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**Marginalization of Women in Islam: Problem Interpretation****Ahmad Faisal**Institut Agama Islam Negeri Sultan Amai Gorontalo  
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**Abstract:** *This article aimed to find out the development of a view that tends to marginalize women is certainly not derived from religious teachings, but is more influenced by problems of interpretation. Although sourced from the same reference namely the Qur'an and Hadith, the interpretation of gender relations in Islam developed into diverse variants. Among the important factors that encourage diversity are the different perspectives on the inclusion of sociological and historical considerations in making interpretations. For interpreters who agree, historical elements, sociology must be taken into consideration in interpreting the verse. If the element is ignored, then the interpretation that appears will contain bias. That factor causes the interpretation paradigm of creation mythology, the involvement of women in the public sphere and several related issues about fiqh which seem contradictory to the main mission of Islamic teachings that puts forward the spirit of justice and equality. Therefore, reinterpretation of even the interpretation of interpretations is necessary. Therefore, it can easily reveal how far an interpretation correlates with the socio-cultural order of society when the interpretation is present. With this kind of paradigm, the discourse is distorted from the building of religious understanding which has been dominated by masculine interpretations, can be avoided.*

**Keywords:** *gender equality, reinterpretation, Islam*

**Abstrak:** Artikel ini bertujuan untuk mengkaji perkembangan pandangan yang cenderung memarginalkan perempuan yang sudah pasti tidak bersumber dari ajaran agama *an sich*, tetapi lebih dipengaruhi oleh problem interpretasi. Varian tafsir tentang relasi jender dalam Islam begitu berkembang, meskipun bersumber dari referensi yang sama, yakni al-Quran dan hadis. Salah satu faktor penting yang mendorong keragaman tersebut adalah perbedaan perspektif tentang penyertaan pertimbangan historis dan sosiologis dalam penafsiran. Bagi mufassir yang pro, elemen historis dan sosiologis harus dijadikan pertimbangan dalam melakukan penafsiran ayat. Jika diabaikan, maka tafsir yang muncul akan mengandung bias. Faktor itulah yang menyebabkan paradigma tafsir tentang mitologi penciptaan, keterlibatan wanita dalam ranah publik serta beberapa isu yang terkait tentang fikih tampak kontradiktif dengan misi pokok ajaran Islam yang mengedepankan semangat keadilan dan kesetaraan. Oleh karena itu, penafsiran kembali bahkan rekonstruksi tafsir adalah suatu keharusan. Dengan demikian secara mudah dapat menyingkap seberapa jauh suatu tafsir berkorelasi dengan tatanan sosio-kultural masyarakat saat tafsir itu hadir. Dengan paradigma semacam ini, wacana distortif dari bangunan pemahaman keagamaan yang selama ini didominasi tafsir maskulin, dapat dihindarkan.

**Kata Kunci:** *penafsiran ulang, kesetaraan gender, Islam*

## INTRODUCTION

Normatively and doctrinally, Islamic teachings firmly recognize the concept of equality between man and woman (QS. Al-Taubah: 71; QS. Al-Ahzab: 35; QS. Al-Mu'min: 40; see Kulaçatan & Behr, 2018; Haifa, 1998; Husein, 2004). Ironically, however, empirical and historical realities show several opposite phenomenon. In fact, in various Muslim communities, the status and role of women generally still experience a variety of marginalization, subordination, injustice, stereotyping, violence and workload (Fakih, 1999; Umar, 1999; Fulu, & Miedema, 2016).

Hasan, a Professor of Religious Studies at Lousvillie University, Kentucky USA, held that religious teachings which tend to marginalize women are not caused by religious substance, but rather because of interpretation. That interpretation later developed into a dominant view lately. One of the causes according to him is the view was formulated in the structure of patriarchal society, in addition to religious texts in the formative period of religion written by the male scholars. With the construction of a biased understanding from the beginning, in turn gave birth to many basic assumptions, one of which is that the existence of women in the world is only instrumental, not something fundamental. The next implication is the emergence of the assumption that women do not have the right to define their status, rights and dignity, except what men have provided for them (Hasan, 1995 & 1999; see also Muhtador, 2017).

Moreover, it is rather difficult to deny that there are indeed explanations and additional explanations that marginalize women, especially in a number of classical interpretations. At the same time, it must also be acknowledged that the interpretation of the Qur'an at that time was more ideological and merely accommodated the historical and sociological facts that had removed women's rights.

On this basis, the process of religious interpretation plays an important role in legitimizing the dominance of women. Whereas, as an interpretation, the

interpretation will actually always contain "prior text", in the form of perceptions, the background situation of the person who perceives it (Muhsin, 1994).

The problem becomes more complex. It is mainly because interpretations that contain bias are then used as grand narratives to reformulate Islamic entities that are considered true and pure. It is pure because the evolving interpretations cannot be called representations of Islamic teachings, and true because in terms of ideals and facts, Islam basically does not take sides with conditions that conflict with the spirit of equality taught through its treatises.

In this context, many efforts have been made to reconstruct thinking and reinterpret the fairer pattern of male and female relations. Then, the contemporary interpreters are born with a tendency towards moderation of thought.

This paper aims to analyze the flow of reconstructive interpretation by making several gender issues as a focus. The main objective of this study is to demonstrate that Islam does not actually have a problem with the gender equality discourse and movement. What is problematic, rather, is sometimes what formulation of interpretations must be maximized so that they reflect and strengthen the thesis of universality and cosmopolitan Islam. In short, gender in the hands of Islam has a bright future, as long as religious elites are able to guard the purity of Islam.

## **METHOD**

This study genuinely employs literature review. The primary data sources consist of the writings of scholars and scholars, both Muslim who tend to be literal and modernist. The approaches used are normative-idealist and historical-empirical. The analysis of the data conducted by means of content analysis. By employing this method, the literal and modernist validity of the status of women in Islam can be tested comprehensively.

## DISCUSSION

There are three kinds of interpretation biases would be discussed on this article, they are interpretation bias in the aspect of creation mythology: mystery of the "*nafs al-wahidah*", Interpretation bias on political sphere, and Interpretation bias on jurisprudence problems.

In gender discourse, the concept of creation is a fundamental issue that is always debated, both philosophically and theologically. In the view of scholars with a literal tendency: women sometimes perceived to be created by men. One of the religious sources used as the basis of this view is QS.al-Nisa (4: 1). In this verse, actually the names of Adam and Eve are explicitly not mentioned, but only express both of them with the words "*nafsin wahidah*" and "*zaujaha*".

Many *mu'tabar* interpretation books (*tafsir*), such as, the Tafsir Ruh al-Bayan, the Tafsir al-Maraghi, the Tafsir al-Qurthubi and the Tafsir Ibn Katsir, all interpreted the word "*nafsin wahidah*" as Adam and "*dhamir minha*" interpreted with parts of Adam's body and the word "*zawj*" interpreted as Eve, wife Adam (Umar, 2001). In the section describing their interpretation, their views were commonly reinforced by the hadith of the Prophet that states that the origin of the creation of women from ribs (Hanbal, n.d.) A contemporary and great *mufassir*, Muhammad Abduh, expressly rejected the understanding of classical scholars who interpret the Islamic interpretation with Adam, because in *lughawiyah* (linguistically), said Abduh, the next sentence is "*wa bassa minhuma ralanalan katsiran wa nisa'an*" is in the form of a *nakirah*. It should be, if the "*nafsin wahidah*" is understood as Adam, then the next sentence must be "*wa bassa minhuma jami'ur rijal wa al-nisa'*", in the form of *ma'rifat*. Thus, this verse should not be understood or justified as a certain type, because the vocation in this particular verse is intended usually to the entire nation, even though it is certain that not all nations know Adam (Hanbal, n.d.). For example, the Chinese nation actually attributing humans to other fathers as their own historical history.

Similarly, Fakhruddin al-Razi in his interpretation broadly agreed with Abduh. According to al-Razy, the *dhamir* "ha" in the word "*minha*" was not from

the body part of Adam, but from “*jiins*” (genies), the element forming Adam (Hanbal, n.d.). Most Shia *mufassir* (authors and commentators of the Qur’an) largely interpreted the “*nafsin wahidah*” as *roh* (soul) (Yazdi, 2014).

In the middle of the dialectic of the consensus on the verse, Nasruddin Umar has a constructive opinion. According to Umar, the making of human beings in the QS al-Nisa verse 1 as a basis in explaining the origin of biological human events, is indeed less relevant. It is especially in the sense of context (*munasabah*), the verse precisely outlines the responsibilities of guardians of people under their guardianship, not in the case of the origin of creation. In addition, the jump or a kind of missing link in these stories is another difficulty in understanding the story of the origin of human events in the Koran. As a solution, Nasruddin recommended the need for further research to parse at the same time make a distinctive explanation of the origins of the initial creation (production) and the origin in the meaning of reproduction (Umar, 1998).

Moreover, Nasruddin Umar saw that a false understanding of the origin of the incident will give birth to an ambivalence, which in turn considers as if the achievements of women must be legitimized by men. Therefore, it is not enough to be measured by certain standards of professionalism. Such a view is certainly not linear with the ideal mission of religious teachings; therefore, it must be clarified comprehensively. As this study shows that the result of clarification point out that the root is only about the question of interpretation, but also on the teachings of Islam.

Regarding the issue of women's authority in holding public office, there are also interpretations that tend to negate and marginalize women's roles.

First, the religious argument that is most often referred to to strengthen this argument is QS. Al-Nisa: 43. Generally, the Mufassir states that “*qawwamun*” means leader, protector, and person in charge. Next, they say that the advantages possessed by men over women are because of the superiority of reason and physicality. For example, al-Razi maintained that the advantages include two

things: namely science and physical ability. Male reason and knowledge according to him exceeds the mind and knowledge of women and for male hard work is perfect (Al Razi, 1995).

Interpreting the word "*qawwamun*" as leaders is not only adhered to by classical scholars, but also by some contemporary commentators. Hamka, for example, interpreted it as a leader by reason of the dominance of male functions, for example in terms of the distribution of male inheritance for two parts of women, men must pay dowry, and men must associate their wives well (Hamka, 1965).

If a comprehensive re-reading is carried out, it appears that such a tendency to interpretation is no longer appropriate to maintain, because in the "*asbab nuzul*" alone, the results of the study show that the verse is only related to household issues, so it is inappropriate if generalized in all areas of leadership.

Linguistically, the term "*qawwamun*" is a plural form of the word "*qawwam*". In the Qur'an, the word is repeated three times: namely in Surah QS al-Nisa verse 34 and 135 and in QS al-Maidah verse 8. When referring to the translation of the Koran version of the Ministry of Religion of RI, different from the word "*qawwamun*" in QS Al-Nisa verse 34 which is translated with the leader, in the last two verses namely, the word is actually translated as "those who are truly enforcers the justice" (Kemenag RI, 2019).

There are many arguments to negate it as if the meaning of "*qawwamun*" was only interpreted as "leader". Among of the arguments, first, according to a history, when the Prophet said to Saad bin Rabi', husband Habibah binti Zaid bin Abi Zubair, "you don't deserve to do that," as stated in the verse in the *al-asbab al-nuzul*, as if the Prophet wanted to assert that a good husband is a husband who treats his wife gently. Part of the sign of a good husband is being able to be a protector or protector for his wife. Thus, connotatively, the word "*qawwamun*" is more correctly interpreted as a guide, protector and protector.

Second, lexically, the word "*qawwamun*" means guarantor and guardian

of women's affairs (Ibnu manzhur, 1990). Thus, absoluting the translation of the word *qawwamun* with leaders clearly contains lexical and connotative weaknesses. Leadership is certainly not determined by biological factors, but rather because of the instrument of professionalism. In fact, Quraish Syihab, an Indonesian expert on the Qur'an explicitly believes that no religious provision can be understood as a prohibition on women's involvement in the political sphere, or limiting it as if the region is the exclusive right of men (Syihab, 1996). In line with Quraysh Syihab, Muhammad Jawad Mughniyah also believes that the above verse must be limited only in the context of family leadership, because both are harmonious in life, not complemeter, let alone negate (Mughniyah, 1968).

Another popular argument used is the justification for ignoring women being leaders is the hadith of the Prophet, which reads: "*lan yufliha qawmun wallaw amrahum imra'atan*" (An Nasai, 2017; An Nasai, n.d.). In terms of *asbab al-wurud*, Ibn Hajar al-Asqalani explained that the hadith originated from the story of Abdullah ibn Huzaifah who told that the messenger of the Prophet reported that the Prophet's letter containing an invitation to Kisra Anusyirwan for believers was torn apart. Based on the courier's report, the Prophet prayed that the kingdom would be destroyed and it seemed that the prayer was granted by God so that the country experienced a civil war. It was further reported that shortly after the incident the tear of the letter was killed by his son Kisra Anusyirwan. His son then also killed his brothers. Then crowned him king, but later was killed by poisonous. Instead, she lived, her sister, Bahran, who was forced to become king. That political reality in the country of Persi was commented on by the Prophet with his hadith (Engineer, 1994).

After the investigation (*takhrij*), information was found that in terms of quantity of *sanad*, the hadith was categorized as a famous hadith ahadith, while in terms of the quality of the *sanad*; the hadith *sanad* was "*muttashil*" (Khoirin, 2000). New problems arise when it comes to raw justice, especially the first narration, Abu Bakrah.

Fatimah Mernissi seems very critical on the quality of Abu Bakrah. According to the results of his search, before embracing Islam, Abu Bakrah was initially a slave. After the return of the apostle group from Ta'if, because of the Prophet's mercy, he was freed. Although in morality Abu Bakrah is categorized as pious, as Ibn al-Atir's opinion, Abu Bakrah but genealogically, he does not have a clear origin. Mernissi added that Abu Bakrah had also been sentenced to caning by Umar bin Khattab for being involved in a false witness case. Thus, according to the hadith narrative validity indicator, Abu Bakrah is categorized as having a moral flaw and hence the narrated hadith must be rejected (Mernissi, 1994).

Apart from the historical issues of religious conscience, as well as criticized sanad in rite, Husein Muhammad provided additional analysis that is noteworthy. According to him, the basic consideration in leadership is ability and intellectuality, two things that can now be owned by anyone, both men and women. It is different from the context when the courier reported the condition of the Persian State, which at the time was centralistic, tyrannical and autocratic.

More than that, Husein concluded that the leadership model of the past was more personal; therefore, if the personal figure of the leader is weak, it is only natural if it is not recommended to be a leader. Now, the leadership pattern is collective-systemic, the shortcomings possessed by a leader, can be symbiotic mutually with other leadership devices. In fact, even though it was rather eccentric, Amin Abdullah is of the view that the male superiority instrument, which had been identified strongly because of his muscles, could now be replaced with technological sophistication (Abdullah, 2000). The whole explanation mentioned in the last paragraphs above, leads to an inspirational thesis that in fact it is not appropriate to prioritize religious interpretations that were built when the social context at that time did not provide enough space for women to excel in the public domain.

Documents and literature on fiqh also leave a roar and diverse content about biased gender relations. If simplified, most of the findings in the fiqh



problem are represented in a simple dictum: women are half-price creatures of men.

One of the issues related to women's testimony. The management leads to different interpretations of QS Al-Baqarah verse 282. According to this verse, according to this verse, witnessing (in a sale and purchase transaction) is carried out by at least two men, or if there is no one and two women.

Most interpreters (*mufassir*), such as Ali al-Jurjani, Mahmud Yunus and Hamka, generally held the view that due to some conditions that did not support, the value of women's testimony should not be equated with the value of men's testimony. The conditions in question include feeling emotional, forgetful, and not familiar with the world of commerce (Subhan, 1999).

Unlike the previous interviewees, Syaltut blamed the view that the value of women's testimony was half the value of men. According to Syaltut, the context of the verse is not related to the *syahadah* problem, which underlies the judge's legal verdict, but is related to technical instructions on how to gain trust (*al-istitsaq*) and steadfastness (*al-ithmi'nan*) between the two parties who conducted transaction. According to Syaltut, the most important thing in determining the right is wrong and the legal decision is on the quality of the evidence (*al-bayyinah*) submitted by the parties (Syaltut, 1966). Syaltut's argument was used as a basis for explaining that if the two women in the *istitsaq* case were judged to be equal to one good man, more because the context at that time put women not familiar with transaction matters, not because of the weakness of women's minds which had implications for lack of "humanity level". Now, when women have been involved and engaged in the public world, their professionalism in the field of transaction (*muamalah*) has also been developed. So, said Syaltut, there should be no more aspects of *dzukurah* or *unutsah*, which are put forward in evaluating one's testimony, but the side of *khubrah* (experience) and *tsiqah* (trust).

In a similar view, Ashgar Ali Engineer considers the dictum "the

testimony of two women is comparable to the testimony of a man," does not indicate women's inferiority, but solely because the empirical and sociological reasons at that time did not provide space for women involved in the public domain, therefore not trained and capable. An inferior impression arises because the dictum is "recommended by two people" solely for preventive reasons. If forgetfulness occurs, due to lack of experience, one can remind the other. Thus, another woman's function is only a reminder; open the corrector or evaluator to the previous testimony (Engineer, 1994).

Even though it has not revealed in a comprehensive manner the dialectic that has developed around the value of women's justice, it is sufficient to remind that once again this problem is raised solely because of the problem of interpretation. If read in a comprehensive manner, if the value of the testimony of two women is intended by religion to be considered equal to one man, then in any context the problem of testimony should be alluded to by the Koran, the treatment is the same. While the facts are not at all so, because of the other six verses relating to this testimony, none of them stipulates that two female witnesses are in lieu of one male witness (QS. Al-Nisa: 15; QS. Al-Maidah: 106; QS. Al-Nur: 4, 6 dan 13; dan QS. Al-Thalaq: 2).

To complete the discourse of fiqh discourse that contains interpretive bias, the following are presented small notes in a broader spectrum. The notes are as follows; (1) In the wedding procession, there is a dowry that must be paid so that it seems that men have greater authority because they are considered as the married party, while women only have the status of being married. (2) The existence of a mujbir guardian gives the impression that women do not have strong bargaining in the marriage process, coupled with the ability of men to obtain adequate information about the body of a woman's future wife also gives a strong impression that women are treated like merchandise. (3) In carrying out duties and obligations, women are required to obey their husbands in full. Disobedience to the husband's orders is rewarded with detailed threats that give the stigma of subordination. (4) As men are the subject of marriage, in the matter

of divorce, men also become subjects. There is little room left for women to propose rafa' to the judges.

In addition to those recorded in the deliberations, in matters of worship and other muamalah there is also a considerable amount of space for a biased interpretation. Interpretations, such as women do not have the legality to take the role of priests in heterogeneous congregational prayers, how to clean baby girls "urine, touch women cancel ablution", wife's obligation to ask for recommendations if they want to carry out circumcision fasting, inheritance, female judge position, marriage difference religion and a number of other issues.

The conditions mentioned above are only a small example of distorted gender discourse found in fiqh literature. If examined, it appears that the most significant factor that causes the birth of gender-biased interpretations is that for a long time the interpretation space is dominated by a disproportionate patriarchal culture. The impact gave birth to *fiqh*, which legitimized the superiority of one group.

The problems above are at least the actual problems that women often encounter when dealing with normativity in religion. For this reason, a two-sided solution discrepancy is needed. In terms of the social approach, it is necessary to rehumanize women through theological reflection on gender relations so far. For this purpose, theological interpretations involving a sociological approach need to be developed rapidly, as precisely as the problem of women themselves. Whereas, in term of legal approaching, it must be arranged through reformulation of the fiqh. Therefore, it is more precisely the proposed fiqh, as a religious juridical product which has been used in the legal system (*istinbath*).

During this time, understanding the text in the fiqh proposal knows the concept of the dualification of theorems, namely *qat'iy al-dalalah* and *zanni al-dalalah*. The implication, as Masdar said, should be mapped at the application level. Is the translation of its substantive values universal (*qat'iy*) and fundamental and therefore will not change, or only be particular (*juz'iy*) which is

bound by space and time and can therefore change (Mas'udi, 1997).

At the theological level, there is no need to leave a problem in the reference of the QS Al-Hujurat verse 13. Generally, women with the inherent nature of themselves must be equal to men. Likewise, other verses that discuss the equality of men and women are based on their individual deeds (Surah Al-Imran 195, Surah Al-Nisa '124, Surah al-Nahl: 97, Surah at-Tawba: 71 -72, Surah al-Ahzab: 35). These verses should be categorized as qat'iy, meaning equality is a universal language that applies forever and cannot be narrowed by space and time, let alone just an interpretation.

## CONCLUSION

Ontologically, it can be ascertained that there has been no interest in the subordination of women's rights in Islam. Whereas in the epistemological region, there is still a large room for interpretation reconstruction, because what has been guided so far has caused bias because it was born from a lame ideological interpretation. The dominant people master the interpretation in every practice of the law of the Ummah, so that gradually the women are in the confines of their hegemony.

Therefore, the overall explanation above reinforces the evidence that *qua norma* in Islam does not have a delinquent with the gender equality movement. Re-reading is needed (*qira'ah al-iadah*) so that the interpretations that develop among Muslims positively correlate with the main mission of religious teachings that places equality and justice as one of the most important nuktah in the construction of maqashid al-sharia. The only thing that must be answered immediately is what formulation of interpretation needs to be moved so that it is able to prove the principle of "*al-Islam salih li kulli zaman wa makan*". Finally, gender in Islam has a bright future, as long as the religious elites who are actively involved in making interpretations are able to guard the purity of Islam.

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