



REINTERPRETATION MEANING OF QIWAMA IN SURAH AN-NISA' VERSE 34 PERSPECTIVE HERMENEUTICS OF KHALED M. ABOU EL-FADL

Muhammad Yaufi Nur Mutiullah¹

¹Universitas Islam Internasional Indonesia

Correspondence Email: muhammad.yaufi@student.uiii.ac.id

ABSTRACT

This study aims to find a new understanding and reinterpret the meaning of Qiwamah in the Qur'an Surah an-Nisa' verse 34. This reinterpretation needs to be done considering that there are some understandings from commentators who understand and provide an understanding of the meaning of Qiwamah as a guardian, leader, protector, Etc. This kind of understanding departs from the textual framework of thinking in the verses of the Qur'an. This interpretation model finally emerges in understanding and practice in the community where men or husbands in the household feel they have a higher position than women or wives. As a result, in the end, the man or husband tends to be authoritarian in establishing a household relationship because they feel they have legitimacy from the textual interpretation model. This article will review the meaning of Qiwamah through the negotiable hermeneutic approach of Khaled M. Abou el-Fadl to present a new understanding that is more humanistic and eliminates the excess power of men and their arbitrary attitude towards women. This research concludes that the meaning of Qiwamah, understood by some scholars of the interpretation, needs to be re-understood. One of the efforts to give birth to this new meaning is interpretation through the negotiable hermeneutic approach of Khaled M. Abou el-Fadl, which pays great attention to social problems that develop in Islamic society and the values of justice and equality between men and women. The method used in this research is descriptive analysis.

Keywords: Qiwamah; Surah an-Nisa' verse 34; Khaled M. Abou el-Fadl

1. INTRODUCTION

Discussions about gender in Islam are always associated with the Qur'an. This is understandable considering that apart from the fact that the Qur'an is the first and foremost reference in Islam, the Qur'an also often discusses the topic of women (Mujahid, 202 1: 229). For example, and which includes the most frequently discussed from time to time is the issue of the

position, rights, and responsibilities of women, especially in domestic relations. To date, domestic violence in the Islamic community stems from their understanding of the letter an-Nisa verse 34. They use this verse as a justification (legitimacy) for the husband to commit violence against his wife. Such an understanding or interpretation of Surat an-Nisa needs to be reviewed and reinterpreted (reinterpretation).

Married life should be the responsibility of both parties, husband, and wife. From here, there should be no more domination between husband and wife. However, now, few husbands feel they are above their wives and have the right to take any action, even domestic violence. The polemic of understanding that culminated in the practice departed from a less comprehensive and philosophical (profound) interpretation of the word *Qiwamah* in the Qur'an Surah an-Nisa' verse 34, Allah SWT. Said,

الرجال قوامون على النساء بما فضل الله بعضهم على بعض وبما أنفقوا من أموالهم

“Men are leaders for women because Allah has favored some of them (men) over others (women) and because they have spent part of their wealth.” (An-Nisaa': 34)

The interpretation of the above verse, which has existed so far, most of them tends to place men as superior figures. For example, two models of interpretation from two medieval commentators who are still influential and whose works of commentary are still frequently studied, namely Ibn Kathīr (1301-1373), and Jalalayn (1505), provide an understanding that gives the impression that men (husband) have more authority than women (wife) (Roded, 2015: 29, 56). The interpretation that favors men like this needs to be updated because it is not following the times and needs to be presented with new relevant meanings.

Apart from the two scholars of interpretation of the Qur'an, other scholars who also have a similar interpretation while still placing men above women are Al-Alusi and Sa'id Hawwa. They agree that the position of the husband is above the wife in the household. Al-Alusi interprets the letter an-Nisa' verse 34 as that men are leaders for women. Men have the right to give orders, prohibitions, and others. Likewise, Sa'id Hawwa understands the verse as a form of domination of men over women. (Sa'id Hawwa, 2011: 1053)

Departing from the problem above, it is essential that the meaning of *Qiwamah* in Surah an-Nisa' verse 34 is re-understood and reinterpreted to present an understanding that eliminates excessive dominance between partners. Khaled M. Abou el-Fadl came to respond to that and tried to bring a new meaning with his negotiable hermeneutics. For Khaled, the word *Qawwamun* in verse indicates that the relationship between husband and wife depends on human actions. In this case, it is in accordance with the nominal property spent and also depends on God's actions, namely the advantages that God bestows on one person over another. Therefore, according to Khaled, why the leading authority in Surah an-Nisa' verse 34 is given to the man or husband? The answer is not because the husband is male but because at that time, when this verse was revealed (*asbab an-nuzul*), the condition and situation of men who provide a living for women. Thus, when women also receive the same responsibilities as men, the controlling authority over the family must be shared relatively (Ihab Habudin, 2012: 12). That is a brief description of the basic construction of Khaled M. Abou al-Fadl's thought, the full details will be explained later.

This article will review the ideas of Khaled M. Abou el-Fadl with his negotiable hermeneutics as an effort to reinterpret (reinterpret) the meaning of *Qiwamah*. The research method used in writing this article is a descriptive analysis based on library research. Indeed, several literature studies raise the topic of reinterpreting the meaning of *Qiwama*. However, no one has yet been found who analyzes it using Khaled M. Abou al-Fadl's hermeneutics as an analytical knife, as will be discussed in this article. In the author's opinion, Khaled M. Abou al-Fadl's thoughts are essential to be presented in this discourse because apart from having a hermeneutical theory that can give birth to new, fresher meanings, on the one hand, Khaled is also a figure who always fights for women's rights and fights all kinds of violence. Oppression of women.

Among previous relevant studies, such as the research conducted by Warda Nuroniyah, "The Concept of *Qiwamah* and the Phenomenon of Female Heads of Family," in this study, he stated that contemporary thinkers criticize the classical understanding of the concept of *iqamah* which is often understood as the superiority of men over women. The following research was conducted by Mitha Magdalena Efendi "Reinterpretation of the word *Qiwamah* in the Koran Surah an-Nisa': 34 Perspective Contextual Approach Abdullah Saeed" in this study Mitha used Abdullah Saeed's contextual interpretation as a complement to Fazlur Rahman's theory in understanding the meaning of *Qiwamah*.

2) DISCUSSION

Qiwamah in the language is القوامية: القيام على الأمر أو المال أو ولاية الأمر (Qiwamah: someone who leads to power or the economy property, or a person who is responsible for power) (Ibrahim Madkur: 768). Ibn Faris said that a word whose root consists of the letters qaf, waw, and mim has two primary meanings: a group of people and standing upright or determined. However, regarding the verse being interpreted, it is more accurate to use the second meaning (Maulana, 2015, p. 217).

Sub-technically, Qiwamah means leadership in the household. This is like Qiwamah in the general sense contained in the Qur'an in surah an-Nisa' verse 34. According to Quraish Shihab, this verse relates to the leadership of a man or husband over his wife in the context of domestic life. The obligation to lead, protect and maintain the wife is based on the consideration that men are given advantages in the form of physical and mental strength or intellectual power. In addition, men are obligated to provide their wives with shopping (sustenance), as illustrated in the continuation of the verse (Quraish Shihab, 2007, p. 770).

According to Ibn Mandzur, “qawwamun” means “azm”, which means determination. It can also be interpreted as “al-muhafadzah wal ishlah” namely maintenance and repair. Included in the notion of “ar-rijaalu qawwaamuna alan nisa” and the word of God “illa ma dumta alayhi qaaiman” in the sense of “mulaziman muhafidzan”, which is the practice of maintenance. It can also mean “al-wuqf wa ats-tsubt” which means fixed. Furthermore, Ibn Mandzur explains that this verse means that men carry out the affairs and needs of their wives so that men burden themselves with women's affairs and pay attention to their condition (Maulana, 2015, p. 217-218).\

According to Ibn Kathir, this verse means that men become leaders for women, then act as adults towards them, controlling and educating them when they deviate. In lafazh, because Allah has favored some of them over others, the meaning is that men are superior and better than women. Therefore, prophethood is only given to men. Likewise, with great power, based on the words of the Prophet SAW, “*There will be no success for a people who leave their affairs to women.*” (HR. Bukhari) (Muhammad Nasib Ar-Rifa'i, 1999, p. 702-703)

Ahmad Musthafa Al-Maraghi understands this Qiwamah verse that among men's tasks is to lead women by protecting and maintaining them. Because of this task, men are obliged to fight, and women are not because war is a particular case of protection. Men get a more significant share in

inheritance than women because men are obliged to provide a living while women are not. This is because Allah has prioritized men over women and gave them powers that were not given to women (Ahmad Musthofa Al-Maraghi, 1982, p. 27). Besides that, Allah has prioritized them over women with the ability to provide a living from their wealth. It is the man who determines the livelihood according to his ability. At the same time, the wife only carries out the provisions in a way that is pleasing to the husband by the conditions of the field or narrow. The husband's obligation to protect and meet his wife's needs is very diverse, adjusted to the possibility of carrying out his natural duties, such as conceiving, giving birth, and educating children. At the same time, he feels safe about his secrets, and the need for sustenance is fulfilled. (Ahmad Musthofa Al-Maraghi, 1982, p. 27)

Abu Muhammad Al-Husain bin Mas'ud Al-Baghawi stated that the *Qiwamah* that is meant in surah An-Nisaa': 34 is mastering to educate him, *qawwam* and *qayyim* are the same meaning, but *qawwam* is more mature which is the one who leads the welfare and regulates manners, because God has given preference to men over women, with the addition of intellect (more intelligent) and religion (Ja'far Shodiq, 2017, p. 223). Then Hikmat bin Bashir bin Yasin also opined that the *Qiwamah* is a ruler for women who must be obeyed in what God commands. A woman must do good to her family and protect her property and priorities with her nutrition and efforts. Meanwhile, according to Asy-Syaukani, the *Qiwamah* in this verse is a man who leads women in defense, just like judges and rulers who defend their people. They also meet the needs of women, namely food, clothing, and shelter. (Ja'far Shodiq, 2017, p. 225)

From the results of the above description, it can be concluded that the interpretations of these *mufassirin* indicate an interpretation that is not only a domestic leader but also a broader interpretation, such as ritual and social leaders. It is just that the interpretation is different from the editor's but still has one meaning, namely, the leader. Besides that, there are more comprehensive, moderate, and fewer interpretations. In this case, the *mufassir* interpreting the *Qiwamah* verse cannot be separated from the interpretation of the Al-Quran Bil Quran, Al-Quran bil as-Sunnah, and others related to the source of interpretation in the Qur'an in textual form and, of course, also cannot be separated from the method of interpretation.

Next important stated the background of the revelation (*asbâb an-nuzûl*) verse. Imam as-Suythî offers four narrations regarding the revelation of this verse. First, Ibn Abi Hâtîm from al-

Hasan; Second, Ibn Jarîr from al-Hasan; Third, Ibn Juraij and al-Siddi from al-Hasan; and fourth, Ibn Marduyah from Ali, who told about a woman whose husband slapped. She complained about the treatment of her husband to the Prophet. He then decided to do *qisas* against the husband. Then this verse came down, so the *qisas* were canceled. In this case, the Prophet. Said: "we want something but Allah wants something else" (Al-Suyûthî, 1986, p. 492). In al-Qurthubî, it is stated that the woman's name is Habîbah bint Zaid bin Kharîjah bin Abî Zuhair, husband of Sa'd bin ar-Rabî'. According to Ab Rawq, the woman's name was Jamîlah bint Abiyy and her husband was Thabit bin Qais bin Shammâs. Meanwhile, according to al-Kalbî, the woman's name was 'Umairah bint Muhammad bin Maslamah and her husband was Sa'd bin ar-Rab. (Al-Qurthubî, t.th, p. 110-111)

Based on the *asbab al-nuzûl* above, the scholars make the basis that the verse indeed positions the husband as having the right to do the beating and the wife should not argue. In several hadiths of the Prophet, it is permissible to hit this, although it should not hurt or leave scars and not hit the face. The beating behavior of a husband against his wife can also be found in the habits of most Arab societies during the time of the Companions. Al-Zamakhsarî mentioned that Zubair bin 'Awwâm -one of the leading companions-often beat one of his wives, Asmâ bint Ab Bakr. Even Zubair said: "If there were no children around, I would have struck him. (Al-Zamakhsarî, t.th, p. 525)

Khaled Medhat Abou el-Fadl (from now on referred to as Khaled) is one of the contemporary Islamic thinkers who offers a model of reading religious texts which he considers authoritative. Researchers widely refer to the reading model as authoritative hermeneutics, a form of negotiating hermeneutics where meaning results from complex interactions between the author, the text, and the reader where meaning is debated, dialogued, and continues to change. This device has Hermeneutic characteristics that are different from the double movement hermeneutics, moral ideals, and legal specifics belonging to Fazlur Rahman; or Nasr Hamid Abu Zaid with his productive hermeneutical reading (*al-Qirâ'ah al-Muntijah*) which is distinguished from repetitive reading (*Qirâ'ah Mukarrirah*); or Muhammad Sahrur with his contemporary hermeneutical reading (*Qirâ'ah Mu'ashirah*) which is based on the dialectic of *kaynūnah* (being), *sairurah* (process) and *shairurah* (becoming) or Abdullah Saeed on the ethical-legal text which is based on fundamental assumptions that the language of the Qur'an is ethical-theological and introduces a progressive *Ijtihadi* approach. (Abdullah Saeed, 2006, p. 123)

Khaled's hermeneutic model is somewhat more lenient in reading religious texts. In some views, he highly appreciates the fiqh tradition in Islam which upholds differences (ikhtilāf), and on the other hand, he uses Western theories, which are internalized quite critically. Furthermore, Khaled's reading model effectively responds to fatwas from Islamic legal institutions, especially from the Wahhabi group, which is considered authoritarian. Therefore, Khaled offers an operational tool for interpreting the text or interpreting it, especially in producing a law.

Khaled M. Abou el-Fadl was born in Kuwait in 1963. He completed his primary and secondary education in the country of his birth, Kuwait. He then continued his education in Egypt. As is the tradition of the Arabs who adhere to the rote tradition, little Abou El Fadl has memorized the Qur'an since 12. His father, who works as a lawyer, wanted Abou El Fadl to become a master of Islamic law. His father often tested him with questions about legal matters. Every summer vacation, Abou El Fadl also takes the time to attend classes on the Qur'an and Islamic sciences at the Al-Azhar Mosque in Cairo, especially the class led by Shaykh Muhammad al-Ghazâlî (d. 1995), a prominent thinker. Moderate Islam from the ranks of the revivalists he admires. (Nasrullah, 2008, p. 139)

In 1982, Abou El Fadl left Egypt for America and continued his studies at Yale University by studying law for four years. He was declared to have passed his bachelor studies with cum laude predicate. In 1989, he completed his Master of Law studies at the University of Pennsylvania. For his achievements, he was accepted to serve in the Supreme Court (Supreme Court Justice) of the Arizona area as a lawyer in commercial law and immigration law. It was from here that Abou El Fadl got American citizenship and became trusted as a teaching staff at the University of Texas at Austin. Abou El-Fadl then continued his doctoral studies at the University of Princeton. In 1999, Abou El Fadl received his Ph. D in Islamic law. Since then until now, he has been trusted to serve as a professor of Islamic law at the School of Law, University of California Los Angeles. (UCLA) (Nasrullah, 2008, p. 140)

Abou El Fadl is a prolific writer. Among his works that have been published in book form are:

1. Speaking in God's Name: Islamic Law, Authority and Woman
2. Rebellion and Violence in Islamic Law
3. And God Knows the Soldiers: The Authoritative and Authoritarian in Islamic Discourses
4. The Authoritative and Authoritarian in Islamic Discourses: a Contemporary Case study

5. Islam and the Challenge of Democracy
6. The Place of Tolerance in Islam
7. Conference of Books: The Search for Beauty in Islam

In addition to writing books, Abou El-Fadl also writes many scientific works, both in the form of articles and scientific journals. During his busy schedule as a professor, Abou El Fadl is frequently invited to attend seminars, symposia, workshops, and talk shows on television and radio, such as CNN, NBC, PBS, NPR, and VOA. Recently he has commented a lot on authority, terrorism, tolerance, and Islamic law. He has also served as director of Human Rights Watch and a member of the Commission on Religious Freedom, United States. (Nasrullah, 2008, p. 140)

According to Khaled's analysis, device hermeneutics is a solution to facing the phenomenon of authoritarianism in Islamic thought in the research about the discourse of Islamic law. Moreover, this is a methodological procedure related with relation Among third elements author, text, and reader. In reading Amin Abdullah's approach, Khaled used to position how actual connection Between text (text) or nash, writer or author (author), and reader (reader) (Amin Abdullah, 2006: 276), for that Khaled made conception new related to text (Qur'an and Sunnah), author, and reader.

According to Khaled, the Qur'an and Sunnah though different in level the hierarchy must be treated the same. In thing, this, for him - borrow Umberto Eco's terms both continuous work _ and change. In meaning open for various interpretations. Such an assumption will make text speak with sound updated by each generation reader (reader) because the meaning is not permanent and growing by active. So, a text will be permanently relevant and occupy a position central because of its openness. Readers _ will always return refer to the text because the text could produce understanding and interpretation new. (Khaled M. Abou El-Fadl, 2004, p. 212)

According to Khaled, the Qur'an and Sunnah are character free, open, and autonomous. Almost the idea same as ever _ was delivered by Farid Esack, who understands the Koran as a “revelation progressive” (Farid Essack, 2000, p. 87). So, from that, to avoid an attitude authoritarian is permanently aware that text (al-Quran) is “a work that continues” “change” or “progressive revelation.” So that all forms of interpretation and understanding will keep active, dynamic, and progressive.

In Khaled's analysis, this is allowed morally. According to him, if the texts of the Qur'an and Sunnah are interpreted to become a stable meaning, fixed and not changed, then the consequence is text becomes closed and seals the meaning with the interpretation reader. Morally thing _ this is not allowed because it is from arrogance. Because a reader claim has something identical knowledge with knowing God. Thereby, as if he speaks an interpretation identical to the actual meaning text. _ For this, Khaled will cause to lose autonomy text, and theological this problem because of the opposite with absolute knowledge God. Al-Qur'an, in an assertive state, absolute God and His knowledge which does not can be aligned with the knowledge of anybody. (Khaled M. Abou El-Fadl, 2004, p. 213)

Although Khaled considers the Qur'an a free, open, and autonomous text, however, that is how Khaled feels the need to limit authoritarian readers with five conditions. The precondition is that this must be fulfilled or implemented. Because if not sufficient, the reader, especially the special representatives or mujtahids, must take outside action _ to authority its laws (*ultra vires*). The fifth precondition who became the base handover authority is as follows (Khaled M. Abou El-Fadl, 2004, p. 98-103):

- a. Second, sincerity, where an expert lawyer must maximize their ability, he needs to claim the honesty that herself must do all things that can be conducted to find and understand existing instructions and readily take responsibility for his actions in front of God on the day end later. Here Khaled confirms _ that in the system of Islamic theology, the obligation to meaning it find and understand becomes bigger when a law touches other people's rights. Somebody responsible answer on a misleading decision _ or violating other people's rights. Because of that, sensible people, the more touch with the rights of others, the more significantly necessary _ they are a careful and hard effort in doing their obligations towards other people. The massive violation they are towards others, the more considerable responsibility _ answer they are on the side of God.
- b. Third, when an expert law has tried to investigate order Lord comprehensively and has considered all the relevant commands, keep going continuously to find all relevant commands, and not let go, not quite enough the answer to investigate or find plot proof specific.
- c. Fourth is rationality, where an expert law must make an effort interpretation by analyzing orders Lord on rationale. Of course, just rationality this seen as an abstract concept. _

However, for Khaled, he means something deep _ condition specific seen Correctly by the general.

- d. Fifth is controlling, where an expert law shows humility, heart, and control-worthy self in explaining will God. Precondition this has explained with good in Islamic expression: "And God " more know best. The expression plays a role in claiming epistemology and morality. More than just expression, idea primary expression is that an expert law must have vigilance sure to avoid deviation or the possibility of deviation from the role of His God.

Negotiation between Text, Author, and Reader

Khaled's conception of Qur'anic text, sunnah and prerequisites reader on is a conception for realizing a negotiation between the reader and the text that will be interpreted. In the negotiation process, Khaled emphasized the importance background behind the social history of the Koran. He states that revelation is always mediated by conditions prevailing in history. So, it is essential to analyze the situation negotiating historical norms and certain ethics of the Koran (Khaled M. Abou El-Fadl, 328). According to Khaled, many institutions referred to in the Koran could only be understood if the reader realizes the history surrounding the revelation text. However, without separating the suitable Quran from history or context morals, the interpreters, according to him, only lead to change text be a long list order law that is not morally clear. (Khaled M. Abou El-Fadl, 2022, p. 31)

The principle above negotiations, at once, implies that in perspective hermeneutics, proper knowledge is not final (*the fallibility of knowledge*). That is why hermeneutics does deny the existence of an authority, fine that authority text, author, and reader (*reader/ audience*), will oppose all forms of domination and monopoly in determining the meaning of the text. Hermeneutics in Thing is in the public area, which dialogues various assumptions of the truth from the reader's text. Text as a moral guide, of course, character authoritative, will but when reproduced by readers, can Become authoritarian. This is called intervention reader text (human intervention) in determining the meaning of the text based on *interest*, or interest of the reader.

In Khaled's view, a negotiation is a form of authoritative interpretation based on a ratio of no interpretation, unscrupulous authoritarian _, and blind, borrowed from Joseph Vining's definition. We will create a traditional motion interpretation and realize a proportional relationship and

negotiation process Among text, author, and reader. Islamic law produced no authoritarian and no arbitrarily.

From here could be concluded that the conception reader of the Qur'an and Sunnah as open, accessible, and autonomous text is an effort to create dynamic motion interpretation so that there is no meaning that is *final* or considered *finals*. Moreover, the fifth precondition, namely: honesty, sincerity, thoroughness, rationality, and control of self, must be owned by the reader, in meaning reader text in produce meaning must have authority. The existence of an autonomous text and the authoritative reader will produce a proportional relationship and negotiation process so that no there is, again, arbitrary and tendentious reading oppressive. Possibly, this is what Khaled meant by Hermeneutics authoritative.

The meaning of Qiwwamah in the view of Khaled Abou El-Fadl on Surah An - Nisa'. In general, men are leaders for women; this belief is based on the Qur'an and the interpretation of Islamic interpreters and jurists on surah An-Nisaa': 34, "Meaning: the men are the leaders of the women because God has favored some of them (men) over others (women) and because they (men) have spent part of their wealth. That is why a pious woman obeys God and takes care of herself when her husband is not around because God has taken care of (them). The women whose nusyuz fear then admonish them, separate them in their beds, and beat them. Then if they obey."

So do not look for ways to trouble him. Verily Allah is Most High, Most Great. Functionally, the Qur'an in the form of a text is then presented by the reader to explore the meaning. The reading is done all the time, along with human needs, in answering myriad problems so that a product of interpretation is formed. At the same time, the interpreter speaks on behalf of the text of the Qur'an and claims to have been mandated by the text as a source of authority for his understanding. The connection with this is that Khaled reminds us of the potential of authoritarianism in interpretation and decision-making. According to Khaled, interpretation products with tendencies and biases are reckless and irresponsible reading models. There is a tendency of authoritarian tendencies, such as those of the interpreters in some commentaries and some jurisprudence relating to women, which are often associated with weak and negative traits. As done by Islamic jurists, one of them is CRLO (Council for Scientific Research and Legal Opinions). Khaled chose CRLO as a critical reference in representing this authoritarian tendency in this case. CRLO, in several of its fatwas, stipulates that a wife must obey her husband, even though his husband is wrong and unjust. This behavior follows

the Qur'an's message, which states, “Men are leaders for women...”. Furthermore, the institution recommends that wives mistreated by their husbands remain patient and obedient because this is considered a religious teaching and commandment that must be obeyed, as has been legitimized by Surah An-Nisaa': 34.

Socio-historically, these jurists have been holders of legitimate authority throughout Islamic history. CRLO, as a religious law institution, in Khaled's view, has had the opportunity to be referred to as a ‘special representative’ in providing an interpretation of the meaning of Qawwamun. However, as “special representatives,” these jurists have carried out an authoritarian interpretation model in determining what to mean. In other words, called in the name of God (author) to justify arbitrary actions of the reader (reader) in understanding and interpreting a text (Qawwamun). In this case, it is as if the meaning in question is a rough and unfair treatment carried out by a husband, which is considered a religious teaching that the wife must accept. Whereas in the Qur'an, there are also many verses that narrate about *sakinah*, *mawaddah*, and *rahmah* family relationships. Besides that, the hermeneutics offered by Khaled is in the form of a negotiating process to determine what to mean. This is because the interpretation of Islamic texts is seen as an intellectual endeavor that will continue to be open to anyone. Islamic legal methodologies and schools of law with different doctrines and approaches, such as the Hanbali, Maliki, Shafi'i, and Hanafi schools, are evidence of this openness. In the following, the researcher gives a little picture of the hermeneutic circle scheme regarding the relationship between the text (text), author (author), and reader (reader).

The negotiation process between the author (author), text, and reader (reader) meaning is determined by (author). The point is that the reader must try to understand the author's intent in the text. An interpreter must try to capture the meaning intended by Allah as the author of a text. In his hermeneutic view, Khaled builds a moral principle for a reader. Khaled mentioned the conditions that must be met, including honesty, sincerity, logical rationality, and self-control. The principle is a reading control that does not conflict with ethics and morals in terms of determining to mean. The text involved in this is Surah An-Nisaa': 34, like the meaning of “Qawwamun”. Through this understanding, it can be understood that what is meant by the author is that when Allah formulates His intention in the form of a text, namely *qawwamun*, it is not as a legitimacy tool for someone to do authoritarian things against women as the fatwas issued by CRLO when making the verse as legitimacy. in justifying his fatwas. It can be understood that CRLO is a reader/*mufassir* who has the authority to determine the meaning of what is called a special representative but instead is

authoritarian because it does not have provisions that are a must (in Khaled's view). In this case, the five prerequisites, such as honesty, sincerity, wholeness, logical rationality, and self-control in the effort of vigilance, are essential to be applied in reading the text to avoid deviations from the role of God.

Furthermore, when we look at other verses in the Qur'an that use the word Qawwam in a different context, namely Surah An-Nisaa': 135 and Al-Maidah: 8. Then it will be more evident that the word Qawwam is closely related to feeling. Justice is not oppression; there is a sense of interdependence and complement each other. Moreover, marriage is described as a relationship of love and affection (*mawaddah wa rahmah*), not a relationship between an employer and his servant.

The Quran talks about compassion, love, care, and women who are obedient to Allah. The concept of the relationship between husband and wife in the Qur'an is not based on servitude but on love and cooperation. In Khaled's view, it looks like forcing (in Khaled's language) to be authoritarian and seems to lock the text on one understanding. Likewise, the meaning of qawwam, is full of meaning but is only used as a reinforcement of a wife's obedience to her husband; in this case, a wife is obliged to obey whatever is ordered by a husband, even justified to hit if he disobeys so that the verse about qawwamun in surah An- Nisaa': 34 is often referred to as a verse about 'beating.' Negotiating process should be present in determining what to mean to provide an overview of a far-reaching understanding of discrimination and oppression based on religious arguments. Islam does not recognize and strongly opposes arbitrary domestic relations between husbands. For Khaled, the word qawwamun in Surah An-Nisaa' verse 34 contains various translations according to how the word is understood and interpreted. The word can mean protector, caretaker, guard, or even servant. However, according to him, the word qawwamun contains an element of ambiguity. From this understanding, the word qawwamun is indeed attached to the meaning of protector, guardian, and guard, but it is all based on one's ability to objectivity. In terms of family leadership, Khaled understands that this is not textual but contextual. The reading model is trying to negotiate the values of justice between men and women so as not to appear authoritarian. However, the critical article is that the verse does not determine the relationship between men and women in absolute terms or interdependence. On the other hand, the verse explicitly states that whatever the status (male and female), it depends on their actions and efforts, namely according to what is spent for others and depends on God's decree with the advantages that are bestowed on someone else - the wife in the concept of qawwamun must bring a sense of security and justice.

Then said Fadhdhala in the continuation of the verse, still, with Khaled's view, this shows that the merits and gifts of excess are entitled to be obtained by anyone. In other words, not only do men have advantages, but women also have the right to get it all. Thus, the leading authority in the family given to men is not solely because of the male gender but instead of the ability to provide a living. Suppose a woman or wife becomes the breadwinner and can carry out the duties of a guard. In that case, the authority and responsibility of leadership in this family can be shared between husband and wife and shared pretty by both. This relationship pattern is like a dynamic and dialogical partner, each of whom has an equal position and collaborates with the other so that both can build a relationship of mutual respect.

3) CONCLUSION

From the explanation above, it can be concluded that Khaled's authoritative hermeneutics is based on several criteria. First, it assumes the Qur'an and Sunnah as open texts, in the sense that the meaning of the Qur'an must be dynamic with interpretation. Secondly, authoritative hermeneutics means interpretation based on reason, which, according to Khaled, is following the spirit of Islam as a rational religion. Third, although it is open and rational, an interpreter must have prerequisites: thoroughness, sincerity, honesty, rationality, and self-control. From these criteria, a negotiated reading model and proportional placement between the text, the author, and the reader will be realized so that authoritarianism does not occur.

REFERENCES

- Abdullah, Amin. (2006). Pendekatan Hermeneutik dalam Fatwa-fatwa Keagamaan Proses Negoisasi Komunitas Pencari Makna Teks, Pengarang, dan Pembaca. Jogjakarta: Pustaka Pelajar.
- Al-Maraghi. (1982). Tafsir Al-Maraghi. Mesir: Musthofa Al-Bab Al-Halabi.
- Al-Qurthubî. Al-Jami; li Ahkam al-Quran. Bairut: Dar al-Kutub al-Ilmiyyah.
- Al-Suyûthî, (1991). Tafsir al-Quran al-Azhim li al-Imamain al-Jalalain. Bairut: Dar al-Fikr.
- Al-Zamakhsyarî. (1995). al-Kasyaf an Haqaiq al-Tanzil wa Uyun al-Aqawil fi al-Wujuh al-Ta'wil. Bairut: Dar al-Kutub al-Ilmiyyah.
- El-Fadl, Khaled M. Abou. (2004). Atas Nama Tuhan: Dari Fikih Otoriter ke Fikih Otoritatif. (Translated by R. Cecep Lukman Yasin). Jakarta: PT. Serambi Ilmu Semesta
- El-Fadl, Khaled M. Abou. The Islamic Law of Rebellion. Cambridge: University Press.
- El-Fadl, Khaled M Abou. (2002). The Place of Tolerance. Boston: Beacon Press.
- Essack, Farid. (1997). Qur'an, Liberation, and Pluralism. Oxford: Oneworld Publication.

- Habudin, Ihab. (2012). *Konstruksi Gagasan Feminisme Islam Khaled Abou el-Fadl*. (Thesis. UIN Sunan Kalijaga).
- Hawwa, Sa'id. (2011). *Al-Asas fi Al-Tafsir*. Dar al-Salam
- Madkur, Ibrahim. *Al-Mu'jam Al-Wasith*. Istanbul: Al-Maktabah Al-Islamiyyah.
- Maulana. (2015). Melacak Akar Bias Gender Dalam Studi Islam. *Jurnal Marwah*. 15(2).
- Mujahid, A. (2021). REKONSTRUKSI PENAFSIRAN IBNU JARIR AL-THABARI (224–310 H/839–923 M) TENTANG AYAT-AYAT GENDER. *Kafa'ah: Journal of Gender*. 11(2).
- Nasrullah. (2012). Kritik Khaled Abou el-Fadl Terhadap Otoritarianisme Pemikiran Hukum Islam. *Jurnal Syariah*. 2(2).
- Roded. (2015). Jewish and Islamic Religious Feminist Exegesis of the Sacred Books: Adam, Woman, and Gender. *Nashim: A Journal of Jewish Women's Studies & Gender Issues*, 29 (56).
- Saeed, Abdullah. (2014). *Reading the Qur'an in the Twenty-first Century A Contextualist Approach*. New York: Routledge.
- Shihab, Quraish. (2002). *Tafsir al-Misbah*. Jakarta: Lentera Hati.
- Shodiq, Ja'far . (2017). Kepemimpinan terhadap Perempuan. *Jurnal Studi Quran*. 1(2), 226.