

# Gender and Religion: An Islamic Perspective

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## المخلص

يعتبر موضوع التمييز الجنسي (Gender) من الظواهر الحديثة التي شاع الحديث عنها في الآونة الأخيرة ويحظى باهتمام في أوساط المجتمع بدأ من الحركة النسائية إلى المثقفين والعلماء والمفكرين ورجال الأعمال رجالا ونساء على حد سواء. ومن المؤسف حقا أن فكرة التمييز الجنسي التي شاعت في حياتنا المعاصرة تتهم العامل الديني بأنه السبب الرئيسي لهذا الظلم الموجه إلى المرأة حيث يستخدم البعض الدين كمبرر على إظهار المواقف الغير العادلة لـ دور المرأة بالمقارنة مع دور الرجل، مع أن الإسلام هو الدين الذي ينادى بالمبادئ السامية مثل العدالة والمساواة بين الناس.

وانطلاقاً من ذلك ظهرت في هذه الآونة بعض الأصوات والروح الجديدة لدى بعض رجال الدين وأوساط الحركة النسائية التي تنادى بتحديد طريقة الفهم الديني من الطريقة التقليدية التي تبسم بتغليب الرجال على النساء إلى الطريقة الحديثة والتي هي التحرر وترك التقاليد القديمة.

ومن هنا تأتي أهمية هذا البحث حيث يحاول الإسهام بدراسة كيفية بناء الوعي المبني على التمييز الجنسي للمسلمين في نظرهم على تقاليدهم الدينية.

فقد كشف هذا البحث بأنه قد بدأ ظهور هذا الوعي لدى المسلمين في النصف الثاني من القرن التاسع عشر. حيث رد أنصار الحركة النسائية على الرأي الذي ينادى بالتمييز الجنسي بين الرجال والنساء وكذلك تغليب الرجل على المرأة وحاولوا أن يجتهدوا في فهم المبادئ الإسلامية الحقة. وفي هذا الإطار فقد أكدوا على أهمية التفريق الدقيق بين مفهوم الإسلام الديني والحضاري.

### Abstrak

Membincang persoalan jender merupakan suatu trend baru yang saat ini tengah menjadi fenomena yang meluas dan cukup menyerap perhatian dan sorotan banyak kalangan. Dari mulai aktivis perempuan, akademisi, intelektual, ulama, kaum profesional, dan, bahkan, hingga kaum lelaki dan masyarakat pada umumnya. Seiring dengan semakin majunya cara berpikir dan prilaku manusia, maka semakin menggema dan dahsyatnya suara-suara yang menggugat berbagai ketidakadilan jender yang dialami kaum perempuan selama ini, baik dalam sektor domestik maupun sektor publiknya.

Ironisnya, yang paling disoroti dan dituding banyak orang sebagai biang dari ketidakadilan tersebut adalah eksistensi agama. Agama selama ini dijadikan sebagai alat untuk mengabsahkan ketimpangan jender perempuan terhadap laki-laki. Padahal, agama pula yang menyuarakan tentang prinsip-prinsip universal, semacam keadilan dan kesetaraan derajat manusia. Karena itu, pada perkembangan kontemporer muncullah suara-suara dan spirit baru dari sebagian agamawan dan kaum feminis untuk mereformasi cara memahami agamanya. Dari cara konvensional yang sarat dengan nuansa patriarkhalnya kepada cara baru yang lebih membebaskan dan mensterilkan diri dari tradisi lama tersebut.

Di sinilah letak signifikansinya tulisan ini yang berupaya memberikan suatu kontribusi untuk mengkaji bagaimana umat Islam harus membangun kesadaran jender dalam melihat tradisi keagamaannya. Dari kajian ini terungkap bahwa pada paruh kedua abad 19 Masehi mulai tumbuh kesadaran

jender di kalangan umat Islam. Feminis Muslim menyuarakan penolakan atas ketidaksetaraan kontruksi jender dan dominasi laki-laki terhadap perempuan. Sebab itu, mereka melakukan berbagai *ijtihad* dalam mengartikulasikan prinsip egalitarianisme Islam yang semestinya. Dalam konteks ini, menurut mereka, perlu dilakukan pembedaan secara demarkatis antara Islam sebagai agama dan Islam sebagai budaya.

## A. Introduction

In recent years, almost everyday gender injustice occurs in societies around the world, such as the discrimination of women. This injustice usually occurs in two ways: *first*, in the domestic sphere, and, *second*, in the public sphere. Regarding this injustice, many people often condemn religion as a source of many problems. In fact, many people recognize religion as a scapegoat for gender injustice.

If this matter is examined more closely by looking at religious texts, in contrast, actually almost all of them reject gender injustice. The Qur'an, for instance, states: "*O humankind! We created you all out of a male and female, and have made you into nations and tribes so that you might come to know one another. Verily the noblest of you in the sight of Allah is the one who is most deeply conscious of Allah. Actually Allah is the Most omniscient and also the Most knowing.*"<sup>1</sup> This verse states that women and men have equal status. So, the problem then is not in the religious texts itself but the gender injustice coming from understanding, interpretation, and religious thinking of these texts, which is influenced by a patriarchal culture and such as.

Therefore, a sociological examination about the relationship of women and religion, especially in Islam, will become an interesting discussion. This work has two main goals: *firstly*, to examine why and how the gender injustice occurs in Islamic discourses, and *secondly*, to seek reformation models of religious thinking on women's status and role.

## B. Religious Texts in a Sociological Perspective

Images of women in religious texts are seemingly repeatedly misunderstood to produce stereotypical sex roles and to define women as subordinate to men. Edwards Lane's ethnographic study in Egypt shows that in

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<sup>1</sup>49: 13.

Islam women's performance in the public sphere is a source of temptation and social conflict. Therefore, in the name of purity of the soul and spiritual values, women must be excluded—including—from ceremonies of religiosity. Lane took an example of the Friday prayer, the *muslimah* (the female Muslim) of Egypt are absolutely prohibited to attend it. However there is no religious text that prohibits women's attendance at this.<sup>2</sup> In my opinion, their attendance and involvement in the ritual are very important to set an example of the sameness and education of religiosity wherein it has influence for themselves and their children.

Whether or not a group of religious believers accept their religious tradition as literally true and divinely ordained by God or whether the groups sees their religious text as subject to interpretation influences the group's acceptance of transformed religious roles for women. Sociologists see all religious texts, including the Qur'an, as cultural and historical documents, beside as Sacred texts. Thus, they see also these texts as not containing truth *per se*, but as cultural artifacts—records of particular cultural beliefs, historical practices, and societal legends. These histories and texts as neither true nor false, but as symbols, powerful as they may be of group belief and—as Durkheim called with—collective consciousness of a society. Consequently, they are subjects of interpretation and symbolization that used by religious groups.<sup>3</sup>

Understanding those religious texts as cultural and historical documents can help us to understand why feminists reject misogynist tradition of religious beliefs and institutions and why they also see that religious texts provided theological and philosophical basis for advocating women's liberation. For them, Holy Texts became commandment of God that will liberate them from gender injustice and unequal their own faith. Here, Holy Texts must be liberated from sexist interpretation, which still dominated our mind and action until now. Beside that, they must be liberated not only from ancient exegeses but also from patriarchal refraction that came from Holy Texts itself.

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<sup>2</sup>Valerie J. Hoffman-Ladd, "Women Religious Observances" in John L. Esposito, et al (eds.), *The Oxford Encyclopedia of The Modern Islamic World*, (New York and Oxford: Oxford University Press, 1995), vol. IV, p. 327.

<sup>3</sup>M. L. Andersen, *Thinking About Women Sociological Perspectives on Sex and Gender*, (New York: Macmillan Publishing Company, 1998), p. 231 & 248.

Nowadays some Muslim scholars have awareness to reinterpret "misogyny verses" in the Qur'an. Nasaruddin Umar, for example, critically examined the gender concept in the Qur'an. This reinterpretation is very important to Muslims because there are many gender refraction in their Qur'anic interpretation. This Emergence gender refractions of Qur'anic interpretation, according to Umar, was caused by different factors: *firstly*, there is difficulty to distinguish between sex and gender when we define women and men's role. *Secondly*, the influence of *Israiliyah*<sup>4</sup> stories that developed widely in the Middle-East region. *Thirdly*, the method of Qur'anic interpretation, which still dominates among Muslim scholars, is a textual approach, not a contextual approach.<sup>5</sup> *Finally*, readers of the Qur'an are still not neutral when they interpret it or still too influenced by other perspectives, such as a patriarchal mainframe, when they read gender verses in the Qur'an.<sup>6</sup>

### C. A Gender Analysis toward Islam

In this part, I will discuss about gender awareness in the Muslim world. As what happened in other parts of the world related to the emergence of gender consciousness, many Muslim feminists voiced the need for re-thinking women's status and role, especially in Islamic discourses. Their view was that Muslim women were free to redefine their own lives as women, to counter patriarchal hegemony and strive for more egalitarian gender arrange-

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<sup>4</sup>According to Nurcholis Madjid, this term sometimes is related by term of *Nashraniyah* (Christianity). There were reasons why *Israiliyah* emerged in Muslim exegeses (*tafsir*); *firstly*, Islam, in the Qur'an's perspective, claims itself as a continuity of Abrahamic religion; Jew and Christianity. Therefore, many Qur'anic teachings command to Muslims to believe all prophets and their Holy Books, including to Moses and his the Torah or Jesus and his the Bible, as well as to Muhammad and his the Qur'an. *Secondly*, conversion of Jews and Christian peoples to Islamic circumstance, either as new comer Muslims or as *ahl dhimmi* (non-Muslims people in the covenant of protection with the Muslim power in Islamic law), influenced in *Israiliyah* and *Nashraniyah* among Muslims (Cf. Nurcholis Madjid, "Pengaruh Kisah Israiliyat Dan Orientalisme Terhadap Islam", in Abdurrahman Wahid, *et al.*, *Kontroversi Pemikiran Islam Di Indonesia*, (Bandung:PT. Reamaja Rosdakarya, 1991), p. 91 and Shodiq Ihsan, "Al-Israiliyat Dan Tafsir" in Abdurrahman Wahid, *Ibid*, p. 111.

<sup>5</sup>A best book for our understanding textual or contextual methods of the Qur'anic interpretation is Farid Esack's *Qur'an, Liberation and Pluralism*, especially in chapter 2, "Between Text and Context in Search of Meaning. See Farid Esack, *Qur'an, Liberation and Pluralism*, (Finland, Oneworld Publications, 1997), p. 49-79.

<sup>6</sup>Nasaruddin Umar, *Argumen Kesetaraan Gender Perspektif Al-Qur'an*, (Jakarta: Paramadina, 1999), p. 21-2.

ments in families, communities, and nations in the modern era. In the second half of the nineteenth century, Margot Badran reported, some Muslim women began to articulate an awareness of the unequal construction of gender and domination of males over females.<sup>7</sup>

Elaborations of this understanding and innovative forms of activism that gave rise to Muslim women's feminism. Women of the middle and upper classes have produced diverse feminist discourses and movements in varying communities at different historical moments. Muslim feminists have insisted on the equality of women and men as citizens in the public sphere and have accepted complementarity of roles in the family sphere. Their feminism has been articulated in the discourses of their national, secular, and religious cultures. Their discourses whose central concern is how woman engage or intersect with other discourses concerned with the nation, Islam, or democracy. During nationalist movements or at moments of liberal nation building, some feminists tried to reconfigure patriarchal nationalist ideology into a more gender-egalitarian nationalist ideology. Feminisms in Muslim societies, whether articulated in liberal nationalist terms or socialist terms, have affirmed Islam. Some of them, however, used *ijtihad* (individual inquiry into scriptures) to articulate an egalitarian Islam.<sup>8</sup>

In recent years the Qur'an, as the Muslim Holy Text, has become a touchstone for controversy as well as piety, especially among modern Muslim feminists.<sup>9</sup> Because they view the Qur'an as the very word of God, it naturally occupies the central place in their religious life. It is the one means for discovering the will of God and for measuring the success of a life lived in accordance with it. The Qur'an has shaped the individual and collective lives of Muslims in many ways.<sup>10</sup>

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<sup>7</sup> Margot Badran, "Feminism" in John L. Esposito, *et al* (eds.), *The Oxford Encyclopedia of The Modern Islamic World*, (New York and Oxford: Oxford University Press, 1995), vol. II, p. 19.

<sup>8</sup> *Ibid.*

<sup>9</sup> Vincent J. Cornell, "the Qur'an as Scripture" in John L. Esposito, *et al* (eds.), *The Oxford Encyclopedia of The Modern Islamic World*, (New York and Oxford: Oxford University Press, 1995), vol. III, p. 392.

<sup>10</sup> The Qur'an plays a central role in the larger world of Muslim society in at least five realms. *Firstly*, as the fundamental text of Islam, it is cited as the ultimate authority in all matters pertaining to religion. Thus the Qur'an furnishes the basic tenets of Islam, the principal of ethical behavior, and guidance in general or specific terms for social, political, and economic activities. *Secondly*, the Qur'an is used in liturgy. In each of the five obligatory prayers of the day, the opening *surah* of the Qur'an, *al-Fatihah*, is recited

A recent discussion of the Qur'an came from a feminist point of view is, for instance, Amina Wadud-Muhsin's *Qur'an and Woman* (1992). In her approach to the Qur'an, Wadud-Muhsin attempted to lay the groundwork for nontraditional *tafsir* from a scripturally legitimate perspective. She postulated a distinction between the historically and culturally contextualized 'prior text' of the Qur'an and a wider metatext that conveys a more tolerant and universalistic worldview. Her main theory is that while the Qur'an indeed acknowledges functional gender distinctions based on biology, it does not propose essential or culturally universal roles for males and females. In fact, the assignment of gender distinctions based on early Arabian precedent would eliminate the transcendental nature of the Qur'an by reducing it to a culturally specific set of discourses. She argued her point by demonstrating the Qur'an's stress on the "primal equality" of men and women, examining the issue of equality in the afterlife, semantically analyzing Qur'an-based legal terminology relating to women and family.

The Qur'an, and the *sunnah* (traditions of the Prophet Muhammad) too, considerably improved women's status by comparison to the pre-Islamic (*jahiliyah*) period. Before Islam, men treated women as their property, to be married or divorced at their pleasure. Women were subjected to polygynous practices and female children to infanticide. Women generally had no voice

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with other portions. During Ramadhan, the month of fasting, the Qur'an is recited in special prayers (*tarawih*) offered congregationally every night after the fifth and last prayer, usually with the goal of completing a recitation of the entire Qur'an during the month. *Thirdly*, the Qur'an is also a basic vehicle of education. A large majority of the world's Muslim population is non-Arabic-speaking, yet in most Muslim societies the first alphabetical system children learn is the Arabic alphabet, in order to be able to read the Qur'an. Then, their Qur'anic education is not confined to mere reading of the text, but, it often includes inculcation of basic scriptural. *Fourthly*, the Qur'an is an element of many nonliturgical social events. It is used to invoke the blessing of God (*tabaruk*) on various occasions. Thus to complete a recitation of the Qur'an (*khatm al-Qur'an*) at the death of a loved one—survivors, relatives, and friends get together for the purpose—is a custom in several parts of the Muslim world. It is often recited at the beginning of public political or social meetings, at conferences, and sometimes also at government or official functions, including cabinet meetings. *Finally*, the Qur'an has artistic uses. The art of reciting Qur'anic calligraphy are among the most highly developed skills in Islamic culture. Most mosques have inscriptions from the Qur'an, and *tajwid* competitions at different levels are popular events, with good reciters often becoming celebrities (Mustansir Mir, "The Qur'an in Muslim Thought and Practice" in John L. Esposito, *et al* (eds.), *The Oxford Encyclopedia of The Modern Islamic World*, (New York dan Oxford: Oxford University Press, 1995), vol. III, p. 394-5).

<sup>11</sup>Vincent J. Cornell, *Ibid*.

in the selection of spouses and, once married, lacked financial security, as the dower (*mahr*) was paid directly to their male guardians.<sup>12</sup> Therefore, to develop a clearer picture of the status and role of women in the Qur'an and the *sunnah*, Soraya Altorky suggested, one should distinguish between Islam as religion and Islam as culture.

Islam as religion refers to regulations pertaining to piety, ethics, and belief. These spiritual aspects of Islam are considered duties of worship (*'ibadat*) and hence called "roots" or "foundations" (*ushul*) of the faith, for instance, Allah's uniqueness, the final prophecy of Muhammad, prayer, almsgiving, fasting, and the pilgrimage to Mecca. On this religious level, men and women are moral equals in the sight of God. Evidence for this is found in numerous Qur'anic verses, such as *surah* 2:187, 3:195, 4:1, 4:32, 9:71-2, 24:12, 30:21, 33:35-6, 40:40, 48:5, and 57:12, which render the only distinction between women and men to be their piety (*taqwa*), not their sex.<sup>13</sup> The earliest messages of the Qur'an, and the twin themes that run through all the chapters, Jane I. Smith assumed, are of the realities of the oneness of God and the inevitability of the Day of Judgment. All persons, men and women, are called upon to testify to those realities. Religious speaking, then, they are fully equal in the eyes of God according to the Qur'an.<sup>14</sup> Subsequently, the

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<sup>12</sup>However, apparently some pre-Islamic women practice polyandry and also selected and divorced their own husbands. As a rule, these women were neither veiled nor secluded; some were poets and others even fought in wars alongside men (Soraya Altorki, "Role and Status of Women", in John L. Esposito, *et al* (eds.), *The Oxford Encyclopedia of The Modern Islamic World*, (New York dan Oxford: Oxford University Press, 1995), vol. IV, p. 323. Compare with also Leila Ahmad, *Women And Gender in Islam Historical Roots of a Modern Debate*, (London & New Haven: Yale University Press, 1992), especially in Part One, "The Pre-Islamic Middle East", p. 11-37.

<sup>13</sup>*Ibid.* Farid Esack stated that the Qur'an links *taqwa* to believe to God (*surah* 10:63; 27:53;41:18) and regards its attainment as one of the objectives of serving God (2:21). Those who prefer the short-term advantages of this world are often contrasted with those who have *taqwa* (4:77;6:32;12:57). What is significant, in his opinion, is the way the Qur'an links *taqwa* to social interaction and concern for others, such as sharing (92:5; 7:152-3), fulfilling covenants (3:76; 7:52) and, especially, kindness (3:172; 4:126; 5:93; 16:127). The Qur'an emphasized the need for a community and individuals deeply imbued with *taqwa* who will carry on the prophets' task of transformation and liberation (3:102-5, 125; 8:29). According to the Qur'an, a commitment to God's people (*makhluq*) is an inseparable part of a commitment to God. However, this does not imply that the two dimensions of this commitment are identical; a *Muslim* is, in the first instance, someone who has submitted to God in both a social and personal sense. See furthermore in Farid Esack, *Ibid.*, p.87-8.

<sup>14</sup>Jane I. Smith, 1987, p. 236.

Qur'an addressed believers in both masculine and feminine forms, with the assurance that women will receive the same spiritual rewards as men for the performance of the same spiritual duties.<sup>15</sup> Nevertheless, unfortunately, social conventions, illiteracy, and Islamic requirements of ritual purity have all tended to restrict women's access to many aspects of Islamic religious life.<sup>16</sup> While if we examine the Qur'anic legal injunctions for women, according to her, we will find that they are clustered around four major issues: marriage and related topics<sup>17</sup>, divorce<sup>18</sup>, inheritance and ownership of property<sup>19</sup>, and

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<sup>15</sup>Valerie J. Hoffman, "Islam" in Letty M. Russel and J. Shannon Clarkson (eds.), *Dictionary of Feminist Theologies*, (Louisville, Kentucky: Westminster Jolin Knox Press, 1996), p. 158.

<sup>16</sup>*Ibid.*

<sup>17</sup>In this issue, according to the Qur'an, a man may marry up to four wives, so long as he is able to provide for each equally. He may marry a Muslim woman or a member of the Jewish or Christian faith, or slaved women. A Muslim woman, however, may marry only one husband, and he must be a Muslim. Contemporary Muslim apologists are quick to point out that these restrictions are for the benefit of women, ensuring that they will not be left unprotected. In the Qur'an, women's secondary status appears not in the primordial myth but in the context of social law. Men given the right of polygamy (4:3) and marriage to non-Muslims, but women are not. Men are allowed to "change one wife for another" with ease, although the Qur'an encourages men to treat their wives justly and fairly. (Jane I. Smith, *Ibid.* and Valerie J. Hoffman, *Ibid.*, p. 155).

<sup>18</sup>*Hadith* records Muhammad's statement that of all permitted things, divorce is the most hateful of God; Islamic law as developed in the eighth and ninth centuries placed no restrictions on a man's ability to divorce his wife by simple verbal pronouncement. Women are urged by the Qur'an to seek reconciliation (4:128) and can obtain a divorce only if their husbands agree and if they return the dowry they were given at marriage. Divorce, in the contemporary Islamic world, rates vary considerably from one country to the next. Muslim apologists insist that divorce is not nearly as common in Islamic countries as it is, for example, in the United States. Many countries are now considering serious changes in divorce procedures. The simultaneous triple repudiation generally has been declared illegal, and in many countries divorce initiated by party, the man or the woman, must take place in the court of law. While, another countries and special stipulations generally favorable to the woman. It remain true, however, that men can divorce for less cause than women, and often divorces hung up in courts with male judges can prove enormously difficult for women to gain (Jane I. Smith, *Ibid.* and Valerie J. Hoffman, *Ibid.*, p. 156).

<sup>19</sup>The Qur'an assigns the same legal punishments to men and women for similar offenses and assumes women are able both to take moral responsibility and to own and manage property. It is considered one of the great innovations of the Qur'an over earlier practices that women are permitted to inherit and own property. Non-Muslims have generally found great difficulty with the Qur'anic stipulation that a woman is allowed to inherit property but that the inheritance should be only half that of a male. According to the Islamic understanding, however, the rationale is precisely that which applies to the

veiling and seclusion.<sup>20</sup>

Meanwhile Islam as culture refers to the ideas and practices of Muslims in the context of changing social, economic, and political circumstances. People not only worship God but also interact in social relationship, as we called with *mu'ammalah* or "transactions." They make contract, trade, fight, arbitrate disputes, collect taxes, and so on. Collectively, these constitute the *furu'* (the branches). On this cultural level, women have not been treated as men's equals. Such inequality has evolved largely as an artifact of the preferences and actions of patriarchal authorities (term *scripturalists* here) after the Prophet's death, including certain rulers and administrators, most jurists, and some intellectuals. They justify this system of inequality by reference to certain verses of the Qur'an and traditions of the prophet. However, modernists, including a number of nineteenth and twentieth-century political leaders, governments, and a minority of 'ulama' (religious scholars), believe that many of these verses and traditions do not support such categorical claims.<sup>21</sup>

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verse saying that men are charge of women. Because women are permitted to keep and maintain their own property without responsibility for taking care of their families financially, it is only reasonable that the male, who must spend his own earning and inheritance for the maintenance of women, should receive twice as much (Jane I. Smith, *Ibid.* and Valerie J. Hoffman, *Ibid.*, p. 156).

<sup>20</sup>The practice of veiling women, which still continues in many parts of the Islamic world, began during the period of the early conquests, when Muslims came into contact with the lands of Byzantium. Veiling was observed at that time in such places as

Syria, Iraq, and Persia, and was taken into Islam particularly for urban and upper-class women. In general, veiling has not been common among Muslim village women, partly because they generally do not encounter strangers in that context, and partly because it would hinder them from various kinds of work in which they have traditionally been engaged. Veiling and seclusion have been major factors in the lives of Muslim women, then, since the early days of the Muslim Empire. Western observers of the Muslim world for centuries have been fascinated and horrified at stories of the harems (literally, "forbidden places") where women have been cut off from the social lives of males. Life in these female enclaves has provided material for studies of female compensation and lines of authority and power. Women in areas of classic patriarchy thus are often unable to resist unfavorable labor relations in both the household and the market, and frequently adhere as far and as long as they possibly can to roles that result in the devaluation of their labor. The cyclical fluctuations of their power position, combined with status considerations, result in their active collusion in the reproduction of their own subordination. They frequently adopt interpersonal strategies that maximize their security through manipulation of the affections of their sons and husband. See *Ibid.*

<sup>21</sup>Soraya Altorki, *Ibid.*

Thus, the comprehensive veiling and seclusion of women would appear to have no warrant in the Qur'an and the *sunnah*. Although scripturalists claim that the Qur'an and the *sunnah* mandate veiling and seclusion, but modernists believe such arguments are tendentious.<sup>22</sup> They argue that, of the seven Qur'anic verses using the word "veil" (*hijab*), six<sup>23</sup> were revealed at Mecca, and none of them refer to veiling Muslim women. While the seventh verse (33:53), revealed at Madina, refers to the need for the Prophet's wives to be behind a *hijab* when his male guests converse with them. Modernists hold that the verse does not pertain to Muslim women general, while scripturalists, implicitly accepting this, argue that what applies to the Prophet's wives, exemplars of chastity, inheres all the more for Muslim women, since they are less chaste. Nevertheless, modernists declare that the verse lacks the quality of obligation (*fard al-'ayn* or *fard al-kifayah*), since there is no textual stipulation (*nash*) which makes it obligatory (*wajib*).<sup>24</sup>

The Qur'an and the *sunnah* markedly improved women's role and status relative to the pre-Islamic period by emphasizing the spiritual equality of women and men. Although certain social and economic regulations in the scripture seemingly favor men, the conditions prevailing at the time of the revelation, which seemed to justify such inequality, have lapsed. The Qur'an, the *sunnah*, and certain legal principles adduced by jurist provide mechanism for reinterpreting, through the application of reason, those texts that

<sup>22</sup>The modernists support their argument by reference to holy law itself. *First*, in surah 3:7 the Qur'an specially distinguishes between two kinds of verse: (1) those that are unambiguous (*muhkamah*), and (2) those that are subject to interpretation (*mutashabihah*). Hence, anti-scripturalists may claim that verses appearing to confer superiority upon men over women ought not be taken literally but, rather, allegorically. *Second*, the Qur'an not only conditions polygyny on the requirement of equitable treatment for all wives (4:3), but explicitly asserts such treatment to be impossible (4:129). *Third*, Allah say that He will not change a people's condition until they change what is in themselves (13:11). This verse, in modernist's opinion, calls upon Muslims to use their intrinsic endowment of reason to maximize their welfare. *Fourth*, a sound tradition ascribed to the Prophet maintains that "as for matters of your world, you know better". It is mean that Muslims should use reason in pursuit of their welfare. Thus, it would be offensive to human reason to accept gender inequality when Allah Himself enjoins spirituality of all Muslims. *Finally*, Over the centuries reform-minded jurists have employed a number of legal devices that indicate the use of reason in pursuing the welfare of Muslims, including: (1) *maslahah mursalah* (public interest); (2) *al-darurat tubihu al-mahdurah* (necessities make permissible what are forbidden); and (3) *ihtihsan* (the application of discretion) in reaching a ruling (*Ibid.*)

<sup>23</sup>Surahs 7:46, 17:45, 19:17, 38:32, 41:5, and 42:51.

<sup>24</sup>Soraya Altorki, *Ibid.*, p. 324.

putatively establish a categorical hierarchy favoring men over women. Twentieth-century reforms in personal status law, achieved through recourse to such instruments and arguments, have gradually moved in the direction of gender equality, but a certain degree of backsliding has occurred as a consequence of the rise of militant scripturalism—that is, scripturalism based on unyielding, even violent, confrontation with the state and modernist groups. It is not clear what future will hold, but is likely that the conflict between reformist and scripturalists outlooks on the role and status of women will continue.<sup>25</sup> In Muslim countries, debates on the role of women have commonly been focused to three interrelated, unresolved issues: the search for identity in postcolonial societies<sup>26</sup>, the role of religion in the modern state<sup>27</sup>, and the role of state itself.<sup>28</sup>

<sup>25</sup> *Ibid.*, p. 326.

<sup>26</sup> In seeking to forge a modern indigenous identity, Muslims generally fall in two groups: *first*, liberal reformers, who believe that combining Islamic tradition with European liberalism is the most effective way to challenge Western power; and, *second*, conservatives, who contend that change will subvert social structures, thereby easing Western domination. Both groups view women as the key to reforming or conserving tradition, because their roles in maintaining family size, continuity, and culture. Both liberal and conservative positions were forged in response to early attempts at modernization in the Muslim world. For instance, in the Arab world, nineteenth-century reformers such as Rifa'ah al-Tahthawi argued that education and labor participation should be open to women, as did Muhammad Abduh, who served as *mufti* of Egypt. Abduh's disciple Qasim Amin was the first Arab to publish a call for women's emancipation, in his book *Tagrir al-mar'ah* (the Liberation of Women). The book caused an uproar when it appeared in 1899, although the arguments were carefully phrased within the framework of Islam. Where he to visit the Muslim world today, Qasim Amin would be surprised to find many of the same debates still raging. Meanwhile a forceful example of the conservative argument may be found in an article written by a Lebanese Muslim woman, Mona Fayyad Kawtharani, in the 31 March 1985 edition of the newspaper *Al-safir*. Noting that the Iranian Revolution of 1979 had been marked by the widespread participation of women using the veil, she argued that the veil constituted a weapon of resistance to the West. Highly critical of Western intrusions on indigenous cultures, she went on to claim that the West had found the "best way to control us was by destroying our cultural and religious beliefs, so that the believer came to be defined as a 'fanatic' (*Ibid.*).

<sup>27</sup> Debates on the laws affecting family life and the role of women within the family provide a rare opportunity for Muslim countries to examine the role of religion in the modern state. In most Muslim countries, Islam has been declared the state religion and the main, if not sole, source of law. In practice, this applies to personal status code in most countries, since commercial or penal codes have been based directly on Western models. Separation of mosque and state is not widely discussed. Rather, most people strive to prove that European concepts of equality and citizenship can be achieved within framework of Islam (*Ibid.*, p. 333).

<sup>28</sup> In the postcolonial period, the governments of Muslim nation-states have been

#### D. Reformation of Religious Beliefs

To reform religious beliefs in Islam, especially the relationship between gender and religion, in my opinion, one of ways is religious travelling and journeying from another traditions and discourses outside Islam. For instance, as what Elisabeth Schussler Fiorenza in her book entitled, *In Memory of Her A Feminist Theological Reconstruction of Christian Origins*, wherein she attempted to reconstruct a Biblical interpretation with three approaches: critical hermeneutics, critical method, and historical reconstruction.<sup>29</sup> With her three approaches mentioned, Fiorenza criticizes models of Biblical interpretation, which have Androcentric-patriarchal mind-set of Western culture. For example, an interpretation that the entire apostles are male, whereas in reality are not like that; some of them are female.

Another scholar who voices to renew of Biblical interpretation is Elizabeth Cady Stanton. Since the 1980's, E.C. Stanton along with her colleague has examined the Holy Text linguistically. Texts of the Bible, in her opinion, are a product of patriarchal culture wherein there is an androcentric mind in it. Therefore, the Holy Text itself needs liberation. Furthermore, she states that there are two women's points of view as a basic to interpret the Holy Text: *first*, the Holy Text is not a neutral book, but it is a political gun to oppose struggle of women liberation. *Second*, the Holy Text produces male teachings about life and God, which they themselves never see and speak to God. She believes that the Biblical interpretation is a kind of political activity. This mean, if liberation theology liberates human beings through the Holy Text, so feminist theology liberates human being through liberation of the Holy Text from the beginning. The Holy Text must be "liberated" early from the impact of patriarchal culture.<sup>30</sup>

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under notice to deliver economic growth and prosperity to their citizens. The critical failure of most developing nations has been in creating sustainable economic growth.

Concern for men's jobs gives added incentive to the conservative call for women to adhere to traditional roles as housewives and mothers. As the number of educated women working outside the home increases, the rhetoric of family preservationism intensifies. Moreover, the Muslim concept of society privileges the communal over the individualistic; society is not made up of individual men and women, but rather members of a community. Both sexes and different age groups are therefore expected to relinquish some rights and assume certain responsibilities to forge a coherent community (*Ibid.*, p. 334-5).

<sup>29</sup> Elisabeth Schussler Fiorenza, *In Memory of Her A Feminist Theological Reconstruction of Christian Origins*, (New York: The Crossroad Company, 1989), p. 1-92.

<sup>30</sup> Agustina P. Murniati, "Teologi Feminis Kristiani di Indonesia", in *Gema: Jurnal teologi Duta Wacana*: No. 55, 1999, p. 147-8.

In Islam itself, there were many thoughts and actions of Muslim feminists to reform their religious beliefs on women's role and status. Leila Ahmad, for instance, considered two prominent factors to improve women's role and status: *firstly*, that educational policy and the government's forcefully egalitarian actions were undoubtedly of enormous importance in bringing about change and expansion in women's roles. It was proved that women's access to education resulted in a radical change in the number of employed women and their pattern of employment. *Secondly*, in the context of the contemporary structure of global power, then, we need a feminism that is vigilantly self-critical and aware of its historical and political situatedness if we are to avoid becoming unwitting collaborators in racist ideologies whose costs to humanity have been no less brutal than those of sexism.<sup>31</sup> Meanwhile, Nasaruddin Umar said, to reform of our religious beliefs we have to recognize principles of gender equality: *first*, male and female have similarity as the servant of God. *Second*, male and female have similarity as the caliph of God. *Third*, male and female have similarity in their primordial dealing. *Fourth*, Adam and Eve have similar involvement in the cosmic drama, and, *fifth*, male and female have similarity in their potential to get their own.<sup>32</sup>

This reformation may be actualized in three major modes of feminist expression. *Firstly*, it can through individual writings such as poems, short stories, novels, autobiography, journalistic articles, essays, and scholarly works which express forms of gender consciousness, disseminate feminist ideas, generate debate, and consolidate women's networks. *Secondly*, it can occur through "everyday activism", which includes individual innovations in daily life, creating social service associations, pathbreaking in education, and pioneering in the modern profession. A Third way is through organized activism movements, which are highly visible and more directly confrontational. This way is very important for us, because of, as is a common reality in Muslim world, many Muslim women have been guided by their feminist ideas in their daily lives but have eschewed organized political activism and public identity as feminists. Others have found it crucial to declare a public identity and to engage in feminism movement. Some women combine feminist writing with forms of activism, while others have preferred to focus more exclusively on contributing to the development of feminist theory and

<sup>31</sup>Leila Ahmad, *Women And Gender in Islam Historical Roots of a Modern Debate*, (London & New Haven: Yale University Press, 1992), p. 210-47.

<sup>32</sup>Nasaruddin Umar, *Ibid.*, p. 247-263.

analysis or spreading feminist awareness through literary works.<sup>33</sup>

Feminists wishing to improve the status of Muslim women cannot avoid seeking justifications within Islam itself, both by reinterpreting the Qur'an and by the models from early Islamic tradition. Two contemporary women, Riffat Hassan of Pakistan and Amina Wadud-Muhsin of the United States, for instance, have turned to analysis of the Qur'an in an effort to turn over medieval misogynist interpretations. Hassan has focused on exposing the incompatibility of the traditional Eve myth the Qur'an, while Wadud-Muhsin follows the hermeneutic of the Pakistani-American scholar Fazlur Rahman, which insists that the social laws of the Qur'an need to be seen in terms of their general moral thrust and the limitations of seventh-century Arabian society in order to apply Qur'anic morality in fresh and more appropriate ways to modern society. She has also examined key words in the Qur'an that have been used to justify the subordination of women and has shown that their original meaning and context defy such interpretations.<sup>34</sup>

<sup>33</sup>Badran, *Ibid.*,

<sup>34</sup>Valerie J. Hoffman, *Ibid.*, p. 156-7.

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