

Implementation of *Mubādalāh* in Households: A Study of the Fulfillment of the Rights and Obligations of Contemporary Husband and Wife

Agus Hermanto^{1*}, Rochmad², Mahmudin Bunyamin³, Siti Nurjanah⁴, Agus Setiawan⁵

¹ Raden Intan State Islamic University, Lampung, Indonesia

² International Islamic University Malaysia (IIUM), Malaysia

³ Raden Intan State Islamic University, Lampung, Indonesia

⁴ Islamic Institute of Metro Lampung, Indonesia

⁵ Ma'arif University Lampung, Indonesia

Abstract: Men are heads of households and wives are housewives. That is the paradigm embedded in our society in general, because so far men have always been the main ones in the front line while wives have always been in a limited area, the problem is that contextually, the role of women is no longer in the domestic area alone, but many have also played a role outside the home to help their husbands earn a living. The question in this article is how can the rights and obligations of husband and wife be carried out in this context? The purpose of this research is to obtain a reconstruction of new rights and obligations that are based on fikih mubadalah. This research is a literature research study, qualitative analysis approach with analysis of mubadalah theory, primary data sources obtained from several documents related to this study. The result of this study is that partners between men and women in realizing justice in the household must be equal, such as mutual deliberation, mutual realization of democracy and mutual good deeds in relationships. The contribution of this article can be applied in households to achieve a harmonious and prosperous household.

Keywords: Contemporary, Household, Mubadalah, Rights and Duties

Abstract: Laki-laki adalah kepala rumah tangga dan istri adalah ibu rumah tangga. Begitulah paradigma yang tertanam dalam masyarakat kita pada umumnya, karena selama ini laki-laki selalu menjadi yang utama digarda depan sedangkan istri selalu di wilayah yang terbatas, yang menjadi masalah adalah bahwa secara kontekstual, peran perempuan tidak lagi di wilayah domestic semata, melainkan juga telah banyak yang berperan diluar rumah untuk membantu suami mencari nafkah. Pertanyaan dalam artikel ini adalah bagaimanakah hak dan kewajiban suami istri dapat dilakukan dalam konteks ini? Tujuan penelitian ini adalah mendapatkan sebuah rekonstruksi terhadap hak dan kewajiban baru yang bercorakkan fikih *mubadalah*. Penelitian ini merupakan kajian penelitian pustaka, pendekatan analisis kualitatif dengan analisis teori *mubadalah*, sumber data primer diperoleh dari beberapa dokumen yang terkait dengan kajian ini. Adapun hasil dari penelitian ini bahwa mitra antara laki-laki dan perempuan dalam mewujudkan keadilan dalam rumah tangga, harus adanya kesalingan, seperti halnya saling bermusyawarah, saling mewujudkan demokrasi dan saling berbuat baik dalam pergaulan. Kontribusi artikel ini dapat diterapkan dalam rumah tangga untuk mencapai rumah tangga yang harmonis dan sejahtera.

Keywords: Hak dan Kewajiban, Kontemporer, Mubadalah, Rumah Tangga

Corresponding author:

Agus Hermanto*

gusher.sulthani@radenintan.ac.id

Dates:

Received: Desember 02, 2024; Accepted: December 16, 2024; Published: December 20, 2024

Copyright:

© The Author(s). 2024 Open Access This is an open access article under the (CC BY-SA 4.0) license.

How to cite this article:

Hermanto, A., Rochmad, M.B., Nurjanah, S., Setiawan, A., (2024). Implementation of Mubadalah in Households: A Study of the Fulfillment of the Rights and Obligations of Contemporary Husband and Wife. *Journal of Islamic Mubādalāh*. 1 (2). 96-111
DOI: <https://doi.org/10.70992/0bphsv24>

Introduction

Islam provides information that men and women have equal rights and degrees, as in Q.S. Al-Hujurat: 13. Islam was revealed on earth proclaiming the humanity of both men and women as complete human beings. (Asnawi, 2022). Women are no exception, women are human beings who have dignity and nobility equal to men. Al-Quran Surah An-Nisa' verse 1 emphasizes that both (women and men) were created from one element (*nafs wahidah*) (Reni Nur Aniroh, Khoiruddin Nasution, 2018). Islam explicitly places women as equal partners with men as stated in al-Qur'am Surat At-Taubah Verse 71. (Nawawi, 2022).

However, the interpretation of classical fiqh regulating the roles of men and women in a household is distorted, where the position of men is as leaders in the household and wives are housewives. (Nurani, 2021). The role of men as heads of households means that they are absolutely responsible for the livelihoods needed by their wives and children, as well as the role of wives who are also always obliged to take care of all the needs in the house, starting from their role of helping and serving their husbands, as well as taking care of and caring for children at home (Roszi et al., 2021). (Roszi et al., 2021). This is also in line with the laws and regulations in Indonesia, both Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law (KHI). (Hazarul & Rahman, 2021). The roles of men and women normatively, both in classical fiqh studies and Indonesian legislation, have explicitly regulated that the husband is the head of the household and the wife is the housewife.

Problems then arise related to regulations governing the rights and obligations of husband and wife (Article 31 of the Marriage Law). The regulation takes concepts and references that legitimize the husband's position as head of the family. While the wife's position is declared a housewife, why not just say *Mr. Household* or *Mr. Family* to the husband? So that the position of the two looks *equal* (equal) and complementary in accordance with the demands of the Qur'an "*hunna libasun lakum wa antum libasun lahunna* (the wife is a protector for the husband and vice versa, the husband is a protector for the wife) (Q.S. al-Baqaraah, 2: 187). (Mulia, 2014).

The community's view of the husband as the head of the family is based on theological verses, namely the words of Allah SWT in an-Anisa 4: (34): *ar-rijalu qowwamuuna 'ala an-nisaa'* which is always translated: *men are leaders for women*. In relation to the verse, we must first explain the meaning of *qawwam* (Mun'im et al., 2024). Even if it is interpreted as "leader", the leader that Islam wants is a leader who is democratic, loving and understanding, not a leader who is authoritarian, coercive and arbitrary towards his wife (Imamah et al., 2019).

Legislation of laws and regulations in Indonesia, allegedly cannot be separated from the process that makes classical fiqh studies the main source of reform in Indonesia. The classical fiqh concept of the role and position of husband and wife is based on the word of Allah swt., in Surah al-Nisa verse 34 and al-Tahrim verse 6 and also in the hadith of the Prophet SAW, "*It is enough for a man to sin when he wastes his dependents.*" (HR. Muslim) (Khairuddin & Salam, 2021). The majority of scholars, both Hanaffiyah, Malikiyah, Shafi'iyah and Hanabilah, have no disagreement about the concept of the roles of men and women in the household. (Masruchin & Nuraeni, 2021). Law No. 1 of 1974 in Articles 30 to 36 and the Compilation of Islamic Law (KHI) in Articles 77 to 78. (Nurjanah et al., 2022) (Muhammad Fuad Mubarak & Agus Hermanto, 2023)

There have been many studies that have discussed the concept of family law, for example the dissertation of UIN Syarif Hidayatullah. Ahmad Tholabi Kharlie, *Indonesian Family Law*, in accordance with its mission, the modernization of family law in Indonesia is actually able to manage the behavior of Indonesian society. This can be seen from several aspects of

modernization. Modernization of family law has also been able to reduce the number of polygamy and divorce in Indonesia. Abdul Halim's dissertation, *Political Islamic Law in Indonesia*, this dissertation proves that the policy of transforming Islamic law into national law has no relationship with the struggle towards an Islamic state or Islam as the basis of the state. On the contrary, the legislation of Islamic law into state legislation has a positive contribution in strengthening the bonding power of Muslims to the commitment of the nation state (*nation state*) because shariah can go hand in hand and *compatible* with Pancasila and the 1945 Constitution. The process of transforming Islamic law into national law is called "constitutional theory" and "democratic theory". (Halim, 2008).

Dissertated by Abdul Mustaqim, discussing the "*Feminist Tafsir Paradigm of Reading the Qur'an with Women's Optic Discussing Riffat Hasan's Thought on Gender Issues in Islam*", hermeneutic analysis (*fiqh tafsîr al-ta'wîl*), he views that feminist *mufasssirs* actually only want to contextualize the understanding of the Qur'an, by capturing the spirit of the idea behind the literal text. They do not change or reject the Qur'an. But only want to develop the interpretation of the Qur'an. Because actually rejecting a product of interpretation of the Qur'an is not the same as rejecting the Qur'an itself. This tends to be a general study related to this matter. Yunahar Ilyas's dissertation, *Seminism in the Study of Classic and Contemporary Tafsir al-Qur'ân*, examines that the verses of the *Qur'ân* are fair in viewing human degrees, only devotion measures a person. In another book entitled *Gender Equality in the Qur'an Studies of the Thoughts of the Mufasssirs*, which discusses several verses that are considered discriminatory against women, namely about equality in creation, equality in prophetic rights, equality in marriage (guardianship, divorce, polygamy, interfaith marriage, and leadership in the family), equality in inheritance and equality in public roles. (Y. Ilyas, 2006).

Nasaruddin Umar's dissertation, *Arguments for Gender Equality in the Perspective of the Qur'an*, thoroughly examines verses that are considered contrary to gender equality, interpreting the interpretation of verses that are considered incompatible with the religious mission of justice. (Umar, 2021). And Dewani Romli's dissertation, *Indonesian Islamic Family Law Reform in the Perspective of Maqāshid al-Syarī'ah and its Application (Analysis of Counter Legal Draft-Compilation of Islamic Law)*. Examines CLD-KHI, especially related to marriage guardians, witnesses in marriage, inheritance distribution and polygamy. (Romli, 2016).

The analytical gap of this article is different from the studies mentioned above. The novelty of this article focuses more on the rights and obligations of husband and wife can be done in this context. The purpose of this research is to obtain a reconstruction of new rights and obligations that are characterized by *fikih mubadalah*. Therefore, it is actually very important if the concept of *fikih mubadalah* can be instilled and initiated so that all possibilities of conflict can be resolved in a wise, wise and *maslahat* way. There have been many theories of conflict, and even the *problem of sofing* on cases of violence, but this study is oriented towards *fikih mubadalah*, as well as being able to initiate new products in the world of *ijtihad*. The door to *ijtihad* is always open and never closed, it's just that to realize different patterns of legal products (which are influenced by social and cultural), it must also use different methods. Likewise, in initiating a new style of *fiqh*, in this case gender theory is offered, which is carried by Muslim feminists who are liberal, radical, Marxist and socialist.

Methods

This article uses a qualitative approach. The purpose of using qualitative methods is to understand social phenomena in depth. In this article, the purpose of using qualitative to analyze the phenomenon of community households in general, this is related to the fulfillment of the rights and obligations of husband and wife, then analyzed using the

mubadalah theory framework. The mubadalah theory was popularized by Faqihuddin Abdul Kodir, this theory as an analytical concept in exploring the conditions of husband and wife relations in the household. This type of article is a literature study, library research is research conducted by collecting and analyzing data from various literature sources. The approach used is a phenomenological approach.

The primary source in writing this article is the book *Qiro'ah Mubadalah* by Faqihuddin Abdul Kodir. While supporting data sources used in library research can be in the form of books, magazines, journals, documents, research reports, and others. The author explores some literature on the rights and obligations of husband and wife in Islam as well as literature on mubadalah as a concept and method of gender justice in the household. Literature research has several objectives, including: Obtaining relevant research information, deepening theoretical studies, sharpening methodology, reviewing previous research to find shortcomings that can be used as reinforcement for research. The approach used in this article is a normative approach. The primary source of data for this article is obtained from literature sources related to this article, as a primary source of mubdalah theory obtained from the book by Faqihuddin Abdul Kodir, as the author of the book *Qiro'ah Mubadalah*.



Results

Construction of *Mubādalah*

Mubādalah is an Arabic word that means exchange, both physical such as trade and non-physical such as tolerant behavior. (Faqihuddin Abdul Kodir, 2019). It also means reciprocity, reciprocity, or reciprocity. This word is used for an understanding and resistance movement against all forms of values and behaviors that are tyrannical, hegemonic, discriminatory and oppressive, and changes to norms and perspectives on the relationship between women and men that lead to the value of reciprocity, loyalty, cooperation, equality and togetherness, for a better, fairer, peaceful and prosperous life. Precisely, for the happiness of both in this world and in the hereafter. Both.

In language, it is the perspective of equality. In terminology, it can be defined as "Islamic principles regarding the interdependence of men and women in carrying out their gender roles in the domestic and public spheres, based on equality between them, justice and benefit for both, so that one does not hegemonize the other, or become a victim of injustice from the other. But a relationship that supports each other, cooperates with each other, and helps each other" (Habib Ismail, 2020).

In a simple explanation of this *mubādalah* perspective, if smiling, hospitality, serving, and all pleasant actions are good for the wife to do to the husband, then they are also good for the husband to do to the wife. Likewise, if speaking badly, being ungrateful, insulting, swearing, hitting, violence, and performing any unpleasant actions are bad for the husband to receive from the wife, they should also be avoided by the husband so that they do not happen to the wife at all. This is an example of an explanation in domestic life (Faqihuddin Abdul Kodir, 2019).

In the public sphere, the *mubādalah* perspective requires the equality of women and men as citizens in the eyes of the law. Thus, both have the same rights and obligations, in order to complement, strengthen, and build a good social life for the whole community. Like men, women must also be given ample opportunities to contribute to the public sphere and

benefit from it. At the same time, men should also be encouraged to contribute to the domestic sphere and enjoy intimacy with their families, especially children. (Kodir, 2006). Of course, this is without excluding the possibility of distinctive differences between men and women. There are even differences among individuals, especially those with special needs.

This life belongs to both men and women, so it should benefit both. Islam was also revealed for the benefit of both, so its texts must be read to ensure that both receive this benefit. In the meantime, many aspects of life are reserved for men, but not for women. Likewise, many aspects of domestic life are imposed on women, but not on men. Likewise, Islamic texts are read, mostly, by seeing men as the subject of the text and women as the object. (Werdiningsih, 2020).

For example, we are only familiar with the concept of a righteous wife for a husband. But rarely are we introduced to the concept of a righteous husband for a wife. We are also often instilled with the assumption that women are seducers and spreaders of charm (*fitnah*), so control and all kinds of restrictions on their activities become legitimate. We forget that men are also seducers and charmers, and we let them do all the real damage. We also often give credit to men as fathers of households and breadwinners. We forget to appreciate, even deny, the many facts of women who support the family. For these things, the perspective and method of mubadalah is important to present. (Hermanto, 2018).

There are many verses that serve as the basis for *mubādalah*. Among the most obvious is at-Taubah verse 71. This verse emphasizes the interconnection between men and women. Where one is a helper, support, lover, and supporter of the other. Various classical commentaries, both from the textual (*bi al-ma' tsūr*) and rational (*bi al-ra' yi*) schools, interpret the phrase *ba'ḍuhum awliyā' ba' ḍin* as helping (*tanāṣur*), loving (*tarāḥum*), loving (*taḥābub*) and supporting (*ta' āḍud*) each other. One another. With these meanings, the phrase (*ba'ḍuhum awliay ba'din*) indicates the parallel and equality between one another.

There are many other verses, such as (al-Baqarah, 2: 197; 232; 233, Ali Imrân, 3: 195, and an-Nisâ 4: 19) that specifically emphasize the perspective of explicit equality between men and women, both in the social and domestic spheres. (Santoso, 2019). In addition to general verses about the importance of interdependence in life, such as verses al-Mâidah (5: 2) and al-Anfâl (8: 72).

While the most inspiring hadith text for mubadalah is the following narration: "*Narrated Anas ra, from the Prophet SAW, said:*

"None of you has faith until he loves for his brother what he loves for himself". The Muslim narration adds: "or for his neighbor what he loves for himself". In the narration of al-Nasa'i there is an addition: "what is loved for himself from good things". Ahmad's narration reads: "None of you has faith unless he loves for others what he loves for himself". (Sahih Bukhari no. 13, Sahih Muslim no. 179, Sunan at-Turmudhi no. 2705, Sunan an-Nasai no. 5034, Sunan Ibn Majah no. 69, and Musnad Ahmad no. 14083).

The concept of *mubādalah* is actually one of the methods that directly integrates with gender issues, more than that, the concept of *mubadalah* actually becomes a counterweight to liberal gender theory. (Qodir, 2019). The concept of *mubādalah* can actually be used as a rule of text interpretation, and more than that, it can also initiate a new style of fiqh that is invisible, especially those related to gender relations issues. Thus, texts that are linguistically for men can target women, as well as texts for women also include men. As long as the message of the text is general and covers both genders, the text can be interpreted in a different way. (Asnawi., 2024). Meanwhile, the dichotomy between texts for men and texts for women has given birth to various interpretations of Islam regarding gender that are absolute, sexist,

unequal, and preserve various violence against women. This dichotomy has also given birth to a dominant culture, from one gender to another, hegemonic, and ultimately destructive. (Kodir, 2019).

When confronted with a text, either Qur'an or Hadith, then do not get hung up on the subject object which usually contains male and female elements. The Arabic language is very thick with typical male or female word and sentence structures. Instead, focus on the message the text is trying to convey. Relate this message to the principles of equality that are scattered in various other verses and hadith. Then apply the message in a parallel way. If it is literally from men to women, then it can be from women to men. So that the message of the text can be applied by and for both. (Nurjanah & Nur, 2022).

For example, the verse ar-Rûm (30:21), in Arabic, is for the man as the speaker so the object is the wife. "Allah created for you (Arabic "*kum*" meaning you men) wives so that you may find peace from them (wives)". This is a literal translation. But the main message of the text is about marriage creating mutual tranquility between husband and wife (see for example QS. 2: 187). The technique of reciprocal interpretation is to take the main message and then reverse the subject and object. So, "Allah also created you (O women) your husbands so that you can find peace from them". Since the Indonesian language does not recognize gender, it can actually be directly translated which is more reciprocal. Namely: "Among His verses, He created for you all couples (marriage), so that you can find peace from them".

For example, the verse in al-Baqarah (2:223) states that "your wives are a field (of sex) for you, so deal with them in a way that pleases you". This is of course a literal interpretation by seeing the text inviting men to speak and women becoming their objects. If it is to be interpreted in *mubādah*, then it can be interpreted: "your husbands, O wives, are a field of sex for you, so deal with them accordingly and in a way that can bring you pleasure". This is because sexual activity and pleasure, as explained in various verses and hadiths, is a shared right between husband and wife. Therefore, the verse must be interpreted reciprocally. Otherwise, it will be unequal, and women can never be subjects when it comes to sexual activity and benefits.

The first is literal interpretation, while the second is *mubādah/reciprocal* interpretation. If in more neutral Indonesian, the translation of the verse in *mubādah* could be as follows: "Your marriage partner is your sexual field, so you can have sex with them according to your (pleasure)".

In general, not even just religious texts but all texts and realities. Because the reality of life can never be separated from the identity of men and women. As long as we believe in the principles and values of interconnectedness, then the method can be applied. But of course, as the fiqh rule "*likull qa'idatin mustatsnayati*", the exceptions are also undoubted. Especially for things that are biological in nature, such as pregnancy and breastfeeding. Therefore, this interpretation rule still needs to be refined by various parties (Anggoro, 2019).

Maqḥūm mubādah can also be developed as a node of teachings and laws related to issues of men and women's relations in Islam. This node is commonly known as the "Rule of Fiqh Law". Thus, the fiqh rule of *mubādah* can be formulated in the following sentence: "What is *maslahat* (good) for one of the sexes must be brought in for both and what is *mudarat* (bad) for one of them must also be kept away from both". (Hermanto & Ismail, 2020)

Concept of Gender Justice

The Qur'an basically has the principles of justice, equality, democracy and good neighborliness, namely by means of; *First, the principle of justice (al-adl)* (Firdawaty et al., 2024). There is no doubt that the formation of Islamic fiqh discourse is inseparable from the

principle of justice, the Imams built the fiqh discourse with justice *andhabit*. So in this context, the principle of justice in fiqh is the existence of a balance in viewing the rights and obligations between women and men in a professional manner, in accordance with the nature of the origin of the two types of humans who were created equal (equal) and balanced by Allah SWT. This kind of justice is in line with the nature of Allah Swt., who is the Most Just and clearly stated in the Qur'an that God never does injustice. The Qur'an as the word of God cannot be used as a source of human injustice, and justice towards Muslim women cannot be understood as *god-derived*.

The goal of Islam is to establish justice on earth. Alignment (equality) and balance as the main principles of justice referred to above must be scheduled in the framework of the formation of new fiqh from the perspective of gender justice. Gender justice means seeing men and women as equal, not based on differences, not differences that are natural. (Nawawi, 2022).

Second, the principle of equality (musâwah). This equality must cover various fields and levels of life. What is meant in the principle of equality in this case, is not to equalize physically between men and women. And this is also strongly denied by feminists. Equality here means equalizing the rights and obligations of men and women in front of Allah, because many of the inequalities between men and women are caused by socio-cultural constructions, not by religion itself. Allah, the *Almighty*, states that all servants of Allah, the *Almighty*, are equal before him. The only difference is the value of piety. Piety is not a gender-biased thing because everyone is given the right to achieve it. (Asnawi, 2024).

Third, deliberation (shura). Although deliberation is only mentioned once in the Qur'an, in the practice of the Prophet's life, deliberation was often carried out, especially when he wanted to carry out a war strategy or other matters of public interest. In this deliberation between the Prophet and his companions, they also did not always have the same view, even they could sometimes differ sharply. This happened, for example, when the apostle and the companions made a strategy for the uhud war.

In the modern world, the concept of shura is often identified with democracy. It may be epistemologically similar, but that does not mean there are no similarities between the two, especially in practice. The most important similarity is that they both absorb the aspirations of the people and decision-making is not only based on the opinion of one person, but follows the most reasonable voice or the one that gets the most support. This is why modern Islamic intellectuals equate shura and democracy as synonymous.

It turns out that the concept of shura is not only useful for macro matters (public life), such as state affairs, but also useful for micro matters (private life), for example, in family life. In the context of family life, it is expected that this shura becomes a mechanism in resolving conflicts that may occur. In relation to the agenda of reconstructing a new gender-perspective fiqh, the concept of shura is also expected to provide an epistemological *platform* that a science must be compiled based on democratic principles, meaning free from certain biases, including gender bias.

Fourth, Mu'asyarah bi al-ma'rûf. *Mu'asyarah bi al-ma'rûf* is an act that humanizes humans because this principle considers all humans to be treated well, especially in the relationship between husband and wife. *Ma'ruf* is not only related to good (*khair*), but also contains goodness that pays attention to patricularity and locality. The application of *mu'asyarah bi al-ma'ruf*, as well as making patricularities related to the character of women at least understandable. (Nawawi, M Anwar & Siti Mahmudah, 2022).

Forms of Gender Injustice

Gender inequality is a system and structure where both men and women are victimized by the system. (Hermanto, 2017a). According to Masdar Farid Mas'ud, quoted by Sofyan in *Feminist Jurisprudence*. There are five forms of gender injustice as a manifestation of gender bias, namely; *First*, Burden, women bear more and longer domestic workloads than men. *Second*, Subordination, the underestimation (subordinating) of women in all fields (education, economy, politics). *Third*, Marginalization, the process of impoverishment of women because they are not involved in decision-making in important matters related to the family economy. *Fourth*, *Stereotype*, the negative labeling of women, because they are considered as additional breadwinners. *Fifth*, *Violence*, the existence of physical and psychological violence against women because of the husband's assumption as the sole ruler in the household. (Hermanto, 2017a).

According to Mansour Fakihi, gender injustice is manifested in various forms of injustice, namely; 1) marginalization or the process of economic impoverishment, 2) subordination or insignificance in political decisions, 3) *stereotype* formation or through negative labeling, 4) *violence*, 4) burden, longer and more workloads, and socialization of gender role value ideology. (Hermanto, 2017b).

According to Yunahar Ilyas, gender injustice comes from a misunderstanding of the concept of gender with the concept of sex. Although from a linguistic point of view gender and sex have in common, namely sex, but conceptually the two words have many meanings of inequality. (Y. Ilyas, 2006).

There are many factors that cause women to experience gender bias (inequality), so they are not yet equal. 1) the patriarchal culture that has dominated society for so long, 2) political factors, which have not fully favored women, 3) economic factors, where the global capitalism system that has swept the world, often exploits women, 4) the factor of gender-biased interpretation of religious texts. (Mustaqim, 2011).

According to Masour Fakihi, there are five factors, which make women oppressed, namely; *First*, the existence of male arrogance which does not provide opportunities for women to develop optimally. *Second*, the assumption that men are the main breadwinners in the family. *Third*, the existence of a culture that always favors men has taken root in society. *Fourth*, discriminatory legal norms and political policies. *Fifth*, Women are very vulnerable to rape or sexual harassment and if it happens it will damage the image and norms both in the family and society, so women must be restrained by special rules that translate women in the domestic area only.

According to Nasharuddin Umar, as follows; 1) the lack of clarity between sex and gender in defining male and female roles. 2) the influence of Isra'iliyyat stories that are widespread in the Middle East. 3) the method of interpretation that has so far referred to a textual approach rather than contextual. 4) Another possibility is that the reader is not neutral in assessing the texts of the Qur'anic verses or is influenced by other perspectives in reading the verses related to gender, so that it seems as if the Qur'an favors men and supports the patriarchal system which is considered by feminists to be detrimental to women. Gender bias can be caused by reading gender verses in a biased manner. (Umar, 2021).

According to Iskandar Ritonga, cited by Sufyan, the factors that cause gender discrimination and injustice are caused by; 1) the interpretation of gender-biased religious (Islamic) texts, 2) the existence of social constructions (customs and culture) that place women in a position that is not equal to men, 3) the existence of labeling that is detrimental

to women, 4) the existence of discriminatory laws, 5) the attitude of law enforcers who are not sensitive to legal issues. (Ula, 2021).

Husein Muhammad said, sociologically and culturally, Islam was first present in Arab society which was very thick with patriarchal culture. They greatly glorify men and maleness, and conversely devalue the potential of women. Such a culture influenced and shaped the awareness and assumptions that women are passive beings, while men are destined to be active. Such awareness and assumptions have also greatly influenced the forms of religious appreciation that we have inherited until today. (Husein Muhammad, 2007).

Yunahar continues that the construction and historical journey of human civilization is influenced by various factors, namely; social, cultural, economic, political including interpretations of religious texts. (Y. Ilyas, 2006).

According to Syafiq, hasyim, there are at least seven basic characteristics of jahiliyah treatment of women that Islam rejects, namely; *First*, women are human beings who are not recognized by law (Nur et al., 2023). *Second*, women at this time were perceived as property. *Second*, women do not have the right to divorce. *Third*, women do not have the right of inheritance, but even inherited like land, animals and other objects of wealth. *Fourth*, women do not have the right to care for their children. *Fifth*, women do not have the freedom to spend their property. *Sixth*, the burial of baby girls alive (Hasyim, 2001).

Discussion

Initiating *Mubādah* as a Reconstruction of the Fulfillment of Rights and Obligations of Sumi Wife

Jurisprudence is a science of shar'iyyah rulings obtained through the process of *istidlal*, but these rulings are often referred to as *fiqh*. Nowadays, the term *fiqh* is no longer intended as a set of knowledge about the law, but the *fiqhiyyah* laws themselves are called *fiqh* (Ibnu Elmi AS. Pelu, 2021). In other words, *fiqh* is a legal product produced by scholars based on their understanding of a *text*. Therefore, the truth of *fiqh* is not an *absolute* truth (*qadh'i*), but rather a *dhanni* truth. (Yoki Pradikta et al., 2024)..

In material terms, the seeds of women's (feminist) *fiqh* (Bashin, 1995) In material terms, the seeds of women's *fiqh* (feminist) (Bashin, 1995) have been around for a long time, although the form is still very simple, which is just a categorization and classification of which things are women's affairs and responsibilities and which things are prohibited for women, both in worship, muamalah and *al-ahwāl al-syakhsiyyah*, even though what is emphasized is the dryness of *fiqh* from a gender perspective and rational defense of women.

Feminist jurisprudence in the context of Islamic tradition is very important and urgent for the present, with the realization of social transformation, especially in Indonesian society, in this case to free Muslim women and men from social structures and teaching systems that do not allow them to build equal and equitable patterns of relationships.

Throughout the history of Islam, we have recorded a number of efforts to reform Islamic law, both radically and gradually. It is not surprising because efforts to reform Islamic law are very possible as long as they still refer to the moral values of the Qur'an which are elaborated into six main principles as follows; 1) the dynamics of the times that continue to develop which gave birth to various forms of social change, 2) Islamic law reform is carried out on matters not concerning shari'i (basic principles of religion), but only revolves around *fiqhi* issues (the results of scholarly thinking on shari'ah that is insaniyyah, and temporal), 3) Islamic law reform based on the principle of "keeping the old that is still relevant, and taking a new one that is better". 4) Islamic legal reform must be followed by a critical attitude towards the

classical scholars' treasures without losing respect for them, 5) Islamic legal reform means understanding and reassessing the entire Islamic tradition, including the interpretation of the Qur'an or hadith and also the law, by understanding morally, intellectually and contextually, and not focusing solely on the formal legal aspects of the law which tend to be persial and local, 6) Islamic legal reform still adheres to *maqashid al-ahkam al-syar'iyyah* and for the sake of achieving the benefit of the people. (Nasution & Nasution, 2021).

According to Ferdinand de Saussure, quoted by Syafiq Hasyim that there are two kinds of methods in reading texts, namely; 1) *tazammuni* (synchronicity), reading a text by linking a past reality with the reality of the present, 2) *isqathi* (diachrony), reading a text with a meaning that develops with the contemporary period breaking all ties of past meanings. (Hasyim, 2001).

According to Khoiruddin Nasution, there are two characteristics of modern Islamic law reform, namely; 1) *intra doctrinal* reform, this characteristic appears with the reform of Islamic family law carried out by combining the opinions of several madzhab imams or taking the opinions of madzhab imams outside the adopted madzhab. 2) *extra doctrinal reform*, which reforms family law by giving a completely new interpretation to the existing texts. This is what is then called *ijtihad* (Nasution, 2005).

Gender is basically a difference in sex that is not biological and not God's nature. Sex differences are God's nature, so they are permanently and universally different, while gender is the difference between men and women based on social construction. A difference that is actually not God's nature, but a difference that is deliberately created, both on the part of men and women through a very long social and cultural process. (Mulia, 2008).

The Qur'an and sunnah as a guide to life for Muslims, contain universal values that guide human life. These values include humanity, justice, equality, independence and so on. Regarding the value of equality and justice, Islam never tolerates differences and discrimination. It is proven that the position of men and women is equal. Among others QS. Al-Baqarah/2: 187, QS. Ali Imran/3: 195, QS. Al-Taubah/9: 71 and others. All of them emphasize the principle of equality in viewing women and men, both in terms of worship and domestic life.

Islam teaches everyone about equality, that women do not only work in the household, but they also have the right to receive an education that is equal to men. The concept of equality in the household has become an interesting discussion along with the emergence of feminism that demands equality between men and women in all aspects. Discussions about women's nature have also colored this debate.

Talking about the etymology of women's emancipation, means talking about the nature of feminism by investigating the nature and reality of feminism with rational reflection and *logic synthesis* analysis. This can vary according to the paradigm, which is the fundamental view of the *subject matter* of the object under study (*subject matter*). (Mansour Faqih, 2006).

Feminist mufassirs actually only want to contextualize the understanding of the Qur'an, by capturing the spirit of the idea behind the literal text. They do not change or reject the Qur'an. But only want to develop the interpretation of the Qur'an. Indeed, rejecting a product of Qur'anic interpretation is not the same as rejecting the Qur'an itself.

The feminist interpretation paradigm model tends to assume that verses about gender relations are contextual, not a normative statement that is a *state of being*, but a *state of becoming*. In other words, verses such as those on inheritance, polygamy, leadership, hijab, testimony and the rights and duties of husband and wife, only explain the socio-historical reality of Arab society at that time. Unfortunately, by the classical mufassirs and their

followers, the verses that are actually sociological in nature tend to only be understood in a literal and textual manner, so that the results of interpretation when read in the current context look gender biased.

Along with the emergence of gender issues that are increasingly lively echoed by women activists, both on a local, national and international scale, the reconstruction of the method of interpretation of the Qur'an becomes something that is undoubtedly, in order to produce interpretations that are more gender sensitive and able to capture social humanitarian problems.

According to Asghar Ali Engineer, in terms of equality between men and women, this implies at least two things; 1) in its general sense, this means acceptance of the dignity of both sexes in equal measure, 2) people must know that men and women have equal rights in the social, economic and political fields. (Asghar Ali Engineer, 2000).

When talking about fiqh which is the result of *ijtihad*, it will actually produce *istibath* which is *furu'i*. fiqh will always develop and update according to the situation and conditions. In the concept of fiqh *mubâdalah*, there are several important things contained in it, namely; *First*, how the relationship between husband and wife in a family. *Second*, this book offers the concept of piety with justice which is also a criticism of the concept of modern feminism theory. Furthermore, Faqihuddin, the author of *Qiraah Mubadalah*, explains that equality in the relationship between husband and wife in Indonesia is still not fully implemented. Social constructions that position women lower than men hinder the fulfillment of this justice, so that women are often in a difficult position when faced with household conflicts. (Adib & Mujahidah, 2021).

The concept of *mubâdalah* basically teaches us to view others and ourselves as equally honorable human beings, this is in accordance with the hadith "*laa yu'minu ahadukum hatta yuhibba li akhihi ma yuhibba linafsihi*," In responding to the theory of global feminism, by looking back at the concept of justice sourced from the Qur'an and hadith in order to provide criticism and counterbalance western theory to pesantren science that prioritizes the benefit of the people sourced from the teachings of *salafus shalih*. (I. Ilyas et al., 2023).

The book *Qira'ah Mubadalah* offers interpretations and works of interpretation of texts and traditions with the perspective of equality between men and women, or *mubadalah*, on the verses of the Qur'an, hadith texts, and the heritage of classical scientific traditions. This interpretation comes in the spirit of *Islam rahmatan lil 'alamin*, that the grace of Islam is for men and women. Both, not just one of them. What is needed is cooperation based on mutual trust, not mutual suspicion and fear. Let alone domination, coercion, and violence.

This *mubâdalah* interpretation is based on a reciprocal perspective that consciously places women and men as whole and equal human subjects, each other not hegemonic, but mutually supportive and complementary. An interpretation that tries to transform hierarchical relations into egalitarian, cooperative, and reciprocal ones. So that justice is not defined essentially for moral and social order where men are positioned higher and served, but essential and substantial justice where both men and women are positioned as equal human beings and partners who cooperate with each other. Equality while paying special attention to the biological differences of women who menstruate, become pregnant, give birth, and breastfeed, as well as the potential of those who are socially marginalized.

In the perspective of *mubâdalah*, religious interpretations and religious practices should not be used as a basis for the domination of one sex over the other. Moreover, allowing tyranny and preserving hegemony. That there are differences between men and women is undoubted. But not to distinguish one as nobler and more important than the other. Morally and

religiously, one should not be more selfish and arrogant than the other. Nor should one be marginalized and humiliated because of the other. Neither should anyone be a victim of physical, mental, economic, political and social violence. Especially in the name of Islam.

This book emphasizes a religious perspective that focuses on the balance of relations and interconnectedness. I refer to this perspective and approach as *mubdalah* or the perspective of equality in interpreting issues of gender relations in Islam, based on source texts and Islamic scientific traditions.

Of course, the *mubādalah* perspective in this book also disagrees with the opposite perspective, which places women always in the right and places men as the culprit and source of problems. This book is not promoting women, to blame, corner, demean, and discredit men. Rather, it emphasizes the realization that the world is too simple to be approached only from a male perspective. Instead, the world must be seen through the eyes of both men and women, managed by both men and women, and enjoyed by both men and women. The relationship between the two must be a true partnership and cooperation, strengthening, complementing, supporting, and helping each other.

The perspective of *mubadalah* in this book comes as part of the da'wah work of perfecting (itmam) morals that were previously maslahat, good, and noble. Da'wah of refinement is the main mission of the Prophet Muhammad *PBUH* that we still have to do continuously. The academic tradition of interpreting Islamic texts has been good. But for one reason or another, distortions occur and require refinement. The distortion in question is when the texts are only approached from the side of men as subjects without involving women. (Habib Shulton Asnawi, 2004).

The refinement is with the perspective and method of *mubadalah* that wants to ensure the presence of women as subjects in approaching the text. Thus, morals that are maslahat must be maslahat for men and women. Good morals are good if they are really good for men and women. Likewise, noble morals are only perfectly noble if women and men are equally glorified. (Mu'in et al., 2023). It is in this role that this *mubadalah* book is present.

Abu Hurairah (ra) reported that the Messenger of Allah (saw) said: "Verily, I was sent to perfect morals that are beneficial". (Musnad Ahmad, no. Hadith: 9074). Another narration: "I was sent to perfect good manners" (Muwatta' Malik, no. Hadith: 1643). Another narration: "I was sent to perfect good manners" (Sunan Baihaqi, no. Hadith: 20782). (Hermanto, 2017b).

The qiraah *mubādalah* offered by this book is actually an important contribution, not only in understanding religious texts, but also as a way of looking at the world. Although this method is intended to respond to primary texts in Islam that use language with a certain gender consciousness, the same method can also be a new way of looking at social diversity so as not to create inequality in relations (I. Ilyas et al., 2023). Relational inequality, whatever it is, can lead to injustice because it starts with a negative view of the differences between the parties in the relationship. One of the serious challenges to realizing gender justice is the dichotomous perspective on men and women. Men and women are different, so they are seen as opposed to each other. One party must conquer the other. If they don't, then they will be conquered. The patriarchal system plays a big part in this dichotomous view. Men are placed in a superior position, while women are inferior as their servants. Women's value is determined by the extent to which she benefits men (Source: https://shopee.co.id/Qiraah-Mubadalah-Tafsir-Progresif-untuk-Keadilan-Gender-dalam-Islam-i.355786_91.1849487112, uploaded on November 30, 2024). The principle of *mubādalah* or parallelism is not only applied to husband-wife or household relationships. But it can also be applied in the

relationship of an organization or company (Source: <https://fahmina.or.id/fahmina-institute-terapkan-prinsip-mubadalah-dalam-organisasi/>, uploaded on 30 June 2020)....

Conclusion

The conclusion of this article is that in some communities there are still practices of injustice and inequality experienced by wives in the household, especially related to the inequality of husband and wife relations in terms of carrying out rights and obligations in the household. This reality is apparently supported by *stereotypes* such as that women are low, stupid and weak (even by women themselves). The factor of inequality in the fulfillment of the rights and obligations of husband and wife is due to the strength of patriarchy in the household. As a result, there is inequality in social status and roles, marginalization and poverty, underdevelopment and regression as well as dependence and powerlessness of women. The solution to realizing the rights and obligations of husband and wife in the household requires an understanding that between men and women in realizing the rights and obligations between the two are as partners, mubadalah is a solution to realizing husband and wife as household partners by applying the principle of interdependence, such as mutual consultation, mutual realization of democracy and mutual kindness in relationships. Islam actually ideally-normatively does not differentiate between men and women, let alone discriminate against women. In fact, bringing the benefit and mercy of all nature (*rahmatan li al-alam*), Islam places the elevation of the degree and position of women as proof of its primacy. Gender bias judgment basically comes from three basic assumptions about religious beliefs, namely; 1) dogmatic assumptions that explicitly place women as complements, 2) matrealistic views, the ideology of pre-Islamic Makkah society that underestimates the role of women in the production process.

Bibliography

- Adib, M. A., & Mujahidah, N. (2021). Konsep Mubadalah Faqihuddin Abdul Kodir dan Formulasinya dalam Pola Pengasuhan Anak. *Fokus: Jurnal Kajian Keislaman Dan Kemasyarakatan*, 6(2), 171–192. DOI: <https://doi.org/10.29240/jf.v6i2.3412>
- Anggoro, T. (2019). Konsep Kesetaraan Gender Dalam Islam. *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies*, 15(1). DOI: <https://doi.org/10.18196/aijis.2019.0098.129-134>
- Asghar Ali Engineer. (2000). *Hak-hak Perempuan dalam Islam* (LSSPA (ed.)).
- Asnawi, H. S. (2024). Mental Rehabilitation of Divorce Prohibition Victim Wives Through the Balancing Institution of Megou Pak Customary Pepung and its Implications Against Household Harmony. *COUNS-EDU: The International Journal of Counseling and Education*, 8(3). DOI: <https://doi.org/10.23916/0020230842630>
- Asnawi, H. S. (2022). *Dinamika Hukum Perkawinan di Indonesia Tinjauan Hukum Keluarga Islam terhadap Legalitas Perkawinan Kepercayaan Penghayat*. CV. Bildung Nusantara. <https://balaiyanpus.jogjapro.go.id/opac/detail-opac?id=346958>
- Asnawi, H. S. (2024). Sejarah, Urgensi dan Tipologi Pencatatan Perkawinan dalam Undang-undang Keluarga Islam di Negara Muslim. *Bulletin of Community Engagement*, 4(2). DOI: <https://doi.org/10.51278/bce.v4i2.1468>
- Bashin, K. (1995). *Persoalan Pokok Mengenai Feminisme dan Relevansinya*, terj. S. Sarlina. Gramedia.

- Faqihuddin Abdul Kodir. (2019). *Qira'ah Mubadalah*. IRCiSoD. <https://ircisod.com/product/qiraah-mubadalah/>
- Firdawaty, L., Asnawi, H. S., & Mahmudah, S. (2024). Semanda Lekok in the Sai Batin Community, Lampung: Wife's Domination of Marital Assets from Maqāṣid al-Sharī'ah Perspective. *Samarah*, 8(3). DOI: <https://doi.org/10.22373/sjhk.v8i3.19894>
- Habib Ismail, H. S. A. (2020). "Discrimination Against Wife In The Perspective of CEDAW and Islam Mubādalah." *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 20(2). DOI: <https://doi.org/10.18326/ijtihad.v20i2.253-268>
- Habib Shulton Asnawi. (2004). The Ummah's Rejection of the Prophetic Message and Its Relevance in with Feminist Legal Theory's Criticism of the Marriage Law. *RADEN INTAN: Proceedings on Family and Humanity*, 1(2). <https://radenintan.pascasarjanauinril.com/index.php/radenintan/article/view/48>
- Halim, A. (2008). *Politik Hukum Islam di Indonesia*. Badan Litbang dan Diklat Departemen Agama RI. <https://inlislite.uin-suska.ac.id/opac/detail-opac?id=115>
- Hasyim, S. (2001). *Hal-Hal yang Tak Terpikirkan tentang Isu-Isu Perempuan dalam Islam*. Mizan Media Utama.
- Hazarul, A., & Rahman, A. (2021). Kewajiban Suami Memberi Nafkah dalam Kompilasi Hukum Islam. *Jurnal Al-Iqtishod*, 5(1). <https://ejournal.kopertais4.or.id/tapalkuda/index.php/IQTISHOD/article/view/4194>
- Hermanto, A. (2017a). Islam, Perbedaan dan Kesetaraan Gender. *Nizham Journal of Islamic Studies*, 5(1). <https://e-journal.metrouniv.ac.id/nizham/article/view/928>
- Hermanto, A. (2017b). Teori Gender dalam Mewujudkan Kesetaraan: Menggagas Fikih Baru. *Ahkam: Jurnal Hukum Islam*, 5(2). DOI: <https://doi.org/10.21274/ahkam.2017.5.2.209-232>
- Hermanto, A. (2018). Rekonstruksi Konsep Hak dan Kewajiban Suami Istri dalam Perundang-undangan Perkawinan Indonesia. *Justicia Islamica*, 15(1). DOI: <https://doi.org/10.21154/justicia.v15i1.1455>
- Hermanto, A., & Ismail, H. (2020). Criticism of Feminist Thought on the Rights and Obligations of Husband and Wife from the Perspective of Islamic Family Law. *J. Islamic L.*, 1, 182.
- Husein Muhammad. (2007). *Fikih Perempuan*. LKiS. https://books.google.co.id/books/about/Fiqh_Perempuan.html?id=4rGtDwAAQBAJ&redir_esc=y
- Ibnu Elmi AS. Pelu, A. D. (2021). Marital Property within the Marriage Law: A Debate on Legal Position and Actual Applications. *Al-Jami'ah Journal of Islamic Studies*, 59(2). <https://aljamiah.or.id/index.php/AJIS/article/view/59202>
- Ilyas, I., Rani, F. A., Bahri, S., & Sufyan, S. (2023). The Accommodation of Customary Law to Islamic Law: Distribution of Inheritance in Aceh from a Pluralism Perspectives. *Sa*, 7(2). DOI: <https://doi.org/10.22373/sjhk.v7i2.15650>
- Ilyas, Y. (2006). *Seminisme dalam Kajian Tafsir al-Qur'ân Klasik dan Kontemporer*. Pustaka Pelajar. <https://balaiyanpus.jogjaprovo.go.id/opac/detail-opac?id=10284>
- Imamah, N., Lin, T. J., Suhadak, Handayani, S. R., & Hung, J. H. (2019). Islamic Law, Corporate

- Governance, Growth Opportunities and Dividend Policy in Indonesia Stock Market. *Pacific Basin Finance Journal*, 55(February), 110–126. DOI: <https://doi.org/10.1016/j.pacfin.2019.03.008>
- Khairuddin, & Salam, A. J. (2021). Konsep Nusyuz Menurut Al-Qur'an dan Hadis (Kajian Hak dan Kewajiban Suami-Istri dalam Rumah Tangga). *El-Usrah: Jurnal Hukum Keluarga*, 4(1). DOI: <https://doi.org/10.22373/ujhk.v4i1.10096>
- Kodir, F. A. (2006). Mafhum Mubadalah: Ikhtiar Memahami Qur'an dan Hadits untuk meneguhkan Keadilan Resiprokal Islam dalam Isu-isu Gender. *Jurnal Islam Indonesia*, 6(2). <https://jurnalislamindonesia.isif.ac.id/index.php/Jurnal-Islam-Indonesia/article/view/28>
- Kodir, F. A. (2019). *Qiraah Mubadalah, Tafsir Progressif untuk Keadilan Gender dalam Islam* (Rusdianto (ed.)). IRCiSoD.
- Mansour Faqih. (2006). *Membincang Feminisme Diskursus Gender Perspektif Islam, Cet. III*. Risalah Gusti.
- Masruchin, & Nuraeni, W. (2021). Hak dan Kewajiban Suami Istri dalam Perspektif Tafsir Klasik dan Kontemporer. *Hermeneutik: Jurnal Ilmu Al-Qur'an Dan Tafsir*, 15(2). DOI: <https://doi.org/10.21043/hermeneutik.v15i2.11596>
- Mu'in, F., Faisal, Fikri, A., Asnawi, H. S., & Nawawi, M. A. (2023). The Practice of Substitute Heirs in Indonesian Religious Court: Restricted Interpretation. *Al-Ahwal*, 16(1), 75. DOI: <https://doi.org/10.14421/ahwal.2023.16107>
- Muhammad Fuad Mubarak, & Agus Hermanto. (2023). Hak dan Kewajiban Suami Istri dalam Konsep Kesetaraan Gender Perspektif Maqasid Syariah. *The Indonesian Journal of Islamic Law and Civil Law*, 4(1), 93–108. DOI: <https://doi.org/10.51675/jaksya.v4i1.298>
- Mulia, S. M. (2008). *Menuju Kemandirian Politik Perempuan*. Kibar Press.
- Mulia, S. M. (2014). *Kemuliaan Perempuan dalam Islam*. Jakarta: Elex Media Komputindo.
- Mun'im, Z., Nasrudin, M., Suaidi, & Hasanudin. (2024). Revisioning Official Islam in Indonesia: The Role of Women Ulama Congress in Reproducing Female Authority in Islamic Law. *Ahkam: Jurnal Ilmu Syariah*, 24(1). DOI: <http://dx.doi.org/10.15408/ajis.v24i1.34744>
- Mustaqim, A. (2011). Kisah Al-Qur'an: Hakekat, Makna, dan Nilai-nilai Pendidikannya. *Uloomuna Journal of Islamic Studies*, 15(2).
- Nasution, K. (2005). *Hukum perkawinan I*. Yogyakarta: ACAdemia & TAZZAFA.
- Nasution, K., & Nasution, S. (2021). Implementation of Indonesian Islamic Family Law To Guarantee Children's Rights. *Al-Jami'ah*, 59(2). DOI: <https://doi.org/10.14421/ajis.2021.592.347-374>
- Nawawi, M Anwar, H. S. A., & Siti Mahmudah, A. (2022). The Concept of Maṣlaḥah Family in Lampung Customary Law : A Study of Mak Dijuk Siang and Its Relevance to Indonesian Marriage Law. *Fikri: Jurnal Kajian Agama, Sosial Dan Budaya*, 9(1). DOI: <https://doi.org/10.25217/jf.v9i1.4710>
- Nawawi, H. S. A. dan M. A. (2022). *Hegemoni Patriarkhisme Hak Keadilan Perempuan dalam Undang-Undang Perkawinan di Indonesia*. The Journal Publishing.

<http://thejournalish.com/ojs/index.php/books/article/view/358>

- Nur, E. R., Mu'in, F., & Hamsidar, H. (2023). The Reconstruction of The Livelihood Concept from A Mubadalah Perspective in Lampung Province. *Samarah*, 7(3). DOI: <https://doi.org/10.22373/sjhc.v7i3.17613>
- Nurani, S. M. (2021). Relasi Hak dan Kewajiban Suami Istri dalam Perspektif Hukum Islam (Studi Analitis Relevansi Hak dan Kewajiban Suami Istri Berdasarkan Tafsir Ahkam dan Hadits Ahkam). *Al-Syakhsiyyah: Journal of Law & Family Studies*, 3(1). DOI: <https://doi.org/10.21154/syakhsiyyah.v3i1.2719>
- Nurjanah, S., Hermanto, A., Mayasari, L. D., & Hermawati, N. (2022). Al-Mubādalah fi Mafhûmi Fiqhi al-Mar'ah al-Mu'âshirah bi Indûnîsiyâ. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 17(1). DOI: <https://doi.org/10.19105/al-Ihkam.v17i1.6140>
- Nurjanah, S., & Nur, I. (2022). Gender Fiqh: The Mobilization of Gender-Responsive Movements on Social Media. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 22(1). DOI: <https://doi.org/10.18326/ijtihad.v22i1.1-18>
- Qodir, F. A. (2019). Qira'ah Mubadalah: Tafsir Progresif untuk Keadilan Gender dalam Islam. *Yogyakarta: IRCiSoD*, 28. <https://balaiyanpus.jogjaprovo.go.id/opac/detail-opac?id=309642>
- Reni Nur Aniroh, Khoiruddin Nasution, A. S. (2018). The Bilateral Inheritance System in Islamic Family Law: Fairness, Equality, and Mutual Exchange Perspectives. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(2). DOI: <https://doi.org/10.22373/sjhc.v8i2.17630>
- Romli, D. (2016). *Pembaharuan Hukum Keluarga Islam Indonesia dalam Perspektif Maqāshid al-Syari'ah dan Aplikasinya (Analisis Terhadap Counter Legal Draft-Kompilasi Hukum Islam)*. Bandar Lampung: IAIN Raden Intan Lampung.
- Roszi, J. P., Nafi'an, Z., 'Ilman, & Hamda Sulfinadia. (2021). Pengaruh Tanggung Jawab Rumah Tangga Mahasiswa Menikah terhadap Prestasi Akademik. *Jurnal AL-AHKAM*, 12(2). doi: DOI: <https://doi.org/10.15548/alahkam.v12i2.3608>
- Santoso, L. B. (2019). Eksistensi Peran Perempuan Sebagai Kepala Keluarga (Telaah terhadap Counter Legal Draft-Kompilasi Hukum Islam dan Qira'ah Mubadalah. *Marwah: Jurnal Perempuan, Agama Dan Jender*, 18(2). DOI: <https://doi.org/10.24014/marwah.v18i2.8703>
- Ula, S. K. (2021). Qiwama dalam Rumah Tangga Perspektif Teori Mubadalah dan Relevansinya di Indonesia. *Mahakim: Journal of Islamic Family Law*, 5(2), 135-148. <https://doi.org/10.30762/mahakim.v5i2.138>
- Umar, N. (2021). *Argumen Kesetaraan Gender Perspektif al-Qur'an* [Paramadina Jakarta]. <https://inislite.uin-suska.ac.id/opac/detail-opac?id=28493>
- Werdiningsih, W. (2020). Penerapan Konsep Mubadalah Dalam Pola Pengasuhan Anak. *IJouGS: Indonesian Journal of Gender Studies*, 1(1), 1-16. DOI: <https://doi.org/10.21154/ijougs.v1i1.2062>
- Yoki Pradikta, H., Budianto, A., & Asnawi, H. S. (2024). History of Development and Reform of Family Law in Indonesia and Malaysia. *KnE Social Sciences*, 2024(4). DOI: <https://doi.org/10.18502/kss.v9i12.15863>