

Contextualization of Zhihar Based on Tafsir Literature In the Communication Relationship between Husband and Wife

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Abstract: In marriage, Allah swt legalizes the relationship between husband and wife, with the husband having to keep good words in order to avoid words that hurt his wife. Especially if the husband utters zhihar to his wife. In the Jahiliyyah era, zhihar was considered a divorce, then Islam canceled it with the rule that the husband was prohibited from mixing with his wife before paying expiation. The origin of the terminology of zhihar was due to the issue of a woman named Khaulah bint Tsa'labah who had been zhihar by her husband Aus ibn Shamit, Aus said to his wife: "You are to me like my mother's back" with the intention that he should no longer have sex with his wife. For this reason, researchers are interested in examining the contextualization of zhihar in husband and wife communication relations based on the perspective of tafsir literature in the current era. This research uses library research with a qualitative approach, to examine the phenomenon of zhihar on the communication relationship between husband and wife based on contemporary tafsir literature. So that the results found that zhihar in terms of context, there are differences between Jahiliyah and contemporary times, that in the Jahiliyah era, zhihar was used as a form of insult to wives who could not serve them until they finally fell divorce, while in the contemporary era zhihar is interpreted as a form of respect in beauty. Husbands communicate using figures of speech without explicit intent, giving birth to different meanings. However, even if the communication is conveyed in jest, it is still legally imposed as zhihar.

Keywords: *Contextualization of Zhihar, Contemporary Tafsir Literature, Communication Relations.*

Abstrak: Dalam pernikahan, Allah swt menghalalkan hubungan suami dan istri, dengan suami harus tetap menjaga perkataan yang baik agar dapat menghindari kata yang menyakiti hati istri. Terlebih jika suami sampai mengucapkan zhihar kepada istrinya. Pada zaman jahiliyah, zhihar dianggap sebagai talak, kemudian Islam membatalkannya dengan peraturan suami dilarang mencampurinya sebelum membayar kafarat. Asal mula terminologi lahirnya zhihar karena persoalan wanita bernama Khaulah binti Tsa'labah yang telah di zhihar oleh suaminya Aus ibn Shamit, Aus mengatakan kepada istrinya: "kamu bagiku seperti punggung ibuku" dengan maksud dia tidak boleh lagi menggauli isterinya. Untuk itu, peneliti tertarik mengkaji kontekstualisasi zhihar dalam relasi komunikasi suami istri berdasarkan perspektif literature tafsir pada era kekinian. Penelitian ini menggunakan *library research* dengan pendekatan kualitatif, untuk mengkaji fenomena zhihar terhadap relasi komunikasi suami dan istri berdasarkan literature tafsir era kekinian. Sehingga ditemukan hasil bahwa zhihar dalam segi konteks, terjadi perbedaan antara zaman Jahiliyah dan kontemporer, bahwasanya zaman Jahiliyah, zhihar dijadikan sebagai bentuk penghinaan kepada istri yang tidak bisa melayaninya hingga akhirnya jatuh talak, sedangkan pada era kontemporer zhihar diartikan sebagai bentuk dari penghormatan dalam keindahan. Suami berkomunikasi menggunakan kiasan tanpa maksud secara tegas, sehingga melahirkan pemaknaan berbeda. Namun sekalipun komunikasi disampaikan dalam sanda gurau, maka secara hukumnya tetap dijatuhkan sebagai zhihar.

Kata Kunci: *Kontekstualisasi Zhihar, Literature Tafsir Kekinian, Relasi Komunikasi*

1. Introduction

Based on the religious concept, marriage is a container for formally uniting two human beings in a strong bond.¹ Marriage is a lawful relationship between a husband and a wife, but a husband keeps his word, so that he doesn't hurt his wife's heart.² Especially if you leave your wife with your mother. This is what is called Zihar.³ Zihar is the speech of a husband to his wife, so that a husband is not allowed to interfere with his wife until he pays a fine.⁴

Zihar is a term for a husband who forbids his wife to himself by neglecting as his mother, or his brother-in-law.⁵ In the Jahiliyah era, the zihar context was equated with the talak term. But in religion, for a wife whose husband is wronged, the husband is unlawful when he wants to divorce his wife.⁶ Islam orders that a husband should pay the *kafarat* for his zihar to be able to return his wife. Even if the husband only intends to keep him alive, he can legally be regarded as a zihar. Therefore, if a husband is found to say to his wife, "You are with me like my mother's back" as talak words, then this is condemned zihar. And zihar doesn't cause a wife to be flogged by a husband.⁷

In the Jahiliyah era, zihar was considered a talak. However, Islam abolished it with the rule that the husband is forbidden to interfere with his wife before paying the *kafarat*.⁸ Zihar can only be pronounced a Muslim husband, who is well, sensibly healthy, and the woman has become a legitimate wife for him. Three priests such as Abu Hanifah, Malik, Shafi'i and one of Imam Ahmad's stories explain that, if a husband says, "You are to me like my father's back", then the wife is not obliged to pay the *kafarat*.⁹

Islam is here to raise the dignity and dignity of women, especially in dealing with the problem of Zihar. In the past, zihar indirectly meant divorce. However, in Islam, zihar is a

¹Mohammad Nurul Huda, Abdul Munib, "Compilation of the Purpose of Marriage in Positive Law, Customary Law, and Islamic Law", *Voice Justisia*, Volume 6, Nomor 2, September 2022, hlm. 40.

²Lestari, Siti Zailia, Legawan Isa, "Praktek Cerai Rujuk Di Desa Pedamaran Menurut Hukum Islam Dan Hukum Positif," *Jurnal Muqaranah* 7 No. 2, Desember 2022, hlm. 100.

³Andi Ridwan, Saude Saude, Rusdin Rusdin, "Konsep Zihar Dalam Pandangan Hukum Islam," *Prosiding Kajian Islam Dan Integrasi Ilmu Di Era Society 5.0 (KIIIES 5.0) Pascasarjana Universitas Islam Negeri Datokarama Palu*, Volume 1, 2022, hlm. 324.

⁴Syaddan Dintara Lubis, "Akibat Hukum Yang Ditimbulkan Oleh Zihar Terhadap Perkawinan Ditinjau Dari Undang-Undang Dan Kompilasi Hukum Islam," *Politica: Jurnal Hukum Tata Negara Dan Politik Islam* Volume x, Nomor I, hlm. 60–69.

⁵Ali Yusuf As-Subki, *Fiqh Keluarga*, (Jakarta: Amzah, 2010), hlm. 360.

⁶Ali Kadarisman, "Kekerasan Dalam Rumah Tangga Dan Sanksinya Dalam Hukum Islam," *De Jure: Jurnal Hukum Dan Syari'ah* Vol. 9, No. 2, 2017, hlm. 88–104.

⁷Nukhbatul Fikar, "Konsep Zihar Dan Penerapannya Dalam Keluarga Islam Nusantara" ((Tesis UIN Sultan Hasanuddin Banten, 2018), hlm. 1.

⁸Dadang Jaya, "Zihar Sebagai Perbuatan Pidana (Sebuah Kajian Pustaka (Zihar as a Criminal Deed (A Literature Review)," *Jurnal At-Tadbir: Media Hukum Dan Pendidikan* Volume 30 Nomor 1 Tahun 2020.

⁹Muhammad Mutawalli asy-Sya"rawi, *Fiqh Wanita*, (Jakarta: Pena Pundi Aksara, 2006), hlm. 5.

sinful act that occurs because a husband equates his wife with his mother.¹⁰ Zihar didn't make it a divorce, but only a barrier to the husband's marriage to his wife. The ban on marriage due to zihar can be redeemed with some alternative kafarat, so that the husband can marry his wife back.¹¹ This is as stated in the Al-Mujadah verses 1-4.

The term "zihar" comes from the problem of a woman named Khaulah binti Tsa'labah who had been zihared by her husband Aus ibn Shamit, with the words "you are to me like my mother's back, in the sense that she can no longer go with her wife, as she can not go with his mother". The Prophet (peace and blessings be upon him) said, "There is no judgment from God."¹²

The Qur'an has come to free man from all forms of unrighteousness to women. One who was released was zihar. Zihar is a culture in Jahiliyah society that obtains response and solution in Islam through the explanation of the Qur'an.¹³ This is what makes researchers interested to be able to study the contextualization of zihar in spouse communication relations based on the perspective of literature tafsir in the contemporary era.

2. Library Review

a. Zihar Definition

Zihar comes from the word az-zahr, which means back or rear. The expression zahr-un-nisa means the wife's back, turning her back, or putting her away. According to Shara'ah, zihar refers to the husband's attitude in the Jahiliyyah Arab tradition of no longer being attracted to his wife, perhaps because of her, because of her age, or because of something else, such as her wrinkled skin, which is starting to wrinkle. Afif Muhammad in his book *Fiqh Five Mazhabs* states that zihar is what a husband says to his wife, "to me you are like a back. Zihar is a custom of the Jahiliyah people who no longer functioned as wives, even though she was still bound."¹⁴ So zihar is a word used to equate a wife with her biological mother. equate a wife with the husband's biological mother, this event in the Jahiliyah period was interpreted as divorce. Jahiliyah was interpreted as divorce, if a husband said you are like my mother, then the husband has like my mother, then the husband has forbidden his wife because the wife has been likened to a mahram.

b. The Pillars and Conditions of Zihar

According to the Hanafi school, the pillar of zihar is the memorization that indicates zihar. The origin of zihar is when a husband says to his wife, "You are to me like my mother's

¹⁰Novitasari, Yeni. Revanda Yuniarti, Sabila Wirdatul Jannah, "Ila Dan Zihar Perspektif Tafsir Ayat Gender", *Jurnal Laboratorium Syariah Dan Hukum*, Vol.2, Nomor 3. 2021.

¹¹Asep Mahbub Junaedi, Wasman, "Pelanggaran Hukum Dalam Keluarga Islam: Kajian Tentang Zihar, Ila', Dan Li'an," *Mushaf Journal: Jurnal Ilmu Al Quran Dan Hadis* Vol. 4 No. 1 April 2024, hlm. 4.

¹² Muhammad Quraish Shihab, *Al-Lubab*, (Tangerang: Lentera Hati, 2012), hlm. 196.

¹³ Sonia Dora, "Zihar Perspektif Mufassir Indonesia", (IAIN Walisongo, 2014).

¹⁴ Afif Muhammad, *Fiqh Limah Mazhab*, ((Jakarta: Lentera, 2007), hlm. 207.

back" and also includes in the zihar the words: "You are to me as my mother's belly, my mother's thighs or my mother's vagina". The majority of fuqaha other than the Hanafis are of the view that zihar has four pillars: the man who pronounces the zihar. The wife who is zihar, the pronunciation of the words and the thing that is likened. As for the conditions:

- 1) The husband who pronounces the zihar
- 2) The wife who is zihar by the husband
- 3) The thing that is likened
- 4) Speech of zihar

c. Husband And Wife Communication Relationship

Interpersonal Communication is a special form of human communication that occurs when we interact simultaneously with others and mutually influence each other. Simultaneous interaction means that the communication actors have the same action on information at the same time. Interpersonal communication is essentially a form of personal communication. The communication relationship that exists between husband and wife can determine how the individual feels and attitudes towards communication in their relationship as husband and wife. This aspect focuses on the level of comfort felt by the couple in sharing and receiving emotional and cognitive information. Thus, the quality of communication explains how couples convey messages to their partner in order to create a pleasant relationship between them. between the two. Communication quality meets the criteria of mutual openness, honesty, trust, empathy, and the ability to listen well.¹⁵

3. Research Methods

In studying this, researchers use an approach (library research). Library research is a series of activities that are carried out to gather data through the library process and search based on literature material, books, reports, and journal articles related to the issue to be harassed.¹⁶ The library research approach is carried out through the process of identifying the theory, then proceeding with observing the study of the library, until an in-depth analysis of various documents that have relevance to the research topic.¹⁷

The approach used is qualitative. This approach is aimed at being able to discern and analyze a phenomenon, an event, a belief, a social activity, a perception, even a person's thinking so that it can be easily understood so as to produce a new hypothesis.¹⁸ Types and

¹⁵Wiryanto, *Pengantar Ilmu Komunikasi* ((Jakarta: Gramedia Widiasarana Indonesia, 2004), hlm. 6.

¹⁶Milya Sari dan Asmendri, "Penelitian Kepustakaan (Library Research) Dalam Penelitian Pendidikan IPA, *Jurnal Penelitian Bidang IPA Dan Pendidikan IPA* 6, no. 1 (2020), hlm. 43.

¹⁷Miza Nina Adlini, Anisya Hanifa Dinda, Sarah Yulinda, Octavia Chotimah, and Sauda Julia Merliyana, "Metode Penelitian Kualitatif Studi Pustaka," *Jurnal Edumaspul* 6 (1), Year 2022.

¹⁸Hennink, M., Hutter, I., & Bailey, A, "Qualitative Research Methods. SAGE Publications Limited," *Sage Publications Limited, 2020.*

approaches undertaken to study the phenomenon of zihar to the relationship of communication husband and wife based on literature tafsir. The initial sub-theme of the researcher will expose about Asbab An-Nuzul based on the interpretation of Tafsir Al-Misbah, then analyze about the correlation with the other verses in one theme explains the explanation of the sentence based on literature tafsir, and analyze a sentence interpretation based on kekinian context related to the relationship of spouse and wife.

4. Results and Discusse

a. Asbab An-Nuzul Verse

It is based on the interpretation of Tafsir Al-Mibah by M. Quraish Shihab about the complaint of a friend named Khaulah binti Tsa'labah, who bowed in the Zihar of Aus bin Shamit. Khaulah tells her that one day after the prayer, her husband asked her to serve her, but Khaullah refused and caused her husband to be angry, and then her husband zihired her. When he heard the complaint, he said that he had not received any commandment concerning the affairs of Khaulah and his husband. He said, "Khaulah has been forbidden to be harassed by a husband."¹⁹ He then disputed and complained about his affair with Allah.

قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَادِلُكَ فِي زَوْجِهَا وَتَشْتَكِي إِلَى اللَّهِ وَاللَّهُ يَسْمَعُ تَحَاوُرَكُمَا إِنَّ اللَّهَ وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ مِنْ قَبْلِ أَنْ يَتَمَاسًا ذَلِكَمْ تَوْعَظُونَ بِهِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

سَمِعَ بَصِيرٌ

Allah has heard the woman who complains to you about her husband and complaints to Allah, while Allah hears the conversation between you. Verily Allah is All-hearing, All-seeing.

الَّذِينَ يُظَاهِرُونَ مِنْكُمْ مَنْ نِسَائِهِمْ مَا هُنَّ أُمَّهَاتُهُمْ إِنْ أُمَّهَاتُهُمْ إِلَّا اللَّيْ وَلَدْنَهُمْ وَإِنَّهُمْ لَيَقُولُونَ
نَ مُنْكَرًا مِنَ الْقَوْلِ وَزُورًا وَإِنَّ اللَّهَ لَعَفُورٌ غَفُورٌ

Those of you who nurse their wives are not their mothers, they are only the women who give birth to them. Verily they have spoken a lie. Verily Allah is Forgiving, Forgiving.

Those who take care of their wives, then withdraw what they have said, and free a slave before they have sex. That is what you are taught. Allah is Aware of what you do. Whoever does not have to fast for two months in a row before they are together? But whoever is not able, he shall feed sixty poor men. This is so that you may believe in Allah and His Messenger. Such are the statutes of Allah. For the unbelievers there will be a painful punishment.

فَمَنْ لَمْ يَجِدْ فَصِيَامَ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ قَبْلِ أَنْ يَتَمَاسًا فَمَنْ لَمْ يَسْتَطِعْ فَاطْعَامَ سِتِّينَ
مِسْكِينًا ذَلِكَ لِتُؤْمِنُوا بِاللَّهِ وَرَسُولِهِ وَتَلْكَ حُدُودَ اللَّهِ وَلِلْكَافِرِينَ عَذَابٌ أَلِيمٌ

If a man is angry with his wife, and says, "You are like my mother's back," then his wife is forbidden to him, but he is not divorced. So the marriage continued, but the husband was

¹⁹M. Quraish Shihab, *Tafsir Al-Misbah, Jilid 14: Pesan, Kesan Dan Keserasian Al-Qur'an, Editan. Revisi., Cet 1* (Jakarta:Lentera Hati, 2017), hlm. 60.

forbidden to marry his wife. And the wife is not separated from her husband, so she has another way. It's seen as a form of harassment that women suffered in the early days.

A man who forbids his wife, for having forsaken his mother, sister, or one of his mahrams without following a divorce.²⁰ In the Jahiliyah era, the custom of the Arabs when the husband no longer likes his wife, then the husband would say that the wife's back resembles the back of his mother.²¹ The love of a husband to his wife is equal to that of his mother, so that if a wife is considered a mother by her husband, it is a disgrace. so the habit of a husband to forget his mother's wife's back is wrong and unjustified.²²

b. Muhasabah Verse / Correlation with Other Verses in One Theme

Zhihar is a term for a man who forbids his wife to him, because he has likened her to his mother, sister, or one of his mahrams with no divorce.²³ In the pre-Islamic era, when husbands no longer liked their wives, they would say that their wives' backs resembled their mothers' backs.²⁴ So directly the affection given by the husband to his wife has been equated with his affection for his mother, so that if the wife is considered a mother by the husband, then this is seen as chaotic. So that the husband's habit of likening his wife's back to his mother is wrong and not justified.²⁵

Zhihar is the word of a husband who is unclean, this is how it is possible a wife whom a husband as well as then he equates with his mother.²⁶ So in Surah Al-Mujadalah Ayat 1-4 it is mentioned that zhihar is a false deed. If you do so, you will be punished by the punishment of Zhihar, so that if you do it, then you will have to pay for it.²⁷ According to the Qur'an, it has a correlation with the Quran, according to Ahmad Mushthafa Al-Maraghi, which says:

وَمَا جَعَلَ أَزْوَاجَكُمُ اللَّائِي تُظَاهِرُونَ مِنْهُنَّ أُمَّهَاتِكُمْ^{٢٨}

"God does not make a man with two hearts in his cavity, He does not give your wives as your mothers, nor does he give your children as your children." That is nothing but a word in your mouth. God says the right thing and he shows the way.²⁸

²⁰Qur'an Kemenag, "QS. Mujadalah 58 Ayat 1-4, "https://Quran.Kemenag.Go.Id/Quran/per-Ayat/Surah/58?From=1&to=22,".

²¹Amelia Suci, "Hakikat Zhihar Dan Hukumnya (Studi Perbandingan Pendapat Ibn Qudamah Dan Asy-Syarbini)", UIN Ar-Raniry Banda Aceh, 2022, hlm. 21.

²²Syaddan Dintara Lubis, "Akibat Hukum Yang Ditimbulkan Oleh Zihar Terhadap Perkawinan Ditinjau Dari Undang-Undang Dan Kompilasi Hukum Islam", *Politica: Jurnal Hukum Tata Negara dan Politik Islam*, Volume x, Nomor I, hlm. 60 - 69.

²³Muhammad, Fath Al-Qarib Al-Mujib, *Jilid 2* (Beirut: Dar Al-Kitab Al-Islamiyah, 2007), hlm. 308.

²⁴Ibnu Rusyd, *Bidayatul Mujtahid Wa Nihayatul Muqtashid, Jilid 2, Terj. Fuad Syaifudin Nur* ((Jakarta: Pustaka Al-Kautsar, 2016), hlm. 195.

²⁵Haji Abdulmalik Abdul Karim Amrullah Hamka, *Tafsir Al-Azhar Juz 21*, (Jakarta: PT. Pustaka Panjimas, 1984). hlm. 192.

²⁶Syarifuddin, A, *Hukum Perkawinan Islam Di Indonesia Antara Fiqh Munakahat Dan Undang-Undang Perkawinan*, (Jakarta: PT Kencana., 2014).

²⁷Aris Munandar dan Muslim Djuned, "Zhihar Dalam Tafsir Al-Mishbah," *Journal Of Qur'anic Studies* Vol. 3, No. 1, 2018.

²⁸Qur'an Kemenag, "QS. Al-Ahzab 33 Ayat 4," <https://Quran.Kemenag.Go.Id/Quran/per-Ayat/Surah/58?From=1&to=22>."

It is not wise for a woman to be the mother of a man, and to be a wife of a husband, for in fact a mother must be served and respected, while the status of a wife is to require a man to serve for the sake of marriage.²⁹ Among the traditions of the Jahiliyah people is zihar. Zihar is used as a tool for husbands to curse their wives. If they desire to spoil their wives, then they say to them, "You are like my mother's back," so that the husband must pay the ransom.³⁰

c. Interpretation of Verses / Explanation of Verses from Various Tafsir Literature

In Tafsir Fi Zhilal Al-Qur'an by Sayyid Qutb explains that in the days of ignorance, if a husband was angry with his wife for something, then the husband said, "for me, you are like my mother's back", then his wife became forbidden to have sex, but no divorce fell.³¹ So, if the relationship continues, the husband may not have intercourse with his wife. And the wife is not divorced from her husband, so she has recourse.³² Imam Ahmad said Sa'd bin Ibrahim and Ya'qub narrated from his father, from Muhammad bin Isaac, from Mu'ammarr bin Abdullah bin Hanzhalah, from Yusuf bin Abdullah bin Salam, from Khuwailah bint Tsa'labah, that she said "by Allah, Allah swt has revealed the beginning of surah Mujadalah concerning me and Aus Ibn Sh-Shamith"³³, where her words were:

"I became his wife, he was an old man with a bad temper, one day he entered my room, but I rejected him for some reason, so he got angry and said " to me you are like my mother's back, Aus then went with his people in their meeting place. Then he found me and desired me. I said no, by the one who controls, do not desire me, when you have said so, before Allah swt and the Messenger of Allah (peace and blessings of Allah be upon him) make a decision about our matter."³⁴

He forced me, but I resisted and then I was defeated. Then I went to a neighbor's house to borrow clothes. Finally, I went to see the Messenger of Allah." After sitting in the presence of the Prophet, Khuwailah told him what had happened. Khuwailah also complained about her bad temper to the Prophet³⁵, so the Prophet said:

"Khuwailah, your uncle's son is an old man. Fear Allah swt to deal with him".

²⁹Ahmad Muahthafa Al-Maraghi, *Tafsir Al-Maraghi*, (Semarang: CV Toha Putra, Set Pertama, 1989), hlm. 240.

³⁰Syaikh Imad Zaki al-Barudi, *Tafsir Wanita*, (Jakarta: Pustaka al-Kautsar, 2010), hlm. 505..

³¹Sayyid Qutb, *Tafsir Fi Zhilal Al-Qur'an. Terjemahan, GIP* ((Jakarta: Gema Insani Press, 2004), Jilid XI, hlm. 186.

³²Mutia Lestari, Susanti Vera, "Metodologi Tafsir Fi Zhilal Al-Qur'an Sayyid Qutb," *Jurnal Iman Dan Spiritualitas* Vol 1, No 1, 2021, pp. 47–54 (n.d.), <https://doi.org/10.15575/jis.v1i1.11475>.

³³Amelia Suci, "Hakikat Zihar Dan Hukumnya (Studi Perbandingan Pendapat Ibn Qudamah Dan Asy-Syarbini), 2022."

³⁴Sayyid Qutb, *Tafsir Fi Zhilal Al-Qur'an. Terjemahan, GIP*, 2004.

³⁵Suara 'Aisyiyah, "Khaulah Binti Tsa'labah, Perempuan Yang Mengadu Kepada Tuhan," Oktober 2021, <https://suaraaisyiyah.id/khaulah-binti-tsalabah-perempuan-yang-mengadu-kepada-tuhan/>.

Khuwailah then responded to the Prophet's words:

"By Allah, I will not move until a verse of the Qur'an is revealed regarding my matter".

Suddenly the Prophet fainted as he usually did when he received a revelation. After regaining consciousness, the Prophet said:

"Khuwailah, Allah swt has revealed a verse of the Qur'an regarding you and your husband". Then he recited a verse:

"Indeed, Allah has heard the words of the woman who sued you (Muhammad) about her husband, and complained to Allah, and Allah heard the conversation between the two of you, surely Allah is all-hearing and all-seeing, and for the disbeliever there is a very painful punishment". (QS.Al-Mujadalah 58:4).

In this case, Khuwailah then continued her story:

"The Messenger of Allah (peace be upon him) said to me: 'Ask your husband to free a slave', and I said: 'O Messenger of Allah, he does not have the money to free a slave'. The Messenger of Allah said: 'Then pray for two consecutive months'. I said, 'By Allah, he is an old man who is unable to fast'. The Prophet said 'then give one wusuq of dates to 60 poor people'. I said "by Allah he has no such food". The Prophet said "I will help him with a basket of dates (approximately 60 saa')³⁶. I then said 'O Messenger of Allah, I will also help him with another basket'. The Messenger of Allah said 'you are right and you have done a good deed', take these dates and give them in charity to him, then give your husband good advice'. I said to him 'I will do that'".

This is a problem that Allah swt heard about, about the dialog that took place between the Prophet and the woman who came to argue with him in this case of zihar. In the narration, it is described as an event, where the way she handled it then went to see the Prophet, then Khuwailah complained to the Prophet, so that the Quranic decision was revealed directly from Allah. All of this is a description of the special society of this amazing period. The feeling of a direct relationship, his waiting for direction from the sky regarding all affairs, the fulfillment of the sky against that waiting.

Based on Tafsir Al-Misbah by M. Quraish Shihab explains that the verse Al-Mujadalah was revealed regarding the complaint of a person according to several narrations named Khuwailah bint Tsa'labah who was zihar by her husband Aus Ibn Ash-Shamit. She said that one day during prayer, then after prayer, her husband asked her to serve him as a wife, but Khuwailah was reluctant, so the husband got angry, then divorced her. Khuwailah then came to complain to the Prophet (peace and blessings of Allah be upon him) that Aus married me when I was young and well-liked, but when I got older he adulterated me (made me like his mother, so that it was forbidden for him to mix).

³⁶Sayyid Qutb, *Tafsir Fi Zhilal Al-Qur'an, Terjemahan, GIP, 2004.*

Upon hearing this complaint, the Prophet (peace and blessings of Allaah be upon him) responded by saying, "I have not received any instructions concerning your matter; I think you are forbidden to have sexual intercourse with your husband." Khuwailah then argued with the Prophet (peace and blessings of Allaah be upon him) and took her case to Allaah, motivated by the fear of separation from her husband and the fear of losing her children, and this verse was revealed along with the next three verses. The verse in effect at the time was equating zihar with divorce forever.³⁷

Meanwhile, based on Tafsir Al-Azhar by Dr. Hamka, it states that the origin of zihar is taken from a sentence of the back or the back of the wife. Where a man who no longer likes his wife says you over me is the same as my mother's back. This sentence is understood to have viewed his wife as equal to his mother. Undoubtedly if the wife has been equated with her mother, then this can mean that she will not be held and touched again as a wife.³⁸

d. Tahlil Al-Tafsir (Qira'ah Al-Muntijah) Analysis of Verse Interpretation in the Present Context

Based on surah Al-Mujadalah verses 1-4 and its correlation with surah Al-Ahzab verse 4, zihar is when a husband says to his wife "To me you are like my mother's back," then the scholars of the madhhab agree that it is no longer permissible for the husband to have sexual relations with his wife until he pays the fine. Ibn Qayyim said that "it was during the Jahiliyyah period that zihar was divorce, but Islam abolished the law, because it is not permissible to reuse the law that has been abolished by Islam, so because the verse of the Qur'an explained that in this case, Aus bin Shamit committed zihar to his wife with the intention of divorce, But in the next zihar issue because zihar is clearly forbidden and should not be done again which has been mentioned by the provisions of Allah swt, that the provisions of Allah swt is something that is the most correct and most appropriate to be practiced.³⁹

This is like what happened in the story of Aus bin Shamit who said "For me you are my mother's back" to Khuwailah bint Tsa'labah.⁴⁰ After Aus bin Shamit's words, the relationship between husband and wife immediately ended as if it were a divorce, but the woman was not free to leave her husband's house, and passed away like an expelled wife.⁴¹ The act of zihar during the Islamic period was to pay expiation for the husband who had intentionally or unintentionally committed zihar, so the majority of Ulama' agreed that committing zihar is forbidden.⁴²

³⁷M.Quraish Shihab, Tafsir Al Misbah, Jilid 14: Pesan, Kesan dan Keserasian Al Qur'an. Edita, Revisi Cet.1

³⁸Hamka, Tafsir Al Azhar (Jakarta: Gema Insani, 2015), hlm.16

³⁹Sayyid Qutb, *Tafsir Fi Zhilal Al-Qur'an. Terjemahan, GIP*, 2004.

⁴⁰Syaikh Abdurahman bin Nashir as-Sa'di, *Tafsir Alqura'an*, (Jakarta: Daruq Haq, 2016), Hlm. 164..

⁴¹Abdur Rahman, *Perkawinan Dalam Syariat Islam* (Jakarta: PT Rineka Cipta, 1996), hlm. 103.).

⁴²Sabiq, Sayyid, *Fiqh As-Sunnah* (Beirut: Darul Fikry)..

This is different from the Jahiliyyah era when the husband said that the husband and wife's relationship ended and the wife could not claim her rights in marriage. So Allah swt set the law of *zihar* no longer as a divorce but the husband must pay *kaffarat* so that women can be protected, and more respected so that they are not arbitrarily hurt by leaving their wives without maintenance and without certainty of marriage, for that after Islam came the *zihar* statute was used to protect and protect women, because the abolished law can no longer be used as a source of law.⁴³

In this contemporary era, *zihar* often occurs in Islamic marriages and *zihar* was forbidden after the advent of Islam. Due to the ignorance of people who do not understand about *zihar*, especially for couples who do not understand the things related to *zihar*, so that they might be able to commit the act of *zihar* without realizing it. This era, the habit of *zihar* occurs as a form of joke or even considered as a form of equating with figurative language. In addition, many of the couples who are married but so easily divorced because of problems that should be resolved by deliberation. But many couples immediately take the path to divorce, even though it can still be fixed, besides that in the current era it is also not uncommon to find husbands who commit *zihar* without realizing it.⁴⁴

M. Quraish Shihab in a *Tafsir Al-Misbah* states that if a husband equates the wife's eyes or head with the mother, not on the part of the body that is the object of sex, but more specifically on the form of figurative speech in the context of an honor. *Zihar* is not actually done for humiliation, but basically husbands today do *zihar* there is no element of intentionality, because *zihar* done by husbands today is by analogy or equation to express beauty, not to insult the wife.⁴⁵

In terms of context, of course it is very different between the Jahiliyah era and contemporary times, that in the Jahiliyah era the context was a form of insult to a wife, who could not serve him at that time, and which ultimately led to anger and the word *zihar*, while in the contemporary context, *zihar* is seen as a form of respect to equalize the beauty that might be able to make the wife hurt.

In the current era, husbands say with figurative words in equating with mothers even though *zihar* will be imposed. Although both of these are based on the context of the husband and wife problem, the two problems are very different, as it is known that in the Jahiliyah era when communication used straightforward and firm language to explain the intent and purpose without using figures of speech. It is different now, that husband and wife communicate

⁴³Muhammad Ali Ash-Shabuni, *Tafsir Ayat-Ayat Ahkam*, (Depok: Keira Publishing, 2016), hlm. 573.

⁴⁴NU Online, "Mengenal *Zihar*: Hukum, Ungkapan, Dan Konsekuensinya," Download NU Online Super App, aplikasi keislaman terlengkap!, <https://islam.nu.or.id/nikah-keluarga/mengenal-zihar-hukum-ungkapan-dan-konsekuensinya-kr2DG>.

⁴⁵M. Quraish Shihab, *Tafsir Al-Misbah, Jilid 14: Pesan, Kesan Dan Keserasian Al-Qur'an, Editan. Revisi., Cet 1.*

sometimes express their intentions and goals using figures of speech without explicitly showing their intentions.

In view of several contexts, it can be concluded that *zihar* in the Jahiliyyah era on the issue of Kha'an. Jahiliyyah on the issue of Khaulah bin Ts'alah, and in contemporary times the issue of husband and wife communication is very different, because basically the intent and purpose are different, although in the end both are dropped as *zihar*.

e. Communication Relationship between Husband and Wife

Bernad Berelson and Gary A Steiner define communication, as follows: "Communication: the transmission of information, ideas, emotions, skills". Communication is the most important part of life, especially married life, because in every problem in the household, communication is needed to be able to solve the problems that exist in, without a good communication, the problem will not be resolved, but will be increasingly cloudy atmosphere in the household until it can lead to divorce.⁴⁶ So it is very important to communicate where you are, especially if in the household, because communication someone will know the purpose of others. Maintaining communication is highly recommended.⁴⁷

Relationship patterns that can be done by husband and wife when communicating, including the following:

- 1) Equalize views: Equalizing views is the first capital in establishing effective communication with a partner, so this becomes an urgent matter that can improve the relationship between husband and wife.
- 2) Understand the character of women: Understanding women's character is highly recommended, because character becomes inherent in a person's personality.
- 3) Build empathy: Always try to put yourself into other people's shoes, to understand other people's feelings.
- 4) Be assertive: Always try to communicate well so as not to hurt others.
- 5) Get closer to Allah swt.⁴⁸

From the explanation above, there are *zihar* values contained in the communication problems of husband and wife relationships as follows:

- 1) In communicating as much as possible, the husband arranges his speech and choice of words when conveying his intentions and wishes to his wife.
- 2) In a communication, the husband should not cause an ambiguous or unclear statement, thus raising questions about the purpose and purpose of the conversation.

⁴⁶Nurdin, *Ilmu Komunikasi : Ilmiah Dan Populer* ((Jakarta : PT Raja Grafindo Persada, 2017), hlm. 53.

⁴⁷Jamal Madhi, *Keindahan Komunikasi Suami Istri*, ((Jakarta : Republika, 2015), hlm. 23.

⁴⁸Anis Wisya Ningrum, "Zihar Dalam Al-Qur'an Dan Kontekstualisasinya Pada Persoalan Komunikasi Suami Istri" (UIN Sunan Amel, 2018).

- 3) In communicating with his wife, the husband should not use words that lead to the statement of *zihar*, and which will indirectly be subject to the law of *zihar*.
- 4) The choice of words in communication with the wife, even if the husband uses a sign language, should not lead to *zihar* even if the husband intends to *zihar*.
- 5) Husband and wife are recommended by the prophet to be able to occasionally joke to the wife, but joking must have a limit so that it cannot exceed the limit that will become a word of *zihar*.⁴⁹

The five values above teach husbands and wives or anyone to be careful in communicating, because it could be a problem, or the act of *zihar* occurs during communication. In surah Al-Ahzab Verse 32 instructs us to be able to keep our, because problems arise due to poor communication or poor words, therefore married couples must keep their words well in communication and in joking. The way to avoid words that lead to *zihar*, is to keep good words, and treat the wife well, because by saying good to the husband or wife, this will minimize the anger that can lead to a quarrel. Because with the onset of quarrels, the words spoken cannot be controlled which results in the fall of the word *zihar*.

5. Conclusion

Based on the explanation that the researchers have presented, it can be concluded that *zihar* in terms of context, of course, is very different between the Jahiliyah era and contemporary times, that the Jahiliyah era the context of *zihar* was used as a form of insult to a wife who could not serve him at that time, and which ultimately caused anger and the word *zihar*, while based on the context in the contemporary era *zihar* is interpreted as a form of respect for an equation of beauty that might be able to make the wife hurt.

The context of *zihar* in this context is that husbands today say with figurative words even though *zihar* will be imposed. Although the two contexts are both on the issue of husband and wife, the context is seen as very different, the context of *zihar* in the Jahiliyah era is found when communication uses straightforward and firm language to be able to explain the intent and purpose without using figures of speech, but this is different from today. The husband and wife communicating sometimes express their intentions and goals using figures of speech without explicitly showing their intentions. However, in this context, the communication between husband and wife is very different, because basically the intent and purpose are different, even though it is conveyed in jest, even though in the end it is equally dropped as *zihar*.

⁴⁹Jamal Madhi, *Keindahan Komunikasi Suami Istri*, 2015.

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