

aisha bintu al-syathi thoughts on taraduf and their implicationn for istinbath of law

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‘Ā’ISHA BINT AL-SHĀṬĪ’S THOUGHTS ON TARĀDUF AND THEIR IMPLICATIONS FOR THE ISTINBĀṬ OF LAW**Maizul Imran & Ismail**State Institute for Islamic Studies (IAIN) Bukittinggi, Indonesia
Jl. Paninjauan Garegeh, Bukittinggi, West Sumatera, Indonesia, 26127
email: maizulim91@gmail.com, ismanov_2003@yahoo.com

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Abstract: *As a book containing miracles, in literature, the miracles of the Quran have been proven by ‘Ā’isha Bint al-Shāṭī’ through her theory i’jāz lughawī. She showed the importance of the correct method of interpretation of the Qur’an from aspects of tarāduf (synonym). However, despite following the rule of "there is no word that has the same meaning (tarāduf) in the Quran" as commonly known in the theory of i’jāz al-qur’ān (the inimitability of the Qur’an), her thoughts on tarāduf and their implications for the istinbāṭ (inference) of Islamic law are still unclear. Hence, this article discusses the relation and influence of ‘Ā’isha Bint al-Shāṭī’s thoughts related to verses of laws. By studying the book of al-I’jāz al-Bayānī lil Qur’ān wa Masā’il Ibn al-Azraq and other relevance sources, this article concludes that ‘Ā’isha Bint al-Shāṭī’s thoughts related to verses of law are still abstract and difficult to be applied, hence it does not give a significant influence on the strengthening of Islamic legal propositions.*

Keywords: ‘Ā’isha Bint Shāṭī’, Tarāduf, Inference of Law

Abstrak: *Al-Qur’ān sebagai kitab yang mengandung kemukjizatan, dari segi sastra, telah dibuktikan oleh ‘Ā’isha Bint al-Shāṭī’ melalui teori i’jāz lughawī-nya. Ia menunjukkan betapa pentingnya metode tafsir yang benar dari aspek tarāduf (sinonim). Meskipun ‘Ā’isha Bint al-Shāṭī’ masih mengikuti kaidah "tidak ada lafaz tarāduf dalam al-Qur’ān", sebuah kaidah yang sudah dikenal dalam pembahasan i’jāz al-qur’ān, namun pemikirannya tentang lafaz tarāduf dan implikasinya terhadap istinbāṭ hukum Islam, masih rumit. Dengan demikian, tulisan ini mendiskusikan hubungan dan pengaruh lafaz tarāduf (sinonim) menurut ‘Ā’isha Bint al-Shāṭī’ dengan ayat-ayat hukum. Dengan mengkaji kitab al-I’jāz al-Bayānī lil Qur’ān wa Masā’il Ibn al-Azraq dan karya-karya lain yang relevan, tulisan ini menyimpulkan bahwa gagasan ‘Ā’isha Bint al-Shāṭī’ tentang lafaz tarāduf jika dihubungkan dengan ayat-ayat hukum masih rumit dan sulit diaplikasikan sehingga tidak memberi pengaruh cukup besar terhadap penguatan dalil hukum Islam.*

Kata Kunci: ‘Ā’isha Bint al-Shāṭī’, Tarāduf, Istinbāṭ Hukum

Introduction

In understanding the Quran and Sunna, at least one must comprehend Arabic.¹ It is because Arabic is a language that is rich in vocabulary and has a unique grammar. One of its uniqueness is the existence of synonyms or *tarāduf*,² such as “females” and “women”, “males” and “men”. Although these words are synonymous, yet in terms of placement they are different. Therefore, in the theory of the inimitability of the Qur’ān (*i’jāz al-qur’ān*), there is a rule stating that there is no word that has the same meaning in the Quran (*la tarādufa fī al-qur’ān*).³ However, Bint al-Shāṭi’ still follows this rule, her thoughts on *tarāduf* and their implications for the *istinbāt* (inference) of law are still abstract and difficult to apply when compared to existing results of fiqh. For that reason, this paper explores the *tarāduf* theory of Bint al-Shāṭi’ and its implications for the *istinbāt* (inference) of Islamic law. The paper focuses on answering two questions: how is the relationship of *tarāduf* in the Bint al-Shāṭi’ theory when related to the verses of law? How far is the

influence of *tarāduf* according to Bint al-Shāṭi’ to the verses of law?

We argue that it is important to ask the two questions above because ‘Ā’isha ‘Abd al-Raḥmān Bint al-Shāṭi’, hereinafter is referred to as Bint Shāṭi’, is a female cleric who has become a focus of interest among researchers of Quranic exegesis, but is ignored by researchers of Islamic law. There is no doubt that her expertise in Arabic literature, Quranic exegesis, and *balāghah* (eloquence) has drawn scholarly attention.⁴ Yet her commentary on *tarāduf* associated with *istinbāt* of Islamic law, has so far not been found.

The paper begins with a discussion of ‘Ā’isha Bint al-Shāṭi’'s biography. It is important to know who she is. Next, the paper discusses the thinking model of ‘Ā’isha Bint al-Shāṭi’ regarding *tarāduf*

¹ Ahmad Nurul Kawakip, “Kaidah Kebahasaan Dalam Memahami Al-Qur’an,” *Religia* 14, no. 1 (2011): 52.

² Iswah Adriana, “Al-Adldad: Sebuah Fenomena Pertentangn Makna Dalam Liguistik Arab,” *Okara* 2, no. 6 (2011): 150.

³ Alif Jabal Kurdi, “Menalaah Teori Anti-Sinonimitas Bintu Al-Syathi’ Sebagai Kritik Terhadap Digital Literate Muslims Generation,” *Millati, Journal of Islamic Studies and Humanities* 3, no. 2 (2018): 246.

⁴ For example see, Nā’isah ‘Abd al-‘Azīz Ibrahim Muḥammad, “Al-Tafsīr Al-Mauḍū’ī Lil Al-Qur’ān ‘Inda Al-Duktūrah ‘Ā’isha ‘Abd Al-Raḥmān (Bintu Al-Shāṭi’): Dirāsah Balāghiyah,” *Al-Istiwā’* 1, no. 4 (2017): 166; Fatimah Husseinizadeh and Seyyed Abdulrasoul Ahmadinezhad, “A Comparative Study Of Allamah Balaghi And Bint Al-Shati’s Method And Rules Of Interpretation,” *Journal Of Comparative Tafsir Studies* 2, no. 1 (2016): 159; R D Marcotte, “The Islamic/Qur’anic Concept of Emancipation of Women According to ‘Bint Al-Shati’, 1913-1998,” *Studies In Religion-Sciences Religieuses* 30, no. 3 (2001): 277; Shuruq Naguib, “Bint Al-Shāṭi’'s Approach to Tafsīr: An Egyptian Exegete’s Journey from Hermeneutics to Humanity,” *Journal of Qur’anic Studies* 17, no. 1 (2015): 45.

(synonyms), before further discussing what and how *tarāduf* and the scholarly debates about it. The core point of this paper is to examine the concept of 'Ā'isha Bint al-Shāṭi's *tarāduf* such as between the words *al-ru'yā* and *al-ḥulm*, *ānas* and *abṣar*, *ḥalf* and *aqṣam*, *imra'ah* and *zawj*, and their implications for the *istinbāṭ* of Islamic law.

A Glimpse of 'Ā'isha Bint al-Shāṭi'

Her full name was 'Ā'isha Muḥammad 'Alī 'Abd al-Raḥmān (1913-1998 AD). She was commonly known as Bint al-Shāṭi' (a girl by the river), a nickname that was inspired by her habit to contemplate on the bank of the Nile river in the village of Dimyāṭ. The nickname was often used as a pseudonym in her articles because she did not want to be overshadowed by her father's great reputation. She was born in the village of Dimyāṭ, a region in the Northern Delta of Egypt on November 6, 1913 AD.⁵

Her education began from her educated family since childhood. Her father, Muḥammad 'Alī 'Abd al-Raḥmān, was a well-known teacher and scholar at al-Azhar University. Her mother, Farīdah 'Abd al-Salām al-Muntashīr, was an alumnus of al-Azhar University.⁶ As an educator, her father taught

her to memorize the Quran and study Islam. When she was 7 years old, 'Ā'isha wanted to go to school, but her father disagreed owing to her family's tradition of not allowing girls to leave the house and go to school. In fact, support came from her mother who told him to go to school outside the home.⁷

At the age of 16, she managed to get a first-level teaching certificate in 1929 by achieving first place. She then continued to the advanced level of teacher education and completed her study with a degree of *licence* (Lc) in Arabic Studies at the Adab Faculty of Cairo University, 1939. She completed her master's degree at the same alma mater in 1941.⁸

After completing her master's degree, she married Prof. Amin Khulī (1895 -1966) and gave birth to three children. With her husband's support, she continued her education until she achieved a doctoral degree in Arabic Literature in 1950.⁹

Her career began as a writer and Tafseer lecturer at the Sharia Faculty of

Qur'Anil Karim," *Jurnal At-Tibyan: Jurnal Ilmu Alquran Dan Tafsir* 3, no. 2 (2018): 226.

⁷ Mardan, "Tafsir Karya Aisyah Abdurrahman Bintu Al-Syathi' (Suatu Rekonstruksi Metodologi Tafsir Kontemporer)," *Adabiyah* 11, no. 2 (2011): 166.

⁸ Issa J. Boullata, "Tafsir Al-Qur'an Modern Studi Atas Metode Bintu Syathi'," *Al-Hikmah* 3, no. 1 (1991): 6.

⁹ Saiful Amin Ghofur, *Profil Para Mufasir Al-Qur'an* (Yogyakarta: Pustaka Islam Madani, 2007).

⁵ Wahyuddin, "Corak Dan Metode Interpretasi Aisyah Abdurrahman Bintu Syathi'," *Al-Ulum* 11, no. 1 (2011): 82.

⁶ Wali Ramadhani, "Bintu Syati' Dan Penafsirannya Terhadap Surah Al-'Asr Dalam Kitab At-Tafsir Al-Bayani Lil

al-Qawāriyyīn University of Morocco (1942) and a lecturer in Literature at 'Ayn Syām University of Egypt (1950). She was also a visiting lecturer at Umm Durmān University of Sudan (1967), Khartoum University, Algeria University (1968), Beirut University (1972), the United Arab Emirates University (1981) and Kulliyah Tarbiyyah Banāt Riyāḍ (1975-1983).¹⁰

Her writing talent was seen since she was 18 years old when she served as an article writer for *al-Nahḍah al-Nisā'iyyah* weekly magazine. Two years later she began to regularly write articles for the *al-Aḥrām* newspaper until the end of her life. Her last article was published on November 26, 1998. Her intellectual thoughts were all written in the forms of writings and books. Her main concern was to defend Islamic norms that are distorted by certain parties, respect rational thinking, and provide room for a more dynamic study of fiqh and uṣūl al-fiqh.¹¹

Her works are more than 40 book titles, covering the fields of fiqh, Islamic studies, literature and history.¹² She was

¹⁰ Ira M. Lapidus and John L. Esposito, "The Oxford Encyclopaedia of the Modern Islamic World," *Journal of the American Oriental Society* 117, no. 2 (1997): 5.

¹¹ Wikipedia, "Profil Aisyah Abdurrahman Bintu Syathi," 2AD.

¹² Among her works that we could trace are: al-Tafsīr al-Bayānī Lil al-Qur'ān al-Karīm, Qirā'ah fi Waṭāiq al-Bahaiyyah, Amīnah Bint Wahab, al-I'jāz al-Bayānī lil Qur'an wa Masā'il Ibn al-Azraq, al-Qur'ān Wa Qaḍāyā al-Insān, Maqāl Fi al-Insān, Nisā' al-Nabiyi, Qayyim Jadīdah lil 'Adabi al-

seen as an intellectual, professor, researcher and writer who won several awards, including: the State Appreciation Award in Art in Egypt (1978), the Egyptian Government Award in Social Studies, Rural Egypt in 1956, the Intellectual Award from the Kingdom of Morocco, and the Literature Award from Kuwait (1988). She was also awarded the King Faisal Award in the Field of Arabic Literature and Islamic studies (1994). She was also a member of Islamic Higher Institutions, which had never previously involved women, such as the Cairo Islamic Research Academy and the Special National Council.¹³

At the end of her life, her heart disease caused her physical condition to weaken. She died at the age of 86 on Tuesday, December 1, 1998 AD / 11 Sha'bān 1419 H in Cairo.¹⁴

The 'Ā'isha Bint al-Shāṭi's Model of Thinking

In general, the principles of the miracles of the Quran are of two kinds. First are miracles on the content of a verse or better known as *i'jāz tashrī'iyyah*. Second are miracles on the linguistic aspect of a verse or is called *i'jāz lughaw-*

'Arabī, Ma'a al-Muṣṭafā, al-Sayyidah Zainab.

¹³ Wikipedia, "Pengaruh Aisyah Abdurrahman Bintu Syathi," n.d.

¹⁴ Wikipedia, "Profil Aisyah Abdurrahman Bintu Syathi."

iyah.¹⁵ Like her husband, Amīn al-Khūlī,¹⁶ Bint al-Shāṭi' states that the miracles of the Quran are only found in *i'jāz lughawiyyah*, not in *i'jāz tashri'iyah*. She tries to uncover the special secrets of rhetoric in the Quran that contain miracles through literary approach, especially in the analysis of texts of the Quran, phrases and letters.¹⁷ Explicitly, she uses inductive method (*istiqrā'i*) to prove *i'jāz al-qur'ān* with cross-reference procedures based on data from texts that are arranged thematically and chronologically, by examining relationships of words and linking them to each other.¹⁸ The methods, as discussed in *al-I'jāz al-Bayānī lil Qur'ān*, are as follow:

First, understanding Quranic texts methodologically (*al-aṣl fī al-manhaj*), that is texts are understood objectively through a thematic approach in the interpretation of the Quran by gathering all related verses into one discussion. Second, understanding texts in the context that surrounds them (*fahm mā hawla al-naṣṣ*), namely understanding of *asbāb al-nuzūl* to find out the conditions, time, and places of a verse when it was revealed. Third, understanding the in-

structions of texts (*fahm dilālat al-alfāz*) by searching for the meaning of words based on their original linguistic meaning, both in the uses of the true meaning or *majazi*. The words are then examined through collecting all forms of the words in certain verses and letters. Fourth, understanding difficult expressions (*fahm asrār al-ta'bīr*), namely studying the standard form of texts and contexts through linguistic approach. In this fourth point, all interpretations of *isrā'iliyyāt* that are forced into the understanding of the Quran must be discarded and interpretations that are based on the interpretation of certain schools of thought and *ta'wīl al-Qur'ān* must be shunned.¹⁹

The methodology used by Bint al-Shāṭi' is actually not a new approach. Previous commentators have already used the approach which is examined separately such as by Muḥammad 'Alī al-Sāyis (d. 1976), Muḥammad 'Alī al-Ṣābūnī (b. 1930) who adopted a thematic interpretation. Ibn Kathīr (d. 774), al-Zamakhsharī (d. 538) and Fakhr al-Dīn al-Razī (d. 606) conducted their interpretations through *asbāb al-nuzūl* (historical context of the revelation of the Quran) approach. Al-Maḥallī (d. 1460), Jalāl al-Dīn al-Suyūṭī (d. 1505), Sayyid Quṭb (d. 1966) made interpretations based on the true and *majāzī* meanings. Ibn Jarīr al-Ṭabarī (d. 310), al-Qurṭubī (d. 671), Aḥmad Muṣṭafā al-Marāghī (d.

¹⁵ Nuril Hidayah, "Posisi Teori I'jāz Al-Qur'ān 'Aisyah Abdurrahman Bintu Al-Syathi' Dan Sumbangannya Dalam Kajian Al-Qur'ān," *An-Nur Jurnal Studi Islam* 7, no. 2 (2015): 2.

¹⁶ Ibid.

¹⁷ 'Ā'ishah 'Abd al-Raḥmān Bint Al-Shāṭi', *Al-Qur'ān Wa Qaḍāyā Al-Insān* (Miṣr: Dār al-Ma'ārif, n.d.).

¹⁸ 'Ā'ishah 'Abd al-Raḥmān Bintu Al-Shāṭi', *Maqāl Fī Al-Insān Dirāsah Qur'āniyyah* (Miṣr: Dār al-Ma'ārif, n.d.).

¹⁹ 'Ā'ishah 'Abd al-Raḥmān Bint Al-Shāṭi', *Al-Tafsīr Al-Bayānī Li Al-Qur'ān Al-Karīm*, Vol. I (Qāhīrah: Dār al-Ma'ārif, t.th), pp. 10-11.

1952) made their interpretations through linguistic approach.²⁰ Bint al-Shāṭi' seems to be trying to incorporate all these interpretation approaches into her literary scientific frame.

The Definitions and the Debate of *Tarāduf* among Ulemas

Arabic is a unique language. Among its uniqueness is that its vocabularies have correlated meaning, such as *tarāduf* (synonym), *musharak al-lafẓi* (homonym) and *'addad* (contronym).²¹ The term *al-tarāduf* in Arabic can be interpreted as a synonym. Terminologically, *al-tarāduf* is (*ta'addadu al-alfāz li al-ma'nā al-wāḥid*) or 'a number of words that have one meaning',²² such as the word "women" for "females", "men" for "males".

Tarāduf has become an interesting discussion among Arabic linguists. An argument states that *tarāduf* or a word that has one meaning exists in every language (especially Arabic), and every word that has a different pronunciation has a possibility to have the same meaning. Another argument states that there is no *tarāduf* because each word in Ara-

bic has a special meaning that is not possessed by other words.²³

In its early development in the second century Hijri, *tarāduf* was better known as *gharīb*. This is evident in the discussion of al-Aṣma'ī (d. 216) in his book *Mā Ikhtalaftu Alfāzahu wa Ittafaqtu Ma'āniyahu* (Words that I think are different and have the same meaning). This book discusses a dialogue of Hārūn al-Rashīd with al-Aṣma'ī that Hārūn al-Rashīd asked al-Aṣma'ī's opinion about words which he thinks were still ambiguous (*gharīb*). Al-Aṣma'ī then mentioned seventy *gharīb* words which have the same meaning.²⁴ However, not all scholars agree with al-Aṣma'ī's opinion. Muḥammad Ziyād al-A'rabī (d. 231) for example, rejected the opinion because according to him it is impossible for two words to have the same meaning.²⁵

In the third century Hijri, the discussion of *tarāduf* became specific with the presence of scholars such as Ibn Jinī (d. 346) through his book *al-Tarāduf*,²⁶ Ibn Khālawaih (d. 370) who wrote *Asmā' al-Asad* (the Naming of the "Lion") and *Asmā' al-Ḥayyah* (the Naming of "Life"),

²⁰ Sahiron Syamsuddin, "Bint Al-Shati'on Asbab Al-Nuzul," *Islamic Quarterly* 42, no. 1 (1998): 2-3.

²¹ Iswah Adriana, "Al-Adldad: Sebuah Fenomena Pertentangan Makna Dalam Liguistik Arab," *Okara* 2, no. 6 (2011): 150.

²² 'Ā'ishah 'Abd al-Raḥmān Bintu Al-Shāṭi', *Al-I'jāz Al-Bayānī Li Al-Qur'ān Wa Masā'il Ibn Al-Azraq* (Miṣr: Dār al-Ma'ārif, n.d.).

²³ Hamiruddin, "Studi Atas Pemikiran Bint Al-Syati' Tentang Kemukjizatan Alquran (Menyorot Sosok Perempuan; Mewujudkan Kesetaraan)," *Al-Irsyad Al-Nafs, Jurnal Bimbingan Penyuluhan Islam* 2, no. 1 (2015): 51.

²⁴ Jalāl al-Dīn Al-Suyūṭī, *Al-Muzhir Fī 'Ulūm Al-Lughah Al-'Arabiyyah*, Vol. I (Bayrūt: Dār al-Fikr, t.th), p. 405.

²⁵ Ibid.

²⁶ Ibn Jinī, *Al-Khaṣā'is*, Vol. III (Bayrūt: Dār al-Hādī, t.th), p. 310.

and al-Rumānī (d. 384) who wrote *Kitāb al-Alfāz al-Mutarādīfat wa al-Mutaqāribat fi al-Ma'nā* (Synonymous and close words).²⁷ In the opposition side, there is al-Khaṭṭābī (d. 388) with his book *Bayān I'jāz al-Qur'ān* which discusses words that are considered to have the same meaning (but in fact different) by most people, such as the words *al-'ilm* and *al-ma'rifah* (knowledge), *al-ḥamd* and *al-shukr* (praise), and *al-bukhl* and *al-syuhh* (stingy).²⁸ There is also Ibn Fāris (d. 369) who interpreted the works of Yaḥyā Tsa'lab and Hilāl al-'Askarī (d. 400) who is against the adherents of *tarāduf* in his work, *al-Furūq al-Lughāwīyah*.²⁹

From the fifth to eighth centuries of Hijri, scholars who refused *tarāduf* did not get support from their students due to an attempt to strengthen the existence of *tarāduf* studies as done by al-Jawālīqī (d. 539) in his book *Mā Jā'a 'Alayya Fa'altu wa Af'altu bi Ma'nā Wāḥid* (I think the words *Fa'altu* and *Af'altu* Mean the Same). Ibn Mālik (d. 672) wrote *al-alfāz al-Mutarādīfat fi al-Ma'ānī wa al-Mu'talīfat* (Synonyms and Their Varieties) while Mujīd al-Dīn al-Fairūzābādī (d. 871) wrote *Asmā' al-'Asal* (The Naming of Honey) which gave an explanation of 80 meanings of the word *'asal* (honey) and his other

works such as *al-Rauḍ al-Maslūf fī Mā Lahū 'Asmān 'Ilayya 'Alūf* (The Earliest Expressions in Hundreds of Words).³⁰

After centuries have passed, the discourse on *tarāduf* with all its debates is no longer heard. It was in the 19th Century that the discourse reappeared resonated by several figures such as Ṭāhā Ḥusayn, Amīn Khūlī, Muḥammad Shahrūr and so on. Some of them studied *tarāduf* through literary approach while some others examined it through hermeneutic approach.³¹ As a result, the discourse gave birth to not only normative Islamic legal thought, but also the culture of each region that was in accordance with Islamic teachings.³² In its development, the reading of the texts of the Quran by the above figures was not textual but instead contextual with historical and humanistic approaches.³³ Bint al-Shāṭī' through her literary approach on the other hand, argued that *tarāduf* does not exist in the Quran because each word shows a special meaning that cannot be equated with other words.³⁴ Hence, Bint al-Shāṭī' belongs to the group that rejects the existence of *tarāduf* in the Quran.

²⁷ Al-Suyūṭī, *Al-Muzhir Fī 'Ulūm Al-Lughah Al-'Arabīyah*.

²⁸ Al-Khaṭṭābī, *Bayān I'jāz Al-Qur'ān* (Miṣr: Dār al-Ma'ārif, 1976).

²⁹ Waryani Fajar Riyanto, "Antisynomitas Tafsir Sufi Kontemporer," *Episteme* 9, no. 1 (2014): 140; Al-Suyūṭī, *Al-Muzhir Fī 'Ulūm Al-Lughah Al-'Arabīyah*, 1: 386.

³⁰ Al-Suyūṭī, *Al-Muzhir Fī 'Ulūm Al-Lughah Al-'Arabīyah*.

³¹ Amhar Rasyid, "Aplikasi Hermeneutik Dalam Bahtsul Masa'il Dan Majelis Tarjih," *Al-Risalah* 12, no. 1 (2018): 1.

³² Moh Dahlan, "The Hermeneutics Of Authentic Jurisprudence Of Gus Dur In Indonesia," *Al-Risalah* 17, no. 1 (2018): 24.

³³ Amhar Rasyid, "Hermeneutika Dan Teks Ushul Fiqh," *Al-Risalah* 13, no. 1 (2018): 7.

³⁴ Al-Shāṭī', *Al-I'jāz Al-Bayānī Li Al-Qur'ān Wa Masā'il Ibn Al-Azraq*.

Bint al-Shāṭi', *Tarāduf*, and Legal Verses

The discussion on *tarāduf* is described by Bint al-Shāṭi' in her book *al-I'jāz al-Bayān li al-Qur'ān* by demonstrating some examples of words such as: *الحلم* 35. *إمراة و زوج, الحلف والقسم, أنس و أبصر, الرؤيا و*

First, the words *al-ru'yā* and *al-hulm* are interpreted as "a dream". The word *al-hulm* is mentioned three times in the Quran, which is in *al-Anbiyā'* (21): 5, *بَن قَالُوا أَضْغَاثُ أَحْلَامٍ*, QS: *Yūsuf* (21): 44, *قَالُوا أَضْغَاثُ أَحْلَامٍ وَمَا نَحْنُ بِتَأْوِيلِ الْأَحْلَامِ بِعَالَمِينَ*. The word *al-hulm* in this verse means "a chaotic / empty dream". Meanwhile, the word *al-ru'yā* is mentioned seven times, they are in QS: *al-Ṣāfāt* (37): 105, *لَا هَذَا تَأْوِيلُ رُؤْيَايَ أَفْتُونِي فِي رُؤْيَايَ نَتَفَصِّنُ رُؤْيَاكَ*, QS: *al-Isrā'* (17): 60, *وَمَا جَعَلْنَا الرُّؤْيَا*, QS: and *al-Faṭḥ* (48): 27, *لَقَدْ صَنَقَ اللَّهُ رَسُولَهُ الرُّؤْيَا*. In these verses, *al-ru'yā* also means "a dream."

According to Bint al-Shāṭi', the words *al-ru'yā* and *al-hulm* clearly have different meanings, although in principle they are translated as "a dream".³⁶ In its application, *al-ru'yā* means a dream which is based on a revelation and inspiration (*al-ru'yā al-ṣādiqah*) while *al-hulm* means a confusing dream or a mixed desire (*al-aḍghāthu al-mashūshah wa al-hawājis al-mukhtaliṭah*).³⁷ Unfortunately, Bint al-Shāṭi's argument does not touch verses of law that relate

to the word *al-hulm*. In fact, the root of the word *al-hulm* can be interpreted as gently, thought, and mature.

The word *ḥalīm/ḥalīman* in the form of *ṣiġhat mubālaghah* means gentle. It is mentioned 15 times in the Quran which signifies the nature of Allah that is the Most Gentle.³⁸ Bint al-Shāṭi' does not give an explanation on the correlation of *al-hulm* (a dream) to *ḥalīm* (gentle) in the verses of the Quran. Indeed, it must be examined word by word, both in terms of giving the right meaning and the context of the conversation (*siyāq al-kalām*).

Likewise, the word *ahlām* means "thought" like in QS *al-Ṭūr*, verse 32: *أَمْ تَأْمُرُهُمْ أَخْلَامُهُمْ بِيَدَا أَمْ هُمْ قَوْمٌ طَاغُونَ*. The word *ahlām* in this verse seems to be closer in meaning to "a dream", that is a dream that arises or comes from thoughts. Bint al-Shāṭi' again does not give comments on this verse. In fact, the word *ahlām* in this verse has two possible meanings that can be used together, namely: thought and or a dream.

Furthermore, the word *al-hulm*, which means mature or "*balīgh*" as in Q.S *al-Nūr* (24): 58-59, *وَالَّذِينَ لَمْ يَبْلُغُوا الْحُلُمَ وَإِذَا بَلَغَ الْأَطْفَالُ مِنْكُمُ الْحُلُمَ مِنْكُم*. Bint al-Shāṭi' does not explain the correlation of this verse with the term *al-hulm* (a dream) despite the fact that the derivation of the word shows similarity. This verse explains a law regarding the ethics of

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Muḥammad Fu'ād 'Abd Al-Bāqī, *Mu'jam Al-Mufahras Li Alfāzi Al-Qur'ān Al-Karīm* (Qāhīrah: Dār al-Ḥadīth, n.d.).

children, be it those who have not yet reached full maturity or children who have already reached the age of *balīgh* and have understood private parts of the body (*‘awrah*) to ask permission when entering an adult’s room in three time settings: before dawn, noon and after evening.³⁹

The interpretation of QS: al-Nūr (24): 58-59 suggests an obligation that should be carried out by children who are not yet mature, or their parents, as follows: first, parents are obliged to give moral lessons to their children if they are to enter their parents’ bedroom. Second, for children who have not reached the age of *balīgh*, they must first ask permission when they are to enter their parents’ bedroom at three time settings, namely before dawn, noon, and after evening. Third, children who have been *balīgh* are obliged to ask permission in advance when entering their parents’ bedroom or other people’s bedrooms at all time. Fourth, exceptions are reserved for women who are elderly and no longer have lust that they are allowed not to cover their *aurat* fully. Fifth, the above verse is an ethical guide in the family.⁴⁰

In the above verse, *وَالَّذِينَ لَمْ يَبْلُغُوا الْحُلُمَ مِنْكُمْ* (people who have not reached the age of *balīgh* among you), and *وَإِذَا بَلَغَ*

³⁹ ‘Abū ‘Abdillāh ibn ‘Abī Bakr Al-Qurṭūbī, *Al-Jāmi’ Li Ahkām Al-Qur’ān*, Vol. XV (Qāhirah: Mu’assasah al-Risālah, t.th), p. 332.

⁴⁰ Muḥammad ‘Alī Al-Sāyis, *Tafsīr Ayāt Al-Ahkām*, Vol. III (Qāhirah: Dār al-Ma’ārif, t.th), p. 181.

الأطفال مِنْكُمْ الْخُ (when your children have reached the age of *balīgh*) can also be juxtaposed with the definition of *al-ḥulm* (a dream). However, different interpretations are possible, whether the rules / ethics apply to boys or girls and / or include both. This kind of problem is not addressed by Bint Shāṭi’ in her book. In fact, Egyptian scholars have agreed that the age of *balīgh* for men is 18 and 15 for women.⁴¹ Also, it has been explained in fiqh that the signs *balīgh* for one are a wet dream (*iḥtilām*) for boys and menstruation for girls. According to Ibn Qudāmah (d. 629 AH) there are no scholars who disagree about these signs.⁴² Thus, the missing discussion of al-Shāṭi’ about this case is assumed that she purposefully gives room for fiqh and uṣūl al-fiqh studies to run dynamically by not giving too much comment.

Second, *ānas* and *abṣar* are interpreted as ‘seeing’. *Ānas* means seeing an object while listening to its sound. This word is mentioned five times in the Quran, namely QS: Ṭāhā (20): 10, *إِنِّي أَنَسْتُ*, QS: al-Naml (27), 7, *إِنِّي أَنَسْتُ نَارًا*, QS: al-Qaṣaṣ (28): 29, *إِنِّي أَنَسْتُ نَارًا*. In the same context it means “to calculate” as in QS: al-Nisā’ (4): 6, *فَإِن أَنَسْتُمْ مِنْهُمْ رُشْدًا*.

In relation to the legal verse in al-Nisā’ (6), Bint Shāṭi’ disagrees with the scholars of fiqh that according to her the

⁴¹ Ibid.

⁴² ‘Abū Muḥammad ‘Abdillāh ibn Muḥammad ibn Qudāmah, *Al-Mughnī*, Vol. IV (Miṣr: Maktabah al-Qāhirah, 1968), p. 552.

verse فَإِنْ أَنْتُمْ مِنْهُمْ رُشْدًا (if you have seen their intelligence to marry) is no longer understood as “physical maturity after reaching the age of *balīgh*” but as “someone who is mentally ready to face trials and challenges”.⁴³ Such an interpretation becomes more complicated because there is no standardization regarding the age of one's mental readiness to face trials and challenges which certainly has implications for the age limit of marriage. Thus, the opinion of Āli al-Sāyis is far more applicable that intelligence can be measured by an ability to manage wealth, practice religion well, and being responsible for what is done.⁴⁴ More concretely, the effort to re-actualize Islamic law in determining the age limit of marriage has been accommodated by marriage laws that are applied by modern Muslim countries. For example in Indonesia, as explained in Law No.1 of 1974 that the age limits for marriage is 19 years for men and 16 years for women.⁴⁵

Moreover, the word *ānas* in *al-fi'il al-muḍāri'* (*tasta'nisū*) that means 'asking for permission' is found in QS: al-Nur (24): 27, لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا. This verse elaborates ethics of entering a house by asking for permission of and greeting the house owner. According to Bint Shāṭi', *tasta'nisū* here does not mean asking for permission (*isti'zān*) of the house owner but “seeing or hearing

the reply of the house owner”. According to her, if interpreted as “asking for permission”, it is certainly not justified that a police, tax collector or creditor to enter a house without permission from its occupants despite the fact that there are matters that are *ḍarūrah* or *hājīyah* involved.⁴⁶ In interpreting the word *tasta'nisū*, Bint Shāṭi' ignores the basic rules *istaf'ala* formula which uses *al-ṭalab* (asking). It appears here that Bint Shāṭi' does not use linguistic approach consistently and instead makes a more general interpretation based on customs (*'urf*) of the Arab region. The authoritarian Arab countries grant freedom to the police, tax collectors and creditors to enter residents' homes while in countries with a democratic system that kind of act is not justified. If the opinion of Bint Shāṭi' is adopted it seems that it is relevant to be applied to territories with an authoritarian system which is in accordance with the political conditions of her lifetime. For regions that use a democratic system it is more appropriate to interpret it as 'asking for permission' because neither the police, tax collectors nor creditors are allowed to enter the house arbitrarily without permission from the house owner, warrant and / or according to the law, such as; police searches, court executions and emergency situations.

Third, the words *ḥalf* and *aqsam* have the same meaning, namely, “promises and oaths”. According to Bint Shāṭi', the

⁴³ Al-Shāṭi', *Al-I'jāz Al-Bayānī Li Al-Qur'ān Wa Masā'il Ibn Al-Azraq*.

⁴⁴ Al-Sāyis, *Tafsīr Ayāt Al-Aḥkām*.

⁴⁵ “Undang-Undang No 1 Tahun 1974 Tentang Perkawinan” (1974).

⁴⁶ Al-Shāṭi', *Al-I'jāz Al-Bayānī Li Al-Qur'ān Wa Masā'il Ibn Al-Azraq*.

use of the words *half* and *aqşam* in Arab culture is different.⁴⁷ *Half* refers to a treaty that is broken while *aqşam* refers to an honest or faithful treaty. In the Quran, the word *half* is mentioned in 13 verses.⁴⁸ They all mean oaths that the hypocrites disobey. The word *aqşam* on the other hand, is mentioned in 10 verses. In general, they all refer to promises that are well-kept and impossible to break.⁴⁹ According to Alif and Saipul Hamzah, Bint Shāṭi' distinguishes the words *half* and *aqşam* in three ways, namely: first, the word *half* absolutely means false oaths whereas the word *aqşam* have two meanings: true oaths and false oaths. Second, the word *half* is attributed to the hypocrites while the word *aqşam* is attributed to Allah and the believers. Third, the use of the word *half* is specific while the word *aqşam* is general.⁵⁰

Thus, if associated with the discussion of the verses of law, unfortunately, Bint al-Shāṭi' does not associate it with the word "oath". For example, the *ilā'*

⁴⁷ M Zakyi Ibrahim, "Oaths in the Qur'an: Bint Al-Shāṭi's Literary Contribution," *Islamic Studies* 48, no. 4 (2009): 475.

⁴⁸ See QS: al-Tawbah (42, 56, 62, 63, 64, 74, 96 dan 108), QS: al-Nisā' (62), QS: al-Mujādalah (14 dan 18), QS: al-Qalam (10), QS: al-Mā'idah (89).

⁴⁹ See, QS: al-Wāqia'h (76), QS: al-Mā'idah (108, 109), QS: al-'An'am (109), QS: Fāṭir (42), QS: al-A'rāf (48, 49),

⁵⁰ Alif Jabal Kurdi and Saipul Hamzah, 'Menelaah Teori Anti-Sinonimitas Bintu Al-Syathi' sebagai Kritik terhadap Digital Literate Muslims Generation', *Millati: Journal of Islamic Studies and Humanities* 3, no. 2 (2018): 253.

oath in QS: al-Baqarah (2): 226, *لَّذِينَ يُؤْلُونَ مِن نِّسَائِهِمْ* and the *li'ān* oath in QS: al-Nūr (24): 6, *فَشَهَادَةُ أَحَدِهِمْ أَرْبَعُ شَهَادَاتٍ بِاللَّهِ*.

In the verse it says *لَّذِينَ يُؤْلُونَ مِن نِّسَائِهِمْ* (for those who *ilā'* their wives). In fiqh studies, *ilā'* literally means *half* (oaths).⁵¹ Muslim scholars agree that *ilā'* is an oath of a husband in the name of Allah to his wife not to have sexual intercourse within a certain period of time.⁵² Examining the previous opinion of Bint Syāṭi' it is clear that the words *half* and *aqşam* have different uses. If the word *ilā'* is understood using the meaning of the word *half* in Bint Syāṭi's interpretation, it will be contradictory to the meaning of the word *ilā'* itself. The concept of *ilā'* as *half* is not in the context of fake oaths or related to the oaths of the hypocrites. If *ilā'* is interpreted as *aqşam*, in accordance with linguistic aspects and various *madhhabs*, there is no definition found that states that *aqşam* is interpreted as *ilā'*. But from the difference in the third point above, it can be understood that *ilā'* is used in special situations.

Furthermore, in the case of *li'ān* in fiqh, according to Hanafiyah and Hanabilah, it is understood as a testimony that is strengthened by a promise (*ay-mān*) as many as five times and in the fifth phase it is followed with cursed words on seeing his wife committing adultery and / or denying the baby in

⁵¹ Wahbah Al-Zuhaili, *Al-Fiqh Al-Islāmi Wa Adillatuhu*, Vol. VII (Bayrūt: Dār al-Fikr, 1985), p. 536.

⁵² Ibid.

may be that the literary approach used by Bint al-Shāṭi' in understanding the Quran can be considered successful in terms of *i'jāz al-qur'ān*. However, the literary sensitivity of Bint al-Shāṭi' is very minimal in commenting on the verses of law thus its relevance in the attempt to extract laws in the Quran becomes insignificant and difficult to find.

Conclusion

From the discussion above, it can be concluded that Bint al-Shāṭi' may have proven the miracle of the Quran through a literary approach, but several aspects need to be criticized. First, Bint al-Shāṭi' barely focuses on the study of the verses of law, making her concept of *tarāduf* still abstract and difficult to apply when compared to existing results of fiqh. Secondly, Bint al-Shāṭi' is very minimal in providing comments related to the verses of law that limits her influence on the strengthening of Islamic legal propositions, such as: the ethics of children at home, age requirement for marriage, the ethics of entering the house, the *ilā`* oath, the *li'ān* oath, and the mention of *azwāj* in the case of *ṭalāq*, *zihār* and the death of the husband. Such limits are a consequence of Bint al-Shāṭi's strong focus on linguistic approach, neglecting *tashri'iyyah* approach that results in an interpretation of meaning that is difficult to apply. Yet in my opinion, in exploring Islamic law from the Quran and Sunna, there has to be balance between linguistic (*lughawiyah*) and *tashri'iyyah* approaches.

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