



## Symbolic Violence Based on Qur'anic Patriarchal Exegesis and Its Implication on Islamophobia Among Moslem Women

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### Abstract

Aiming to answer on whether and how symbolic violence based on Qur'anic patriarchal exegesis causes Islamophobia among Moslem women, this research took following methodological steps; First, identifying patriarchal exegesis through a library search on *Tafsir Rawā'i' al-Bayān* by 'Alī al-Ṣābūnī. Second, formulating 10 issues for field data compilation through questionnaire spreaded to 102 Moslem women and 20 of them were chosen as interviewees. This research found that: First, four issues cause low level Islamophobia, namely flogging (*jild*) or stoning (*rajm*) punishment for adultery (*zinā*) subject, (87,3%), marrying non-Moslem men (85,3 %), willingness to fulfill husband's biological need (76.5%), and staying at home during waiting period (*'iddah*) (71,5%). Second, three issues cause middle level Islamophobia namely unregistered marriages (*nikāḥ sirrī*) (54,9%); husband's hit on recalcitrant wife (*nusyūz*) (52,9%); and obligation to wear veil (*hijab*) (44,1%). Third, two issues cause high level Islamophobia namely forced marriage (44,1%) and a wife's hanging condition when not getting her rights but not getting divorced (50%). Fourth, an issue causes very high-level Islamophobia, namely a polygamous marriage without the wife's consent (71,6%). The first two levels are caused by three factors; religious obedience based on reliable argumentation, understanding on multidimensional essence of Islamic law and the objectives of Islamic law (*maqāṣid al-syarī'ah*). Meanwhile, the last two are clear from three attitudes; relying on alternative sources of law such as The Law of The Republic of Indonesia, denying by proposing either contextual interpretation of *al-Qur'ān* and *Ḥadīṣ* (*dalīl naqlī*) or rational-based argumentation (*dalīl 'aqlī*), and suggesting idealistic ideas.

**Keywords:** Islamophobia; symbolic violence; patriarchal exegesis; moslem women; *rawai'ul bayan*

### Abstrak

Riset ini bertujuan menjawab pertanyaan akademik, "Apakah dan bagaimana kekerasan simbolik yang didasarkan tafsir patriarkis, mengakibatkan Islamophobia di internal umat muslimah?". Langkah metodologis yang ditempuh: *Pertama*, mengidentifikasi tafsir patriarkis melalui riset pustaka terhadap kitab *Tafsir Rawā'i' al-Bayān* karya 'Alī al-Ṣābūnī. *Kedua*, merumuskan 10 tafsir patriarkis sebagai bahan riset lapangan berupa kuesioner berbentuk Google Form yang disebar ke 10 WhatsApp Group. Dari 102 kaum muslimah yang mengisi kuesioner, dipilih 20 responden untuk diwawancarai via smartphone. Temuan riset ini: *Pertama*, Ada empat tafsir patriarkis yang menimbulkan Islamophobia dengan kadar rendah: a) menyetujui hukuman cambuk dan rajam bagi pezina (87,3%); b) sepakat tidak menikahi laki-laki non-muslim (85,3%); c) siap melayani kebutuhan biologis suami (76,5%); d) rela tidak keluar rumah saat iddah (71,5%). *Kedua*, Ada tiga tafsir patriarkis yang menimbulkan Islamophobia dengan kadar sedang: a) Pernikahan sirri

(54,9%); b) Suami boleh memukul istri yang *nusyuz* (52,9%); c) Kewajiban berhijab (44,1%). *Ketiga*, Ada dua tafsir patriarkis yang menimbulkan Islamophobia dengan kadar cukup tinggi: a) Pernikahan paksa (44,1%); b) Istri tidak diceraikan, tapi tidak dipenuhi hak-haknya (50%). *Keempat*, Ada satu tafsir patriarkis yang menimbulkan Islamophobia dengan kadar tinggi: Poligami tanpa izin istri (71,6%). Islamophobia kadar rendah dan sedang disebabkan tiga faktor: *Pertama*, ketaatan beragama berdasarkan dalil terpercaya. *Kedua*, pemahaman terhadap esensi hukum Islam yang bersifat multidimensional. *Ketiga*, pemahaman terhadap maqashid syariah. Islamophobia kadar cukup tinggi dan tinggi diindikasikan tiga sikap: *Pertama*, Mengacu landasan hukum alternatif, di luar hukum Islam, seperti Undang-Undang. *Kedua*, Menolak berdasarkan argumentasi *naqli* kontekstual atau *'aqli* rasional. *Ketiga*, Mengajukan gagasan yang cenderung normatif-idealisis.

**Kata Kunci:** Islamophobia, Kekerasan Simbolik, Penafsiran Patriarkis, Wanita Muslim, *Rawai'ul Bayan*

## INTRODUCTION

Symbolic violence was shown by Bourdieu on men's domination on women that people consider it natural and reasonable. In fact, the whole form of concepts which put women in disadvantageous position lead to symbolic violence that needs to demolish (Haryatmoko, 2016, pp. 56-57). In Islam, it can take form in a gender-bias exegesis in some Islamic *fatwās* which El-Fadl mentioned it as offensive-oppressive attitude on women along with a claim that it was what *Allah* wants to be (Abdullah, 2012, pp. 274-275).

In line with Mernissi's opinion that Islamic scholars after Prophet Muhammad PBUH were responsible for religious understanding which marginalizes women's position in Islam (Handoko Ja'far, 2017, pp. 401-418), Ricoeur's hermeneutical concept believes that gender-bias exegesis was caused by minimum distanciation of text and subjective appropriation of reader (interpreter) (Rosidin, 2018, pp. 1-21)."

Many textual exegetes are inclined to claim that the Qur'an gives more privileges to men than women. This gender-biased exegesis is generally based on pre-modern exegesis while nowadays context necessitates contextual exegesis on verses which used to justify women's inequity (Saeed, 2015, pp. 183-212). Factually, Marhumah found that symbolic violence on women in *Pesantren* area is grown up from indoctrination on misogynic Ḥadīṣ(es) which suggest that women are "the second class" (Marhumah, 2015, pp. 283-304). The symbolic violence becomes even higher among *Salafi-niqābī* women (Yuyun Sunesti, 2018, pp. 173-197). Auda gave a concrete example on second class position of Moslem women through a television program called *Dispatches in British Channel 4* showing that around 800 London mosques are unavailable for women (Auda, 2019, pp. 1-2).

Slow but sure, the marginalized position very possibly leads to Islamophobia among Moslem women. Islamophobia is a new term to describe an old concept. Since the publication of Edward Said's work entitle Orientalism, "West" associated Islam with negative stereotype. Islamophobia had just entered the contemporary discourse through a

report entitle "Islamophobia: A Challenge for Us All" last 1997. Since 2001, the term Islamophobia had been more frequently used by media, community and mass organization in Great Britan, France and US. Although this term was widely known, there found a very few agreement on its exact meaning. Briefly, Islamophobia was defined as a "shortcut to show fear and hatred to Islam which finally lead to the whole or majority of Moslem" (Bleich, 2011, pp. 1581-1600).

They can express it throught denial on bias-gendered Islamic teaching. Some popular examples are insisting to marry a lovable non-Moslem man (a case of Asmiranda); preferring divorce than polygamy (Maia Estianti); willingness to stay being a victim of domestic violence (Manohara); and wearing off the *hijāb* after putting it on for a couple of time (Marshanda).

### ***Research Background and Literature Review***

The topic of symbolic violence on women had arisen some researches. Sarhindi portrayed the symbolic violence in majority Moslems' attitude which less respects non-Moslem minority's rights (Sarhindi, 2017, pp. 56-79). Musdawati used Bourdieu's symbolic violence to analyze inequity on women in practical political realm in which a female candidate is required to attach permission letter from her husband while a male candidate was otherwise (Musdawati, 2017, pp. 96-110). Musarrofa made it clearer on Bourdieu's symbolic violence mechanism through language symbols which impacts on voluntary acceptance on being a victims (Musarrofa, 2019, pp. 34-49).

Researches on patriarchal exegesis correlate with understanding of Islamic teaching. Barlas concluded that sexual discrimination and inequity are not from the Qur'an, but the reading on it, especially patriarchal reading (Barlas, 2001). Nurmila claimed that Islam is anti-patriarchal religion. However, patriarchal life system had influenced Moslem community in understanding religion and building patriarchal culture which is inclined to subordinate women (Nurmila, 2015, pp. 1-16). Randi Salim *et al* revealed that patriarchal culture that Indonesian people practice it accross generation was highly influenced by interpretation on *al-Nisā'* (4): 34. This patriarchal culture often emerges violence against women (Randi Salim, 2017, pp. 1027-1032).

Researches on Islamophobia relates to how non-Moslems perceive Moslem. Hasan analyzed phenomenon of "gendered Islamophobia" addressed to Islam, namely those caused by mysogynic and oppressive Islamic teaching (Hasan, 2012, pp. 55-78). Terman found that *New York Times* and *Washington Post* during last 35 years had spreaded perception that Moslem are sexist (Terman, 2017). Jauharoti Alfin *et al* revealed that Indonesian Moslem feature different face both physically and culturally and it was different from some research in Poland which identified unfriendly Moslem and therefore causes Islamphobia over there (Jauharoti Alfin, 2018, pp. 207-219).

Contribution of those researches to this paper is, as follow: *First*, Islamophobia can appear from feminism. *Second*, patriarchal culture is feminism issue which can lead to the emergence of Islamophobia in Moslem women. *Third*, patriarchal culture is well developed among Indonesian Moslem and this is mainly caused by patriarchal exegesis. *Fourth*, patriarchal exegesis had developed into symbolic violence which leads Moslem women to voluntarily accept inequity. This combination is then formulated in a research question that this paper wants to answer. It is on whether and how symbolic violence based on Qur'anic patriarchal exegesis causes Islamophobia among Moslem women.

### **Method**

That research question is then explored using three methodological steps. *First* is identifying patriarchal exegesis based on library research on *tafsīr Rawā'i' al-Bayān*. *Second* is identifying 10 issues of patriarchal exegesis for field data compilation. *Third* is analyzing the result of field data compilation then presenting as the research finding.

This research examines Qur'anic patriarchal exegesis categorized as symbolic violence on women based on library search on *Tafsīr Rawā'i' al-Bayān*. The reason for choosing this *tafsīr* is its position as the main reference in Indonesian State Islamic universities and *pesantren* (Syafri, 2017, pp. 107-130; Erman, 2018, pp. 119-140). It has full title as *Rawā'i' al-Bayān: Tafsīr Āyāt al-Aḥkām min al-Qur'ān* by Muḥammad 'Alī al-Ṣābūnī. This *tafsīr* mainly observes issues of Islamic law. It consists of two volumes with its first volume containing 40 themes and 30 themes for the second (al-Ṣābūnī, 2001). Among those 70 themes, we chose 10 issues of patriarchal exegesis:

*First* is exegesis on *al-Baqarah* [2]: 221 which indicates prohibition to marry non-Muslim women (*musyrik*) and lawfulness to marry women of People of the Book (Jews and Christian; *Ahl al-Kitāb*). Otherwise, non-Moslem men, either *musyrik* or *Ahl al-Kitāb*, are forbidden to marry Moslem women (al-Ṣābūnī, 2001, pp. 221-227). Besides, Indonesian Ulama Council (MUI) issued a *fatwā* that interfaith marriage is forbidden while a marriage between Moslem men and *Ahl al-Kitāb* women, according to reliable argumentation, is also forbidden (Majelis Ulama Indonesia, 2005).

*Second* is exegesis on *al-Baqarah* [2]: 223 which indicates that a husband can have sexual intercourse with his wife in any expected style as long as it enables her to get pregnant (al-Ṣābūnī, 2001, pp. 228-237). The symbolic violence is compulsion of a wife to fulfill her husband's biological need because of fear on a threat in a Ḥadīṣ narrated by Muslim that "*if a husband invites his wife to his bed and she does not come that it makes him get angry with her, the angles curse her until morning.*"

*Third* is exegesis on *al-Baqarah* [2]: 229 which indicates that a right for divorce belongs to husband. The problem arises because it is possible, as a case that became a revelation cause (*asbāb al-nuzūl*) of this verse, to find a situation in which a husband is

not willing to divorce his wife but in the same time, he is not responsible to give her maintenance (*nafqah*). However, a wife can file a divorce for his husband through *khul'* (divorce redeem) yet she needs to give him compensation (al-Şābūnī, 2001, pp. 248-265).

*Fourth* is exegesis on *al-Baqarah* [2]: 234 which indicates that a wife whose husband had just passed away needs to go through 'iddah period during 4 months and 10 days (al-Şābūnī, 2001, pp. 281-287). In this extent, MUI issued a *fatwā* about prohibition of women in 'iddah period to leave her house at the evening even to perform pilgrimage (Majelis Ulama Indonesia, 1981).

*Fifth* is exegesis on *al-Nisā'* [4]: 3 which indicates lawfulness to have a polygamous marriage with four wives at maximum (al-Şābūnī, 2001, pp. 327-336). The husband does not need his wife's consent to do polygamy. This is in line with Shāfi'i school's opinion that consent of the existing wife is not a part of polygamous's requirement (Lirboyo, 2015, pp. 9-11).

*Sixth* is exegesis on *al-Nisā'* [4]: 34 which indicates that men serve as leaders for women. This verse also discusses a husband's right to fix his wife's attitude when she is in *nusyūz* (recalcitrant) using four procedures: giving advice softly, doing bed separation, hitting softly then finding solution through mediator (al-Şābūnī, 2001, pp. 366-373).

*Seventh* is exegesis on *al-Nūr* [24]: 2 which indicates punishment for adultery (*zinā*). It classifies that unmarried subject (*ghair muḥṣan*) is punished with 100 times flogging (*jild*) and married subject (*muḥṣan*) is punished by stoning to death (*rajm*) (al-Şābūnī, 2001, pp. 15-16). Factually, adultery often happens because of temptation or forcement of men to women.

*Eighth* is exegesis on *al-Nūr* [24]: 32-33 on father's privilege to force his daughter to accept a marriage proposal of a man that he agrees upon him (al-Şābūnī, 2001, p. 150). Shafi'i school assumes that a father can force a daughter to get marriage to his chosen man without her consent (Lirboyo, 2015). This is based on a Ḥadīṣ narrated by Muslim "a girl is asked for her permission by her father" which implies recommendation (*sunnah*) to ask her consent instead of an obligation (*wājib*).

*Ninth* is exegesis on *al-Nūr* [24]: 32-33 which literally obliges Moslems, particularly the guardian to wed single men and women (al-Şābūnī, 2001, p. 148). The verse also condemns prostitution that it makes many people think that unregistered marriages (*nikāḥ sirrī*) is better than doing adultery. Moreover, MUI *Fatwa* mentioned it lawful for *nikāḥ sirrī* since it fulfills marriage's requirement and principles (Majelis Ulama Indonesia, 2008).

*Tenth* is exegesis of *al-Al-Aḥzāb* [33]: 59 about Moslem women's obligation to wear veil (*ḥijāb*). It is mentioned that denying this obligation will result a status of unbeliever or apostasy while being reluctant to perform the order is considered as sinful (al-Şābūnī, 2001, p. 308).

## RESULT AND DISCUSSION

### ***Implication on Patriarchal Exegesis on Islamophobia among Moslem Women***

The ten issues on patriarchal exegesis were made as field research contents in the form of questionnaire through *Google Form* spreaded to 10 *WhatsApp Group* targeting on specific respondents from Moslem women: *First*, Ngaji Tafsir Tarbawi. *Second*, Kursus Kajian Islam. *Third*, 3CS Community. *Fourth*, Diskusi Online 3CS Community. *Fifth*, Mahasiswa PAI STAI Ma'had Aly Al-Hikam (STAIMA). *Sixth*, Mahasiswa PGMI STAIMA. *Seventh*, Mahasiswa MPI STAIMA. *Eighth*, Santri Putri Al-Hikam Malang. *Ninth*, Dharma Wanita Persatuan IAIN Madura. *Tenth*, Alumni Annuqayah Putri. Among 102 questionnaire respondents, it was purposively chosen 20 to get interviewed. The process of data compilation took time during 2 weeks since 2-16 June, 2021.

Specifically, 53.5% of respondents are single, 42.6 % are married, while 3.9 are widows. Additionally, 57% are still in schools or universities, 35.8% are workers and 7.2 are housewives. Following is the brief questionnaire results: *First* is prohibition to marry non-Moslem men. Most respondents very agree (55.9%), agree (29.4%), neutral (2.9%), disagree (8.8%), very disagree (2.9%).

*Second* is wife's obligation to fulfill her husband's biological need. Most respondents agree (51%), very agree (26.5%), neutral (9.8%), disagree (10.8%), very disagree (2%).

*Third* is wife doesn't get what she deserves but at the same time doesn't get divorced. Most respondents disagree (42.2%), very disagree (7.8%), neutral (9.8%), agree (33%), very agree (6.9%).

*Fourth* is prohibition for wife in *'iddah* to go outside house. Most respondents agree (49%), very agree (22.5%), neutral (9.8%), disagree (17.6%), very disagree (1%).

*Fifth* is lawfulness for husband to do polygamous without wife's consent. Most respondents disagree (51%), very disagree (20.6%), neutral (6.9%), agree (18.6%), very agree (2.9%).

*Sixth* is lawfulness for husband to hit his *nushūz* wife. Respondents have different opinion: Most of them agree (38,2%), very agree (14,7%), neutral (8.9%), disagree (33.33%), very disagree (4.9%).

*Seventh* is flogging and stoning punishment for adultery. Most respondents agree (56.9%), very agree (30.4%), neutral (10.8%), disagree (2%), very disagree (0%).

*Eighth* is lawfulness to organize forced marriage. Respondents show different opinion. Most of them agree (31.4%), very agree (7.8%), neutral (16.7%), disagree (36.3%), very disagree (7.8%).

*Ninth* is lawfulness to perform *nikāh sirrī* which shows another dissenting opinion among respondents. Most of them agree (29.2%), very agree (15.7%), neutral (13.7%), disagree (27.5%), very disagree (3.9%).

*Tenth* is obligation to wear *hijāb*. It is surprising to find that respondents have dissenting opinion. Most respondents agree (34.3%), very agree (9.8%), neutral (19.6%), disagree (31.4%), very disagree (4.9%).

These results conclude that Moslem women show three response relating to 10 patriarchal exegesis issues examined at this research:

*First* is accepting patriarchal exegesis (pro). The acceptance is clear on four issues: flogging and stoning for adultery (87.3%); not marrying non-Moslem men (85.3%); willingness to fulfill husband's biological needs (76.5%); willingness to stay at home during *'iddah* period (71,5%).

*Second* is dissenting opinions (pro-contra). Three of them are inclined on pro: *nikāḥ sirrī* (54.9% pro, 38.2% contra); lawfulness for husband to hit *nushūz* wife (52.9% pro, 31.4% contra); obligation to wear *hijāb* (44,1% pro, 36.3% contra). Meanwhile, two other issues are inclined on contra: forced marriage (39.2% pro, 44.1% contra) and hanging up condition of undivorced wife (40.2% pro, 50% contra).

*Third* is denying (contra). Respondents' denial is addressed on issue of polygamy without the wife's consent (71,6 %).

Afterward, we interviewed 20 respondents to explore their argumentation on ten issues and its implication on Islamophobia among Moslem women. Specifically, 12 of them (R1-R12) are single, 5 (R13-R17) are married, and 3 are widows (R18-R20). In the context of Islamophobia level, pro response is signified as "*green zone*" which represents low level. Contra response is signified as "*red zone*" which represents very high level. Meanwhile, pro-contra response has dual meaning. When it is inclined to pro, it is marked as "*yellow zone*" representing middle level, yet when it gets closer to contra, it is signed as "*orange zone*" showing high level. Based on this, Islamophobia level among Moslem women is classified to four: low, middle, high and very high.

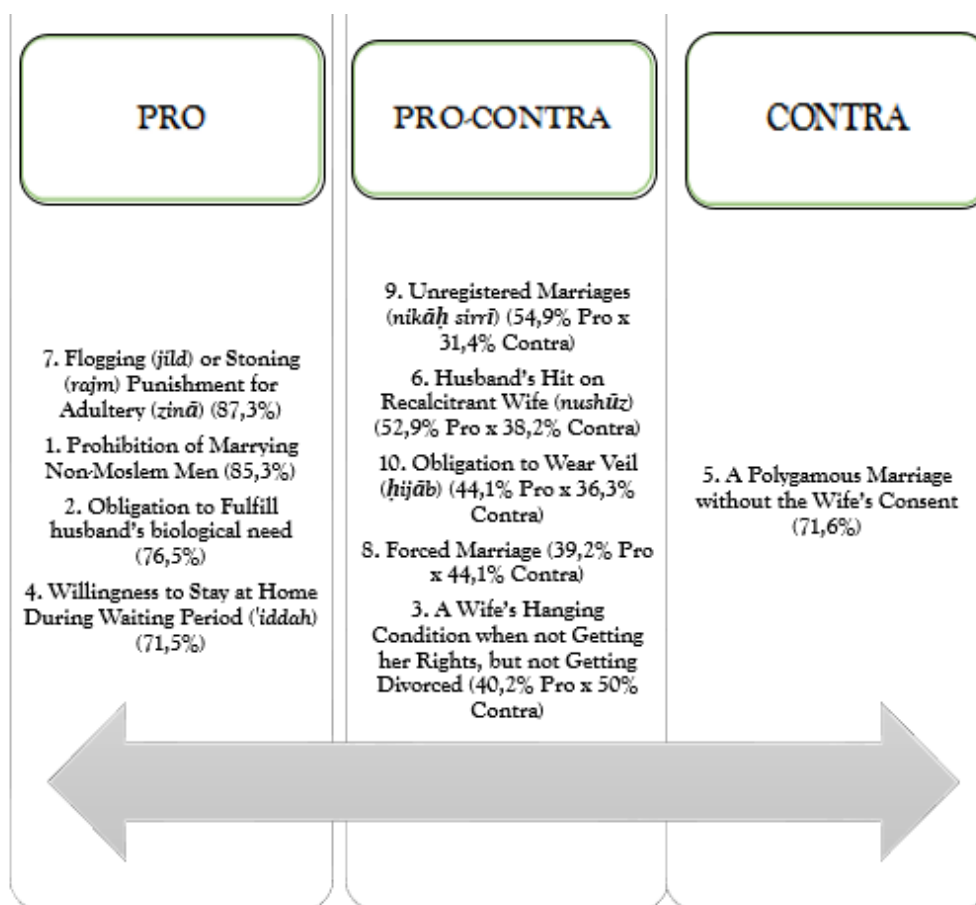
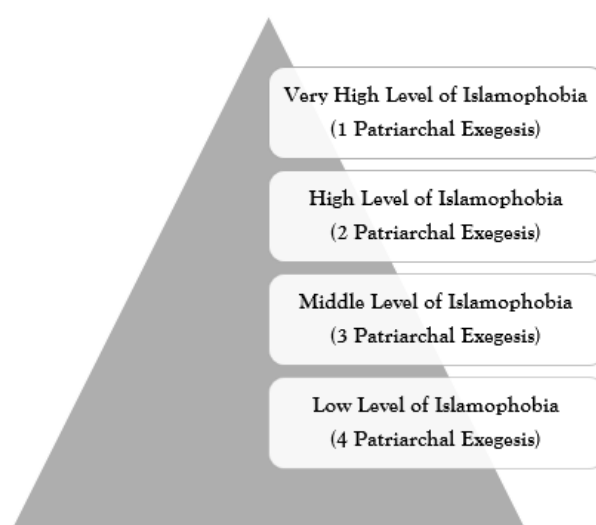


Figure 1. Women Moslems' Responses on 10 Patriarchal Exegesis Issue





**Figure 2. Patriarchal Exegesis Issues's Implication on Islamophobia among Moslem Women**

***Low Level of Islamophobia***

It is found that four issues trigger low level of Islamophobia among Moslem women, namely issues number 7, 1, 2 and 4. This is particularly caused by three factors:

*First* is religious obedience based on reliable argumentation (*dalil*). For instance, flogging and stoning for adultery are based on Qur'an and Ḥadīṣ as mentioned by R5, R11, R15 and R17. Nevertheless, another Ḥadīṣ shows that the central principle in the application of *ḥudūd* punishments is maximizing mercy (Brown, 2016, p. 8). Prohibition to marry non-Moslem men are based on Qur'an and Islamic law (*fiqh*) as mentioned by R4, R6, R8, R9, R10, R11, R12, R15, R18, R19, R20. Islamic Law Compilation (KHI) explicitly prohibits Moslem men to marry non-Moslem women. Practically, Indonesian people in general do not permit interfaith marriage (Directorate, 2015, pp. 1-9).

Obligation for wife to fulfill her husband's biological need is based on Qur'an and Ḥadīṣ as told by R2, R6, R8, R11 and R15. This is actually supported by another Ḥadīṣ: "*Allah condemns al-musawwifāt ... They are wives whose husbands invite them to the bed (for sexual intercourse) then she replied "later" (saufa) until the husband feel asleep*" (Ḥadīṣ of al-Ṭabrānī) (al-Tahāmī, n.d., p. 17). Prohibition for women to go out from house during 'iddah period is based Qur'an as mentioned by R4 and R12. In more detail, Qur'an mentioned that 'iddah for divorced wives counts 3 times of *quru'*, i.e. menstrual or purity period (*al-Baqarah* [2]: 228); if a wife doesn't experience menstruation because she is too young or having had menopause, her 'iddah counts 3 months (*al-Ṭalāq* [65]: 4); those whose husbands passed away have 'iddah counting 4 months and 10 days (*al-Baqarah* [2]: 234); if she is pregnant, the 'iddah is until she delivers a baby (*al-Ṭalāq* [65]: 4).

The *second* is understanding that essence of Islamic law is actually multidimensional instead of monodimensional. This is clear from the responses on flogging and stoning punishment which aren't considered as the only option because there found alternative punishment as told by R1, R2, R3, R7, R9, R13, R14, R18, R19. In line with a *fatwa* of MUI that the government has an authority to punish a man subject of adultery by obliging him to fulfill living cost of the baby as well as compulsory inheritance after he passes away (Majelis Ulama Indonesia, 2012).

Some respondents (R1, R7, R9, R10, R13, R14, R18, R19) assumed that a wife's obligation to fulfill husband's biological needs applies as long as there found no reasonable obstacle (*'uẓr*). This is in line with the opinion of Shāfi'i school that a wife is uncategorized as *nusyūz* when she rejects to fulfill her husband's biological need as long as there found an obstacle such as getting sick or menstruation (al-Makkī, n.d., pp. 78-79).

Most respondent (R1, R2, R3, R4, R5, R7, R10, R13, R14, R15, R17, R18, R19) told that it can be lawful for women in 'iddah period to go out of house when she has an urgent need such as breadwinning. This also accords to the fact shown from some researches that in productional-industrial countries like Indonesia, participation of female workers is relatively high (Offenhauer, 2005, pp. 3-4). Moreover, phenomenon of *stay-at-home-fathers* in which husbands deal with household works at home while wives work outside home is easily found at Indonesian Moslem families (Supaat, 2019, pp. 57-81).

The *third* is understanding on the objectives of Islamic law (*maqāṣid al-syarī'ah*). For instance, some respondents (R4, R6, R8, R10, R12, R16, R20) mentioned that flogging and stoning punishment is proper as the adultery is categorized as a great sin. Another purpose is to protect Moslem next generation from moral decadency. Their responses are in line with Siddiqi's opinion that adultery leads to hard punishment because of two causes: a) It gives negative impacts such as illegitimate children; b) Islam allows both early and polygamous marriage so that it is improper to do adultery (Korbatieh, 2018, pp. 1-20).

Prohibition to marry non-Moslem men is considered argumentative because it potentially leads to negative impacts such as apostasy and family disharmony as told by R1, R2, R3, R5, R7, R10, R13, R14, R16, R17. This is in line with al-Ṣābūnī who mentioned that among main reasons of this prohibition is husband's position which tends to be dominant. It possibly happens that the husband forces his wife to convert (al-Ṣābūnī, 2001, p. 289).

Another issue on wife's obligation to always be available for fulfilling her husband's biological need is mentioned to be proper as long as it is performed in good manner (such as avoiding anal sex). Moreover, it aims to build family harmony so that a husband will not do adultery as told by R3, R4, R5, R12, R16, R17, R20. The Prophet had given a concrete example that a man who gets interested in seeing a woman other than his wife should have sexual intercourse with the wife soon because it can throw the hesitant away (al-Ghazālī, 2011, pp. 122-123).

Relating to 'iddah, it is considered as a mechanism to ensure about pregnancy status as mentioned by R6, R11, R16 as well as avoiding a marriage during the period as stated by R8. Meanwhile, according to R9 and R20, prohibition to go out of house is addressed for women who do not need to have public activities. Islamic scholars consider that 'iddah aims to ensure pregnancy status of a women in order to avoid any mix of descendant lineage; to surrender on Allah's orders (*ta'abbud*); to show condolence in death of a husband; and so forth (al-Ṣābūnī, 2001, pp. 286-287).

### ***Middle Level of Islamophobia***

Three issues are found to trigger middle level of Islamophobia among Moslem women, namely the issues number 9, 6 and 10. The argumentation is generally the same as the previous level.

*First* is religious obedience based on reliable argumentation. This is clear from the responses on *nikāḥ sirrī* in which two respondents (R15 and R16) consider it lawful according to Islamic teaching. In this context, *nikāḥ sirrī* is categorized as irregular marriage instead of invalid marriage (Moors, 2013, pp. 143-144). Regarding with the issue of husband's lawfulness to hit his *nusyūz* wife, respondents R6 and R15 relied their response on Qur'anic verse. This lawfulness, however, is not absolute since it needs to consider other related *dalīl*, such as a Ḥadīṣ: "Don't hit women servants of Allah" (Ḥadīṣ of Abū Dāwūd). Aisyah narrated that The Prophet never hit his servant and his wife (Ḥadīṣ of Ibn Mājah). Likewise, support on women's obligation to wear *ḥijāb* is based on Qur'an and *fiqh* as told by R2, R4, R5, R6, R7, R8, R9, R11, R12, R15, R16, R17, R19 and R20. Some research shows that more than 70% Moslem women in Asia and Africa consider veil as important even very important (Arno Tausch, 2016, p. 7).

*Second* is understanding that Islamic law essence is actually multidimensional instead of monodimensional. This is clear from the response on the lawfulness to perform *nikāḥ sirrī* when there found specific condition, such as pandemic era of Covid 19 nowadays as told by R19, to avoid any bad situation such as adultery (told by R2, R3, R10 and R11), and as long as official marriage settlement is performed afterward immediately as stated by R16, R187 and R20. Factually, at least there found two types of *nikāḥ sirrī* in Indonesian society. *First* is a marriage in which the settlement is performed in a secret situation from family of the couple. *Second* is a secret marriage settlement without inviting people outside family members and without registering to Religious Affairs Office (KUA) and therefore having no formal legality (Iballa, 2013, pp. 27-41).

Lawfulness for husband to hit his *nushūz* wife, meanwhile, should not surpass the proper limit because it can be categorized as domestic violence as mentioned by R1, R4 and R12. Therefore, a husband needs to fulfill the steps of action as said in the Qur'an according to R8, R10, R11 and R13. Al-Zuḥailī told that a husband should rely on principle of 'soft hit' because this aims to give deterrent effect and education instead of injury. Although it is allowed, Islamic scholars generally agree that avoiding hit is better based on Ḥadīṣ "a good man among you will not hit his wife" (al-Zuḥailī, al-Tafsīr al-Munīr, 2009, p. 60). Moreover, Qur'an had articulated the importance of love and mercy as shown in mentioning of *raḥmah* (mercy) term 563 times in 422 verses. One of them is at the context of household in *al-Rūm* [30]: 21 which was practiced by good example of The Prophet as mentioned at testimonies of his loyal servant, Anas ibn Mālik: "I never seen anyone better than The Messenger in loving his family" (Ḥadīṣ of Muslim) (Rosidin H. J., 2018, pp. 1-16).

On the issue of wearing a *ḥijāb* for Moslem women, respondents (R1, R10, R14, R19) said that it does not always become a moral standard both for those who wear it and those who don't. Sometimes, according to R3 and R18, wearing a *ḥijāb* aims to only follow the trend without fulfilling standard of intimate parts (*'aurah*) coverage according to Islamic law. On the other hand, the West considers *ḥijāb* as a symbol of oppression on Moslem women although the assumption was based on liberal understanding on equity and liberty (Bullock, 2010, pp. 2-3). In Western culture, face is a symbol of freedom on self-expression. Therefore, most Western society consider veiling women as oppressed (Patino, 2015, pp. 1-8).

*Third* is understanding on *maqāṣid al-syarī'ah*. For instance, *nikāḥ sirrī* is considered to have more disadvantage than advantage mainly for wives and children because its legality is out of The Law protection as mentioned by R1, R4, R5, R6, R7, R8, R9, R12, R14, R18. A research of Nurhaedi in 2003 shows four causes beyond *nikāḥ sirrī*, namely normative, psychological, biological and socio-economic purposes (Masturiyah, 2013, pp. 43-62).

Another issue on husband's lawfulness hit his *nusyūz* wife, according to R2, R3, R16, R17, actually aims for common goodness. However, others (R5, R7, R14, R18, R19) accentuate that it is far better if a husband tries to find alternative punishment. Based on *al-Nisā'* [4]: 19, KH. Hasyim 'Asy'ari mentioned that a husband needs to treat his wife in a good way such as being patient for her bad behavior and leading her to the straight way (Asy'ari, 2013, p. 59).

As for the issue of *ḥijāb*, R8, R11, R16, R17, R20 consider that Islamic law obliges it for Moslem women's goodness such as to protect their dignity. Factually, many Moslem women percieve that Islam obliges women to contribute in social life, while wearing veil is a way they choose to make them self protected, safe and respected (Pruzan-Jørgensen, 2012, p. 25).

### ***High Level of Islamophobia***

Two issues trigger high level of Islamophobia among Moslem women, namely issues number 8 and 3. This is clear from the three attitude indicators:

*First* is relying on alternative sources of law such as The Law of The Republic of Indonesia. At the issue of forced marriage, R6 and R13 assume that it can be voided by The Law. This is in line with The Law no. 1 1974, article (6) verse (1) that: "*a marriage is based on agreement of both parties*". Unfortunately, structural and culture law factor make people not really support freedom concept in the context of marriage (Bakar, 2010, pp. 81-98).

A more extreme attitude is clear regarding to the issue on a hanging situation of a wife because her husband does not divorce her yet irresponsible for his obligation. Almost all respondents (R1, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14,

R15, R17, R18, R19, R20) share the agreement and suggest her to file for a divorce (*fasakh* or *khul'*) to Religious Court which will force the husband to divorce her. According to Qur'an, this type of husband's behavior is considered unfair because he leaves his wife in unclear condition (*al-Nisā'* [4]: 129). In other word, a wife does not get what she deserves yet she does not get divorced as well (al-Zuhailī, 1985, p. 168).

*Second* is denying by proposing either contextual interpretation of al-Qur'an and Ḥadīṣ (*dalīl naqlī*) or rational-based argumentation (*dalīl 'aqlī*). This is clear from respondent's denial (R8) on forced marriage based on contextual interpretation of Ḥadīṣ about a girl whose parents forced her to marriage then was given a choice whether she agreed or not by The Prophet. The rational-based argumentation that R3, R11, R12, and R14 mentioned is that forced marriage possibly damages the household vision. Islamic Human Rights also denies forced marriage based on some consideration: forced marriage means disavowal on maturity of a girl; forced marriage is contrary to The Law; as an appreciation on maturity, a girl can decide to deny her forced marriage (Iman S. Pertek, 2017, p. 18).

*Third* is suggesting idealistic ideas. This is obvious at the case of forced marriage. R9, R15, R16 and R20 told that parents should find a proper figure of a next husband in term of piosity, attitude and economic affordability. Furthermore, the final decision must still belong to the daughter because she is considered as having full right to choose a life spouse, while parents only give recommend her instead of enforce her according to R1, R5, R7, R10, R17, R18, R19. This is in line with opinion of Shāfi'ī school on requirements of the lawful forced marriage: There found no clear enmity among parents and the girl; the parents propose a proper next husband; the next husband does not potentially give disadvantages such as being disabled or elderly (al-Zuhailī, 1985, p. 182).

### ***Very High Level of Islamophobia***

There only found an issue which triggers very high level Islamophobia among Moslem women, namely issue number 5. Its indicators are identical with the previous one.

*First* is relying on alternative sources of law. According to The Law, polygamy needs wife's consent as told by R1, R6, R8, R9. The Law no. 1 1974 states that a husband is obliged to fulfill following requirements: a) consents of a wife/previous wives; b) ability to afford living cost of all wives and children; c) assurance to be fair among wives and children (Zuhrah, 2016, pp. 1-17).

*Second* is denying by proposing either contextual interpretation of al-Qur'an and Ḥadīṣ or rational-based argumentation. According to R14, al-Qur'an obliges a husband to treat his wife in a good manner (*al-Nisā'* [4]: 19), one of which is asking her permission before doing polygamy. Asking wife's consent is also considered as good

communication as mentioned by R4, R5, R10, R11, R18. Moreover, R7 and R19 said that a wife deserves to deny her husband's polygamy plan as well as file for a divorce if she disagrees with it. Relating to this, it needs to understand that polygamy is literally an old culture instead of a new culture that Islam initiated it (Janas Khani, 2015, pp. 31-38). This is supported by Shihab who stated that *al-Nisā'* [4]: 3 does not regulate polygamy because it was already well known and practiced by religious believers and cultural actors before revelation of Qur'an. Therefore, this verse only talks about the lawfulness to do a polygamy instead of recommend or oblige it (Shihab, 2005, pp. 341-343).

*Third* is suggesting idealistic ideas. Some respondents (R2, R16, R17) are inclined to get suspicious on nowadays polygamous practice, moreover without the wife's consent because it is considered as iniquity to only fulfill sexual need and cause disadvantages for household. Some contemporary Moslem figures such as Abduh, Rasyid Ridha and al-Madani consider the lawfulness of polygamous marriage only applies to cope with social problem. Moreover, Fazlur Rahman mentioned that in a normal condition, polygamy is prohibited because it gives implication on moral decadency and iniquity on women (Burhanuddin, 2019, pp. 71-88).

## CONCLUSION

This article claims that Islamophobia does not only occur among outsiders, but also insiders, mainly Moslem women who experience symbolic violence based on patriarchal exegesis as commonly found in Indonesia. This research's finding shows that Islamophobia among Moslem women has four levels: low, middle, high and very high.

The first two categories are caused by three factors, which are religious obedience based on reliable argumentation, understanding on multidimensional essence of Islamic law and the objectives of Islamic law. Meanwhile, the last two are clear from three attitudes, which are relying on alternative sources of law such as The Law of The Republic of Indonesia, denying by proposing either contextual interpretation of al-Qur'an and Ḥadīṣ or rational-based argumentation, and suggesting idealistic ideas.

Based on those findings, practical steps to take in order to decrease Islamophobia level among Moslems are organizing efforts to improve Moslems' understanding quality on Islamic teaching so that the religious obedience does not only come from a blind following (*taqlīd*), but mainly based on reliable argumentation. This will also create a multidimensional perspective of Islamic law instead of "black-white" binary opposition way of thinking as well as active attitude in digging *maqāṣid al-syarī'ah* beyond Islamic teaching.

Meanwhile, practical steps to take in coping with high and very high levels of Islamophobia is to nurture tolerance and inclusive values among Moslem community. This needs to be promoted in a massive way particularly in dealing with Moslem's diverse opinion and way of thinking which are impossible to compromise each others.

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