

## **Khaled Abou El-Fadl's Critique of Misogynistic Hadiths: A Gender Hermeneutics Approach**

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### **A B S T R A C T**

This article aims to analyze Khaled Abou El-Fadl's critique of hadiths considered misogynistic using a gender hermeneutics approach. The research is conducted through a literature study method, involving the analysis of Islamic texts, particularly hadiths, and relevant secondary literature. The hermeneutic approach used, known as "negotiative hermeneutics," emphasizes the importance of understanding the historical and social context behind religious texts and examining the authority and authenticity of these hadiths. The findings of this study indicate that many traditional interpretations of certain hadiths tend to be gender-biased and do not reflect the principles of Islamic justice. Through critique and reinterpretation, El-Fadl offers a more inclusive and just perspective, rejecting gender discrimination and advocating for equality. The conclusion of this study asserts that the use of gender hermeneutics in Islamic studies not only opens up space for more equitable interpretations but is also essential for promoting Islamic legal reforms that are more responsive to contemporary issues.

## 1. Introduction

Hermeneutics is a study that is familiar to contemporary commentators. Linguistically, "hermeneutics" comes from Greek *hermeneuein* namely "interpreting". *Hermeneia* can literally be interpreted as "interpretation" (Sumaryono, 1999). Meanwhile, in terms of hermeneutics, it is a theory for interpreting a text, especially a Biblical text (Reflita, 2016). Nasaruddin Umar quotes Richard E. Palmer that the term hermeneutics refers to Hermes, a messenger god in Ancient Greek history tasked with conveying and interpreting God's texts so that humans can understand them (Wahab, 2016).

In hermeneutics there are three main points that underlie it, namely author, text and reader. Absolutely, all three explain three main things, namely the nature of the text, the superiority of the interpreter in mastering the text, and how this interpretation can be limited by basic assumptions and the beliefs or insights of the audience (Baidan, 2005). Meanwhile, in Islamic studies, hermeneutics is a theory of interpretation of verses of the Koran and hadith, so that "hermeneutics" is no longer a term only used by parties outside Islam (outsider) but has become a separate methodological formulation for Muslims themselves (insider) (Muammar & Hasan, 2012). Some contemporary thinkers include Fazlur Rahman, Amina Wadud, Muhammad Syahrour, Mohammed Arkoun and Khaled Abou El Fadl.

Historical facts confirm that Islam strongly opposes and has eliminated gender segregation/discrimination since 15 centuries ago. Even in Indonesia, based on the final report of the compendium on women's rights in 2006, all kinds and forms of acts of discrimination against women were eliminated until the Republic of Indonesia Law No. 7 of 1984. So in the context of living in the modern-contemporary era, gender equality is a necessity, so that there is no discrimination but rather equality to help, protect and complement each other (Supardjaja, 2006). It is appropriate for a husband and wife to look after each other and not degrade each other. The focus of the study in this research discusses the hadith which explains the wife's obligation to submit to her husband

Many researchers have actually discussed the hermeneutics of Khaled M. Abaou El Fadl. There are several studies that use this theory, including Anis Tilawati (2019) who discusses Marriage Dowry by Memorizing the Qur'an: Hermeneutical Analysis of Hadith Khaled M. Abou El-Fadl, This research explains that it is permissible to use memorizing the Koran as a marriage dowry with certain conditions and having gone through a negotiation and dialectical process so that it does not harm either party. The negotiation in question is a dialogue between the surrounding culture and the hadith text itself. Another research was conducted by Muhammad Lutfi Hakim (2020) entitled Hermeneutics-Negotiation in the Study of Religious Fatwas: Critical Analysis of the Thought of Khaled M. Abou El Fadl, this research confirms that Khaled in applying his negotiation hermeneutics theory to the fatwa regarding the law on women wearing bras and the law on marriage with the intention of divorce is not consistent. In fact, in an interpretation there are three main elements that play a role in determining meaning, namely author, text and reader. Even though all three of them have to be balanced, Khaled is inconsistent. Other research discussed by Labib Muttaqin (2016) regarding Positivity of Islamic Law and Formalization of Sharia Seen from Khaled Abou El-Fadl's Theory of Authoritarianism, this research discusses an authoritarian practice by the government in the name of Islamic law, and this often happens in Indonesia, both by the

government and certain community groups. So this gives birth to Islamic law that is rigid, shackled and authoritarian.

Therefore, as far as the author's reading of previous research literature is concerned, it can be concluded that most of it still focuses on the theory and authoritarianism side of Khaled M. Abou el-Fadl, as well as the implementation of certain themes. Meanwhile, no one has discussed several themes in other research that uses Khaled M. Abou El Fadl's hermeneutics. Therefore, this article will describe Khaled M. Abaou El Fadl regarding his criticism of the CRLO fatwa (Council for Scientific Research and Legal Opinion) related to gender.

## **2. Method**

To find out Khaled M. Abaou El Fadl's views on gender, the author used qualitative methods with literature study techniques (library research) namely research by collecting library sources to obtain data and only limiting it to library sources without using sources from field research (Zed, 2008). Then the type of research used is qualitative, which is essentially descriptive research and tends to use analysis with an inductive approach. This research is also known as interpretative research, naturalistic research or phenomenological research. In its application, this approach emphasizes meaning, reasoning, definition in a particular context (Rukin, 2019). The data sources in this research are divided into two, namely primary data sources and secondary data sources. Primary sources are *Speaking in God's Name: Islamic Law, Authority*. Secondary sources include the works of Khaled M. Abaou El Fadl related to gender, books and journals related to gender and Islamic law.

## **3. Results and Discussion**

### **3.1. Biographi Khaled M. Abou El Fadl**

When you want to understand a character's thoughts, it is necessary to understand the character's background because this will more or less influence the assumptions they carry. Khaled was born in 1963. Khaled was educated from childhood in contact with Islamic sciences such as the Koran, Hadith, Arabic, tafsir and Sufism starting from the time Khaled entered elementary school. Since the age of six, he has studied at Madrasah Al-Azhar in Egypt, which at that time was experiencing a transition period from moderate to Wahhabi ideology. So that when he was a teenager, Khaled Abou El Fadl was very diligent in spreading and defending this ideology which was born in Saudi Arabia, but suddenly things changed and even contradicted the understanding he had been studying. Khaled considers this matter to limit one's exploration of thought and to be arbitrary (Yusriandi, 2010).

Little Khaled is known as an intelligent child, at the age of 12 he already memorized the Koran. As a child, apart from actively participating in al-Qur'ān and sharia classes at the Al-Azhar mosque, he also devoured the entire book collection of his parents who were lawyers. At that time, the leading educational institution in the Islamic world experienced a transition from moderate to Wahhabi ideology. According to his confession, he was a loyal follower of the puritan Wahhabi ideology while in Egypt. He did not deny that he deeply hated groups from outside his puritanism. Later, he turned towards criticizing Wahhabi ideology because he considered it to curb freedom of thought and act arbitrarily (Yusriandi, 2010).

Khaled Abou El Fadl teaches Islamic law, immigration, human rights, national security and international law, holds a degree from Yale University (BA) in 1985, then moved to the University of Pennsylvania Law School and earned a JD degree in 1989. Khaled also received formal training in Islamic jurisprudence in Egypt and Kuwait. He obtained his Ph.D degree at Princeton University in the field of Islamic studies, and simultaneously Khaled studied law at the University of California Los Angeles (UCLA) and it was there that Khaled built and developed his academic career until he was awarded a professorship in Islamic law at UCLA with teaches a number of courses, such as Islamic law, immigration, human rights, and national and international security law (Yusriandi, 2010).

Apart from UCLA, Khaled also teaches Islamic law at the University of Texas and Yale University. Apart from actively teaching at a number of prestigious universities in the world, he also devotes himself to the field of advocacy and defense of human rights, immigrant rights and heads a human rights institution in America. In the period 2003-2005 he was appointed by George Walker Bush, the American President at that time, as a member of the International Religious Freedom Commission. Apart from that, Khaled is often invited as a guest speaker on radio and television, such as CNN, NBC, PBS, NPR and VOA. He is often invited to attend seminars and discussion forums in various places. Authority, terrorism, tolerance, human rights, gender and of course Islamic law are his scientific specialization and concentration (Nasrullah, 2008).

Khaled Abou El Fadl is known as a scholar who concentrates on the study of Islamic law. He carried out internal reform of scholarship originating from the Islamic tradition, especially legal issues by offering a methodology for "reading" texts that should be appreciated in the context of Islamic legal reform. The emergence of Khaled's hermeneutics also stems from his anxiety at seeing a form of arbitrariness on the part of previous reviewers in treating religious texts, namely the merging of the reader with the author which results in the text becoming irrelevant in the context of the contemporary era, and the authorities who claim to be the masters of the truth. This is what makes the hermeneutics offered by Abou El Fadl interesting as a research object (Suhendra, 2015).

Abou El Fadl is also a prolific writer. His writings revolve around universal themes of morality and humanity. The works in book form that he has written are; *Speaking in God's Name: Islamic Law, Authority and Women* (Oneworld Press, Oxford, 2001); *Rebellion and Violence in Islamic Law* (Cambridge University Press, 2001); *And God Knows the Soldiers: The Authoritative and Authoritarian in Islamic Discourses* (UPA/Rowman and Littlefield, 2001); *Islam and the Challenge of Democracy* (Princeton University Press, 2004); *The Place of Tolerance in Islam* (Beacon Press, 2002); *Conference of the Books: The Search for Beauty in Islam* (University Press of Amerika/Rowman and Littlefield, 2001).

Most of his works have been translated into Indonesian, including: *In the Name of God; From Authoritarian Fiqh to Authoritative Fiqh* (Perbit Publishers), *Against God's Army* (Perambi Publishers), *Deliberation of Books* (Serambi Publishers), *Ideals and Facts of Islamic Tolerance; Puritanism versus Pluralism* (Publisher 'Arsy-Mizan), *Islam and the Challenge of Democracy* (Publisher Ufuk). Apart from that, Abou El Fadl's thoughts are largely the same as the themes of his books which are also published in dozens of international academic journals (Rohmanu, nd).

### 3.2. Background thinking Khaled Abou El Fadl

Khaled in his work *Speaking in God's Name: Islamic Law, Authority, and Women* explain the concept of authority. Specifically, in the discussion of chapter two, it is explained that Islam rejects elitism and emphasizes that truth is equally accessible to all Muslims regardless of race, class, or gender. This explains that a person mujtahid in berijtihad Good ijtihaad right or wrong will still get a reward, one person mujtahid the results ijtihaadis correct then you get two rewards whereas if the result is ijtihaadwrong will get one reward.

Book *Speaking in God's Name* What is being studied is Abou El Fadl's work in response to gender-biased interpretations of a number of Islamic religious fatwas issued by legal experts at CRLO (Council for Scientific Research and Legal Opinion), an institution in Saudi Arabia which is entrusted with issuing fatwas. There are fatwas that worry many Muslim academics in all areas, such as the prohibition on women visiting their husband's graves, the prohibition on raising one's voice in prayer, the prohibition on driving or driving one's own car, one must be accompanied by a mahram man. These fatwas are considered by many groups, including Abou El Fadl, to be an act of degrading women that cannot be tolerated in this current era. Even the fatwa prohibiting women from driving cars alone and having to be accompanied by a mahram male gave birth to a new fatwa which was considered the "stupidest" fatwa in the Islamic world.

A Mufti "legalizes" contact and meetings that are prohibited. The solution is to prohibit the relationship between the man and the woman through the bond "radha'ah", breastfeeding bond. A man who was not previously his mahram and who wants to be a driver must breastfeed his prospective employer's woman so that the two are bound by a relationship like mother and child, and at the same time become siblings with his daughter and therefore forbidden to enter into a marriage bond. A driver, for example, before working as a delivery driver for his employer, who is a woman, must first breastfeed his employer (Effendi, 2010).

Apart from demeaning the fatwa above, Khaled also assumes that there are problems in the fatwa above, First: must be considered regarding the authority of the hadith regarding the competence (qualification) of the text. Competence is related to the qualifications of reference sources, meaning how to know that a command really comes from God and His Prophet. Texts that have competence are judged to be authoritative, while those that do not have competence are not judged to be authoritative and represent "the voice of God and the Prophet (Nasrullah, 2008).

Second: For Khaled, readings of texts can be diverse, resulting in a plurality of meanings. Every reader has the right to impose whatever meaning he wishes on the text. To a certain extent, the legitimacy of a reader's determination of meaning depends on the extent to which the reader respects the integrity of the author's intention and the text itself. However, the power to determine meaning has been handed over to humans as God's representatives. Thus, in conveying His commandments, God has used two means; text means and human means. Texts are expected to shape human attitudes and behavior, and conversely, humans also play an important role in shaping the meaning of texts (El Fadl, 2003).

Third: In Islam, sovereignty belongs only to God, but Islam also recognizes the concept of human caliphate as God's representative. However, God's delegation of authority and authority to humans will open the door to authoritarianism. Therefore, Khaled put forward

several standard prerequisites for those who are called God's "special representatives". First, is honesty. God's representative must have honesty and be trustworthy to interpret God's commands. He must avoid pretending to understand what he actually does not know, and be honest about the extent of his knowledge and ability to understand God's commands. Second, perseverance (diligence) in mobilizing all one's rational abilities to discover and understand God's will. Third, comprehensiveness in investigating God's will. An interpreter must conduct a thorough investigation of God's commandments by considering relevant matters, and not abdicate his responsibility to investigate or discover certain lines of evidence. Fourth, the use of rationality in the interpretation and analysis of God's commands. Interpretation of texts must be carried out rationally, or at least with the correct measure according to the general paradigm. This means that the reader must not over-interpret the text so that it gives rise to the conclusion that the meaning of the text is really what the reader wants, and does not convey the meaning that the text really wants. Fifth, self-restraint or humility in explaining God's will. This control is more of a certain precaution to avoid deviation, or possible deviation from the role of the author (God) (Raisul, 2015).

### 3.3. Overview of Gender

Throughout the history of human civilization, problems of social injustice have generally affected women. Women who are solely positioned in domestic and reproductive roles greatly hinder their progress in the public and production world. This is a cultural and traditional engineering that creates certain labels or stereotypes of women that are deeply rooted in society. Culture and traditions play a big role in forming stereotypes that create a significant dependence on men from women. To reposition the role of women in social interactions in society, the concept of birth gender reconstructs the relationship between men and women universally to open up equal opportunities to work in various fields of life without being influenced by gender differences, male or female (Rokhmansyah, 2016).

Term 'gender' introduced by social scientists to explain the differences in roles, behavior, mentality, functions, status and responsibilities of women and men. This distinction is very important because up to now people have often mixed up natural and non-natural human characteristics (gender). These differences in gender roles really help us to rethink the division of roles that have been considered to be inherent in women and men to build a picture of gender relations that is dynamic and appropriate and fits the reality that exists in society (Puspitawati, 2013).

Gender is often identified with sex (sex), even though gender is different from sex. Gender is often understood as a gift from God or divine nature, even though gender is not solely like that. Alfian Rokhmansyah quoted Fakih's opinion which differentiated the concept of gender from sex in more detail, that term sex refers to a biological point of view, namely the differentiation of sex (male and female). For example, men are humans who produce sperm. Meanwhile, women are humans who have reproductive organs such as a uterus and tubes for giving birth. These tools are biologically attached to the female and male species forever. This means that biologically these tools cannot be exchanged with each other. It is permanently unchanging and is Divine nature.

Different from sex, the concept of gender is a characteristic inherent in men and women which is constructed socially and culturally. For example, women are known to be gentle,

beautiful, emotional and motherly. Meanwhile, men are considered strong, rational, manly and powerful. Each of these traits is interchangeable, meaning that men are also gentle, emotional and motherly. Meanwhile, there are also women who are strong, rational and powerful. In certain tribes, lower class women in rural areas are stronger than men. All of these things are interchangeable and can change from time to time. Gender concentrates more on social, cultural and other non-biological aspects, and emphasizes the development of aspects of a person's masculinity and femininity (Rokhmansyah, 2016).

Thus, gender is the result of an agreement between humans that is not natural. Therefore, gender can be formed and changed from one place to another and from one time to the next, and can be exchanged between men and women. In turn, the concept of gender differentiation gives rise to gender inequality. It must be acknowledged that women are the ones who often become victims of gender injustice. Nurrochman quoted Mansur Fakhri, he identified gender inequality into five forms. First, violence against women. The violence in question can be physical, sexual or psychological. Second, marginalization. Often policies, both in the domestic and public spheres, have marginalized women. Third, women's subordination. The assumption that women are in second place in the structure of society or that women only focus on domestic matters. Fourth, existence negative stereotype against women. Fifth, double beban (double burden) which must be borne by women. Domestication is as if women are the only party who is obliged to take care of domestic matters (housekeeping) (Nurrochman, 2014).

#### 3.4. Khalid Abou el-Fadl's Views on Gender Equality

In Khalid's view, in the Qur'an there are problems with the meaning and understanding of the Qur'an. The problem of interpreting verses literally shows gender bias. This occupies a significant position in the discourse of Islamic studies because it provides a spirit of reinterpretation of various interpretations that have long been considered sacred by Muslims.

The Koran was not revealed in a historical vacuum, in the interpretation of a text behind it there are so many invisible perspectives and ideas that must be taken into account when someone wants to understand it. Therefore, it is necessary to apply methodological assistance from other sciences such as psychology, sociology, linguistics and others as a necessity, without understanding the various variables and historical situations of a text. This has the potential to give rise to misunderstandings in interpretation, especially if it is trapped in authoritarianism or other forms of real fraud.

To overcome this, Khalid offers a multi-interdisciplinary hermeneutics, combining critical social theories with Islamic knowledge, including *ushul fiqh*, *hadith*, *ulum al-hadith* and others that are based on ethical values. This value is in the form of sincerity (*deligent*), is acceptable (*rasionable*), considering various related aspects (*comprehensive*), self-control (*self restraint*), and honesty (*honesty*), with negotiating process between the three meaning-producing authorities, that is, there is a dialectical interaction between the world of text (*al-Qur'an al-Hadis*), the world of author (*mufasir ulama*), and the world of audience (*empirical reality of humanity*) (Maftuchah, 2010).

#### 3.5. Khaled Abou el-Fadl's Hermeneutical Applications

Khaled wants to correct the views of some people who link hermeneutics with studies biblical studies in the Christian environment which will be applied in the study of the Koran in the Islamic environment. He wanted to explain that hermeneutic understanding is actually not like that. Hermeneutics is a science of explaining texts and their characteristics both objectively and subjectively. In other words, the main question in hermeneutics is how the text actually relates (text), writer (author) and reader (reader) in the dynamics of the struggle for Islamic legal thought (Fadilah, 2016).

Khaled's hermeneutical approach is more inter- and multidisciplinary by involving various approaches, such as linguistics, interpretative social sciences, and literary criticism. Apart from that, there are also standard Islamic sciences such as *al-hadith*, *shul fiqh*, *musthala* *al-hadith*, *tafsir* and *kalam* (Zayyadi, 2015). Khaled highlighted what basic competencies are, and what are the mechanisms for formulating and making decisions on fatwas, figures and even religious organizations in general. One fact that cannot be avoided is that God's commandments always rely on 'text', while the text itself relies on the intermediary tool 'language'. This language has been a source of disagreement throughout time because language has its own objective reality whose meaning cannot be determined effectively and unilaterally by either the author or the reader (Fadilah, 2016).

An interpreter, according to Khaled at least has persuasive authority, namely the authority of a 'special representative' (Islamic jurist or jurist') and not coercive (coercive) or authoritarian authority. Khaled strictly demarcates between 'authoritative' and 'authoritarian' in Islamic legal discourse. When the process of understanding a text that is actually interpretive is closed, the person or group carrying out the interpretation has entered the realm of arbitrary action (Zayyadi, 2015). Just like some groups who use Hadith randomly and haphazardly take it from the hadith books without double-checking the level of history, the category of maturity and the consequences just to support personal interests.

### 3.6. Khaled Abou el-Fadl's Hermeneutical Implications

Based on these arguments, Khaled has formulated a hermeneutic theory and then applied his theory to study the interpretations that develop in Islamic society. In this case, Khaled made CRLO's fatwas his object, especially fatwas concerning women's issues which were explained in the previous sub-chapter. In reviewing CRLO fatwas, Khaled uses methodological tools that he has formulated, especially regarding issues of competence and determining meaning.

In this case, Khaled's hermeneutics is 'Negotiation Hermeneutics', namely the process of searching for meaning which requires interaction between the author, text and reader, where according to Khaled these three elements must be in balance and a negotiation process must be carried out. In the negotiation process, one party must not dominate the process of determining meaning. In other words, the loss of this negotiation process will lead to an attitude of authoritarianism.

The method and practical steps of 'negotiative hermeneutics' initiated by Khaled and applied in Islamic law are as follows;

- Understanding of the text, namely the text has its own language rules, the text does not contain the author's will, and the text is autonomous and open.

- Testing the authenticity of the text, namely the text of the Al-Qur'an and the Sunnah as sources of law, is open, the authenticity of the text of the Al-Qur'an is beyond doubt.
- Determining the meaning of the text. Among them, understanding the original intention of the author of the text, understanding the community of meaning around the text, understanding the moral message of the entire text, analyzing honesty (honest, sincere, thorough, rational), finding new meanings and applications of today's texts (Muzayyin, 2016).

Then the operational steps for Negotiative Hermeneutics are as follows;

#### Competence (authenticity)

The first question regarding competence is what means to know God's will? Khaled's answer was the Koran and Sunnah. The next question is how do we know that the command is really from God and His Prophet? Khaled's answer is to carry out a qualification test on the text, namely the authority of the text as a representative in the name of God (Muzayyin, 2016).

#### Determination of meaning

An action to determine the meaning of a text.

#### Representative

The question that arises then is who has the right to ensure and resolve the issue of competence and determination of meaning? God is the owner of all authority, but humans are also mandated as law makers to represent the voice of God and the Prophet (Muzayyin, 2016).

In the matter of competence or authenticity of hadith, Khaled uses the methodological tools of classical hadith criticism (*musthalah al-hadith*), namely criticism of the narrator of the hadith (*rija>l al-hadi>ts*) and criticism of the transmission or series of hadith narrators (*naqd as-sanad*). However, in this case, according to him, the most important thing is to know the socio-historical background of the hadith by using editorial criticism or hadith mathematics (at the moment) (Zayyadi, 2015). In addition, Khaled Abou El-Fadl criticized a number of gender-biased religious fatwas issued by jurists Council for Scientific Research and Legal Opinion (CRLQ), according to him, the fatwa shows the dominance of puritanical reason and symbolizes a form of authoritarianism (El Fadl, 2004). Some of the fatwas that are the focus of Khaled's criticism are as follows.

One of the hadiths Khalid Abou El-Fadl criticizes is the hadith about the wife's obedience to her husband. Abu Hurairah narrated that the Prophet once said: "If I had to order someone to bow down to another person, I would order a wife to bow down to her husband." Some of the Prophet's companions, including Aisha, the Prophet's wife, narrated similar hadiths. But on several lines about Muadz who had just returned from Yemen and asked the Prophet if the Muslims bowed to him. The Prophet answered it as in the hadith above, but there is an addition "a woman is not considered to have fulfilled her obligations to God unless she has fulfilled her obligations to her husband. If she is asked by her husband to serve her while he is sitting on the saddle, then she should obey him." Even the line of Anas bin Malik narrates that the Prophet once said; "No human being can bow down to his fellow man, and if a human being is allowed to bow down to his fellow man, I will order a wife to bow down to her husband because the rights of a husband towards his wife are so great. By God, if a wife licks a boil that grows all over her husband's body, from the tip of the foot to the tip of the hair,

then that is still not considered sufficient as the fulfillment of her obligations to her husband." A hadith with a similar meaning was also narrated by Abu Hurairah, 'If a husband invites his wife to bed, then she rejects him, then the angels will curse him until dawn.'

According to Khalid about el-Fadl, these hadiths explain a fundamental principle that may have an impact on patterns of marriage relationships and gender relations. Although the practice of physically prostrating oneself towards one's husband is not permitted, the moral substance of prostrating oneself is indeed enforced on the basis of such hadiths. As a result, a wife has enormous obligations towards the man who is her husband, solely because of the man's position as her husband (Majid, 2013). A husband has the right to receive respect and service from his wife. It seems that a wife is destined to live a life as her husband's loyal servant. These hadiths are responsible for the moral status of women in general.

According to Khaled, the hadiths gave birth akhdz al-dhamir (disturbing or disrupting consciousness). According to Khaled, theologically this hadith contradicts the idea of God's sovereignty and His absolute will. Apart from that, these hadiths are not in line with the Qur'anic discourse on marriage. In the Qur'an it is stated that men are my strength (protector, protector) of women, husband and wife are partners of love and affection, they are clothes for each other. There is not a single verse in the Koran that states that the relationship between husband and wife is superior and subordinate. In fact, other hadiths state that the Prophet and his wives sometimes argued with each other, and sometimes it made them angry and one of them even left his house from morning to night. He loved his wives very much, used to ask for advice, treated them gently and pleasantly, very different from what is described in these hadiths.

That is why Khaled suspects and assesses that hadiths like this do not meet strict evidentiary standards and are proportional to the impact they cause. Even though this hadith is considered authentic by hadith scholars, discussions about its authenticity are no longer relevant. It is certain that these hadiths are not sufficient to be used as a basis for legal determination (Majid, 2013). So it is felt necessary to review the hadiths which are the basis of the CRLO decision so that they can be relevant to the balance of relations between husband and wife.

The main point of the problem is that the hadith regarding prostrating to one's husband contradicts the verses of the Koran regarding marriage and the Prophet's behavior towards his wives. This hadith contradicts the QS. Al-Baqarah (2) verse 187 which explains that husband and wife are partners who complement each other, just as a husband is a garment for his wife and vice versa, and QS. Ar-Rum (30) verse 21 which states that the purpose of marriage is to create a sense of peace and affection between family members. This hadith also contradicts the Prophet's behavior towards his wives, because in reality, the Prophet's wives once argued with him, the Prophet never hit or criticized them, his treatment of his wives was very gentle and pleasant, the Prophet even asked his wife for advice. This shows that the Prophet's behavior was very different from the impression given in these hadiths (El Fadl, 2004). Leadership of men over women QS. An-Nisa (4) verse 34 is a reference for looking at the relationship between men and women. Some groups use it as a basis for distinguishing between men and women biologically and gender-wise. Other groups understand His words contextually which shows justice and equality between men and women.

Khaled stated that whatever interpretation is contained in the word my strength This verse still cannot cancel the belief that the verse does not determine the relationship between men and women in an absolute and independent manner. Relations both depend on human action (“according to the wealth bestowed on others”) and depend on God's action (that is, with the superiority that God bestows on one person over another). Besides, said fadl in the Al-Quran, both relating to God's rewards and grace, shows that rewards and grace can be obtained by anyone. This implies that men and women have the right to receive God's rewards and grace. The leadership authority given to men is not because he is a man, but because at that time it was men who provided for women. However, if women have the same responsibilities as men, authority must be shared equally between the two (El Fadl, 2006).

#### 4. Conclusion

Khaled Abou Fadl is known as a contemporary Muslim hermeneutic who emerged amidst the rise of religious authoritarianism. He criticizes classical and contemporary fiqh products through his hermeutic methodological tools. This happened because of his anxiety about the fatwas issued by CRLO (Council for Saintivic Research and Legal Opinion ). In this case, one of his works is entitled *Speaking in God’s Name: Islamic Law, Authority* is also there to respond to the CRLO's interpretation, whose fatwas have disturbed many Muslim academics because they are seen as an act of degrading women that cannot be tolerated in the current era. Then, to overcome this, Khaled offers multidisciplinary hermeneutics based on ethical values in the form of sincerity, reasonableness, considering various related aspects, self-control and honesty.

Therefore, Khaled Abou El-Fadl uses a hermeneutic approach as a form of interpretation that can differentiate the relationship between reader, text and author. In his work "In the Name of God", Khaled provides enlightenment as a critique of gender-biased fatwas that demean women and a contextually understood interpretation of the existence of equality between men and women in a social and political context.

So, in Khaled Abou El-Fadl's research, it can be concluded that he is an academic who concentrates on the study of gender relations, such as in the case of hadiths regarding the obligation of wives to prostrate to their husbands. According to him, these hadiths are theologically contradictory to the idea of God's sovereignty and His will which is absolute and not. in line with the Qur'anic discourse on marriage, because the moral substance of prostrating is enforced on the basis of this hadith, even though the practice of physically prostrating is not permitted. Khaled also said that the verses of the Koran were clear that the man Qawwaun (caretaker, protector) towards women, providing a sense of love and affection, not in the context of superiors and subordinates. So, according to him, the authenticity of this hadith is irrelevant and cannot be used as a strong legal determination.

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