
**JILBAB AS THE LEGAL LANGUAGE AND STANDARD OF PERSONAL
CONDUCT IN SOCIETY**

Rohadi Rohadi

University of Muhammadiyah Cirebon
Rohadihadi24@yahoo.com

Abstract

Language is a tool or instrument in reflecting an idea, thoughts, ideas, desires and wishes from one person to another person. It cannot be imagined how human life would become without language. Surely we will not be able to develop and pass down the culture or noble values of our nation's culture to the next generation, as is the case with animal life. Animals do not have the ability to speak, so their ability to build civilization is also lost. In addition, without the ability of human language cannot think systematically and orderly.

The hijab is one of the legal language that applies and reflects the culture or behavior that applies in society. But the meaning, along with the passage of time feels a change in meaning. This is the entry point for the author to elaborate the veil as a legal language and standards of personal behavior in Indonesian society.

How is the concept of hijab in legal language that is often used by Muslim women or girls under the shadow of the terrorist and fundamentalist Islamic issues by certain groups or those who do not like it and the hijab as a syar'i obligation for Muslim women so that it sticks as a symbol (character) for good Muslim women.

Keyword: *The Language of Law, Hijab for Women*

A. INTRODUCTION

Language is a tool or instrument in reflecting an idea, thoughts, ideas, desires and wishes from one person to another. It cannot be imagined what human life would be like without language. Of course we will not be able to develop and pass on the culture or noble values of our nation's culture to the next generation, as is the case with animal life. Animals do not have the ability to speak, so they also lose their ability to build their civilization. In addition, without the ability to speak human language cannot think systematically and regularly.

Basically the form of language referred to above can be in the form of written, spoken, signs, symbols, movements, signs, colors and so on which have a specific meaning and purpose. The whole sign, symbol, movement is scientifically called an ontology or linguistic sign.

In relation to understanding law, it is necessary to learn legal language. It means that Law as a means of creating social order and order in society must be formulated in a language that can be accepted and understood by everyone. The relationship between law and language is very closely related. According to Dr. Sudjito the language of law is not part of linguistics because the scope of law is very broad, including the language of law itself, so it should be placed in that broad science of law. Thus the science of law does not merely talk about state law but includes laws that grow and develop in the midst of society, and even include transcendental laws that come from God.

Broadly speaking, the scope of legal language is divided into three groups, namely the first legal language which originates from legal rules made by the state, the second legal language originates from the prevailing law in the midst of society and the third legal language originates from experts. law.

Hijab is one of the languages of the applicable laws and regulations and reflects the culture or behavior prevailing in society. However, the meaning, along with the passage of time, has experienced a change in meaning. This is the entry point for the author to elaborate on the hijab as the language of law and the standard of personal behavior in Indonesian society.

How can the hijab be seen as a prohibition for Muslim women or girls under the bad shadow of the issue of terrorism and fundamentalist Islam by certain groups or those who do not like it and the hijab is a syar'i obligation for Muslim women so that it is attached as a symbol (character) for good muslimah.

Many of us have witnessed the prohibition of the headscarf in the form of regulations or decisions of an agency which is basically based on their lack of understanding of the substance of the veil itself if we don't want to be regarded as excessive suspicion and fear that should not have happened, especially after we entered the chapter. new in the life of the nation and state that upholds the freedom of every element of society. Apart from that, we also saw actions that raised positive symbols such as the sea of headscarves at Istora Bung Karno, the sea of headscarves at PKS campaigns throughout Indonesia, especially in Jakarta, including the sea of female student headscarves in the mosque area campus.

Hijab for many people has various interpretations, including because it is a provision that is syar'iyah in nature, thus it is automatically included in the content of

the first principle of Pancasila and article 29 paragraphs (1) and (2) of the 1945 Constitution and Article 22 paragraph 2 of the Law. No.39 of 1999 on Human Rights (HAM). But on the other hand, the veil is only considered a habit that applies in society. Because the customs between one region and another are different, so is the people's understanding of the hijab in question. Of course, without diminishing the history of the veil itself.

B. DISCUSSION

Many meanings of the word hijab are actually Arabic vocabulary. Jilbab is the plural form of jalaabiib, which means broad clothing. This means that clothes are spacious and can cover a woman's genitals except for the face and palms up to the wrists that are shown¹. There is also Al-Biq'a'i (in Thohari, 2011) which mentions several meanings of the word hijab, namely loose clothes or a veil covering a woman's head, or clothes that cover the clothes and veil she is wearing, or all clothes that cover a woman's body.²

Based on this understanding, it can be said that if what is meant by the headscarf is clothes, then the hijab is the clothes that cover the hands and feet. Then if it is a veil the command to stretch it out is to cover the face and neck. Furthermore, if it means clothing that covers the body then the command to stretch it out is to make it loose so that it covers all body and clothes.

Jilbab in the big Indonesian dictionary is defined as the wide veil worn by Muslim women to cover the head and neck to the chest. The headscarf in Indonesia itself was originally better known as the veil, which is a cloth to cover the head, but still shows the neck and some hair. It was only in the early 1980s that the term jilbab became known, namely the veil which also covers the neck and all hair³.

The word hijab comes from the word hajaba which means hiding from view or also a dividing wall, while in the context of Indonesianness hijab is often associated with modest covering of aurat by a Muslim woman, namely in the form of a headscarf.

¹ Fedwa El Guindi. 2006. *Jilbab: Antara Kesalehan, Kesopanan, dan Perlawanan*. Jakarta: Serambi. Hal. 29

² Chamim Thohari. 2011. *Konstruksi Pemikiran Quraish Shihab tentang Hukum Jilbab: Kajian Hermeneutika Kritis*. Universitas Negeri Malang. Vol. 14. No. 1 Januari - Juni 2011. Hal. 78

³ Muhammad Said Al-Asymawi. 2003. *Kritik atas Jilbab*. Dalam Terjemahan Nong Darol Mahmada. Jakarta: JIL. Hal. Vii

The issue of the legal language of the veil is indeed not simple, as is the meaning of the term for everyone. Literally, jilbab means broad or spacious clothing and can cover a woman's genitals, except for the face and the palms of the hands up to the wrists that are shown. Jilbab is a mashdar form from the root word jalaba which means "to bring" or "collect", while the plural form is jalabib which means clothes brackets (outer garments or also mantle and cloak) that can cover all members of the body-in the Arab world it is better known as jalabiyyah - besides that also tajalbaba which means "imprisonment".

As for the Arabic Lisânul defines the veil as "... the outer cloth or covering that is wrapped around the top of his clothes to cover himself from head to toe. The veil really hides her body"⁴. Whereas in al-Munawwir's dictionary it is said that the veil is a wide garment, which is usually worn to cover their (inside) clothes and cover their entire body (except for those that may be shown)⁵.

Ibn Hazm wrote that "in Arabic... the veil is the outer cloth covering the whole body. A piece of clothing too small to cover the whole body cannot be called a veil."⁶

Meanwhile, as noted by Nasaruddin Umar, the types of women's clothing in Arabic vocabulary at the time of the Prophet were known by several terms, namely Khimar, clothes that specifically cover the head, dir 'clothes that specifically cover the body, niqab and burq clothes that specifically cover the body. the face area except for the eyeball, idzar which is sewn clothing that covers the limbs to the feet, rida 'outer garment that covers the upper part of the body to the lower part of the idzar, and the head scarf is a veil that covers the outside of the head, including covering dir' and khimar⁷.

Several other terms that are often related to this hijab case, among which appear in QS An-Nuur [24]: 31, are khimar, whose plural is khumur, which means a hood or scarf for a head covering. This word is derived from the root word khamara which means to cover or hide, and is also related to the word khamr which means wine, or literally "something that covers or smacks the mind or head." 'Awra, the

⁴ Ilyas Islam. *The Hijâb in the Qur'ân*. Sebuah artikel dari internet.

⁵ Ahmad Warso Munawwir. 1997. *Al-Munawwir Kamus Arab Indonesia*. Surabaya: Pustaka Progresif. Hal. 199.

⁶ lock.cit.,.

⁷ Nasaruddin. 1996. Dikutip dari Abdul Halim Abu SyaqqahHal. *Tahrir al-Ma'rah fi 'Ashr al-RisalaHal*. Juz IV. Mesir: Darul Qalam lil-nasyr wal-Tauzi. Hal. 54.

Arabic term for pudendum is often translated as a private part or part that can cause embarrassment when seen, something that should be covered up.

Referring to the Arabic Lisanul 'the term adultery includes "everything that twists"; This term is then understood as a natural beauty tool or artificial ornament which means jewelry, grooming, decoration, clothing, and dress. This word comes from the root word zana which means to make up, dress up, decorate, add ornaments, dress, and make someone (woman) more beautiful and confident.

Islamic Ilyas tries to define what constitutes adultery, namely the face, hands and feet as well as anything that appears on a woman's body due to uncontrollable factors such as wind gusts, or those that are beyond necessity.⁸

Then the term juyub which is the plural form of the word jayb, a derivative of the word jawb or to cut and refers to cleavage (of clothing) which means that the headgear must cover the neck and hang over the chest. The verb tabahraja indicates the activity of decorating something, tidying up oneself, becoming unnatural (fake), dressing to be shown. This, according to Ilyas, is not only to make someone beautiful, but also to show off oneself, to develop one's attractiveness with the aim of arousing desire. This refers not only to clothes, but also behavior, such as walking with a seductive stride as well as being flirtatious or out of place. This is related to the word bahraj which means wrong, sharp, fake, embarrassing, unworthy, cheap, trash,

In relation to the history of the Islamic world, Nasaruddin noted a number of headgear which is known by different terms in each nation, such as the term veil which is more famous in Iran which comes from the Persian chador which means "tent" (tent). In the Iranian tradition the veil means "an all-round piece of clothing covering a woman from head to toe". Meanwhile in India, Pakistan and Bangladesh it is known as purdah which comes from the Indo-Pakistani language, pardeh, which means "curtain" (curtain). The term charshaf is better known in Turkey for the name of the Muslim clothing, milayât in Libya, abayas, and headscarves or headscarves for the regions of Indonesia, Southern Thailand, Malaysia and Brunei Darussalam.⁹

⁸ Ilyas. *Op.cit.*

⁹ Alfathri Adlin. *Yang Tersembunyi di Balik Hijab; Mitologi, Teologi, dan Ideologi Jilbab*. Sebuah artikel dari *internet*.

1. The Language of Hijab Law and World Civilization

Talking about the legal language of the veil and world civilization does not always go hand in hand with the issue of gender equality and the study of feminism. Various studies conducted by experts have produced various conclusions. One of them is interesting and attracts the admiration and attention of the world as revealed recently by Fedwa El-Gundi. El-Gundi in his book *Veil: Modesty, Privacy, and Resistance* (the Indonesian version with the title *Jilbab: Between Piety, Courtesy and Resistance*) writes that the practice of the veil does not always contain messages of isolation for women (seclusion) such as the exclusion of women that occurs in Byzantium and Greece. However, there are also cases where the veil is a symbol of high social class (exclusivity), such as in Persian-Assyrian-Mesopotamia. Even the hijab has become a symbol of male Tuareg manhood in the Sahara, Africa. Ignoring this fact is a big lie¹⁰. Thus veiling is not only a monopoly of Islamic religious texts and traditions. But it has also been a habit of Jewish women, and is still the costume for the greatness of Christian nuns.

When there was a war between Rome-Byzantium and Persia, the inter-island trade route underwent a change to avoid the bad consequences of the war zone. Cities on several coasts of the Arabian Peninsula suddenly became important as trade transit areas. This area is also an alternative to refuge from warring areas. Massive globalization of civilization occurred at this time. The culture of Hellenism-Byzantium and Mesopotamia-Sasania also touched the Arab region which was once geocultural in itself. According to De Vaux in *Sure le Voile des Femmes dans l'Orient Ancient*, the veil and seclusion of women traditions are not the original traditions of the Arabs, not even the Talmudic and Biblical traditions. Important figures in the Bible,¹¹.

The veil, which was originally a tradition from the Mesopotamian-Persian Nation, while the separation of men and women is a tradition of the Hellenistic-Byzantine Nation, spreads across geocultural boundaries, including the northern and

¹⁰ Asrori S. Karni. 2003. Dalam artikel *Jilbab: Rahasia Politik, Rahasia Teks, & Rahasia Waktu*. *Gatra*. No. 26. 12 April 2003.

¹¹ Nasaruddin Umar. *Fenomenologi Jilbab*. Sebuah artikel *Internet*.

eastern parts of the Arabian Peninsula such as Damascus and Baghdad which were once the largest political capitals of Islam. in the Mu'awiyah and Abbasid dynasties.

The institutionalization of the legal language of the veil and the separation of women and men began to crystallize when the Islamic world came into contact with Hellenism and Persian civilizations in these two important cities. In this period, the veil, which was an occasional costume, received institutionalized clothing, a mandatory dress for Muslim women. The two big cities also have a big share in the codification of standard books such as hadith, tafsir, fiqh, tarekh, including the standardization of writing (rasm) and reading (qira'at) of the Al-Quran. Whether we realize it or not, the Hellenism-Persian element also influences the codification and standardization. For example, the history of Israiliyat helped to strengthen the volume of the Tafsir al-Tabary book which later became a reference for scholars in the books of interpretation afterward.

2. Islam and the Jilbab Command for Muslimah

In the field of fiqh, one of the definitions of hijab is anything that blocks or covers women's genitals from the eye¹², so that women who wear the hijab are called mahjubah. This is related to Surah an-Nur verse 31 and Surah al-Ahzab verse 59 concerning the obligation for believers to cover their genitals from men who are not their muhrim, by wearing clothes which are often referred to as the hijab terminology. Al-Albani then saw that the legal language of the hijab was part of the hijab.

Abu Abdullah al-Qurtubi gave the understanding that the hijab is a loose or wide collar and wider than a scarf or veil.¹³. In line with al-Qurtubi, al-Maududi argues that the veil is a large brackets worn by women as outer garments that do not show the curves of a woman, so that her nakedness is covered.¹⁴.

Referring to the word hijab in Surah al-Ahzab verse 59, al-Maududi argues that this verse has been written regarding the obligation to cover women's faces. And from that verse it can also be understood that women when leaving the house are

¹² Muhammad Nashir al-Din al-Albani. 2001. *Jilbab Wanita Muslim Menurut al- Qur'an dan as- SunnaHal*. Terj. Hawin Murtadho. Solo: At-Tibyan. Hal. 29.

¹³ Abu Abdullah al-Qurtubi. 1993. *Al-Jam'i li Ahkam al-Qur'an*. Cet. ke-I. Bairut: Dar al-Kutub al-'AliyaHal. Hal. 156.

¹⁴ Abu al-A'la al-Maududi. *Al-Hijab*. Beirut: Dar al-Fikr, nd). Hal. 300.

required to wear tightly closed clothes such as wearing a khimar or niqab, which is a sign that they are noble women and so that they are not disturbed by bad people.

Abu Syuqqah argues that there are two forms of hijab, namely the curtain (veil) that is in the Prophet's house to limit or separate between his wives when talking to men who are not his muhrim and the clothes worn by his wives to cover the entire body including the face when they leave the house¹⁵.

According to Fatima Marnissi, the concept of the hijab contains three dimensions, all of which are linked. The first dimension is a visual dimension, which is a dimension that has the meaning to hide something from people's view. In accordance with the root word hijab which means hiding. The second dimension is spatial which means to separate, to create boundaries and to erect gates. The third dimension is part of ethics relating to the issue of prohibition.

In connection with the ordering of the veil for Muslim women, experts of commentators state that women in pre-Islamic times used to walk in front of men with their necks and chests open and their arms bare. They used to put their veils behind their shoulders leaving their chest exposed. This often brings the desire of men to tease her, because they are amazed by the beauty of her body and hair. Then Allah ordered Muslim women to cover their veil on the part they usually show, in order to protect themselves from the evil of masher men.

In the Arabian peninsula, even until the arrival of Islam, there was a habit of men and women like to gather and mingle without the slightest obstacle. The women at that time also wore a head scarf, but the veil was only limited to the back, while the neck, chest, and necklace were still visible. Therefore, this behavior can lead to slander and can cause a lot of damage. So from that Allah sent down the rules as contained in Surah an-Nur verse 31 and al-Ahzab verse 59.

M. Quraish Syihab stated in his interpretation that Muslim women in the early days of Islam in Medina wore the same clothes in general as those worn by all women, including prostitutes and servants. They all also wear headscarves, even headscarves, but their necks and chests are easily visible and they often wear veils but the ends are turned so that their necks, ears and chests are kept open. This situation is used by hypocrites to seduce Muslim women. And when they are reminded of their behavior they say "we thought they were slaves". This is because at

¹⁵ Abdul Halim Abu Syuqqah. *Kebebasan Wanita*, IV:44.

that time the identity of Muslim women was not clearly visible, and in this situation,¹⁶.

The Koran and al-Hadith never specifically mention face coverings. Even in al-Hadith, faces are included in the exception and in the atmosphere of ihram should not be covered. Moreover, none of the verses on head coverings are associated with elements of mythology and social strata as prevailed in Roman-Greece and Persian-Assyrian-Mesopotamia. The application of verses like this creates differences of opinion among ushul fiqh scholars, whether what is used as a reference is the general pronouncement or the cause of the revelation which is specific.

The two verses mentioned above were revealed in the context of the safety and comfort of women. Compared with the Chador tradition in the Sasanian-Persian tradition, the headscarf is considered a substitute for the menstrual hut, which is a place of exile for women who are menstruating outside the village. Whereas in the Greek tradition, the veil is considered an identity of a certain social class.

The khimar verse came down to respond to women's clothing models who at that time wore a head covering (muqani '), but did not reach the chest, so that the chest and neck remained visible. According to Muhammad Said al-Asymawi, surah an-Nur verse 31 was descended to provide a distinction between believing women and other women, not intended to be an eternal format (urudu fihi wadl al-tamyiz, wa laisa hukman muabbadan). The jilbab verse also refers to a respectable woman who intends to dispose of herself behind the house at night without wearing a veil, so a man comes to disturb her because she is mistaken for a slave. This incident was the cause of the decline of Surah al-Ahzab verse 33. according to al-Asymawi and Muhammad Syahrur related to certain reasons and motivations ('illat), therefore, the rule of a law is related to the rule, where there is an illat there is a law. If illat changes, then the law changes too.

The verse hijab is closely related to the limitations of the place where the prophet lives with his wife and the increasing number of friends who have an interest in him. To prevent unwanted things from happening, Umar suggested that a partition (Arabic: hijab) be made between the living room and the privacy of the prophet. But not long after that the hijab verse came down.

¹⁶ M. Quraisy Syihab. 1998. *Wawasan al-Qur'an Tafsir Maudhu'i atas Berbagai Persoalan Umat*. Cet. ke-8. Bandung: Mizan. Hal. 171-172.

Meanwhile, al-Hadith, which is directly related to the use of the veil, is only found in two Hadiths on Sunday, namely al-Hadith which is narrated individually, not collectively and massively (famous and mut Worried). The first Al-Hadith comes from Aisyah ra, Rasulullah SAW said, "It is not permissible for a woman to believe in Allah and His Messenger when she reaches the age of maturity to reveal (her limbs) apart from her face and palms up to this point," pointing to half a cubit.

The second Al-Hadith from Abu Daud received from Aisyah ra, which tells of when Asma 'bint Abi Bakr entered the residence of the Prophet Muhammad SAW, then the Messenger of Allah told him "O Asma', actually women when they reach the age of maturity, should not be considered except this one. ", While Rasulullah SAW showed his face and palms.

Muhammad Syahrur in his book *al-Kitab wa al-Qur'an* has also stated that hijab is only a matter of self-respect, not halal or haram.¹⁷ In the early 19th century Qasim Amin in *Tahrir al-Mar'ah* already questioned this.

It needs to be emphasized here, even though these thinkers have a critical view of the hijab, they still idealize the use of the headscarf for women. The point is, for them to interpret the legal language of the jilbab, it is how the hijab does not cover women's creativity and productivity, instead of prohibiting or encouraging the opening of the hijab.

When the mullah movement began to flourish in Iran in the 1970s and reached its peak when Imam Khomeini succeeded in overthrowing the Reza Pahlavi regime which was popularized as a henchman of the western world in the Middle East, then Khomeini became a symbol or symbol of the victory of Islam against western puppets. Symbols of Khomeini's power, such as photos of Khomeini and the Black Veil community, are trending among the Muslim youth worldwide. Since then the hijab has begun to decorate campuses in the Islamic world, including Indonesia. The identity of the veil seems to be a symbol of victory.

In connection with the function of the veil which is prescribed in Islam, it is to cover the part of a woman's genitals which is obliged to cover it. To what extent the size of the body that must be covered with a headscarf will depend on the understanding of the scholars of the texts of the Koran and as-Sunnah which are

¹⁷ Muhammad Syahrur. 1990. *Al-Kitab wa al-Qur'an: Qiraah MuassiraHal*. Damskus: al-AHalli li at-Tiba'ah wa an-Nasyr wa at-Tawi'. Hal. 607.

Zanni (can be interpreted), and the opinion of the fuqaha in their ijtihad about the limits of women's genitals as outlined. in Surah an-Nur verse 31. The difference in opinion of the scholars regarding the genitals is as follows:

1. Jumhur scholars argue that only the face and hands are not included in the genitals.
2. Sufyan as-Sauri, Mazin and one of the people from the Hanafi school said that the face, the palms of the hands and the soles of the feet are not aurat for women.
3. One opinion from among Hambali and some Shi'ah Zaidah and Zahiri argues that only the face of a woman's body is not included in the genitals.
4. One of the narrations from Imam Ahmad ibn Hambal and argues that Abu Bakr ibn 'Abdu ar-Rahman from among the tabi'in said that the entire body of a woman without exception is aurat¹⁸.

3. Hijab as the Language of Law, Standard of Behavior and Laws and Regulations

The use of headscarves and Muslim clothing is not a new tradition in Indonesia because it was there when Islam first came, but it is still in the process of covering one's genitals. Can be exemplified by the thin scarf that Indonesian women wear to cover part of their hair is proof of the process towards using the hijab in today's understanding. Apart from that, it can also be seen in the process of bodo clothes, Bugis traditional clothing which was originally only a piece of fine silk that was transparent, but later became seven layers when the influence of Islam entered. In the 50s, many Balinese women were still shirtless, but today they use bandages to cover their breasts,¹⁹.

From this we can see that the understanding of society about the limits of the language of the aurat law continues to change from aurat that was left open to turning into taboo when it is seen.

¹⁸Abdul Aziz Dahlan (ed). 1993. *Ensiklopedi Islam*. Cet. Ke-1. Jakarta: PT. Ichtiar Baru Van Hoeve. Hal. 318.

¹⁹ Beryl Causari Syamwil. 1996. *Busana Muslimah Kian Trendi*. Republika. Minggu, 28 Januari. Hal. 4.

The process of covering one's genitals was stopped when the Dutch, with their regulations, obliged every student to wear a skirt to schools. On this subject Kees van Dijk noted that²⁰:

The Dutch and other European nations who arrived in the Dutch East Indies confronted the Indonesian people regarding their European lifestyle, including in terms of clothing. Indonesians, who have made pilgrimages to the religious center of Islam, and Muslims from other central areas of Islam, from present-day Saudi Arabia, Persia, Egypt and India, introduce, encourage and modify religious ideas and symbols in the way they should be. for a Muslim to behave in society, including the norms in dress. In recent times, the rate has increased drastically and the level of contact has become increasingly intense, but the confrontation between the three main complexes of thought, behavior and dress - Western, Muslim and Indonesian - has been going on for a long time, since the first contact between the Western and Muslim worlds.

In Indonesia, contact with parts of the Islamic world was longer than with mainland Europe; Muslims left their mark long before the Dutch and Europeans came to this situation. Therefore, the choice between wearing clothing based on Muslim rules or indigenous culture has been going on for a very long time.

Hamka, during her visit from 1924 to 1967 to several cities where Islam was spreading in Indonesia, found many women wearing the hijab in these cities. However, on a visit to Jogja in 1924 Hamka encountered Muslim women wearing khimar (scarves) which were worn to cover their heads and wrapped around their chests. It turned out that at that time the dress code was what was judged as a dress code that held modesty and did not display the curves of the body.²¹, which was then socialized by figures of the women's movement such as Nyai Ahmad Dahlan, Rangkayo Rahmah El-Yunusiah and Rangkayo H. Rasuna Said so that it spread throughout the country.

Due to the influence of this movement, the veil as the language of Islamic law was socialized in Islamic schools. In its development there are schools that provide

²⁰ Alfathri Adlin, *op.cit.*

²¹ Hamka. 1988. *Tafsir Al-Azhar: Juzu' XXII*. Jakarta: Pustaka Panjimas. Hal. 97.

rules for their daughter students to wear the hijab on certain days, but there are also those that provide rules for female students to wear a veil every day to school²².

The development (tradition) of the veil that has developed in Indonesia in particular and in Malay countries in general, turns out to have a meaning equivalent to the term khimaar at the time of the Prophet Muhammad. This can be seen from the tradition of the pilgrims who after returning to Indonesia always wear scarves.

Starting in the 1980s, the legal language term hijab became increasingly popular, especially after the role of print and electronic media in disseminating and publishing Islamic books and articles on the hijab. In this decade also the popularity of the headscarf is increasingly sticking out and becoming actual news, namely when a student from a state high school was forced to move to another school because of the hijab she wore in 1982. Its peak in 1990 was issued a SKB of the Minister of Religion and the Minister of PdK which allowed female students to attend state schools to wear the hijab. Thus the imposition of the hijab for the first time received legitimacy from the state.

In the ministerial decree (SKB) the definition of the legal language of the veil is not explicitly stated, but is only referred to as clothing that covers the head for Muslim female students. Four years later, the Supreme Court Jurisprudence No. 419 k/pdt/1991, dated May 30, 1994, came out of the case of 5 SMAN 68 Jakarta students who were expelled from their school due to wearing a headscarf in the school environment.²³, in which MA stated that the hijab was part of the manifestation of understanding the values of faith and devotion to female students as a good Muslim woman.

It can be understood that the Supreme Court and the Government provide the widest possible freedom for the public to interpret the term jilbab jilbab itself, and its legal standing is guaranteed.

This freedom is directly proportional to article 29 paragraph 2 of the 1945 Constitution and article 22 paragraph 2 of Law No.39 of 1999 concerning Human Rights, namely that the state guarantees the freedom of every citizen or person to embrace their respective religions and worship according to their religion and belief.

²² *Ibid.* Hal.17.

²³ Tim Penyusun Mahkamah Agung. 1997. *Himpunan Yurisprudensi Mahkamah Agung Republik Indonesia tahun 1951- 1997*. Cet. Ke-1. Jakarta: Mahkamah Agung RI. Hal. 462.

The echo of the spirit of reform and regional autonomy has actually encouraged the people of several regions in Indonesia such as Padang, Cianjur, Sukabumi, Pamekasan, Tasikmalaya, Bulukumba, Mataram, Makassar and other places, which in fact the majority of Muslims implement the hijab obligation (formalization of shari'ah) through head instructions. respective areas and received a tremendous welcome. For example, the Governor's Instruction Letter of West Sumatra Province No.61 of 2001, which obliges female students and female employees in government agencies to wear a headscarf, also does not provide a clear and clear understanding of the legal language of the hijab. However, it is left to the understanding of the community and prevailing local customs.

At the present time, the veil as the language of law and is also imaged as a standard of personal behavior and identity for good Muslim women experiences a distortion that shifts from the surrounding regulations. The rule or dress code is getting further away from Islamic ethics. The veil, which was originally said to be a necessity for a Muslim woman, has now turned into a complementary accessory that supports the appearance of young Muslim women and girls. Of course, this is a worrying development when it comes to the aim of lowering the veil verse to straighten the pre-Islamic tradition of women's headscarves wrapped around their backs, so that they are spread over their chests so as not to provoke men to intrude on the pretext of considering them as slaves.

How many times we see Muslim girls who wear the headscarf by imitating the ways that ignorant women do, some are wearing a veil with funky jean pants and short shirts that are tightly wrapped around the whole body and some are combining it with transparent clothes so that the shadow the white skin under the shirt is still visible and there are also some who deliberately wear tight and short clothes so that their navels are shown. This trend has recently been called the hood slang or celebrity style veil. Islam specifically does not determine the form, style and model of Muslim clothing, but provides clear rules or regulations for clothing to be called Muslim clothing.

This means that the choice of model is left entirely to women, but the wearing of the headscarf must still refer to dress rules that do not show a woman's genitals. If this has been fulfilled, then the characteristics of good dress can be said to have met the requirements to cover one's genitals.

It is interesting what was stated by H. Ray Sitoresmi, the veil is more of a historical product, because Islamic teachings themselves do not provide a detailed style or nuance of clothing. Because it is more of a model, differences can occur from one region to another. In the teachings of Islam contained in surah al-A'raf verse 26, al-Ahzab verse 59 and an-Nur verse 31, it is stated that the essence of clothing that breathes taqwa for Muslim women must contain the following elements, namely keeping women away from male interference - Bad and naughty men, become a differentiator between a woman who has a commendable character and a woman with a despicable character, avoids sexual slander for men and maintains the sanctity of the religion concerned.

C. CONCLUSION

The veil as the language of law and is also imaged as a standard of personal behavior and the identity of a good Muslim woman experiences a distortion that shifts from the rules that surround it. The rule or dress code is further away from Islamic ethics. The veil, which was originally said to be a shar'i imperative for every Muslim woman, has now turned into a complementary accessory to support the appearance of young Muslim women and girls or in a more popular term as a celebrity slang hijab.

D. REFERENCES

- Adlin, Alfathri. *Yang Tersembunyi di Balik Hijab; Mitologi, Teologi, dan Ideologi Jilbab*. Sebuah artikel dari *internet*.
- Al-Albani, Muhammad Nashir al-Din. 2001. *Jilbab Wanita Muslim Menurut al-Qur'an dan as-Sunna Hal*. Terj. Hawin Murtadho. Solo: At-Tibyan.
- Al-Asymawi, Muhammad Said. 2003. *Kritik atas Jilbab*. Dalam Terjemahan Nong Darol Mahmada. Jakarta: JIL.
- Al-Qurtubi, Abu Abdullah. 1993. *Al-Jam'i li Ahkam al-Qur'an*. Cet. ke-I. Bairut: Dar al-Kutub al-'Aliyah.¹ Abu al-A'la al-Maududi. *Al-Hijab*. Beirut: Dar al-Fikr, nd).
- Dahlan, Abdul Aziz (ed). 1993. *Ensiklopedi Islam*. Cet. Ke-1. Jakarta: PT. Ichtiar Baru Van Hoeve.
- Guindi, Fedwa El. 2006. *Jilbab: Antara Kesalehan, Kesopanan, dan Perlawanan*. Jakarta: Serambi.

- Hamka. 1988. *Tafsir Al-Azhar: Juzu' XXII*. Jakarta: Pustaka Panjimas.
- Ilyas Islam. *The Hijâb in the Qur'ân*. Sebuah artikel dari internet.
- Karni, Asrori S. 2003. Dalam artikel *Jilbab: Rahasia Politik, Rahasia Teks, & Rahasia Waktu*. *Gatra*. No. 26. 12 April 2003.
- Munawwir, Ahmad Warso. 1997. *Al-Munawwir Kamus Arab Indonesia*. Surabaya: Pustaka Progresif.
- Nasaruddin. 1996. Dikutip dari Abdul Halim Abu SyaqqahHal. *Tahrir al-Ma'rah fi 'Ashr al-RisalaHal*. Juz IV. Mesir: Darul Qalam lil-nasyr wal-Tauzi.
- Syahrur, Muhammad. 1990. *Al-Kitab wa al-Qur'an: Qiraah MuassiraHal*. Damskus: al-AHalli li at-Tiba'ah wa an-Nasyr wa at-Tawi'.
- Syamwil, Beryl Causari. 1996. *Busana Muslimah Kian Trendi*. Republika. Minggu, 28 Januari..
- Syihab, M. Quraisy. 1998. *Wawasan al-Qur'an Tafsir Maudhu'i atas Berbagai Persoalan Umat*. Cet. ke-8. Bandung: Mizan.
- Syuqqah, Abdul Halim Abu. *Kebebasan Wanita*, IV:44.
- Thohari, Chamim. 2011. *Konstruksi Pemikiran Quraish Shihab tentang Hukum Jilbab: Kajian Hermeneutika Kritis*. Universitas Negeri Malang. Vol. 14. No. 1 Januari - Juni 2011.
- Tim Penyusun Mahkamah Agung. 1997. *Himpunan Yurisprudensi Mahkamah Agung Republik Indonesia tahun 1951- 1997*. Cet. Ke-1. Jakarta: Mahkamah Agung RI.
- Umar, Nasaruddin. Fenomenologi Jilbab. Sebuah artikel *Internet*.