



# Istinbath methodology of M. Quraish Shihab considering the ruling of hijab and its relevance with the traditional clothing of Gorontalo

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## ABSTRACT

The traditional clothing of the Gorontalo tribe, also known as traditional Gorontalo clothing, is a fashion style unique to people in Gorontalo, Sulawesi. The Gorontalo tribe is the largest population in the north peninsula of North Sulawesi. The traditional clothing of this tribe is recognized by its ornaments and colors. Each color has its meaning and functions, thus adding to the exquisiteness of the clothing. People have made some adjustments to the traditional clothing of Gorontalo, depending on the events. One example is an increase in the number of female Muslims wearing modified traditional clothing. This is seen in the use of hijab to add aesthetic value. There are several designs of traditional Gorontalo clothing; some are worn for special religious occasions, such as weddings, aqiqah (celebration for a new baby), mourning, etc. However, among the traditional clothes, there is one that is quite unique, namely the Bele Uto. This clothing covers the entire body, leaving only their eyes. M. Quraish Shihab's thoughts are unique and moderate. His moderate attitude is seen when finding a middle ground, and providing solutions wisely without patronizing and judging. Such a notion and its relevance with its relevance to Gorontalo's traditional clothing is worth investigating.

**Keywords:** Istinbath; hijab; M. Quraish Shihab; the traditional clothing of Gorontalo

## 1. INTRODUCTION

The traditional clothing of the Gorontalo tribe, also known as traditional Gorontalo clothing, is a fashion style unique to people in Gorontalo, Sulawesi. The Gorontalo tribe

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There are several designs of traditional Gorontalo clothing; some are worn for special religious occasions, such as weddings, *aqiqah* (celebration for a new baby), mourning, etc. However, among the traditional clothes, there is one that is quite unique, namely the Bele Uto. This clothing covers the entire body, leaving only their eyes. The material consists of two sarongs or batik to cover the wearers. One used to be wrapped around the waist and the other to cover the head.

Currently, the hijab is increasingly in demand among Muslim women. Hijab that is in accordance with Islamic law will elevate women's statuses, and glorify and honor women, protecting them from unjust and immoral people. Women are the best jewelry, and among the best jewelry is a pious woman. This notion clearly emphasizes that women are precious and should be protected. Consequently, many arguments debate the necessity of covering body parts that cannot be exposed. Some Islamic scholars are of the opinion that the face and palms are parts of the body that must be covered. Meanwhile, other scholars argue that exposing the face and palms is permissible.

Hijab, terminologically, refers to a barrier or curtain blocking those from meeting whom they wish to meet. In a further development, women who cover themselves or their entire bodies with clothes are called *mutahajjibah*.<sup>1</sup> In the context of this study, the hijab is closely related to the boundaries of covering parts of the body that cannot be exposed. The term hijab comes from the word "*hajaba*", which means blocking between two things. In Al-Qur'an, this term is mentioned nine times in several surahs, namely QS 33: 53), (Q.S 42: 51), (Q.S 7: 46), (Q.S 41: 5), (Q.S 17: 45), 19: 17) and (Q.S: 83: 15)

Surahs discussing the hijab are Al Ahzab: 33, 53, 59 and An-Nur: 31 and 60.

... وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ... ﴿٥٣﴾

"... And when you ask of them any goods, ask of them from behind a curtain ..." (Al-Ahzab/33:53)<sup>2</sup>

This excerpt of verse has two guidelines: ethics of visiting the Prophet Muhammad SAW and the hijab. According to the companion of the Prophet, Anas bin Malik RA, the

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<sup>1</sup>M. Quraish Shihab, *Pandangan Ulama Masa Lalu dan Cendekiawan Kontemporer Tentang Jilbab [Views of Past Scholars and Contemporary Scholars About Hijab]*, (Jakarta: Lentera Hati, 2006) III printing, p. 60.

Department of Religion of the Republic of Indonesia, *Alquran and Its Translation*, Jakarta: Dar al-Sunnah, 2015), p. 384

first part of this verse relates to the Prophet's marriage to Zainab bint Jahsy. At that time, the Prophet prepared food for the invitees. After finishing the meal, three of the invitees were still sitting and chatting. The Prophet PBUH entered Aisha's room and then came out, hoping that the guests still staying had gone home. However, the guests had not returned home. The Prophet PBUH then took turns entering all the rooms of his wives. Finally, the wives came out after long waiting for Prophet Muhammad. Anas bin Malik, a person narrating this story, said: So I conveyed this to the Prophet. And so Prophet Muhammad entered the room. At that time I was about to enter the room but the hijab had been placed between me and him, then this verse was revealed" (HR. Bukhari from Anas Ibn Malik)<sup>3</sup>. In relation to the description above, M. Quraish Shihab's views on hijab are fascinating to study. Such is because Shihab tends to express the opinion that hijab is not an obligation but rather a recommendation for Muslim women and its relevance to Gorontalo's traditional clothing.

## 2. METHODS

### Research Type

The present work is qualitative research. Qualitative research is a research procedure scrutinizing descriptive data in the form of written or spoken words from people and observable behavior<sup>4</sup>. This method examines the condition of natural objects. Qualitative research is carried out in non-artificial settings and is discovery research by nature. Researchers are the key instrument in this method. On that ground, researchers must have theoretical provisions and broad insights that enable them to propose questions, analyze, and construct the object under a thorough study. This research puts more emphasis on meaning and value.

This research was conducted in several areas of Gorontalo province: Gorontalo City, Bone Bolango Regency, and Gorontalo Regency. Such a decision is underpinned by the fact that there are many hijab users in these areas. The wearers of Gorontalo traditional clothing generally have sufficient income and are respected by the community. Other than the high costs of renting clothes, the executors are paid according to their position in the traditional community. In Pohuwato Regency and Gorontalo Utara Regency, the users of traditional clothing are not as many as in other parts of Gorontalo province. Thus, these sites (Gorontalo City, Gorontalo Regency, Bone Bolango Regency), are considered representatives.

### Research Approach

This study employed a naturalistic approach, which is renowned for its purpose to use natural settings as the primary data source and the researcher as the main tool,

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<sup>3</sup>M. Quraish Shihab, *Pandangan Ulama Masa Lalu dan Cendekiawan Kontemporer Tentang Jilbab [Views of Past Scholars and Contemporary Scholars About Hijab]*, p.59

<sup>4</sup>Moloeng J.Lexi, *Metodologi Penelitian Kualitatif Edisi Revisi [Qualitative Research Methodology, rev. 26; 2012]*, p. 6.

through which the data are collected and interpreted<sup>5</sup>. Furthermore, this case study relied on the legal istinbath by M. Quraish Shihab's legal view on the ruling of hijab and its relevance to Gorontalo's traditional clothing.

## Data Sources

The data consist of primary and secondary data. According to Arikunto, sources of data must be cited in a study<sup>6</sup>. Data refer to a collection of information, facts, or symbols that explain the state of a research object. The data that have been obtained will be divided into two types:

### 1. Primary Data

In the present study, primary data are information obtained directly from the first source, i.e., parties who understand the object of the study. Primary data were obtained through observation, interviews, and documentation with relevant informants, with the consideration that the informants were Qadis (heads of traditional stakeholders) throughout Gorontalo province, wearers of Gorontalo traditional clothing, renters of Gorontalo traditional clothing, and agencies that oversee Gorontalo traditional clothing.

### 2. Secondary Data

Secondary data in this study were obtained from internal and external parties, which can be seen from the documentation as supporting objects for several documents, literature, previous research, and other relevant information. These data support the primary data.

## Data Collection

This study relied on the data from document analysis, observation, and interviews. These techniques are needed to collect and process data obtained from the field, culminating in effective and systematic research processes. The data collection involved processes, e.g., observation, interview, and documentation.

### 1. Observation

The researcher acts as an observer as well as an official member of the observed group<sup>7</sup>. Observation is one of the most important research techniques for several reasons. There are two classifications of observation based on the researcher's participation: involved and uninvolved. In this study, direct and indirect observations were performed on the research objects, i.e., people who wear the traditional clothing

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<sup>5</sup>Mulyana, *Metodologi Penelitian Kualitatif Paradigma Baru Ilmu Komunikasi dan Ilmu Sosial Lainnya [New Paradigm Qualitative Research Methodology in Communication Science and Other Social Sciences]*, p.180.

<sup>6</sup>Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik [Research Procedures: A Practical Approach]* (Jakarta:Rineka Cipta, 2002), p. 129.

<sup>7</sup>Lexi J.Moloeng, *Metode Penelitian Kuantitatif [Quantitative Research Methodology]*, p.176

of Gorontalo.

## *2. Interview*

Observation is one of the most important research techniques for some reasons. There are two classifications of observation based on the researcher's participation: involved and uninvolved. Structured interviews were used to generate data if the researcher or data collector already identified information that would be collected.

## *3. Documentation*

The documentation method was employed to collect data on the implementation of industrial relations in Gorontalo traditional clothing. This method is also used to study various sources of documentation, especially institutions and representative sources.

## **Research Instrument**

The research serves as the key instrument in qualitative research.<sup>8</sup> Researchers must be active in conducting interviews based on interview guidelines. Interview sheets were also prepared as a tool to record things that were considered important and relevant in the research process. A camera was also prepared to document the interview process with the informants of this study.

## **Data Processing and Analysis**

### *1. Data Processing*

Following the data collection stage is sorting the data based on the category established by the researcher. This categorization is to label unique, independent data. Each of these units was then processed and analyzed. This process was performed after key information in this study had been grouped into one unit. The result is a thematic description and conclusion on a typical problem presented as a research result.

### *2. Data Analysis*

Data analysis comprises data organization and sorting (into manageable data), synthesis, pattern formulation, identification of essential information, and decision of which information should be reported.

## **Data Validity Testing**

Qualitative research's validity level is determined by the data obtained from various research sources. With that in mind, the level of confidence in the research data is central to the success and validity of the research. Valid data can be obtained by conducting a

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<sup>8</sup>Sugiyono, *Metode Penelitian Pendidikan Kuantitatif, Kualitatif, R&D [Quantitative, Qualitative Educational Research Methods, R&D]* (4th ed., Bandung: Alfabeta, 2008), p. 207.

credibility test on research data in accordance with qualitative research procedures.

### 3. RESULTS AND DISCUSSION

#### Types of Traditional Clothing and Their Meanings

People in Gorontalo Province still keep up with their culture, although the area is considered a new province. Almost all areas of Gorontalo Province, including some parts of North Sulawesi Province, are inhabited by Gorontalo tribes. Some evidence of the cultural heritage of the Gorontalo people can be seen in the houses and traditional clothes.<sup>9</sup>Mukuta (clothing for grooms) and biliu (clothing for brides) are an example of traditional commonly used in wedding ceremonies.

Mukuta and biliu have different colors, e.g., golden, yellow, green, purple, and others. Biliu consists of enclosed dresses with yellow laces, with a blouse and long skirts, symbolizing *ayuwa* or attitudes and *popoli* or behavior. These traits also represent the nature of the family environment.

Biliu has three elements:<sup>10</sup>enclosed, long-sleeve dresses or *galenggo*, inner skirts or *bulluwa lo rahasia* or *oyilomuhu*, and the outermost dress resembling a cloth with golden ornaments called *bide* or *alumbu*. The chest part is decorated with *loduhelo kububu*, i.e., black velvet covered with golden yellow ornaments. At the end of the sleeve of the bride's dress is black gold-plated ornaments called *peetu* and a large bracelet.

Other accessories worn by the brides involve:<sup>11</sup>

*Baya lo boute*. A special headband used on the bride's hair represents the bride's future that will be bound by the rights and obligations of a wife.

*Tuhi tuhi*. It is a crown with seven ornaments is a symbol of the seven great kingdoms of the Gorontalo tribe: *Bulonga*, *Limutu*, *Gorontalo* dan *Limbotu*, *Hulontalo*, and *Atinggola*.

*Lai lai*. It refers to a white bird or fowl feathers placed right on the crown as a symbol of nobility, purity, and courage.

*Buohu wulu wawu dehu*. A gold-colored necklace symbolizes the bond between the groom's and bride's families.

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<sup>9</sup>Daulima Hj Farha and Hariana, M.Ds. 2008. Mengenal Busana Adat Gorontalo [Get to know Gorontalo Traditional Clothing]. Gorontalo: Mbu'I Bungale. p. 390.

<sup>10</sup>Botutihe Medi and Farha Daulima. 2003. Tata Upacara Adat Gorontalo [Gorontalo Traditional CeremonialProcedures].PemdaGorontalo,p.309.

<sup>11</sup>Botutihe Medi and Farha Daulima. 2003. *Tata Upacara Adat Gorontalo [Gorontalo Traditional CeremonialProcedures]*.PemdaGorontalo,p.209.

*Kecubu*. *Kecubu* is often called *lotidu*, which is a cloth decorated with knick-knacks attached to the chest of the bride's dress. It symbolizes the advice for brides to be strong when facing household problems.

*Etango*. *Etango* is a belt with motifs similar to *kecubu*, representing the advice for the bride to possess a modest attitude, leaving unlawful or prohibited food and only serving halal food for the family.

*Pateda*. The gold bracelet symbolizes the necessity for women to restrain themselves from committing disgraceful acts in accordance with state law, religious law, and customary law.

*Luobu*. Gold nail ornaments worn on the little finger and ring finger on the right and left hand, symbolizing advice that a woman must be careful when doing something.

*Mukuta* is a traditional wedding attire for grooms<sup>12</sup>. The groom's attire has fewer elements than the bride's attire. However, there are several additional accessories, such as a *makuta*, i.e., a kind of hat that has a unique shape resembling a bird's feather that rises high and droops on the back. Other accessories include:

*Pasimeni*, i.e., clothes decoration that symbolizes a harmonious and peaceful family.

*Bako*, the same necklace that is worn by the bride, representing bonds between the families of the bride and groom.

*Tudung*, often referred to as *laapia bantali sibi*, has a philosophical value that a man or a husband should not only be a leader but also be gentle, solid yet lenient like that of a feather.

*Madipungu* or clothing to be worn at the marriage ceremony or *akaji*. The brides wear *madipungu*, *galenggo*, or *boqo tunggohu*.

The difference between these three types of clothes lies in the length of the sleeves. *Madipungu* is a long-sleeved blouse or enclosed dress with a V-shaped neck made of satin, brocade, velvet, or other fabrics. The lower part of the dress is usually a sarong or long skirt. An additional sarong is also worn as a shawl for complimenting *madipungu*.

*Boqo Takowa*, commonly referred to as *takowa*, is a Gorontalo traditional attire for the groom during the marriage ceremony. This long-sleeve wedding attire resembling a regular shirt with a standing collar will be worn with trousers or *taala* and other accessories. On the front of the shirt is also added with buttons and three pockets on the top left, the bottom left, and the right of the shirt. Trousers are decorated with golden

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<sup>12</sup>Botutihe Medi and Farha Daulima. 2003. *Tata Upacara Adat Gorontalo [Gorontalo Traditional Ceremonial Procedures]*. Pemda Gorontalo, p. 309.

patterns called *phi*; the color of the trousers is generally the same as the shirt, e.g., yellow, red, green, purple, and liver.

The groom will also wear a *payunga*, an ornament covering the groom's head decorated with colorful clothes. Other accessories of the wedding attire include *etango* or a belt made of gilded gold and an heirloom keris (traditional sword) or *patatimbo*, which is tucked into the front of the waist.

### **The Philosophical Meaning of the Colors of Gorontalo Traditional Clothing**

The traditional clothing of Gorontalo has seven colors. Each color has its philosophical meaning as mentioned by Rasyid Kamaru in an interview on October 25th, 2022.<sup>13</sup>

- a. Red. The red color in the traditional Gorontalo clothing symbolizes responsibility and courage. The people of Gorontalo are expected to always be responsible for the Gorontalo region, with a strong fighting spirit and courage.
- b. Green. The green color symbolizes peace, prosperity, fertility, and harmony. It is hoped that the people of Gorontalo who wear traditional clothes with the color green, can always maintain harmony among themselves, promoting prosperity and peace.
- c. Golden Yellow. The golden yellow color in traditional clothing represents honesty, nobility, loyalty, and greatness. These values are expected to be nurtured by the Gorontalo people, especially traditional leaders, and the government.
- d. Purple. The purple color in this traditional dress means dignity for the men and elegance for the women who wear it. Such characteristics are often associated with the quality of a leader.
- e. Black. The black color in this traditional dress symbolizes a relationship with God, piety, and firmness to God. This color is also associated with divinity which is in harmony with people in Gorontalo, where the province is also referred to as the Veranda of Medina due to many traditions and cultures significantly influenced by Islam.
- f. Brown. The brown color represents the color of the earth, signifying that every living human will surely return to the earth. This is a reminder for the people of Gorontalo not to be arrogant because death is inevitable.
- g. White. The white color symbolizes purity; this color is also associated with a symbol of mourning. In a funeral, people wear traditional clothing in white color.

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<sup>13</sup>Rasyid Kamaru is a *Qadi lo Hulonthalo*, a traditional leader appointed by the decree of the Mayor whose job is to stipulate legal fatwas to the community.



## Hijab as a Clothing and Original Disposition

Hijab is directly related to clothing. In Al-Qur'an, there are at least three terms that refer to clothing, namely *libas*, *tsiyab*, and *sarabil*. As explained in the previous chapter, hijab means a cover. There is also a word *libas*, which originally meant covering.<sup>14</sup> The word *libas* in Al-Qur'an is to denote both outer and inner clothing. Meanwhile, the word *tsiyab* only refers to spiritual clothing. This word is derived from the word *tsaub*, which means to return to the original state. The basic idea in this context is covering parts of the body that should not be exposed. Simply put, humans will return to their basic idea. Such notions underpin the meaning of *tsaub/tsiyab* or something that covers and returns body parts that should not be exposed.<sup>15</sup>

The third word mentioned in Al-Qur'an to describe clothing is *sarabil*. Language dictionaries interpret this word as clothing, regardless of the type of material it is made of. Only two verses in Al-Qur'an use this word. In one of the verses, *sarabil* is described as clothing that functions to ward off heat, cold, and danger during a war (QS An-Nahl:81). In surah Ibrahim verse 50, *sarabil* refers to the clothes worn by those who are tortured in hell; this is in contrast with the previous meaning of *sarabil*. The torment is due to a violation of the values mandated by Allah the Almighty. From several verses that describe the event of the exposed parts of the body of Prophet Adam, some scholars concluded that covering body parts is human nature that is actualized during the state of awareness. Another argument that indicates the covering of parts of the body is the use of the term "O Children of Adam (O sons and daughters of Adam)" in verses that talk about dressing. This verse excerpt is only mentioned four times in Al-Qur'an. The impression and meaning it conveys are different from the call *yaa ayyuhalladzina aamanu*, which is only specific to believers, or *yaa ayyuhan naas*, which may only be specific to all humans since the time of the Prophet Muhammad PBUH and the end of time. The excerpt "O the children of Adam" is clearly directed to all humans since Prophet Adam is the father of mankind.

This excerpt is mentioned four times in Al-Qur'an, specifically surah Al-A'raf in verse:<sup>16</sup>

1. Verse 26 on the kinds of clothing that God granted.
2. Verse 27 talks about the prohibition of following Satan resulting in the exposed *awrah* of Adam and Hawa.
3. Verse 31 on the order to wear beautiful clothes when entering the mosque
4. Verse 35 on the obligation to obey Allah's guidance (including human attire) conveyed to His Messenger.

The above excerpts show that Allah has inspired mankind to cover their bodies.

## Hijab As a Cover and Jewelry

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<sup>14</sup>M. Quraish Shihab, *Wawasan Al-Qur'an [Insight of Al-Qur'an]*, (Bandung: Mizan, 1996), p.155

<sup>15</sup>M. Quraish Shihab, *Wawasan Al-Qur'an [Insight of Al-Qur'an]*, (Bandung: Mizan, 1996) p.156

<sup>16</sup>M. Quraish Shihab, *Wawasan Al-Qur'an [Insight of Al-Qur'an]*, (Bandung: Mizan, 1996) p. 159

Of the many verses of the Qur'an that talk about clothing, there are at least four functions of clothing. Surah Al-A'raf/7:26 mentions two of them:

يَبْنِيْ ءَادَمَ قَدْ اَنْزَلْنَا عَلَيْكُم لِبَاسًا يُوْرِي سَوْءَاتِكُمْ وَرِيْشًا ط وَلِبَاسُ التَّقْوَى ذٰلِكَ خَيْرٌ  
ذٰلِكَ مِنْ ءَايَاتِ اللّٰهِ لَعَلَّهُمْ يَدْكَرُوْنَ ﴿٢٦﴾

*"O children of Adam! We have indeed sent down to you clothing to cover your shame, and (clothing) for beauty and clothing that guards (against evil), that is the best. This is of the communications of Allah that they may be mindful."*

This verse explains the two functions of clothing: covering body parts and acting as jewelry. Some scholars state that the function of clothing represents *taqwa* or piety of God. Wearing modest clothes can prevent someone from falling into worldly and spiritual problems.

### Hijab As Identity and Distinguishing Characteristics

In surah Al-Ahzab/33:59, it is mentioned that Prophet Muhammad saw. asks his wives to cast their outer garments over their persons (when abroad).

يٰٓاَيُّهَا النَّبِيُّ قُلْ لِّاَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِيْنَ يُدْنِيْنَ عَلَيِهِنَّ مِنْ جَلْبِيْبِهِنَّ ذٰلِكَ اَدْنٰى  
اَنْ يُعْرَفْنَ فَلَا يُؤْذِيْنَ ط وَكَانَ اللّٰهُ غَفُوْرًا رَّحِيْمًا ﴿٥٩﴾

*"O Prophet! say to your wives and your daughters and the women of the believers that they let down upon them their over-garments; this will be more proper, that they may be known, and thus they will not be given trouble; and Allah is Forgiving, Merciful."*

This verse implies the function of hijab as identity and distinguishing characteristics. Some scholars argue that women are obliged to cover their entire bodies except their faces and palms. Meanwhile, Abu Hanifah is a bit more lenient because he claimed women's feet may also be exposed. Abu Bakr bin Abdur Rahman and Imam Ahmad are of the opinion that all parts of women's bodies must be covered.<sup>17</sup>

### Hijab As a Protection (Taqwa)

<sup>17</sup>M. Quraish Shihab, *Wawasan Al-Qur'an [Insight of Al-Qur'an, (Bandung: Mizan, 1996) p.162*

A notion claiming that thick clothing can protect a person from cold strokes while thin clothing can prevent heatstroke is a proven notion from the physical perspective. Clothing also protects people psychologically. One example can be seen in the psychological effect of wearing certain attire at a party. Wearing clothes that don't fit the situation is detrimental to self-confidence, and vice versa. Clothes do not reflect a person's good deeds, but it can encourage the wearer to behave positively or even negatively. Wearing modest clothing encourages people to better directions, preventing them from wrongdoings. This is the purpose of instructing women to wear hijab as stated in Al-Qur'an<sup>18</sup>

Another aim is to make it easier for women to be seen as respectable Muslim women so people will act respectfully. Clothing also functions as a means of spiritual protection, *libas at-taqwa*.

The identity/personality describes the existences of individuals that distinguish them from others. Such existences are classified into two: material and immaterial. Material characteristics are depicted in clothing. For example, elementary and junior high school students can be distinguished by looking at their uniforms. This emphasizes the function of clothing as a symbol of one's identity. It also sometimes distinguishes individuals' social statuses.

Muslims are expected to protect themselves through spiritual and physical clothing that depicts their identity. Islam does not specify a particular clothing model, enabling society to determine the mode that suits their taste. However, expecting that identity is reflected in clothing is not an exaggeration. There is no doubt that the headscarf for women represents the identity of a Muslim woman, as stated in Al-Qur'an.

M. Quraish Shihab mentions several points highlighted in religion bounded in a context of caution. One of them is related to lust. A notable example in Al-Qur'an is the prohibition on approaching adultery instead of committing it. As approaching adultery causes of an individual to commit such a sin.<sup>19</sup>

وَلَا تَقْرَبُوا الزَّيْنَىٰ إِنَّهُ كَانَ فَحِشَةً وَسَاءَ سَبِيلًا ﴿٣٢﴾

*"And do not approach adultery. Indeed, it is ever an immorality and is evil in a way."*

Therefore, wearing the hijab is mandatory for Muslim women to prevent them from seducing men. Wearing the hijab for the first time is done in stages while always paying attention to and guiding hijab users. This helps adjust to the guidance of religion effectively. Performing something in stages is one characteristic of Islam from the law

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<sup>18</sup>M. Quraish Shihab, *Wawasan Al-Qur'an [Insight of Al-Qur'an, (Bandung: Mizan, 1996) p. 169*

<sup>19</sup>M. Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know], (Jakarta, Lentera Hati, 2015), p. 13*

perspective.<sup>20</sup> Al-Qur'an and Sunnah do not directly oblige to pray five times a day. These worship activities are instructed gradually. Determination of something that is haram or forbidden is also performed in several phases.

Abu Hanifah was of the opinion that both feet were not parts of bodies that should be covered. He argued that this opinion might perplex poor women in rural areas who, at that time, often walked barefoot to meet their needs. Legal expert Abu Yusuf is of the opinion that a woman's hands are not awrah or parts of bodies that should be covered because it is difficult for women to cover them.<sup>21</sup>

In the teachings of the Qur'an, difficulty is a factor that leads to something easy. It is stated in Al-Qur'an that Allah does not intend to make difficulty for you (QS Al-Maidah: 6) and Allah desireth for you ease; He desireth not hardship for you (QS Al Baqarah: 185).

Women are ordered not to show or cover their bodies. Exceptions are based on the necessity of mandatory movement or other activities. This is in line with the opinion of Ibn Athiyah quoted by Al-Qurthubi.<sup>22</sup>

If Ibn Athiyah's formulation is accepted, the exception in question can be adjusted depending on the urgent needs that a person experiences. According to Al-Qurthubi, Ibn Athiyah's opinion is modest. Because the face and the palms of the hands are often (ordinarily) visible both in daily life and in worship, such as during prayer and pilgrimage, the notion "except what is visible from it" should better be understood as the two parts of the body that are usually seen.<sup>23</sup>

## M. Quraish Shihab's Approach To Conducting Hijab Istinbat

Based on a deductive study of M. Quraish Shihab's thoughts about the legal status of the hijab, three approaches are formulated:<sup>24</sup>

### 1. *Kulli* approach

There are two ways of understanding a verse: *kulli* and *juz'i*. Understanding the first form refers to seeing verses of Al-Qur'an in general. Meanwhile, the second form refers to a special way, or case by case. In this context, M. Quraish Shihab's view is in the first category. This can be seen in the answer to the question about the reason for wearing the headscarf for women outside the office, while not wearing the headscarf inside the

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<sup>20</sup>M.Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta,Lentera Hati, 2015),p. 11

<sup>21</sup>M.Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta,Lentera Hati, 2015),p.11

<sup>22</sup>M.Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta,Lentera Hati, 2015),p.11

<sup>23</sup>M.Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta,Lentera Hati, 2015),p.11

<sup>24</sup>Sofyan A.P.Kau & Zulkarnain Suleman, *Metodologi Studi Islam [Methodology of Islamic Studies]*, p 146-150

office.<sup>25</sup>The reason is that male friends at the office already know each other, and it is no longer possible to be sexually seduced if they see their women friends without a headscarf. M. Quraish Shihab mentions several points highlighted in religion bounded in a context of caution. One of them is related to lust. A notable example in Al-Qur'an is the prohibition on approaching adultery instead of committing it. As approaching adultery is a cause of an individual to commit such a sin.<sup>26</sup>

This applies to men because they are more easily aroused. This also applies to men who say: "I am or She is not aroused." It is impermissible to say that women who have reached their forties are not seducing anymore. Even if the woman feels that way, there is no guarantee for all men not to be aroused. Therefore, the excuse of wearing the headscarf outside the office and not wearing the headscarf in the office is not acceptable based on the religion. This is the argument by M. Quraish Shihab.<sup>27</sup>

## 2. *Ushuli* Approach

*Ushuli* refers to an approach that is based on the thoughts in the *ushul fiqh* (the origins of Islamic law, the discipline devoted to explaining them, and how they relate to the actual legal judgments) discourse. Here M. Quraish Shihab does not only act as a mufassir or that who interprets laws, but also an *ushuli*, an educated person in the study of the methodology of Islamic law. In the study of *ushul fiqh*, there is a difference between verses that can be understood rationally and verses that are beyond rational thinking. The first is called *ma'qul al ma'na*, and the latter is referred to as *ghairu ma'qul al ma'na*. This can be seen in M. Quraish Shihab's thoughts about wearing the hijab for Muslim women who cover their entire body or only their hands and face. Such a view includes religious guidance *ghairu ma'qul al ma'na*.

M. Quraish Shihab concluded that the verse discussing women's clothing has multiple interpretations, while the hadiths that are the main references and those put forward by various parties, do not convince other parties. Such is due to the fact that the hadiths are considered weak by groups that reject them or have different interpretations. The differences of opinion of the past scholars about the limits that were tolerated to be seen by women prove that they disagreed about the validity of the traditions relating to the boundaries of women's genitals. This shows that the legal provisions regarding the tolerable limit of a woman's *awrah* or body are *zhanniy*, that is, conjecture.<sup>28</sup>If there is a definite law that originates from Al Qur'an or the Sunnah of the Prophet, differences and the use of reason in determining the boundaries of the discourse can be avoided.

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<sup>25</sup>M. Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta, Lentera Hati, 2015), p.12

<sup>26</sup>M. Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta, Lentera Hati, 2015); p.12

<sup>27</sup>M. Quraish Shihab, *101 Soal Perempuan Yang Patut Anda Ketahui [101 Women's Problems You Should Know]*, (Jakarta, Lentera Hati, 2015). p.12

<sup>28</sup>M. Quraish Shihab, *Jilbab, Pakaian Wanita Muslimah [Hijab, Clothing of Female Muslim]*, p.179

### 3. Contextual Approach

In contrast to the textual approach, which understands a verse explicitly, the contextual approach links the message with the meaning of the verse when the verse was revealed. Hermeneutically, a text is not generated out of nothing; there are always contributing factors. The salient feature of the contextual approach is that it distinguishes which text statements are normative and which are sociological in nature.

M. Quraish Shihab's contextual approach can be seen in the description of a verse serving as the basis of conservative Islamic groups and the majority of scholars. The verses oblige Muslim women to wear the hijab.

وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ... ﴿٥٣﴾

*"... And when you ask of them any goods, ask of them from behind a curtain ..."* (Al-Ahzab/33:53)

This excerpt of verse has two guidelines: The companion of the Prophet, Anas bin Malik RA, claims that the first part of the above verse relates to the Prophet's marriage to Zainab bint Jahsy. At that time, the Prophet prepared food for the invitees. After finishing the meal, three of the invitees were still sitting and chatting. The Prophet PBUH entered Aisha's room and then came out, hoping that the guests who were still staying had gone home. However, the guests had not returned home. The Prophet PBUH then took turns entering all the rooms of his wives. At last, the guests went home after the Prophet waited. So I conveyed this to the Prophet. And so Prophet Muhammad entered the room. At that time I was about to enter the room but the hijab had been placed between me and him, then this verse was revealed" (HR. Bukhari from Anas Ibn Malik).<sup>29</sup>

Textually, this verse is only addressed to the wives of the Prophet Muhammad. Scholars who believe that the entire body of all Muslim women should not be exposed including her face and palms understand that the verse above is generally accepted. The prohibition against entering the Prophet's house without permission does not mean that the prohibition is only for the Prophet's house, but also for everyone's house. In other words, the command to wear hijab is directed to the wives of the Prophet, but the law applies to all Muslim women.<sup>30</sup> Based on the three approaches above, M. Quraish Shihab argues that it is mandatory for Muslim women to wear the hijab.

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<sup>29</sup>M. Quraish Shihab, *Tafsir Al-Misbah Volume 10*, p.522

<sup>30</sup>M. Quraish Shihab, *Jilbab, Pakaian Wanita Muslimah [Hijab, Clothing of Female Muslim]*, p.61

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