



## **FEMINISM PARADIGM IN GENDER EQUALITY ARGUMENT OF NASARUDDIN UMAR**

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### **Abstract:**

*The idea of gender equality, that dominates contemporary men-women relation discourse, makes a number of Muslim thinkers trying to reinterpretation some of the religious doctrines that are considered as biased. At this point the scripture became the main target of the review, because of its position as a major source of religious doctrines. This effort has been done by Nasaruddin Umar through the book "Argument Kesetaraan Gender Perspektif al-Qur'an". By using the hermeneutics and semantics methods, his study focused on the historical study of Arab society and the meaning of vocabulary in the Qur'an that are directly related to gender issues. Nasaruddin saw the primary mission of the Qur'an is actually a liberating womens from the Arab patriarchist and similarity to the relations between men and women. But, the structure of the language and culture of Arab societies have been "trapped" word of God. Its makes a misunderstood that Islam helped to perpetuate the culture. This paper attempts to prove the strong influence of feminism paradigm in the Nasaruddin's thought, and that so impressed coercion meaning of vocabulary and verses of the Qur'an adapted to the paradigm. The imposition of meaning occurs on the distinction of the meaning of the word al-Rijal / rajul and al-dzakar. The first emphasis on the quality*

*and culture, the second emphasis on the biological aspects. But unfortunately, Nasaruddin was inconsistent using the sense that it provides itself. In addition, this paper provides a critical assessment of his socio-historical approach to build gender equality argument. Here the author found the reckless of Nasaruddin in seeing the socio-historical context of Arab society before and during the revelation of al-Qur'an. This makes his analysis tend to amplify and redirect the reason feminism espoused.*

**Abstrak:**

*Gagasan kesetaraan gender yang mendominasi struktur wacana kekinian membuat sejumlah pemikir Muslim melakukan upaya penafsiran ulang terhadap sejumlah doktrin keagamaan yang dianggap bias. Pada titik ini kitab suci menjadi sasaran utama kaji ulang mengingat posisinya sebagai sumber utama doktrin keagamaan. Upaya ini telah dilakukan Nasaruddin Umar melalui buku "Argumen Kesetaraan Jender Perspektif al-Qur'an". Dengan menggunakan metode hermeneutika dan semantik kajian Nasaruddin dititikberatkan pada telaah historis masyarakat Arab dan makna kosakata dalam al-Qur'an yang terkait langsung dengan persoalan gender. Dalam kajiannya Nasaruddin melihat misi utama al-Qur'an sesungguhnya adalah membebaskan wanita dari belenggu patriarkhisme Arab dan mewujudkan hubungan setara antara pria dan wanita. Namun struktur bahasa dan budaya masyarakat Arab telah "memerangkap" firman Allah dalam patriarkhisme sehingga Islam pun dipahami turut mengekalkan kultur bias itu. Tulisan ini mencoba membuktikan kuatnya pengaruh nalar feminisme dalam tulisan Nasaruddin tersebut sehingga terkesan adanya pemaksaan makna kosakata dan ayat al-Qur'an disesuaikan dengan paradigma tersebut. Pemaksaan makna terjadi pada pembedaan makna kata al-rijal/rajul dan al-dzakar. Pertama, ditekankan pada kualitas budaya dan kedua pada aspek biologis. Selain itu, secara deskriptif-interpretatif tulisan ini mencoba mengkaji pendekatan sosio-historis yang dilakukan Nasaruddin dalam membangun argumentasi kesetaraan gendernya. Melalui kritik internal, penulis menemukan kurang cermatan Nasaruddin dalam melihat konteks sosio-historis masyarakat Arab sebelum dan saat turunnya al-Qur'an. Kekurang cermatan ini membuat analisis Nasaruddin cenderung menguatkan dan mengarahkan pada nalar feminisme yang dianutnya.*

**Keywords:** *Feminism, Gender Equality, Nasaruddin Umar.*

## **A. Preliminary**

The Emancipation of women has become a global issue along with the rise of a new "consciousness" of "equal relation" between male and

female. In the 18th - 18th century, there was a "consciousness" for women to gain public freedom and broader rights in the fields of politics, education and work. It's so called the Suffrage Movements.

Today the notion of equality has penetrated almost all areas of life. Not only the public sphere, but the private sphere also began to be impregnated. In the political sphere, the state imposes a 30 percent quota for women in the management of political parties and the list of legislative candidates. Moreover, all government policies should also consider the rights of women through the Gender Mainstreaming program (Pengarus Utamaan Gender/PUG).<sup>1</sup>

The domination of the gender equality movement has greatly affected the paradigm of the social sciences, not least the study of Islam. There is a tendency among Muslim scholars to make it as a paradigm to understand the religious texts. So, there was a re-reading of some Islamic doctrines that were regarded as gender bias, such as diyat, female witness, dowry, male leadership (qawwamah), obedience to husbands, husk right to husband, and so on.<sup>2</sup>

There are many Muslim scholars who make a reinterpretation of the biased Islamic doctrines. Among them are Amina Wadud, Fatima Mernissi, Ziba Mir-Hosseini, Mai Yamani, and Shamima Shaikh. In contemporary Indonesia, some of the most influential Muslim feminists are Lies Marcoes-Natsir, Lily Zakiyah Munir, Etin Anwar, and Siti Musdah Mulia. Not just women, some male Muslim scholars also support this idea. Among these are Nasaruddin Umar.

In his writings, Nasaruddin Umar made a re-reading of the Qur'anic texts related to male-female relations. Like his dissertation at Syarif Hidayatullah State Islamic University (UIN) Syarif Hidayatullah Jakarta, and later published under the title "The Gender Equality Argument of the Qur'an Perspective." In this book Nasaruddin Umar tries to provide a normative foundation of equal male-female relation without distinction, as which is the goal of the feminist movement. As did many other Muslim

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<sup>1</sup>On the rules of women's quota in politics, see Ahmad Khoirul Fata, "Kritik Nalar Feminisme dalam Aturan Kuota Perempuan di Ruang Politik," *Jurnal Transformasi Administrasi*, vol 04, no 02 (2014), p. 713-716

<sup>2</sup>Amal Grami, "Islamic Feminism: a new feminist movement or strategy by women for acquiring rights?," *Contemporary Arab Affairs*, Vol. 6, No. 1 (2013), p. 102-113

feminists, Nasaruddin Umar also reinterpreted some of the doctrines that had been considered standard by Muslims.

Descriptively interpretative this paper tries to examine the dominance of feminist logic in the writings of Nasaruddin Umar, along with a critical review of his argument. In this study, Nasaruddin Umar's published dissertation will be the main reference material. That's because the writings of Nasaruddin Umar about male-female relationships or about gender much derived from this research. Here the author makes an internal critique of the writings of Nasaruddin Umar to see his consistency in establishing his argument about equality of men and women according to the Qur'an, and also to be studied in the context of prehistoric Arab history and after the arrival of Islam. This historical search is important because Nasaruddin Umar, who used the hermeneutical method, made the historical context of Arabia at that time to corroborate his thesis in his research.

## **B. History of Feminism**

The notion of a new male-female relation - equality without different role - assumes that both of men and women are a creature with equal position and potencies. The difference between of them lies only in the biological aspect, not in other aspects. It's a form of unfairly socio-cultural construct.<sup>3</sup>

The demands of equality are voiced by the feminist movement that was originally born of socialism. Both socialism and feminism share a common agenda for women's suffrage. Yet the feminist movement then goes further than socialism.<sup>4</sup>

According to Walsh socialism and feminism have some similarities; if socialism fights for equality between the poor and the wealthy in property ownership. Feminism fights for male-female equality in sexuality; feminism and socialism are both violating nature, socialism contradicts the natural law of society, while feminism violates the natural law of the human body. Both aim to fight for emancipation (freedom/independence). Socialism aims to liberate people from slavery in the field of work, while feminism aims to free from the boundaries that bind women's sexuality; Socialism awakens class

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<sup>3</sup>Roberta Gilchrist, *Gender and Archeology: Contesting the Past* (London & New York: Routledge, 2001), p. 1

<sup>4</sup>Correa Moylan Walsh, *Feminism* (New York: Sturgis & Walton Company, 1917), p. 3

consciousness and inflames social class antagonism, feminism awakens class consciousness and inflames sexual antagonism.<sup>5</sup>

Thus, feminism is a belief, movement and effort to fight for equality of women and men in a patriarchal society.<sup>6</sup> Movement of feminism can be identified from the desire to change the condition of male-female relations. His birth was triggered by oppression and injustice. This movement makes men, socio-cultural constructs, politics, and economy as objects. This belief was born from the condition of Western society that from the very beginning looked at women very low.

Indeed, in the West women have for long been victims of religious inquisition and become the object of male sexuality. According to Hamid Fahmy Zarkasyi, the term femina or feminist derives from the Fei-minus Latin, derived from the word Fee (faith) and minus (less). Zarkasyi theologically sees women in the West positioned as being less faithful. The feminist opposite, masculine, has a strength of sexuality meaning. At first feminists demand economic rights and then demand political rights. In the 18th century women began working outside the home driven by industrial capitalism. Originally it was meant to meet physical needs but later developed into a social ambition.<sup>7</sup>

Generally, there are three waves of the feminist movement<sup>8</sup>: The first wave, occurring between the years 1880-1920 where women achieve public freedom and wider rights in the political space, education and employment. This wave is commonly called Suffrage Movements. This early feminism fought in three ways: 1) revising the subordination of women in the teachings of the church. 2) opposing guidebooks that tend to rein in women of the era. 3) build solidarity among women writers to build confidence and financial support among women writers.

But this first wave of feminism contains some weaknesses, that is, they are very careful not to engage in unconventional life, only fighting single women from the middle class alone, especially those with high intellectuality. In they addition only raised certain issues only and there has

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<sup>5</sup>*Ibid.*, p. 3-4

<sup>6</sup>Ni Komang Arie Suwastini, "Perkembangan Feminisme Barat Dari Abad Kedelapan Belas Hingga Postfeminisme: Sebuah Tinjauan Teoritis", *Jurnal Ilmu Sosial dan Humaniora*, Vol. 2, No. 1 (April 2013), p. 199.

<sup>7</sup>Hamid Fahmy Zarkasyi, *Misykat: Refleksi Tentang Westernisasi, Liberalisasi, dan Islam* (Jakarta: INSISTS & MIUMI, 2012), p. 237-240.

<sup>8</sup>Gilchrist, *Gender and...*, p. 2-4

been no awareness of the wider movement of feminism. Only wealthy women have opportunities for a career and domestic life because they can afford to pay servants to do their housework. And the most notable criticism is that these feminists still rely on men's help to achieve their goals.<sup>9</sup>

At the end of the 1960s the second wave<sup>10</sup> took place with a focus on the issues surrounding equality of personal rights in sexual relations, reproductive rights and the fulfillment of public and private spaces. Intellectuals in this second wave are concerned with the identification of the root causes of women's oppression. In this second wave the feminists are unified by the Patriarchy Theory: that the relations that subordinate women occur through various institutions such as family, education, religion and government. The patriarchal relationship is assumed to be structurally operating at the institutional level, not merely the result of personal desires. Some schools of feminist emerged with their universal explanation of patriarchist. Among the most notable are socialist feminism who feel gender as a product of social and cultural change.

Contrary to that is radical feminism which generally proposes trans-historical gender definitions. They considered patriarchist to operate through the family as a social institution that suppresses women. Radical feminism focuses on the biological differences between men and women. While Marxist Feminism, inspired by Friedrich Engels's notion of oppression of women rooted in private property rights to wealth, views women as a single class united by their work and sexuality in a capitalistic system of production.

One of the main characteristics of second wave feminism is their attempt to formulate a theory to embrace all feminist struggles. They believe the only way to free a woman from oppression is to change the woman herself. In order to be equal with men, women should leave the household traps and all the "feminine mystique" that bind women in subordinate construction. "Conscious rising" is considered as the best alternative to awaken women from their constraints.<sup>11</sup>

The second wave of feminism was criticized by black women movement that then formed a radical movement. They think that the feminism give priority to a white woman and fails to cover the issues of class

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<sup>9</sup>Suwastini, "*Perkembangan Feminisme Barat...*", p. 200.

<sup>10</sup>Gilchrist, *Gender and...*, p. 2-4

<sup>11</sup>Suwastini, "*Perkembangan Feminisme Barat...*", p. 201-202

and race. The second wave feminism's theories are also considered many activists as half-forecast and half-utopian.<sup>12</sup>

While the third wave emerged in the decade of the 90s where the feminist studies began to take elements of postmodernist thought and shift their attention to a more cultural and symbolic approach. The universal meta-narrative of the second wave is replaced by broader pluralism; emphasis on male-female inequality is replaced by an order to understand gender differences. This wave is commonly referred to as Post-modern Feminism or Post-feminism.<sup>13</sup>

The term post feminism emerged earlier in an article in 1920. The term was used to express a pro-female but not anti-male attitude and celebrated the success of the first wave of feminism in achieving the suffrage. This term reappeared in the 1980s with very diverse meanings. There are at least four notions of post feminism: *First*, as a meeting point between feminism and postmodernism, post feminism is a more critical assessment of feminism; *Secondly*, it refers to the celebration of feminism's death, marked by the achievement of second wave feminism objectives in the 1970s. So that those objectives were no longer relevant in the 1980s; *Thirdly*, post feminism is understood as "backlash" or War on feminism through mass media and popular culture. Mass media and popular culture were used as intermediaries to spread propaganda that discrediting an emancipated woman; *Fourth*, post feminism means "sensibility" which articulates the concepts of old feminism, and to review the concepts. One of the redefined concepts is the re-interpretation of femininity as part of the body - focused on the objectification of women - becomes a subjectivity that emphasizes women's ability to make decisions, choices, and responsibility for herself.<sup>14</sup>

Despite has common purpose - fighting for women's rights in the public sphere-, the women's emancipation movement has several streams according to the paradigm that became the stepping stone. There are at least three main streams of feminism: liberal, radical, and Marxist-socialist. Liberal feminism evolves with the development of philosophical and social thought of the enlightened century built on John Lock's idea of natural rights; that man has the right to life, the right to liberty and the right to seek happiness. But unfortunately, for some time women do not get that basic

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<sup>12</sup>*Ibid*, p. 203.

<sup>13</sup>Gilchrist, *Gender and ...*, h. 2-4.

<sup>14</sup>Suwastini, "Perkembangan Feminisme Barat..." , h. 203-204.

right because it does not have an adequate rationality, which is only owned by men. So, the basic rights are only enjoyed by men.

Feminist struggles for equal rights with men are built on the basic assumption of the absence of differences between men and women. Naturally women have the same potential of rationality as men. The potential does not develop as well as men because during that time they are placed in a domestic position and depend on their husbands. What develops is the emotional aspect of women rather than its intellectual aspect. If women were given the same opportunities as men, liberal feminists believed they could be rational like men.<sup>15</sup>

Feminists see that the domestication of women is the root of the problem of women oppression. So, no wonder if liberal feminists diligently criticize social institutions, especially families. Some liberal feminist theorists claim that the family is a prison led by a tyrant named husband. The struggle of this group is focused on changing the various rules in a patriarchal social system.

Some liberal feminist figures are Mary Wollstonecraft (1759-1797), Sarah Grimke (1792-1873), Elizabeth Cady Stanton (1815-1902), Susan B Anthony (1820-1906), Harriet Taylor (1807-1858), John Stuart Mill (1806-1873), and Margaret Fuller (1810-1850).<sup>16</sup> This flow attempts to engage women totally in all of roles just like men, in order to eliminate male dominance over women so as to create equal conditions. However, they still recognize the difference between the both in biological and reproductive aspects.<sup>17</sup>

Marxist-Socialist Feminism seeks to eliminate class structure in societies by sex. They raised the issue that the role disparity between men and women is caused by cultural factors, not by the factor of sex differences as has been widely adopted by many people. They assessed the female subordinate position associated with the class and family structure in capitalist society. It is the result of a capitalist system that supports the work without wages for the woman who takes care of the household.<sup>18</sup>

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<sup>15</sup>Ratna Megawangi, *Membiarkan Berbeda: Sudut Pandang Baru Tentang Relasi Gender* (Bandung: Mizan, 1999), p. 118-119

<sup>16</sup>*Ibid.*, h. 119-120; See too Nasaruddin Umar, *Argumen Kesetaraan Jender Perspektif Al-Qur'an* (Jakarta: Paramadina, 2001), p. 64

<sup>17</sup>Umar, *Argumen Kesetaraan...*, p. 65

<sup>18</sup>*Ibid.*, p. 65-66



In analyzing the male-female relation in the family, Marxism-socialism analogized it with the development of modern industrial-capitalist society. The development of society begins with a sedentary hunting society with an egalitarian pattern of relationships without private ownership. The concept of private ownership began to be known to the public as they moved to an agrarian pattern that settled in one place and grow crops. Initially they felt they had the means of food production, then developed by making abundant crops as a means of buying and selling. This condition allows men (husbands) to feel what they have, while women do not feel that because they work more in the household sector.

In the future, women's work in the domestic sector is considered worthless because it does not produce something that can be used as a buying tool. Then the husband feels to have his family (wife and children) because he feels that work and provide for them. Women's condition worsens in the era of industrialization where the public and domestic sectors are strictly differentiated. The public sector always generates material value (money) while the household sector does not produce the same thing. Thus the position of the male is superior and controls his wife and children because he controls the material base, while the woman's position is more economically dependent on her.<sup>19</sup>

So it is not surprising that Marxist-socialist feminists see the family institution as a place of oppression of women, because it contains the right of private property. Marxist-socialist feminists consider marriage institutions as a means of legitimacy for men to have their wives. They equate the position of a married woman like the position of the proletariat in capitalist society. Women can only be freed from the oppression if a socialist society is formed, i.e, a classless egalitarian society. For the marxist-socialist feminist, the struggle to liberate women from male oppression must start from the family institution by freeing the wives first so that they can be themselves and not possessed by their husbands. The independence will create egalitarianism in the family and social life.<sup>20</sup>

Some scientists distinguish between Marxist feminism and socialist feminism. Socialist feminism was born as a criticism of Marx's feminism that always scapegoat the capitalist as a cause of discrimination against women. For them the problem of female marginization has existed before the birth

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<sup>19</sup>Megawangi, *Mebiarkan Berbeda...*, p. 129-130

<sup>20</sup>*Ibid.*, p. 128-129.

of the theory of capitalism. Hence they argue that freedom from the economic dependence of men is a necessary condition for women's freedom. Marriage which is the greatest agreement in life and sexual relationships between husband and wife is actually also based on economic factors. Patriarchy and capitalism are the main causes of women's oppression. Prominent figures in this movement are Charlotte Perkins Gilman (1860-1935) and Juliet Mitchell (1940).<sup>21</sup>

Radical feminism existed before 1970. This group is actually an anti-thesis of liberal and marxist feminism. They assume that the issue of women's oppression is caused by a universally applicable patriarchal system in which men are made the leader. then this system should be rejected and replaced. And internal factors that make women weak to men are biological factors such as menstruation and childbirth. For that woman must reject the patriarchal system and given freedom to give birth or not, given freedom for abortion and same-sex marriage.

The core of this flow of thought explains that the source of the problem of gender inequality is the difference in sexual means between men and women. They admit that sex is a political issue, pregnancy is a barbaric culture and motherhood is at the root of all evil. Patriarchate makes women completely restricted from both sexual and reproductive aspects.

That's why they are trying to revolutionize the institution of biological families and biological production by developing reproductive control and reproduction technology, so that reproduction becomes more liberated than economic freedom. In the end, however, the group split into two frictions, the first consisting of activists who supported the use of reproductive technology, and others who refused it. There are several important figures in this stream among them: Kate Millet (1934) and Shulamith Firestone (1945-2012).<sup>22</sup>

Radical feminism is criticized by other feminists because it is too glued to biological orientation and forgets the cultural influence in the formation of gender concepts. The paradigm of radical feminism based on the assumption that everything associated with men is always bad and evil, negative and oppressive, inconsistent with reality. However, men are still

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<sup>21</sup>Saidul Amin, "Pasang Surut Gerakan Feminisme," *Jurnal Marwah*, Vol 12 No 2 (2013), p. 149.

<sup>22</sup>*Ibid*, p. 150-151

needed in life. The existence of man-woman is an inviolable law of nature for the eternity and balance of life itself.<sup>23</sup>

In the Islamic world itself (Middle East), since the end of the 20th century began to emerge the idea of women's emancipation. They are much inspired by the Western feminist ideology that flourished and entered the Arab countries. And in the 1990s, feminists in the Arab world began to turn by looking for the ideological link of their struggle to their own cultural roots.<sup>24</sup> But in the context of Indonesia, the notion of equality began in the RA Kartini era in the late 19th century which criticized the Javanese culture that was considered to subordinate women.

The struggle for the empowerment of Islamic women in Indonesia occurred along with the Islamic reform movement in the early 20th century, marked by Aisyiyah as the organization of female wing of Muhammadiyah organization.<sup>25</sup> One strategy to strengthen women's emancipation by Muslim feminists is to reinterpret Islam's sacred sources. An approach to advocate for women's rights within the Islamic framework.<sup>26</sup>

### **C. Feminism Paradigm of Nasaruddin Umar**

The study of religion (Islam) and the emancipation of women becomes an interesting subject, since feminist movements often make religion a defendant in shaping and perpetuating patriarchal culture. The power of religion provides a set of values that are believed in the inner space of its adherents and expressed in private and public spaces make religion very effective in shaping certain patterns in life. Moreover, they see many religious doctrines are allegedly misogynis so as to provide legitimacy for patriarchal culture. An attempt to make religion "friendly" to women's rights is to review some religious doctrines that judged to gender biased. The scripture (holy book) as the main source of religious doctrine is the main locus of the review. This way of thinking is evident in Nasaruddin Umar's book.

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<sup>23</sup>Megawangi, *Mebiarkan Berbeda...*, p. 181

<sup>24</sup>See Rochelle S. Whither, "The Effects of Western Feminist Ideology on Muslim Feminist," *MA Thesis*, California: Naval Postgraduate School (2005).

<sup>25</sup>Savana Parvanova. "Islamic Feminist Activism in Indonesia: Muslim Women's Paths to Empowerment," *Austrian Studies in Anthropology*,1 (2012), p. 11-26

<sup>26</sup>*Ibid.*

Coming from a religious family and studying in a religious institution, Nasaruddin has the foundation of proper scientific authority as scholar and Islamic figure.<sup>27</sup> It was formally granted under the title of Professor of Tafseer at IAIN /UIN Syarif Hidayatullah Jakarta, and as Deputy Minister of Religious Affairs during the Susilo Bambang Yudhoyono era, and the High Priest of Istiqlal Mosque.

The efforts to reinterpret the interpretation of Qur'anic verses on gender relation written by Nasaruddin in his research for S-3 studies at IAIN Jakarta. The research entitled "Perspektif Jender dalam al-Qur'an" was later published by Paramadina under the title "*Argumen Kesetaraan Jender Perspektif Al-Qur'an*". In addition, Nasaruddin also made many writings about gender and Islam, such as "*Teologi Menstruasi*", "*Antropologi Jilbab*", "*Agama dan Kekerasan Terhadap Perempuan*", "*Agama dan Seksualitas*", or "*Kodrat Perempuan dalam Islam*."

Nasaruddin's research on gender in Islam is based on the early assumption that the religions and cultures that exist in history tend to be unfriendly to women. The theological problem of the position of women as creatures of the second class / creation has been rooted in Islamic religious traditions through contact to the Greek culture/Hellenism, Sasanian-Persian, Yudo-Christian, Jahiliyyah custom, and also the Zoroastrian with a very thick mythical atmosphere.<sup>28</sup>

There are four main assumption: *firstly*, the assumption that the women was created only as a complement for Adam's desire in heaven; *secondly*, heaven as the first human habitation has also given birth to the myth of discrediting women; *third*, the assumption that women was created from Adam's ribs, It made the position of women more lower than men, *fourth*, the assumption that Adam's expulsion from heaven is the result of the temptations of the devil through women.<sup>29</sup>

Besides that, Nasaruddin suspects the gender-biased interpretation is also caused by several things, i.e.: *First*, the recognition of letters,

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<sup>27</sup>On short biography of Nasaruddin Umar, please read the back cover of book *Argumen Kesetaraan Jender Perspektif Al-Qur'an* (Jakarta: Paramadina, 2001), or; Nella Lucky, "Penafsiran Emansipatoris dalam Al-Qur'an Perspektif Nasaruddin Umar", *Jurnal Marwah* Vol XII No 2 (Desember 2013), p. 158-160.

<sup>28</sup>Lucky, "Penafsiran Emansipatoris..."; Umar, *Argumen Kesetaraan Jender...*; "Nasaruddin Umar: 'Semua Kitab Suci Bias Gender'", <http://islamlib.com/gagasan/nasarudin-umar-semua-kitab-suci-bias-gender/> (diakses 1 Pebruari 2016).

<sup>29</sup>Lucky, "Penafsiran Emansipatoris...", p. 161.

punctuation and uniformity qiraat al-Qur'an. This process occurred during the codification of the Qur'an, especially in the period of Uthman ibn Affan and the period Muawiyah bin Abi Sufyan. Nasaruddin gives an example of Surat al-Tawbah: 3 and al-Ahzab: 33. *Secondly*, the existence of a vocabulary that has more than one meaning. The example given by Nasaruddin is Quru' word in Surat al-Baqarah: 228 and Lamastum in al-Maidah: 6.

*Third*, the use of a pronoun references (dlamir). The example given is Surat al-Nisa: 1. *Fourth*, the setting of exclusion boundaries (isitsna '). For example, is Surat al-Nur: 4-5. *Fifth*, the determination of the meaning of the letter 'athf. As in Surat al-Nisa ': 3. *Sixth*, bias in Arabic structure. *Seventh*, biased in Arabic dictionary. *Eighth*, biased in the method of exegesis. In this case Nasaruddin criticizes the method of tahlili and the use of the rule "which is used as the guidance is the generality of the statement, not the specificity of the cause" as the cause of the interpretation of the gender-biased Koran. *Ninth*, influence of Israiliyat history. *Tenth*, biased in the bookkeeping and standardization of the Jurisprudence books.<sup>30</sup>

According to Lucky, Nasaruddin tries to minimize gender bias in Qur'anic interpretation by sorting and identifying gender verses in the Qur'an and conducting gender-sensitive interpretation study.<sup>31</sup> For that purpose Nasaruddin chose hermeneutics as his method of study because by it he could enter the "alley" of the time of the decline of the Qur'an, to understand the geographical conditions and cultural background (verstehen) fully appreciation and in order to take objective conclusions.<sup>32</sup> By the hermeneutics method Nasaruddin positioned the Qur'an as a past time text and bound by the socio-cultural conditions that surround it.

#### **D. Historical Context**

To prove that the Qur'an and classical texts were influenced by social, cultural, political and confidential the gender-biased conditions of the Middle East at the time, Nasaruddin undertook a historical study of the Arab society since centuries before the revelation of the Qur'an and its relation to other cultures in the vicinity.

According to Nasaruddin, at least the patriarchal culture began to be embedded since 4000-1000 BC in Mesopotamia. It was marked by

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<sup>30</sup>Umar, *Argumen Kesetaraan...*, p. 265-300.

<sup>31</sup>Lucky, "Penafsiran Emansipatoris...", p. 161

<sup>32</sup>Umar, *Argumen Kesetaraan...*, p. 266-267.

Abraham as "Father of Patriarch" and the appearance of Hammurabi as a leader in about 1750 BC. The nickname for Abraham is caused by reality that he is a polygamous perpetrator. Ibrahim also born male prophets among Arabs and Israelis. While Hammurabi is considered as patriarchal because of his laws (Hammurabi code) contain many rules that emphasize the superiority of men over women.<sup>33</sup>

Nasaruddin gives some examples of Hammurabi Code that are considered as gender bias, especially in family life:

"If a man carries out a marriage but does not make a written contract to the wife (in this case represented by his father), then the woman is not legitimate as his wife".

"When a woman fails to be a good wife, often wanders, neglects her duties at home, and abuses her husband, she must be thrown into the water".<sup>34</sup>

According to Nasaruddin, the woman's unfriendly condition continued to run even worse in the era of Assyrian Empire (911-612 BC), the era of Achemid (550-331 BC), the era of Alexander the Great who gave birth to two great empires: Roman-Byzantine and Sasania- Persian. One additional rule of gender bias is in Assyrian Code which regulates dressing for women by requiring them to wear veils when visiting public places.

In addition, Nasaruddin also mentioned that the condition of women is getting worse due to religious values sourced from the Old Testament, the New Testament, and the Book of Talmud which presents many mythical misogynous myths which later expanded until Islam came to the region.<sup>35</sup> And the factor of socio-political structure of Arab society with stratified concepts of nobility, slaves, harems, mawali and some legal institutions to eliminate war between tribes.<sup>36</sup>

Nasaruddin sees the role of men as defending the family, as well as meeting their needs, bringing the consequences of concentrating leadership on men, ranging from households, tribes / tribes, fellowship of tribes, even religious ceremonies. Surname (kunyah) is also pinned on the part of men, not women. While women play a role in the domestic domain with tasks that are closely related to reproduction and housekeeping.<sup>37</sup>

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<sup>33</sup>*Ibid.*, p. 94-95

<sup>34</sup>Cited from Nasaruddin Umar, *ibid.*, p. 97.

<sup>35</sup>*Ibid.*, p. 99-100

<sup>36</sup>*Ibid.*, p. 112-113.

<sup>37</sup>*Ibid.*, p. 128 & 135.

Not just inferior, Nasaruddin also pointed out that women in Arabia are often the ones who are sacrificed in order to maintain family honor, the survival of tribes, offerings in religious ceremonies, or as a population control mechanism.<sup>38</sup>

### E. Male-Female Equality

By looking at the socio-historical context Nasaruddin concluded that the Qur'an had been "influenced" by the scope of history so that it seemed gender biased.<sup>39</sup> The influence can be seen clearly in the Arabic vocabulary and structure "borrowed" by Allah to convey the revelation, which from the very beginning was indeed biased. Nasaruddin gives an example of the use of mudzakkār form for God himself is a consequence of the scriptures revealed in a society that is already loaded with various values and established norms.<sup>40</sup>

Another example of gender bias according to him is the meaning of lafāz al-Rijal/Rajul (رَجُلٌ/الرِّجَالُ), al-Nisa'/imra'ah (أَمْرَأَتُ/النِّسَاءُ), al-ẓakar (الذَّكَرُ), or al-unṭsa (الْأُنثَى) in al-Qur'an.<sup>41</sup> Nasaruddin saw the lack of accuracy in interpreting these words. The word al-Rijal/Rajul (رَجُلٌ/الرِّجَالُ), for example, is often interpreted as al-ẓakar (الذَّكَرُ) is male. Though the two words though have similarities but, according to him, also has a different emphasis of meaning. Described by Nasaruddin, al-ẓakar (الذَّكَرُ) has the meaning of male gender by emphasizing the biological (male) aspect, while the word al-Rijal / Rajul (رَجُلٌ/الرِّجَالُ) emphasizes the masculinity and moral-cultural aspects of man.<sup>42</sup> It is due to the mistake of the interpretation that many verses of the Qur'an seem to favor men more than women, such as Surat al-Nisa': 34 which is often used as the legitimacy of male leadership over women.

The Qur'an and Prophet Muhammad himself according to Nasaruddin disagreed with the conditions of the patriarchal Arab society and idealized an equal relationship between men and women. According to him the ideality is seen from several principles in Islamic teachings, namely:<sup>43</sup>

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<sup>38</sup>*Ibid.*, p. 136-138.

<sup>39</sup>*Ibid.*, p. 307-309.

<sup>40</sup>*Ibid.*, p. 309-310.

<sup>41</sup>*Ibid.*, p. 277-278

<sup>42</sup>*Ibid.*, p. 145-147, 165-166.

<sup>43</sup>*Ibid.*, p. 247-263.

1. Men and women are both servants of God. This principle is based on Surat al-Zariyat / 51: 56: "I did not create the jinn and the humans except that they may worship Me."
2. Both of Men and women are God's khalifah on earth, as stated in Surat al-An'am / 6: 165: "It is He who made you successors on the earth, and raised some of you in ranks over others, in order to test you through what He has given you. Your Lord is Quick in retribution, and He is Forgiving and Merciful."
3. The he active role of Aam and Eve in the cosmic drama, based on Surah / al-Baqarah : 35: "We said, 'O Adam, inhabit the Garden, you and your spouse, and eat from it freely as you please, but do not approach this tree, lest you become wrongdoers'. Or Sura al-A'raf/7:20: "But Satan whispered to them, to reveal to them their nakedness, which was invisible to them. He said, 'Your Lord has only forbidden you this tree, lest you become angels, or become immortals'."
4. Men and women alike accept the primordial treaty and carry out the mandate of God, as set out in Sura al-A'raf / 7: 172: "And when Your Lord summoned the descendants of Adam and made them testify about themselves. 'Am I not your Lord?' They said, 'Yes, we testify.'" Thus, you cannot say on the Day of Resurrection, "We were unaware of this'."
5. Men and women alike have the same potential for achievement and good deeds, as contained in Sura Al Imran / 3: 195: "And so their Lord answered them: 'I will not waste the work of any worker among you, whether male or female. You are one of another. For those who emigrated, and were expelled from their homes, and were persecuted because of Me, and fought and were killed—I will remit for them their sins and will admit them into gardens beneath which rivers flow—a reward from God. With God is the ultimate reward'."

Or Sura al-Nisa'/4: 124: "But whoever works righteousness, whether male or female, and is a believer—those will enter Paradise, and will not be wronged a whit."

Or Sura al-Nahl/16: 97: "Whoever works righteousness, whether male or female, while being a believer. We will grant him a good life—and We will reward them according to the best of what they used to do."

Nasaruddin judges that although the Qur'an and the Prophet Muhammad want an equal relationship between men and women and reject the patriarchal Arab culture, the desired social changes of the Qur'an and the Prophet Muhammad occur gradually. Islam grants women's rights gradually



(*al-tadrij fi al-tasyri*), giving rituals (*rukhsah*), and eliminating hardship (*'adam al-haraj*). According to him, the Qur'anic verses on gender revealed systematically and quickly implemented by the Prophet Muhammad SAW so that he himself had witnessed the women in his era who enjoy the independence that has never experienced before, such as inheritance and the right to demand divorce. That is why Nasaruddin sees the importance of understanding the verses of the Qur'an related to gender by observing the context of the revelation of the verse.<sup>44</sup>

#### F. Nasaruddin Feminism Paradigm: Critical Notes

The strong influence of the feminist paradigm in Nasaruddin's study made him seem to impose his interpretation on Qur'anic verses related to male and female relation to fit the paradigm. It is seen from its inconsistency in using different meanings between al-Rijal / Rajul (رَجُلٌ/الرِّجَالُ), al-Nisa '/imra'ah (أَمْرَأَتُ/النِّسَاءُ), al-zakar (الذَّكَرُ), or al-unsa (الْأُنثَى). From the beginning Nasaruddin constructed the preposition that the word al-zakar (الذَّكَرُ) has a difference of meaning with the word al-Rijal / Rajul (رَجُلٌ/الرِّجَالُ). The first word is emphasized on the biological aspect, while the second is on the quality of one's personality.

So thus, the word in Surat al-Nisa: 34:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ

“Men are the leaders of women, because of the advantage Allah has granted some of them over others, and by virtue of their spending out of their wealth. So righteous women are obedient, care-taking in the absence [of their husbands] of what Allah has enjoined [them] to guard. As for those [wives] whose misconduct you fear, [first] advise them, and [if ineffective] keep away from them in the bed, and [as the last resort] beat them. Then if they obey you, do not seek any course [of action] against them. Indeed, Allah is all-exalted, all-great.”

Narrated Nasaruddin as not all men automatically become a leader/protector for women. Only men who have the virtue in the household are entitled to be the leader / protector. Thus, this verse- in his opinion- cannot be a proposition to reject women's leadership in society. Moreover, this verse was revealed in the case of Sa'd bin Abi Rabi' who beat his wife, then the case was reported to the Prophet. When the Prophet ordered to qishash,

<sup>44</sup>*Ibid.*, p. 308-400

suddenly this verse reached the Prophet and the punishment was not executed.<sup>45</sup>

Similarly applied to Surat al-Nisa ': 1 and al-Naml: 55, the word al-rijal is understood in the male context as gender or culture, not biological. However, Nasaruddin differ things done when interpreting Surat al-Nisa ': 11 about the division of inheritance of boys and girls and verse 176 about the inheritance of brothers and sisters:

“Allah enjoins you concerning your children: for the male shall be the like of the share of two females, and if there be [two or] more than two females, then for them shall be two-thirds of what he leaves; but if she be alone, then for her shall be a half; and for each of his parents a sixth of what he leaves, if he has children; but if he has no children, and his parents are his [sole] heirs, then it shall be a third for his mother; but if he has brothers, then a sixth for his mother, after [paying off] any bequest he may have made or any debt [he may have incurred]. Your parents and your children —you do not know which of them is likelier to be beneficial for you. This is an ordinance from Allah. Indeed, Allah is all-knowing, all-wise.”

“They ask you for a ruling. Say, ‘Allah gives you a ruling concerning the *kalālah*: If a man dies and he has no children [or parents], but has a sister, for her shall be a half of what he leaves, and he shall inherit from her if she has no children. If there be two sisters, then they shall receive two-thirds of what he leaves. But if there be [several] brothers and sisters, then for the male shall be the like of the share of two females. Allah explains [the laws] for you lest you should go astray, and Allah has knowledge of all things’.”

The word al-*zakār* (الذكور) in both verses is usually understood as the male sex (biologically); that the share of one boy or one brother (biologically) is equal to that of two women. But Nasaruddin states that the two verses intend to affirm the right of inheritance in men and women, not to distinguish the acquisition of male and female inheritance. This is certainly a confusing explanation.<sup>46</sup>

The use of the historical context of Arab society to analyze the Qur'anic verses by Nasaruddin is actually problematic as well. The question that needs to be discussed more deeply before using the method is: "How

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<sup>45</sup>*Ibid.*, p. 150.

<sup>46</sup>*Ibid.*, p. 167-170.

big is the role of socio-historical conditions in influencing the formation of Islamic teachings in the past?" This question is very important to be put forward considering the presence of Islam to the land of Arabia as a transformative power. Islam has changed the social, cultural, and political conditions of Arab society from the culture of ignorance (jahiliyah) towards the direction Allah. It must be admitted; Islam is not present in the empty space so it is necessary to note the aspect of sociological space-time that surrounds it. But surrendering Islam to the determination of the historical context is also too naive. Reckon the mission of transformation that carried Islam itself.

For that we need a deep study in order to avoid misunderstanding due to the use of socio-historical approach that is not appropriate in understanding religious texts. In this context it is quite interesting to see other facts of the historical context of Arab society during the revelation of the Qur'an, which is often ignored by adherents of the hermeneutical method.

Although often regarded as a patriarchal society, the position of women in pre-Islamic Arab societies is not always "oppressed". The killing of girls for various reasons (economical, political, and other) does not occur in most tribes in Arabia. Only a minority of tribes adopted it, such as Bani Tamim and Bani Asad for economic reasons and considered disgrace. If such practices occur in most tribes, then at some point Arab society will run out of populations and may be threatened with extinction. But the reality is not so. Even in many tribes in Arabian women occupy a noble position as a leader. As happened to the Tribe of Ummu Aufah, Kindah, and some tribes who live in Makkah, Madinah, Yemen and surroundings led by women.<sup>47</sup>

If observed, Islamic social transformation occurs in several ways, namely: first, by muzzling the culture of Arab society, such as the abolition of idol worship and shirk culture. Second, to change Arab culture gradually. This is evident in the case of the gradual eradication of drunken and alcoholic culture. Third, the changes with the system of selection and modification. In this case Islam does not abolish Arab habitual practices; some traditions are forbidden, and others remain after being adapted to Islamic values.

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<sup>47</sup>M Abdul Karim, *Sejarah Pemikiran dan Peradaban Islam* (Yogyakarta: Pustaka Book Publisher, 2009), p. 51

The right example for the third type occurs in the culture of marriage. Besides to the marital practices of a man with a woman, pre-Islamic Arab societies also practice some forms of marriage, i.e.:

1. A man marries with many women without restrictions.
2. *Zawaj al-aqat* where a son will marry the wife of his father (mother) who died as a heritage.
3. Mutual marriage (temporary).
4. A husband sends his wife to sleep with a respectable man to conceive in order to have a respectable offspring (*istibdal*).
5. A woman in the same time married with about 10 men. If a woman has children, then she points to one of them as a father to her child.
6. A girl who wants to have a child put a flag on her door so that men will have sex. If he has a child, then he will invite a shaman (*aqiif*) to determine who the father of his son.<sup>48</sup>

Most of the above marriages are prohibited by Islam. Yet others remain preserved with modifications, such as the marriage of a man with some women who are limited by Islam to a maximum of four women and the prohibition of marrying sisterly brothers simultaneously. Others are preserved with little adaptation, like a man's marriage to a woman. While other marriage practices are expressly forbidden by Islam.

## G. Closing Remarks

The reinterpretation of the verses of the Qur'an becomes a necessity, because of the differences and changes in space-time that surround each generation. But the improper use of methods can produce something contrary to the purpose of the Qur'an itself. This also happened to the interpretation of verses of the Qur'an about men and women by Nasaruddin Umar.

The dominance of the feminist paradigm appears in Nasaruddin's reinterpretation of the Qur'anic verses that are considered gender biased. Using hermeneutics as a method of analysis, Nasaruddin attempted to adjust the verses to his paradigm. As a result, there are a number of coercive meanings and inconsistencies in his new interpretation. And the lack of accuracy in looking at the socio-historical context he studied. []

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<sup>48</sup>Jamal J Ahmad Nasir, *The Status of Women under Islamic Law and Modern Islamic Legislation* (Leiden & London: Brill's Arab & Islamic Law Series, 2009), p. 21-22.

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