muslim feminists apply "war position" as their movement strategies by setting the target on religious text interpretations and gender justice socialization in institutions preserving discrimina-

tion culture toward women. Both, then, are inserted in yellow book reinterpretation activities and are socialized in Islamic boarding houses and in the Al-Qur'an verses reinterpretation and are socialized to the society by using "sholawat gender", recruiting women clerics, and making Islamic boarding houses as woman crisis centre.

NU's cultural gender activists cooperate with P3M enlarge the understanding and use of *fiqhun-nisa* (*fiqh* about women) in three elements: First, *fiqhun lin-nisa* (*fiqh* used by women). This *fiqh* is used for arguing that misogynistic and patriarchal *fiqh* must be reinterpreted for women and provides benefits for women. Second, *fiqhun fin-nisa* (*fiqh* based on women). This *fiqh* tries to focus the discussion about women's issues in the public discourse mainstream in which during this time, it has not seriously been considered inside NU. Third, *fiqhun minan-nisa* (*fiqh* formulated by women). In this issue, women can be actors and agents in formulating *fiqh*. However in the reality, women access in *bahtsul masa'ilas* the actors in formulating *fiqh* is still very limited.

The increasing urgency the need toward *fiqh* reinterpretation and contextualization to solve various issues in society is also reviewed by Thoha (2003), Harisudin (2010), and Bruinessen (2009). According to Thoha and Harisudin, when *fiqh* is understood textually, NU intellectual tradition will experience stagnancy as it cannot solve various people problems which are developing along with the modernization and globalization which need religious answers. Therefore, two important things must be done are to implement that *fiqh* has flexibility along with the recent condition and situation demands and to deeply dig *ushul fiqh* and *mantiqas fiqh* interpretation methodology.

Harisudin adds the need of new methods such as hermeneutics and socio-cultural analysis to interpret *fiqh* contextually. Supporting the previous statement, Muhammad (2001) more specifically criticizes on how the yellow books view men-women relations. The link between culture and textual religious teaching interpretation has put women in marginalized position. Therefore, according to Muhammad, it must be separated and differentiated the cultural products from religious values and teachings.

Based on the explanation above, gender and women movement discourses in NU from structural and cultural perspective can be simplified into the following table:

Structural perspective, substantively, assesses that NU structure has been quite accommodating and moderate toward the emergence of gender and women empowerment issues. *Bahtsul Masa'il* institution as the institution making *fatwa* is considered of having given enough wide space for the existence of new gender discourse. *Muslimat* and *Fatayat* as an autonomous organization which is specialized for NU's women is also considered of having taken role in NU's women empowerment through its various programs and activities. Even though in various studies, *Fatayat* is considered more progressive than *Muslimat*. From the gender thought aspect in the discursive level, structural perspective tends more to understand that gender is destiny (though some parts start to understand that gender is a socio-cultural construction especially in *Fatayat* circle). The gender justice concept is accepted as far as it does not involve Al-Qur'an, Hadits, and *fiqh*. While in praxis level, some of the gender activists considering gender as destiny still have patriarchal views both in their

view of men-women relation and gender justice concept.

Cultural perspective substantively assesses cultural gender activists as the group who brings renewal in NU organization and gives appreciations toward gender reconstruction done in discursive and praxis level. From gender thought aspect from discursive level, cultural perspective understands that gender is a result of internalized socio-cultural construction in various aspects of life. The gender justice concept must be inserted in every aspects of life referring to *maqasid as-syar'i*: rights of life, rights of reproduction, rights of property, rights of having religion, and rights of giving opinion. *Fiqh* reinterpretation issue becomes a crucial issue in this approach because during this time Al-Qur'an and *Hadit* texts interpreted in misogynistic cause the discrimination toward women.

However, both perspectives are in crossing side and separated. There is no explanation how discourse differences and women movement between both perspectives dispute each other. Besides, both perspectives have not explained yet the possibility of different views in their own internal sides. The structural approach has not explained the possibility of different views among *Bahtsul Masa'il*, *Muslimat*, and *Fatayat* certain gender issues besides there are some similarities in these structural groups. Also, the cultural approach which puts gender activists out of NU's structure has not explained the possibility of different views which might happen among cultural gender activists. Therefore, as the recommendation for the next research, it will be interesting if it explains the relation of the two approaches in dispute context. How these two approaches dispute in

TABLE

THE COMPARISON OF GENDER DISCOURSE AND WOMEN MOVEMENT OF NU IN STRUCTURAL AND CULTURAL PERSPEKTIF

Studies Aspect	Structural Perspective	Cultural Perspective
Examined Actors	<i>Muslimat, Fatayat, Bahtsul Masa'il</i>	Gender activists out of NU's structure, <i>Kiai-Nyai</i> out of NU's structure
Views toward the examined actors	NU's structure is accommodative and moderate toward gender and women empowerment issues	Gender activist out of NU's structure is groups which brings renewal in NU organization
Views toward gender thought in discursive level	Accepting the gender justice concept which does not involve texts of Al-Qur'an, <i>Hadits</i> , and <i>fiqh</i> as the basic Al-Qur'an dan <i>Hadits</i> interpretation references.	Gender justice in every aspects of life gives new interpretation toward the Al-Qur'an and <i>Hadits</i> texts which are interpreted in misogynistic during this time.
Views toward the gender thought implementation in praxis level	In the discourse it is equal, but in fact, there are some who consider gender as destiny still have patriarchal view both in men-women position and relation and in the gender justice concept	Men and women have the same rights and chances referring to <i>maqasid as-syar'i</i> : rights of life, rights of reproduction, rights of property, rights of having religion, and rights of giving opinion.

gender discourse level and in movement praxis level. Also, how the dispute happens inside each structural and cultural approach. Therefore, a more comprehensive description on women discourse and movement inside NU will be gained.

CONCLUSION

The involvement of NU gender activists with the feminism ideas, the strengthening of democracy issues in Islam, and the effects of civil society development introduced by NGO or new social movement have made gender studies and women movement inside NU in dynamic. The occurrence of the new discourses brought by some NU gender activist results in the thought and movement among the NU activists community. It also happens inside the NU's structure. As the examples of its further implication, some activists who disagree with the thought and movement of *Muslimat* and *Fatayat* as NU female organization found other institutions outside the NU's structure. It shows

that gender thought and women movement in NU is not static and anti-politics, on the contrary, it becomes dynamic and political because each actor involved inside try to affect and dominate each other both in discursive and praxis levels.

Some studies about the women discourse and movement inside NU can be categorized into two perspectives, they are structural and cultural perspectives. This categorization is in line with the factual condition of NU which has unique characteristics since it can be seen from the institutional formal perspective *asjam'iyyah* (organization) and from mass basic perspectives *asjama'ah* (community). The structural perspective puts NU's structures (*Bahtsul Masa'il, Muslimat, and Fatayat*) as actors taking role in producing the gender thought and doing women empowerment. Substantively, the NU's structure is considered quite accommodating and moderate toward the existence of gender issues and women empowerment. From the gender thought aspect in the discursive level, the structural

perspective tends to understand that gender is destiny (even though some other parts have started to understand that gender is a socio-cultural construction, especially in *Fatayat* activist community). The concept of justice in gender is accepted as far as it does not involve the Al-Qur'an texts, *Hadits*, and *fiqh*. While in the praxis level, most of the gender activists still hold the patriarchal views both in their views on the men-women relation and in the concept of gender equality. Cultural perspective puts gender activists outside NU's structure as the actor taking role in reproducing the gender thought and doing women empowerment. Substantively, cultural gender activists are considered as a group which brings renewal in NU organization and gives appreciation toward gender reconstructions done both in discursive and praxis levels. From the gender thought aspect in discursive level, cultural perspective understand gender as a socio-cultural construction. The gender justice concept must be applied in every aspects of life covering rights of life, rights of reproduction, rights of property, rights of having religion, and rights of giving opinion. *Fiqh* reinterpretation issue becomes a crucial issue since during this time, Al-Qur'an and *Hadits* texts interpreted in misogynistic are the cause of discrimination toward women.

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