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PENCITRAAN TUHAN DALAM PERSPEKTIF ISLAM LOKAL

Sulaiman al-Kumayi

WOMEN IN ISLAMIC PHILOSOPHY: IBN RUSHD'S PERSPECTIVE

Aslam Sa'ad

**KONSEP FILANTROPI DALAM AL-QUR'AN DAN
IMPLEMENTASINYA UNTUK Keadilan Sosial**

Abdurrahman Kasdi

**SPIRITUALITAS KAUM FUNDAMENTALIS:
STUDI KASUS HIZBUT TAHRIR INDONESIA**

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INSIDER DAN OUTSIDER PERSPEKTIF DALAM STUDI AGAMA

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FILSAFAT

Pembahasan artikel ini akan difokuskan pada bagaimana Ibn Rusyd, sebagai salah satu filosof Muslim terkemuka, melakukan analisis filosofis terhadap isu-isu perempuan. Filsafat Islam secara khusus memang bisa dikatakan masih sangat sedikit menjamah dan berbicara tentang perempuan. Dalam konteks itu, Ibn Rusyd seperti terbaca dalam beberapa karyanya adalah satu dari sedikit filosof Muslim yang memiliki pandangan-pandangan filosofis yang sangat progresif tentang perempuan.

WOMEN IN ISLAMIC PHILOSOPHY: IBN RUSHD'S PERSPECTIVE

ASLAM SA'AD

Keywords: Ibn Rusyd, women, guardianship in marriage, and contract of marriage.

INTRODUCTION

Philosophy is a rational inquiry that discusses and tries to answer complex questions about fundamental matters in life such as knowledge, justice, and wisdom, or, in short, about the nature of life and human existence. It is also often called the mother of knowledge for it is believed to be the epistemological origin of scientific inquiry.

If philosophy covers such extensive issues of life, it means that women may not be a topic exclusive of philosophical discourses. So far women have received far less attention and elaboration than other subjects do in philosophy. Moreover, despite the fact that many philosophers clearly address issues about women, their perspectives on it seem relatively misogynistic in nature.

Aristotle, for instance, said that as a part of the art of household management the relationship between a man and his wife is just like that between a statesman and a citizen. To him, it is by nature that male possesses authority to command while female tends to be ruled or commanded. As well, the role of male parent over his children is like that of king over his subjects. In another word, this mode of relationship reflects the role in the system of monarchy that belongs to a king over his citizens.¹ Aristotle argued that the position of male is critical to maintaining the system of the polis where men can concentrate on performing their intellectual and political duties².

Women, as subjects of philosophical inquiry or as philosophers and thinkers themselves, have not been widely known in the discipline of philosophy until recent centuries. In her work, *A History of Women Philosophers*, Mary Ellen Waithe showed that even during 600 BC – 500 BC outstanding women philosophers such as Themistoclea, Theano I and II had existed³. Historically speaking, not only did their existence have, unfortunately, little locus in publications and journals, but also some of them were even rejected in the academic world.

In 1732, Laura Bassi received doctoral degree in philosophy after defending her 49 philosophical theses. Although she struggled hard to get the degree, she was only employed as a substitute professor who taught only if the main lecturer could not come⁴. A French woman philosopher, Michelle Le Doeuff, in her article, "Women and Philosophy", gives valuable accounts on the existence of women philosophers who produced enormous works in such various subjects as metaphysics, epistemology, moral theory, social theory, political philosophy, and so forth⁵. Still, she also pointed out that misogynist views in philosophy are actually not something new as they have existed for centuries.

How women's issues are examined under philosophy is the main interest of this paper, which tries to divulge Ibn Rushd's perspective on women. Recognized as one of the commentators of Aristotle's and Plato's works, Ibn Rushd (also well-known as Averroes) is among the few eminent Muslim philosophers who stood for progressive philosophical ideas regarding women. This discussion is expected to reveal further findings on women's issues in philosophy, particularly in Islamic philosophy. For this paper we will confine my focus to a topic relating to, in brief, the nature of men and women and to some issues in marriage, which is, among others, believed to have significant implications for women's lives. And

we will also take useful counts from Ibn Rushd's two works: *Averroes Commentary on Plato's Republic* and his independent book in Arabic, *Bidayat al-Mujtahid wa-Nihayah al-Muqtasid*, which has been translated to be *The Distinguished Jurist's Primer*.

THE BIOGRAPHY OF IBN RUSHD

Ibn Rushd, whose complete name is Abu al-Walid Muhammad ibn Ahmad ibn Rushd al-Hafid, was born in Cordova in 520/1126, and then died in 1198. Since an early age, he was introduced to a variety of disciplines like medicine and Islamic knowledge like *fiqh* (Islamic jurisprudence), *kalam* (theology), *hadith* (Muhammad's tradition). He grew up in an educated and reputable family. Both his grandfather and father held top ranking and noble positions in the al Moravid dynasty, although his father's occupation was in fact not as prestigious as his grand father's. All in all, his family significantly influenced him, especially during his early upbringing and education.

Ibn Rushd was known not only as a *qadi* (a judge) and a physician, but also as a philosopher. Robert Brunschiv, as cited by Roger Arnaldez put him among Muslim rational jurists and thinkers. The book *Bidayat al-Mujathid* is Ibn Rushd's remarkable legacy as a jurist⁶. Nevertheless, there had been still many Muslim groups who uncritically rebuff Ibn Rushd's ideas because of his rational thoughts. As a result, in some Islamic academic circles of his era, he faced much fierce resistance stemming from either the differences in terms of school of thought or baseless opinion that he was accused of being a rational thinker and not a religious thinker⁷.

The implication is 'hat one of Ibn Rushd's famous works, *Tahafut al-Tahafut* (the Incoherence of Incoherence) he wrote to counter Al-Ghazali's book *Tahafut al-Falasifa* (the incoherence of philosophies) was not received well in the Islamic world. Conversely, despite small followers within the Muslim world, Ibn Rushd's ideas and thoughts attracted abundance of followers and supporters from outside the Muslim world, which can be proved by the fact that his works have exerted a considerable influence on the systems of thought of Jewish philosophers and thinkers⁸.

A number of Western commentators noticed that Ibn Rushd actually stood in two positions of thought; not only is he regarded as a believer but he is also a skeptic, and perhaps even an atheist⁹; an assumption that

is established on the basis that Ibn Rushd's preference for rationalism is quite obvious. Ibn Rushd as a philosopher received much influence of Greek philosophers, especially that of Aristotle and Plato. He spent at least three decades focusing on ancient Greek philosophers' works, writing commentaries on a wide range of various topics discussed in their works such as Aristotle's books, Plato's *Republic* as well as on Alexander's *De Intellectu*, the *Metaphysics* of Nicolaus of Damascus, the *Isagoge* of Porphyry, and the *Almajest* of Ptolemy.

WOMEN IN IBN RUSHD'S PERSPECTIVE

1. The Position of Women in Plato and Ibn Rushd

In line with Plato's views, Ibn Rushd in Ibn Rushd Plato's *Republic*, argued that women essentially stand on the same level with men, meaning that they are also able to be philosophers, rulers, and warriors¹⁰. Still, the differences in certain natural characteristics like procreation and breastfeeding, both of which only women can do and men can not, do not prevent women from taking part and sharing with men in such civic activities as warfare, craft, music, guardianship, gymnastics, education, and the like¹¹.

Ibn Rushd also recognizes that men and women, along with the similarity that belongs to them in those civic activities, only differ in degree of weakness, efficiency and effectiveness in performing their duties. "This means: man is in most human activities more efficient than woman; though it is not impossible that women are in some activities more efficient"¹². It may be said that in the warfare, women are weaker and less effective or efficient than men, but in the crafts of weaving and sewing the latter is weaker than the former¹³. Since women essentially are of one kind with men, it is critical that both sexes in every class of citizens create good collaboration to generate perfect works, where the weakness, ineffectiveness and inefficiency of one sex group can be overcome by the other. For instance, in regard to the art of music, it would be more wonderful and ideal if men become the inventors of melodies arrangement while women become the performers of it¹⁴.

In terms of warfare and guardianship, Ibn Rushd's ideas expose principles akin to that of Plato's belief that women and men share the same function. "...it is proper that there should be female guardians... We see this among bitches who watch just as their male dogs do, and fight

hyenas like their males, except that they are weaker¹⁵. On warfare Ibn Rushd also states that "Since the weapons of fighting animals are mostly common to male and female, it is intended that the female should likewise perform this function"¹⁶.

Although we can see from the brief explanation above that Ibn Rushd's views have some similarities with Plato's thoughts on the nature of men and women, it doesn't mean that Ibn Rushd is totally in agreement with Plato's ideas. To demonstrate this, we can show how Ibn Rushd explores and elucidates the need for human arrangement in procreative activities among men and women. For obvious reasons, this topic should not be separated from a discussion on certain issues regarding marriage.

2. Guardian in Marriage

In Islam, another important subject in marriage that receives much attention is usually about the issue of guardianship in marriage (*wilayah fi an-nikah*). In Islam there are three important requirements in marriage; first is the contract of marriage. Second is dowry (*mahar*), and third is guardian (*wali*). All link each other. Some jurists assert that the contract of marriage should be done by guardian, and the contract of marriage will not valid if there is no dowry for women.

In addition, in term of guardian, people usually connect with *Ijbar*. In respect of the possibility of applying guardianship as well as requesting women's consent or permission for marriage, some Muslim jurists differ in how the practice of "*Ijbar*", which etymologically means "forced and required to do something"¹⁷, would be applied to virgin (*bikr*) and deflowered woman (*tsayyib*).

In practice, fathers and grandfathers are called *wali* (guardian) or male next-of-kin and guardians whose consent is required for the marriage of women. If *Ijbar* to be applied, fathers and grandfathers can marry off their virgin daughters without their permission, but it is not applicable to deflowered women as they are assumed to have enough experience of choosing their desired appropriate spouses. Indeed, *ijbar* is also often used in arranged marriages, where women strongly depend on their guardian's decision and have no right to decide for themselves.

The practice of *Ijbar* was exemplified in the tradition (*Hadith*) of the Prophet Muhammad, which had been known after the prophet married Aisyah while she was about six or seven years old before being

consummated three years later. Among Muhamamad's wives, Aisyah was his only virgin wife. Thus, Aisyah's father, Abu Bakar Al-shiddiq had fulfilled the practice of *ijbar* for her still young virgin daughter. The purpose of *ijbar* is to be an evidence for a father to attest his responsibility to have his daughter marrying an appropriate husband. It is different from *Ikrah*, which means force with harsh way and irresponsible action.

On the discussion about whether guardianship is a stipulation of the validity of marriage, Ibn Rushd shares similar principles and is in line with Maliki school of jurisprudence which argues that guardianship is seen as recommendation, not an obligation. Ibn Rushd noted Aisyah's tradition (*hadith*), saying that there is no marriage for any woman except with her guardian, does not mean woman cannot conclude her contract. He said, "If we concede that it (guardian) is general for all women, it does not contain the prohibition for a woman to contract her own marriage, that is, she cannot herself conclude the contract"¹⁸. Therefore, women also have the right to cancel her marriage if there is not agreement of their status¹⁹.

According to Ibn Rushd, a guardian should communicate with a woman if she admits and is ready to marry, and then the guardian can continue to the contract of marriage²⁰. Ibn Rushd insisted that woman's consent is required for the guardian to continue concluding her marriage contract. It is in concordance with Prophet Muhammad's tradition. According to the traditions of the Prophet Muhammad, the provision of *ijbar* must be followed by discussion between parents and daughters. This discussion is meant to solicit permission from a bride. For Ibn Rushd women have the right to determine their own life. So that, women have their privilege in marriage, so that marriage contract should eventually be in their hands.

3. Wedding and Procreation

Plato suggests that women and men have the same level of guardianship and therefore, they should not live in a separate dwelling and divide meals among themselves. This condition brings them to have sexual intercourse. In this point, Ibn Rushd emphasizes that "it would not, however, be proper to permit them to practice this whenever and with whoever they wanted, for we wish this act to be human among them, not haphazard"²¹. He also says, "When the rulers are of the opinion that necessity points to procreation they will give orders for wedding,"²².

Ibn Rushd proposes that sexual intercourse be human and that wedding, before procreative activities take place, be arranged between women and men in the state. This implies that marriage contracts would give women a strong position as their rights would be guaranteed under the state's law. If the marriage contract is not executed under the state's law, women would not have the bargaining position since their rights as citizens are only admitted and validated by the state.

What follows will discuss free gifts given by men for women in marriage wedding. In the wedding party, the brides and grooms bring the sacrifices as a free gift and also recite poems²³. Ibn Rushd in his commentary of Plato's *Republic* doesn't explain further what the purpose of free gifts are and who should bring and receive the free gifts, but in his manual of jurisprudence, he agrees that dowry is one of required conditions of marriage validity, given by man for woman²⁴.

In this respect, Ibn Rushd's position in the matter of marriage's dowry has its confirmation in the Quran. It is exactly what the Quran stated in *An-Nisaa'*: 4, "And give to the women (whom you marry) their *mahr* (dowry) with a good heart: but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allah has made it lawful)." The meaning and purpose of dowry is actually a symbol of respect to women and they have the right to use the dowry for whatever they want. Certain cultures where bride price is common, dowry given by the groom to bride is sometimes regarded as a parental right, which means that the dowry is considered a symbol of financial aid given to her parents.

As matter of sexual and procreative activities, marriage ought to be arranged between both women and men. Both sexes have to be active and that marriage is done in the perfect time, and between perfect persons²⁵. It implies that procreation is an activity involving two people, in which no one person can be dominant over the other. So that women, in this case, have the same position as men do.

It is worth mentioning, as an example of comparison, that Imam Nawawi, an outstanding Indonesian Muslim jurist who lived in about the late 19 century, or hundreds years after Ibn Rushd, has contrast opinion about the position of male and female in the household. Rather than standing by the ideas of gender equality, in his book *'Uqud al-Lujjayn*, Imam Nawawi asserts that it is a must for a wife to serve her husband whenever and whatever he wants. A refusal to his wishes means that

Allah's wrath will impinge on her until the morning of the day is coming²⁶. It will not be exaggeration to assume that, like most of Muslim jurists anywhere in the Muslim world, Imam Nawawi had been not in line with Ibn Rushd's ideas on women's equality.

4. Household

Moreover, regarding the equal obligation of a wife and a husband, it is asserted in *al-Baqarah*: 233 of the Qur'an, "The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling, but the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis." In fact, people think that women do not have the role in civic activities such as in the state since their obligation is only domestic chores.

Sayyid Qutb, the Islamic scholar from Egypt, in his book, *Fi Zilal al-Quran* (In The Shade of The Quran) said that, "The man and the woman are both from Allah's creation and Allah...never intends to oppress anyone from His creation"²⁷. In the institution of marriage, a wife and husband have the same responsibility and they should respect each other. According to Qutb, the childbearing responsibility that is taken on by women should be seen as an important, irreplaceable role. Indeed, the quality of future generations highly depends on the quality of women²⁸.

Ibn Rushd criticized the fact that in some impoverished states women become a burden for men. They are known only to be servants of her husband and responsible for other specific occupations such as breast-feeding, upbringing, rearing, and procreation. And only few of them work, like spinning and weaving, in order to support their family income. Meanwhile in welfare, women share various jobs with men equally²⁹. So, if women and men share a variety of jobs equally, the concept of *qawwamun* (protector and maintainer) is not intended only for men but also for women. The term *qawwamun* can be found in Quran 4:34, "Men are the protectors and maintainers of women, because Allah has made one of them to excel the other, and because they spend (to support them) from their means."

Amina Wadud, a distinguished female Muslim scholar who support women's permissibility to be leader (*Imam*) in the prayer (*sholat*) even if with male followers, cites from Sayyid Qutb (1999) that the term *qiwamah* is given for the person who maintains the material wealth of the family

and does not mean that it is only for men³⁰. In other words, the concern is for the family within society. Thus, as Ibn Rushd argued that the duty of welfare belongs to both sexes, women and men are both able to be *qiwamah*. In my own opinion, Ibn Rushd brought to look another side of women, so women should be seen from what they do, and it is not only using men's standard views. In fact, women have same right and responsibility as men.

CONCLUSION

Compared with other Muslim philosophers or even contemporary Western philosophers, Ibn Rushd seems to hold more progressive perspectives on women's issues. Natalie Harris Bluestone asserts that Ibn Rushd's support of sexual equality in terms of female civic activities is admirable. She even stated that Ibn Rushd had far more advanced ideas of women than many American professors living in the late twentieth century do³¹. As a committed Muslim philosopher, Ibn Rushd offered new and advanced perspectives on women's issues, particularly in the context of Muslim society.

Ibn Rushd's philosophical exploration on women's issues can in part be traced to views revealed in his commentaries such as *Averroes Commentary on Plato's Republic*, as well as in his work of jurisprudence, *Bidayat al-Mujtahid*. His espousal of progressive ideas supporting sexual and gender equality in all aspects of life as can be discerned in these works attests to his agreement with Plato's ideas. Furthermore, his ideas have been considered quite extraordinary to exist in the highly patriarchal culture of medieval Muslim society. But in reality the patriarchal traditions shaping the Muslim society where he lived are almost completely absent from his philosophical ideas regarding women's issues.