

**NASR HAMĪD ABŪ ZAYD'S THOUGHTS OF WOMEN'S RIGHTS**

**(Study of His Thoughts of Women's Rights in Dawāir Khawf)**



**A RESEARCH PAPER  
SUBMITTED TO THE SYARIAH FACULTY  
ISLAMIC STATE UNIVERSITY  
SUNAN KALIJAGA  
AS PARTIAL FULFILMENT OF THE REQUIREMENTS FOR  
OBTAINING SARJANA DEGREE IN ISLAMIC LAW**

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*Dawāir Khawf*)

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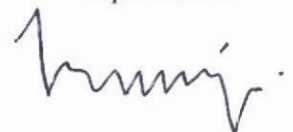
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## LEGALIZATION PAGE

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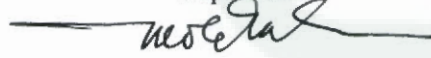
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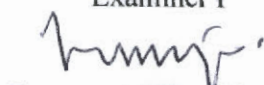
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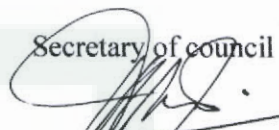
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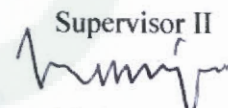
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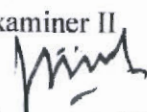
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## **DEDICATION**

*I dedicate this work to  
My beloved Father who is praying for GOD  
For the sake of my success  
His patience teaches me that life is struggle  
to obtain Allah's love*

## **MOTTO**

*The only meaningful life is a life of learning, and I know life is  
struggle*

## SPELLING AND TRANSLITERATION

In transliteration of the Arabic names and terms in this research paper I use the transliteration scheme employed at State Islamic University of Sunan Kalijaga Yogyakarta. The Indonesian names and terms are written based on the new Indonesian spelling used since 1972. However, certain names of persons and places written in the old spelling will appear, especially in quotation. Some examples of the differences between the old and the new Indonesian spelling are that ch, dj, j, tj, oe become kh, j, y, c, u.

The main differences in transliteration from Arabic to English and Indonesia are:

Arabic	English	Indonesia
ث	th	ts
ح	h	h
ذ	dh	dz
ش	sh	sy
ص	s	sh
ض	d'	dh/dl
ط	t	th
ظ	ž	zh
ع	˘	˘
ء	,	˘
و	w	w/u



Long with tashdīd : ىّ and ۇّ instead of ȳa and ūwe employ iyya and uwwa respectively.

In case of ta' marbuta (ة) h is omitted, unless it occurs within an idāfah where it is written at.

The hamza ؤ occurring in the initial position is omitted.



## ABSTRACT

Compiler	: Munzilin A.
Title	: Nars Hamīd Abū Zayd's Thoughts of Women's Rights (Study His Thoughts of Women's Rights in <i>Dawāir Khawf</i> )
Department State	: Al-Ahwālu- Syakhsiyyah, Syari'ah Faculty, Islamic State University of Sunan Kalijaga

Rapid social changes in modern muslim societies instigated a number of efforts to equalize every single aspect of life in muslims society. Those have been caused by great awareness of muslim people that there are many aspects of their life should be corrected and overcome. Based on those facts some solutions were offered and a variety of thought took a shape. All of those attempts were aimed to find the best solution for the sake of equality, justice for every one particularly women.

It is Abū Zayd, which is well-known with his hermeneutical method, one of a number of muslim thinkers, who gives a significant contribution and has great care over this issue. He writes in his book entitled *Dawāir al-Khawf*, and argues how the women should accept their public and private or domestic rights is. The existence of misperception of women's rights among muslim society, especially among muslim jurist, is caused by the influence of *Israiliyyāt* in tafsīr at-Thabarī and Ibnu Katsīr. To gain his interpretation and conclusion Abū Zayd uses his literary approaches, semiotic and hermeneutic method.

This research paper describes Abū Zayd's thoughts of women's rights concerning three issues correspond to the issues Abū Zayd urges in his book. The issues are equality of men and women, women's rights in public affairs and women's rights in family. To know and analyze Abū Zayd's thoughts of women's rights this paper uses normative approach. The construction of theory of women's rights will be normatively exposed. With this construction of theory Abū Zayd's thoughts of women's rights will be discussed and analyzed.

Equality of men and women according to Abu Zayd is that men and women have the same position absolutely. Women have the same rule, change, and share as men in what ever field in society. Consequently, in inheritance share for example women should have the same share as men. In regard with women's rights in public affairs Abu Zayd urges that women are allowed to participate in public affairs, they may become a judge in court and they are free to express their public expression. Pertaining Women's rights in family Abu Zayd urges is good treatment from a husband to a wife. Polygamy according to Abu Zayd can hurt a wife so its practice and allowance are could be called as breaking women's rights in family.

The theoretical frame work used in this paper is the combination of thematic and analytic approach. And the approaches used are the approaches of integrative and inductive. The meaning of the combination of thematic and analytic approach is that in understanding the text the writer tries understanding the theme one by one corresponds to problems which are discussed in this research paper. Then results of research will be crossed to concept of Islam foundation which has been understood in the Qurān

After having read and analyzed his thoughts, the compiler conclude that there are several thoughts of Abu Zayd are odds to Islamic law and not relevant to muslim society as well. In Islam equality is not absolute. Islam divides the rule of men and



women in society. This division is not aimed to discriminate men and women. This does not mean that Islam treat women discriminatively. Islam admits women's rights rights not only domestic or family but also public rights. However Islam is longer to manage men and women convinient to their capacity and responsibility.



## AKNOWLEDGEMENTS

This research paper could never have been accomplished without the consent and compassion of God, the Almighty and Most Worthy of praise. With this comparison, I have had the ability and capacity to deal with many challenges encountered and duties that must be done during writing this research paper. He has granted that all people that I have consulted have helped me in various aspects. Therefore, First of all I express my thanks to God Allah by uttering *al-hamdulillāh*.

Furthermore, I extend my thanks to Mr. Supriatna who always eases all of administrative requirements. I am also grateful to Mr M.Nur who wished patiently to guide me and correct this research paper, and to Mrs. Ermi Suhasti, my academic advisor and supervisor of this paper, who has advised me during my study in this university.

My gratitude also to all of my friends, Mr. Asrofi Hilal, mbak Ummi, Malik, Abdurahman, Ardistani, Hamam and Agni at UKM SPBA, Anto, Luthfi, Anwar my friends at Kordiska Training Centre, Sunardi, Aminto at IKPM SUMSEL, my friends at Jami' mosque you are all my inspiring when I got along with you. I also thank to Director of Muallimin for giving me a trust to become one of the teachers in Muallimin, especially to Mr. Zamzuri Umar and Mr. Ikhwan Ahada, also to my friends korps *musrīf* at Muallimin, Didin. Cikwan, Agus, Khopid, Darwis.

My deep-felt gratitude is to my beloved father. I know you always pray to God for my best. Your advice gave me confidence and strength to gain any barriers and obstacles in this life patiently, to my sisters and brother let seriously commit our compulsories to God Allah to achieve His love. *Amīn*

Yogyakarta, April 3, 2007

Sincerely Yours



Munzilin A.

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## CHAPTER ONE

### INTRODUCTION

#### A. Historical Background

Rapid social changes in modern muslim societies instigated a number of efforts to equalize every single aspect of life in muslims society. Those have been caused by great awareness of muslim people that there are many aspects of their life should be corrected and overcome. Based on those facts some solutions were offered and a variety of thought took a shape. All of those attempts were aimed to find the best solution for the sake of equality, justice for every one particularly women.

The spread of education in the modern age has again made muslim women conscious of their rights. Almost all the Islamic countries have started movements for the restoration of their rights as provided in the teaching of Islam. These movements have partly succeeded and as a first step, some of Islamic rights were restored to them in the shape of new legislations.<sup>1</sup>

The disabilities women have been traditionally suffering, and most of them still suffer today, are primarily due to the social milieu that has developed in muslim societies over the centuries a milieu that has resulted from the penetration of many diverse cultural traditions. Although some disabilities are also legal, these were also,

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<sup>1</sup> Syed Abdul Quddūs, *The Challenge of Islamic Renaissance*, (New Delhi: Adam Publisher and Dist, 1990) p.115.



by the large, the result of the social temperament rather than of the moral teaching of the Holy Qurān.<sup>2</sup>

*Nahwāl al-Sadawī* describes how the struggle of women in Egypt in accepting their rights in both domestic and public space. In Egypt she said in her book, women organize and participate in large number on movements. They struggle and work tirelessly in any field to liberate them from the limitation and persecution these movements encounter some resistances from especially religious institution and are regarded as the abolitionist of political power. Encountering such challenges the quantity of women work out side house is increased.<sup>3</sup>

According to John L. Esposito change in educational and economic status has played a significant role in the greater empowerment of women.<sup>4</sup> Arising number of women scholars and women organizations have taken on the challenge of Qurān and Hadits interpretation by inserting themselves into a domain that has traditionally belonged to men. Many questions of women's status and women's right in Islam from within the classical tradition and based upon Islamic source, rather than from a western or secular perspective. And he says that proceeding from within rather than from "outside" the Islamic can be effective means of mobilizing popular support and avoiding accusations that they seek to westernize muslim societies.

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<sup>2</sup> *Ibid.* p. 116.

<sup>3</sup> Nawāl al-Sadawī and Hibah Raūf Izzāt, *Al-Marah wa al-Dīn wa Ahklāq*, Indonesian Version, (Jakarta: Erlangga, 2002) p. 77.

<sup>4</sup> John L. Esposito, *Women in Muslim Family Law*, (New York: Syracuse University Press, 2001) p. xi.

It is Abū Zayd, which is well-known with his hermeneutical method<sup>5</sup>, one of a number of muslim thinkers, who gives a significant contribution and has great care over this issue. He writes in his book entitled *Dawā'ir al-Khawf*, argues how the women should accept their public and private or domestic rights is.<sup>6</sup> According to him to equalize women's status and rights should be there serious intention. He offers a couple of solutions those appropriate to endorse muslim women's struggle for equality and freedom.

Abū Zayd's thoughts can be categorized within reformist.<sup>7</sup> This kind of thought argues for gender equality in Islam in all fronts. This discourse is part of the new, reformist religious thinking that is consolidating a conception of Islam and modernity as compatible, not opposed. It content that the human understanding of Islam is flexible, that Islam's tenets can be interpreted to encourage both pluralism and democracy, and that Islam allows change in the face of time, space and experience. This model of thought sees the gender inequality rules not as manifestation of divine justice, but as a construction by male jurist which goes contrary to the very essence of divine as revealed in sacred texts of Islam.

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<sup>5</sup> In the context of Islamic thought, hermeneutic, as a body of methods, theory, and philosophizing focused on the problem of understanding texts, dates back to earliest time when the Qurānic text was felt to be puzzling and problematic, and thus had to be explained, translated and interpreted in order to be intelligible.

<sup>6</sup> Nasr Hamīd Abū Zayd, *Dawā'ir al-Khawf: Qirāah fi khitāb al-Marah*, translated by Moch Nur Ichwān and Moh. Syamsul Hadi, (Yogyakarta: SAMHA, 2003) p.155.

<sup>7</sup> Ziba Mir-Hosseini divides discourse on gender rights into three distinct kinds: Traditionalist, Neo-Traditionalist and Reformist, see *Islamic Law and Justice for Women*; edited by Hjh.Nik Noriani (Kuala Lumpur: Pustaka, 1999) p. 111.

Abū Zayd's thoughts raise some different responses from others muslims. On May 9,1992, he applied to Cairo University for promotion to full professorship. He submitted two of his books, *Al-Imām al-Syāfi'ī and Naqd al-Khitābi al-Dīni*, and eleven other academic papers to an examining committee. Although two of three members of the committee were in favor of Abū Zayds' works, the committee ultimately adopted the view of Dr. Abdur al-Shabūr Shahin, who accused Abū Zayd violating Islamic orthodoxy concerning, *inter ālia*, the Qurān, the prophet, his companions, and angels and other unseen creatures. The committee turned down the application.

. Some of Muslim scholars also respond Abū Zayd's hermeneutical method. Prof. Dr. Wan Mohd Nor Wan Daud, from International Institute of Islamic Thought and Civilization (ISTAC), remarks that interpretation of Qurān is absolutely different from hermeneutical method used in Christian, and also different from the others cultures and religions in interpretation. Interpretation in Islam which used *Ulūmul Qurān* constitutes basic science of which built on it the entire structure, aim, view, definition and the civilization of Islam.<sup>8</sup>

Adian Husaini in his work, *Wajah Peradaban Barat; Dari Hegemoni Kristen Ke Dominasi Sekular Liberal*, said that hermeneutical method applied toward new or old testament caused by some problems as follows; first most of experts didn't believe in the validity of both new and Old Testament since the early because of the none

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<sup>8</sup> Adian Husaini, *Wajah Peradaban Barat; Dari Hegemoni Kristen Ke Dominasi Sekular-Liberal*, (Jakarta: Gema Insani Press, 2005) p.303.



obvious proof materially of the texts. Second, there was not reports of interpretations those were acceptable for public, there was not universally accepted testimony. Third, there were not a group of memorizers of the texts, both Old and New Testament. These three problems didn't happen in Islam, it means that Qurān is always awaked.<sup>9</sup>

According to Husaini if we don't consider the history background of hermeneutic usage in interpretation, hence we will experience the big loss because we leave our own method which is success to comprehend our religion sources as well as we have assisted create the old and pre-eminent international civilization.<sup>10</sup>

After reading some of Abū Zayd's books, whether his books concerning hermeneutics method or his thoughts in Islamic family law such as marriage, inheritance, divorce and especially women's rights, the writer finds Abū Zayd's thought interesting to study and analyze. This paper research tries to study Abū Zayd's thought of women's rights in feminism perspective. The writer focuses this study on Abū Zayd's thoughts in his book entitled "*Dawāir al-Khawf*"

I am interested in studying this book because this book is his only book which discusses much about women's rights. Actually there many issues Abū Zayd discussed in this book but for focus this study I will choose some certain issues relating with women's rights. As long as I know most of Abū Zayd books discuss

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<sup>9</sup> *Ibid.* p.304.

<sup>10</sup> *Ibid.* p. 305.

about hermeneutical method, and Qurānic studies. Those books never discuss about Abū Zayd's thoughts of women's rights.

## **B. Sense of Crisis**

To ease this research, it is necessary to mention the major problems that will be examined in this research study.<sup>11</sup> The main questions are:

1. What is Abū Zayd's thoughts of women's rights ?
2. What is the weakness of his thoughts of women's rights?

## **C. Objectives and Significances of this Study**

### **1. Objectives**

- a. To describe the use of hermeneutical method in Islamic world by contemporary Muslim intellectuals especially in the field of Islamic Marital Law.
- b. To describe influences of hermeneutical method when it is used in Islamic discourses
- c. To analyze Abu Zayd's thoughts of women's rights

### **2. Significances**

- a. To give description of the different conclusion in Islamic marital law (Women's rights) resulted from Hermeneutical Method.

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<sup>11</sup> S. Nasution ., *Metode Research; Penelitian Ilmiah*, (Jakarta: Bina Aksara, 2004.) p. 17.



- b. To give a contribution to Islamic studies regarding methodology of interpretation and its implications to Islamic Marital Law.

#### **D. Prior Researches**

There are many researches discuss Abū Zayd's thought. A comprehensive study that discusses Abū Zayd's thought especially his hermeneutic as method and theory in interpreting al-Qurān is Yusuf Rahmān's dissertation.<sup>12</sup> In his dissertation Rahmān attempts to study Abū Zayd's theory and method of interpretation. In this study, Rahmān not only analyzes socio-political and historical contexts that tended to inform the development of his thought, but also in the light of hermeneutics and modern approaches to the Qurān. Rahmān also explains the respond of Egyptian Islamist to Abū Zayd's hermeneutical method. He draws up the debate of applying this method in studying the Qurān. The conservative muslims assert that as the word of God, the Qurān should be approached using special method that is appropriate to the text its self. On the other hand literary scholars, however, the Qurān like the Bible is, as literature, liable to any approach. It does not require a special method of analysis simply because it is a divine text.

Rahmān remarks that Abū Zayd has been influenced by western thought in hermeneutic. He said that Abū Zayd, who has read and been influenced by some works of western hermeneutics, especially those of ED. Hirsch Jr. proposes to

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<sup>12</sup> Yusūf Rahmān, *The Hermeneutical Theory of Nasr Hamīd Abū Zayd; An Analytical Study of His Method of Interpreting the Qurān*, (Canada: McGill University, 2001) p. 213.

differentiate between meaning and significance. According to Abū Zayd, Rahmān explains, an interpretation does not end with finding the texts historical meaning, which is fixed, but to see its significance, which is always changing, in the contemporary context.

After comparing with the approaches to the Qurān of other contemporary Muslims, Rahmān concludes that Abū Zayd's theory of interpretation is similar to the "double movement theory of FazlurRahmān". However he could not detect any trace of direct influence by the later on Abū Zayd. Moreover, Abū Zayd's argument was enhanced by his willingness to draw not only on the Qurānic verses but to other traditional sources in an effort to support his contextual theory of reading the Qurān. Abū Zayd has benefited in particular from modern and postmodern theories of interpretations, but his theory, Rahmān says, falls within the category of modernism rather than postmodernism. From modernism in both scientific and humanistic disciplines is the acceptance of the impossibility of arriving at objective certitude.

Moch Nur Ichwān 's thesis entitled "*A New Horizon in Qurānic Hermeneutic: Nasr Hamīd Abū Zayd's Contribution to Critical Scholarship*".<sup>13</sup> This thesis translated into Indonesia then published by Teraju Mizan's Group. The writer makes this thesis as secondary source in this study. Nevertheless, the writer remarks that this study is merely focused on Abū Zayd's thought without explanation or discussion

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<sup>13</sup> Moh. Nur Ichwān, *Meretas Kesarjanaan Kritis Al-Qurān; Teori Hermeneutika Nasr Hamīd Abū Zayd*, (Bandung: TERAJU, 2003.)p.74.

about its impacts to Islamic Marital law, or the product of thought of Abū Zayd in marital law resulted by using hermeneutic as a method of interpretation.

Ichwān in this thesis says that Abū Zayd presents a fiction of old paradigm of text of Qurān which based on theology speculation to new paradigm which based on modern literature theory: a fiction of exclusive Book to the inclusive text. Abū Zayd according to Ichwān reforms an issue that is most sensitive and most important in studying Qurān. This theory Ichwan says bridges Abū Zayd to the conclusion that Qurān is a culture product. Ichwan in his thesis tends to agree with Abū Zayd's conclusion. The writer could not find his criticism to Abū Zayd's thought. In his thesis Ichwān simply describes Abū Zayd's hermeneutic theory.

Adian Husaini in his book entitled *Wajah Peradaban Barat; dari Hegemoni Kristen ke dominasi Sekular Liberal*, at glance discusses Abū Zayd's thought. In this book Adian criticizes Abū Zayd's thought and assumes that Abū Zayd's thought and works imitated Christian tradition in Biblical studies. According to Adian Abū Zayd has a big concern to text like his famous words "Civilization of text". Abū Zayd take *Mu'tazilah* as his model of thought and use this school as his formal reason to support his theory. Abū Zayd's theory tries to deconstruct Muslim's belief toward the Qur'an. The writer remark here that Adian merely focuses on critic and explains the weakness of Abū Zayd's method. He also says that Abū Zayd just plagued



orientalist's method. In this book we can not find further explanation about how this method influent his thought in Islamic discourses.<sup>14</sup>

A thesis that discusses Abū Zayd's method in interpretation Qurān is also written seriously by Fahrūr Rōzi, student of IAIN Sunan Kalijaga, Ushuluddin Faculty entitled *Komparasi Hermeneutis Konsep Ta'wīl Menurut Mohammad Syahrūr dan Nasr Hamīd Abū Zayd dalam Perspektif Al-Ta'wīl Al-Ilmi*. This thesis compares the characteristic of each method. Rozi explains Abū Zayd's method and Shahrūr theory of interpretation step by step and shows the differences and similarities each other.<sup>15</sup>

Although these studies explore the theory and method of Abū Zayd in detail however the writer does not find discussion on the application of this method in verses concerning marital law. All studies mentioned above discuss about Abū Zayd's theory of interpretation, no study stresses on Abū Zayd's thought in marital law or verses concerning marital law, particularly woman's right. In this paper the writer will describe and analyze Abū thoughts of women rights in his book *Dawāir Khawf*. I find his thoughts of women's rights interesting to study because he has different thoughts of women's rights. Moreover he always echoes that the objective method of interpretation is hermeneutical method. I want to know more about his product of thinking used hermeneutical method in women's rights issue.

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<sup>14</sup> Adian Husaini, *Wajah Perdaban Barat; Dari Hegemoni Kristen Ke Dominasi Sekular-Liberal* p. 305.

<sup>15</sup> Fahrur Rozi, *Komparasi Hermeneutis Konsep Ta'wīl Menurut Muhammad Syahrur dan Nars Hamīd Abū Zayd dalam Perspektif Al-Ta'wi Al-Ilmi*, (Yogyakarta: Skripsi IAIN Sunan Kalijaga 2003)

### **E. Theoretical Frame Work**

The theoretical frame work used in this research is the combination of thematic and analytic. The meaning of the combination of thematic and analytic is that in this research the writer tries understanding the theme one by one corresponds to problems which are discussed in this research. Then results of research will be crossed to Islamic concept, women's rights, which have been understood in the Qurān.

There are many explanations as to the reasons behind such disparity between Quranic principles and the practices of muslim in their daily lives. Some of these explanations are historical, others are cultural or psychoogical. In this research, however, I shall focus on the fundamental explanations provided in the Quran of how things go wrong among humans.

In this research problems discussed are Abū Zayd's thoughts in his book, *Dawāir Khawf*. The problems discussed are the equality of men and women including responsibilities of them, Women's rights in family such as women's share in inheritance, Women rights in public affairs such as the ability of women to become witnesses in court . All of these problems are Abū Zayd's thoughts discussed in *Dawāir Khawf*. Abū Zayd's thoughts of women's rights will be explored then remarked and analyzed using the theory and the concept in the Qurān.



## F. Research Method

### a. Kind of Research

The kind of research in composing the research paper is library research. That is, the research emphasized exploring and survey of literatures that related with main discussions, either primary or secondary source. So this thesis based on written data such as books, journals, articles concerning Abū Zayd's thought. This research paper accents on history and thought study

### b. Characteristic of Research

This research characterized descriptive-analytic. It means this research paper describes Abū Zayd's thoughts of women's rights in his book, *Dawāir Khauf*, and tries analyzing his method of interpretation of women's rights in this book.

### c. Research Approach

The approach the writer use in this study is normative analysis approach. This approach is aimed to understand and analyzes Abū Zayd's thoughts through the normative analysis. The writer will try analyzing Abū Zayd's interpretation of women's rights in this book.

### d. Data Analysis

The data that has been collected will be analyzed qualitatively, with applying the following methods:

- a) Deductive, it means the logic of thinking that analyses from general logical reasoning and vision side to apply in pointing the specific matters. This method is used to get a general summary.

- b) Inductive, it means explaining the specific data then be pulled to be general summaries. If the data or the fact (not theory) from some phenomena indicate the similarities, it will be took the summary or generalization.

### **G. Structure of Research Paper**

Five principle topics have been isolated for discussion and analysis, for each of which a chapter will be devoted. This research paper consist of five chapters

The first chapter will discuss the background, the reason why the writer interested in this study is, sense of crisis, the questions those the writer answer, objectives and significance of research, survey of sources, theoretical frame, research method, and structure of the research paper. The first chapter is an introduction besides the first framework of this thesis.

The second chapter deals with theory construction of women's rights in Islam, the sources, and the explanation about it. Here the writer explains women's rights in Qurān. What is the concept of women's rights, equality, women's share in inheritance, polygamy and *awrah*, in the Qurān.

At the third chapter, it will be explored Abū Zayd's biography, his method of interpretation and the discussion in his book, *Dawāir Khawf*, relating to women's rights. There are issues will be discussed here; equality of men and women, women's rights in public affairs and women's rights in family. This chapter also will

demonstrate how Abū Zayd views the problem of the society and why he feels the need of offering new concept of women's rights.

Furthermore the fourth chapter is concerned with an analysis of Abū Zayd's thoughts of women's rights both domestic and public affairs. This chapter explores also the implication of hermeneutical method when applied to verses regarding marital law mainly verses concerning women's rights. To know Abū Zayd's lackness the writer quotes some different thoughts from others muslim scholars.

Finally, the fifth chapter is closing, consists of conclusion and suggestions. The writer concludes four theme analyzed in chapter four and suggest to Abū Zayd, the supporters of his thoughts especially liberal muslim community and students of state Islamic university (UIN) of Sunan Kalijaga, Yogyakarta.

## CHAPTER FIVE

### CONCLUSION AND SUGGESTIONS

#### A. CONCLUSION

1. There are three issues regarding women's rights Abū Zayd urges in his book, *Dawāir Khawf*. The first is equality of men and women. The equality of men and women Abū Zayd endorses is different from the equality in Islam. In Islam the equality of men and women is not absolute. There are some certain exceptions in equality of men and women, in inheritance share for instance. I conclude that the concept of equality in Abū Zayd's point of view is absolute equality. It means the equality of men and women is the same without any exception. This equality has the same as the equality in west society. The second is women's rights in public affairs. Abū Zayd urges that women have rights to take part in political field, court, employment, and education. In this issue Abū Zayd also said that compulsory to wear *hijāb* can limit women's rights in public affairs. And the third is women's rights in family. In this issue he stressed on the practice of polygamy and the difference share between men and women in inheritance. Abū Zayd urges that the practice of polygamy and the difference share in inheritance can break women's rights in family.
2. Abū Zayd's interpretation of women's rights in his book results some distinct interpretations. His interpretation of equality, the compulsory of wearing *hijāb*, the share of inheritance is absolutely new in Islamic paradigm. His interpretation



instigates several implications to Islamic family law. His method of interpretation, hermeneutic, merely raises controversy among muslim jurists. After having read and analyzed his thoughts by using normative approach, the contruction of theory of this paper, the compiler conclude that there are several thoughts of Abu Zayd are at odds to Islamic law and not relevant to muslim society as well. In Islam equality is not absolute. Islam divides the rule of men and women in society. This division is not aimed to discriminate men and women. This does not mean that Islam treat women discriminatively. Islam admits women's rights not only domestic or family rights but also public rights. However Islam is longer to manage men and women' rule convinient to their capacity and responsibility. Abu Zayd' s thoughts of women' s rights in public affairs and women's rights in family are, in certain case, not convenient to Islamic law.

## **B. SUGGESTIONS**

1. I always hear that some of UIN's students discuss hermeneutics and suppose that this is the new method which can produce objective interpretation. For them this suggestion is addressed. They had better to analysis this method well before talking and preaching it. From what I have studied I knew that this method is no convenient to Quranic studies for its assumption that Quran is the same as another text so the truth of Quran is relative. Is it true Quran is relative?
2. To the lecturers who bring this (Abū Zayd and his method of interpretation also his thought that Quran is the product of culture) should evaluate well their

thought. Have they study Abū Zayd's thoughts that Quran is the product of culture well, are sure that the content of the Quran is Prophet Muhammad's interpretation. It is not the language used by Allah.

3. The last suggestion is addressed to Abū Zayd and his students, Amin Abdullāh can be included. If they have good method of interpretation why till this time no complete interpretation of Quran they produce? We can see that in Indonesia for example, there are many interpreters like Quraisyi Shihāb. He has interpreted A complete Quran from chapter one till thirty, but he speaks bit of method of interpretation ever never.

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NO	FN	PAGE	TRANSLATIONS
			<b>CHAPTER II</b>
1	18	15	And indeed We have honoured the Children of Adam, and We have carried them on land and sea, and have provided them with <i>At-Tayyibāt</i> (lawful good things), and have preferred them above many of those whom We have created with a marked preferment
2	26	18	The believers, men and women, are <i>Auliya'</i> (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) <i>al-ma'rūf</i> (i.e. Islamic Monotheism and all that Islam orders one to do), and forbid (people) from <i>munkar</i> (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden); They perform <i>al-shalat</i> , and they give the <i>zakat</i> and obey Allah and His messenger Allah will have His mercy on them, surely. Allah is All-mighty, All-Wise.
3	22	32	And let those (executors and guardians) have the same fear in their minds as they would have for their own, if they had left Allah and offspring behind. So, let them fear Allah and speak rights words.
4	22	32	Say (O Muhammad): Come, I will recite what your Lord has prohibited you from: Join not anything in worship with Him; be good and dutiful to your parents; kill not your children because of poverty' _ We provide sustenance for you and for them _ Come not near to <i>al-fawāhish</i> (shameful sins and illegal sexual intercourse) whether committed openly or secretly; and kill not anyone whom Allah has forbidden, except for a just cause (according to Islamic law). This He has commanded you that you may understand."
5	22	32	And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allah is all-Mighty, all-Wise.

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