

Bentuk dekonstruksi fiqh dalam novel perempuan berkalung sorban karya abidah el-khalieqy

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Abstrak

Pemikiran Abidah El-Khalieqy mengenai konsep fiqh yang selama ini dijadikan referensi hukum, ternyata banyak memunculkan ketimpangan gender. Kekuasaan dan otoritas pesantren yang selama ini dijadikan contoh masyarakat ternyata banyak memunculkan ketidakadilan hukum pada perempuan, sehingga muncul pemikiran Abidah El-Khalieqy untuk mendekonstruksinya. Hadis Nabi yang disampaikan pada zaman itu ditafsirkan oleh para ulama dengan perspektifnya dan dilegalkan menjadi hukum paten yang digunakan sepanjang masa. Untuk itu Abidah El-Khalieqy mendekonstruksi hadis tersebut dengan pertimbangan secara manusiawi, sehingga tidak terjadi ketimpangan antara hak laki-laki dan perempuan. Berdasarkan fenomena tersebut, maka fokus kajian yang didiskusikan dalam tulisan ini adalah bagaimana konsep fiqh membentuk pemikiran pengarang novel PBS dan bagaimana bentuk dekonstruksi fiqh yang dilakukan pengarang dalam novel PBS?. Kajian ini menggunakan pendekatan sosiologi sastra. Dari kajian tersebut dapat disimpulkan bahwa dekonstruksi fiqh yang dilakukan pengarang melalui novel PBS bukanlah mendekonstruksi isi hadis, melainkan menafsirkan kausalitas dari turunya ucapan Nabi tersebut.

.....bidah El-Khalieqy's thought about the concept of fiqh which had been used as a legal reference, it bring out many gender inequality. The power and the authority of the islamic boarding schools that had been used as an example of the people turned out many legal injustice to the women, thus came the idea of Abidah El-Khalieqy to deconstruct it. Hadith of the Prophet be delivered at that time had been interpreted by the mufties with their perspective and legalized to be used as the patent laws all the time. Therefore Abidah El-Khalieqy deconstruct the hadith with humanly consideration, so there is no discrepancy between the rights of the men and the women. Based on this phenomenon, the focus of the study discussed in this paper were how the concept of fiqh formed of the author' thought in the novel PBS and how the fiqh deconstruction form conducted by the author of the novel PBS? The study used the sociology of literature approach. From the study can be concluded that the fiqh deconstruction conducted by the author of the novel PBS was not deconstruct the contents of hadith, but interpreting the causality from the descent of the Prophet' statement. Keywords: deconstruction, fiqh, gender, islamic boarding school, hadith