



ISLAMIC LAW REFORM IN INDONESIA: A PERSPECTIVE ON MUHAMMAD ABID AL-JABIRI'S THOUGHT

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Received: March 13, 2024	Reviewed: April-May	Published: June 24, 2024
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ABSTRACT

This study explores the handling of tradition (turath) within Arab society, particularly in the context of modernity and progress. It focuses on the contributions of 'Abed al-Jabiri, a prominent Muslim philosopher, whose ideas underscore the value of tradition during times of rapid social change. Utilizing a descriptive analysis method, this research examines the interpretation of the Qur'an and Hadith to assess the relevance of ancient scholarly findings to contemporary issues. The study highlights how Islamic feminism, viewed through the lens of *Irfani* epistemology, seeks to reconstruct these classical insights to align with modern ideals. Islamic feminism is presented as a humanistic ideal rooted in conscience, guided by moral and ethical principles encompassing universal goodness (*ma'ruf*), individual goodness (*khair*), happiness (*sa'adah*), and virtuous deeds (*fadhilah*). This paper contributes to the discourse on integrating traditional Islamic thought with modern feminist principles, offering a perspective enriched with ethical and spiritual dimensions.

Keywords: Legal Reform, Thought, Muhammad Abid al-Jabiri

ABSTRAK

Penelitian ini mengeksplorasi penanganan tradisi (turath) dalam masyarakat Arab, khususnya dalam konteks modernitas dan kemajuan. Penelitian ini berfokus pada kontribusi 'Abed al-Jabiri, seorang filsuf Muslim terkemuka, yang gagasannya menekankan nilai tradisi di tengah perubahan sosial yang cepat. Menggunakan metode analisis deskriptif, penelitian ini menelaah penafsiran Al-Qur'an dan Hadis untuk menilai relevansi temuan ilmiah kuno terhadap isu-isu kontemporer. Penelitian ini menyoroti bagaimana feminisme Islam, yang dilihat melalui lensa epistemologi Irfani, berupaya merekonstruksi wawasan klasik ini agar selaras dengan cita-cita modern. Feminisme Islam dipresentasikan sebagai cita-cita humanistik yang berakar pada hati nurani, dipandu oleh prinsip moral dan etika yang mencakup kebaikan universal (*ma'ruf*), kebaikan individu (*khair*), kebahagiaan (*sa'adah*), dan perbuatan baik (*fadhilah*). Makalah ini berkontribusi pada wacana tentang integrasi pemikiran Islam tradisional dengan prinsip-prinsip feminis modern, menawarkan perspektif yang diperkaya dengan dimensi etis dan spiritual.

Kata Kunci: Reformasi Hukum, Pemikiran, Muhammad Abid al-Jabiri



INTRODUCTION

The evolution of Muslim societies has been the subject of extensive discussion within both scientific and Islamic contexts. These debates have ignited a sense of hope among Muslims for transformative changes that reflect their historical successes. This hope emerges as materialistic, secular, and atheistic ideologies, which dominated the 20th century, have proven inadequate in addressing humanity's pressing issues. Despite this, Western portrayals of the Islamic resurgence often misrepresent and stigmatize the movement. Western countries, leveraging their dominance in science and technology, project themselves as secular and materialistic civilizations and seek to curtail the influence of the Muslim awakening (Suharsono, 2004).

Islamic scholars have presented various analyses to identify the reasons behind the decline of Islamic civilization, which has historically held the belief in the supremacy of Islam. The inability of Islamic civilization to creatively respond to modern challenges becomes apparent as modernity permeates the Islamic world. Among these scholars, Muhammad Abid al-Jabiri stands out as a Moroccan philosopher who has extensively analyzed Arabic-Islamic reasoning through the lens of epistemology. His seminal work, *Naqd al-Aql al-'Arabi*, critically examines the Arab-Islamic tradition and reflects his deep engagement with the issues facing Islamic thought (Al-Jabiri, 2014).

Al-Jabiri, hailing from Morocco, offers a critical perspective on the value of tradition amidst rapid societal changes. He is considered one of the most influential Arab-

Islamic intellectuals of modern times (Al-Jabiri, 1999). His work aims to develop a new epistemology that aligns with contemporary societal developments, critiquing traditionalist movements like the Salaf movement for their tendency to overlook socio-economic realities and overly glorify historical achievements.

In the realm of thought, epistemology occupies a significant position because it determines the style of thinking and the statements of truth it produces. The foundational structure of epistemology differs from one civilization to another. These differences in emphasis within epistemology have a profound influence on the construction of human thought as a whole. The human worldview is affected and even shaped by its conceptual framework through epistemology (Hafizallah & Wafa, 2019).

In Al-Jabiri's view, tradition is not a monolithic entity but a dynamic interplay of support, criticism, erasure, and subversion. This perspective transforms tradition into a communal memory that can impede a scientific and rational approach. His background as a Moroccan intellectual, influenced by Western philosophers and Marxist thought, further enriches his critical analysis of Islamic intellectual history. Al-Jabiri's engagement with Marxism evolved through his interaction with Yves Lacoste's comparison of Ibn Khaldun and Karl Marx, prompting him to question the applicability of Marxian approaches within the Islamic context (Al-Jabiri, 2000).

Rooted in the events of the 20th century, marked by the rise and dominance of the West and the subsequent decline and

disintegration of Islam after centuries of glory, Arab thinkers have been inspired to contribute their thoughts to identify the origins of this decline and to develop strategies for reviving the glory of Islam. In connection with these issues, this paper will discuss the renewal of Islamic law in Indonesia, initiated by Muhammad Abed al-Jabiri, a Muslim scholar from Morocco.

RESEARCH METHOD

Utilizing a descriptive analytical methodology, this research delves into the exegesis of the Qur'an and Hadith to evaluate the pertinence of historical scholarly conclusions in addressing contemporary challenges. The study underscores how Islamic feminism, interpreted through the framework of *Irfani* epistemology, endeavors to reconstruct these traditional insights to resonate with modern ideals.

This study employs a descriptive analytical method to explore the interpretation of the Qur'an and Hadith, aiming to uncover the relevance of classical Islamic scholarship in addressing contemporary issues. The descriptive analytical approach involves a systematic examination of primary Islamic texts to understand their meanings and implications within both historical and modern contexts. The research process begins with the collection and review of classical commentaries on the Qur'an and Hadith, focusing on interpretations that have historically shaped Islamic thought. This is followed by a critical analysis of these texts through the lens of *Irfani* epistemology, which emphasizes mystical and intuitive knowledge.

Irfani epistemology provides a unique framework for interpreting the texts, allowing for a more profound understanding that transcends literal meanings and incorporates spiritual insights.

The descriptive analytical method involves several key steps. First, a thorough examination of primary sources, including classical Qur'anic exegesis and Hadith collections, is conducted to identify core themes and interpretations relevant to the study. Next, these interpretations are contextualized within their historical context to understand the socio-cultural and theological factors that influenced their development. This is followed by a comparative analysis of classical interpretations with contemporary readings, particularly those influenced by Islamic feminism, to highlight shifts in understanding and application. Finally, insights from classical and contemporary interpretations are synthesized to develop a nuanced understanding of how traditional Islamic teachings can address modern challenges.

This methodology is particularly suited to the study of Islamic feminism, as it allows for a detailed exploration of how classical texts can be reinterpreted to align with contemporary ideals of gender equality and social justice. By employing *Irfani* epistemology, the research transcends conventional analytical boundaries, offering a holistic perspective that encompasses both rational and mystical dimensions of knowledge. The application of a descriptive analytical method reveals the dynamic nature of Qur'anic exegesis and Hadith interpretation, demonstrating their capacity to

evolve in response to contemporary challenges. Through the lens of *Irfani* epistemology, Islamic feminism reinterprets these texts to challenge traditional patriarchal readings and advocate for a more egalitarian understanding.

This research contributes to the academic discourse by showcasing the adaptability of Islamic teachings in the face of modern societal shifts. It underscores the potential for *Irfani* epistemology to bridge the gap between historical scholarship and present-day exigencies, offering a nuanced perspective that respects tradition while being innovative in its application. In conclusion, the descriptive analytical methodology, combined with *Irfani* epistemology, provides a robust framework for reexamining classical Islamic texts. This approach not only enriches the academic field but also offers practical insights for implementing Islamic principles in today's world, particularly in the context of gender studies and social justice..

Literature Review

Abed Al-Jabiri's epistemology of Islamic thought, as examined by Hayati (2017), employs the concepts of "historicity" (*tarikhiyyah*), "objectivity" (*madlu'iyah*), and "continuity" (*istimrariyah*) in his analysis and critique of hadith. Al-Jabiri's approach to "historicity" and "objectivity" emphasizes the importance of maintaining a separation between the reader and the text (*fasl al-qari' 'an al-maqru'*), ensuring an unbiased and contextually grounded understanding of the hadith. Conversely, "continuity" highlights the need for an engaged and ongoing interaction between the reader and the text (*washl al-qari' 'an al-maqru'*), facilitating a

dynamic and evolving connection with Islamic traditions.

In her book, "Feminism and Islamic Fundamentalism: The Limits of Postmodern Analysis," Moghissi (1999) provides a compelling account of her experiences as an oppressed woman in Iran. Her narrative serves as a poignant reflection of how men in Islamic societies often manipulate religious doctrines to control, supervise, and dominate women. Moghissi extends her analysis to other Middle Eastern countries, revealing a systematic pattern of patriarchal authority that exploits religion to maintain gender-based oppression. Her work underscores the urgent need for a critical examination of the intersection between feminism and Islamic fundamentalism, challenging the constraints of postmodern analysis in addressing these complex socio-religious issues.

RESULT AND DISCUSSION

Conception of Muhammed 'Abed Al-Jabiri

Muhammed 'Abed Al-Jabiri is recognized as a contemporary Arab philosopher specializing in hermeneutics and Islamic philosophy. He is among a select group of scholars capable of meticulously examining the classical Islamic philosophical tradition, thereby synthesizing and vividly exploring its depths. His contributions have significantly enriched contemporary Islamic thought, highlighting the notion that "there is still work to be done" and "much that early Muslim thinkers have yet to accomplish." His magnum opus, the trilogy of critiques, is a testament to this awareness (Aziz, 2015).

Before delving into Al-Jabiri's ideas, it is pertinent to briefly discuss post-structuralist philosophy, as Abed Al-Jabiri employed this approach to comprehend the *turath*¹ (heritage) of his contemporaries (Mugiono, 2015). The latest approaches to studying objects, as represented by theories, methodologies, and procedures, are encapsulated within the post-structuralist paradigm (Ratna, 2022). Post-structuralism addresses certain shortcomings in previous theories, highlighting the rigidity of structuralist theory, which relies solely on specific structures and systems. This rigidity, particularly evident in its early stages, presents a significant limitation (Ratna, 2022, p. 144).

Al-Jabiri's critique of *turats* delves into this intellectual tradition, examining the romantic idealism that arose from glorifying the brilliance of past civilizations without striving for objectivity. This mindset among Arab-Islamic communities is driven by a desire to overcome contemporary backwardness, especially in comparison to the technologically advanced West, which dominates global power structures. Additionally, there is a drive to gain recognition by invoking nostalgia for the Arab past, demonstrating that historically, Arabs and Muslims held a prestigious position in global culture (Hayati, 2017).

The discourse between the past and future creates a dialectical tension, shaping the current ideology of Arab Islam and potentially stifling future progress. This historical perspective often reinforces identity

and defensiveness, leading to a regressive stance. This mentality is evident in both contemporary Arab thought and modern fundamentalist perspectives, which emphasize tradition within a highly ideological framework, projecting a future based on ideological constructs over historical realities (Al Jabiri & Wijaya, 2019).

Addressing various theological issues faced by modern Muslims, al-Jabiri advocates for a critical examination of the "references" and "ways of referring" that are often taken for granted. He calls for a rebirth of certain ideologies, such as political Islam, through discourse analysis and critique. This approach necessitates a combined critique of both past and present to prevent the manipulation of history for contemporary purposes and to avoid apologetic interactions with Western ideals perceived as foreign (Baso, 2000).

In "Critique of Islamic Thought," al-Jabiri identifies the period of codification (*asr al tadwin*), beginning in the second century Hijri, as a pivotal reference point for classical Arabic philosophy, rather than the pre-Islamic era, the time of Muhammad SAW, or the Khulafa al-Rashidin period. He introduces three epistemological systems: the system of indication or explanation (*Bayani*), the system of illumination or gnostic (*Irfani*), and the system of demonstration or inference (*Burhani*). Al-Jabiri's framework, inspired by Foucault's concept of episteme, transcends mere research procedures or guidelines (Baso, 2000).

¹ Al-Jabiri conceptualizes "turats" (tradition) as an entity rooted in the past, whether it pertains to our own history or that of others, whether it is from a distant or recent period. Tradition is anchored in specific spatial

and temporal contexts. It represents a legacy from a particular epoch, having its origins in the past, enduring for a period, and eventually transitioning into the present.

Al-Jabiri advocates for developing a robust epistemology of Arabic reason to address modernity's challenges, proposing the *Burbani*, *Bayani*, and *Irfani* traditions as a practical framework. His integration of post-structuralist and post-modernist approaches into Islamic studies underscores this methodology, with a predominant emphasis on *Burbani* reasoning among the three typologies.

Al-Jabiri's methodology does not entirely discard structural thinking; instead, he utilizes structuralism as a foundation for critical and logical reasoning. He expands beyond the French structuralist approach, which views cognition as an interconnected system, proposing three alternative methods: "continuity" (*istimrariyah*), "historicity" (*tarikhiyyah*), and "objectivity" (*madlu'iyyah*). While "continuity" emphasizes the relationship between the reader and the text, "historicity" and "objectivity" denote a separation between the two (Baso, 2000).

This separation between reader and text is crucial for positioning tradition as a subject of critical inquiry, enabling an unbiased view free from sentimental or self-interested biases (Al-Jabiri, 2000). Al-Jabiri notes that Muslims often read their traditions as if the past were fully present and unblemished. This applies to both modernists and traditionalists. Therefore, ideas that create a barrier between reader and text are relevant, facilitating a more objective reading of hadith. According to al-

Jabiri, structuralism provides a useful framework for this purpose (Baso, 2000).

In this context, objectivity (*maudlu'iyah*) involves placing hadith within its historical framework, detached from contemporary biases. Al-Jabiri emphasizes that meanings should be derived from the text itself, free from present-day demands or preconceived notions of tradition. This approach underscores the necessity of interpreting texts based on their intrinsic meanings, rejecting the authority of tradition that restricts intellectual freedom (Baso, 2017).

Al-Jabiri's initial step, combined with his proposed typology, *nizham ma'rifi Bayani* or '*aql Bayani*, encompasses disciplines such as rhetoric (*balaghah*), grammar (*nahwu*), jurisprudence (*fiqh* and *ushul fiqh*), and theology (*kalām*), all centered on Arabic linguistics. This convergence led to a unique form of reasoning in legal language, which eventually gave rise to a set of rules and laws of thinking imposed (unconsciously) by Arab culture, deeply intertwined with language and religious texts. These epistemological factors shape *Bayani* reasoning (Soleh, 2016).

When the ideological factors that constitute this *Bayani* reasoning encounter other ideologies, such as in the interaction between '*ulum al-awa'il* and '*ulum al-naqliyah*, al-Jabiri identifies the emergence of two distinct epistemes: *Irfani* and *Burbani*. Each of these is in conflict with the *Bayani* episteme. However, al-Jabiri argues that *Bayani* reasoning is more fundamentally opposed to *Irfani* reasoning,²

² The term "*Irfani*" is derived from the word '*irfan*, meaning gnosis. It encompasses various disciplines that constitute the "ancient sciences," which include

traditions from ancient Persia, Hermeticism, and Neo-Platonism. These traditions serve as the foundational sources of its philosophical framework (Al-Jabiri, 2000).

than to *Burhani* reasoning.³ He delineates a distinction between *al-ma'qul al-dini* (religious rationality), which is inherent to the *Bayani* tradition, and *al-la ma'qul al-'aqli* (rational irrationality), which is associated with the *Irfani* tradition. The term *Irfani* itself is employed to denote a reasoning process that relies on inspiration and *kashf* (unveiling) as sources of knowledge.

Epistemology of *'Irfani*, a typology introduced by al-Jabiri, serves as one of the methods to validate knowledge based on its fidelity to objective reality. According to this theory, truth is defined as the correspondence between statements and facts, or between judgments and the situations they describe. Consistency and coherence within this framework assert that a statement is considered true if it aligns with other statements already accepted as true. *'Irfani* knowledge, however, is derived not from external objects or logical sequences, but from within oneself. Its truth cannot be tested through correspondence or coherence, as it lacks a transitive external object. Instead, its object is immaterial and essential, a form of self-knowledge. Thus, to complete this epistemic thought, it must be integrated with the *Burhani* epistemology.

The second step in criticizing a tradition involves a “continuity” approach that connects the reader with the object of their reading (*washl al-qari' an al-maqru*). This approach employs the “rationality” method, making the tradition more contextual to our present conditions. It aims to treat tradition

as relevant and contextual to its own existence, particularly at the level of theoretical problems, cognition, and the ideological substance of its content (Al-Jabiri, 2000). This stage can also be interpreted as the *Burhani* tradition, which is essentially a thinking activity aimed at determining the truth of propositions through a deductive approach by linking one proposition with another that has been axiomatically proven true. *Burhani* represents rational reasoning, encompassing disciplines that place Aristotle's rationalism at their core.

When discussing *Burhani* epistemology, it inevitably intersects with reason (*'aql*). According to 'Abed al-Jabiri, drawing from Andre Lalande's perspective, there are two global typologies of reason: formative or active reason (*'al 'aql al-mukawwin*) and formed or dominant reason (*al-'aql al-mukawwan*). Active reason is the innate ability by which humans derive general and certain principles based on their understanding of the relationships between all things, which are universal. Dominant reason, on the other hand, comprises a set of “principles and rules used as guidelines in argumentation,” which are not universal. Al-Jabiri explains that these two types of reason influence each other, with universal reason being universal only within a specific culture or the culture that produced it (Zaprul Khan, 2014).

Each of the three epistemological systems—*Bayani*, *'Irfani*, and *Burhani*—emerges in an imperfect form. These systems undergo assimilation, eventually reaching a

³ The term “*Burhani*” is derived from the word “*burhan*,” which signifies rational reasoning or demonstration. It encompasses disciplines that center

around Aristotle's rationalism as the principal axis. Refer to (Al-Jabiri, 2000).

point of stagnation and merging into a dominant force. Consequently, when interpreting texts (both the Qur'an and *Kauniah*), one must engage in a dialog using the hermeneutic circle of *Bayani* and *Irfani* epistemology in a circular movement that controls, critiques, corrects, and perfects the shortcomings of each paradigm. *Burbani* epistemology is merely one approach to revealing causal relationships. Therefore, all these epistemologies must reinforce each other (Sebti, 2010). Al-Jabiri seeks to demonstrate the potential to liberate Arab reason from the confines of textual authority, the authority of the past, and the constraints of irrationalism.

Islamic Philosophical Consequences of Muhammad 'Abed al-Jabiri's Studies

Muhammad 'Abed al-Jabiri has undoubtedly made significant contributions to the study of turath or Islamic philosophy in general, despite certain shortcomings in his reasoning, be it related to the feasibility of his theories or other peculiarities. It is well established that Western scientific philosophies, such as pragmatism, empiricism, and rationalism, are not entirely appropriate as theoretical frameworks for analyzing the dynamics of Islamic Studies. Western scientific epistemology predominantly focuses on the natural sciences rather than the humanities or social sciences. In contrast, Islamic Studies and *'ulum al-din*—particularly *shari'ah*, *aqidah*, *tasawwuf*, *'ulum Al-Qur'an*, and *'ulum al-Hadith*—are more closely aligned with the classical humanities (Hardiono, 2020).

Al-Jabiri, through his ideas and knowledge, invites us to critically assess what

is considered a “reference” and the manner in which we refer to it. There is a necessity to merge “criticism of the past” to avoid the manipulation of history for contemporary interests, with “criticism of the present” to prevent the imposition of identity and apologetics when engaging with Western concepts deemed foreign (Al-Jabiri, 1999).

It is crucial to approach al-Jabiri's ideas with objectivity. The exclusivism of Muslims towards their religion and traditions has been a significant barrier to the early advancement of Islam. Consequently, Muslims have often been reluctant to accept new sciences that could potentially transform and enhance their understanding of religion and customs. Al-Jabiri's concept can assist Muslims in maintaining an open-minded and impartial stance when discussing their intellectual heritage, ensuring they do not fall behind Western countries, which have adeptly embraced Islamic literature and adapted it to their needs. This openness excludes critical analysis of Islamic teachings and discussions of Islamic history. Al-Jabiri's comprehension of the ideologies and epistemologies emerging in the Arab world offers a distinct identity and a novel perspective. He provides a pathway out of the stagnation that has plagued the Arab world for over a century by leveraging the philosophical ideas foundational to his scholastic background (Al-Jabiri, 1999, p. 76).

Al-Jabiri's thought is also utilized as an authoritative source in the context of Said Aqil's criticism of Aswaja. His works serve as references to illustrate the political context surrounding the emergence of various schools of *kalam* in Islam. Said Aqil also

compiled literature referenced by al-Jabiri in his trilogy to support his critique of NU's Aswaja teachings. Notably, al-Jabiri employs similar arguments in his critique of "Arab political reason" and his "critique of Arab reason," which Said Aqil uses to underpin his critique of Aswaja's doctrinal heritage within NU. For instance, al-Jabiri's typology of the *Bayani*, *Irfani*, and *Burhani* traditions (Al-Jabiri, 1999, p. 76).

Al-Jabiri's Epistemological Perspective on the Phenomenon of Feminism

The *Bayani*, *Irfani*, and *Burhani* epistemological frameworks can be utilized to conduct an in-depth analysis of feminism through the lens of Islamic epistemology, drawing on Al-Jabiri's thought. Firstly, there are Qur'anic verses that underscore the principle of gender equality, aligning with *Bayani* epistemology which emphasizes the authority of scripture. Surah Adh-Dzariyat (51): 56 declares that Allah created humans solely to worship Him. This verse does not specify any social hierarchy or background but refers to humanity in general, encompassing both men and women. This implies that men and women hold equal status as worshippers of Allah. Similarly, Surah al-Hujurat (49): 13 elucidates that Allah created humans from different nations and tribes so they may recognize one another. These verses collectively indicate that gender relations are governed by religious norms, and humans are fundamentally equal regardless of their national or tribal origins.

Secondly, men and women, as creatures of Allah, each enter into a primordial covenant with Him. Surah Al-A'raf (7): 172 describes how God brought forth Adam's

descendants from their loins and demanded testimony from every soul, both male and female, affirming their acceptance of this covenant. Furthermore, Surah Al-Ahzab (33): 35, when examined in its historical context, clearly states that Allah does not differentiate between genders in terms of their inherent nature. Nonetheless, some hadiths appear to undermine women's leadership and thereby impact gender equality. For instance, a well-known hadith mentions that upon hearing that the Persians had appointed the daughter of Kisra (the former Persian king) as their leader, the Prophet Muhammad remarked, "A people will not prosper if they appoint a woman as their leader" (HR. Bukhari).

This nuanced analysis highlights the complexity of interpreting gender equality within Islamic epistemology and underscores the need to contextualize scriptural and prophetic traditions. This hadith cannot be fully comprehended without first understanding the socio-historical context of its time. It is imperative to scrutinize the *asbabul wurud* (circumstances of revelation) of the hadith to grasp its accurate meaning. Sociologically, according to the Persian tradition active during that era, only men could hold the position of head of state or king. However, in 9 AH, a significant deviation from this norm occurred when a woman was appointed as a ruler, breaking the tradition. At that time, the prevailing societal consensus placed women in a subordinate position to men. Women were perceived as unreliable and deemed unfit to manage public affairs, especially those related to state governance. The belief was that only men possessed the capability and qualifications to

administer societal and state matters (Hanapi, 2015).

Additionally, the hadith mentions the Prophet's directive: "No woman should travel for three days unless a mahram is with her." This hadith is historically rooted in the Prophet's concern for the safety of women traveling alone without a mahram. During that period, travel typically involved camels, bighals (a type of horse), or donkeys, and the long, arduous journeys across vast deserts were fraught with risks, including crime. In contrast, contemporary conditions provide easy access to transportation facilities and infrastructure, secure transit environments, and specialized services for women, such as women-only train cars and dedicated seating areas. These advancements significantly mitigate safety and security concerns for women traveling alone (Hamzah, 2021).

From the preceding argument, it is evident that no gender bias exists in the texts of either the Qur'an or hadith. The author acknowledges that the concept of equality among all individuals aligns with the notion that there is no inherent difference in status between men and women. It is not suggested that men are intrinsically superior to women or that women are subordinate to men. Consequently, the feminist movement's objective, which emerged in the West, of transcending male dominance, does not align with the concept of human nature.

Islamic feminism, however, challenges interpretations of the Qur'an and Hadith deemed irrelevant to contemporary society, striving to emulate the scholarly achievements of previous academics. According to *Irfani* epistemology, knowledge is based on human

values, encompassing revelations rooted in conscience, empirical experience, and rational thought (Qibtiyah, 2020). For instance, in matters of inheritance, normative differences exist between men and women. Historically, women were once considered property to be inherited, but Islam transformed this by granting women the right to inherit.

The seemingly inequitable division of inheritance, judged by contemporary standards, appears unjust to the conscience, given the equal responsibility of men and women in providing for, raising, and educating children. Nevertheless, it is crucial to consider who needs the inheritance the most. Gender does not influence the legal status or welfare of heirs. Furthermore, moral and ethical principles operate within a framework that incorporates universally recognized virtues (*ma'ruf*) and individual goodness (*khair*), happiness (*sa'adah*), and virtuous deeds (*fadhilah*). *Al-Khair* signifies intrinsic virtue, often associated with religious practices. For believers, religious activities contribute positively to individual happiness and societal well-being (Qibtiyah, 2020).

Burbani epistemology emphasizes the importance of reason and logical principles. Logically, the concept of feminism should be articulated positively rather than negatively. For example, asserting that "women have equal rights with men in the social sphere" aligns with the feminist movement's ideals. The feminist paradigm encompasses beliefs, attitudes, and actions that diverge from conventional knowledge, assumptions, and concerns about injustice, inequality, subjugation, or prejudice. Moreover, the feminist movement embodies the aspiration

for a prosperous, democratic, and just society. Feminism can also be described as a social movement aimed at transforming society.

During the lifetime of Prophet Muhammad, social actions promoting gender justice paralleled the Qur'anic advocacy for gender equality. The patriarchal system of the jahiliyah period was dismantled by Islamic teachings, which provided opportunities and privileges to women that were previously denied. The Prophet Muhammad instructed Muslims to perform aqiqah to celebrate the birth of a girl, just as they did for a boy. Contrary to pre-Islamic customs, Islam, as stated in Surah An-Nisa' verse 19 and elsewhere, affirmed women's right to inherit, challenging the jahiliyyah practice of treating women as inheritable property (Rifâ et al., 2022).

Historical records also indicate that the Arabs despised the birth of daughters, but Islam condemned this practice and offered rewards to those who treated girls with the same respect as boys (Muslih & Nurfauzi, 2022).

CONCLUSIONS

The conclusion of this study offers a nuanced perspective on the role of critical thinking within Islamic thought, heavily drawing from Al-Jabiri's ideas. Al-Jabiri urges Arab thinkers to engage in critical analysis when responding to traditional concepts, advocating for openness and inclusivity rather than exclusivity and resistance to new theories. By embracing new theories with openness and objectivity, the development of Islamic thought can progress more dynamically. This approach, proposed by Al-

Jabiri, addresses the integration of tradition within Islamic thought, ensuring it is not solely confined to textual authority but also capable of evolving to remain relevant in contemporary and modern contexts.

By elucidating how scholars have reinterpreted classical texts to tackle modern challenges and incorporate diverse perspectives, the conclusion demonstrates the practical implications of Al-Jabiri's epistemological framework. Feminism, as a social philosophy, examines and explicates the mechanisms, root causes, and organizing principles of women's oppression. According to Al-Jabiri's epistemology, the concept of human nature, as articulated in certain hadiths and Qur'anic verses, conflicts with Western feminism or any form of feminism that favors men. However, Islamic feminism seeks to reconstruct the ideas and conclusions of ancient scholars by reinterpreting the Qur'an and Hadith in ways that resonate with contemporary society. *Irfani* epistemology views feminism as a human objective rooted in conscience, aligning it with the broader humanistic goals of Islamic thought.

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