

The Urgency of Abou El Fadl's Hermeneutics in the Book "In the Name of God"

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Abstract: *Hermeneutics is a branch of philosophy concerned with interpreting meaning. In Islamic religion, hermeneutics have something in common with interpretation. It is the presence of a text or message, the person delivering it, and the person who needs to understand it. This writing aims to expose Khaled M. Abou El Fadl's hermeneutics in his book On the Name of God, which arose from Khaled's disagreement with the misogynistic fatwa issued by UCLA. This research uses a qualitative approach with content analysis. In solving the problems related to the interpretation of the text, Khaled Abou el Fadl offers to negotiate hermeneutics. Hermeneutics negotiates the complex interactions between three: the author, the text, and the reader. This research indicates that the role of the writer, text, and reader is more important than in religious texts. Additionally, the reader interpreting the text must fulfill five conditions: honesty, sincerity, integrity, rationality, and self-control. This approach emphasizes the importance of understanding the social, cultural, historical, and linguistic contexts behind religious texts to interpret them correctly. Several points emphasize the importance of Khaled Abou El-Fadl's hermeneutics, namely contextuality, in-depth understanding, ethical and moral importance, responsive and relevant to the development of the times, the last being multidisciplinary use that combines knowledge of religion, history, philosophy, and social sciences.*

Keywords: *Hermeneutik; Khaled M. Abou El Fadl; Authoritarianism*

Abstrak: Hermeneutika merupakan cabang keilmuan filsafat yang membahas mengenai interpretasi makna. Dalam agama Islam, hermeneutika memiliki kesamaan dengan tafsir. Yakni adanya teks atau pesan, orang yang menyampaikan pesan dan orang yang membutuhkan pemahaman terkait teks tersebut. Penulisan ini bertujuan untuk memaparkan hermeneutika milik Khaled M. Abou El Fadl dalam bukunya Atas Nama Tuhan, yang mana hermeneutika tersebut timbul sebab ketidaksetujuan Khaled terhadap fatwa misoginis yang dikeluarkan oleh Universitas California Los Angeles (UCLA). Penelitian ini menggunakan pendekatan kualitatif dengan analisis isi. Dalam memecahkan permasalahan terkait interpretasi atas teks, Khaled Abou El Fadl menawarkan hermeneutika negosiatif. Hermeneutika yang menegosiasikan interaksi kompleks antara 3, pengarang, teks dan pembaca. Penelitian ini menunjukkan bahwasannya peran antara pengarang, teks dan pembaca memang penting terlebih dalam teks-teks yang bersifat keagamaan. Selain itu, pembaca yang memberikan interpretasi terhadap teks juga diwajibkan untuk memenuhi 5 syarat meliputi kejujuran, kesungguhan, prinsip kemenyeluruhan, rasionalitas, dan pengendalian diri. Pendekatan ini menekankan pentingnya memahami konteks sosial, budaya, sejarah, dan linguistik di balik teks-teks agama untuk menginterpretasikannya dengan tepat. Terdapat beberapa poin yang menekankan pentingnya hermeneutika milik Khaled Abou El-Fadl yakni meliputi kontekstualitas, pemahaman yang mendalam, pentingnya etika dan moral, responsif dan relevan dengan perkembangan zaman, terakhir yakni penggunaan multidisipliner yang menggabungkan pengetahuan agama, sejarah, filsafat dan ilmu sosial.

Kata kunci: Hermeneutika, Khaled M. Abou El Fadl, Otoritarianism

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INTRODUCTION

The text is a written work by an author. When the text is born, it is already separated from the author. The author only expresses their intentions when formulating a text. However, the author does not limit the interpretations of the readers. In Islam, there are two source texts for law, namely the Quran and the Sunnah. Both are representations of God's authority over humans. During his lifetime, Prophet Muhammad was the most authoritative figure in explaining these matters. As time passes and the world evolves, Islamic laws are determined by an institution with credibility. However, in modern times, there is a legal decision-making institution that, in its implementation, tends to be authoritarian, such as the Council for Scientific Research and Legal Opinion (CRLO), resulting in laws characterized by authoritarianism.

Authoritarianism has connotations closely related to political matters. Frenkel-Brunswick, Adorno, Altemeyer, Sanford, and Levinson interpret authoritarianism as part of a tendency to obey and submit to authority or specific groups, often in the form of influential individuals, with a tendency towards aggression against those perceived as different (Hartoko, 2016). Similarly, authoritarianism in the context of Islamic law enforcement, carried out by CRLO in this case, is manifested through the issuance of misogynistic fatwas. Authoritarian attitudes arise from arbitrariness towards authoritative ideas. Authoritarianism can lead to interpretations of texts being locked and confined within rigid determinations presented as absolute and unchangeable. This, in turn, may imprison the intentions or will of both God and the text itself (Badi, 2016).

Based on that, there is a need for a specific methodology that does not arbitrarily bind the law from a religious text. Khaled Abou El Fadl proposes an authoritative hermeneutical methodology with negotiating hermeneutics. The hermeneutical model by Khaled Abou El-Fadl results from a complex negotiation between the author, the text, and the reader. Furthermore, this writing will elaborate on Khaled Abou El-Fadl's hermeneutics and the authoritarian fatwa issued by one legal institution.

METHOD

This research was written using a qualitative approach using the content analysis method. Content analysis is an in-depth research method concerning data incorporated into a medium (Arafat, 2018). The primary book utilized in this research was "In the Name of God" by Khaled M. Abou el-Fadl, while other books and articles served as supporting theories. After collecting sources that supported the research theme, the author evaluated and organized the literature based on relevance and urgency. These materials were then reread, reannotated, and written following the research topic.

RESULT AND DISCUSSION

Khaled M. Abou El Fadl

Khaled Medhat Abou El Fadl was born in Kuwait in 1963. His father's name is Medhat Abou El-Fadl, and his mother's is Afaf El-Nimr. Khaled was born into a religious family, so from an early age, he was familiar with Islamic sciences such as the Quran, Hadith, Arabic language, and Sufism (Raisul, 2015). He also memorized the Quran at the age of 12. In addition to formal education, Khaled Abou

El Fadl often participated in various studies at Al-Azhar Mosque. In his youth, he briefly joined the Wahhabi group, considering it a solution to his concerns. Khaled Abou El Fadl was once a fundamentalist, firmly adhering to its teachings, rejecting and opposing the denial of Sunnah thoughts that were present and discussed at that time. This was due to his upbringing in a social formation marked by the resurgence of Islamic civilization (Zamzami, 2015).

After completing his primary and secondary education in Egypt, he continued his higher education studies in the United States in 1982. Specifically, he pursued a law degree at Yale University and graduated with honors. Khaled obtained his law degree from the University of Pennsylvania in 1989. Subsequently, Khaled Abou El Fadl became a judge in the Arizona High Court specializing in immigration and trade law. He also acquired American citizenship. Khaled Abou El-Fadl earned a doctoral degree from Princeton University in 1999 and pursued legal studies at UCLA (University of California, Los Angeles) (Syarifuddin, 2015).

Khaled Abou El-Fadl has been actively teaching at various campuses, including the University of Texas, Princeton University, Yale University, and as a professor at UCLA. In addition to his teaching activities, Khaled Abou El-Fadl is frequently invited as a speaker on television and radio, discussing topics related to law, terrorism, tolerance, human rights, and gender. 2003-2005, George Walker Bush appointed Khaled an International Religious Freedom Commission member. Khaled Abou El Fadl is also prolific in expressing his thoughts through writing. Some of his notable works include "The Search For Beauty in Islam: A Conference of the Books" (Lanham, Md: Rowman and Littlefield, 2006), "Islam and the Challenge of Democracy" (Princeton University Press, 2004), "The Great Theft: Wrestling Islam From the Extremists" (San Francisco, CA: HarperSanFrancisco, 2005), "And God Knows The Soldier: The Authoritative and Authoritarian in Islamic Discourse" (2001), "The Authoritative and Authoritarian in Islamic Discourse: A Contemporary Case Study" (Washington: Al-Saadawi Publisher, 2002), "Rebellion and Violence in Islamic Law" (Cambridge University, 2001), and "Speaking in God's Name: Islamic Law, Authority, and Woman" (Oneworld Publication, 2001).

In the Name of God

The book "Atas Nama Tuhan" (In the Name of God) has its original title, "Speaking in God's Name: Islamic Law, Authority, and Woman," published in 2003 by Oneworld Publication in Oxford. "Atas Nama Tuhan: Dari Fikih Otoriter Ke Fikih Otoritatif" is the title of the book published in Indonesia by Penerbit Serambi Ilmu Semesta in 2004, translated by R. Cecep Lukman Yasmin. Originally, "Atas Nama Tuhan" was just an essay in response to the fatwa institution that often issued misogynistic laws, namely the CRLO, Permanent Council for Scientific Research and Legal Opinions/*Lajnah Al-Daimah Li Al Buhuts Al-Ilmiyyah Wa Al-Ifta'*. CRLO is an official legal institution in Saudi Arabia entrusted with issuing fatwas or legal rulings. At that time, CRLO issued a fatwa on regulations that insulted and demeaned women. This fatwa was also described as the unquestionable will of God. Some of the fatwas included prohibiting women from visiting their husband's graves, prohibiting women from raising their voices in prayer, prohibiting women from driving alone, and even prohibiting traveling alone for more than 80 km.

In the book "In the Name of God," Khaled Abou El-Fadl extensively expresses his concerns about legal authorities that, in his view, are tainted by arbitrary authority. Legal authorities, or those claiming to act in the name of God, often assert themselves as the sole owners of authority in understanding the absolute message of God. Consequently, anyone opposing them is considered to conflict with the message of God (Hariyanto, 2014). The attitude of legal authorities who immerse themselves in the text or even claim ownership of it gives rise to this authoritarian stance.

Due to the arbitrary issuance of laws, Khaled Abou El-Fadl proposes a methodology through which one can derive laws from what God has established without assuming that they are the embodiment of God. This methodology will be discussed in this writing. The book "In the Name of God: From Authoritarian Fiqh to Authoritative Fiqh" consists of 7 chapters. As an introduction, the first chapter contains an exposition of this book's central theme and fundamental assumptions. In the second chapter, titled "Holder of Authority," an effort is made to study who has the authority to establish Islamic law. This chapter discusses God's absolute authority, obedience's role in building power, and the utility of legal experts. The third chapter serves as a brief transition before heading to the fourth chapter. Chapters four and five delve into the role of texts in determining meaning. The last two chapters, the sixth and seventh, present case studies on the formation of authoritarianism in the practice of Islamic law in the modern world.

The hermeneutics of the Quran

"Hermeneuein" is the original term for hermeneutics in Greek, which means to elucidate or to interpret. The word "hermeios" is associated with the God Hermes, who is responsible for conveying messages given by Jupiter to humans. Additionally, the task of the God Hermes is to convey God's messages from Mount Olympus to humans in a language understandable to them. Plato, in his work "*Peri Hermeneias*" or "*De Interpretatione*," states that "the words we speak are symbols of our mental experiences, and the words we write are symbols of the words we speak" (Wardi, 2013). Therefore, a deeper understanding of the text is needed, including its flashback, which is how the context of the text is provided.

The purpose of hermeneutics itself is to transform a situation from being initially incomprehensible to being understandable. According to hermeneutics, the truth of knowledge is not final. Therefore, hermeneutics does not deny the existence of authority belonging to the author, text, or reader.

In Islam, hermeneutics shares similarities with tafsir, which is the interpretation of the religious texts. Both involve a message conveyed through the text, individuals receiving and needing an understanding of the text and an intermediary between the first and second parties. The third element represents the figure closest to the source, in this case, Prophet Muhammad as the intermediary. Meanwhile, the object of study in tafsir is the utterance of Allah, specifically the intended meaning conveyed through His words (Alusi et al., 2011). Hermeneutics is one of several methods of interpretation that interprets verses by emphasizing contextual, historical, the writer's perspective, and the social-psychological conditions of the author (Rahman, 2017). This includes all aspects of creed, Sharia law, and other matters. The goal is to provide a firm foundation that leads to happiness in this world and the afterlife.

Interpretation and Hermeneutics share a nearly identical concept of explaining and interpreting, although their texts differ. In Gadamer's hermeneutics, the "understanding" of something in the past can also be adapted to the current conditions. Understanding a text will continue to evolve in a context that constantly changes with the progress of time. This parallels the understanding of the Quran and Sunnah interpreters, as seen in the various interpretations that differ from one another (Wafa & Supianudin, 2017).

Hermeneutics Methodology of the Quran by Khaled M. Abou El Fadl

As mentioned above, this book was initiated in response to the emergence of a gender-biased fatwa issued by a legal institution, namely CRLO. This fatwa is based on a text (*nash*) whose understanding is claimed to be an absolute decree from God. Therefore, Khaled Abou El-Fadl proposes a hermeneutical methodology for interpreting the text. In his hermeneutical methodology, Khaled Abou El-Fadl emphasizes the separation between the author and the reader. This is because readers often assimilate themselves into the role of the author, a stance referred to as authoritarianism. Authoritarianism can lead to arbitrary interpretations of texts. The method employed here is dynamic interpretation, delving into meanings adapted to contemporary issues from the original meaning of a text. Khaled Abou El Fadl's negotiating hermeneutical study is both inter and multidisciplinary, as it utilizes various approaches. These include linguistics, interpretive social sciences, literary criticism, *musthalah al-hadis*, *rijal al-hadis*, *tafsir*, *ilmu kalam*, *ushul fikih*, and *fikih*. These diverse fields are combined with contemporary humanities (Rosyida, 2021).

In analyzing representation in Islamic law, Khaled Abou El-Fadl divides the representatives of God as responsibilities into two groups, namely special representatives and general representatives. A general representative delegates their will and some of their determinations to a specific group of people, namely Islamic legal scholars (*fuqoha*). On the other hand, a special representative is someone who is authoritative, not a holder of authority. However, society's perception of the special representative allows them to comprehend and trace the calls of their Lord. The competence of God's representatives is related to their ability to conduct objective analysis and avoid subjective views stemming from desires (Hakim, 2020).

Hermeneutics has three crucial roles: the author, the text, and the reader. The author expresses their thoughts in the text and does not limit the reader's interpretation. The text referred to in this context is the Islamic legal text, namely the Quran and Hadith, both open texts and will remain relevant in a central position. Lastly, as a steward, the reader can provide interpretations of God's will found in the scriptural text as a guide in living life, with notes of not surpassing God. Therefore, the reader has five conditions to avoid misinterpretation in interpreting the scriptural text.

The five conditions for the reader are honesty, sincerity, the principle of comprehensiveness, rationality, and self-control (Mubarok, 2017). Firstly, honesty refers to not concealing or exaggerating one's knowledge of the scriptural text. Readers should explain everything they understand. Secondly, there should be sincerity in their efforts to comprehend the scriptural text. Thirdly, the principle of comprehensiveness means that special representatives, in deriving legal rulings, must consider all available data, including arguments and evidence, for further

investigation. Fourthly, interpretation should be conducted rationally. Lastly, self-control is necessary. Special representatives must be able to control themselves and not consider themselves as the ultimate authority. Recognizing that the actual omniscient entity is God is fundamental.

The next step involves negotiations among three entities: the author, the text, and the reader. Maintaining a balance among the author, text, and reader is imperative in hermeneutics. The process is complicated, mutually influential, dynamic, and dialogical, with each having a responsibility to determine the meaning of the text. It is crucial to consider the material's social and historical background to formulate meaning. This is a form of authoritative interpretation, distinct from blind imitation that solely relies on logic. This is necessary to ensure that the rules established are not created arbitrarily. Text openness is required to prevent the text from becoming lifeless in the hands of the reader. This involves the liberation of the text from the author's influence and the freedom of interpretation not dominated by the reader's power. An open text will remain relevant across various eras. Conversely, domination over the interpretation of the text will only lead to intellectual stagnation.

One form of authoritarianism practiced by CRLO is the issuance of a fatwa that prohibits a woman from traveling alone without a mahram for more than 80 km. This is based on the belief that women are inherently vulnerable creatures. The vehicle a woman travels in might encounter accidents, posing a threat to her safety. Women are also assumed to be weak creatures with limited emotional and intellectual capabilities. Therefore, besides jeopardizing her safety, it is believed that she could also endanger the safety of others.

In addition to issuing a fatwa declaring it forbidden for a woman to travel alone, CRLO also establishes a fatwa stating that a wife is obligated to obey her husband as long as it aligns with what is considered righteous. A wife must submit to those restrictions if a husband prohibits her from traveling, leaving the house, working, or meeting friends. This is based on the Quranic verse An-Nisa 34, which states that "Men are the caretakers of women, as men have been provisioned by Allah over women and tasked with supporting them financially." Those who agree with the fatwa issued by CRLO use this verse as justification for husbands to rule and regulate their wives

Generally, fatwa scholars do not have differing views in interpreting the meaning of the phrase "*arrijalu qawwamuna*," which refers to men as leaders within the family. In the book *Tafsir al-Mishbah* by Quraish Shihab, he explains that the concept of male leadership is related to the division of tasks in household activities. Meanwhile, Hamka, in his work *Tafsir Al-Azhar*, provides an explanation that men have greater strength and burden (responsibility) compared to women, so in the context of this verse, male leadership refers to the role of being a leader within the family (Hamka, 1989).

Al-Sya'rawi interprets "*qowwamuna*" as men's leadership in the form of responsibilities such as providing sustenance and handling other family matters. His opinion is inseparable from the social context in which he grew and developed, in Egypt where, at that time, some men exhibited authoritarian behavior towards their wives, were unemployed, and neglected their children and wives. This reality led

Sya'rawi to interpret male leadership as the husband's obligation to work, strive, and seek livelihood to meet his children's and wife's needs (Zubaidi, 2021).

Based on the explanations from various scholars of the fatwa, it can be understood that in the context of current life, men's leadership is referred to as their responsibility as the head of the family, but not in the sense of excessive restriction. Especially in the 21st century, women already have the freedom to work and build a career in addition to being housewives. Besides that, looking at the realities of life, many men hold the status of being the head of the family. However, they may face challenges in fulfilling their responsibilities due to various limitations due to external influences beyond the family's scope and the superficial understanding of religion within the man himself. Meanwhile, women who are required to be obedient and submissive sometimes have more competent capacities than their husbands (Arjadisastra & Hakim, 2021). However, both spouses, husband and wife, have complementary roles in family life because they have weaknesses and strengths. Therefore, the determinations of CRLO cannot be considered absolute as times continue to change, and such determinations may become irrelevant and overly restrictive.

An example of hermeneutical methodology in Indonesia is the *Bahtsul Masail* conducted by the *Nahdlatul Ulama* institution. In *Bahtsul Masail*, legal rulings established as fatwas are derived through two methods: *qouly* and *manhaji*. *Qouly* involves thoroughly examining the issues at hand, followed by seeking answers to these problems in fiqh books. On the other hand, *manhaji* is a method of deriving legal rulings based on the thought processes and principles established by the imams of the madhabs (Mubarok, 2017). In addition to *Nahdlatul Ulama's Bahtsul Masail*, the *Muhammadiyah* institution also has its method of legal deduction, known as *tarjih*. *Tarjih* is a method to resolve conflicting evidence or verses in legal sources. Scholars of *usul al-fiqh* interpret *tarjih* as a method to consider two conflicting pieces of evidence and choose the stronger between the two (Abdullah & Adliyah, 2021). The methodology of *tarjih* can be summarized by four basic concepts: *Mabadi' khamsah*, 16 main principles of the *tarjih* method, the method of *ijtihad* in the *tarjih* assembly, and finally, the approach to the development of Islamic thought (Jamal & Aziz, 2013).

Perspectives on Sunnah and Hadith

Khaled Abou El-Fadl provides a distinct definition for Sunnah and Hadith. Sunnah is described as the unformed corpus of narratives about the behavior, history (*sirah*), recordings, or orally transmitted notes of the sayings and actions of Prophet Muhammad SAW. Additionally, Sunnah consists of various narratives about the companions of Prophet Muhammad SAW. On the other hand, Hadith is defined as narratives intended to quote what Prophet Muhammad SAW said about everything (El Fadl, 2004).

In addition to the definitions of Sunnah and Hadith presented by Khaled Abou el-Fadl, he also criticizes the study of Hadith, which has traditionally focused on two aspects: the study of Hadith by traditional scholars and the analysis of Hadith by puritanical groups. The first criticism is directed at the study of Hadith conducted by traditional scholars, where the analysis is limited to the chain of narrators (*sanad*) and the content (*matan*). According to Khaled Abou el Fadl, the chain of narrators is merely a status of transmission (*thiqah or ghayr al-thiqah*), the biographical notes

of the Hadith narrators (*rijal al-hadis*), the acceptance and transmission of Hadith, and the evaluation of the reliability of the narrators (*al-jarh wa ta'dil*). According to Khaled, none of these aspects fully capture the reality of history (Suhendra, 2016). Meanwhile, the second criticism concerns the use of Hadith by puritanical groups. Puritanical groups adopt a textualist perspective towards Hadith, emphasizing truth claims within the texts or, in Khaled Abou El-Fadl's terms, displaying authoritarianism and an absolute context, creating a dialogical atmosphere. This situation views Hadith not as a universal, peaceful, and harmonious legal foundation in line with modern values but as stagnant and non-dynamic (Baihaqi, 2021).

Regarding Khaled's criticism of Hadith as outlined above, Khaled states that, from an authorship perspective, those narrating the Hadith include not only the Prophet but also others involved in it. Furthermore, one must understand the role occupied by the Prophet in the narrative in question. In this regard, it does not mean that Khaled rejects the science of *rijal al-hadis*, but rather, the methods of *rijal al-hadis* must touch upon the reality of history, its social aspects, and its politics (Muhsin & Arif, 2019). The role of the Prophet in narrating the Hadith will generate different functions for the Hadith. When the Prophet is seen as an ordinary human, the Hadith cannot be used as evidence for legal derivation. However, when the Prophet is viewed as a messenger or representative of God, readers must follow him because the Hadith holds legal authority (Amarodin, 2019). This is where the fundamental difference between the Quran and Hadith, which must be understood, emerges.

Hermeneutics of Hadith by Khaled M. Abou El Fadl

According to Khaled Abou El Fadl, the influence of Hadith is more complex than that of the Quran, thus requiring a re-interpretation of the meaning of Hadith. He believes that establishing meaning entails interpretation, understanding, and application. Hadith results from a historical process within the Muslim community that has continued over time (Muhsin & Arif, 2019).

In Abou El-Fadl's complex authorship of Hadith, the goal of hermeneutics is not only to understand the meaning of the text but also to comprehend how the dialectical interplay occurs between the author and the text (in this case, the Hadith text). It aims to provide a way to prevent readers from falling into authoritarian interpretations (Taufiq & Ilham, 2021). In establishing meaning, there is no difference between Hadith and the Quran; there must be a balanced negotiation among the three components: the author, the text, and the reader, without favoring any particular side. This ensures that no authority is imposed by the reader (Muhammad Abduh, 2021). This is because readers are dynamic and constantly changing, and as human readers, they have limitations. Therefore, Khaled Abou El-Fadl provides guidelines to prevent errors in interpretation, referred to as the precision gap (Tilawati, 2019).

The hermeneutics offered by Khaled Abou El-Fadl is called Negotiative Hermeneutics, differing from the hermeneutics offered by other Muslim scholars such as Fazlur Rahman, Farid Esack, and Nasr Hamid Abu Zaid. Negotiative hermeneutics also contributes to other issues in Islamic law, not only used in analyzing religious fatwas issued by the Islamic legal institution CRLO (Council For Scientific Research and Legal Opinions) regarding misogynistic laws (Hakim, 2020).

Otoritarianism is the act of confining the will of God, in this case, religious texts, to specific interpretations, presenting these interpretations as definite and absolute determinations. Authoritarianism is often found in interpreting religious texts such as the Quran and Hadith. One example of authoritarianism criticized by Khaled Abou el-Fadl is the fatwas issued by the CRLO (Council for Scientific Research and Legal Opinion) in Saudi Arabia, which are misogynistic. An example of a misogynistic hadith is the one concerning a wife prostrating to her husband, narrated by Abu Hurayrah.

لَوْ كُنْتُ أَمِيرًا لِأَحَدٍ أَنْ يَسْجُدَ لِأَحَدٍ لَأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ لِزَوْجِهَا

"Abu Hurayra reported that the Prophet (may Allah's peace and blessings be upon him) said: "If I were to order anyone to prostrate himself before another, I would have ordered the wife to prostrate herself before her husband."

The negotiated hermeneutics offered by Khaled Abou El Fadl plays a role in examining this Hadith, grounded in the five conditions for readers mentioned in the previous discussion, along with the *matn* (content), *sanad* (chain of narrators), historical context, and moral and social consequences. According to Khaled Abou El Fadl's hermeneutics on the above Hadith, it impacts morality, social aspects, the relationship between husbands and wives in marriage, and gender relations in society. The Hadith cannot be understood solely textually but must be contextualized, considering its historical context. It is known that the process of compiling or codifying Hadith has a long history, from the time of the companions (sahabah) to the tabi'in and beyond (Muhajir, 2022).

The Hadith is narrated by Abu Hurairah and Abu Daud, Al-Tirmidzi, Ibnu Majah, Ahmad bin Hanbal, Al-Nasa'i, and Ibnu Hibban. Among various hadith scholars mentioned, Khaled evaluates the authenticity levels, ranging from weak (da'if) to acceptable (hasan). Additionally, the chain of narration is single or Ahad Hadith (El Fadl, 2004). The Hadith about a wife prostrating to her husband contradicts the Quranic verses about marital life. Moreover, all narrations telling how the Prophet treated his wives are inconsistent with the Hadith instructing wives to prostrate to their husbands.

The Urgency of Hermeneutics by Khaled M. Abou El Fadl

The book "In the Name of God" explores the ideas stemming from Khaled Abou El-Fadl's thoughts, encompassing his concerns about arbitrary legal determinations to fatwas that, in his view, contradict the current state of affairs. A more detailed explanation of the hermeneutical method proposed by Khaled Abou El-Fadl is found in Chapter Four, titled "Texts and Authority." The hermeneutical method suggested by Khaled Abou El Fadl incorporates several crucial points that should be inherent in legal decision-making bodies, especially within the context of Islamic law. Firstly, contextualization and hermeneutics by Khaled emphasize the importance of understanding the text in various contexts, including social, historical, and cultural contexts in which the text is produced. Secondly, ethics and morality are essential in interpreting religious texts. Thirdly, avoiding overly extreme interpretations is addressed by conducting an in-depth understanding of the text to prevent negative interpretative errors. Fourthly, Khaled Abou El Fadl's hermeneutics is responsive and relevant to every change in time. The fifth point is that Khaled's hermeneutics serves as a bridge or connection between traditional

values and the needs and context of the present time. This can create laws relevant to society's challenges and social changes. Finally, Khaled Abou El-Fadl's hermeneutics includes a multidisciplinary approach that combines religious knowledge, history, philosophy, and social sciences. All the points in Khaled Abou El-Fadl's hermeneutical method can result in fair laws for all segments of society, in line with human values and relevant to the developments of the times. Concrete examples of legal issues that may need to use hermeneutics have been extensively discussed in the book "The Search for Beauty in Islam: A Conference of the Books." Most of these issues relate to women's problems, both in terms of women's rights and the legal status of women as wives. Therefore, it is necessary to explore other issues that also require the hermeneutical method, such as the legal issue of hand-cutting for thieves, which is clearly stated in the Quran, or other issues that need to be re-examined using Khaled Abou El-Fadl's hermeneutics.

CONCLUSION

Khaled M Abou El Fadl is a contemporary Islamic thinker born in Kuwait in 1963. His book "In The Name of God" originated from an essay responding to an institution that frequently issued gender-biased fatwas, which were perceived as authoritarianism, closing off the will of God and the intended meaning of the texts as an absolute and unquestionable determination. This represents an arbitrary interpretation of texts. Therefore, Khaled offers a hermeneutical methodology. Khaled Abou El Fadl's hermeneutics is called negotiative hermeneutics, which negotiates the three crucial roles in hermeneutics: the author, the text, and the reader. Khaled also establishes five criteria for readers or legal decision-makers to prevent arbitrary interpretations of texts. These five criteria are honesty, sincerity, the principle of comprehensiveness, rationality, and self-control. Through negotiative hermeneutics, it can be observed that authoritarian behavior toward texts cannot be justified, especially concerning misogynistic fatwas issued by CRLO. The authoritarianism practiced by CRLO will close off the openness of the text to interpretation or meaning, leading to intellectual stagnation. However, the correlation between the author, the text, and the reader holds a crucial position for relevant interpretations of the text across various periods. This approach emphasizes the importance of understanding the social, cultural, historical, and linguistic context behind religious texts to interpret them correctly. Several points highlight the significance of Khaled Abou El-Fadl's hermeneutics, including contextualization, in-depth understanding, the importance of ethics and morality, responsiveness, relevance to contemporary developments, and the use of multidisciplinary approaches that combine religious knowledge, history, philosophy, and social sciences.

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