

## RECONSTRUCTION OF THE MEANING OF WIFE BEATING LICENSE IN THE QUR'AN: *TA'WIL* AN UNDERSTANDING OF THE WORD *DARABA* IN SURAH AN-NISĀ' 34

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**Abstract:** This article aims to redefine the word *daraba* in the *Qur'an* Surah *An-Nisā'* 34. Some interpreters and jurists say that beating a wife is permissible if she leaves her obligations as a wife (*nushūz*) on the condition that it is in the context of education and does not injure or cause injury. Some other interpreters argue that the meaning of *daraba* is a metaphor, that is, it does not mean hitting. However, this problem does not just end because the understanding of the *mufassir* who interprets *daraba* as an order to hit is clear in the language rules, namely literal meaning. Thus, the debate over the license to beat one's wife in Islam is still a polemic and Islam is still imaged as a religion that gives a license to beat one's wife. This image makes it difficult for Islam to harmonize with modern humanism and it becomes almost impossible for ethical values in Islam to be offered as part of the values of modern humanism. This qualitative research examines the literature related to the research focus and interviews religious experts, especially commentators, to solve research problems. Interpretation of the review of the word *daraba* is carried out through text analysis using a spiritual hermeneutic approach as systematized by Abdul Hadi WM and strengthened by the understanding of religious experts through interviews. The research findings show that the spirit of Surah *An-Nisā'* 34 is in accordance with the spirit of humanism, especially regarding emancipation and gender equality. But the meaning of *daraba* needs to be resolved through spiritual hermeneutics. So, even though it has an ontological basis that is different from modern humanism, Islamic values can be in harmony with modern humanism through this approach.

**Keywords:** *Daraba*, Humanism, *Nushūz*, Spiritual Hermeneutics, Surah *An-Nisā'* 34.

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**Abstrak:** Artikel ini bertujuan untuk mendefinisikan kembali kata *daraba* dalam Al-Qur'an Surah An-Nisa' 34. Beberapa ahli tafsir dan ahli agama mengatakan bahwa memukul istri diperbolehkan jika ia meninggalkan kewajibannya sebagai istri (*nushūz*) dengan syarat dalam konteks pendidikan dan tidak melukai dan tidak menyebabkan cedera. Sebagian penafsir lain berpendapat bahwa makna *daraba* adalah metafora, artinya bukan memukul. Namun, permasalahan ini tidak berakhir begitu saja karena pemahaman mufassir yang mengartikan *daraba* sebagai perintah memukul sudah jelas dalam kaidah bahasa yaitu makna literal. Dengan demikian, perdebatan tentang izin memukul istri dalam Islam masih menjadi polemik dan Islam masih dicitrakan sebagai agama yang memberikan izin memukul istri. Pencitraan ini mempersulit Islam untuk berharmonisasi dengan humanisme modern dan hampir tidak mungkin nilai-nilai etis dalam Islam ditawarkan sebagai bagian dari nilai-nilai humanisme modern. Penelitian kualitatif ini mengkaji literatur yang berkaitan dengan fokus penelitian dan melakukan wawancara dengan para pakar agama khususnya ahli tafsir untuk memecahkan masalah penelitian. Penafsiran telaah kata *daraba* dilakukan melalui analisis teks dengan menggunakan pendekatan hermeneutika spiritual yang disistematisasikan oleh Abdul Hadi WM dan diperkuat pemahaman para ahli agama melalui wawancara. Hasil penelitian menunjukkan bahwa semangat Surah An-Nisa' 34 sesuai dengan semangat humanisme, khususnya tentang emansipasi dan kesetaraan gender. Namun makna *daraba* perlu dipecahkan melalui hermeneutika spiritual. Jadi, meskipun memiliki landasan ontologis yang berbeda dengan humanisme modern, melalui pendekatan ini nilai-nilai Islam dapat diselaraskan dengan humanisme modern.

**Kata-kata Kunci:** *Daraba, Hermeneutika Spiritual, Humanisme, Nushūz, Surah An-Nisā' 34.*

## Introduction

As a religion that is compatible for all times, as claimed by Sayyid Ahmad Khan, Syeh Ameer Ali, Allama Sir Muhammad Iqbal, Sukarno, Syabbir Akhtar, Abdurrahman Wahid, Nurcholish Madjid, and many other genius intellectuals, Islam has faced endless challenges.<sup>1</sup> New challenges always arise because the context of social problems is constantly present. One of the big challenges faced by Islam is how the many good values that are owned can become part of the basic values of life by modern humans. This challenge was once raised by Kuntowijoyo who offered the objectification of Islam to make Islamic treasures the property of many people, regardless of religion or nationality.<sup>2</sup>

Islam itself has many problems that must be resolved so that the values contained can be offered as objective values. One of the challenges is the image of Islam which is seen as a religion that subordinates women. This assumption arises from the interpretation by some Muslim scholars of the word *daraba* in Al-Qur'an Surah An-Nisā' 34 as an Islamic license to beat one's wife. Based on this meaning, in the context of Muslim society, wife beating also occurs a lot. There have been many studies that prove it.<sup>3</sup>

M. Saud, A. Ashfaq, and S. Mas'udah researched wife beating in Pakistan. The results of research over a long period show that most of the people of Pakistan reject

1 Shabbir Akhtar, *A Faith for All Seasons: Islam and the Challenge of the Modern World* (Chicago: Ivan R. Dee Publishes, 1991).

2 Kuntowijoyo, *Identitas Politik Umat Islam* (Yogyakarta: IRCiSoD, 2018), 81.

3 Adynata Adynata and Sulaiman Sulaiman, 'Analisis Normalisasi Pemukulan Suami Terhadap Istri Perspektif Hukum Islam (Studi Terhadap Pendapat Seorang Da'iyah di Media Sosial)', *An-Nida'* 46, no. 1 (30 June 2022): 65, <https://doi.org/10.24014/an-nida.v46i1.19244>.

the act of beating a wife. However, in certain areas, especially in the suburbs, the act of beating a wife is considered legal by some husbands. This action was carried out for several reasons, including when the wife abandoned her child, went to the market without her husband's permission, refused to have sex, and several other reasons. It seems that the reasons used to beat the wife are based on the cultural conditions and the environmental situation of the community.<sup>4</sup>

Muhammad M. Haj-Yahia examines a wife beating in Jordan. Of the hundreds of respondents who were collected, the results of his research showed that most people approved of the act of beating his wife. They think that this practice should not be taken outside of household matters. The research found that the community's justification for these actions was due to the patriarchal culture of Arab society.<sup>5</sup>

Elizabeth Foyster examines wife-beating in England during the Stuart Period (1603–1714). The research findings show male domination and female subordination so that women experience bullying.<sup>6</sup> Michelle J. Hindin researched a wife beating in Zimbabwe. The research found that not only beatings but acts of sexual violence in general often occurred there. This action often results in death. The reason is that in Zimbabwe, the patriarchal culture is still very strong.<sup>7</sup> Dyah Hapsari Ekonugraheni, Eva Lydia, Yusnaini, and Mery Yanti researched the act of beating a wife by a husband in Indonesia. They found that the factor of beating a wife occurs because the wife neglects her children, is of immature age, has low education, the husband is polygamous, and several other reasons.<sup>8</sup>

From the several studies above, it was found that acts of violence against women, especially wife beating, did not occur because of religious factors, but during the human period. This cannot be said for environmental factors alone because in Europe, Africa, and Asia, patriarchal cultures occur. From the research above, wife beatings occur not because of religious doctrinal factors, but because of classical culture. Countries that have abandoned classical culture, such as England, of course, have strongly opposed the subordination of women and violent acts of wife beating. However, countries that still adhere to classic culture, such as Zimbabwe,

4 Muhammad Saud, Asia Ashfaq, and Siti Mas'udah, 'Women's Attitudes towards Wife Beating and Its Connection with Intimate Partner Violence (IPV): An Empirical Analysis of a National Demographic and Health Survey Conducted in Pakistan', *Journal of International Women's Studies* 22, no. 5 (2021): 149–60.

5 Muhammad M. Haj-Yahia, 'Beliefs of Jordanian Women About Wife-Beating', *Psychology of Women Quarterly* 26, no. 4 (23 December 2002): 282–91, <https://doi.org/10.1111/1471-6402.t01-1-00067>.

6 Elizabeth Foyster, 'Male Honour, Social Control and Wife Beating in Late Stuart England', *Transactions of the Royal Historical Society* 6 (12 December 1996): 215–24, <https://doi.org/10.2307/3679237>.

7 Michelle J. Hindin, 'Understanding Women's Attitudes towards Wife Beating in Zimbabwe', *Bulletin of the World Health Organization* 81, no. 7 (2003): 508.

8 Dyah Hapsari Ekonugraheni et al., 'Factors Contributing to the Married Men's Attitudes towards Wife-Beating in Indonesia', *Journal of Social Behavior and Community Health*, 14 November 2022, <https://doi.org/10.18502/jsbch.v6i2.11137>.

still adhere to patriarchal culture strongly. In this case, there is an assumption as to whether the religions that emerged in the classical period justified patriarchy, bearing in mind that Christianity in the Stuart Period which imposed patriarchal culture found patriarchal legitimacy from Christianity, and Arab society often used patriarchy as a pretext for carrying out Islamic teachings. Not only that, Islam itself, which bases its doctrine on the Qur'an, has clear arguments against the recommendation to beat one's wife.

Some interpreters are of the view that the intended beating needs to be interpreted metaphorically. Others argue that beatings are permissible. Others argue that this action is *makruh*. However, in the religious understanding of society, wife beating is justified by some religious teachers. This is as reported in a study by Adyanta and Sulaiman.<sup>9</sup> The main problem with the wife-beating license is how Islam positions women. The beating is the effect of that positioning. How interpreters position women, parallel to the way they interpret Q.S. An-Nisā': 34, especially regarding the meaning of the word *wadribuhunna*, whose origin is *daraba*.

### **Polemic Interpretation of the License of Beating Wife in the Qur'an**

Many interpretations of the Qur'an interpret that *daraba* in Surah An-Nisā' 34 allows a husband to beat his wife if she commits *nushūz*, namely neglecting her duties as a wife, such as refusing sexual relations and neglecting her children. The beating that is permitted by several interpretations is that it does not cause injury or disability. At-Tabari prohibits beating one person against another except in the context of civilization, such as a wife beating her husband.<sup>10</sup> Ibnu Katsir also interprets that a husband may beat a *nushūz* wife on condition that he does not injure or injure her.<sup>11</sup>

Besides, Shaykh Nawawi has many other reasons for allowing a husband to beat his wife, such as when the wife opens her face and talks to other people who are not *mahrams* and several other things.<sup>12</sup> Hamka opened the opportunity for a husband's license to beat his wife. However, he stressed that if a husband is virtuous, he will not beat his wife.

This study argues that the completion of the polemic word *daraba* in Q.S. An-Nisā': 34 cannot be resolved through the perspective of conventional interpretation because generally, they permitted to beat their wives even though the conditions are in the context of educating, not injuring, and not causing injury. The meaning of the metaphor by some modern thinkers who interpret *daraba* is not to beat, nor can it immediately eliminate the image of Islam as a religion that subdues Islam. For Islamic values to contribute to modern humanism, a more comprehensive alternative approach is needed in interpreting the Koran, especially

9 Adyanta and Sulaiman, 'Analisis Normalisasi Pemukulan Suami Terhadap Istri Perspektif Hukum Islam (Studi Terhadap Pendapat Seorang Da'iyah di Media Sosial)', 63–84.

10 Ibn Jarīr al-Ṭabarī, *Tabdhīb al-Asrār* (Kairo: Maṭba'ah al-Madani, n.d.), 418.

11 Ibn Kathīr, *Tafsīr al-Qur'ān al-Azīm*, vol. 4 (Beirut: Dār al-Kutub al-'Ilmiyyah, 1998), 254.

12 Muḥammad Nawawī, *Tafsīr al-Munīr* (Singapore: Haramain, n.d.), 149.

the word *daraba* in Q.S. An-Nisā': 34.

This study uses a qualitative approach. Data collection was carried out through literature analysis with a focus on literature related to the research focus and interviews with religious experts to find out their understanding of the research subject. The literature is analyzed through spiritual hermeneutics as described by Abdul Hadi WM, namely uncovering the hidden symbolic meanings behind the text.<sup>13</sup> This study also conducts interviews with several scholars and members of the public who are considered authoritative in providing opinions on the interpretation of Al-Qur'an Surah An-Nisā': 34, particularly regarding the arguments regarding the permissibility of hitting one's wife contained in the verse in question. The collected data is analyzed and interpreted according to scientific principles.

Imam Nawawi also opened the opportunity for a license to beat his wife if all forms of advice have been taken, separate beds have also been made, but the wife is still *nushūz*. However, in general, Muslim scholars, either they are as *mufasssīr* or converts of jurisprudence, do not give the opportunity to license wife beatings if there is not enough reason to do so. In general, a license to beat a wife is the last resort if the wife has repeatedly committed *nushūz*. Moreover, the beatings that are permissible are still in the context of education, not injuring or causing any wound. Nonetheless, the choice not to beat was preferred by the Muslim scholars.

Apart from the interpretation dimension, the *fiqh* dimension also generally allows husbands to beat their wives. Ibnu Najim, for example, is of the opinion that it is permissible for a husband to beat his wife if she refuses to have sex, leave the house without the husband's permission, refuse to decorate when asked by the husband, and refuse to take a bath (*jinabah*).<sup>14</sup> In general, *fiqh* books open great opportunities for husbands to beat their wives.

*Asbāb al-nuzūl* Surah An-Nisā' 34 is after Prophet Muhammad forbade wife beating. However, husbands admit that their wives are *nushūz*. So that the verse was revealed. Then after the verse was revealed, the wives came to the Prophet Muhammad's house to complain about the actions of their husbands who beat them excessively. Then the Prophet Muhammad gave a sermon asking husbands to be noble by not hugging their wives. Thus, the *khutbah* should have demolished the meaning of beating *daraba* in Surah An-Nisā' 34. But until modern times, many Muslim scholars and interpreters have interpreted *daraba* in Surah An-Nisā' 34 as the utterance of beating one's wife.

Intellectuals who reject wife-beating, such as Asghal Ali Engineer, say that the Qur'an does not want wife-beating to occur. However, Surah An-Nisā' 34 was adapted to the context of Arab society at the time when the Qur'an was revealed, whose social system was very patriarchal. The Qur'an has a spirit of gradual change in behavior and social change. Thus, in the patriarchal era, wife-beating was not

13 Abdul Hadi W.M, *Tasawuf Yang Tertindas: Kajian Hermeneutik Terhadap Karya Hamzah Fansuri* (Jakarta: Paramadina, 2001), 190–91.

14 Ibn Najim al-Miṣrī, *Al-Baḥru al-Rā'iq Sharḥ Kanz al-Daqā'iq* (Beirut: Dār al-Kutub al-Islāmī, n.d.), 310.

expressly prohibited but offered an alternative process, namely beating if the wife had made a fatal mistake. Then the interpreters of the Qur'an interpret the beatings as meant not to torture but to teach a lesson. So that the beatings that are permissible are not injuring and not injuring.

Muhammad Shahrur interpreted *daraba* as not beating but acting decisively against them. Because indeed *daraba* as long as he said he didn't hit but like pressing. This view is in accordance with Quraish Shihab in the interpretation of Al-Misbah which says that *daraba* is not hitting but advising more firmly. Furthermore, Quraish Shihab said, that to warn the wife about the *nushūz* that was being carried out, the husband had to "keep away" his wife from bed. The point is, if you usually sleep facing each other, then sleep not facing your wife. The goal is for the wife to realize that what she has done is very dangerous, so she needs to realize her mistake and try not to repeat that mistake again.<sup>15</sup> This explanation is in accordance with Abu Sulaiman's thought that if *daraba* is interpreted as beating, it will contradict the example practiced by the Prophet Muhammad and contradict the spirit of Surah An-Nisā' which aims to position women in a noble position.

However, there is a view as put forward by Fatima binti Muhammad that the *daraba* in question does not have a *majazi* or metaphorical meaning, but an essential one.<sup>16</sup> The point is that the command to hit in Surah An-Nisā' 34 is a literal command to hit, but not hard, not to be wounded, not to injure. In this case, there are so many interpretations. Therefore, the *daraba* problem will still be a reference to women's subordination and make Islam have no chance of being accepted as a source of values in modern humanism. Even in the latest interpretations, there are still many meanings of *daraba* which means a literal order for husbands to beat their wives when they commit *nushūz*. Thus, the verse still has the opportunity to be interpreted incorrectly and has the opportunity to be used by a husband as the legitimacy of beating his wife. This potential is very large, especially in people who lack good religious insight and people who live in a patriarchal culture. For this reason, the polemic of Surah An-Nisā' 34 regarding wife beating needs to be resolved so that Islam can be accepted as part of values that are in harmony with modern humanism.

Khairil Miswar said, "*Many verses of the Qur'an were no longer interpreted in the way they were interpreted in previous times.*"<sup>17</sup> Therefore, the meaning of *daraba* which is usually interpreted as hitting can also be interpreted differently. This statement departs from various interpretation reform literature that has tried to rediscover meanings that are more in line with the spirit of the Qur'an and in harmony with the times.

15 Quraish Shihab, *Tafsir Al-Mishbah: Pesan, Kesan dan Keserasian Al-Qur'an*, vol. 2 (Jakarta: Lemtera Hati, 2000).

16 Fāṭimah bint Muḥammad bin Ibrāhīm al-Kalṭham, 'Wilāyah al-Jawz fī Ta'dīb al-Jawzah bi al-Ḍarbi: Hudūduhā wa Aḥkāmuhā fī al-Sharī'ah al-Islāmiyyah', *Majallah al-Jāmi'ah al-Islāmiyyah lil 'Ulūm al-Sharī'iyah* 51, no. 183 (31 March 2018): 400.

17 Miswar Khairil, interview by Miswari Miswari, December 2022.

Mawardi from IAIN Langsa said, “*The Word daraba means not hitting but giving a firmer warning.*”<sup>18</sup> Mawardi admitted that he fully agreed with the explanation by Quraish Shihab. This explanation is based on *Tafsir Al-Misbah*. There, Quraish Shihab said that *daraba* means a little affirmation or pressure. Quraish Shihab explained, that people who walk by stomping their feet too hard on the ground are also called *daraba*. So, according to the origin of the word, *daraba* is not hitting, but applying stronger pressure. Regarding the context of the verse in Surah An-Nisā’ 34, *daraba* means giving advice or stricter warnings to women if they ignore their obligations as a wife. Because indeed, like a husband, a wife also has their respective obligations, both as a wife, as a mother, as a citizen, and so forth. Everyone’s role and function, whether husband or wife, is according to Allah’s ordinances. He is the one who determines the innate nature of each person, it is He who assigns tasks, roles, functions, and responsibilities to everyone. The role of the wife is not determined by the husband but by God Almighty. In this case, there is no justification for subordination between one another. Because humans, like all other creatures, are only “subordinate” to God Almighty.

From the interviews above, there has been a spirit of reformation of the meaning of *daraba* in Surah An-Nisā’ 34. However, these views require a solid foundation so that the image of Islam as a religion that gives verbal abuse to the wife can be removed. Thus, it is necessary to explore the context of Surah An-Nisā’ to find the true essence of the message of Surah An-Nisa’ 34. Then from that essential meaning an appropriate approach can be found to review the integration of Islam and modern humanism.

### **The Spirit of Surah An-Nisā’**

The spirit of Surah An-Nisā’ is an invitation to take care of friendship. Basically, all humans are siblings. By that spirit, humans are prohibited from acting unjustly, such as consuming the property of orphans. Don’t make excuses for bad intentions. If you are worried that you will not be able to do justice to the orphan’s property if you marry him. For example, they are worried that they cannot be fair in classifying their assets in giving dowries. It is worried that the orphan’s property that is managed will also be given to him as a dowry, thus leading to adultery due to the chaos in managing the assets. Perhaps, having difficulties in managing their finances and providing for the orphan as a wife, it is better to marry another woman. Because indeed, children who are not old enough cannot manage their own finances. Their money must be managed, and their needs must be met. The property of an orphan may only be returned to him if it has been proven that he is an adult and is able to manage her own finances. If the person managing the orphan’s property is in a poor condition, the property may be used on condition that it is not excessive.

The spirit of Surah An-Nisā’ is social unity. Axiology is paying close attention to the economic situation. If there are poor people who come in transferring the assets of orphans, they also need to be assisted, the goal is to achieve economic

equality. In social unity, there cannot be generations of successors who are left in an unkempt condition. It can undermine social unity and harmony.

Allah condemns those who unjustly eat the property of orphans. This is of great concern because orphans have many inheritances and if they are not yet adults, they will have difficulty managing their wealth. Even if the child is a daughter, he inherits two daughters, equal to one son. If a woman is single, she gets half of all assets. If they are all women, more than two people, get two-thirds. These divisions are an affirmation to elevate the humanity of women. In this case, women are also honoured by the prohibition of taking their rights by force. It is not permissible to divorce a woman just because she wants to seize her property. Meanwhile, assets that have been given to women cannot be taken back. If you find bad things in women, it is forbidden to immediately divorce, because there are many good things they have done, to be remembered.

Surah An-Nisā' has a unique accompanying statement model. For example, declaring that Allah obliges Himself to accept repentance, but then asserting that repentance is accepted by those who do not know the magnitude of the impact of the sin. This letter also allows for divorce but emphasizes the importance of noticing the good that the wife has done.

Surah An-Nisā' emphasizes that humans are one body, and to maintain unity, economic issues, especially the distribution of inheritance, become an important emphasis. This principle departs from the Islamic paradigm which views property as belonging to Allah, so that humans must use it according to the provisions, both in terms of accounts payable, distribution of inheritance, and protecting women's rights. In the social system, as in the economic system, Islam also sees that men and women are submissive to Allah. Then Allah emphasized men to give protection to women, and women must obey Allah. In this case, between men and women, there is no subordination between one party and another. Because men and women are both submissive to God Almighty. This principle also applies to the Islamic economic system. Making money is part of worship, all the treasures obtained belong to Allah. So that the allocation is all for the way of Allah. If you die, all the wealth returns to Allah. He is the one who determines where the treasure will be taken: paying debts, wills, and inheritance according to the provisions. In this case, the orphan's property must be managed properly. Women's property may not be owned, except in a way that Allah has permitted. For that Allah protects women and they are entitled to their property. In this case, Islam wants to anticipate bad intentions for women's property.

The spirit of Surah An-Nisā' is the ownership of property, and the duties and authorities of every human being are under Allah's arrangement. Therefore, in this case, it can be interpreted that humans, like all other creatures, do not own property. Because indeed, humans, like other creatures, let alone anything, just don't have existence. Existence belongs only to Allah. Human form, like other creatures. Thus, the appropriate framing in reading the Qur'an is the concept of *wahdah al-wujūd*. All existence belongs to Allah alone. The human form is obligatory *al-wujūd bi ghayrihi*, namely actual existence because it is given form



by Allah. Meanwhile, according to *wahḍah al-wujūd*'s framework, the correct approach to uncovering the meaning of *ḍaraba* in Surah An-Nisā' 34 is spiritual hermeneutics which is an interpretation system built on the principles of *wahḍah al-wujūd*. However, for this approach to make Islamic texts useful for modern times, it is necessary to analyze the perspective of modern humanism so that the spiritual hermeneutic approach can make Islamic values integrative with modern humanism.

## Humanism and Human Rights

Humanism is the principle of humanizing humans. Several humanist thinkers include Abraham Maslow, Carl Rogers, Erick Fromm, Cicero, and Voltaire. Abraham Maslow emphasized that human needs have a hierarchy (hierarchy of needs). There are several principles of human needs, as formulated by Abraham Maslow, hierarchically starting from the most urgent, namely physiological needs, the need for security, the need for affection, the need for self-esteem, and the need for self-actualization. Physiological needs are the main needs of humans. The needs for food, rest, defecation, avoiding pain, and, sex, are human physiological needs. When physiological needs are met, the need for security arises. Being safe, and avoiding anxiety and fear is a human need. When the need for security has been met, then comes the need for affection. My need for love arises from the human reluctance to accept loneliness. For this reason, humans are looking for friends, partners, children, and so on, because they need attention and affection and need the actuality of giving affection and giving attention.<sup>19</sup>

In the teachings of Carl Rogers' humanism, he assumed that humans are basically good. If that doesn't happen to someone, it means something is wrong, so it needs to be restored to good condition. According to Rogers, humans tend to actualize the expression of potential. The potential possessed by humans as a self-concept needs to be actualized to achieve balance. When self-concept and reality are out of balance, that's where problems arise. Thus, everyone must be given the opportunity to discover their self-concept and there must be nothing that can hinder that actuality. The actuality of the human self-concept according to Rogers must be goodness because the principle of his thinking is that humans are good. In the social system of society, everyone must have the same opportunities and opportunities to actualize their potential. This principle of humanism is in line with Edward Said's view that all forms of discrimination, including discrimination in knowledge, are not in accordance with the principles of humanism.

Slightly different from Carl Rogers, Erick Fromm is of the view that actualizing human potential such as loving and giving affection is indeed good. But there is also destructive creativity. For this reason, humans must always have the ability to realize goodness in their environment. Humans need to adjust between tendencies with their social situation. This thinking is in line with Cicero who said that personal inclinations that cannot be adjusted will be a dangerous ambition.

19 Nigel Thrift, 'Pass It on: Towards a Political Economy of Propensity', *Emotion, Space and Society* 1, no. 2 (December 2008): 83, <https://doi.org/10.1016/j.emospa.2009.02.004>.

According to Cicero, humans must be able to put aside personal interests over public interests. In Cicero's thought, humans must be able to explore their deepest tendencies, namely actualizing their potential for the common good. To grow a good personality continuously, John Dewey's educational approach, namely, how to be critical in education, needs to be considered so that negative dimensions do not become part of personality development. John Dewey's education system is also important as a reference so that personality can grow in a positive direction through a system of reflective thinking.

However, as Voltaire thought, freedom is a fundamental necessity for the potential to become actual so that everyone can express their talents and interests. Any form of restraint on human creativity cannot be justified if creativity is positive and does not harm other people. Voltaire once said, "I do not agree with what you say. But I will defend your right to say it." For Voltaire, this expression shows that freedom of speech must be upheld. Voltaire has been the father of tolerance whose name is remembered by anyone who stood for freedom and tolerance. One of Voltaire's important works is his treatise on tolerance: *Traité sur la Tolérance*. The book which uses a historiographic perspective discusses the existence of tolerance from various traditions such as Greek, Roman, Chinese, and so forth. Voltaire rejected inclusiveness in religion and the practice of colonialism. According to him, such practices are contrary to freedom and equality.

In human rights, the protection of women who are the main targets of violence mandates protection of women with indicators that women can control their own lives, determine their activities, can develop their skills optimally, and can grow confidence in their own abilities. Human rights organizations and activists pay high attention to the practice of violence in the household.<sup>20</sup> This practice is strongly opposed by religion and the state. From a legal perspective, domestic violence is a serious crime.

There are three principles of human rights, namely justice, dignity, and humanity. The principle of justice means the realization of equality that can make everyone have the same rights in accessing public services such as education, transportation, communication and information, and health services. Under the principle of equality, everyone must have the same opportunity to participate, such as in serving the state, serving the community, participating in scholarship selection, selecting jobs, and so forth. This principle carries the principle of non-discrimination to realize equality. In Indonesia, men and women have the same rights and must be treated fairly. Likewise in the household, the origin is equality, there is no subordination between one party to another. Therefore, domestic violence is considered as gross violence in the law of the Republic of Indonesia, because in that case there has been a violation of human rights. No country can get high respect in the world's top if that country is not serious about dealing with cases of violence against women, including domestic violence.

20 Noor Fatimah Azzahra, 'Kekerasan dalam Rumah Tangga Perspektif Hak Asasi Manusia', *FIKRI : Jurnal Kajian Agama, Sosial dan Budaya* 2, no. 1 (29 July 2017): 259, <https://doi.org/10.25217/jf.v2i1.94>.

## Spiritual Hermeneutics as an Alternative Approach

Spiritual hermeneutics is a model of text interpretation approach based on integration between levels of reality and at the same time is a unit of each level. Abdul Hadi WM introduced spiritual hermeneutics as a term for the system of recording Sufi texts because the revelation of Sufi texts is in the spiritual dimension.<sup>21</sup> This spiritual dimension is also disentangled from the transcendental dimension because it is a transcendental reality, namely a reality that transcends material reality. While the term existential refers to the term *being* in Islamic philosophy or Heidegger's philosophy it is called *being*. There is little resemblance between spiritual hermeneutics and Heidegger's hermeneutics because both seek existential meaning from texts. However, transcendental existential hermeneutics explores the meaning of texts not only in their existential dimension but also transcendental existence.

In a hermeneutic system, text is a symbol so through text it is necessary to find the meaning behind it. Thus, existential transcendental hermeneutics needs to find the meaning behind texts such as *daraba* in Surah An-Nisā' 34. However, it needs to be clarified again that spiritual hermeneutics recognizes that existence is singular as well as graded, that is, one being, then graded into nature, humans, and the Qur'an. Nature also has three levels, namely the material realm, the imaginal realm, and the immaterial or transcendental realm. Kerwanto termed spiritual hermeneutics with an *esoeklektik* interpretation because meaning at every level of nature must be integrative.<sup>22</sup>

The spirit of Surah An-Nisā' is in accordance with the spiritual hermeneutic system because in principle the Qur'an explains that all power and authority belongs only to Allah. Because the essence of existence is only in Allah. Meanwhile, these creatures depend absolutely on Allah. Humans as creatures have the same degree, namely as *fakīr al-wujūd*, that is, they don't even have a will, they don't even have the knowledge, they don't know nor even have life. They also don't have the existence. Therefore, everything that is ordained by Allah, such as how to look after assets, including the assets of orphans and inherited assets, is determined by Allah because it all belongs to Allah. Moreover, when it is said *al-rijālu qawwamūna 'ala al-nisā'*, it is Allah's decision, not humans. So, the roles and functions of everyone must be based on God's point of view as the determiner. When viewed through a human perspective, certain judgments emerge such as discrimination, inequality, subordination, and so forth.

In a spiritual hermeneutic system, every dimension needs to be considered. The meaning of *rijāl* and *nisā'* needs to be found. In the conventional meaning, *rijāl* is defined as a man, and *nisā'* is defined as a woman. But in the spiritual hermeneutics meaning, *rijāl* is related to *jalāl*, and *nisā'* is related to *jamāl*. *Rijāl* means majesty and *nisā'* means beauty. In this case, essentially, between *rijāl* and *nisā'* is not

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21 Abdul Hadi W.M, *Hermeunetika Sastra Timur dan Barat* (Jakarta: Sadra Press, 2014), 147.

22 Kerwanto, *Metode Tafsir Esoeklektik* (Bandung: Mizan, 2018), 311.

related to men and women. Great nature can be owned by men and women, so beauty can be owned by men and women. In the context of leadership, everyone can become *qawwāmūn*, both men and women who have *jalāl* tendencies. By this system, the meaning of *ḍaraba* means an affirmation of wisdom that comes from *jalāl*'s nature.

### Reform of the Interpretation of Surah An-Nisā' 34: Perspective of Spiritual Hermeneutics

The study of Surah An-Nisā' has shown that everything completely belongs to Allah. It shows that apart from Him, there is no individual ownership. How does Surah An-Nisā' see human assets and duties are not determined by humans at all but are absolutely under the control of Allah? This absolute power can only be understood philosophically within the framework of Ibn 'Arabi's perspective on the Divine Nature and understood rationally through Mullā Ṣadrā's philosophical system.

In Ibn Arabi's perspective, there is a dimension of interdependence between Divine Names. Will depends on knowledge, knowledge depends on existence.<sup>23</sup> While humans do not have wills, such as regulating the functions of men and women, or arranging certain assets to be allocated to this party or that party with such or such levels, humans just do not have existence. Because real existence is only attributed to *Ḥaqq Ta'āla*.

From the perspective of spiritual hermeneutics, every property owned by humans means it belongs to Allah. Because humans themselves existentially are only a single mode of existence. Humans do not have an independent existence. By not having something essential, namely existence, then of course humans don't have anything. Therefore, humans have absolutely no right to change all the provisions that have been set by Allah, such as not being able to take the property of orphans except through the applicable provisions. It is not permissible to change Allah's decree regarding inheritance. Because every property belongs to Allah and humans must follow the provisions of Allah.

In the principle of spiritual hermeneutics, everyone, men and women are truly equal. Equally human, both do not have absolute existence. Men and women both depend on *Ḥaqq Ta'āla*.<sup>24</sup> That dependence is the dependence of existence. Human status is like a predicate for the subject, the predicate has absolutely no meaning unless it is dependent on the subject. Such is the human being before *Ḥaqq Ta'āla*. This position is also the same as the position of the effect before the cause. The effect depends absolutely on the cause. The effect is the total presence of the cause. The whole effect is the presence of a cause.<sup>25</sup>

23 Miswari, *Filsafat Terakbir* (Lhokseumawe: Unimal Press, 2016), 144.

24 Muhammad Nur Jabir, *Perempuan: Perspektif Tasawuf* (Makassar: Rumi Press, 2019), 1–2.

25 Ali Arshad Riahi, 'A Study of The Effect of Human Soul on External Objects : Between Copenhagen School and Mulla Sadra', *Kanz Philosophia : A Journal for Islamic Philosophy and Mysticism* 5, no. 1 (24 June 2015): 19, <https://doi.org/10.20871/kpjipm.v5i1.85>.

With such a situation, the innate differences between men and women which are differences in nature, absolutely cannot be used as any reason to differentiate degrees between one another. Moreover, when God exalts one over the other, it does not mean that one of them is superior to the other. Because all human beings are determined by God the role and function. Spiritual hermeneutics does not look at it from a male point of view, does not see it from a woman's point of view, nor does it look it from other perspectives such as human rights, or the point of view of gender activists, although, incidentally, Islamic values can be integrated with humanism and human rights.

### **Integration of Islam and Humanism**

Secular humanism, of course, cannot be related to Islam or other religions. Meanwhile, religious humanism has some similarities with the spirit of Islam. By the spirit of Islam, physiological needs are an important emphasis in Islam. The order to pay *zakat*, to sponsor orphans, the virtue of alms, is an emphasis on fulfilling physiological needs. The need for security, such as protecting the weak, is an important part of what is recommended in Islam. The sense of security for society is essential, even war in certain contexts is emphasized so that a sense of sustainable security can be realized. The need for affection is also an important concern that is emphasized in Islam. Islam itself is a religion of compassion. From an Islamic perspective, people who have compassion gain priority. Islam recommends marriage, building a household, and building friendship, all of which aim to spread love between people. In Islam, breaking relationships is considered a very bad deed. Thus, of course, Islam does not want dishonest ways to treat other people. Moreover, that person is the closest like a wife. Therefore, the interpretation of *daraba* as a blow is not what Islam wants. It's just an interpretation of the past that was influenced by the old cults that subordinated women. Meanwhile, in the principles of humanism and human rights, it is not justified for subordination from one person to another. This principle is by the spirit of Islam which values human beings equally. There is no submission except to Allah.

By the principle of humanism which holds that basically human nature is good, Islam also holds the same view. Humans in Islam are seen as very special creatures. Even in the principle of *wahdah al-wujud*, human beings are manifestations of God's attributes. Thus, according to humanism, when a human commits a crime, it means that he has deviated from his basic principles. The bad things that humans do come from outside influences. Sources of knowledge and the social environment greatly influence human tendencies. For this reason, Islam places great emphasis on the importance of knowledge and avoiding a bad environment. The situation of an environment and culture greatly influences one's knowledge and way of interpreting something. An example is in the books of commentary written. Many commentators interpret *daraba* to mean hitting. They allow husbands to beat their wives even though the blows do not cause injury. Interpretations that are not in line with the principles of humanism, human rights, and the view of life in modern society occur because the interpreters were brought up in a patriarchal

culture, a culture that subordinates women. Such a culture is different from Islam which positions men and women equally.

### **Conclusion**

The spirit of Surah An-Nisa' is to show the equality of men and women, because only God is in control, while humans are subject to Him. All rules from God must be obeyed, so there can be no negative orders to men for women. This principle is integral to the principles of modern humanism which demands gender equality. In the spiritual hermeneutic approach, the meaning of *rijāl* and *nisā'* does not have to refer to men and women, but to the dimensions of masculinity and femininity that exist in men and women. Thus, there is no spanking license.

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