

## UNDERSTANDING LGBT ISSUES IN ISLAM PROMOTING THE APPRECIATION OF HUMAN DIGNITY

*Prof. Dr. Siti Musdah Mulia<sup>1</sup>*

### **What does sexuality mean?**

Sexuality is a natural and precious aspect of life, an essential and fundamental part of our humanity. For people to attain the highest standard of health they must first be empowered to exercise choice in their sexual and reproductive lives, they must feel confident and save in expressing their own sexual identity. Today, discrimination, stigma, fear and violence pose real threats to many people, especially transgender people, people who are gay, lesbian and be-sexual, These threats prevent many people from attaining basic sexual rights and health.

Sexual rights are a component of human rights. They are an evolving set of entitlements related to sexuality that contribute to the freedom, equality and dignity of all people and they can not be ignored. So, we must persevere; we must be uncompromising and passionate in our efforts to decrease stigma and improve access to service, to increase recognition of sexuality as a positive aspect of human life. Marginalized groups such as young people, transgender people, sex workers, people who are gay and lesbian or be-sexual, child brides and girl mothers particularly need our compassion. Too often denied, and too long neglected, sexual rights deserve our attention and priority. It is time to respect them. It is time to demand them.

Sexuality includes broad aspects, namely the discussion on biological identity, gender identity, sexual orientation and sexual behavior. Actually, human biological sexuality is patterned into two kinds: male and female, while gender identity falls into three variants: woman with her femininity; man with his masculinity; and transgender which possesses those two types. Then, transgender has two variants: effeminate man, and manly woman.

### **What is sexual orientation?**

Then, what is meant by sexual orientation? Sexual orientation is the capacity possessed by every human being related to the emotional attraction, compassion, and sexual intercourse. Sexual orientation is irreversible, predestined character. No one can even choose to be born with certain sexual orientation. Study about sexual orientation concludes that there are several variants, among others: heterosexual, homosexual, bisexual, and asexual.

Becoming hetero or homo or bi-sex, or other sexual orientations is not a choice nor is the result of social construction. However, there is open possibility that potential tendency of a person's sexual orientation will become actual due to the environmental influence. For example, homo potential in a person's inner self will be dominant because of the certain environmental pressure, such as prison and *pesantren*

---

<sup>1</sup> Chairperson of Indonesian Conference on Religion and Peace

(Islamic boarding school). It is interesting to note here that in the environment of *pesantran* several terms related to homo, both gay and lesbian, are widely known among *santris*, like *mairil*, *sihaq*, or *sempet*.

Hence, what is construed as sexual behavior? It is the way by which someone channels her or his sexual desire. It is very much influenced by social construction, not predestined, and, of course, a learned behavior. There are many ways through which people satisfy their sexual need, among others, oral sex and anal sex (also called sodomy or *liwath* in Arabic).

In addition, social construction concerning sexuality is very much influenced by patriarchal culture and gender inequality relationship. Why? Gender relationship is still largely predominated by patriarchal –paternalistic system and ideology which justify men to be the master of, to exercise control over and shackle the life of woman in all aspects of life: social, legal, political, theological and moral. In the long run, this system will give birth to gender discriminatory role distribution between women and men.

Due to the patriarchal influence, sexuality is always understood in context of masculinity. Men must always occupy the position of subject, while woman only object, including sexual object. It is this very idea which has made the society form men of predominant, active and aggressive disposition while, in contrast, mold women to be submissive, passive and non-aggressive.

In turn, this stereotyped view will legitimate men to exercise domination, and commit sexual abuse, sexual harassment, rape and other sex-related acts of violence. Much more disheartening is that sexuality is not merely seen on the basis of the paradigm of masculinity as previously elaborated, but it is also built on the paradigm of heterogeneous sexual orientation, giving no room to homosexual or other paradigms. As a result, there occurred hegemony of *hetero-normatively* in the construction of sexuality.

Social construction of the society has, for centuries, imposed *hetero-normatively* or hetero-sexual orientation as a single truth. It is not surprising that homosexual orientations or other similar inclinations are regarded as deviating, abnormal, and unnatural. Even, many stigmatize people of hetero-sexual orientation as sin-perpetrators, condemned creatures, sufferers of sexual deviation and handed-down communicable diseases.

However, it is also found that a small number of members of society consider the transgender as normal and natural, even regard them as "sacred", as in the case of group of *bissu* in South Sulawesi, Indonesia; group of *waroks* in the tradition of *reog* (masked dance) performance in Ponorogo (East Java, Indonesia).

The change in the society's attitude in related to sexual orientation has begun since 1970, when APA (American Psychiatric Association) revealed the research findings that homo and other sexual orientations are not abnormal, not psychological deviation, not a disease. Hereinafter, in 1974 APA removed homo from the list of mental illness. This decision is adopted by international body of the World Health Organization in 1983.

Since then, homo has been recognized as a form of sexual orientation, and basic human rights of homosexual people are stipulated in various Human Rights,

documents: internationally, nationally and regionally. Action Plan of Indonesia's National Human Rights of 2004-2009 emphasizes that LGBTIQ (Lesbian, Gay, Bisexual, Transgender or of Transsexual, Inter-sexual and Queer) are groups which must be protected by the State. Even, the international document on Human Rights, *The Yogyakarta Principles* espoused by 25 states in 2007 in Yogyakarta underline the protection of Human Rights to the LGBTIQ

The Document of Human Rights stipulates, among others, that: "All human beings are born free and equal in terms of dignity and rights. All human beings are of universal disposition, interdependent, indivisible and interrelated. Sexual orientation and gender identity are integrated with human dignity and humanity so that they may not become the base for any acts of discrimination and violence".

### **The view of Islam on the issues of sexuality**

Islamic law does not speak about the issue of sexual orientation, but speaks about sexual behavior. Why? Because law can only touch things which can be freely selected and conducted by human beings. Sexual orientation is predestined, whereas sexual behavior is a matter of choice. Islamic law is always directed to the deeds done by human beings offering free choices, not to something that is predestined in nature for which human beings are offered no choices.

As regards sexual behavior, Islam underscores the importance of save, sound and responsible sexual intercourse. Islam condemns all sexual behaviors which are accompanied with coercive, violent, cruel, inconvenient, and inhuman elements, such as fornication or adultery, prostitution, incest, pedophilia (sexual intercourse with under aged children); sex with animal; all forms of sex-related violent behaviors, all forms of sexual intercourse are not in line with principles of the rights of reproductive health; all forms of pain-causing sodomy, and all forms of sexual behavioral which are highly potential to communicate HIV/Aids and other sexually transmitted diseases.

Therefore, although a person is hetero-oriented, her or his sexual behavior is marked with acts of violence and cruelty, the person concerned is considered as violating Islamic law. Islam's severe condemnation to inhuman and despicable sexual behavior can be found in the Qur'an and hadist relating to the story of Prophet Luth. God severely reprimanded the sexual behavior of the people of Luth, which was saturated with violence and cruelty.

Regarding gender identity, it is very interesting to note that the Qur'an just mentions two types of gender identity: woman and man. Whereas, literatures on *fiqh* point out four variants, that is: woman, man, *khunsa*<sup>2</sup> (effeminate man), and *mukhannits* or *mukhannats* (manly women).

The study of *Fiqh* does not recognize the terms for sexual orientation: gay and lesbian and others. Because the terms gay and lesbian are not available in *fiqh* literatures, it is no wonder that each discussion on homosexual issues always uses the term of *khunsa*' (effeminate man). The effeminate man or *waria* does not at all refer to the sexual orientation. This term is a negative label to show unsuccessful gender

---

<sup>2</sup> A person who has two genital organs; generally he likes to have womanly appearance and to adorn as a woman.

identity; therefore, parents will call their children effeminate if they do not behave in accordance with their identity.

It is clear that Arabic does not recognize vocabulary for the sexual orientation, then how can Islam which was born in Arab undermine homo? Homosexuality relates to sexual orientation, while *khunsa* (effeminate man) relates to gender identity. It should be underlined that the books of *fiqh* always mention homosexuality in the sense of sodomy. It's much more fatal! Homosexuality is related to the term of sexual orientation, while sodomy is a part of sexual behavior.

It is very important to note that Islamic scholars differ in opinions on homosexual. Imam Syafi'I, for example underlined that homosexual which is subject to punishment are only those which are committed in public places. Hereinafter, Abu Yusuf and al-Auza'i equalized the sentence imposed on homosexual with the punishment charged on adultery.

Historical fact did not reveal the occurrence of execution in the case of homosexual practices during the life of prophet of Muhammad. First execution to homo exactly happened after his prophet hood, at the period of Abu Bakar when death sentence was passed to a homo couple. Later, at the time of Caliph Umar Ibn Khatlab, he ordered that a homo be burned alive, but, because there was objection, the punishment was then changed to stoning.

Actually, the discussion on homosexual issues in Islamic theology is always associated with the story of Luth and his people. Regarding this dramatic story, there emerges some critical questions as follows:

- Were followers of Luth cursed just because they had homo sexual orientation or because at the same time committed forbidden sexual behavior in the form of rape or sexual violence?
- Are homo people not perpetrating forbidden sexual behavior, namely sexual behavior accompanied with the elements of violence, force and health endangering acts, like sodomy, rape, pedophilia, fornication, prostitution, and repeated changes of partners will still be damned?
- Was the reprimanding of Allah to the homosexual people of Luth more severe than that befell the people of Prophet of Nuh who were not homo? Qur'an relates the condemnation of Allah to the people of Nuh – who were not homo- (no information that they were homo)?
- Was the most severe so that it is often referred to as by first dooms day as it annihilated all creatures, except a few followers of Nuh?

Islamic interpretation is heavily hegemonies by heteronormativity, an ideology which obliges human beings to have partners of opposite sex; and must abide by the rule of heterosexuality which establishes the condition that the objective of marriage is for the purpose of procreation, to give birth to descendants.

Heteronormativity conceives that a normal, proper, natural, and ideal sexuality is heterosexual, marital, and reproductive and non-commercial. On the contrary, homosexual: gay or lesbian is deemed as immoral, not religious, illegitimate, social disease, against nature, and is even alleged as the allies of Satan. In Muslim mainstream community, refusal to homo is regarded as absolute, unquestionable, hence every criticism on Islamic view regarding this issue, moreover altering it is deemed as against Islamic law, opposing *syari'ah*.

In essence, all conclusions made by Islamic scholars of the past concerning homo as contained in the books of *fiqh* are final and absolute. The reason is that they are already established as *ijma* (the consensus of Islamic scholars) that homo is unlawful and its perpetrators are subject to severe punishment: killed, stoned to death or burned alive.

Theologically, refusal to homosexual is attributed to Qur'anic verses and a number of *hadiths* which account the story of the Prophet Luth.<sup>3</sup> Information and direction that can be deduced from those verses and *hadiths*<sup>4</sup> are as follows:

**First**, Luth was a Prophet and a Messenger of Allah the Almighty, carrying his message as a prophet and those of other apostles. **Second**, Prophet Luth was sent to earth to teach human beings the true ways of God-believing and of correct human conduct. **Third**, the people of Luth committed violence, injustice, and gender inequality causing the great anger of Allah and causing him to pass on them terrible disaster, misery, and calamity. **Fourth**, one of the specific abuses committed by the people of Luth was to express forbidden sexual behavior; saturated with elements of violence, force, and physical maltreatment, among others, in the form of rape. However, Qur'an and *hadiths* do not adopt specific words which can be directly interpreted as *liwath* or sodomy. Both Qur'an and *hadiths* just mention some terminologies, such as *al-fahisyah* (violence)<sup>5</sup> and *al-Sayyiat* (Cruelty)<sup>6</sup>; *al-Khabaits* (indecent);<sup>7</sup> and *al-Munkar* (deviation).<sup>8</sup> **Fifth**, there was an impression that followers of Luth had bisexual orientation. Because, it was told that the men looked away from and abandoned their wives and went to visit people of the same sex in a culpable and despicable way. There was strong indication that there had occurred acts of violence and sexual exploitation. **Sixth**, Allah also cast a painful torment to Luth's wife, though there was no information in Qur'an that she was a lesbian or committed sodomy. **Seventh**, the bitter torment in the story of Luth also befell the people of other prophets, like the people of prophets Nuh, Hud, Syuaib, Saleh, and Mozes. Even, the torment befell the people of Nuh was much more severe so that the happening was referred to as first doomsday. It means that Allah is always angry with every people who commit acts of cruelty and atrocity and excessiveness regardless of their sexual orientation or gender identity. The ordeals are not necessarily associated

---

<sup>3</sup>See Q.S. al-Naml, 27: 54-58, Hud, 11:77-83; al-A'raf, 7: 80-81; al-Syu'ara, 26:160-175.

<sup>4</sup> See several *hadiths* related by Tabrani and al-Baihaqi; Ibnu Abbas; Ahmad, Abu Dawud, Muslim and and Tirmizi.

<sup>5</sup> See. Q.S. al-A'raf, 7:80.

<sup>6</sup> See Hud, 11:78.

<sup>7</sup> See *al-Anbiyaa*, 21: 74.

<sup>8</sup> See *al-Ankabuut*, 29:21.

with the issue of sexuality. The torments may befall whoever, regardless they are homo or not. **Eight**, Qur'an does not stipulate any order to discriminate homosexual people or other, let alone killing or extinguishing them. **Ninth**, only Allah, the Most Knowledgeable, knows who among His creatures will accept His violent torment and who amongst them will receive His Blessing and Benevolence<sup>9</sup> Therefore, human beings of whatever sexual orientation they are can only engage in performing good deeds (*fastabiqul khairat*), competing with one another to exercise good deeds and benefaction as optimally as possible. One of those benefactions is to put in the most frontier sexual behaviors which do not contain elements which will make other people feel uncomfortable or even tortured.

### **Promoting Islamic humanism**

As Muslim woman I do believe that the Holy Qur'an has a universal meaning or spirit that should be in continuous dialogue with Muslims according to different times and temporal settings. The universal values and truths of the Holy Qur'an are absolute. While the particular values and truths obtained historically via the interpretations of the text of the Qur'an are relative.

And also I do believe that one of the praiseworthy characters of God is *al-salâm* (the Most Peaceful). It is referred to as such because He is the Most Perfect, precluded from all defects, shortcomings and destructions. Thus, Islamic religion sent down to humans has to reflect this praiseworthy character. Both the words *Islâm* and *al-salâm* originate from the same root, *salima*, which means peace and preclusion from all that is condemned and disgraceful.

Theologically, Islam is a blessing for all of human beings. Islam through the principle of *tawhid* maintains the importance of equality among human beings. All the teachings of Islam bring to the fore the equality of standing and stature among nations regardless of their religion, race, gender identity, extraction, geographical location, and social status, as provided in the Qur'an<sup>10</sup> : *O mankind, actually We have created you from a man and a woman and have made you nations and tribes so that you know each other. Verily the noblest person among you on Allah's side is the person who is the most religiously devout to Allah among you. Verily, Allah is the Omniscient.*

Even if there is a big difference among them, such a difference is not intended to oppress one another or to discriminate one another, and to be hostile towards one another but for a noble objective, that is, to understand one another and at the same time, to put them to the test in order to find out who is religiously more devout to Him. Humans are only distinguished from another human on the basis of their *taqwa* (achievements and quality of their religious devotion). Such is the teaching that is enshrined in the Qur'an. However, distortions abound here and there when the noble teachings were sent down to earth and implemented in the life of human beings.

---

<sup>9</sup> See Q.S. *al-Ankabuut*, 29:21.

<sup>10</sup> Q.S. *Al-Hujurât* 49: 13:

Actually, in my view all human beings are intended to follow their primordial agreement with God and place Him in the centre of their lives.<sup>11</sup> Because of this agreement every human being is born in a state of natural purity (*fitrah*) and strives towards that which is good and true.<sup>12</sup> At the same time, human beings are weak and can be tempted to fail.<sup>13</sup> Thus humanity was given the ability to think and reason, and later provided with religion and the obligation to search for the true and good way of life. Every human being has the rights to choose his or her own morals and ethics. Moreover, all human beings are of equal value. So, to harm one individual means to harm the hole of humanity, and conversely to better one individual is to better the hole of humanity. Islam declares that human being shall treat their fellows well by executing their various private duties, paying open society based on mutual understanding and also mutual cooperation.

There is no denying the fact, particularly in Indonesia, that Islamic interpretation relating to LGBT is heavily dominated by not only gender bias and patriarchal values, but also homophobia ideology. One which obliges human beings to lead a life with partners of different genders; and to abide by heterosexually - inspired rules which underline that the aim of marriage is merely for the purpose procreation, not for recreation.

As a consequence of this hegemonic heterosexual bias in *fiqh*, Majority Muslim always consider that normal, natural, and ideal relating to sexuality is heterosexual, marital, reproductive, and non-commercial. On the contrary, homosexual and other sexual orientations are deemed as immoral, blasphemous, *haram* (illegal) deeds, and accused of being social-disease, and a deviation from *kodrat* (destiny), and even blamed as the allies and cronies of Satan.

Majority of Muslim people believed that the objection to homosexuality is absolute, leaving no room for further discussion or question. So, any efforts to level criticism against Islamic view regarding this matter is regarded as opposing Islamic law, running counter to *Shari'a*. So, in their mind LGBT people must be killed, or must be stoned with a hailstorm of rocks, or being burned to death. I can summarize that Muslim majority view concerning LGBT issue contradicts with Islamic humanism.

Some questions come up: Is Muslim community today forbidden from reviewing the rigid, inhuman opinions of *fuqaha* concerning homosexual issue? Isn't it possible to reinterpret Islamic teachings to become more accommodative and more humanistic to LGBT people? Is it unthinkable for the present Muslim community to provide protection to and satisfy LGBT rights due to their sexual orientation and gender identity? Doesn't Islam claim itself as mercy- and freedom-carrying religion for the *mustadh'afin* (oppressed) groups as proven by the prophet Muhammad in the early period of his struggle? Doesn't Islam proclaim itself as a vocal religion which loudly voices against injustice, viciousness, and all manifestations of violence, harassment, discrimination, and alienation as well as stigmatization to anyone?

---

<sup>11</sup>Q.S. *al-A'raf*, 7:12.

<sup>12</sup>Q.S. *al-Ahzab*, 33:4 and *Rum*, 30:30.

<sup>13</sup> Q.S. *al-Nisa*, 4:28.

Doesn't Islam teach its believers love and affection to all humanities, even to all creatures?

### **The proposal of new methodology in reinterpretation**

To eliminate all forms of bias interpretations regarding LGBT people, I proposed three methodologies in reinterpretation as follows.

#### **a. The principle of *Maqashid al-Syar'iyah***

Although the Qur'an and Hadith generate and lay down legal binding rules, indeed, the number is very scanty compared to human problems, which require legal decision.<sup>14</sup> Therefore, renewed interpretation is inevitable. Such reformed interpretation shall stick to Islamic legal resources namely the Qur'an and Hadith. The understanding of the two resources shall not be based on literally interpreted text but rather more on non-literally or contextually with reference to the true objective of Islamic legislation (*maqashid al-syari'ah*).<sup>15</sup> The objective of *Syari'ah* is clearly implemented in the value of justice (*al-'adl*), virtue (*al-mashlahah*), wisdom (*al-hikmah*), equality (*al-musawah*), compassion (*al-rahmah*), pluralism (*al-ta'aduddiyah*), and human rights (*al-huquq al-insaniyah*).

Imam al-Ghazali has formulated the values engraved in *maqashid al-syari'ah* into five basic principles of human rights which he designated as *al-huquq al-khamsah*. The said five human rights constitute the rights to life, rights to voice opinion freely, rights to religious freedom, right to have properties and reproductive's right. The concept of *al-huquq al-khamsah* subsequently leads to the importance of treating human beings as both the target and the subject of Islamic legislation.

Therefore, it is not exaggerated if Ibn al-Qayyim al-Jawziyah, a prominent scholar in Islamic Jurisprudence in the school of Hambali, has stated the following statement: Islamic legislation is actually established for the interest and benefit of humankind and for humanity universal objectives such as virtue, piety, justice, compassion, wisdom. It is these principles that shall serve the guideline in legislation making, and must inspire every law-making agent. Any deviation from this principle means running counter to the true ideal of the Islamic teaching.<sup>16</sup>

The statement of no less firmer in tone was once made by Ibn Rusyd: that the benefits for human kind constitute the root of various legislations stipulated by God.<sup>17</sup>

---

<sup>14</sup> The survey conducted by Abd al-Wahhab Khallaf, a scholar in fiqh, on legal verses reveals that the number of Qur'anic verses containing definite legal provisions are only around 5.8% or only 368 verses. Meanwhile, the most part of the Qur'an describes universal values, such as justice, compassion, peace and freedom, all of which are religious moral-laden messages which may serve as guiding beacon for human life. See Abd al-Wahhab Khallaf, "*Ilm Ushu Al-Fiqh* (Cairo, page 34-35)

<sup>15</sup> This term is first introduced by Abu Ishaq al-Syatibi in his well known book: *Al-Muwafaqaat fi Ushulu al-Syari'ah*. But this concept has been discussed briefly by al-Juwaini Imam al-Haramain and Abu Hamid Muhammad al-Ghazali.

<sup>16</sup> Ibn al-Qayyim al-Jawziyah, *I'lan al-Muwaqqiin an Rabb al-Alamin*, Dar al-Jill, Beirut, TT. Vol. III, p. 3. The similar opinion was presented by many Islamic scholars who are very authoritative in Islamic Jurisprudence (fiqh), such as al-Ghazali (d. 505H); Fakhr al-Razi (d. 606H); Izzudin ibn Abdissalam (d. 660H); Najmuddin al-Tufi (d. 716H); Ibn Taimiyah (d. 728H); Abu Ishaq al-Syatibi (d. 790H.) and Muhammad ibn Tahir al-Tur (d. 1393H.).

<sup>17</sup> Ibn Rusyd, *Fashl al-maql fi Tahrir ma baina al-Syariat wa al-Hikmah min al-Ittishal al-Wujud al-Nadhar al-Aqli wa Hudud al-Ta'wil*, Dirasah al-Wihdah al-Arabiyah, Beirut, 1999, h. 125.

Even more, Izzuddin Ibn Abdissalam has arrived at the conclusion that all religious provisions are entirely directed for the benefit of humankind.<sup>18</sup>

Grounded in the theory of *Maqashid al-Syari'ah*, Ibn Muqaffa' classified Qur'anic verses into two categories: *ayat ushuliyah*, which is universal in nature since it describes the fundamental teachings of Islam and *ayat furu'iyah*, which is particular in nature since it discloses specific matters. Example of the first category is the verses dealing with justice, meanwhile example of the second category is verses touching *uqubat* (forms of penalties), and *hudud* (forms of sanctions), as well as verses regulating marriage, inheritance and social transaction. Unfortunately, most Muslims pay considerable attention to and are too much carried away in the implementation of particular verses and pay a little attention to the universal ones. It is not surprising that Muslims' appearance seems rigid, exclusive, and somewhat hostile and unfriendly, especially to women and LGBT people.

### **b. The principle of *fiqh* relativity**

Notwithstanding that the Qur'an is eternal and absolute truth, but its interpretation is relative, not absolutely. The historical development of many schools of Islamic Jurisprudence (*fiqh*) constitutes a clear and positive evidence of the relative nature of the interpretation.

*Fiqh* as we know today is truly an intellectual engineering of medieval Muslim scholars, the contents of which consist of four basic components namely matters of *ubudiyah* (dealing with transcendental and vertical relationship between human beings and God), *muamalah* (disclosing relationship among human beings, and human beings with other creatures as well as with the universe), and *jinayah* (discussing various criminal matters).

It is necessary to understand that a *mufassir*, however objective he may be can hardly separate himself from laws, traditions developing at the time of his life, and neither can the *fuqaha* (scholars of *fiqh*). Therefore, the codification of *fiqh* views prevailing in a gender and LGBT-biased community will certainly produce books of *fiqh* which are discrimination against women and LGBT persons.

### **c. The Principle of thematic interpretation**

Both the Quran and the Hadits embrace the dimension of humanity in addition to that of Divinity. The study of the widely practiced *verse-for-verse*-based interpretation (*al-tafsir al-tahlily*) has brought us to a conclusion that there are at least five shortcomings or defects discovered therein. **First**, such interpretation is greatly influenced by sectarian point of view (*al-ta'milah al-'ashabiyah*). **Second**, the products of religious understanding is deriving from this model of interpretation seems to be fabricated, and exaggerated. **Third**, its interpretation is highly characterized by non-Muslim's viewpoint, such as from Judaeo-Christian tradition of ancient time. **Forth**, the priceless miracle of the Qu'ran (*i'jaz*) tends to be ignored in this conventional interpretation. **Finally**, the distinctive uniqueness of and the

---

<sup>18</sup>Izzudin ibn Abdissalam, *Qawaidul al-Ahkam fi Mashalih al-An'am*, Dar al-Jil, Kairo.

magnificent rhetoric aspects of the Quran escapes the observation of the tafsir scholars adopting this method.

Therefore, it is for this very reason that an offer is made for the solution to the problem of interpretation, called thematic interpretation, which adopts inductive method. This method of interpretation is constructed on the theory which confides that all contents of the Qur'an constitute an integral and inseparable part, one part elucidates the other (*Qur'an yufassiru ba'duhu ba'dan*).

Actually, the basic principles of this interpretation theory was already popular in the era of Prophet's companions, under the term *tafsir bi al-ma'tsur*. *Tafsir* scholars should comprehend the Qur'an based on the information contained in the Qur'an itself, not on any idea or any tenet deriving from outside the Qur'an.

It is for this reason that an opened understanding of words, sentences, and grammatical structure of the language of the Qur'an is direly needed. The pattern of thematic interpretation advocates three approaches, namely: **First**, highlighting the importance of an opened understanding of the *lexical* meaning of any Qur'anic word. The understanding of the original meaning of words in the Qur'an will be of great help to the *tafsir* scholars in understanding the intended meanings (*al-ma'na al-murad*) in accordance with the reasons why these verses were revealed (reasons of revelation). **Second**, engaging the selection of all verses in line with the certain subject. By adopting these principles, Qur'an is accorded with its own freedom and autonomy to talk about itself so as to produce objective interpretation, not the subjective interpretation saturated with political inclination of its *tafsir* scholars or commentators. **Third**, in the frame of understanding words, sentences, and the grammatical structure of the language of the Qur'an, a readiness and willingness are required to accept the existence of religious texts which were revealed under certain condition (*as-siyah al-khas*) and ones which were revealed in more general contexts (*as-siyah al-am*).<sup>19</sup>

In other words, in the thematic interpretation we used both textual and contextual approaches at the same time. Nowadays, the big problem is that Islamic teachings addressing women and LGBT issues are generally understood with the interpretation which transcends the understanding of the texts. Therefore, Moslem community, according to Syatibi, have been engrossed too far in the textual interpretation so that they fail to take into account the benefit which serves as the true goal of Islamic teaching (*maqashid al-shari'a*).

A logical consequence of such understanding is that majority of Muslim people hold the view that all realities about LGBT people which have been prevailing for centuries are a matter of divine authority, something given, something taken for granted, what's more, when religious labels are imposed thereon. It is this type of understanding that still dominates the Islamic thought on LGBT.

---

<sup>19</sup> Aisyah Abd Al-Rahman Bint Asy-Syati', *Qur'an wa Tafsir Ashr* (Kairo: Dar al-Ma'arif, 1970), pp.. 24-32.

## **Recommendation and solution**

Finally, we can conclude that the big obstruction of LGBT People is the religious interpretation, not the religion itself. That is religious interpretation, which is more influenced by hetero, gender and patriarchal biased.

Bias interpretation is intentionally preserved and descended by generation to generation in the name of God for the interest of reaching political objectives. It is indeed ironic. The most ironic is that in the real life of Muslim community in various countries, those the relative and profane human interpretation of The Qur'an are often considered sacral, more sacral than The Qur'an it self.

So what must we do? Here I propose three solutions.

**First**, establishing networking between various groups of LGBT, from many nations as it is attempted by this workshop. Struggle for success always requires smart strategy and strong solidarity. This networking is very necessary to eliminate all forms of rule and regulations as well as political policies, which discriminating against LGBT people. **Secondly**, there must be implementation of cultural reconstruction relating to attitude against LGBT through education in its wide sense, from education in family to formal education in school then non formal education in society. These efforts are needed to be implemented because culture of tolerant and inclusive cannot emerge naturally and spontaneously in family and society. Instead it must be sewed and arranged in such way through education system. **Third**, internally LGBT People have to always promote their capacity and quality through a wide range of education. LGBT People should appreciate their own work, creation and dare to terminate wordless culture. And, the last but not least, LGBT People should be brave to propose the new interpretation of religious teaching which is more compatible with human rights. Since, inequality and discrimination derive not from the texts of the Qur'an itself, but from the interpretation of the Qur'an.

So, we have to develop the new religious interpretation which is more human, more conducive for promoting peace, piety, justice, and upholding human rights. Those are the real religious teachings which are free human being from tyranny, hatred and injustice. That is the Islamic humanism, the Islamic teaching which promoting the appreciation of human dignity. There is still much work to be done.

## APPENDIX

*Al-Naml (27):54-58:*

وَلُوطًا إِذْ قَالَ لِقَوْمِهِ أَتَأْتُونَ الْفَاحِشَةَ وَأَنْتُمْ تُبْصِرُونَ ﴿٥٤﴾

أَيَّتَكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِّنْ دُونِ النِّسَاءِ بَلْ

أَنْتُمْ قَوْمٌ تَجْهَلُونَ ﴿٥٥﴾

﴿فَمَا كَانَ جَوَابَ قَوْمِهِ إِلَّا أَنْ قَالُوا أَخْرِجُوا آلَ لُوطٍ مِّنْ قَرْيَتِكُمْ

إِنَّهُمْ أَنَاسٌ يَّتَطَهَّرُونَ ﴿٥٦﴾

فَأَنْجَيْنَاهُ وَأَهْلَهُ إِلَّا امْرَأَتَهُ قَدَّرْنَا لَهَا مِنَ الْغَاسِقِينَ ﴿٥٧﴾

وَأَمْطَرْنَا عَلَيْهِمْ مَطَرًا فَسَاءَ مَطَرُ الْمُنذِرِينَ ﴿٥٨﴾

54. (We also sent) Lut (as an apostle): Behold, He said to His people, "Do ye do what is shameful though ye see (its iniquity)?

55. would ye really approach men In your lusts rather than women? Nay, ye are a people (grossly) ignorant!

56. but His people gave no other answer but this: They said, "Drive out the followers of Lut from your city: these are indeed men who Want to be clean and pure!"

57. but we saved Him and His family, except His wife; Her we destined to be of those who lagged behind.

58. and we rained down on them a shower (of brimstone): and evil was the shower on those who were admonished (But heeded not)!

*S. Hud (11):77-83:*

وَلَمَّا جَاءَتْ رُسُلُنَا لُوطًا سِئَاءَ بِهِمْ وَضَاقَ بِهِمْ ذَرْعًا وَقَالَ هَذَا يَوْمٌ

عَصِيبٌ ﴿٧٧﴾

وَجَاءَهُ قَوْمُهُ يُهْرَعُونَ إِلَيْهِ وَمِنْ قَبْلُ كَانُوا يَعْمَلُونَ السَّيِّئَاتِ  
قَالَ يَنْقُومَ هَؤُلَاءِ بَنَاتِي هُنَّ أَطْهَرُ لَكُمْ فَاتَّقُوا اللَّهَ وَلَا تُخْزُونِ فِي  
صَيْفِي أَلَيْسَ مِنْكُمْ رَجُلٌ رَشِيدٌ ﴿٧٨﴾

قَالُوا لَقَدْ عَلِمْتَمَا لَنَا فِي بَنَاتِكَ مِنْ حَقٍّ وَإِنَّكَ لَتَعْلَمُ مَا نُرِيدُ ﴿٧٩﴾

قَالَ لَوْ أَنَّ لِي بِكُمْ قُوَّةٌ أَوْ آوَى إِلَيَّ رُكْنٌ شَدِيدٌ ﴿٨٠﴾

قَالُوا يَلُوطُ إِنَّا رُسُلُ رَبِّكَ لَنْ يَصِلُوا إِلَيْكَ فَأَسْرِبْ أَهْلِكَ بِقِطْعٍ مِنَ اللَّيْلِ  
وَلَا يَلْتَفِتْ مِنْكُمْ أَحَدٌ إِلَّا أَمْرَاتُكَ إِنَّهُ مُصِيبُهَا مَا أَصَابَهُمْ إِنَّ مَوْعِدَهُمْ  
الصُّبْحُ أَلَيْسَ الصُّبْحُ بِقَرِيبٍ ﴿٨١﴾

فَلَمَّا جَاءَ أَمْرُنَا جَعَلْنَا عَالِيَهَا سَافِلَهَا وَأَمْطَرْنَا عَلَيْهَا  
حِجَارَةً مِّنْ سِجِّيلٍ مَّنضُودٍ ﴿٨٢﴾

مُسَوَّمَةٌ عِنْدَ رَبِّكَ وَمَا هِيَ مِنَ الظَّالِمِينَ بِبَعِيدٍ ﴿٨٣﴾

77. when Our Messengers came to Lut, He was grieved on their account and felt Himself powerless (to protect) them. He said: "This is a distressful Day."

78. and His people came rushing towards him, and They had been long In the habit of practising abominations. He said: "O My people! here are My daughters: They are purer for you (If ye marry)! Now fear Allah, and cover me not with Shame about My guests! is there not among you a single right-minded man?"

79. They said: "Well dost Thou know we have no need of Thy daughters: indeed Thou Knowest Quite well what we want!"

80. He said: "Would that I had power to suppress you or that I could betake Myself to some powerful support."

81. (the Messengers) said: "O Lut! we are Messengers from Thy Lord! by no means shall They reach Thee! Now travel with Thy family while yet a part of the night remains, and let not any of you look back: but Thy wife (will remain behind): to Her will happen what happens to the people. morning is their time appointed: is not the morning nigh?"

82. when Our Decree issued, we turned (the cities) upside down, and rained down on them brimstones hard As baked clay, spread, layer on layer.-

83. Marked As from Thy Lord: nor are They ever far from those who do wrong!

**S. Al-A'raf (7): 80-81:**

وَلُوطًا إِذْ قَالَ لِقَوْمِهِ أَتَأْتُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ أَحَدٍ  
مِّنَ الْعَالَمِينَ ﴿٨٠﴾

إِنَّكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِّنْ دُونِ النِّسَاءِ بَلْ أَنْتُمْ قَوْمٌ مُّسْرِفُونَ  
﴿٨١﴾

80. we also (sent) Lut: He said to His people: "Do ye Commit lewdness such As no people In creation (ever) committed before you?

81. "For ye practise your lusts on men In preference to women : ye are indeed a people transgressing beyond bounds."

**Al-Syu'ara' (26): 160-175:**

كَذَّبَتْ قَوْمُ لُوطٍ الْمُرْسَلِينَ ﴿١٦٠﴾

إِذْ قَالَ لَهُمْ أَخُوهُمْ لُوطُ أَلَا تَتَّقُونَ ﴿١٦١﴾

إِنِّي لَكُمْ رَسُولٌ أَمِينٌ ﴿١٦٢﴾

فَاتَّقُوا اللَّهَ وَأَطِيعُوا ﴿١٦٣﴾

وَمَا أَسْأَلُكُمْ عَلَيْهِ مِنْ أَجْرٍ إِنْ أَجْرِيَ إِلَّا عَلَى رَبِّ الْعَالَمِينَ ﴿١٦٤﴾

أَتَأْتُونَ الذُّكْرَانَ مِنَ الْعَالَمِينَ ﴿١٦٥﴾

وَتَذَرُونَ مَا خَلَقَ لَكُمْ رَبُّكُمْ مِنْ أَزْوَاجِكُمْ بَلْ أَنْتُمْ قَوْمٌ عَادُونَ ﴿١٦٦﴾

قَالُوا لَئِنْ لَمْ تَنْتَهِ يَلُوطُ لَتَكُونَنَّ مِنَ الْمُخْرَجِينَ ﴿١٦٧﴾

قَالَ إِنِّي لِعَمَلِكُمْ مِنَ الْقَالِينَ ﴿١٦٨﴾

رَبِّ نَجِّنِي وَأَهْلِي مِمَّا يَعْمَلُونَ ﴿١٦٩﴾

فَنَجَّيْنَاهُ وَأَهْلَهُ أَجْمَعِينَ ﴿١٧٠﴾

إِلَّا عَجُوزًا فِي الْغَابِرِينَ ﴿١٧١﴾

ثُمَّ دَمَّرْنَا الْآخَرِينَ ﴿١٧٢﴾

وَأَمْطَرْنَا عَلَيْهِمْ مَطَرًا فَسَاءَ مَطَرُ الْمُنذِرِينَ ﴿١٧٣﴾

إِنَّ فِي ذَلِكَ لَآيَةً وَمَا كَانَ أَكْثَرُهُمْ مُؤْمِنِينَ ﴿١٧٤﴾

وَإِنَّ رَبَّكَ لَهُوَ الْعَزِيزُ الرَّحِيمُ ﴿١٧٥﴾

160. the people of Lut rejected the apostles.

161. Behold, their brother Lut said to them: "Will ye not fear ((Allah))?"

162. "I am to you an apostle worthy of all trust.

163. "So fear Allah and obey Me.

164. "No reward do I ask of you for it: My reward is only from the Lord of the worlds.

165. "Of all the creatures In the world, will ye approach males,

166. "And leave those whom Allah has created for you to be your mates? Nay, ye are a people transgressing (All limits)!"

167. They said: "If Thou desist not, O Lut! Thou wilt Assuredly be cast out!"

168. He said: "I do detest your doings."

169. "O My Lord! deliver me and My family from such things As They do!"

170. so we delivered Him and His family,- all

171. except an old woman who lingered behind.

172. but the rest we destroyed utterly.

173. we rained down on them a shower (of brimstone): and evil was the shower on those who were admonished  
(But heeded not)!

174. Verily In This is a sign: but Most of them do not believe.

175. and Verily Thy Lord is He, the Exalted In might Most Merciful.