

**LAPORAN AKHIR
PENELITIAN DASAR UNGGULAN PERGURUAN TINGGI**



**MODEL DAN IMPLEMENTASI INOVASI SUMBER
PEMBELAJARAN DENGAN PENDEKATAN GENDER**

OLEH :

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**UNIVERSITAS MUHAMMADIYAH PROF. DR. HAMKA
2021**

LEMBAR PENGESAHAN
PENELITIAN DASAR UNGGULAN PERGURUAN TINGGI

Judul riset :MODEL DAN IMPLEMENTASI INOVASI SUMBER
PEMBELAJARAN DENGAN PENDEKATAN GENDER

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Jakarta, 18 November 2021
Ketua,

Mengetahui,
Dekan FAI UHAMKA



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Menyetujui,
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Ketua,



Dr. apt. Supandi M.Si.

LAPORAN AKHIR

“MODEL DAN IMPLEMENTASI INOVASI SUMBER PEMBELAJARAN DENGAN PENDEKATAN GENDER” FAKULTAS AGAMA ISLAM

UNIVERSITAS MUHAMMADIYAH PROF DR HAMKA

A. HASIL PELAKSANAAN PENELITIAN:

This Research focuses on investigating gender bias in Islamic textbooks used widely by Indonesian high schools in Indonesia. Through qualitative method with the use of Critical Discourse Analysis (CDA), this study is aimed to analyze female representation and gender bias in Indonesian religious textbooks issued by The Ministry of Educational Affairs in 2013 and revised in 2017.

The result shows that the textbooks contained four indicators of gender bias namely discrimination, stereotypes, sub-ordination, and marginalization. These indicators of bias were found in three different aspects of visual, textual and substantial content of the textbook and spread in four aspects of Islam, namely *Aqidah, Ibadah, Muamalah dan Akhlaq*.

B. STATUS LUARAN:

Hasil penelitian ini telah ditulis dalam format artikel qualitative sesuai dengan spesifikasi dan karakteristik jurnal-jurnal yang akan dituju seperti *Journal of Gender Studies, Journal of Educational Studies, Journal of Gender and Society, dan Journal of Sexuality and Culture*. Hasil penelitian ini kami beri judul: “*Critical Discourse among Indonesian Muslim Scholars on Gender in Islam: Towards the Understanding on Gender Bias in Religious Textbooks*”. Draft artikel sudah selesai dan sudah submit ke jurnal Internasional bereputasi yaitu *Journal of Gender Studies*, sehingga statusnya saat ini adalah “Submitted”.

C. PERAN MITRA: Tidak ada mitra dalam penelitian ini

F. KENDALA PELAKSANAAN PENELITIAN:

Hambatan yang utama dalam proses penelitian ini adalah adanya pandemi virus Covid 19. Karakter virus yang sangat menular dan mematikan ini sangat berdampak kepada tim peneliti dalam melaksanakan tahapan-tahapan dan proses penelitian sesuai schedule dan timeline yang telah direncanakan dalam proposal. Mengikuti anjuran pemerintah, tim peneliti sangat berhati-hati dan waspada terhadap ancaman gangguan kesehatan dan keselamatan jiwa baik pribadi, tim peneliti maupun keluarga. Selain itu, kebijakan PSBB level 4 dan 3 beberapa bulan sebelum ini dari pemerintah yang membatasi mobilitas masyarakat juga membuat koordinasi tim peneliti dengan partisipan riset berjalan lebih lambat. Namun demikian, kami dari tim peneliti berupaya beradaptasi untuk mengatasi hambatan dan kesulitan yang dihadapi akibat PSBB dalam melaksanakan penelitian ini. Adaptasi agar langkah, prosedur, dan mekanisme penelitian tetap berjalan sesuai standar penelitian yang baik, namun ada fleksibilitas waktu yang tidak sesuai jadwal karena adanya PSBB.

Hambatan lain yang menyebabkan perubahan dan pergeseran pelaksanaan penelitian ini juga di antaranya adalah pengumuman kelulusan Hibah Penelitian Dikti yang diumumkan lebih lambat dari tahun-tahun sebelumnya, selain itu juga adanya keterlambatan dalam pencairan dana penelitian baik dari kementerian maupun dari institusi internal kami. Namun, hal ini juga sudah kami antisipasi dan atasi agar tidak berdampak kepada tercapainya target luaran, walaupun prosesnya lebih lambat dari jadwal yang direncanakan.

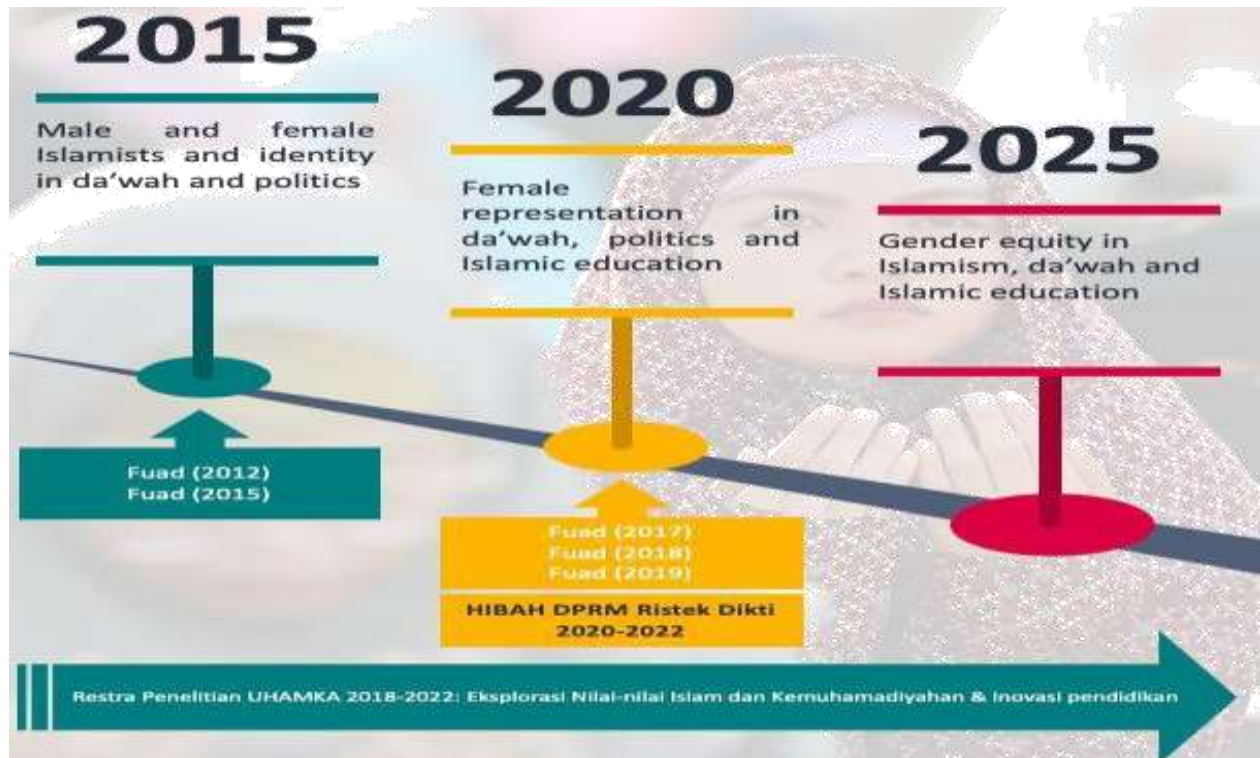
G. RENCANA TAHAPAN SELANJUTNYA:

Penelitian tahun kedua adalah melanjutkan hasil penelitian di tahun pertama. Penelitian tahun kedua dengan Tingkat Kesiapterapan Teknologi (TKT) 3 ini bertujuan: mengembangkan kerangka dan model pembelajaran PAI yang efektif dalam mendiseminasikan substansi agama yang berkeadilan gender. Penelitian ini akan melihat pada dua hal, yaitu tidak adanya representasi perempuan dalam buku ajar PAI (*exclusion*) dan kesalahan dalam menggambarkan perempuan dalam buku ajar PAI (*the quality of representation*), serta melihat pada guru dalam memaknai dan mengajarkan konten buku ajar. Objek Penelitian ini adalah buku ajar PAI yang digunakan di SMA dan guru-guru PAI yang berada di wilayah Jakarta dan Jawa Barat. **Luaran penelitian tahun kedua** adalah publikasi artikel di jurnal internasional terindex (wajib), dan menerbitkan buku ber-ISBN, atau menerbitkan satu HKI, atau menerbitkan satu artikel prosiding konferensi internasional (tambahan). Penelitian tahun kedua ini dimulai dari TKT 2 dan ditarget meningkat ke TKT 3 diakhir penelitian tahun ke-2. Penelitian ini sejalan dengan RENSTRA Penelitian di Universitas Muhammadiyah Prof. Dr HAMKA (UHAMKA), yaitu inovasi pendidikan dengan menghasilkan kerangka atau model pembelajaran.

Peta jalan Penelitian

Sebagai bagian dari rencana penelitian dengan desain *multiyear* dua tahun, proposal PDUPT ini diusulkan sesuai dengan RIP UHAMKA 2018-2022. Dalam Rencana Induk Penelitian (RIP) UHAMKA, terdapat empat fokus penelitian, yaitu: 1) Inovasi dalam pendidikan karakter dan nilai-nilai lokal, 2) Pengembangan sains dan teknologi yang ramah lingkungan, 3) Ekplorasi dan aplikasi nilai-nilai Al-Islam dan kemuhammadiyah, 4) Kajian dalam bidang social dan humaniora [16]. Secara khusus, penelitian PTUPT ini fokus pada meningkatnya kualitas konten buku ajar PAI yang berkeadilan gender dan kualitas guru PAI yang sensitive gender dan berkeadilan gender.

Peta jalan penelitian ini tergambar dalam bagan berikut:



Tujuan PTUPT ini sejalan dengan peta jalan penelitian pengusul, baik penelitian sebelumnya ataupun rencana penelitian beberapa tahun yang akan datang. Penelitian pengusul sebelumnya yaitu: Fuad (2012 dan 2015) lebih menekankan pada aspek identitas nasional dan identitas keagamaan laki-laki dan perempuan yang menjadi aktifis beberapa gerakan keagamaan. Penelitian beberapa tahun setelah itu yaitu: Fuad (2017; 2018; 2019) mengkaji lebih spesifik pada persoalan representasi perempuan dalam dakwah, politik, dan pendidikan Islam. Penelitian saat ini dan yang akan datang diarahkan untuk lebih focus mengkaji kesetaraan dan keadilan gender dalam pendidikan Islam, dakwah dan politik. Diakhir penelitian tahun kedua, diharapkan su bisa menghasilkan model pengembangan sumber pembelajaran keIslaman dengan pendekatan gender, sebagai bagian dari tujuan peta jalan pengusul yaitu kesetaraan gender dalam aspek pendidikan Islam.

Prosedur penelitian tahun ke-2



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DOKUMENTASI



LAMPIRAN LAMPIRAN

1. Surat Pernyataan Tanggung Jawab Belanja



**UNIVERSITAS MUHAMMADIYAH PROF. DR. HAMKA
LEMBAGA PENELITIAN DAN PENGEMBANGAN**

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SURAT PERNYATAAN TANGGUNG JAWAB BELANJA

Yang bertanda tangan di bawah ini :

Nama : AI FATIMAH NUR FUAD Le, M.Si, M.A, Ph.D

Alamat : Jl. H.Syatiri No 21, 001/003 Ulujami Pesanggrahan Jakarta Selatan 12250
berdasarkan Surat Keputusan Nomor 1867/E4/AK.04/2021 dan Perjanjian / Kontrak Nomor
163/E4.1/AK.04.PT/2021(NOMOR KONTRAK INDUK) DAN 3482/LL3/KR/2021 (NOMOR
KONTRAK TURUNAN) mendapatkan Anggaran Penelitian MODEL DAN IMPLEMENTASI
INOVASI SUMBER PEMBELAJARAN DENGAN PENDEKATAN GENDER sebesar
83,600,000 .

Dengan ini menyatakan bahwa :

1. Biaya kegiatan penelitian di bawah ini meliputi :

No	Uraian	Jumlah
01	Bahan ATK, Bahan Penelitian (Rabis Pakai)	2,600,000
02	Peogumpulan Data FGD Persiapan Penelitian, HR Sekretariat/administrasi peneliti, biaya konsumsi rapat, HR Pembantu peneliti, transport, tiket	40,000,000
03	Analisis Data (Termasuk Sewa Peralatan) HR Narasumber,HR Sekretariat/administrasi penelitian, HR pengolah data	20,000,000
04	Pelaporan, Luaran Wajib dan Luaran Tambaban Penyusunan artikel luaran dan publikasi di jurnal internasional, konferensi untuk diseminasi hasil penelitian	21,000,000
Jumlah		83.600.000

2. Jumlah uang tersebut pada angka 1, benar-benar dikeluarkan untuk pelaksanaan kegiatan penelitian dimaksud,

Demikian surat pernyataan ini dibuat dengan sebenarnya.



Jakarta, 18 - 11 - 2021

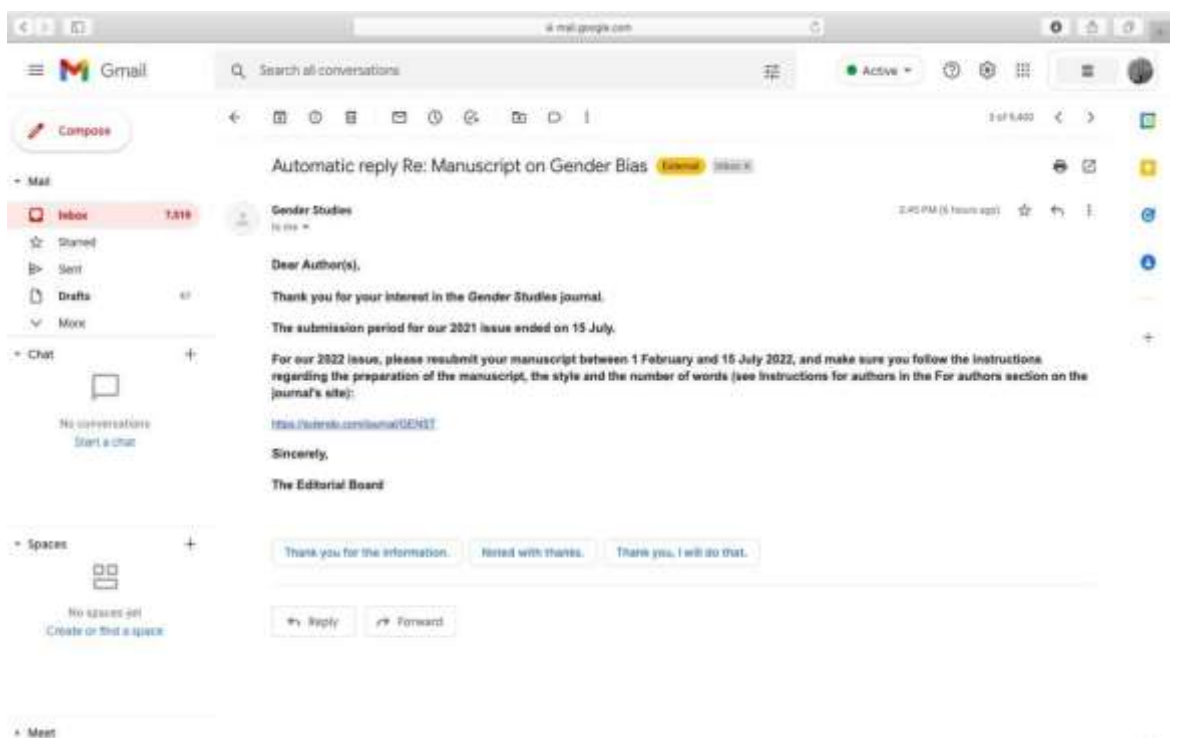
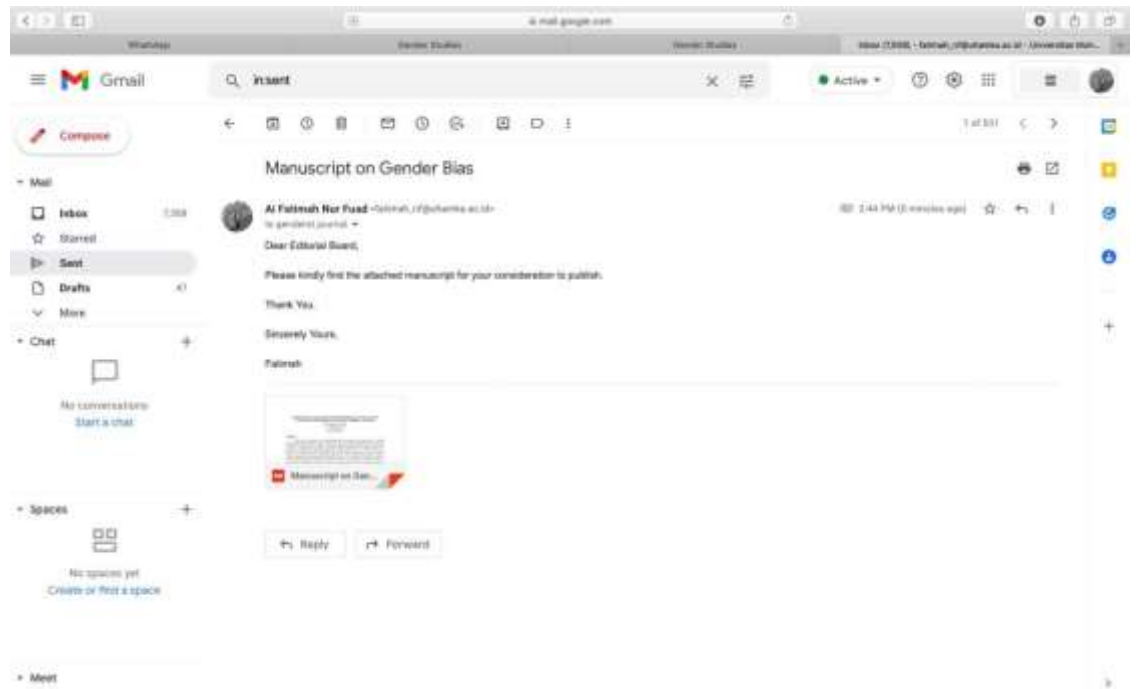
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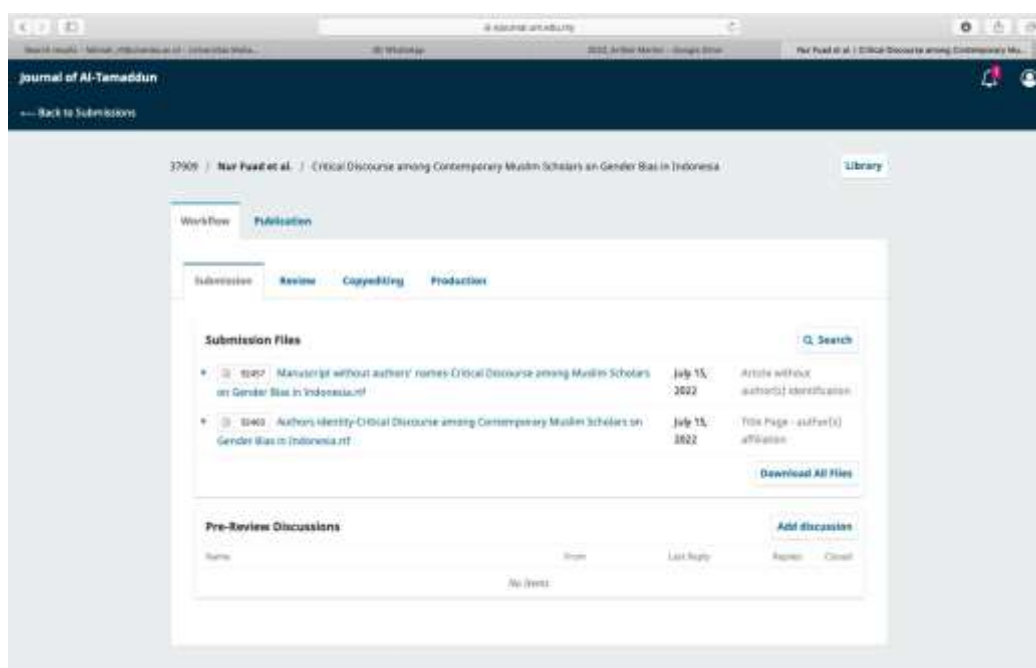
(AI FA IMAH NUR FUAD, Le, M.Si, M.A,
Ph.D)

NIP/NIK D.13.0833

2. Bukti Submit Artikel Gender



3. Bukti SUBMIT dan ARTIKEL



CRITICAL DISCOURSES AMONG CONTEMPORARY INDONESIAN MUSLIM SCHOLARS ON GENDER BIAS IN ISLAM

Ai Fatimah Nur Fuad

University of Muhammadiyah Prof. DR. HAMKA

Abstract

There are various discourses on the conception on gender equality as well as the efforts to criticise gender bias and discrimination against women. However, different methodology of interpreting the Qur'an with particular attention given to the hermeneutic approach and its interpretational implications to gender bias is still need more development. Through qualitative method with an in-dept review to the primary literatures, this study is focused on investigating the perceptions among Indonesian Muslim scholars on gender bias and their efforts to promote gender equality based on the Qur'anic interpretation. The result shows that these scholars found many distorted conceptions of gender in Islam is caused by the wide usage of textual methods of interpretation within Indonesian Muslims. They argue that there is significant implication of this textual method to the wide practice of gender bias and discrimination against women. They, therefore, offer the contextual method in interpreting the Quran to build gender equality within Indonesian society. [Ada berbagai wacana tentang

konsep kesetaraan gender serta upaya untuk mengkritik bias gender dan diskriminasi terhadap perempuan. Namun, metodologi penafsiran al-Qur'an yang berbeda dengan perhatian khusus pada pendekatan hermeneutik dan implikasi interpretasinya terhadap bias gender masih perlu banyak pengembangan. Melalui metode kualitatif dengan tinjauan mendalam terhadap literatur utama, penelitian ini difokuskan untuk menyelidiki persepsi di kalangan cendekiawan Muslim Indonesia tentang bias gender dan upaya mereka untuk mempromosikan kesetaraan gender berdasarkan interpretasinya terhadap Al-Qur'an. Hasil penelitian menunjukkan bahwa para ulama ini menemukan banyak konsep gender dalam Islam yang mengalami distorsi disebabkan oleh penggunaan metode penafsiran tekstual yang luas di kalangan umat Islam Indonesia. Mereka berargumen bahwa ada implikasi signifikan dari metode tekstual ini terhadap meluasnya praktik bias gender dan diskriminasi terhadap perempuan. Oleh karena itu, mereka menawarkan metode kontekstual dalam menafsirkan Al-Qur'an untuk membangun kesetaraan gender ditengah masyarakat Indonesia].

Keywords: patriarchal culture, gender equality, women, Qur'an, theological interpretation.

A. Introduction

Indonesian Muslim society is heavily influenced by Islamic teachings, particularly related to the concept of gender. It is believed by some Indonesian Muslims that the subordinate position of women is supported by Islamic teaching. Moreover, the practices of subordination toward women are not only performed by uneducated people, but also religious leaders or so called *ulama*.¹ They frequently refer to the Qur'an to justify their attitudes in discriminating women. There are some Qur'anic verses that can be used for validating their attitudes using the textual method of interpretation. Thus, it seems that to some extent, Islam justifies gender discrimination. This is the social and religious condition that stimulates several Indonesian Muslim scholars such as Siti Ruhaini Dzuhayatin, Alimatul Qibtiyah, Nur Rofiah, Nasarudin Umar, Husain Muhammad, and Masdar F. Mas'udi to criticize gender-bias conception spread among Indonesian Muslim society. They believe that there must be something wrong with the interpretation of Muslims towards the Qur'an. Since these scholars found that the spirit of Islam does not discriminate against women. Therefore, they criticize the method of Qur'anic interpretation used by Muslims that tends to discriminate and marginalize women. They pointed out that the Qur'an respects, empowers and liberates women from patriarchal culture

¹ *Ulama* is an Arabic word (plural from *alim*: singular). This word is widely used by Muslims in the Middle East, Indonesia, and beyond to refer to religious scholars or religious leaders who have an important role in conducting *da'wa* and educating Muslims on Islamic discourses. These *ulama* or religious scholars have served as "custodians of religious discourse" according to Tamara Sonn in "Continuity and Change in Religious Authority among Sunni Arabs", *Sociology of Islam*, vol. 6 (2018), pp. 141-164. Tamara Sonn building his idea on Zaman (2002)'s terminology, who refers to the *ulama* as "Custodians of Change" in M. Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (Princeton, NJ: Princeton University Press, 2002), p. 143.

in Arab before Islam and at the time of revelation, whereas patriarchal cultures at that time and in recent societies still practice the subordination of women.²

This paper will explore the critical discourse on gender bias in Islam as argued by some Indonesian Muslim scholars. The purpose of this research is to provide alternative methods of interpretation within both Indonesian and other Muslim societies in promoting gender equality. These six Muslims intellectuals see that a distorted conception of gender is caused by an improper method of interpreting the Qur'anic verses namely the textual method. This method is used widely by Muslims. According to the scholars, the use of the textual method reflects Muslims' ignorance in differentiating between absolute texts and the interpretation of a religious text, which is relative and part of culture. That is why they offer a contextual method to be able to reinterpret a better conception of gender.

Gender bias cannot be separated from culture. Gender bias is constructed by a particular society in a particular culture.³ Muslim countries or countries with Muslim majority population are still influenced by patriarchal systems and Indonesia is not an exception. Patriarchal tradition is often categorized as a culture dominated by men. Men are in superior position, while women are in subordinate position and this position resulted in various discrimination against women.⁴ To many extents, this tradition significantly contributes to build gender bias within society. Gender cannot be regarded as 'an autonomous aspect of social life that operates independently from other processes of social differentiation like ethnicity'.⁵

In the beginning of Indonesian history, gender bias was not affected by Islamic teachings. It existed before Islam spread in Indonesia. There is evidence that shows that some Indonesian local cultures discriminated against women. Kartini was one example of a woman who experienced the discrimination by her local culture.⁶ She was the victim of polygamy which at that time was practiced by her indigenous local culture. This evidence of the early existence of a gender bias implicitly shows that patriarchal tradition in Indonesia was not brought by Islamic doctrines.

Polygamy in Indonesian society was seen as a normal conduct. This means that a husband who chooses to have several wives would not be assessed as discriminating against women. On the contrary, he would be regarded as a man who had a higher social position than others. The more wives he had, the higher social position he would be achieved. It was not surprising that a king and other upper-class people had many wives. However, the practice has been criticized for several decades. At least, as found by historians, Kartini is one of the persons who experienced and criticized polygamy. Based on her book entitled "*Habis Gelap Terbitlah Terang*" (Out of dark comes light), she criticizes her culture because it marginalized

² See also Asma Barlas, *Believing Women' in Islam: Unreading Patriarchal Interpretations of the Qur'an*, (Austin: University of Texas Press, 2002) and Amina Wadud, *Qur'an and Women: Rereading the Sacred Text from a Woman's Perspective*, (Oxford: Oxford University Press, 1999), pp 66-78.

³ Nina Nurmila, "Pengaruh Budaya Patriarki Terhadap Pemahaman Agama dan Pembentukan Budaya", *Karsa*, vol. 23, no. 1 (2015), pp 1-16.

⁴ Nina Nurmila, "The Spread of Muslim Feminist Ideas in Indonesia: Before and After the Digital Era". *Al-Jami'ah: Journal of Islamic Studies*. vol. 59, no. 1 (2021), pp. 97-126.

⁵ Kathryn Robinson, *Gender, Islam and Democracy in Indonesia*, (London and New York: Routledge, 2009), p. 30.

⁶ Kartini lived in the last decades of the 19th century. She had a tragic life since she was a high-born woman who was expected to spend her adolescent years in seclusion until her parents arranged a marriage to a man who was polygamous, See. Robinson, *Gender, Islam and Democracy*, p.37.

women.⁷ Recently, the critique of patriarchal culture rose widely. It is hand in hand with the raise of polygamy in Indonesia. Although the kingdom had fallen and been changed into a modern nation state, polygamy is still found in a wide range of society. It is not only practiced by rich and aristocrat people, but also by common people. It means that the change of the political system does not correlate significantly to the shift of culture.

In fact, polygamy is also practiced by Islamic religious leaders or *ulama*. Ironically, the practice is also agreed and supported by many Muslim women who believed that it is part of Islamic teaching.⁸ Islam is the religion that has the biggest followers in Indonesia. There is approximately 85% of the Muslim population in Indonesia. Therefore, what has been done by *ulama* would significantly affect other Muslim behavior, at least their followers. Yet, the *ulama* justified their choice and practice by Qur'anic verses and the Sunnah of the Prophet.⁹ Consequently, it seems that Islamic teachings are closely associated with the old culture that tends to discriminate against women. In fact, Islam is the religion that respect women and the appreciation toward women is the key spirit of Islam. If a society still practicing any forms of discrimination toward women, it is absolutely not the world view of Islam.

This is the socio-cultural and religious condition that has stimulated several Muslim scholars such as Dzuhayatin, Qibtiyah, Rofiah, Nasarudin, and Husain to be actively involved in the critical movement against the discrimination against women. They criticize their fellow Muslims who practice polygamy. According to these progressive Muslims, polygamy in a contemporary age is a contradiction to the Islamic values. Moreover, they say that Islam eagerly fights for women emancipation. It is worth to note that the academic background of these scholars come from within Islamic scholarship. They all are well-educated in Islamic studies and well-trained within the Islamic organizations. They agree that gender bias in Indonesia is influenced by both patriarchal culture and Islamic theological understanding.

Another form of gender bias influenced by textual Islamic interpretation is the prohibition of women to be public leaders. The debate about whether a woman is allowed to be a public leader has arisen among Indonesian society. The debate occurred when Megawati, a presidential candidate promoted by Indonesian Democratic Party (PDI), was attacked by the *fatwa* from several *ulama*.¹⁰ Thus, the *fatwa* is a representative of the religious understanding of *ulama*. The *fatwa* states that Islam prohibits a woman to be a public leader. Although there was still rare research that observed and measured the impact of this *fatwa*, it affected the preference of Muslims. Although Nurmila's research shows that there is a current progress on women leadership because it is now more acceptable in Indonesian academic sphere, such as the increasing numbers of female rectors in Indonesian higher education,¹¹ such kind of *fatwa* indeed shape Muslims' mindset on the limitation or discrimination of women leadership in variety of public services.

⁷ See, Kartini, *Habis Gelap Terbitlah Terang*, (Jakarta: Balai Pustaka, 2005). This book was published first time in 1911 and re-published in 1922. Up to now this book has been re-published for several times.

⁸ Robinson, *Gender, Islam and Democracy*, p.44.

⁹ *Sunnah* of the prophet is 'the way of the prophet', describing the lifestyle of the prophet, especially his belief, his behavior, and his observance of religious obligations.

¹⁰ *Fatwa* (Arabic-pl: *fatawa*) is a legal term indicating a pronouncement by a qualified religious scholar on an issue of belief or practice. *Fatwa* can be understood as an opinion on a point of law given by an institution or a person with recognized religious authority. See, M.Hilali Basya "Muhammadiyah's Fatwa about Hewan Kurban In 2005: A Study on Muhammadiyah's Method in Producing Fatwa". *AFKARUNA: Indonesian Interdisciplinary Journal of Islamic Studies*, vol. 15, no. 1 (2019), pp. 14-31.

¹¹ Nurmila, "The Spread of Muslim Feminist", pp. 97-126.

As far as our concerned, Muslim's families are used to place a wife in the domestic area. The 'stay-at-home housewives' are seen as subordinates of a husband. They are not considered as a partner that has an equal position with their husband. Again, such culture is influenced by the interpretation to the Islamic texts. Since most *ulama* refer to the Qur'an, the Sunnah of the Prophet, and other authoritative books to propagate that wife should obey and serve their husband. Certainly, this mindset discriminates against women since it implies that women cannot be independent from men. In various ways, women who live in a patriarchal system have suffered from being dependent. This dependent position makes them unable to criticize their husband or simply to make decisions for their lives on their own.

Men in this culture tend to be the judges or decision makers who control the lives of women. To many extents, this asymmetrical relationship between spouses in a marital relationship can lead to many domestic violence.¹² Rofiah further argues that each man and women in a marital relationship should attempt to build harmonious relationship (*sakinah, mawaddah wa rahmah*) based on the principal of equality. This patriarchal culture has got worse since it was strengthened by theological reasons.¹³ Apart from socio-cultural constraints, there is a strong theological constraint that deter women to achieve gender equality in Indonesian public sphere. Therefore, theological breakthrough is strongly needed to respect women equally with men.¹⁴ It is also crucial to continuously fight for a better implementation of Islamic teachings in the society through the gender equality movements.

B. The Critical discourse of Indonesian Muslim scholars on the Gender Bias

Contemporary Muslim scholars who are concerned in criticizing gender bias in Islamic teaching are the next generation of the critical movement against women discrimination that existed before. Historically, Indonesian people have been struggling in empowering women through various ways such as education and training.¹⁵ The difference is that these Muslim scholars are part of Muslim scholarship that has the capability and competency to critically read and interpret Qur'an, Sunnah and other authoritative Islamic books. Dzuhayatin, Qibtiyah and Rofiah are the female academia, activists and *ulama* who actively engaged in criticizing gender bias in Indonesian as well as promoting the importance of gender equality within the society. Dzuhayatin and Qibtiyah are prominent female scholars and seniors in the modernist organization of Muhammadiyah.¹⁶ While Rofiah, Nasaruddin Umar, Husein Muhammad and Masdar F. Mas'udi are the prominent Muslim thinkers within

¹² Nur Rofiah, "Kekerasan dalam Rumah Tangga dalam Perspektif Islam". *Wawasan: Jurnal Ilmiah Agama dan Sosial Budaya*, vol. 2, no. 1 (2017), pp. 31–44.

¹³ This condition was also experienced within Christian tradition as clearly elaborated by Gossman and Ruether in "The Theological Construction of Women's Silence", in Fiorenza, *The Power of Naming: a Conclusion Reader in Feminist Liberation Theology*, (New York and London: Orbis Book, 1996).

¹⁴ Ruhaini Dzuhayatin, "Gender Glass Ceiling in Indonesia: Manifestation, Roots, and Theological Breakthrough". *Al-Jami'ah: Journal of Islamic Studies*, vol. 58, no. 1 (2020), pp. 209–240.

¹⁵ Robinson, *Gender, Islam and Democracy*, p.44.

¹⁶ Muhammadiyah is the oldest and biggest modernist Islamic organization, established by KH Ahmad Dahlan in 1912. This organization since its emergence have been contributed to empower women through education and trainings. See. Hilman Latief and Haedar Nashir, "Local Dynamics And Global Engagements Of Islamic Modernist Movement In Contemporary Indonesia: The Case Of Muhammadiyah 2000-2020", *Journal of Southeast Asian Affairs*, vol. 39, no.2 (2020), pp. 290-309. See also Azaki Khoirudin, Baidhaw, Zakiyuddin & Mohd Nor, Mohd Roslan, "Exploring Muhammadiyah's Historical Civilizational Dimension of Social Reconstruction in Indonesia: Humanitarian and Cosmopolitan Approaches". *Journal of Al-Tamaddun*, vol. 15, no. 1 (2020), pp. 183-197.

the traditionalist organization, *Nahdlatul Ulama*.¹⁷ Both Muhammadiyah and *Nahdhatul Ulama* are the two moderate Islamic organizations that have been contributed significantly as a theological reference for Indonesian Muslim society, including on women empowerment and gender equality.

These all six progressive scholars under the umbrella of two mainstream Islamic mass organizations are the productive writers on various aspects of women in Islam. There are number of works written by Dzuhayatin in the forms of books, journals articles and conference or seminar papers. This work includes *Islamism and nationalism among the Niqabis women in Indonesia* (2020), *Rezim Gender Muhammadiyah: Kontestasi Gender, Identitas dan Eksistensi* (2015), *Rekonstruksi Metodologis Kesetaraan Gender dalam Islam* (2002), *Kesetaraan Gender: Kontestasi Rezim Internasional dan Nilai Lokal* (2012), *Ideologi Pembebasan Perempuan: Perspektif Feminism dalam Islam* (1998) and many other written works as evidence of her efforts in propagating gender equality within the wider society.

Qibtiyah has also written various articles and books to promote gender equality such as: *Feminisme Muslim di Indonesia* (2019), *Mapping of Muslims understanding on Gender Issues in Islam* (2018), *Feminist identity and the Conceptualization of Gender Issues in Islam* (2012), *Indonesian Muslim Women and The Gender Equality Movement* (2009), and many other publications. Rofiah works includes *Nalar Kritis Muslimah: Refleksi atas Keperempuanan, Kemanusiaan dan Keislaman* (2020), *Kekerasan dalam Rumah Tangga dalam Perspektif Islam* (2017), *Bahasa Arab sebagai Akar Bias Gender dalam Wacana Islam* (2006) and other works. Both Qibtiyah and Rofiah conducted an intensive and regular trainings on gender in Islam. These trainings are conducted both online and offline with the aims to increase Muslims literacy on gender equality. Rofiah has been managing her program named Ngaji Keadilan Gender Islam (Ngaji KGI) since 11 May 2019 until now.¹⁸

Meanwhile Qibtiyah founded a program called Akademi Feminis Muslim (AFM). This AFM program was started a month after her professor's inauguration in The State Islamic University of Sunan Kalijaga Yogyakarta. It was established when a young community encouraged her to crystalized and grounded her experiences and theories on Muslim feminism through a regular program so-called Akademi Feminis Muslim (AFM). The AFM program has been conducted 4 batch with 4 sessions in every batch, regularly managed every Saturday at 1 pm. The programs of KGI and AFM have successfully attracted many audiences from Indonesia and overseas, particularly young Muslims. Through these programs, both Rofiah and Qibtiyah actively engaged with their audiences, not only for promoting gender justice but also for empowering women and increasing gender awareness based on the Islamic spirit.

Nasaruddin Umar works include: *Argumen Kesetaraan Jender Perspektif Al-Qur'an* (1999), *Membangun Kultur Ranah Perempuan* (2004), *Teologi Jender* (2003), *Bias Gender dalam Pemahaman Islam* (2002), and so forth. The books written by Husein Muhammad consist of: *Ijtihad Kyai Husein: Upaya Membangun Keadilan Gender* (2011), *Fiqh Perempuan; Islam dan Gender* (2006), *Islam Agama Perempuan* (2004) and *Fiqh Perempuan* (2001). Masdar Mas'udi's works cover: *Advocacy of Reproductive Rights in Indonesia* (1997), *Islam dan hak-hak Reproduksi Perempuan* (1997) and *Perempuan diantara Lembaran Kitab*

¹⁷ *Nahdhatul Ulama* (NU) is the largest traditionalist Islamic organization, established by KH. Hasyim Asy'ari in 1926. The NU has also been recognized for its contribution to the development of Indonesian Islam and gave attention to the women involvement in various organizational activities to increase their capacity. See. Muhammad Adlin Sila, "Revisiting NU-Muhammadiyah in Indonesia". *Indonesia and the Malay World*, vol. 48, no. 142 (2020), pp. 304-322.

¹⁸ Nurmila, "The Spread of Muslim Feminist", pp. 97-126.

Kuning (1991).

Their works above represent a significant authority in Indonesian Islam. The religious authority is an important factor required for someone who wants to speak authoritatively on Islamic issues, including the topic on Islam and gender.¹⁹ Furthermore, these public scholars are actively engaged in giving more influential critique on the hegemonic discourse of patriarchal culture among Indonesian Muslim society.²⁰

They use Qur'anic verses and other authoritative Islamic literatures to support their critiques. In general, there are several topics criticized by the scholars related to gender bias that were interpreted or constructed by either recent or past *ulama*. The topics range from the origin of woman creation, inheritance, witnesses, polygamy, domestic violence, reproductive rights, women property rights, public role of woman, to the right of divorce.

Yet, the issue about polygamy, the public role of women or women leadership and inheritance is paid more attention by the scholars than other topics. It is a public discourse that involves many Muslim leaders in public debate. The issue of women leadership raised a political debate when there was a woman candidate for president in general election in 1999 and 2004. In terms of polygamy, the government issued a policy to restrict polygamy in 2006 that attracted sharp public attention both from the opponent and the proponent. Meanwhile inheritance for women attract public discourse when the minister of religious Affairs, Munawir Sjadzaly in promoted new interpretation of the Quranic verse on the proportion of women inheritance is half portion of men. The right for a bigger share inheritance should not be attached to sex, but to the responsibility that the person takes. According to Sjadzali, more portion of inheritance should be given to either male or female who is a family breadwinner.²¹

Misogynous view is the basic idea criticized by the scholars. Some negative conceptions on women existed since long time ago among Indonesian society and are cited frequently by many *ulama*. One of the conceptions is that Muslims should be aware and careful about three challenges, namely property, power, and woman.²² This idea has been spread in Muslim societies since the classic and medieval period. Muslims accept it uncritically, including Indonesian Muslim. There is similar idea taught in some Islamic boarding schools in Indonesia that assert women as a devil created for men. Muslims must ask God's protection from such devil.²³ Certainly, such ideas have been influenced by *fatwa* of *'ulama*. It can be seen from Mas'udi finding, for instance, in Ibnu Hajar al-Haitami's fatwa, the prominent *ulama* living in Eighth century, stating that women are not recommended to learn and to be educated and knowledgeable. According to Haitami, women are unable to control themselves. Their knowledge tends to endanger them and other people.²⁴ This fact obviously shows that in the early beginning of Islamic history, a misogynous perception has existed.

In addition, most classic *ulama* also assert that women are the foundation of family and nation. The consequence of this opinion is that any failure or chaos of the family and nation

¹⁹Ai Fatimah Nur Fuad, "Female Religious Authority among Tarbiyah Communities in Contemporary Indonesia". *Archipel*, vol. 102 (2021), pp. 187–207.

²⁰Dzuhayatin, "Gender Glass Ceiling", pp. 209–240.

²¹Rosidi Jamil, "Hukum Waris and wasiat: Sebuah Perbandingan antara Pemikiran Hazairin dan Munawir Sjadzali". *Al-Ahwal: Jurnal Hukum Keluarga Islam*, vol. 10, no.1 (2017), pp. 99-114.

²²Masdar F. Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan: Dialog Fiqih Pemberdayaan*, (Bandung: Mizan, 2000). p. 44.

²³Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan*. p. 44.

²⁴Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan*. p.63.

must be caused by women.²⁵ Therefore, women are considered as a scapegoat in several classical sources. The fall of a nation state is assumed as a fault of women in managing their own families. Mas'udi believes that such view assesses women in a wrong position. The women are seen as the bad nature that should be controlled by men regardless their level of education and experience. There is, even, more extreme assumption which believes that the more well-educated women are the more dangerous they will be. On the contrary, men are regarded as a perfect creation to control women. It is a characteristic of misogynous interpretation.²⁶ Such interpretation leads Muslims to discriminate against women.

Husein Muhammad has similar opinion. In his book entitled *Fiqh Perempuan* (Islamic Jurisprudence for Women), he says that most classical *ulama* conceptualize women in bad position. The *ulama* believed that physically and psychologically women are inferior to men. Based on their interpretation, Muhammad concluded that *ulama* has justified inequality of gender in Islamic world. Moreover, he believes that God commands Muslims not to marginalize women. Al-Qur'an explains that God asks Muslims to establish justice and women rights. He states that in the early beginning of Islam, many Muslims were aware that women have similar and equal rights with men.²⁷

Muhammad confirmed his conclusion by referring to Umar ibn Khattab, the companion of the Prophet (*sahabat*). The caliphate Umar said that in pre-Islam period, he and other Arab people did not respect women. Yet, when Islam came and God explains about the necessary to respect women, they are aware that women also have the same rights as men. Therefore, Muhammad concludes that the marginalization, discrimination, and violence against women are contradictory to Islamic values. Besides that, Muhammad proposes the emancipatory interpretation from the Qur'an. He believes that Muslim should behave to their wives with very good manner.²⁸ The word of *al-ma'ruf* in Qur'an is interpreted as virtue that is based on local situation.

Nasarudin Umar opinion confirms Mas'udi and Muhammad views that the main message of Islam is to liberate women from discrimination and injustice. Umar highlighted that any opinion on women as an object of discrimination and injustice is contradictive to Islamic values.²⁹ Therefore Umar's book can be used not only as an authoritative reference on the topic, but also can be used as a tool to answer the argument of some parties who believe that Islam is a religion that discriminates women rights and believe that women is a second class in a society. Therefore, Muslims must reinterpret their misleading understanding on women in Islam.³⁰ This perspective on liberation of women was also promoted and disseminated by female scholars such as Dzuhayatin, Qibtiyah dan Rofiah.³¹

Based on the explanations above, these Muslim scholars believe that polygamy is no longer suitable with contemporary condition. For them, the purpose of polygamy as practiced

²⁵ Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan*. p.45.

²⁶ Nur Rofiah, *Nalar Kritis Muslimah: Refleksi atas Keperempuanan, Kemanusiaan dan Keislaman*, (Bandung: Afkaruna, 2020). p.159.

²⁷ Husein Muhammad, *Fiqh Perempuan: Refleksi Kiai atas Wacana Agama dan Gender*, (Yogyakarta: LKiS, 2001). p.19.

²⁸ Muhammad, *Fiqh Perempuan*. p.23.

²⁹ Nasaruddin Umar, *Argumen Kesetaraan Jender Perspektif Al-Qur'an*, (Jakarta: Paramadina, 1999).

³⁰ Umar, *Argumen Kesetaraan Jender*. p.34 & 36.

³¹ There are also popular Indonesian female Muslims who vigorously promote gender equality issues through universities and educational institutions or advocate women through non-government organizations such as Lies Marcoes, Badriyah Fayoumi, Musdah Mulia, Sinta Nuriyah Wahid, Cici Farkha, Lili Munir, and many other female activists that cannot be mentioned each of them.

by the Prophet in the past is not the same with recent phenomenon. The social context is the key point that should be understood in explaining the Prophet decision. Women before Islam and in early Islam had no access to earn money since trading and public jobs can only be accessed only by men. In that periods, Arab culture believed that the domain of economy is belong to man.³² As a result, women were forced culturally (patriarchal culture) to stay at home and only maintain their family. The social and cultural condition also affected on women's ability and competency in playing their public role due to the lack of education and skill. Based on a research, more than 27% feminist Muslims agree that women can have a public role and have the right to be a public leader.³³

According to the Muslim scholars I mentioned above, the context must be considered in understanding Islamic messages that was revealed in the past. Hence, the similarity among these scholars is in their concern on the importance of context in understanding Qur'anic verses related to gender issues. Their focus is on the liberation of women from any hegemony or marginalization in the name of Islam. Whereas the difference is found on the approaches and sources they use in understanding the texts. Dzuhayatin and Qibtiyah seems more modern in interpreting the classical sources. Rofiah and Umar seems less traditional compared to other scholars since he combines traditional and modern sources in interpreting the Qur'an. Otherwise, Mas'udi and Muhammad are traditional due to the intensive use of the traditional Islamic references. These differences occur due to the different background of academic, activism and training. Dzuhayatin, Qibtiyah, Rofiah and Umar are university professors and lecturers while Mas'udi and Muhammad are the leaders and teachers (*Kyai*) in the traditional Islamic boarding schools.

C. Critiques to Textual Interpretation

Indonesian Muslim scholars such as Umar, Muhammad Dzuhayatin, Qibtiyah, Rofiah, and Mas'udi criticize textual method of interpretation. They see that the method has led Muslims to a misleading understanding on the status of women. According to Saeed, textualists argue for "a strict following of the text and adopt a literalistic approach".³⁴ However, the critique from the progressive Muslims is responded negatively by conservative *ulama*. In fact, there is misunderstanding in Muslim society regarding the concept of Islamic teaching. Some Muslims view the accommodation of the progressive Muslims to the social and political contexts of the verses with suspicion. Muslims, in general, believe that the Qur'an is always applicable in all circumstances regardless of the differences in contexts.³⁵ Many Muslims think that any discussions on social contexts of the Qur'an are a threat to the religion. Thus, many Muslims assess such critical views to polygamy and other gender bias conception in Islam, as an attack to destroy Islam and its tradition. The progressive scholars are often associated with Western countries' agenda that attempt to distort Islamic doctrines.³⁶

³²Marshall Hodgson, *The Venture of Islam; Conscience and History in A World Civilization*, (Chicago:The University of Chicago Press, 1974).

³³ Alimatul Qibtiyah, *Feminisme Muslim di Indonesia*, (Yogyakarta: Suara Muhammadiyah, 2019).

³⁴ Abdullah Saeed, *Interpreting the Qur'an: Towards a Contemporary Approach*, (London:Taylor & Francis, 2006)

³⁵ Saeed, *Interpreting the Qur'an*. p.124.

³⁶ Ai Fatimah Nur Fuad, "Islamism and Da'wa in Late Modern Indonesia: Lived Experiences and Official Discourses of The Leaders and Members of the Tarbiyah Movement", Ph.D Thesis (Leeds: The university of Leeds, 2017); See also Barbara Stowasser, *Islam, Gender and Social Change*, (Oxford: Oxford University Press, 1998). p.

To some extent, this phenomenon shows that some Muslims do not comprehensively understand Islam.³⁷ Mas'udi says that they cannot differentiate between Islam as an absolute matter represented in the Qur'an and Islam as cultural product which involves human's creation in developing certain dimensions of religion. For textualists (fundamentalist), the meaning of the Qur'an is fixed and universal in its application. Thus, all Islamic thought products are doctrines that are not allowed to be criticized, reinterpreted, and revised. For instance, if the Qur'an says that a man may marry four wives, then this should apply without any contextual considerations. Based on their interpretation to this part of the Quranic verse 4:3 they interpret literally that Islam allows polygamy. This belief makes them very reactive to those who prohibits polygamy based on the contextual readings to the complete Quranic verse 4:3 and those reformist Muslim scholars who struggle for gender equality issues. Nurmila divides Muslims interpretation on polygamy into three groups, the first who interpret literally the verse 4:3 and says Islam allows polygamy, the second who allows polygamy if a husband able to fulfil the criteria to be just among his wives and the last who forbids polygamy based on their contextual readings of the whole verses An-Nisaa (4): 2,3 and 129.³⁸

In fact, as mentioned by Umar, Mas'udi, and Husein Muhammad Islamic teachings consist of two elements, namely the primary text which is Al-Qur'an and the Sunnah of the Prophet. The other is the secondary text which is the ulama's interpretation about the primary text.³⁹ The primary text is an absolute truth, while the secondary text is not an absolute or relative, because the secondary is the interpretation to the Qur'an. According to these scholars, fundamentalists' view on Islamic teaching is influenced by the approach they use in interpreting the Qur'an.

Umar insists such method of interpretation is a factor that leads Muslims to be conservative. It also occurs when fundamentalist Muslims interpret gender conception in the Qur'an.⁴⁰ They are unable to understand the essence of *syariah* (*maqashid al-syariah*).⁴¹ The impact of applying this method would lead Islam become incompatible with humanity. Gender discrimination or the conception of gender bias is the result of this textual method. It justifies injustice against women on behalf of Islamic teaching. It is the core reasons that lead Dzuhayatin, Qibtiyah, Rofiah, Umar, Mas'udi, and Muhammad, to criticize textual method in interpreting the Qur'an.

To a certain extent, the Indonesian Muslim scholars also criticize *Syafi'i* school that has many followers in Indonesia.⁴² In fact, the school tends to make the Qur'an and the Sunnah as the main reference in responding new social problems. In other word, the method uses the texts

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³⁷ Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan*. p. 29-35.

³⁸ Nurmila, "The Spread of Muslim Feminist". pp. 97-126.

³⁹ Nasaruddin Umar, *Teologi Gender: Antara Mitos Dan Teks Kitab Suci*, (Jakarta: Pustaka Cicero, 2003). p. 197-214. See also Mas'udi, *Islam dan Hak-Hak Reproduksi Perempuan*, pp. 29-35, and Muhammad, *Fiqh Perempuan*, pp. 7-13.

⁴⁰ Nurmila named the fundamentalists as the conservatives or the Islamists. She categorized Indonesian feminism into three typologies namely, secular, Islamists/conservatives, and the Muslim feminists, See. Nurmila, "The Spread of Muslim Feminist", p. 99.

⁴¹ *Maqasid al-Syariah* (Arabic) is the aims or purposes of the Islamic law, while *syariah* means the holy law of God which Muslim conduct seeks to emulate. Theoretically unattainable, it has inspired generations of legalists, who have sought to build a model *syariah* with rules of behavior based on the Qur'an and traditions. See. Umar, *Teologi Gender*, pp. 197-200.

⁴² *Syafi'i* school is the Sunni school of jurisprudence that is generally prominent in Egypt and Southeast Asia. See Muhammad, *Fiqh perempuan*, pp. 20-21.

in understanding social reality. Rational approach was used in a very limited proportion which is to explain the meaning of the texts. Yet, the texts are still the main authoritative. It means that the texts are not seen as particular and contextual symbols which were produced in a certain culture. The method views the texts as absolute divine language. The texts are seen as a main parameter, and it is separated from culture and society. It also affects the view that the texts cannot be contextualized. Moreover, it is prohibited to interpret the texts freely or based on recent context, since the meaning of the texts are one and permanent.

Nevertheless, the scholars do not reject the authority of the Qur'an and the Sunnah. They only criticize Muslims who use such method as a tool in constructing Islamic teachings. For them, it will isolate Muslims from the aim of *syariah*.⁴³ After all, the textual interpretation sees the sign identical with its meaning. The consequence is that the texts will be represented by one meaning. It leads Muslims to produce exegesis works that are not contextual and traditional. Therefore, the textual method of interpretation marginalizes the role of reason to explore and elaborate further about the contextual meaning and the aim of the texts.⁴⁴ It impacts to the abandonment of *maqasid al-syariah* that can be found and applied by contextualizing it with contemporary social needs.

D. Contextual Interpretation

Unlike textual approach, contextual method of interpretation emphasizes on the socio-historical context of the content of the Qur'an. Contextualists as referred by Saeed argue for understanding "the ethics-legal content of the Qur'an in the light of political, social and historical contexts in which this content was revealed, interpreted and applied".⁴⁵ Hermeneutic is a method that considers the importance of such context in understanding the Qur'an.⁴⁶ Umar proposes hermeneutic approach in understanding text.⁴⁷ Hermeneutics has been practiced by Muslim since long time ago.⁴⁸ However, as a detail method, it is a new concept in Muslim countries, particularly Indonesia. The encounter between Muslim scholars and modern Western scholars is believed as the way hermeneutics develops within Muslim society.

Generally, hermeneutics is part of philosophical instrument used in understanding texts.⁴⁹ Hermeneutics sees texts as the product of a particular culture and time. Hence, the meaning of the texts as produced by its author has a particular sense that cannot be generalized in all contexts. In that sense, hermeneutic tries to bridge the distance between the author, the reader, and the context of the texts.⁵⁰ Hermeneutic places social, political, and cultural condition when the text is written as an important variable to be noticed. The consideration on the importance of social condition will lead the reader to the better understanding of the text.

Basically, hermeneutics that has been proposed by Umar is not an odd idea in religious studies. Farid Esack states that hermeneutic is utilized to explore the contemporary

⁴³ See. Umar, *Teologi Gender*, pp. 197-214.

⁴⁴ See. Umar, *Teologi Gender*, pp. 197-214.

⁴⁵ Saeed, *Interpreting the Qur'an*. p.3.

⁴⁶ Saeed. *Interpreting the Qur'an*. p.3.

⁴⁷ Umar, *Teologi Gender*, p. 197.

⁴⁸ Nasr Hamid Abu Zayd (1996), *Mafhum al-Nash: Dirasat fi Ulum Al-Qur'an*. Beirut: al-Markaz al-Tsaqafi al-Arabiyy.

⁴⁹ Farid Esack, *Qur'an, Liberation And Pluralism: an Islamic Perspective of Interreligious Solidarity against Oppression*, (Oxford: One World, 1997), pp. 50-51.

⁵⁰ Abdullah Saeed (2013), *Reading the Qur'an in the twenty-first century: A contextualist approach*, London: Routledge.

meaning of the Bible and the Qur'an.⁵¹ It means that Umar, Mas'udi, and Muhammad as well as Dzuhayatin, Qibtiyah and Rofiah are the proponents of the new development of such religious interpretation trend in Indonesia. However, the nature of hermeneutics that tends to neglect textual meaning make it controversial. Muslim scholars who use hermeneutics are often condemned by most *ulama* as ignoring the principles of religious values. Umar and other Indonesian Muslim scholars are frequently labelled as liberal secular by literalist Muslims.

Umar lays his interpretation on hermeneutic method, since he believes that a text is a product of culture. He considers that the Quran which revealed by God and documented in texts were constructed based on its context. In Islamic tradition, the history is called *asbāb an-nuzul* (reasons of revelation).⁵² For Umar, using hermeneutic is a necessity while interpreting the Qur'an. He calls Muslims to consider the context of a verse by understanding *asbab an-nuzul*.

As explained above that the first step in hermeneutics interpretation is to find the meaning that was meant by the author in its beginning context. After that the meaning will be brought and faced it with contemporary human problems.⁵³ It is certainly more complicated than textual method. It does seem that hermeneutic method needs a special expertise of interpreting the Qur'an. In addition, the method requires modern sciences such as anthropology, sociology, and history. It may happen that the method tends to leave the literal meaning of the texts. However, it does not mean that it neglects the text. Hermeneutics perspectives assess those religious texts are not produced in an empty context.⁵⁴ The verses of the Qur'an were revealed in a context in which social problem occurred. Therefore, the Qur'an and other religious texts were revealed historically and culturally. According to these scholars, if the readers neglect the socio-cultural context of the texts, they will be alienated from the basic aim of the message.

Hence, according to Umar the meaning of Qur'anic verses is not absolute or permanent.⁵⁵ It is always on the process of interpretation. The verses explaining about inheritance, for instance, represented the interaction between text and reality. Before Islam come, Arab society had marriage tradition inter-tribes to strengthen connection and relationship among these tribes.⁵⁶ Unfortunately, it resulted in a conflict because wives' property that they got before the marriage from parents' inheritance, would become husbands' property after their marriage. Thus, the property no longer belongs to wives but would accumulate to husbands'

⁵¹ Esack, *Qur'an, liberation and pluralism*, p.50.

⁵² *Asbab an-Nuzul* (Arabic) is part of the Qur'anic studies that explains the context in which a Qur'anic verse was revealed. *Makiyah* verses were revealed in Mecca period, which was before the *hijra* of the prophet Muhammad, while *Madaniyah* verses were revealed in Madina period which was after the *hijra*. Abdullahi Ahmed an-Na'im differentiates *Makiyah* and *Madaniyah* verses. Na'im explains that the message of *Makiyah* verses is the principal ideas of Islamic values such as human right, justice, and social virtue, while the *Madaniyah* is related to Islamic jurisprudence that regulates social order of the Muslim society. The different content and orientation of both *Makiyah* and *Madaniyah* verses are affected by its political, social, and cultural contexts. See. Abdullahi Ahmed An-Na'im, *Toward an Islamic Reformation; Civil Liberties, Human Rights, and International Law*, (New York: Syracuse University Press, 1996)

⁵³ Saeed, *Reading the Qur'an*.

⁵⁴ Saeed, *Reading the Qur'an*.

⁵⁵ Umar, *Teologi Jender*.

⁵⁶ M. Abid Al-Jabiri, *An-Naqd al-Aql al-Araby*, (Beirut: Huquq Thob'I wa an-Nashr Mahfudzot li al-Markaz, 2001).

tribe. This condition emerges jealous and conflict among them.⁵⁷ Due to this tribe conflict, Arab society before Islam eliminated the inheritance rights for women.⁵⁸ Therefore, Islam regulate inheritance through the Quranic verses (4: 7 and 11) with the spirit of giving inheritance rights and protection to property of women and their rights. The emergence of Islam then considered both social context and the right of women, including the property rights and inheritance. The Islamic tradition is not only built through the understanding to the text but also understanding to the dynamics of the context along with maintaining the spirit of Islamic justice.⁵⁹ Islam decided to give the inheritance for women (daughter) with half proportion of men (son). This sort of perspective is offered by hermeneutics.

According to Farid Esack, hermeneutics can be defined as a science that seeks to describe how a word, text, and event that occurred in the past can be really understood and meaningful in today time.⁶⁰ Furthermore Esack says that hermeneutics want to mediate the gap between the past and the current condition.⁶¹ Texts, in hermeneutics, are viewed as dependence. There is close relation between the revelation process, language, content, and community that consume texts.⁶² They represent cultures as seen in Qur'anic texts that are dominantly influenced by Arab culture. In addition, Abdurrahman highlights that to produce a more relevant meaning of the Qur'anic verses, it is important to firstly understand the current social context.⁶³ Moreover, Abdurrahman asserts that recent social context should be read first before reading the texts. It will lead the interpreter to the progressive meaning of the texts.

Critical thought from Muslim scholars is not only based on hermeneutics. There is also other method called *Burhani*.⁶⁴ *Burhani* uses rationality as its tool in understanding religious texts.⁶⁵ Based on *burhani*, the texts are explored in deductive and inductive ways and then the *maqasid al shari'at* is determined.⁶⁶ The texts are seen as a symbol of universal causality principles. The textual meaning can mislead Muslims from the core message of the texts since the texts were produced within certain social-cultural context.⁶⁷

Historically, since *Khulafa' ar-Rosyidin* period there was clash of interpretation method among Muslim scholars. Moreover, the dialectic epistemology had resulted in a sharp conflict.⁶⁸ Umar bin Khattab's view, the third caliph of *Khulafa ar-Rosyidin* period, that attracted clash of opinion was one interesting example. The caliph Umar offered different Islamic jurisprudent

⁵⁷ Al-Jabiri, *An-Naqd al-Aql al-Araby*.

⁵⁸ Al-Jabiri, *An-Naqd al-Aql al-Araby*.

⁵⁹ Basya, *Muhammadiyah's Fatwa*, pp. 14–31.

⁶⁰ Esack, *Qur'an, Liberation and Pluralism*. p. 51.

⁶¹ Esack, *Qur'an, Liberation and Pluralism*. p. 52.

⁶² Moeslim Abdurrahman, *Islam sebagai kritik sosial*, (Jakarta: Erlangga, 2003). p. 192.

⁶³ Abdurrahman, *Islam Sebagai Kritik*, p. 193.

⁶⁴ *Burhani* is an Arabic term means a rational and experimental approach. Using this method, rational approach is more prioritized than the textual one. Based on this method, Muslims should contextualize the text with the contexts to find the core message of the Qur'an. See. M. Hilali Basya, "Epistemologi Syariat Berkeadilan Gender: Sebuah Dekonstruksi Terhadap Fundamentalisme". *Jurnal Perempuan*, Vol. 31 (2003). pp. 39-48. See also. Al-Jabiri, *An-naqd al-aql al-Araby* and Ahmad Hasan Ridwan, "Kritik Nalar Arab: Eksposisi Epistemologi Bayani, 'Irfani dan Burhani Muhammad Abed Al-Jabiri". *AFKARUNA: Indonesian Interdisciplinary Journal of Islamic Studies*, vol. 12, no. 2 (2016), pp.187-221.

⁶⁵ Al-Jabiri, *An-Naqd al-Aql al-Araby*.

⁶⁶ Al-Jabiri, *An-Naqd al-Aql al-Araby*.

⁶⁷ Rofiah, *Nalar Kritis Muslimah*. p. 10.

⁶⁸ M. Hilali Basya, "Epistemologi Syariat". p.39-48. *Khulafa ar-Rosyidin (Arabic)* is the first four rulers of the Islamic peoples after the death of the prophet Muhammad, usually rendered as the righteous caliphs. The historical epoch encompassing their combined rule, about forty years, is regarded by Muslims as a time when the 'true' teachings of Islam were practiced.

opinion regarding booty. He refused to distribute the land of Iraq as booty to the Muslim army after its conquest, even though there is a verse in the Quran (8:41) clearly commands Muslims to distribute the booty. In the Prophet period, the land was allocated for Muslims who participated in the war. Umar saw that such policy would make Muslims army become the owner of the land. As a result, they would monopolize the property. Monopoly is not good for the prosperity and justice of all Muslim society. That was why Umar proposed new legal opinion based on public benefit. His policy gave the opportunity to the previous owner of the land to maintain it, but they must give some of its profit to the Muslim state. Then, it will be used by the state to support educational and other programs related to public interest. Umar believed he could choose a different way when the 'public interest' demanded it.⁶⁹

Certainly, Umar's policy attracted controversy. There were many opponents coming from the *sahabah*. Based on this case, historically, there was clash of method in understanding a text. Umar represented *Burhani* and the others performed the *Bayani*.⁷⁰ The important point that wants to be emphasized by Mas'udi, Umar, and Muhammad is that, although Muslims are obliged to believe that Qur'an is revealed from God, but it does not mean that Qur'an absolutely represents God's mind. Since God must use human or local language, thus, in fact, the language reduces God's ideas. According to these scholars, this is the weakness of the textual method. The method is closely connected to the Arabic structure, which is influenced significantly by Arab culture. As explained by Umar, Arab culture was dominated by patriarchal system. These cultures were represented in the Qur'an.

In line with Umar and Mas'udi's perspectives, Muhammad states that most Qur'anic verses which were revealed in Madinah's period describe male position as higher than female. He mentioned several examples taken from the Qur'an such as in 4: 34 "*men are guidance of women*", 2:228 "*Men has one level higher than his wife*", 4:3 "*Men is allowed to perform polygamy*". Otherwise, Mecca's verses display the spirit of gender equality and emancipation of women.

Umar explains that long before the emergence of Islam, Arab worldview was influenced by the ancient cosmology and mythology of other civilization which tend to be misogynist, such as ancient Egyptian cosmology, ancient Greece, Sasania-Zoroaster, and so on and so forth.⁷¹ Moreover Umar says that Arab was also affected by Mesopotamia civilization which existed in 3500-2400 before Christ. There was a king named Hammurabi who made regulation about social political live, which is later called the Hammurabi code. The regulations stated about the rights and obligation for women which aims to marginalize women. Approximately 10th century before Christ, there was also a kingdom called Asiria which located in Irak, Iran, and Egypt. The kingdom resulted in compilation of law known as the Asiria code. The content of this code tends to oppress women. Thus, understanding and interpreting the Qur'an using the textual approach will trap Muslims in a misogynist interpretation.

E. Concluding Remarks

The Indonesian Muslim scholars that I have discussed in this essay eagerly want to liberate women through promoting Islamic values. They believe that the equality and freedom

⁶⁹ Saeed, *Interpreting the Qur'an*. p.124.

⁷⁰ Different from Burhani, Bayani is an approach or the philosophical system that lies based on the text (revelation) as an absolute truth. See. Ahmad Zohdi, "Islamic Scientific Epistemology in Al-Jabiri Perspective". *International Journal of Linguistics, Literature and Culture*, vol. 3, no. 5 (2017), pp. 26-35.

⁷¹ Umar, *Teologi Gender*. pp. 277-279

for all human being are the best reward from God. Men and women are assessed equally before God. They criticize religious interpretations that are resulted in gender inequality and women discrimination. They see that method of interpretation of the Qur'an is playing a significant factor in producing a meaning that marginalize against women. Therefore, they criticize textual methods used by other *ulama*. Based on this research, Umar, Muhammad, Dzuhayatin, Qibtiyah, Rofiah and Mas'udi argue that gender bias in Islam is resulted from the textual method. Ironically, most Muslims are used to interpreting the Qur'an and the Sunnah based on this method. These Indonesian Muslim thinkers are attempted to discover the weakness of textual method. These scholars believe that as far as Muslims do not change their method of interpretation, they will always produce a gender bias interpretation. In fact, gender bias interpretations have attracted public debate. Debates over gender bias tend to attack Islam as the religion that justifies discrimination against women.

These progressive scholars insist on the need of Muslims to use contextual interpretation to liberate women. It is a method of interpretation that consider the socio- cultural, economic, and political context as the important point in understanding the Qur'an and the Sunnah. The aim of this method is that Muslims will be aware that Islamic teachings are divided and differentiated between the universal *shariah* and the *shariah*. The former is the principal values that will be suitable at all time and places, whereas the latter is the implementation of these principal values in a particular context. It means that *shariah* (interpretation) as applied in Arab world in the past might not be compatible to apply in the modern Indonesian context.

Hermeneutic and *Burhani* are the method of interpretation proposed by these Indonesian scholars. They argue that these methods will produce new meaning of the Qur'an and the Sunnah. Nevertheless, it does not mean that the method will eliminate the original text of the sacred sources as assumed by some *ulama*. According to them the message within the Qur'an and the *Sunnah* must be explored by facing it with the social problems. Thus, there are different approaches between textual and contextual method of interpretation of the Qur'an. The progressive Muslims or contextualists engage with both the text and historical precedent in the present context. Otherwise, fundamentalist Muslims or textualists prefer to understand the text as it is written in the Qur'an without contextualizing it with today needs and modern challenges. Indonesian progressive Muslims are trying to articulate a just and egalitarian reading of the text. They criticize the interpretation method used by the conservative Muslims because it is considered as discriminate against women. The progressive Muslims highlight that it is crucial for Muslims to provide counter tradition based on the Qur'anic texts. It is very urgent to minimize the influence of repressive tradition to women on behalf of Islamic teaching as has been disseminate by conservative Muslims. Although the hierarchical gender system is still embedded in Indonesia, but it is believed that through continuous debate and discussion, the egalitarian gender system will gradually prevail.

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