

Critical Study Of Muhammad Syahrur's Hermeneutics On The Veil And Its Relevation In The Indonesian Context

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Abstract.

The developments that continued until the 19th century were the starting point for the revival of the Arab world. A strong desire to rise to what is called the era of modernity. One form of responding to the progress of knowledge in Islamic studies is the emergence of academics or researchers with various innovations they promote. One of them is Muhammad Syahrur. He is a well-known reformer in the world of interpretation of the Qur'an and Hadith. The breakthroughs made in reinterpreting the texts made him a barometer for analyzes in studying the texts of the Qur'an and Hadith. The empirical framework of thinking through the hudud theory approach which is used as an approach in interpreting the Qur'an makes him a progressive Islamic figure who tries to escape the influence of the hegemony of classical interpretation which he considers no longer able to answer the problems of the reality of a quite dynamic society. This research will focus on Syahrur's perspective in reinterpreting the concept of the veil in the Qur'an. This research will attempt to reveal the differences between Syahrur's interpretation and classical ulama and how it is relevant to the realities of contemporary society.

Keywords: Hermeneutics, Figure Thinking and Veil.

I. INTRODUCTION

The veil is still a topic of controversy among Muslim scholars and thinkers. The growing controversy surrounding the veil can be mapped into three themes. First, regarding the controversy regarding the veil law for women, some say that the veil is an obligation or only an order or recommendation. The second is related to the subject of who is obliged to wear the veil and the third is the issue of legal restrictions on wearing the veil, which are still pros and cons. In the midst of this debate, Muhammad Syahrur's offer regarding the limitations of the veil emerged. He created a theory of these limits. Controversy with these three mappings is still ongoing today. From an Islamic legal perspective, Muslim scholars or thinkers are still debating legal issues regarding whether or not it is mandatory for Muslim women to wear the veil. Some Muslim scholars or thinkers view that the mandatory veil is an obligation. This is according to the opinion of tafsir scholars and madzhab scholars who believe that the veil is obligatory for Muslim women. Among those who think it is mandatory is Maududi [1]. Meanwhile, those who think it is only a recommendation is Mutawalli Al-Sa'rawi [2]. Those who think it is not mandatory are Quraish Shihab [3], Qasim Amin [4], Muhammad Sa'id al-Asymawi [5]. In terms of legal subjects, the issue of the veil is still debated regarding who is obliged to wear it, whether the Prophet's wives in particular or all Muslim women in general. Muslim scholars or thinkers agree that Muslim women must cover their hair [6]. There are still pros and cons regarding the issue of limits on wearing the veil, because the Qur'an does not specify clearly and in detail the limits of the aurat.

Through the hadiths of the Prophet Muhammad, the ulama tried to find the boundaries of the aurat, however, it was rare to find differences of opinion regarding the authenticity of a hadith. All Islamic sects and mujtahid scholars agree that a woman's entire body constitutes her aurat [7]. Imam Syafi'i designated the soles of the feet or legs as a woman's private parts which must be covered, while the face and palms are not private parts. Imam Abu Hanifah and Imam Maliki are of the opinion that the face, palms of the hands and soles of the feet are not aurat, but must be covered if there is a fear of causing slander [8]. Meanwhile, Imam Ahmad bin Hambal believes that a woman's entire body is 'awrah. In the midst of this debate, Muhammad

Syahrur's new offer emerged regarding limits on the use of the hijab. In this case the researcher uses Hans George Gadamer's philosophical hermeneutics to examine the tragic origins of his science [9]. This view is certainly different from the mainstream understanding of the meaning of the veil. Therefore, in this simple article the author chooses the concept of the veil according to Muhammad Syahrur's opinion as the material object of research. Meanwhile, the formal object is a discussion of the social context behind Muhammad Syahrur's thoughts about the veil.

II. METHODS

This research includes library research, namely research whose research model collects data based on literature and scientific works related to the problem to be discussed [10]. In this context, the exploration of the concept of the veil according to Muhammad Syahrur's opinion is the object of literature research. It is hoped that this literature research can provide answers to the problems studied. The research data sources required in this research consist of two types, namely primary and secondary data sources. Primary data is data that is the work of Muhammad Syahrur. Muhammad Syahrur's works include, *Al-Kitab wa al-Qur'an: Qira'ah Mu'asirah* [11], *Nahwa Usul Jadidah Li al-Fiqih al-Islami*, Principles and Foundations of Hermeneutics of Contemporary Islamic Law [12]. Primary data is the main reference used as research object material. The use of primary data is to support the research study process on the problem to be researched. The data collection technique used in this research is documentation, namely collecting various library works, articles and other forms of information that are scientific in nature and closely related to the theme being discussed. Based on the data sources above, the authors will collect or compile books (books) that discuss the veil, then develop them by collecting information from supporting books. These data are then put together in a coherent manner and analyzed in the hope of producing an argumentative work that can be accounted for. Research conducted by Fathonah K. Daud with the title *Jilbab, Hijab and Women's Aurat (Between Classical Tafsir, Contemporary Tafsir and Feminist Muslim Views)*, is a journal that focuses on the study of what is called the hijab (veil) and how it is according to the instructions of sacred religious texts (Al-Qur'an & Hadith) about Muslim women's clothing.

Where the discussion ultimately leads to three interrelated discussions, the jilbab, hijab and the boundaries of women's private parts (which must be covered). For this reason, the discussion also dissects long-standing debates among religious scholars, both traditional circles, contemporary scholars and even the views of Muslim feminists. Fathonah's research is different from this research, in terms of the perspective used is by dissecting several tafsir consisting of classical tafsir, contemporary tafsir and Muslim feminist views and focuses more on discussing the text. What is similar to this research is the discussion about the hijab (veil) and the existence of theories that touch on contemporary views [13]. Journal with the title *Closing the private parts from the perspective of contemporary scholars* written by Rini Iskandar and Danang Firstya Adji. According to Hamka and Yusuf Al-Qardhawi, the limits of a woman's private parts are the entire body except the face and palms of the hands, so wearing the hijab is obligatory. Then according to Syahrur, the limits of women's private parts are divided into two, first, what makes a woman feel embarrassed if she reveals certain parts of her body or is called the minimum limit (Al-Hadd Al-Adna); second, the entire female body except the face and hands or what is known as the maximum limit (Al-Hadd Al-A'la). Then according to Quraish Shihab, he argued that women's hair does not have to be covered because the editorial in Q.S An-Nur {24}: 31 does not order it. Thus, according to him, wearing the hijab (veil) is not a command but a recommendation. Of the four contemporary ulama above, the opinion that has caused controversy among Muslims is the interpretation of Syahrur and Quraish Shihab because it is considered not in line with the *ijma' jumbuh ulama* [14].

III. RESULT AND DISCUSSION

In connection with the title: Muhammad Syahrur's Critical Hermeneutical Study on the Hijab, it can be said that in this research, there are several tendencies of discussion, namely Muhammad Syahrur's thoughts regarding wearing the hijab (veil). Therefore, in theoretical studies, the author will try to display this trend of thought as far as the author can trace and display it. There is some material that is closely related

to the title above, so the author feels it is necessary to discuss it in the theoretical study. The hermeneutic approach is considered to be a new offer in the world of Al-Quran interpretation. Not only its application in interpreting the Greek Bible, now the involvement of hermeneutics extends to the interpretation of the holy book Al-Quran. In general, hermeneutics is a philosophical discipline that focuses on the problem of interpreting the meaning of texts. Along with the development of increasingly specific scientific power, contemporary scientists are creating new models of approaches that apply hermeneutics to the holy text of the Qur'an. In other words, it creates a new interpretive method that attempts to explore the depth of the meaning of the Al-Quran by reviewing several aspects surrounding the meaning of the central text, including aspects of the author, aspects of the reader and aspects of the text itself.

Hans George Gadamer in his work entitled *Truth and Method* states that *'That is why understanding is not merely a reproductive, but always a productive attitude as well'*. Because the text will always provide breath with its rich meaning, and the meaning of the text will always be fresh and alive along with human civilization. Talking about the hermeneutics of the Al-Quran, there are many figures who also apply hermeneutics in their efforts to capture the meaning of the Al-Quran. Muhammad Syahrur, for example, through his revolutionary work entitled *al-Kitab wa al-Quran: Qira'ah Mu'assirah* appears as a fairly intensive approach to the Al-Quran, he attempts to dialogue the Al-Quran according to the dynamic context of the times. Although there are quite a few who consider his thoughts to be controversial. However, apart from that, Syahrur did not fail to absorb the thoughts of classical linguistic scientists, such as al-Farra, Abdul Qahir al-Jurjani, Ibnu Faris, Ja'far Dakk al-bab and other figures. In practice, Syahrur tends to be sensitive in responding to the problem of turats (a product of the classical scientific tradition), for the reason that the reading of the Al-Quran text must be in accordance with the current social context, and must also be free from the confines of sacrality, stagnation, dogmatics by previous perspectives that considered to hinder the spirit of the times in creative thinking. For him, in this way the Qur'an is always open to interpretation. Hermeneutics comes from the Greek root word *hermeneuein* which means "to interpret" and *hermeneia* as a derivative which means "interpretation". Interpretive theory, hermeneutics is not just a single form but is divided into several models and variants [15].

As an interpretive method approach, there are at least three models that encompass this hermeneutic theory, including: First, interpretation of the text. The main target of interpretation from within is to find meaning objectively as desired by the originator of the text. The interpretation of this model is often called theoretical hermeneutics or romantic hermeneutics. The first steps are through two approaches to a statement as offered by Friedrich Ernst Daniel Schleiermacher (1769-1834), namely objective historical reconstruction and subjective historical reconstruction. Objective historical reconstruction seeks to discuss a statement in relation to language as a whole (text analysis with a linguistic approach). Meanwhile, subjective historical reconstruction aims to discuss the beginning of the statement's entry into someone's mind (psychological analysis of the initiator). So the text will remain alive if it pays attention to the context in which it was born and there will be constant understanding and explanation. This model approach tries to understand the meaning of the text as the author wants to convey it through the texts he conveys, because in this case, only the author has power over the intended text. Because what is meant by text, according to Schleiermacher, is an expression of the soul of the author. This first model was developed by several classical figures, including Friedrich Schleiermacher, Emelio Betti and Wilhelm Dilthey. Second, interpretation of things around the text. The interpretation carried out is no longer focused on the correct and objective meaning of the text, but rather on the act of understanding itself. The psychology of the reader or interpreter becomes the object read in this interpretation. This approach rejects theoretical hermeneutics which tries to find objective meaning. Hans George Gadamer (1900-2002), for example, considered it impossible to obtain an objective understanding of a text. According to him, it is impossible for an interpreter to position himself in the author's position or know the exact original meaning, because after all the interpreter always grasps subjective meaning. This statement assumes that humans cannot be separated from the traditions in which they live, including when they interpret a text.

This second model approach seeks to understand the meaning contained in the text itself, not based on past context or based on the author's ideas, but rather the content of the text independently. In this model,

the text is free from its previous traditions asbal al-nuzul and always understands the interpretation of the context that is needed at this time. In its development, this second model was developed by a modern figure named Hans Georg Gadamer. Third, Interpretation against the text. This stage of interpretation deliberately tries to uncover the interests behind the text. By questioning the relationship between micro texts and the macro context of society, this interpretation combines the tradition of textual interpretation which always views texts in a closed space with the broader context of society. The biggest point of interest in this interpretation is to see texts as practices of power that carry certain ideological values. Language, socially and historically, is a form of action in the dialectical relationship between text and social structure. Therefore, meaning must be focused on how the text is. The purpose of hermeneutics is an understanding of subjective texts, so that the understanding is able to provide a functional interpretation. In the view of this third model figure, hermeneutics does not only act as a science of interpretation or a method of understanding, but more than that, it is an action. Especially in the social scope, how the Koran contains the spirit of liberation for humans. This model was also developed by contemporary Muslim figures such as Hasan Hanafi and Farid Esack [16]. Reviewing several models above, in summary there are three different hermeneutical models. The first model seeks to understand the original meaning by going back to the past; second, trying to understand the meaning of the current context by setting aside the past; third, understanding the original meaning in the current context without ignoring the past. In this case the researcher focuses more on the use of Hans George Gadamer's subjective hermeneutics.

Muslim Scholars' Views on the Hijab (Veil)

As explained previously, the scholars agree that QS. al-Ahzab {33}: 59 is a guide for Muslim women to wear the hijab (veil). Almost all scholars understand that the verse above applies not only to the time of the Prophet SAW, but also throughout time until now and in the future. However, while contemporary Islamic scholars understand it only applies to the time of the Prophet SAW. wherever at that time there were slave slaves and it was necessary to differentiate between them and free women, and with the aim of preventing interference from bad men. According to them, if this goal (the distinction between free women and slaves) can be achieved by other means, then at that time the clothing used is in line with religious demands. Muhammad Syahrur is one of the Muslim intellectuals from Egypt who is trying to present new opinions. However, because of his weakness in the discipline of religion, something he put forward was difficult to accept. He explained that covered clothing which is now called the hijab (veil) is not a religious obligation but is a form of clothing that is required by social life and the environment and can change with changes in society. Arab society before the arrival of Islam, also during the time of the prophet Muhammad SAW. and afterward, distinguishing between the clothing of free women and slaves. Free women's clothing, such as Khadijah's clothing, is a head covering that can protect the head from the heat of the sun and collect hair so that it does not become scattered, as well as long clothing that covers the lower part of the body. This is because at that time there were no more underwear. Meanwhile, slave servants' clothing was completely different because they were required to work so their clothing was simpler.

In his conclusion, Syahrur agreed with Dr. Najman Yasin who emphasized that surah An-Nur: 31 was what the Prophet SAW ordered. to convey to his wife, daughters and Muslim women to extend their headscarves, is in the context of differentiation. This was to overcome a particular and separate situation that occurred in the people of Medina at that time [17]. Furthermore, Syahrur stated that what is meant by the term *Juyub* (جيوب) in the Qur'an is that which has two levels or two levels with holes. According to him, there are many *Juyub* in women, namely both breasts, what is under the breasts, what is under the stomach, the genitals, and both sides of the back. These are the parts that women must cover based on a further verse. Syahrur is of the opinion that what is meant by *khumur* is any covering, not just covering the head. Therefore, Allah ordered to close all *Juyub* which is an ornament for women except for eight groups, namely fathers, husbands, husband's children, their children, brothers, brothers' children and sisters' children [18]. Muhammad Syahrur in his book: *al-Kitab wa al-Qur'an*, also states that the hijab is only a matter of self-respect, not a matter of halal or haram. At the beginning of the 19th century, Qasim Amin in *Tahrir al-Mar'ah* already questioned this. However, it needs to be emphasized that even though these thinkers have a critical view of the hijab (veil), they still idealize the use of the hijab (veil) for women. The essence of their

discourse is how the hijab (veil) does not cover women's creativity and productivity, rather than prohibiting or encouraging the removal of the hijab (veil).

To answer Syahrur's opinion, it can be said that his opinion is difficult to accept from several aspects. Firstly, even though the way of dressing as mentioned was the custom of society at that time, religious demands regarding clothing as read in the Qur'an and the Hadith of the Prophet SAW. have accepted the custom as something good. Thus, it would be unnatural to just delete it. Meanwhile, from the aspect of translating the terms *Juyub* and *Khumur*, this is unreasonable because it is completely different from the opinion of scholars and linguists. Regarding women's clothing (*libas al-mar'ah*), the verses that talk about women's clothing are categorized by Muhammad Syahrur as *Muhkamat* verses, so they need to be interpreted using the *ijtihad* method with the *Hudud* and *tartil* theory approach. Even though according to Syahrur the text is something autonomous and the determining factor in its interpretation is the linguistic element, Syahrur also uses *Asbab al-Nuzul* in his interpretation even though it is incomplete, especially in interpreting the verses about women's clothing. In interpreting the issue of women's clothing, Syahrur uses the term *libas* which indicates the meaning of *tsiyab* (clothing), *jilbab* (women's outer clothing), and also *khimar* (cover), to replace the terms *hijab* or *al-hijab asy-Syar'i* which are well known in the community. However, according to Syahrur, the term *hijab* in the Koran has nothing to do with the issue of women's clothing. Reviewing the Qur'an, the word *hijab* is mentioned eight times with all its derivations, but not one is found related to clothing, all of them refer to *al-hajiz* (barrier) [19].

The Relevance of the Hijab (Veil) Concept When Contexted with Community Life

First, it relates to politics that occur in Indonesia, such as the existence of sharia regional regulations. *Second*, the hijab in Indonesian society has become a culture along with Islamic culture which has taken root in society. *Third*, pluralistic Indonesian society highly values differences and modesty in clothing. Appropriateness and decency are universal, as long as you continue to uphold applicable norms and cover your private parts. *Fourth*, hijab culture has become part of pop culture along with the flow of globalization. With the emergence of "slang veil", soap operas/films with Islamic settings, Islamic businesses, such as salons, magazines specifically for Muslim women and so on.

IV. CONCLUSION

The debate about the hijab (veil) has always caused controversy in the Islamic legal tradition. Hijab (veil) has long been believed to be a religious obligation by the majority of *Qaṭ'i* Muslims. Classical commentators interpret the hijab (veil) as a command of Allah SWT and the Prophet Muhammad that must be carried out by Muslim women. If not, then it is a major sin that violates the provisions of God's law. However, in the contemporary era there are some thinkers (scholars) whose thoughts differ from classical scholars in interpreting the hijab (veil) verse. They actually believe that the hijab (veil) is just a form of tradition that only existed during the time of the Prophet Muhammad, which was *zannī*. Where the hijab (veil) is formed by the traditions that surround it, namely Arabic, where the verse on the hijab was revealed. Contemporary thinkers who believe that the hijab (veil) is only an Arab tradition include Muhammad Syahrur.

The hermeneutic theory of *Hudud* pioneered by Muhammad Syahrur offers boundary theory as a methodology for responding to contemporary problems, especially those related to legal issues. Several important points of the *Hudud* theory in the world of interpretation of the first Qur'an, with this theory the legal verses which until now were considered final without any discussion or other alternative understandings are still possible to be interpreted in a new way and Syahrur can explain them methodologically and apply it in interpretation through a mathematical approach. Second, with the *Hudud* theory, interpreters will still maintain the sacredness of the text without having to lose their creativity in carrying out *ijtihad* in order to open up the possibility of interpretation as long as it is within the boundaries of Allah's law.

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- [2] According to him, clothing that is in accordance with Islamic law is clothing that can cover the entire body, apart from the face and palms. And it is also recommended that women wear clothes that are not tight, because narrow clothes can shape a woman's body, don't wear thin, see-through clothes so that parts of the woman's body in the clothes are visible. In fact, if he is worried about slander, he is required to wear a face and palm covering, clothing that is in accordance with Islamic law, namely clothing that can cover his face and palms.
- [3] According to him, women are not obliged to wear the hijab (veil) because the hijab (veil) is an Arab cultural custom, which is done because of tradition, not because of obligation. The use of the hijab (veil) is adjusted to the situation and conditions of need. Women who cover their entire body or except their face and palms have carried out the text of the verses of the Koran, perhaps even excessively. However, at the same time, it is unreasonable for us to say to those who do not wear a headscarf, or reveal half their arms, that they have definitely violated religious instructions. Source: Shihab, M. Quraish, *Jilbab pakaian wanita Muslimah*, Lentera Hati, Jakarta, 2004, pp. 166.
- [4] According to him, the hijab (veil) must be emphasized because it is a form of Islamic teachings and has positive values for the interaction between men and women. However, five years later, he refuted his own defense in his book "Tahrir Al-Mar'ah". According to him, the hijab (veil) was only an Arab tradition and not an obligation in the Islamic religion. So it is very possible to change the tradition of wearing the hijab (veil) in accordance with the demands of the times, such as the hijab tradition in Greece or Europe. Source: Amin, Qasim, *Tahrir al-Mar'ah*, Dar al-Ma'arif, Egypt, 1899, pp. 81.
- [5] According to him, the hijab (veil) is not mandatory. According to him, the hijab (veil) is a product of Arab culture. In fact, he said that the verse about the hijab (veil) does not contain the legal provisions of qat'i and the hadiths which are references regarding the obligation to wear the jilbab or hijab are Ahad hadiths which cannot be used as a permanent legal basis. If women had to wear the hijab (veil), the impact would be big. Source: Muis, Fahrur, *Jilbab dalam Pandangan Al-Quran: Kritik terhadap atas Penafsiran Quraish Shihab atal Jilbab dalam tafsir al-Misbah*, in <http://fokammsi.wordpress.com/2023/05/23>.
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