

Application of Al-Qur'an Hermeneutics Approach Nasr Hamid Abu Zayd Against QS Al-Women' [4]:3

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ABSTRACT

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Nasr Hamid Abu Zayd is a Muslim Intellectual whose ideas on the Qur'an was contradicting many Egyptian Muslims. He mentioned the Qur'an as a cultural product in the development of Arabic culture because it was revealed gradually according to the situation at that time. Through five contexts, he offerend interpretation of the Qur'an that does not distort the text and are based on social-cultural (hermeneutic). This paper focuseson studying the hermeneutic approach of Abu Zayd and its implications on the interpretation of QS. 4:3. The research methode is library research by browsing data from books, journals and other kinds of literature related to the problem. The result of the study show that hermeneutics can be an alternative methodology for bridging dialogue between text and reality in producing contextual understanding without leaving the Qur'anic chronology and history while obtaining critical understanding. Instead of permitting polygamy, QS. 4:3, according to him, actually accentuates the context of monogamy. This is in accordance with the context to protect society.

1. Introduction

The development of the discourse of Islamic thought today has brought up a lot of new views regarding the Qur'an, especially from modernists. Call it Muhammad Arkoun who stated that the Koran that we have today is the world's edition because the true Koran is what is secured in the laub, mahfuz (preserved tablet) and remains with Him. Therefore according to him, we do not need to sanctify the world edition of the Koran which has undergone modifications, revisions and substitutions. Likewise, balaye bal with Nashr Hamid Abu Zayd who stated that the Koran is a cultural product (muntaj thagafi) which cannot be separated from the structure of Arab culture. Abu Zayd's statement certainly cannot be separated from his background as a writer. It is possible that the literary theories he studied had an effect. to his thoughts. If traced, the notion that the Qur'anic text is a cultural product is heavily influenced by literary criticism theory. Lucian Goldman, for example, considers that a literary work is a structure as an ongoing sciarab product.

Meanwhile, the sociology of literature sees that literary works are produced through a meaningful relationship between the subject creator and society. This theory views literature as part of society, namely as a social document. A Rengarang would not be able to create a work without a background reality. Therefore literary work is a product of a particular society. It could

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be, this is the literary theory that influenced Abu Zayd behind his conclusion that the Qur'an is a cultural product. From there, according to him, the text is something that must continue to be explored, especially the demands for reform and the direction of changing times. This is as quoted by Moch. Nur Ichwan that in the book *Mafhum al Nass* (concentration on text), Abu Zayd does not provide a definite and clear understanding of his opinion regarding the meaning of "text"; in an arrangement of relations that produce the meaning of the whole and it is the uniformity of signs in the composition of the message that makes the text." In addition to giving an explanatory understanding of the text, Abu Zayd distinguishes between *nas* (text) and *mushaf* (book) According to him *nas* (text) means *dalalah*, (meaning) which requires *asmahaman*. explanation, and interpretation Meanwhile, the *mushaf* (book) is not like that because it has been transformed into something (*svai*) either in the form of an aesthetic work or a tool to gain God's blessing. Still, according to Abu Zayd, the text is divided into two, namely the primary text (*al-pass al-aslix*) and secondary texts (*al-pass al-tsanawiy*). The primary text is the Qur'an and the secondary text is the *sunnah* of the Prophet which acts as a commentary on the primary text. The religious texts produced from *tibad:utihad* para scholars, *fiqh* experts, *mufasic* are considered as secondary texts.

2. Literature Review

First, the thesis by Carim Fajaruddin entitled "Analysis of Nasr Hamid Abu Zayd's Hermeneutics in Contextualizing the Al-Qur'an" at the Faculty of Ushuluddin, Department of Tafsir Hadith in 2013 which explains that Nasr Hamid Abu Zayd's hermeneutical concept tries to find original meanings by using a linguistic approach. in understanding the text.

Second, Maria Ulfah's thesis entitled "Polygamy According to Syahrur in the View of Islamic Law Faculty of Sharia and Law, Department of Comparative Concentration of Madzhab and Law, UIN Syarif Hidayatullah in 2011 regarding Syahrur's views on Polygamy by using *hudud* theory and legal limits. According to Syahrur polygamy is a solution to social problems and consider it as a means to provide protection for orphans and widows.

3. Methodology

According to the location of data collection, research can be divided into three, namely field research, library research and laboratories. This research is library research or library research, with data from books, scriptures and related literature. The approach used is historical analysis, namely by tracing historical roots analytically to see the application of Abu Zayd's hermeneutics in the interpretation of QS. Al-Nisa [4]:3

4. Results and Discussion

4.1 Application Of Nasr Hamid Abu Zayd's Hermeneutics Approach

Interpretation Application of Q.S. an-Nisa' (4): 3

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مِمَّا مَلَكَتْ أَيْمَانُكُمْ ۚ ذَٰلِكَ أَدَّبْنَا لِأَلَّا تَعْوِلُوا

Meaning: And if you are afraid that you will not be able to act fairly towards (the rights of) an orphan woman (when you marry her), then marry the (other) women you like: two, three or four. then if you are afraid that you will not be able to behave justly then (marry) only one person or the slaves you have. that is closer to not doing injustice.

Polygamy in the Big Indonesian Dictionary means the act of a man marrying more than one woman at the same time. As a special marriage system, polygamy is also known as "polygyny". This behavior has been around for centuries. The stories of the prophet's life in the Torah also describe polygamy as a socially accepted custom at that time. According to Hasan Halhout . Prophet Sulaiman as had 700 wives from freedmen and 300 wives from slaves. Islamic thinkers generally have different views regarding the permissibility of polygamy. The first are those who argue that polygamy is not permissible. except in some moderate conditions the second is those who believe in their capabilities. The first group generally consists of later thinkers, while the second is classical scholars and a small number of later thinkers.

This difference then leads to discussions regarding the literal application of sharia law to intense debates about the meaning of *figh* rules and their application. Those who support polygamy believe that such a model of marriage has textual support and therefore cannot contradict any *fighiyah* rule. This, for example, was stated by some followers of *salafi* in Saudi who even said polygamy is part of the *sunnah* that must be followed. Others exaggerately say that polygamy is actually a test to assess the faith and steadfastness of a woman's/wife's heart through the level of her acceptance of her husband's polygamy. The basic assumption is that whether a wife is good or not depends on her willingness to share with the second, third, or fourth woman her husband marries.

Abu Zayd sees that the verse which is often used as the basis for polygamy (QS. 4:3) actually emphasizes the prohibition of marrying more than one woman. He connected this with laws related to women's issues in Tunisia. One of the Marriage Laws that is still being debated between salafi and liberal circles in the country, as written by Abu Zayd, is the matter of polygamy. From this debate, with a critical gaze ala academics. Abu Zayd began his description by raising the case of a woman who refused her husband's request to become pregnant so that she was divorced in a court of law on the grounds of limiting the role of women in the domestic area of the family and household. often supports western feminism which encourages and fights for women's independence for gender equality with the basic assumption that Islam is for the safety and goodness of humans without sex differences.

According to Abu Zayd, QS. An-Nisa [4]-3 must be understood in three main steps [3] 33 First is the avat context. According to him, the avat contrasts between what belongs to the right hand (slave girls or prisoners of war as concubines) and what is in the left hand (daughter orphans) so that the order to marry two, three, or four women seem to carry the spirit of defending polygamy. Even though, writes Abu Zayd, there is something missing from the awareness of the historicity of religious texts where ja is a linguistic text while language itself is a socio-cultural product.

Abu Zayd saw that the Islamic guideline for a married man who wants to remarry to ask his wife's permission must be placed in the context of human relations (male and female) prior to the arrival of Islam. During the pre-Islamic era, let alone asking for permission to remarry, there was no limit to the number of wives as a result of the dominance of tribal law. Therefore, the call to ask permission and limit the number of wives is actually very revolutionary. Furthermore, according to him, Islam changed the mindset and behavior by requiring Muslim men to marry only one woman as an effort to free women from male domination.

The second is placing the text in the context of the Qur'an as a whole Abu Zayd wants to reveal something unspeakable or implicit. In the context of polygamy, he underlined the verses of the Koran which advise men to have only one wife if they fear that they will not be able to do justice. The verse in question is: "if you are afraid that you cannot do justice (to them), then just someone. Moreover, another verse, namely Q.S. an Nisa [4]: 129 states that no one will be able to do justice in polygamous life:

وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ... فَلَا تَمِيلُوا كُلَّ الْمَيْلِ فَتَذَرُوهَا كَالْمُعَلَّقَةِ وَإِنْ تُصْلِحُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا

Meaning: "And you will never be able to act fairly between your wives even though you really want to do so. Therefore, don't be too inclined (to the one you love), so that you leave the other hanging around. And if you make repairs and protect oneself (from cheating), then verily Allah is Forgiving, Most Merciful.

This verse explicitly instructs polygamous men to be fair between their wives, although other parts emphasize that this is not possible because human nature does not allow it. From there, Abu Zayd says that polygamy cannot be applied in today's modern times. parsing that the avat uses a presupposition or simile with the letter law which means lika. According to him, this signifies a negation of al-syarth's answer because the same negation also occurs in the related svarth condition. Another thing that according to him should not be overlooked attention is the use of the particle lan (never will) which functions as corroboration (ta yid) at the beginning of the sentence that "the ability to act fairly" is an impossibility. have a strong desire to be fair.

This conclusion is in line with Abu Zayd's basic framework which maps mabda (principles), gaidah (rules) and hukm (laws). Freedom, right to life, and happiness, for him is mabda. Meanwhile, gaidah is a derivation of mabda so that the branches may not violate the roots'. "Don't steal, don't commit adultery, don't give false testimony, and don't disturb other people" for him are the ideas that emerge from Mabda's three points. In the context of Islamic jurisprudence, the universal goal of shari'a (al-magashid al-kulliyah li al-shariah) is as conceived. Al-Syathibi, namely protection of religion, wealth, reason, dignity. and life. Abu Zayd sees that these five principles are rooted in Islamic legal theory (Usul Al-Fiqh) and have nothing to do with other Islamic sciences. From here also he offers three general principles which according to him are universal. First. rationalism (aglaniiyah) as the antithesis of jahiliyyah in the sense of tribal mentality and emotional action Second, freedom (hurriyah) as the antithesis of all forms of slavery (ubudiyah), and third, justice (' is) as the antithesis of human exploitation (zhulm).

In the context of polygamy, Abu Zayd positions justice as mabda (principle), while the maximum number of wives (4 people) is hukm. Hukm, strictly speaking, cannot become a gaidah let alone mabda. It is just a specific event and is relatively dependent on changes in the conditions surrounding it so that when there is a contradiction between mabda' and hukm. it is hukm that must be defeated while mabda' is maintained. However, Zayd sees that the Qur'an actually does not stipulate any law (tasyri') regarding polygamy other than only disclosing a limitation or limit on the number of wives. This, according to Abu

Zayd, is the Qur'an's way of indirectly prohibiting polygamy because the limitation indicates a disguised prohibition (al-tahrim al dhimni).

The third is based on the first two steps. Abu Zayd proposed a reform of Islamic law. In classical Islamic law, the law on polygamy is generally discussed in the chapter "things that are permissible" (al-mubahat). In fact, the term "permissibility" (ibahah) according to Abu Zayd is inappropriate because other discussions in the chapter include permissibility of things that are not discussed in the text. while the permissibility of polygamy in the Qur'an is essentially a limitation of polygamy before the arrival of Islam. Strict restrictions do not mean permissibility. Ideally, for Zayd, polygamy is discussed in the chapter on "prohibition" (haraman) of things that were (previously) permissible (tahrim al-mubahat).

5. Conclusion

There are several key theories used by Abu Zayd in his hermeneutical work, including in interpreting QS. an-Nisa (4): 3 and al-Nahl (16): 3-4. These theories include regarding the different stages of tanzil and ta'wil, texts and mushaf, the function of the Qur'an as muntaj tsaqafi and muntij tsaqafi, the four levels of shifting meaning, up to the formation and formation phase. Armed with these various theories, he came to the conclusion that Q.S. an-Nisa (4): 3 is not ordered polygamy. Instead, he implies that the content of the verse, taking into account other verses with the same theme, actually shows a vague prohibition of polygamy. Meanwhile, al-Nahl (16): 3-4 which describes the creation of the heavens and the earth with al-haq according to him places more emphasis on the material of creation and not the process

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