

A PROGRESSIVE INTERPRETATION OF Q.S AN-NISA: 34: A COMPREHENSIVE EXPLORATION OF FAMILY LEADERSHIP IN THE FIELD OF GENDER

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Abstract

Modernism's understanding of family law construction often targets women's capabilities as much as the head of the family. But in normative terms, women's leadership is textually inconsistent with the provisions of Surah an-Nisa: 34. The textuality of the sentence is now criticized by the gender idea that women can be placed on an equal footing with men if they can. The initiation aims to interpret Q.S. an-Nisa: 34 with Gadamer's hermeneutic theory, to better understand comprehensively the contextuality of sentences in the demands of the times. This research is library research by studying literature related to research topics. Using Gadamer's interpretation, it can be seen that Q.S. an-Nisa: 34 contains fertilization of family leadership more flexibly. The leadership of the head of the family can be held not only by men but also by women. However, it should also be based on a qualified person, that is, someone who can cater to the family's financial needs and has good leadership skills.

Keywords: *Women, Head of family, Hermeneutics, Gadamer, Gender.*

Abstrak

Modernisme pemahaman terkait dengan konstruksi hukum keluarga seringkali menysasar kebolehan perempuan sebagai kepala keluarga. Namun dalam tataran normatif, kepemimpinan perempuan secara tekstual tidak sejalan dengan ketentuan Surah an-Nisa: 34. Tekstualitas ayat tersebut sampai saat ini dikritisi oleh gagasan gender yang menyatakan bahwa perempuan dapat berposisi sama dengan laki-laki jika mampu. Penelitian bertujuan untuk menginterpretasikan Q.S an-Nisa: 34 dengan teori hermeneutika Gadamer, untuk lebih dapat memahami secara komprehensif kontekstualitas ayat dalam tuntutan zaman. Penelitian ini merupakan penelitian kepustakaan dengan mengkaji literatur yang berkaitan dengan topik penelitian. Dengan menggunakan interpretasi Gadamer, dapat diketahui bahwa Q.S an-Nisa: 34 mengandung pemaknaan kepemimpinan keluarga secara lebih fleksibel. Tangung jawab kepemimpinan kepala keluarga tidak hanya dapat dimiliki oleh laki-laki, akan tetapi juga perempuan. Namun, hal itu harus juga didasarkan atas kualifikasi yang mumpuni, yaitu seseorang yang dapat memnuhi kebutuhan finansial keluarga dan memiliki kemampuan leadirship yang baik.

Keywords: *Perempuan, Kepala Keluarga, Hermeneutika, Gadamer, Gender.*

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A. Introduction

The family is a means created to realize humanity. To support the continuation of a happy family, Indonesian law has regulated a model of family structure that is considered ideal. The husband is the head of the family and the wife is the mother of the household. Such a relationship has been listed in Article 25, paragraph 2, of the 1994 Islamic Law Compilation. Legislative regulations legitimize the construction of such roles when the movement of feminism has not yet sounded "hard". However, today, the "ancient" relationship in KHI raises contradictions. (Santoso, 2020)

The compilation of the Islamic Law sets out guidelines for practitioners of Islamic civil law in Indonesia. Although KHI does not fall into the hierarchy of litigation and cannot be rejected, the rules within KHI have become the second guideline for judges in Indonesia after the 1974 Marriage Act on Marriage. (Asril, 2015) Because the question of Islamic civil law should indeed refer to the rules made specifically to deal with Muslim matters. The formation of KHI was based on the formulations of fiqh scholars contained in classical books. Because the question of Islamic civil law should indeed refer to the rules made specifically to deal with Muslim matters. The formation of KHI was based on the formulations of fiqh scholars contained in classical books.

Wives labeled domestic workers are always treated unfairly. The role of a woman participating in the search for a living is not considered a perfect role. The results obtained from such roles are only positioned as additional incomes in the family. Although in some cases the wives earn more than the husbands, even in some other cases it is also apparent that the wife acts as the sole seeker of livelihood. (Djazimah & Habudin, 2017) The secondary role of the wife has a serious impact. The husband is positioned as the head of the family in absolute terms. The wife is the one who follows her husband's decision. This gives rise to real discrimination, because the wife has a real role, but only has a superficial influence.

The struggle of feminism to eliminate discrimination in the family is worth considering. The question of "antiquity" family construction that has become a problem in the implementation of non-discrimination is an aspect that needs to be dug deeper. Classical Islamic law has always been associated with this issue. The assumption is not wrong, given that the construction of Islamic law by the previous

scholars did give a mandate to the husband to occupy a central role. However the construction was built at a time when the patriarchal culture was at the height of its success,(Hermanto, 2022) so when society was not fully patriarchal, such a form of marital relationship should no longer exist.

Oktavia, citing the concept of Mubadalah, argued that the wife could have a role as the head of the family based on mutual agreement, because the relationship of the elements of the family must be underpinned by forms of mutuality (*mufaalah*) and cooperation (*musyarakah*). (BELLA OKTAVIA, 2021) Almost the same opinion can be seen in Santoso's research as in his study of the Counter Legal Draft-Compilation of Islamic Law. He stated that the draft was a reflection of gender equality, as it positioned marriage relations within the equality zone, so that the wife could be positioned as the head of the family. (Santoso, 2020)

In the context of gender equality, the position of head of the family can be held by the husband or wife. As long as the individual has the ability to lead, he deserves a chance. Men don't always occupy high positions. In this case, there's a difference between sex and gender. Sex is a biological function that humans have acquired from birth. Whereas gender relates to functions shaped by social conditions. (Ade Kartini, 2019) If social conditions in society make women have masculine characteristics and take responsibility in the family, there is no reason for their central role to be eliminated because of their sex.

Implementation of gender equality in the family is hindered by the textual interpretation of previous scholars on Q.S. An-Nisa: 34. *Arrijalu qowwamuna ala annisa* which always meant "men become leaders against women" results in discrimination against women's rights in the family. (Imam Jalalain, t.t.) as if women were a second class creature without authority. But Rusydiana and Azami, using Wadud, have different opinions, Q.S. An-Nisa:34 is a verse in the context of cause and effect, that is, because of the maintenance provided by the husband, it can have an impact on his leadership, but if this reason is lost, it will result in the loss of male leadership, so that it can be replaced by women. (Naili Rosa Urbah Rusydiana, 2021)

The study will also study the interpretation of Q.S. An-Nisa: 34. However, the concept of interpretation offered in this study is slightly different. Using Gadamer's hermeneutic theory based on a socio-historical approach, the verse is not only read in an empty space, but extends the digestive perspective on the social condition of the fall of the verse. This is important given that the Koran descends to patriarchal societies, while modern societies are gradually removing the values of patriarchy because they are considered discriminatory. This research aims to explore the substance of the Koran; 34 in the progressive interpretation, so that the society facing modernity does not need to feel away from the Quran when it is incapable of

applying the concept of family leadership reflected in conservative interpretation. The study also aims to show that the Quran does not contradict the values of justice and gender equality in family law.

B. Method

This research uses normative research methods with a focus on Gadamer's hermeneutic analysis to dig into the normative construction of the status of women as family heads in Surah An-Nisa:34. Primary data is obtained from Surah An-Nisa:34 and analyzed through the reading and initial understanding stages, as well as interpretative dialogue with previous interpretations. The results of the analysis are systematically structured to form a coherent interpretation. Data validity checking techniques, such as triangulation, member checking, and researcher reflection, are applied to ensure the sustainability, validity, and objectivity of research results. Thus, this method ensures the accuracy and validity of the normative interpretation of Surah An-Nisa:34 in the context of Islamic religion, as well as providing an in-depth understanding of such normative construction.

C. Result And Discussion

The results of this research reveal that the leadership context in Q.S an-Nisa: 34 is not based on a particular sex. Both men and women can be heads of the family provided they have the ability to provide a living and leadership skills. As for the history of family leadership, it was only given to men during the Arab period because only men were able to carry out the two leadership requirements above.

1. Understanding Hermeneutics

Hermeneutics is the science that studies the interpretation of texts or meanings contained in texts. Hermeneutics studies how people understand and interpret texts and meanings in a text. (Binti Salimah, 2021) In hermeneutics, man is no longer regarded as a subject of language, subject of thought, object of action, and center of history. (Siswanto, 1998) Hermeneutics also emphasizes the importance of considering the text world, the author world, and the reader world in every understanding.

2. A Glimpse into Gadamer

Hans-George Gadamer was born in Marburg in 1900. He studied philosophy at the university in his hometown, mainly under the guidance of Nikolai Hartmann and Martin Heidegger, and also took lessons from Rudolf Bultmann, a theologian who studied the Gospels. In 1922 he was awarded the title of "Doctor of Philosophy". Nine years later, he became a private owner in Marburg. After three years of teaching, in 1937 he became a professor. But two years later, Gadamer moved to

Leipzig. In 1947, he moved back to Frankfurt am Main. Finally, in 1949, he taught at Heidelberg until his retirement. (K. Bertens, 1983)

Gadamer is known as a very prominent contemporary writer in hermeneutics. Through his monumental work "Wahrheit and Methode: Grundzuge einer Philosophischen Hermeneutik," he presented himself as a leading philosopher in the field of philosophical hermeneutics. The publication of the book in Germany in 1960 was at the same time the most important mark of German philosophy's fame. In 1965, the second edition was published with a new introductory word in which Gadamer explained the meaning and responded to some objections raised by some critics, plus an annex.

In the third edition of 1972, the last word was added. The book was later translated into English under the title "Truth and Method". This work is also an example of a model of generative interpretation and generational interpretation because from this work have emerged hundreds of articles, dozens of books, and dissertations as well as seminars that deal specifically with various aspects of truth and method. Thanks to this great work, Gadamer became the most famous historical hermeneutic thinker of this century.

3. Gadamer's Hermeneutic Theory

The trees of Gadamer's hermeneutic theory are divided into various forms of theory that are interrelated with each other:

- a. Historically Effected Consciousness Theory (*Wirkungsgeschichtliches Bewusstsein*)

Gadamer defines this theory as follows:

Wirkungsgeschichtliches Bewusstsein ist zunächst Bewusstsein der hermeneutischen Situation. Die Gewinnung des Bewusstseins einer Situation ist aber in jedem Falle eine Aufgabe von einer Schwierigkeit. (...) Die Situation stellt einen Standort dar, der die Sichtmöglichkeit beschränkt, in Form eines Horizontes. (Gadamer, 1960)

(The *Wirkungsgeschichtliches Bewusstsein* is the first awareness of hermeneutic situations. However, becoming aware of a situation is a difficult task anyway. Such situations are positions that limit the ability to see something; these situations form a horizon (or: the horizon of understanding).

In this theory, every interpreter is in an 'effective history' involving traditions, cultures, and life experiences. When interpreting the text, the interpreter must be aware of the influence of his position on his understanding. Gadamer emphasized that in any understanding, the influence of effective history plays an important role. Although it is difficult to cope with its influence, this theory affirms the importance of an interpreter's ability to deal with it.

b. Pre-Understanding Theory (*Vorverständnis*)

Gadamer stated that influence by hermeneutic situations or *Wirkungsgeschichte* formed what he called the *Vorverständnis* or "pre-understanding" in the interpreters of the texts being interpreted. This pre-understanding, as an interpreter's initial position, is an inevitable necessity when he starts reading the text. In other words, the interpreter's involvement in a hermeneutic context or history of certain influences creates an initial foundation that affects the way he understands a text.

Immer ist im Verstehen ein Vorverständnis im Spiel, das seinerseits durch die bestimmende Tradition, in der der Interpret steht, und durch die in ihr geformte Vorurteile geprägt ist. (Gadamer, 1960)

(In the process of understanding pre-comprehension always plays a role; it is colored by the influential tradition, in which an interpreter is located, and also by prejudices)

Pre-understanding, according to this theory, is necessary for an interpreter to dialogue effectively with the content of the text. Without pre-understanding, a good understanding of the text is impossible. Oliver R. Scholz stated that pre-understanding, what he called *Präsumtion* (preliminary assumption), was an inevitable means of true understanding. Gadamer stressed that pre-understanding should be open to criticism, rehabilitation, and correction by interpreters, preventing misunderstandings of text messages. The process of rehabilitation or correction of pre-understanding is called the *Vollkommenheit des Vorverständnisses*. (Sahiron Syamsudin, 2017)

c. Fusion of Horizons Theory (*Horizontverschmelzung*) And Hermeneutical Circle (*Hermeneutischer Zirkel*)

Gadamer confirmed that :

Eine Überlieferung verstehen, verlangt also gewiss historischen Horizont. Aber es kann sich nicht darum handeln, dass man diesen Horizont gewinnt, indem man sich in eine historische Situation versetzt. Man muss vielmehr immer schon Horizont haben, um sich dergestalt in eine Situation versetzen zu können. (Gadamer, 1960)

(Understanding a text of the past is of course demanding (to pay attention to) the historical horizon. However, this does not mean that one can know this horizon by diving into historical situations. More than that, one must first have a horizon [it's own] to be able to dive into a historical situation)

In interpreting texts, one should always try to rehabilitate his pre-understanding, related to the theory of fusion of horizon. Such a horizon covers the "knowledge gap" in the text and the "understanding gap" of the reader. Gadamer stressed the importance of communication between these two horizons to

overcome tension. The reader must be aware of the historical horizon of the text when reading the past. Gadamer emphasizes that understanding the text requires openness to another horizon, i.e. a text horizon that may differ from the reader's horizon. Understanding text means letting text speak, and the interaction between the two horizons is called a "hermeneutic circle." The reader's horizon acts as a vertical point, but should not force the text in accordance with the reader's view; instead, the vertical points should help to understand the true meaning of the text, prioritizing the objectivity of the text.

d. Application (Anwendung)

The objective meaning of the text must be observed in understanding and interpretation. Once the objective meaning is understood, the interpreters of the text, especially when interpreting the Scriptures, are faced with the task of "absorbing" the message or teaching in the context of everyday life. Gadamer emphasizes that this application does not refer to the literal meaning of the text, but to the "meaning" or "more meaningful message." In this context, interpretation is necessary to understand what the author actually wants to say, more than just written words. Gadamer states that the text is not a fixed object, but rather a phase in a communicative event, and interpretation must follow "meaning" according to its context. (Sahiron Syamsudin, 2017)

4. Analysis of Q.S an-Nisa: 34 with Gadamer's Hermeneutical Theory

A reinterpretation of Q.S. an-Nisa: 34 in the textual realm will not be far from the results of a conservative interpretation of classical scholars. Effective and comprehensive interpretation can be obtained through contextual reflection. Contextual interpretation can be done by conducting a socio-historical study of the verse, one of which uses Gadamer's hermeneutic theory:

a. Horizon of Understanding

The first step in Gadamer's interpretation relates to the horizon of the interpreter's understanding. It can relate to the background, values, and experience of an interpreter regarding a view. One concept to be understood to reconstruct the interpretation of Q.S. an-Nisa: 34 is about the view of the leadership of family in both classical and modern traditions.

Ishaq's study of husband and wife leadership in classical and contemporary interpretations suggests that some Tafsirists have a similar view that men are leaders for women, and their leadership within the family is absolute. Although there are differences in discussing the reason why the husband is the head of the household, but Nawawi al-Bantany, el-Razyi, and Quraish Shihab agree that God has made the husband the leader of the wife, therefore the wife must obey the husband's

command. Leadership in this is meant as the authority of the husband to educate his wife. (Ishaq, 2014)

Allah gives leadership to men (husbands), because they have more obligations than women (wives), namely providing maintenance, dowry, and providing protection. Therefore, the wife must carry out her husband's orders. However, this obedience contains the principle of truth in the context of worshiping God. So a woman must accept her husband's leadership over her, when her husband is on the right path.

Male leadership has experienced challenges in the context of modern society. According to gender studies, men and women have equal rights to contribute to civilization, both in the domestic and public spheres. Gender is different from sex, if sex refers to biological functions, then gender is related to social functions. The recognition and distribution of gender roles is basically not a problem as long as it does not lead to injustice and end with violence. Many studies have shown that the acceptance of gender roles and biases that originate from patriarchal or matriarchal cultures potentially leads to injustice for both men and women. The above cultural aspects are becoming increasingly irrelevant when faced with the spirit of an egalitarian, democratic, and just modern era, Egalitarian and democratic cultures reward someone based on their abilities and services, not based on sex. (Andika, 2018)

b. Dialogue and Fusion of Horizon

At this stage the horizons of understanding and the text meet for dialogue. The reader's horizon suggests that leadership in the family must be contextualized according to circumstances, namely eliminating the absoluteness of male leadership on the basis of gender. Allah SWT says:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ ۚ فَالصَّالِحَاتُ قَنِينَاتٌ
حَفِظَتْ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ ۗ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاصْبِرْنَ ۗ فَإِنْ
أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا ۗ إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا

“Men are the caretakers of women, as men have been provisioned by Allah over women and tasked with supporting them financially. And righteous women are devoutly obedient and, when alone, protective of what Allah has entrusted them with. And if you sense ill-conduct from your women, advise them ‘first’, if they persist, do not share their beds, but if they still persist, then discipline them ‘gently’. But if they change their ways, do not be unjust to them. Surely Allah is Most High, All-Great.” (Muhammad Husein, 2001)

Wahbah Zuhaili interprets this verse by saying:

"It is the man's duty to be the leader, the chief, the judge, the educator of the woman when her behavior is in trouble. The man has the duty of protecting and caring for the woman. So from that, the duty of jihad is only for men, not women. The male inheritance is more than the female, because the male is burdened with the woman's livelihood."(Ishaq, 2014)

According to him, there are two factors that influence the leadership of men over women. The first is the creation of the body of a man who has superiority over a woman. It covers perception, reason, emotion, and posture. It's also connected to thought, commitment, and strength. Therefore, Allah SWT has specifically given messages to men regarding prophetic messages, *imamah al-kubro, qadhi*, etc.. The second is the duty of a man to give a living to his wife and relatives. Men also have a duty to pay a dowry at marriage as a symbol of honor to women.(Wahbah Zuhaili, 2023)

A conclusion not far different is found in the Jalalain Tafsir written by Imam Jalalain in his explanation, the word *qawwam* meant "power". Then in this case men as leaders have power over women who are obliged to educate and guide them. This leadership is based on the phrase *"bi ma fadhola Allahu ba'dhohum ala ba'dhin"* which means because Allah SWT has given men the gifts of knowledge, reason, power and so on more than women.(Imam Jalalain, t.t.)

The classical scholar's interpretation of the sentence is very "continental" with patriarchal values that privilege the position of men. The problem is, that women are not given a chance at all to be influential in the family. To understand this further, it seems necessary to consider the *asbabun nuzul* micro and macro to define the sentence more comprehensively.

Asbabun nuzul micro is related to the cause of the special event underlying the revelation of Q.S An-Nisa: 34. Narrated from Ibn Abi Hattim from Hasan al-Bashri, he said: A woman came to the Prophet SAW, she reported to the Prophet about her husband who had slapped her. Then the Prophet SAW said: (punish! with) *qishas*. Then this verse came down, then the woman returned without carrying out the *qishah*. Muqotil said: this verse was revealed in connection with the problems that befell Said Ibn Rabi, he was one of the leaders of the Anshar, his wife was named Habibah Bint Zaid, both of them were members of the Anshar. The problem occurred when Said's wife made *nusyuz* to her husband, then her husband slapped her. Then the Prophet SAW decided that Said should be punished with *qishas*. Habibah went with her father to punish Said's *qishah*. Then the Prophet said: go back, because Jibril has come to me, and (said that) Allah SAW revealed this verse. So the Prophet said: we wanted something and Allah SWT wanted something else, and something that

Allah SWT wanted was better, and the *qishas* was abolished (in this case).(Wahbah Zauhaili, 2023)

Whereas *asbabun nuzul* macro refers to the social condition in which the sentence descends. The Quran, which is the core of Islam's teachings, came down among the Arabs. The Arab society at that time could be categorized as a society that still had bad moral standards. The doctrine of Islam is capable of changing the views and behavior of Arabs who are accustomed to oppressing certain groups, especially women.

The oppression of women in the pre-Islamic Arab community is reflected in the killing of babies which they see as a means of controlling the tribal population. The pre-Islamic Arab community hangs their lives on the limited resources available to their tribe. The limited resources must at least be able to satisfy the endurance of tribal members. So, more and more tribal members make the portion of each member have limitations or even deficiencies. The best way to finish it is to reduce the tribal membership. So in this case the baby girl is the victim, considering that women's function is insufficient to fulfill tribal expectations in terms of war.

At that time, men were thought to have military skills, which would increase the chances of victory in war. The only way to be able to sustain tribal existence is through war. Men have a duty in relation to the protection and maintenance of their race. In return, women are placed in the domestic domain which makes them a second class. As a result, men have superiority over women in all matters. (Sanderson, 1993) Such a relationship form gives a view of life that in this respect relates to the role and function of a group in society. Men have a duty to defend themselves and are responsible for meeting the needs of their families. As a consequence, the role gives men the opportunity to have strategic positions as the head of the family, the chief of the tribe, and the inter-tribal union. Career promotion in the public sphere applies only to men. Whereas women are only allowed to take responsibility for the domestic territory that serves in the houses and around the camps. In this case, women have a duty to control their reproductive needs.(Judith E Tucker, 1993)

Generally speaking, the Middle East at the time had a patriarchal system, no exception to the Arab region. The husband as the main figure has an important role in the safety and survival of the family, otherwise with the wife being only one part of family members. At such a great responsibility, the authority and rights given to the husband are not comparable to the wife. His concrete example of the use of the family name (Arabic: kunya) used by his children was taken from his father's name.

Islam came into Arab society with the principle of equality embodied in its teachings. The concept of Ummah became an attractive offer for the Arab

community at the time, although at the beginning of its introduction, it required a short time of adaptation. The simple principle of the Ummah concept is to merge the grouping of human beings based on color, tribe, race, and region into one unity of peoples. Mobility becomes unobstructed, people living in cities can wander around the countryside easily, even better. Public career promotion does not roll out to certain groups. As long as the person is capable and has a certain qualification can fill the required position. (Aly Syariaty, 1979)

Equality in the social function of society irrespective of gender has been pursued by the Prophet Muhammad Saw. In his professionalism, he seeks to advance rationalism of justice that can reach justice for all kinds of groups, rather than merely preserving the pre-Islamic Arab tradition that underestimates women. In some cases, the Prophet entrusted strategic roles to women. Rabi ' binti Muawwizh and Umm Athiyah were two women who had been given authority by the Prophet to take care of the victims of war, in addition to serving as a cook who was the main duty. (Edi Darmawijaya, 2017)

The Arabic culture and the Islamic doctrine are inseparable. Islam will not be completely exempt from the influence of the culture in which the Quran was revealed, although, in principle liberation, the teaching of Islam in the course of that time accommodates the rights of women that were previously lacking in attention. One example is about ransom money for someone's murder (Diyah). The provisions of the law in the days of the Prophet had a fairly good progressivity, which is 100 camels for adult males and 50 for adult females. (Edi Darmawijaya, 2017) Normatively it can be said that the number of ransom camels is based on the sex of the victim. However, such a provision was a fair law at the time with the patriarchal cultural base still existing.

The patriarchal family structure of pre-Islamic societies is still recognized by Islam. The husband is the head of the family who is responsible for educating and supporting his wife's needs. It is recorded in the hadith as the reason for the descent of Surah an-Nisa verse 34. At least, the pre-Islamic patriarchal culture of the Arab community had a strong influence on the future pattern of patriarchy in the Arab region, even after the death of Prophet Muhammad Saw.

The patriarchal family structure does not only exist in Arab society. Patriarchy used to apply to other civilizations in the world, including the region of Europe and the Americas. The ancient Greek and Roman societies did not escape the patriarchal cultural bonds. Men serve as heads of households with full authority over private and public legal and economic access to their family members, consisting of their children, wives, and even slaves living in the family. But in the 19th century, the structure was not enforced, after Western Europe issued a policy

that gave freedom to women's freedom and the liberation of slaves. (Julia Cleves Mosse, 1996)

The patriarchy and its social system that makes men superior begins with the view that men have more functions to the existence of a civilization. Men are thought to be able to complete the core task of survival, which is war. Women identified with physical and intuitive weaknesses in those days were not considered a meaningful part of society, except for reproductive needs. Nevertheless, times are progressing which, with it, makes war a non-essential thing. Even at certain times, war is not allowed in the name of world peace. So with this social fact, the relationship between men and women becomes egalitarian. (Sanderson, 2000)

With the advancement of civilization, today many wives play a role in making a living. The main role of husbands depicted in patriarchal culture is starting to be eroded by social changes that allow wives to participate in earning a living. Such social change is also taking place in Indonesia. There are several cases related to the livelihood tasks held by the wife. According to the data of the Ministry of Social Affairs of Lampung East District as quoted by Bambang Ismanto in his article mentioned that in 2010 the Working Power of Women from Lampung Eastern reached 371 people. They work as a household assistant (ART) in Saudi Arabia and Hong Kong. (Ismanto dkk., 2019)

The condition is not much different indicated by the field research data carried out by Zahrotul Laili Nahriyah in his research. He found at least six couples who decided to give their wives a role as livelihoods by working as women's labor force (TKW) working abroad. Until the research was written, the couple had the status of resident in the village of Grogol, Sawo district of Ponorogo. From the field data obtained, there are some wives who help their husbands to make a living together, even there are even some samples showing that there is a role of the wife that fully replaces the role of the husband in making a living, so that the husband just stays at home doing odd jobs or without working. (Nahriyah, 2022)

The sample of the social facts above at least gives an insight that there has been a social change related to the role and function of the elements of the family. It is not always the case that wives can only handle problems related to the domestic realm. Women at this time have experienced an increase in self-quality. The ability of women to do something in both the private and public spheres can be equal to the quality of men's work. If we look at it from a broader perspective, there are many examples of the role of women as livelihoods with husbands, or even more than that, in some cases, women can replace the husband's role as a primary livelihood seeker.

c. Active Interpretation and Comprehension that is Constantly Expanding

The understanding of the relationship between men and women in Islam is reflected in Q.S. An-Nisa verse 34. According to the verse, there are two opinions about the leadership of men over women. Some say that leadership here applies in public and private life. Others say that the verse only defines leadership in the core family structure, which makes the husband obliged to take care of his wife and the husband has more authority over his wife. Both opinions seem to confirm that in the ideal family structure, the husband becomes the head of the family who is responsible for everything about his family.

Such interpretation has its own problem when associated with the social facts of this era. As the author explains at the beginning, there is a tendency for social change in society, where the roles and functions of husbands and wives no longer have dominance between one and the other, in the sense that husband and wife both serve to make a living. Even in some cases, the role of the wife can replace the husband as the primary seeker of livelihood. Certainly, Of course, this social fact does not reflect the social conditions described by the mufasir in making the husband the main breadwinner for the family.

The tendency to change the roles and functions of the members of the family raises a big question. Should people follow the patriarchal family pattern as understood by the former Mufashir who were considered to represent the desire of the Qur'an? In fact, the changing role of the husband and wife in the family may be influenced by indissoluble local culture. The prevalence of norms that become culture in a society must have received approval from that society, or, changes in roles and functions occurred due to the inevitable factors of need and ability between husbands.

The Qur'an came down decades ago in the low-moral Arab community. One of the purposes of the descent of the Quran into the Arabic community is to improve the moral quality of the people by means of argumentative dialogue (*akhliya*), and wisdom (*hikmah*) while guiding the Arabs toward the path of civilization (*madaniya*). Though the Qur'an has been revealed to the Arabs, it does not mean that the content of the Quran is only for Arabs. The Quran has a universal nature (Umar Shihab, 2005) which aims to guide the whole of mankind to the right path. The comprehensive nature of the Quran's principles provides a clear task for Muslim intellectuals to be able to dialogue the Quran with the social reality that exists throughout the world, which may differ far from the Arab cultural patterns.

The way to harmonize understanding is to update the pattern of interpretation of the Qur'an to the reality of a society. (Andika, 2018) Refreshing an interpretation does not mean refreshing the Qur'an, because the translation is a

dynamic and changeable thing, while the content of the Quran does not change. The interpretation of the Quran should not only look at the side of the entire text, but an interpreter should see the social context. It does not mean to change the provisions of the Qur'an that are normative in the form of duty of prayer, zakat, fasting, etc.

There are two factors that affect the strength of men: the creation of the body of men and the obligation of men to give a living to their wives and relatives, and to make a living. The next question is, if there is a woman who has more abilities than a man, then the woman replaces the role of a husband to earn the primary livelihood, is she worthy of being called *qowwam*?

Women's ability to hold roles can be seen in gender studies. The definition of gender is different from sex. Sex covers human biological characteristics such as men having penises, women having vaginas, females having menstrual periods, etc. Gender is the difference in social roles and functions between men and women that is influenced by social conditions. Different societies have different gender benchmarks anyway, which can change from time to time. (Mazaya, 2014) When Arabs used to label men with strength and women with softness, in today's society conditions are different.

A person can become a leader when he has leadership qualifications that can be physical strength, reason, intuition, etc., because he has to bear the burden of maintenance and protection for his family. So a householder must have a certain qualification that can be used for survival. Such qualifications can be not only possessed by a man. Then what about the textuality of the Quran? The Qur'an came down in the Arab community that still holds the patriarchal system. Men have full authority over concentrations in both private and public spheres. Male superiority was considered normal at the time. Women are discriminated against in all respects. Islam came with the aim of fixing the moral aspects of the poor Arab society by eliminating discrimination between groups. Although in reality, the patriarchal system has not been completely abolished, it seems that it is the standard that is considered fair and capable of enlightening all groups. In this case, includes the mandate of the male as the head of the household. At that time only men were considered capable of providing maintenance and protection to their families.

The exposure of *asbabun nuzul* macro and micro above gives a new perspective on the substance of Surah an-Nisa paragraph 34. In short, the verse is not just a normative verse, but more to a socio-historical verse. The social situation of the Arab community regarding the patriarchal system makes Islamic teachings a little more adapted to the culture of the community. Per if the Qur'an comes down with a system that does not correspond to the social context, then it will be considered wrongful. Because the pre-Islamic Arab community ranked men above

women with the surplus of maintenance they possessed, this advantage is considered the ultimate norm. But the Qur'an gives the men the "sign", so that they will not be permitted to be arbitrary towards women, as it is in the stages that the husband should do when the wife is *nusyuz*.

The model of patriarchal relations reflected in Q.S an-Nisa: 34 is an option of a family structure that is not patented as an Islamic family. A man is not forever the head of the family, the primary condition of being the head must be based on individual abilities. If a Muslim family lives in a patriarchal culture, the old Arab family structure offer may be appropriate. Men can play the role of head of the family and wives as housewives who work together to complement each other. However, the man's qualifications should not be forgotten, namely being able to provide a full living and protect his family.

It's different from a family that lives in a society dominated by women's roles. A wife can be the head of the family on condition that she has good individual qualifications in terms of physical, mental, and spiritual. Besides, she has to replace her husband's role in the patriarchal culture as the primary livelihood seeker. The *nusyuz* provision can be adapted to the family structure implemented, with the intention that anyone who is the head of the family can enforce the nusyuz provision against the party he leads. It's different from the condition of husbands and wives who both have a share in finding livelihoods and family protection. Against a family model like this, the rights and obligations between the two are based on the negotiations that have been agreed upon before the two take up their roles.

D. Conclusion

Gadamer's hermeneutic interpretation of Q.S. an-Nisa: 34 suggests that family leadership is not based on a specific sex, but rather on individual abilities. It enables women to be the head of the family as long as they are qualified, that is, able to meet the family's economic needs and have a good form of leadership. Gadamer's hermeneutic construction gives an impression that the Qur'an is not contrary to gender dialogues, so Muslims do not need to worry when they cannot implement the form of family leadership as the conservative interpretation of Q.S. an-Nisa: 34.

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