

cek jurnal 2

by Nufiar Nufiar

Submission date: 14-Apr-2023 03:41PM (UTC+0700)

Submission ID: 2064268161

File name: document_3.pdf (185.58K)

Word count: 7738

Character count: 39285

Hermeneutical Analysis Of Hadith Concerning The Necessity Of Having The Husband's Permission In The Implementation Of Sunnah Fasting For The Wife

Abd. Wahid^{1*}, Khadher bin Ahmad², Jafar Assagaf³, Husna Amin⁴, Nufiar⁵

^{1*} Doctor, Universitas Islam Negeri Ar-Raniry Banda Aceh, Aceh, Indonesia, E-mail corresponding author: abdul.wahid@ar-raniry.ac.id

^{2*} Doctor, University of Malaya, Kuala Lumpur, Malaysia, E-mail corresponding author: khadher82@um.edu.my

³ Doctor, Universitas Islam Negeri Sunan Kalijaga Yogyakarta, Yogyakarta, Indonesia, E-mail: jafar.assagaf@uin-suka.ac.id

⁴ Doctor, Universitas Islam Negeri Ar-Raniry Banda Aceh, Aceh, Indonesia, E-mail: husnaamin@ar-raniry.ac.id

⁵ Doctor, Universitas Islam Negeri Ar-Raniry Banda Aceh, Aceh, Indonesia, E-mail: nufiar.nufiar@ar-raniry.ac.id

ABSTRACT

Islam has a complete and comprehensive teaching, considering it is the last teaching sent to this World. The scope of Islamic teachings covers all aspects of human life, from trivial matters to big ones, and not only about worship, but all aspects of human life, and not only for men but comprehensively regulates aspects involving women. In the aspect of sunnah worship, there is a deep and never-ending polemic, given the changing conditions and situations that continue to run, along with changing times. One aspect that deserves to be studied is Sunnah fasting for women. Several hadiths talk about fasting Sunnah for women, and there are differences in their instructions, so it requires a more in-depth analysis with various approaches to get comfort in practicing it. This article uses a textual and contextual approach to analyze the hadiths about Sunnah fasting for women. Does she have absolute authority to fast, or must she first get her husband's permission? From the search and analysis that the author has done, the conclusions are that: A woman is allowed to fast Sunnah without prior permission from her husband, but she can break her fast in the middle of the day or anytime before breaking the fast, if her husband needs his wife during the day, and her husband has no other time to have sex with his wife. The maturity of understanding of a man's religion will affect his attitude when considering the sunnah fasting worship performed by his wife. Especially regarding the magnitude of the reward obtained by women who fast Sunnah, especially sunnah fasting is a guardian of the obligatory fasts that a woman carries out with the condition of her woman's nature, which cannot be replaced, such as menstruation, pregnancy, and childbirth.

Keywords: Sunnah Fasting, Wife, Husband.

A. Introduction

The issue of gender is indeed something that is never resolved, especially if the issue in question concerns the priority of worship categorized as-Sunnah. In one aspect of sunnah worship, it does not include something sinful for those who leave it. However, on the other hand, in Islamic

teachings, sunnah worship is a savior for the perfection of obligatory worship performed by a person. Not a few hadiths explain the issue regarding the legal position of Sunnah fasting for married women, with the main issue surrounding whether she prioritizes fasting or vice versa or must first obtain permission from her husband.

In solving the problems that arise, especially in contemporary hadith studies, the hermeneutic approach to understanding the traditions is difficult to avoid. If in the classical period, the meaning that tends to be linear-atomistic in understanding the matan of hadith is emphasized, then this is not the case in modern times. Instead, contemporary hadith meanings tend to have a hermeneutical nuance that emphasizes the historical aspect of studying hadith texts to produce a more satisfying meaning.

This article will use the latest approach to understanding religious texts and hermeneutics to find a more logical and applicable understanding of current conditions. There are many hermeneutical models developed by experts, one of which is the double movement model introduced by Fazlur Rahman. He offers to study the history of a hadith to find the objective meaning of a text, then looks for the moral-universal meaning of the text, which is then understood and applied in current conditions.¹

Operationally, the concept of hadith hermeneutics above, according to Musahadi Ham, can be reached by taking into account several principles, namely: First, the thematic-comprehensive principle, namely explaining the meaning of hadith by collecting hadiths that have the same theme. Second is the linguistic principle, which analyses hadith using Arabic grammatical rules. Third, the confirmative principle is to confirm the meaning of the hadith with the guidance of the Qur'an. Fourth, the historical principle, namely analyzing the hadith based on historical reality. Fifth, the realistic principle, namely seeing the relevance of the meaning of the hadith in the present context. Sixth, the principle of legal and ethical distinction, namely capturing the temporal meaning and the universal meaning (essence) of a hadith.² Seventh, the principle of instrumental and intentional distinctions, i.e., distinguishing temporal meaning from permanent meaning). In this article, the seventh principle is combined

with the principle of logical and ethical distinction because, according to the author, the two principles have the same goal, namely that an interpreter must be able to distinguish between the provisions contained in the text of the hadith and the content of the message that the Prophet Muhammad wanted to convey as a goal. Most likely, chill the hadith.

The mechanism of the principles of hadith hermeneutics will be applied to the meaning of gender issue traditions regarding the theme of this article.

B. Relationship between husband and wife in Islamic teachings

In treading life, it has become human nature to live in pairs. In Islam, life in pairs has received clear and complete instructions both through the Qur'an and Sunnah, as well as the opinions of the scholars. The concept of Islam that has organized life in the form of husband-wife relations in Islam has received a very complex discussion because the purpose of Islamic teachings is to create a life order that is full of norms and contains a high civilization. Islam has guided humans to obtain a legal partner based on religious law and the law of a country.

The culture and customs of an area sometimes influence husband-wife relations. Certain aspects harmonize culture and customs with the main religious teachings about relationships and other intricacies in the family in this context. On the other hand, many aspects tend to be less in line or not the same between the guidelines based on religious teachings and the customs or culture of a place. Problems like this are usually one of the triggers for disputes in a household. They are difficult to resolve quickly and practically.

In general, Islam has comprehensively regulated the issue of husband-and-wife relations. However, some understandings arise from the religious text because it has a multi-interpretational nature. On the one hand, the multi-interpretation condition should not be

¹Fazlur Rahman, *Islam and Modernity: Transformation of Intellectual Tradition* (Chicago: The University of Chicago, 1984), p. 6.

²Musahadi Ham, *Hermeneutics of Legal Hadiths: Considering Fazlur Rahman's Ideas* (Semarang: Walisongo Press, 2009), p. 134-136.

seriously questioned. Still, it provides opportunities to be studied and practiced with several models by one's interpretation and belief to be applied in married life. On the other hand, there is discomfort among certain circles if something practiced is not certain to be true. So that they feel calm and comfortable if they have found an interpretation and understanding that is considered final.

In certain cultures, such as in the Malay World, the authority of men is more dominant than women, both in terms of worship and in various other aspects. In the domestic aspect, in the Malay World, there is a habit that is considered an unchangeable tradition in terms of the pattern of husband-and-wife relations, generally showing that a husband is more dominant than his wife in all aspects of his life. A husband is also burdened with more dominant responsibilities than a wife, especially in earning the livelihood needed in his exit. At least, a husband will be considered not fully responsible if he is unable and does not try to make a living for his wife and children. In other words, even if a wife has a livelihood as well as her husband, it does not directly replace the husband as a livelihood earner. Still, the wife's income becomes income that is not considered by the husband as additional income but is only considered as the wife's income, without being used as a source of income. Source of family livelihood. However, in particular, some families have a pattern of shared responsibility in meeting their household needs, but this only occurs in families who tend to think more modern than most other families. But only considered the wife's income, without being used as a source of family livelihood. However, in particular, some families have a pattern of shared responsibility in meeting their household needs, but this only occurs in families who tend to think more modern than most other families. But only considered the wife's income, without being used as a source of family livelihood. However, in particular, some families have a pattern of shared responsibility in

meeting their household needs, but this only occurs in families who tend to think more modern than most other families.

According to the principle of marriage, the pattern of relations in the family states that the husband-and-wife Relationship is a partnership relationship in which there must be a sense of mutual help and mutual help. As a partnered couple, husband and wife should both be the subject of life in the household, not a subject, while the other becomes an object, not a pattern. One is in a superior position while the other is in an inferior position.³ This balance in the husband-and-wife Relationship should be the ideal pattern in a modern family, different from the pattern adopted by people who tend to be said to be classical because balance and equality are not considered in the Relationship between husband and wife. Ironically, adherents of this pattern consider the pattern by the guidance of Islamic teachings, even though Islam has a balanced pattern. As stated in the Al-Qur'an, you (husband) are clothes for them (wife), and they are your clothes. QS Al-Baqarah.

Based on the teachings of the Al-Qur'an above, it can be understood that in Islamic teachings, there is the concept that husband and wife have the same position. With expressive language, the verse above positions husband and wife as their upper garments. By understanding deeply, perhaps the position of husband and wife can be interpreted like the functions possessed by clothing. Among the most urgent functions of clothing is to cover the genitals. Covering the genitals is to maintain the glory of every human being with beautiful limbs to be seen by the opposite sex. This shows that the most important function of clothing is to save humans from sin that comes from someone if they do not use clothes properly and correctly.

C. Wife's Authority in Sunnah Fasting

In Islam, there are two types of fasting: obligatory and Sunnah. Fasting must be carried out in the month of Ramadhan. In contrast, sunnah fasting

³Khoiruddin Nasution, Indonesian Islamic Family Civil Law, (Yogyakarta: ACAdemia + TAFAZZA, 2009), pp. 239 and 240.

is interpreted as not obligatory outside Ramadan. Regarding the timing of its implementation, sunnah fasting can be done in various forms every year, month, and week. The Sunnah fasts yearly are Arafah fasting, Ashura fasting, 6 days fasting in Shawwal, and Sha'ban fasting. At the same time, the Sunnah fasting recommended every week is Monday and Thursday, and the fasting of Prophet David is a day of fasting to break the fast.⁴

Sunnah fasting is recommended to be carried out by any Muslim, whether male or female, as an addition to the reward that will be a provision for happiness in this World and the hereafter. However, in practice, there are exceptions for married women. Namely, one of the conditions for the acceptance of fasting must be accompanied by permission from her husband first. This is due to the following hadith: "A woman is not allowed to fast when her husband is at home except with her permission."⁵

The above hadith explains that a wife who wants to do Sunnah fasting when her husband is at home must ask her husband's permission. Based on this understanding, the fiqh scholars see that the prohibition in the hadith means that it is haram, and the husband is allowed to break the fast of his wife, who fasts the Sunnah without her permission.⁶ The shift in the value of fasting for women is because the wife, when fasting, is considered Sunnah to have left her husband without providing services. At the same time, obedience to the husband is mandatory for the wife.

The interpretation of the hadith as above has received a lot of criticism, especially from feminist circles. They see this understanding as containing gender bias because it limits the

authority of a wife in worship and places it under the power of men. Abou el-Fadl, for example, stated that this hadith limits the authority of women in worship.⁷ In line with the opinion above, Wawan GA Wahid views that the interpretation above will give birth to a product of misogynistic understanding.⁸

The views above show that feminists currently consider the hadith to favor male domination and give birth to an understanding of gender bias. However, this is not possible, considering that the Prophet Muhammad was known as a person who was fair to anyone. Therefore, understanding the hadith by conducting an assessment of the situation when the hadith appears is necessary. Using a hermeneutic approach, this paper examines the hadith comprehensively.

1. Some Hadiths About Fasting Sunnat for Women

Trying to collect hadiths that can be woven into the same theme is important when trying to understand hadith comprehensively. This is to eliminate the possibility of the hadith being partially understood. In connection with this concept, the hadith regarding the sunnah fasting permit for the wife can be compiled with other traditions which show that husband and wife need to work together and support each other in matters of worship.

In the Kutub al-Sittah hadith, the authority of the wife in sunnah fasting is contained in four primary hadith books, namely: Sahih al-Bukhari, two paths in the book,⁹ Sahih al-Bukhari Sahih Muslims in the book of zakat, Sunan Abu Dawud two paths in the book saum (fasting),

⁴Muhibbuththabary, Islamic Charity Jurisprudence: Theory and Practice (Bandung: Cipta Pustaka, 2012), p. 110-111.

⁵Abu Abdullah Muhammad ibn Isma'il ibn Ibrahim al-Bukhari, Sahih al-Bukhari (Beirut: Maktabah, t.th), jld. VII, p. 16.

⁶Sayyid Abu Bakr Muhammad Shata al-Dimyati, I'alah al-Talibin (Beirut: tp, th), jld. II, p. 273.

⁷Khaled Abou el-Fadl, Speaking in God's Name: Islamic Law, Authority, and Women (Oxford: One World, 2001), p. 220.

⁸Hamim Ilyas et al, Oppressed Women: A Study of Misogynistic Hadith (Yogyakarta: PSW IAIN Sunan Kalijaga), p. 146.

⁹The book referred to here is a chapter. In the systematic compilation of primary hadith books, hadith scholars such as Bukhari, Muslim and others discuss the mention of chapter by book and mention of sub chapter by chapter. For example the hadith in Sahih al-Bukhari book of fasting chapter fasting on the day of tashriq, meaning that the hadith in question is listed in the chapter of fasting with the sub chapter of fasting on the day of tashriq.

Sunan al-Tirmidhi in the book saum (fasting), and Sunan Ibn Majah in the book siyam (fast).

Some of the narrators narrating this hadith do not mention the type of fasting that must be asked for permission from the husband. As hadith: "A woman is not allowed to fast when her husband is at home, except with his permission."¹⁰ and the hadith: "The Messenger of Rasulullah. Prohibits women from fasting except with the permission of their husbands."¹¹

The affirmation that what is meant is sunnah fasting is stated in the history of Abu Daud through the narration of Hasan ibn 'Ali, Tirmidhi history through the narration of Qutaibah, and the history of Ibn Majah through the narration of Hisham ibn 'Ammar, all these narrations are from Abu Hurairah: "A woman is not allowed to fast other than Ramadan when her husband is at home except with his permission."¹² In addition to the following hadith: "A woman is not allowed to fast a single day outside of Ramadan when her husband is at home except with his permission."¹³

In line with the hadith: "A woman is not allowed to fast a day outside of Ramadan when her husband is at home except with her permission."¹⁴

In another narration, this hadith regarding permission to fast is Sunnah for the wife. It is also combined with other hadith themes, as stated in the following Muslim narration: "A woman is not allowed to fast when her husband is at home except with his permission, It is not permissible for anyone to enter her husband's house except with his permission, and whatever is spent without an order from her husband, her husband will get half the reward of that living."¹⁵

Likewise with the history of Bukhari: "It is not lawful for a wife to fast while her husband is at home with her except with her permission, and it is not permissible for anyone to enter her husband's house except with his permission, and whatever she spends without an order from her husband, her husband will get half the reward of that income."¹⁶

Matan, the complete hadith, along with the cause of the Prophet, recites the hadith. This Sunnah fasting permit hadith can be found in Abu Dawud: "A woman came to the Prophet. When we (the companions) were with the Messenger of Allah, the woman said, 'O Messenger of Allah, indeed my husband Safwan ibn Mu'attal tortured me when I prayed and told me to break my fast when I was fasting. He used to do the dawn prayer when the sun had risen.' Abu Sa'id said, 'When together Safwan, the Prophet asked about it. Safwan said, 'O Messenger of Allah, regarding his report that I tortured him while praying because he liked to read "two letters," even though I had forbidden him.' Abu Sa'id said, 'Then the Messenger of Allah said If only one letter were read, it would be enough.' (Safwan continued) As for his report, I broke his fast while he was fasting because he kept fasting. Even though I was a young man, I couldn't stand it either.' Then the Messenger of Allah said on that day, 'A woman is not allowed to fast when her husband is at home except with his permission.' As for the report that I prayed (fajr) when the sun rose, the whole house already knew this (because) we could not wake up until the sun rose.' The Messenger of Allah said, 'When you wake up, pray immediately.'"¹⁷

The quality of the hadith narrated by Bukhari, Muslim, Abu Dawud, Tirmidhi from Abu Hurairah, and Ibn Majah from Abu Sa'id,

¹⁰Abu Abdullah Muhammad ibn Isma'il ibn Ibrahim al-Bukhari, Sahih al-Bukhari..., jld. VII, p. 16.

¹¹Abu Abdullah Muhammad ibn Yazid al-Qazwini, Sunan Ibn Majah (Riyad: Dar al-Salam, 1998), p. 251.

¹²Abu Dawud Sulaiman ibn al-Asha'at al-Sijistani, Sunan Abu Dawud (Beirut: Dar al-Fikr, 1994), vol. I, p. 566.

¹³Abu 'Isa Muhammad ibn 'Isa ibn Surah al-Tirmidhi, Sunan al-Tirmidhi (Riyad: Dar al-Salam, 1999), p. 263.

¹⁴Abu Abdullah Muhammad ibn Yazid al-Qazwini, Sunan Ibn Majah..., p. 251.

¹⁵Abu Husayn Muslim ibn Husain ibn al-Hajjaj al-Naisaburi, Sahih Muslim (Riyad: Dar al-Salam, 1998), p. 414.

¹⁶Abu Abdullah Muhammad ibn Isma'il ibn Ibrahim al-Bukhari, Sahih al-Bukhari..., jld. VII, p. 16.

¹⁷Abu Dawud Sulaiman ibn al-Asha'at al-Sijistani, Sunan Abu Dawud..., jld. I, p. 567.

according to al-Albani, the book *Sahih Jami' al-Saghir* this hadith is *sahih*,¹⁸ namely hadith that meet the criteria for acceptance of hadith as something believed to have come from the Prophet Muhammad.

2. Quranic Perspectives Regarding Women's Fasting

Paying attention to the understanding of the hadith, which states that the wife must ask her husband's permission when performing Sunnah fasting, according to feminists, in principle, it is not in line with the concept of autonomy in worship taught by the Qur'an, as explained in surah al-Nisaverse 124: "And whoever does good deeds, both male and female while he is a believer, then they will enter Paradise, and they will not be wronged in the slightest."

Feminist groups understand the verse above as a form of freedom for each individual in worship. At the same time, the hadith above shows the limitation of the wife's authority in worship.¹⁹ Of course, this understanding needs to be reviewed because, conceptually, there is no conflict between the hadith and the verses of the Qur'an. The Qur'an is the main core of Islamic teachings. At the same time, the hadith is an explanation (bay .an) from the content of the Qur'an, which is still vague about Islamic teachings. Therefore, it is impossible to find a contradiction between the Qur'an, the main source of Islamic law, and the hadith, which serves as an explanation. More Yusuf al-Qardawi explained that several reasons influence a hadith to appear contrary to the Qur'an or the hadith itself. First, the hadith is not a hadith that *sahih*. Second, there is an apparent contradiction between the hadith and the Al-Qur'an. Third, there is an inaccurate understanding of the hadith.²⁰

The two texts above need to be seen for their significance through the context in which they appear. Surah an-Nisa verse 124 was revealed in response to the Jewish and Christian

scribes who thought that they were a group that would go to heaven. To refute their view, this verse was revealed to emphasize that whoever followed the Prophet Musa, Prophet Isa (in their own time), and Prophet Muhammad properly and correctly would be the inhabitants of heaven.

Although the verse above equates every religious individual, including men and women, in terms of effort and reward for worship, the worship referred to here is obligatory worship. Even if it is a sunnah matter, without having to ignore the obligatory thing. Meanwhile, the hadith on the wife's authority in this sunnah fasting suggests that women should not neglect the obligatory practice, namely the husband's right to have *jima's*. Because, after all, obligations must take precedence over virtue (Sunnah). Because, of course, there is no virtue if it is something that must be left behind. So each *nash* above has a different message payload.

Furthermore, suppose the provision of permission in the hadith of the authority of sunnah fasting is understood as a form of prioritizing obligations to the husband, namely *jima'*. In that case, this is in line with the concept of the Qur'an, which also confirms that the husband has a very large tendency to his wife, so the Qur'an allows visiting the wife. At night in the month of Ramadan. The Qur'an also likens the Relationship between husband and wife, in this case, to "clothing" this information is mentioned in Surah al-Baqarah verse 187: "It is lawful for you at night to fast mixed with your wife. They are clothes for you, and you are clothes for them. Allah knows that you cannot restrain yourself, but He accepts your repentance and forgives you. So now intervene with them and seek what Allah has ordained for you."

This verse of the Qur'an clearly emphasizes that husband and wife both have needs in sexual relations. Thus, in the Qur'an, no single verse states that a Muslim may neglect his obligations. Indeed, the Qur'an emphasizes that

¹⁸Nasr al-Din al-Albani, *Sahih Jami' al-Saghir wa Ziyadah* (Beirut: al-Maktab al-Islami, t.th), jld. II, p. 1227.

¹⁹Hamim Ilyas et al, *Oppressed Women...*, p. 156-158.

²⁰Yusuf al-Qardawi, *How to Understand the Hadith of the Prophet*. trans. M. Al-Baqir (Bandung: Karisma, 1993), p. 92.

every Muslim has freedom in worship and will be rewarded with good rewards. However, these practices will become a priority for the perpetrators if they do not ignore the obligatory cases.

3. Hadith Text Analysis

Judging from the club used in the hadith, in the redaction of the Matan hadith, there is a prohibition sentence, namely in the form of the sentence *nahi* using *fi'il mudari'*, which is entered by *la nahiyah*.

In the rule of *usuliyah*, *nahi* is interpreted as a pronunciation used to demand to leave an action from a higher position to a lower position.²¹ Regarding the content of its meaning, the scholars differ on the meaning indicated by the pronunciation of *nahi*. The majority of scholars think that according to the original prohibition, it is forbidden:²²

"According to the original prohibition to forbid."

Some scholars think that the original prohibition is impermissible:

"According to the original prohibition for *makruh*."

Lughawi, *lafaz Nahi* denotes monasticism. However, suppose there is a *karinah* that transfers it from the original meaning (forbidding it) to the non-original meaning. In that case, it can be interpreted according to the instructions of the *karinah*.

For the hadith of the wife's authority in fasting *Sunnah*, scholars in understanding *lafaz la* tend to the first sense, which is to show the omnipresence and even monasticism. This is because there is no *karinah* in this hadith. In explaining the meaning of this hadith, Ibn Hajar al-Asqalani, for example, said that what is meant by the prohibition of fasting without the husband's permission here is for fasting other than fasting in the month of Ramadan. As for if it

is mandatory outside of Ramadan, the implementation time is still long, such as fasting change or vows. It must still be with the husband's permission. This hadith indicates the prohibition of fasting intended without the husband's permission.²³ Al-Nawawi also explained the same thing that the prohibition on the above hadith is intended for *tatawwu'* fasting and untimely *sunnah* fasting.²⁴

Scholars of jurisprudence also stated the same thing. The Shafi'i, Maliki, and Hambali factions argue that if a woman observes fasting (other than Ramadan fasting) without her husband's permission, then her fasting status is *makruh tahrim*. The husband may tell his wife to cancel it because he has the right to obtain the services of his wife. According to the Hanafiyah, scholars consider it *makruh tanzihan*. The fast is valid, even though it has committed *haram*. Just like the law performs prayers in a spoiled house.²⁵

The emphasis on *lafaz la nahi*, as done by the *fuqaha* and *muhaddithin*, indicates that fulfilling the husband's rights is a top priority for a wife, as this is a mandatory practice.

4. Historical Analysis

The narrator also narrates some hadiths with a background (*Asbab al-Wurud*) along with the *matan* hadith. Similarly, the background to the emergence of the hadith of the wife's authority in this fasting *sunnah* is also narrated simultaneously with the *matan*. The cause of the Prophet Muhammad narrating this hadith can be known from the redaction of the hadith narrated by Abu Dawud of Abu Sa'id al-Khudri that A woman came to see the Prophet saw. When we (the companions) were with the Messenger of Rasulullah saw. The woman said, 'O Messenger of Allah, indeed, my husband Safwan ibn Mu'attal tortured me if I prayed and told me to break the fast when I fasted. He used to do the

²¹Muhammad Khudari Beik, *Usul al-Fiqh* (Beirut: Dar al-Fikr, 1988), p. 199.

²²Muhammad Khudari Beik, *Usul al-Fiqh*..., p. 199.

²³Ahmad ibn 'Ali ibn Hajar al-'Asqalani, *Fath al-Bari Sahih al-Bukhari* (Beirut: Dar al-Kutub al-'Ilmiyah, 1999), vol. IX, p. 369-370

²⁴Abu Zakariya Yahya ibn Sharaf al-Nawawi, *Sahih Muslim bi Sharah al-Nawawi* (t.tp: Maktabah, 1990), vol. VII, p. 113.

²⁵Wahbah al-Zuhaili, *al-Fiqh al-Islami wa Adillatuhu*, (Beirut: Dar al-Fikr, 1997), jld. III, p. 1631-1634.

dawn prayers when the sun had risen." Abu Sa'id said, "When he was with Safwan, the Messenger of Rasulallah asked about it. Safwan said, 'O Messenger of Rasulallah saw. about his report that I tortured him while doing prayers because he liked to read "two letters" even though I had forbidden them.' Abu Sa'id said, "Furthermore, the Messenger of Rasulallah saw said, If you read one letter, it will be enough." (Safwan continued) As for his report, I canceled his fast when he fasted because he was constantly fasting. Even though I was a young man, I couldn't stand it." Furthermore, the Messenger of Rasulallah saw he said on that day, A woman cannot get fast when her husband is at home except with his permission." As for the report that I was doing prayers (dawn) at sunrise, the whole house already knew this (because) we couldn't wake up until sunrise." The Prophet said, "When you wake up, pray immediately."

From the text of the hadith above, it is known that it appeared against the backdrop of a woman's complaint to the Prophet Muhammad about her husband, Safwan ibn Mu'attal, who often tortured her during prayers and told her to break the fast when doing Sunnah fasting. When the Prophet confirmed this to Safwan, he explained that he did so because his wife liked to read long surahs and often fasted Sunnah while he was a young man, so he could not be patient. Hearing Safwan's statement, the Prophet said, "A woman cannot get fast when her husband is at home except with his permission."

Paying attention to the cause of the emergence of the hadith, it appears that this is the advice of the Prophet Muhammad aimed at new families establishing married life. Where each party feels aggrieved by their partner, the wife feels that her authority is limited in worship. In contrast, the husband feels that his rights are not being fulfilled. Both parties are selfish to each other because they feel their rights are not fully fulfilled by their partners. Illustrates the position of the Prophet Muhammad at that time as an adviser and peacemaker against families in conflict.

²⁶Abu Zakariya Yahya ibn Sharaf al-Nawawi, *Sahih Muslim bi....*, jld. VII, p. 113.

Asbab al-wurud This hadith shows that the purpose of the Prophet Muhammad uttering the hadith, which is also the 'illat (cause) of the prohibition, is that the obligation to the husband must take precedence. Known from the complaint Safwan that his wife, when praying, including at night, likes to read long letters. During the day, his wife continues to fast so that his right as a husband to get services from his wife is neglected while he is a young man, so in this case, he orders his wife to break the fast. When faced with the case of a young couple like this, the Prophet stipulated that a wife should seek permission from her husband to carry out circumcision fasting.

This condition implies the Prophet Muhammad's policy in giving advice, that the provisions of the 'permission' were not stated by the Prophet when he heard the wife's complaint. Safwan, but the provisions of the 'permission' of the above hadith were pronounced after the Prophet heard the statement from Aswan that his wife often ignores his rights. Asbab al-wurud, this hadith shows that a wife must prioritize her obligations towards her husband, namely, jima' from other sunnah worship. Imam Nawawialso explained that obligatory acts (providing services to husbands) must precede sunnah acts (Sunnah fasting).²⁶

This hadith shows that the Prophet Muhammad did not want a wife to prioritize sunnah matters (fasting and reading many letters in prayer) while ignoring obligatory matters (giving service to the husband). The Prophet did not want any conduct to number things that were only virtues while numbering things that were an obligation. The case in this hadith is the same as a Muslim performing tahajjud (qiyam al-lail) prayers in the middle of the night but not performing dawn prayers in the morning because of oversleeping. Of course, the evening prayers are no longer a priority for him. Strictly speaking, the rule of the proposal states: "Fardu is more primary than sunna."²⁷

5. Current Context Analysis

²⁷Abdul Mudjid, *Principles of Fiqh* (Jakarta: Kalam Mulia, 1993), p. 82.

To get a more proportional understanding of the hadith of the wife's authority in sunnah fasting, it is necessary to pay attention to the scientific explanation of the differences between men and women from the hormonal aspect.²⁸

Men and women have the same type of hormone. It's just that they have different levels. At least according to experts, four hormones stimulate human nerves in sexual intercourse: oxytocin, endorphins, adrenaline, and testosterone (androgens).²⁹

Testosterone is a hormone that functions to stimulate sexual intercourse. The effect of testosterone on men is greater because they produce more of the hormone than women. This hormone affects the growth of male secondary sexual characteristics, thus making them usually more aggressive and dominant in the sex aspect compared to women.³⁰

Research conducted by scientists from the University of Texas found that men have a harder time resisting images that show attractive members of the opposite sex. This study also shows that men have the same self-control as women. However, the power to accept the opposite sex is almost four times stronger than that of a female.³¹

Psychologically, experts explain that, in general, a woman's body and mind are often not in harmony. As a result, the sexual desire he gets is not realized, so this will affect his nature and reinforce his outward nature since childhood, namely shyness. Almost all women rarely express these desires to their partners because of their shy nature. Is the a scientific explanation for why men are more likely to want sex than women and why women have good control over their sexual desires?

²⁸Hormones are chemicals that the body produces naturally. Once released, the hormone will be flowed by the blood to various cell tissues and cause certain effects according to their respective functions. See Philip E. Pack, *Anatomy and Physiology*, trans. Theodarus Darma Wibisono (Bandung: Expert Library, 2007), p. 160.

²⁹The hormone oxytin is a hormone that functions to create emotional bonds between partners, the hormone endorphins serves to relieve pain in the human body, the hormone adrenaline prepares the human body, and testosterone functions for the

The current conditions also cannot be denied that various 'corners of life' are filled with things that are a big test for Adam. Nowadays, especially in big cities, the trend of wearing women's clothes is that many show their genitals. Even if they wear the hijab, sometimes it is not by the demands of the Shari'a, for example, thin or tight, so it shows the form of genitalia that can damage the faith of men. Not only in visual form, but women's genitalia are also presented through the media. Almost everything makes women a commodity, such as advertisements on television, billboards, and various daily necessities. They all show a woman's genitals or at least her beautiful face.

The high tendency of men to have biological relationships, coupled with the phenomenon of the rise of spectacles that can damage their views and faith, it is natural that wives are strongly required to be able to prioritize obligations towards their husbands. The wife must be ready to leave all activities, including sunnah fasting, on the condition that the husband needs his wife. In application, this has been exemplified by the Prophet Muhammad. Where one time, he saw a woman, and then the Prophet immediately went to his wife, as explained in the following Muslim narration: the Prophet once saw a woman, then he immediately went to his wife, namely Zainab, who was tanning leather, then the Prophet fulfilled her desire. Then the Prophet went out to his friend and said, "Verily, women come and go like the devil. So when you see a woman, go to your wife because that can calm your turmoil." ³²

development of sex, and the structure of the equipment. See Syaifuddin, *Physiology of the Human Body* (Jakarta: Salemba Medika, 2011), p. 327-340.

³⁰See Syaifuddin, *Physiology of the Human Body...*, p. 327-328. See also William F. Ganong, *Medical Physiology*, trans. Dewi Irawati, et al. (Jakarta: EGC, 2008), p. 415-416.

³¹Unoviana Kartika, "This is the Reason Why Men Get Aroused Easily" *Kompas.com*, 2013, accessed from <http://health.kompas.com/read/>

³²Abu Husayn Muslim ibn Husayn ibn al-Hajjaj al-Naisaburi, *Sahih Muslim...*, p. 280.

The hadith above illustrates that a husband has a very large right to his wife in terms of jima'. The magnitude of this right is also shown by several other prophetic traditions, such as the hadith about a wife being obedient to her husband³³ and the reward for the wife who ignores her husband's invitation to do sexual intercourse.³⁴

It should be understood that paying attention to obligations to husbands in sexual relations is not just fulfilling obligations to wives. More than that, the Relationship is a biological need for both parties and a basic need to foster a harmonious relationship. Therefore, it is not only the husband who benefits from prioritizing this obligation. The wife also benefits greatly. Because it can help create a *sakinah* family. In addition, it is also worth worship for the wife because she fulfills her obligations, as well as helping her husband in lowering his gaze and improving the quality of his faith.

Thus, paying attention to obligations, especially in the current condition, is the main thing for a wife. Shows that the provision of permission in the hadith of the wife's authority in sunnah fasting is relevant today because it helps maintain the integrity of the husband and wife Relationship amid globalization. The way to ask permission in this hadith is conditional. It is not formal and can be adapted to the customs ('urf) prevailing in each family or region.

6. Analysis of the Legislative and Ethical Meaning of Hadith

Based on the explanation above, the ethical value behind the permission provisions in the hadith of the wife's authority in sunnah fasting can be seen. The content of the message that the Prophet Muhammad wanted to convey in the delivery of this hadith is that a wife must prioritize her obligations to her husband, namely *ber-Jima* ', from other sunnah matters. This ethical value indicates that the legal value of the hadith,

namely the provisions of permission in sunnah fasting, can change in conditions if the husband cannot have intercourse with his wife because it is caused by traveling, illness, impotence, and similar conditions. This means that in conditions like this, the wife can do Sunnah fasting without first asking permission from her husband.

The Prophet hinted to the wife to prioritize the rights of her husband as a form of fulfillment of biological needs, which is a decree of Allah. So the provision of "permission" in the hadith of the wife's authority in sunnah fasting is not a form of limiting the wife's authority in worship. The wife still has the right to perform sunnah worship, such as fasting, sunnah prayers, and so on, as long as she does not neglect her obligations to her husband.

The understanding of the series of hermeneutic work steps applied to the above hadith can be summarized as follows: first, the confirmative principle shows in the Qur'an that husband and wife both have needs in sexual relations. There is not a single verse that allows a Muslim to prioritize sunnah matters over obligatory matters. Second, the linguistic principle, the use of the word *la nahi*, shows that it is not permissible for a wife to fast without her husband's permission, indicating that fulfilling her husband's right to perform *jima'* is an obligation. Third, *asbab al-wahd* This hadith shows that the purpose of the Prophet Muhammad uttering the hadith, which is also an 'illat (cause) of the prohibition, is that the obligation to the husband must take precedence over other recommended matters (Sunnah fasting). Fourth, scientific explanations show that men tend to want sex compared to women. This is due to hormonal and psychological differences between men and women. The whole working principle of hermeneutics in the hadith above shows that a wife must pay attention to her obligations first when she wants to do sunnah practices. Because conceptually, sunnah

³³Here is the hadith: "If I were the one who ordered one person to prostrate to another, I would have ordered a woman to prostrate to her husband because of the great rights of the husband that Allah SWT has. has decreed against them." Abu 'Isa

⁹Muhammad ibn 'Isa ibn Surah al-Tirmidhi, *Sunan al-Turmudhi*..., p. 281.

³⁴The Hadith: "When a wife leaves her husband's bed, the angels curse her until she returns." See Abu 'Abdullah Muhammad ibn Ismail ibn Ibrahim al-Bukhari, *Sahih al-Bukhari*..., p. 53.

practices will not be meaningful for the perpetrators if, in practice, they ignore obligatory practices.

Thus, based on hermeneutical studies on the hadith of the wife's authority in sunnah fasting shows that the assumption that this hadith contains an understanding of gender bias - as echoed by feminists - is not at all correct. Because what is conveyed in the hadith is conditional and solely to maintain the rights and obligations between husband and wife, which is the "key" to fostering a *sakinah, mawaddah wa rahmah* family.

Thus, hermeneutical studies on gender-issued hadiths show that if the hadiths are fully understood, especially by looking at the conditions when they emerged, then there is no understanding of bias -as stated by feminist groups-is not found. Because what is conveyed in the gender issue hadiths is conditional and solely to maintain the benefit of women at that time.

Conclusion

From the description above, it can be concluded that the position of a husband and wife in the view of hadith is to follow the expression of several verses of the Al-Qur'an, that both husband and wife have nearly equal opportunities in worship. Even if there is a prohibition on worshipping by a husband to his wife, rather it is an answer to the cases that occurred at that time, the meaning is that the prohibition contained in the hadith above is not properly understood in general and is very inappropriate to say applies in general.

In the context experienced by the perpetrators mentioned in the hadith studied, it shows that the case faced in the form of the implementation of Sunnah fasting performed by women, in this case, is not for normal conditions because, in the editorial of the hadith, it is stated that a wife performs Sunnah fasting with intervals that exceed the capacity of sunnah fasting. From this condition, it can be understood that it is not permissible for a wife to perform sunnah fasting, as in the case of the hadith studied, which does not mean that there is a restriction on worship for a wife. But the prohibition is aimed at a wife who does more than regular sunnah fastings, such as

sunnah fasting, which is recommended on Mondays and Thursdays or only on historic days. Meanwhile, Sunnah fasting that exceeds regular Sunnah fasting includes fasting done one day at a time. This sunnah fasting is based on the Sunnah fasting practiced by the people of Prophet Dawud.

As a flexible religion, Islam does not impose a strict law and considers the condition of its people. Can be understood from several obligatory acts of worship, such as fasting in Ramadan and the five daily prayers, in which dispensation rules are regulated and have a value of the flexibility that is by human values, such as the stipulation that it is permissible to postpone fasting in Ramadan in another month, or replace it with another month. Staple food was given to the poor, likewise, for the obligatory prayer for the sick and people on the way. For sick people are given relief to perform their prayers according to their ability. At the same time, people on the way are given relief by combining two prayers and can also shorten the prayers. Thus, in the context of the study of this article.

Bibliography

1. Abdul Mudjid, Principles of Fiqh Science, Jakarta: Kalam Mulia, 1993.
2. Abu 'Isa Muhammad ibn 'Isa ibn Surah al-Tirmidhi, Sunan al-Tirmidhi, Riyad: Dar al-Salam, 1999
3. Abu Abdullah Muhammad ibn Isma'il ibn Ibrahim al-Bukhari, Sahih al-Bukhari, Beirut: Maktabah, t.th.
4. Abu Abdullah Muhammad ibn Yazid al-Qazwini, Sunan Ibn Majah, Riyad: Dar al-Salam, 1998.
5. Abu Dawud Sulaiman ibn al-Asha'at al-Sijistani, Sunan Abu Dawud, Beirut: Dar al-Fikr, 1994.
6. Abu Husayn Muslim ibn Husain ibn al-Hajjaj al-Naisaburi, Sahih Muslim, Riyad: Dar al-Salam, 1998.
7. Abu Zakariya Yahya ibn Sharaf al-Nawawi, Sahih Muslim bi Sharah al-Nawawi, t.tp: Maktabah, 1990.

8. Ahmad ibn 'Ali ibn Hajar al-'Asqalani, Fath al-Bari Sahih al-Bukhari, Beirut: Dar al-Kutub al-'Ilmiyah, 1999.
9. Fazlur Rahman, Islam and Modernity: Transformation of Intellectual Tradition, Chicago: The University of Chicago, 1984.
10. Hamim Ilyas et al., Oppressed Women: A Study of Misogynistic Hadith, Yogyakarta: PSW IAIN Sunan Kalijaga, 2017.
11. Khaled Abou el-Fadl, Speaking in God's Name: Islamic Law, Authority, and Women, Oxford: One World, 2001.
12. Khoiruddin Nasution, Indonesian Islamic Family Civil Law, Yogyakarta: ACAdeMIA + TAFAZZA, 2009.
13. Muhammad Khudari Beik, Usul al-Fiqh, Beirut: Dar al-Fikr, 1988.
14. Muhibbuththabary, Islamic Charity Jurisprudence: Theory and Practice, Bandung: Cipta Pustaka, 2012.
15. Musahadi Ham, Hermeneutics of Legal Hadiths: Considering Fazlur Rahman's Ideas, Semarang: Walisongo Press, 2009.
16. Nasr al-Din al-Albani, Sahih Jami' al-Saghir wa Ziyadah, Beirut: al-Maktab al-Islami, t.th.
17. Sayyid Abu Bakr Muhammad Shata al-Dimyati, I'alah al-Talibin, Beirut: tp, th
18. Syaifuddin, Human Body Physiology, Jakarta: Salemba Medika, 2011.
19. Theodarus Darma Wibisono, Anatomy and Physiology, Bandung: Expert Library, 2007.
20. Unoviana Kartika, "This is the Reason Why Men Get Aroused Easily", Kompas.com, 2013, accessed from <http://health.kompas.com/read/>
21. Wahbah al-Zuhaili, al-Fiqh al-Islami wa Adillatuhu, (Beirut: Dar al-Fikr, 1997
22. William F. Ganong, Medical Physiology, trans. Dewi Irawati, et al., Jakarta: EGC, 2008.
23. Yusuf al-Qardawi, How to Understand the Hadith of the Prophet. trans. M. Al-Baqir, Bandung: Karisma, 1993

cek jurnal 2

ORIGINALITY REPORT

7 %

SIMILARITY INDEX

7 %

INTERNET SOURCES

4 %

PUBLICATIONS

2 %

STUDENT PAPERS

PRIMARY SOURCES

1

azislam.com

Internet Source

1 %

2

repository.ar-raniry.ac.id

Internet Source

1 %

3

repository.uin-suska.ac.id

Internet Source

1 %

4

www.journalppw.com

Internet Source

1 %

5

ore.exeter.ac.uk

Internet Source

1 %

6

ijssrr.com

Internet Source

<1 %

7

Submitted to Sinclair Community College

Student Paper

<1 %

8

malikussaleh.files.wordpress.com

Internet Source

<1 %

9

digilib.iain-jember.ac.id

Internet Source

<1 %

10	"Contemporary Issues and Development in the Global Halal Industry", Springer Science and Business Media LLC, 2017 Publication	<1 %
11	Noor Aisha Abdul Rahman. "Changing Roles, Unchanging Perceptions and Institutions: Traditionalism and its Impact on Women and Globalization in Muslim Societies in Asia", The Muslim World, 7/2007 Publication	<1 %
12	ijtiihadnet.com Internet Source	<1 %
13	idr.uin-antasari.ac.id Internet Source	<1 %
14	www.scribd.com Internet Source	<1 %
15	"Islamic perspectives relating to business, arts, culture and communication", Springer Science and Business Media LLC, 2015 Publication	<1 %
16	etheses.uin-malang.ac.id Internet Source	<1 %
17	jurnalpai.uinsby.ac.id Internet Source	<1 %
18	e-journal.metrouniv.ac.id Internet Source	<1 %

19	Hanafi Hanafi. "Genealogi Kajian Hadis Ulama al-Banjari", Millati: Journal of Islamic Studies and Humanities, 2017 Publication	<1 %
20	documents.mx Internet Source	<1 %
21	enizar-stain.blogspot.com Internet Source	<1 %
22	riset.unisma.ac.id Internet Source	<1 %
23	dl4a.org Internet Source	<1 %
24	ia802205.us.archive.org Internet Source	<1 %
25	jurnal.ar-raniry.ac.id Internet Source	<1 %
26	zombiedoc.com Internet Source	<1 %
27	archive.org Internet Source	<1 %
28	es.scribd.com Internet Source	<1 %

Exclude quotes Off

Exclude matches Off

Exclude bibliography On

cek jurnal 2

GRADEMARK REPORT

FINAL GRADE

/0

GENERAL COMMENTS

Instructor

PAGE 1

PAGE 2

PAGE 3

PAGE 4

PAGE 5

PAGE 6

PAGE 7

PAGE 8

PAGE 9

PAGE 10

PAGE 11

PAGE 12