

Family Support Obligations From A Hadith Perspective

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Abstract: This research aims to comprehensively discuss the issue of family support obligations from the perspective of the hadith of the Prophet Muhammad. This research is library research. The data collection technique used is documentation. The documentation technique was chosen because this study examines hadiths of the Prophet found in several hadith books. The analysis technique used is descriptive qualitative. An important finding in this research is that living is an obligation that must be carried out by the husband as head of the household. Fulfilling the obligation to provide support to the family is considered alms. Thus, if a husband works sincerely to meet the needs of his family, then the husband is like giving alms. The husband's obligation to provide for his wife's needs according to Islamic law is to fulfill household needs in terms of clothing, food and shelter according to the husband's capabilities. Islam does not provide definite standards regarding the limits and amount of maintenance that is the husband's obligation.

Keywords: Obligations, Livelihood, Hadith.

Abstrak: Penelitian ini bertujuan membahas secara komprehensif persoalan kewajiban nafkah keluarga dalam perspektif hadis Nabi Muhammad. Penelitian ini merupakan Library research. Teknik pengumpulan data yang digunakan adalah dokumentasi. Teknik dokumentasi dipilih karena kajian ini mengkaji hadis hadis Nabi yang ada dalam beberapa kitab hadis. Teknik analisa yang digunakan adalah descriptiv kualitatif. Temuan penting dalam penelitian ini adalah Nafkah merupakan kewajiban yang harus dijalankan oleh suami selaku kepala rumah tangga. Dalam menunaikan kewajiban dalam memberikan nafkah kepada keluarga dianggap sebagai sedeqah. Dengan demikian seorang suami apabila bekerja dengan ikhlas untuk memenuhi kebutuhan keluarganya, maka suami tersebut seperti memberikan sedeqah. Kewajiban suami dalam mencukup kebutuhan istri menurut hukum Islam adalah terpenuhinya kebutuhan rumah tangga baik sandang, pangan dan papan sesuai dengan kemampuan suami. Islam tidak memberikan standarisasi yang pasti terkait batasan dan besaran nafkah yang menjadi kewajiban suami.

Kata Kunci: Kewajiban, Nafkah, Hadist.

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Introduction

Allah Almighty has established the rights and duties of husbands among which is the obligation of a husband to provide for his wife and children in a good way. The fulfillment of family support is an obligation for a family backbone. The fulfillment of family income must be sourced from halal roads. The exhausting fulfillment of the family contains great virtues. The Holy Prophetsa in various narrations

appreciated those who became the backbone of his family. The Prophet mentioned that the food consumed by his family members from his labor was worth alms. As the Prophet said:¹

وقد قال صلى الله عليه و سلم ما أنفق الرجل على أهله فهو صدقة وإن الرجل ليؤجر في اللقمة يرفعها إلى في امرأته

The Prophetsa said, 'The living that a head of a household gives to his family is worth alms. Truly, a man is rewarded for even a bite of rice that he puts in his family's mouth,' (HR Muttafaq alaihb).

Hadith as the second source of Islamic law after the Qur'an pertains to the life of Muslims. Hadith not only discusses matters related to matters of worship, but also discusses matters outside of worship. One of the important things discussed in the hadith is the issue of living in the household. This issue is one that Muslims have known about for a long time. But in its implementation sometimes it is not in accordance with what is recommended by the nash, especially the hadith as a guideline in the application of the nash.

Discussion of religious texts has actually been done by many Muslim scholars, but much research has focused more on understanding the text of the Qur'an. While the hadith texts are still very limited. Moreover, research that tries to examine hadith from sanad criticism, following the approach to understanding hadiths about family support. In terms of the context of family and community life, it can be ascertained that the understanding of hadith also gives a significant role to the beliefs of some people who position the family as a family living is still sidelined in understanding the rights of the husband as the head of the household. Because the responsibility of providing for the family rests on the shoulders of the husband.

Some other considerations that underlie this study are because in the context of Islamic law hadith is a secondary source after the Qur'an, because Islam as a religion that not only regulates ukhrawi affairs but also regulates worldly affairs, maintaining the balance of life in the world and the hereafter including family livelihoods. Furthermore, there is still a lack of research on the discussion of family income in the perspective of hadith, which is traced from the aspects of sanad criticism and matan criticism. The discussion of the hadiths of living in the family will be described by the author in the explanation below.

Research Methodology

This research includes the type of literature review research (Library Research), sources and research derived from books, research results, articles and scientific journals and other written sources, including our hadith Nine imams. The methods used include the sanad criticism method, the matan criticism method and the hadith understanding method (al-Fiqhu al-hadith). The data sources in this study consist of the following 2 sources: first; and Primary. This primary data is sourced from the original books of hadith, especially the book of Nine Imams written by his own narrators such as Saheeh Bukhari, Saheeh Muslim, Sunan Tirmidhi, Sunan Abu Daud, Sunan Nasa'i, Sunan Ibn Majah, Musnad Ahmad, Muwatha' Imam Malik and Sunan Addarimi. Second; data sekunder. Secondary data are sourced from syarh-syarh from the original hadith book as well as translations and books and journals related to the context of this study, including the syarh hadith books such as Fath al-Bary Bi Sharh Shahih al-Bukhari by Ibn Hajar al-Asqalani, Sharh Sahhih Muslim by Imam Nawawi.

Result and Discusion

Discussion of Takhrij Hadith on Livelihood in the Family

Text/Redaction of Hadith and Translation

عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِذَا أَنْفَقَ الرَّجُلُ عَلَى أَهْلِهِ يَحْتَسِبُهَا فَهُوَ لَهُ صَدَقَةٌ

Hajjaj bin Minhal said, told us Shu'bah said, told me 'Adi bin Thabit said: I once heard Abdullah bin Yazid from Abu Mas'ud from the Prophet sallallahu 'alaihi wasallam, he said: "When a person provides for his family with the intention of hoping for reward then for him Alms". (Bukhari-53)

Sources of Hadith:

Based on the results of the author's exploration through takhrij using applications through أَنْفَقَ the above hadith is contained in the following books:

¹ Alhafiz Kurniawan, *Hadith Article: The Virtue of Making a Family Livelihood*, (Sunday 27 February 2022)

- a. Shahih Bukhari
- b. Saheeh Muslim
- c. Sunan Tirmidhi
- d. Sunan Abu Daud
- e. Sunan Nasa'i
- f. Sunan Ibn Majah
- g. Musnad Ahmad
- h. Sunan Addarimi
- i. Muwatha' Imam Malik

Identification of Relevant Hadiths: Some relevant hadiths (as corroboration) can be identified as follows:

Strengthening Hadith : Bukhari Hadith Number: 3705

حَدَّثَنَا مُسْلِمٌ حَدَّثَنَا شُعْبَةُ عَنْ عَدِيِّ عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ سَمِعَ أَبَا مَسْعُودٍ الْبَدْرِيَّ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ نَفَقَةُ الرَّجُلِ عَلَى أَهْلِهِ صَدَقَةٌ

Meaning: Having told us the Muslim has told us Shu'bah from 'Adi from Abdullah bin Yazid he heard Abu Mas'ud Al Badri from the Prophet sallallahu 'alaihi wasallam, he said: "The provision of a person to his family is almsgiving."

Hadith Strengthening Hadith Bukhari Number : 4932

حَدَّثَنَا آدَمُ بْنُ أَبِي إِيَاسٍ حَدَّثَنَا شُعْبَةُ عَنْ عَدِيِّ بْنِ ثَابِتٍ قَالَ سَمِعْتُ عَبْدَ اللَّهِ بْنَ يَزِيدَ الْأَنْصَارِيَّ عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ فَقُلْتُ عَنْ النَّبِيِّ فَقَالَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِذَا أَنْفَقَ الْمُسْلِمُ نَفَقَةً عَلَى أَهْلِهِ وَهُوَ يَخْتَسِبُهَا كَانَتْ لَهُ صَدَقَةً

Adam bin Abu Iyas told us Shu'bah from Adi bin Thabit said; I heard Abdullah bin Yazid Al Anshari from Abu Mas'ud Al Anshari so I said; From the Prophet sallallahu 'alaihi wasallam, he said: "If a Muslim provides for his family with the intention of seeking reward, then for him it is almsgiving."

Book of Hadith Abu Daud Hadith Number: 2574

Hadith Bukhari No. 54

حَدَّثَنَا الْحَكَمُ بْنُ نَافِعٍ قَالَ أَخْبَرَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ حَدَّثَنِي عَامِرُ بْنُ سَعْدٍ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ أَنَّهُ أَخْبَرَهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّكَ لَنْ تُنْفِقَ نَفَقَةً تَبْتَغِي بِهَا وَجْهَ اللَّهِ إِلَّا أُجِرْتَ عَلَيْهَا حَتَّىٰ مَا يَجْعَلُ فِي فَمِّ امْرَأَتِكَ

Has told us Al Hakam bin Nafi' said, has told us Shu'aib from Az Zuhri said, has told me 'Amir bin Sa'd from Sa'd bin Abu Waqash that he reported, that the Prophet sallallahu 'alaihi wasallam said: "Verily, you do not spend a living intended to hope for the face of Allah unless you will be rewarded including something that you feed into the mouth of your wife".

Definition of Livelihood

If the aqad nikah has taken place and fulfilled the requirements and harmony, it has legal consequences. Thus the aqad also gives rise to rights and obligations as husband and wife in the family which include; joint rights of husbands, rights of husbands over wives and rights of wives over husbands. This includes the husband's attitude towards his wife as exemplified by the Prophet SAW. Among the husband's obligations to his wife the most basic is the obligation to provide for himself, both in the form of food, clothing (kiswa) and shelter.²³

Livelihood is the obligation of the husband to his wife in material form, because the word subsistence itself has material connotations. While obligations in non-material forms, such as satisfying

² Tihami and Sohari Sahrani, *Fiqh Munakahat (Complete Study of Fiqh Nikah)*, (Jakarta, PT. Rajagrafindo Persada, 2009, p. 153

³ Tihami and Sohari Sahrani, *Fiqh Munakahat (Complete Study of Fiqh Nikah)* thing. 163

the wife's sexual dignity are not included in the meaning of bread, even though the husband does it to his wife. The word that has been used inappropriately for this purpose is mental bread, while in material form it is called born bread. In the right language there is no birth or mind. What exists is a living which means things that are external or material.⁴

If the wife lives in the same house with the husband, then the husband is obliged to bear the bread, the wife takes care of all needs such as eating, drinking, clothing, shelter. In this case the wife is not entitled to ask for a certain amount of bread, as long as the husband carries out his obligation. In some literature, the husband's obligation as the head of the family is usually divided into two, namely obligations related to property (malayah) such as providing and obligations not related to property (ghair malayah) such as treating the wife well. However, if we look closely, obligations other than property are basically also the obligations of the wife. In other words, the obligation is both an obligation and a right of both husband and wife. Therefore, the obligation of the husband to his wife is to give property for the necessities of life which is commonly called a living (nafaqah).⁵⁶

The husband's income for his wife includes all the necessities of life, both food, shelter and all services, which of course are adjusted to the husband's ability and the customs of the local community. This verse of the Qur'an and hadith in terms of providing for the husband to his wife places great emphasis on worthiness according to each society (al-ma'ruf) and is also adapted to the ability of the husband (al-wusu'u). As Allah Almighty says in Surah al-Baqarah verse 233:⁷

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۗ لَا تُكَلِّفُ نَفْسٌ إِلَّا وُسْعَهَا

And it is the father's duty to provide for them and clothe them in a proper manner, a person is not burdened with more than he can afford.

In other verses and letters God explains in His Word:

لِيُنْفِقَ ذُو سَعَةٍ مِّن سَعَتِهِ ۗ وَمَن قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ ۗ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا مَا آتَاهَا ۗ سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا

Let him who has breadth provide according to his ability, and he who has limited sustenance, should provide for him from the wealth which God has given him. God does not burden a person but (according to) what God gives him. God will one day give spaciousness after narrowness.

Etymologically, livelihood comes from the Arabic word anfaqa-yunfiqu-infaqan. ⁸ In the Arabic-Indonesian dictionary, etymologically the word livelihood is interpreted as 'the right to provide and or spend. In Indonesian system, the word livelihood means shopping for life or provisions for daily life. To make a living according to language is to infuse in goodness. While according to the term is food that must be given by the husband to his wife or servant, by parents to their children or vice versa and by a master to his servant.⁹¹⁰¹¹

The word nafaqah comes from infaaq meaning to finance, thus the word nafqah means cost. What is meant is related to the cost of living. ¹² Livelihood comes from Arabic (*an-nafaqah*) which means expenditure. Namely expenses that are usually used by someone for something good or spent on people who are his responsibility.¹³

⁴ Amir Syarifuddin, *Islamic Marriage Law in Indonesia, Between Fiqh Munakahat and Marriage Law*, (Jakarta: Kencana, 2009), thing. 165

⁵ Tihami and Sohari Sahrani, *Fiqh Munakahat (Complete Study of Fiqh Nikah)* thing. 164

⁶ Lajnah Pentashihan Mushaf Al-Qur'an Research and Development Agency and Training of the Ministry of the Republic of Indonesia, *Tafsir Al-Qur'an Thematic Jüid 2 Revised Edition*, (Jakarta, Kamil Pustaka Publishers, 2014), p. 64

⁷ Lajnah Pentashihan Mushaf Al-Qur'an Research and Development Agency and Training of the Ministry of the Republic of Indonesia, *Tafsir Al-Qur'an Thematic Jüid 2 Revised Edition* thing. 64

⁸ Al-Munjid fi lughah wa al-Ilam, 1986, p. 828

⁹ Muhammad Yunus, *Arabic dictionary Indonesia*, (Jakarta: Hidakarya Agung, 1989), thing. 463

¹⁰ Ministry of National Education, *Great Dictionary Indonesian*, (Jakarta: Gramedia Pustaka Main, 2011) thing. 947

¹¹ FKI Ahla Shuffah 103 Scientific Study Team, *Fiqh Dictionary*, (Lirboyo, Pustaka Mujtaba Publishing 13), p. 377

¹² Zainuddin Bin Abdul Aziz Al-Malibari Al-Fanani, *Translation of Fathul Mu'in Volume 2*, (Bandung, Sinar Baru Algesindo, 2016), p. 1434

¹³ Abdul Azis Dahlan et al., *Encyclopedia of Islamic Law*, vol. 4 (Jakarta: PT Ichtar Baru Van Hoeve, 2000), p. 1281

In terms of income is an expense or something spent by a person for the people he is responsible for. In other words, living means spending money. In addition, income is also in the form of a gift given by someone to people or parties who are entitled to receive it.¹⁴¹⁵¹⁶

In searching these hadiths of bread, the author finds hadiths about this livelihood in the discussion of marriage, presumably because livelihood is a consequence of marriage. For more details can be explained with the hadith below:

حَدَّثَنَا عُمَرُ بْنُ حَفْصٍ حَدَّثَنَا أَبِي حَدَّثَنَا الْأَعْمَشُ حَدَّثَنَا أَبُو صَالِحٍ قَالَ حَدَّثَنِي أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَفْضَلُ الصَّدَقَةِ مَا تَرَكَ غِيَّ وَالْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى وَابْتَدَأْ بِمَنْ تَعُولُ تَقُولُ الْمَرْأَةُ إِمَّا أَنْ تُطْعِمَنِي وَإِمَّا أَنْ تُطَلِّقَنِي وَيَقُولُ الْعَبْدُ أَطْعِمْنِي وَاسْتَعْمِلْنِي وَيَقُولُ الْإِنْسُ أَطْعِمْنِي إِلَى مَنْ تَدْعُنِي فَقَالُوا يَا أَبَا هُرَيْرَةَ سَمِعْتَ هَذَا مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا هَذَا مِنْ كَيْسِ أَبِي هُرَيْرَةَ

Umar bin Hafsh had told us my father had told us Al A'masy had told us Abu Salih he said; Having told me Abu Hurayrah (may Allah be pleased with him), he said; The Prophet (peace and blessings of Allaah be upon him) said: "The most important alms is alms that leave the culprit in sufficiency. The hand above is better than the hand below. And start with your dependents." For a wife will say, "Whatever, you feed me, or you divorce me." And a slave also said, "Give me food and please tell me to work." Then a child will also say, "Give me a meal, to whom else have you left me?" They asked, "O Abu Hurayrah, did you hear this from the Messenger of Allah (peace and blessings of Allaah be upon him)?" he replied, "No. This is from Abu Hurayrah." (HR Bukhari).¹⁷

Because this hadith appears regarding Abu Hurayrah (may Allah be pleased with him), he said; The Prophet (peace and blessings of Allaah be upon him) said: "The most important alms is alms that leave the culprit in sufficiency. The hand above is better than the hand below. And start with your dependents." For a wife will say, "Whatever, you feed me, or you divorce me." And a slave also said, "Give me food and please tell me to work." Then a child will also say, "Give me a meal, to whom else have you left me?" They asked, "O Abu Hurayrah, did you hear this from the Messenger of Allah (peace and blessings of Allaah be upon him)?" he replied, "No. This is from Abu Hurayrah."

Al Hafizh Ibnul Hajar Al Asqalani explained that providing for the family is a matter that is obligatory for the husband. The Shari'ah refers to it as almsgiving, to avoid assuming that husbands who have fulfilled their duty (to provide for) will not get anything in return. They know what reward will be given to those who give alms. Therefore, the Shari'ah introduces to those husbands, that the livelihood to the family also includes almsgiving. So that they should not give alms to other than their families, until they have provided (obligatory) income for their families, as an impetus to give priority to the alms they are obliged to take out of the alms that are sunnat." (Al-Asqalaniy, t.th, p. 498) .

That living should be ma'ruf. This means that it is in accordance with the prevailing customs and traditions and this certainly varies in terms of time, place and human condition. Whoever has been obliged to provide for him, but does not give except with great devotion, may be taken from his property even without his knowledge because it is an obligatory subsistence for him. ¹⁸ The obligation to give nafaqah by the husband to his wife that applies in fiqh is based on the principle of separation of property between husband and wife. This principle follows the line of thinking that the husband is a seeker of sustenance, the sustenance he has obtained becomes his full right and then the husband is in the position of giving nafaqah. On the other hand, the wife is not a seeker of sustenance and to fulfill her needs she is positioned

¹⁴ Hussein Muhammad, Women's Fiqh, (Yogyakarta: LKis, 2001), thing. 110

¹⁵ A.Mujab Mahalli, Get married, you get rich, (Yogyakarta, Mitra Pustaka, 2008), thing. 139

¹⁶ Abdul Aziz Dahlan, Encyclopedia of Islam, (Jakarta: Ichtiar Baru van Hoeve, 1999), p. 341

¹⁷ Al-Bukhari, Imam Abu Abdillah Muhammad Ibn Ismail Ibn Ibrahim Ibn al-Mughirah Ibn Barbazah, *Sabeeh Al-Bukhari No. 4936 - Book of Livelihood*, (Beirut: Dar al-Fikr, 1993)

¹⁸ Shaykh 'Abdullah bin 'Abdurrahman al-Bassam, *Tawdib al-Ahkam Sharh Bulughul Maram*, t.th, p. 131-132

as a recipient of nafaqah. Therefore, the obligation of nafaqah is irrelevant in a community that follows the principle of incorporation of property in the household.

That living should be ma'ruf. This means that it is in accordance with the prevailing customs and traditions and this certainly varies in terms of time, place and human condition. Whoever has been obliged to provide for him, but does not give except with great devotion, may be taken from his property even without his knowledge because it is an obligatory subsistence for him.¹⁹

A husband should provide for his wife in moderation, neither excessive nor lacking.²⁰ As Allah SWT says:

وَلَا تَجْعَلْ يَدَكَ مَغْلُولَةً إِلَىٰ عُنُقِكَ وَلَا تَبْسُطْهَا كُلَّ الْبَسْطِ فَتَقْعُدَ مَلُومًا مَّحْسُورًا

And do not make your hands shackled around your neck, and do not (also) stretch them too much (very generously) later you will become despicable and regretful. (QS. Al-Isra':29).

Obligations of Domestic Livelihood

The position of subsistence in marriage is very important, and livelihood is the husband's attempt to be responsible for the contract made in marriage. The husband's determination to provide for his wife and children is indeed very important in building the expected family. If the husband fails to fulfill the obligations of providing for the family, both the obligation to provide for the wife and the obligation to provide for children, this can result in the failure to build the expected family.²¹

The position of income is a very influential thing in the family. The husband becomes the shoulder in living a domestic life. Primary and secondary needs must be met according to the needs and abilities of the husband. The wife becomes an encouragement for the husband in carrying out these responsibilities. The obligation of a wife is to serve the husband well according to the needs of the husband, the wife also has obligations to the husband.

Islam obliges husbands to provide for their wives because of the legal marriage bond between them. This bond causes the wife to be unable to earn a living for herself, therefore she is entitled to earn a living from the person who binds her, namely her husband. So the wife is obliged to obey and obey her husband, stay at home and manage household affairs.²²

Jurisprudence scholars agree that the minimum income that must be spent is that which can meet basic needs, namely food, clothing, and shelter. For this last need, according to jurisprudence scholars do not have to be their own, but can be in the form of rent, if they are unable to own their own. The definition of income according to what is agreed by the ulama is shopping for food needs which includes nine staples of clothing and housing or colloquially called clothing, food and shelter. Apart from these three main things, it became a discussion among scholars.^{23,24}

Sharia obliges the husband to provide for his wife because he is bound by a valid marriage contract, there are the same obligations as a person has the obligation to earn a living, while the wife is obliged to take care of the household and children. The obligation of a husband to provide for a wife if the following conditions have been fulfilled: The marriage contract is legal, the wife surrenders herself to, the wife provides herself for her husband, the wife does not refuse her husband's wishes, and both are worthy people to enjoy the pleasure of conjugal relations. The causes of the interruption of income are due to nushuz, the death of one husband or wife, apostasy and the occurrence of thalaq.²⁵

Household bread, which is the obligation of husband and wife and children, is distinguished between birth and mental bread. Birth income is divided into 3 namely: eating and drinking, clothing and

¹⁹ Shaykh 'Abdullah bin 'Abdurrahman al-Bassam, t.th, pp.131-132

²⁰ Al-Ghazali, *Uncovering the Secrets of Marriage (Adab, Ordinances and Wisdom)*, (Bandung, Publisher Karisma, 1997, p.

²¹ Nandang Fathurrahman, Comparison of Income Obligations from the Perspective of Islamic Law and Positive Law in Indonesia, *Al-Ahwal Al-Syakhsyiyah: Journal of Family Law and Islamic Justice Islamic Law and Positive Law in Indonesia* Vol. 3, No. 2 of 2022, ISSN: 2745-8741(p), 2746-3990(e), UIN Sunan Gunung Djati, Bandung thing. 195

²² Kamal Mukhtar, *Principles of Islamic Law on Marriage*, (PT. Moon Bintang, Jakarta, 1993), p.131

²³ Abdul Aziz Dahlan, *Encyclopedia of Islamic Law*, (Jakarta: PT. New Ichtiar, 1996), thing. 1281

²⁴ Amir Syarifuddin, *Islamic Marriage Law in Indonesia*, (Jakarta: Prenada Media, 2001), Cet. II thing. 166

²⁵ Wahbah al-Zuhaily, *al-Fiqh al-Islam wa Adilatuhu*, (Syria, Dar al-Fikr 2002), p.7348

shelter. As for mental bread, a husband skins a wife, who is obliged to provide is the husband and it is not obligatory for a wife to work for a living, if the husband is able and does not allow his wife to leave the house to work.²⁶

The husband's obligation to provide does not prevent the wife from working in the public field. Women as men also have the right to work in the public sector, because working outside the home is not only to seek wealth but also is self-actualization, in order to practice the knowledge they have and also participate in building the progress of society, even human civilization. This is relevant to the word of Allah Almighty in Surah An-Nahl verse 97 below:²⁷

مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً ۚ وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ

"Whoever does righteous deeds, both male and female in a state of faith, We will indeed give him a good life, and indeed We will reward them with a better reward than what they have done".

Women working in the public sector have basically existed since the time of the Prophet (peace be upon him) and he did not forbid it. In the hadith, among others, it is narrated that women at that time were weaving and sewing cloth, tanning leather, raising livestock, planting crops, treating and so on. Women's work outside the home basically does not invalidate the husband's income obligations, it's just that the wife can help to meet the needs of the family according to both agreements. This is in accordance with the Qur'anic statement that the issue of bread, although essentially the husband's obligation, is carried out in a ma'ruf manner. The meaning of ma'ruf is according to appropriateness and propriety, not only according to the internal context of the family. The obligations and rights of husband and wife as stated can be carried out flexibly, because the most important thing is the realization of the purpose of marriage, which is to form a harmonious family that loves and respects each other.^{28,29}

Meanwhile, according to Amir Syarifuddin, which includes the understanding of nafaqah according to what is agreed by the ulama, is shopping for food needs which includes nine basic ingredients, clothing and housing or colloquially called clothing, food, and shelter. Nafakah is the obligation of the husband to his wife in material form, because nafakah itself has material connotations. It is further explained that the breadwinner is the husband, while the wife is not the breadwinner. In his position, the wife as the breadwinner.³⁰

Related to this hadith about livelihood, the verse related to this hadith is surah ath-Thalaq verse 7 which reads:

لِيُنْفِقَ ذُو سَعَةٍ مِّنْ سَعَتِهِ ۗ وَمَنْ قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ ۚ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا مَا آتَاهَا ۚ سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا

Let him who has breadth provide according to his ability, and he who has limited sustenance, should provide for him from the wealth which God has given him. God does not burden a person but (according to) what God gives him. Allah will one day give spaciousness after narrowness (QS. Ath-Thalaq : 7)

Livelihood is the obligation of the husband to his wife in material form, because the word subsistence itself has material connotations. While obligations in non-material forms, such as satisfying the wife's sexual desires are not included in the meaning of bread, even though the husband does to his wife.

Breadsharing

The concept of living is a very broad problem in the context of human life. Murtadha Mutahhari then breaks down the issue of the obligation to provide for himself into three forms with their own

²⁶ Bakri Hasbullah, *Islamic Guidelines in Indonesia*, (Jakarta, UI Press, 1990), p. 175-176)

²⁷ Lajnah Pentashihan Mushaf Al-Qur'an Research and Development Agency and Training of the Ministry of the Republic of Indonesia, *Tafsir Al-Qur'an Thematic Jüid 2 Revised Edition*thing. 65

²⁸ These hadiths narrated by Al-Bukhari and Muslim. Quoted in K.H. Ikhsanudin, *Guide to the Pursuit of Women's Fiqh in Pesantren*, (Yogyakarta, YKF-FF, 2002, pp. 218-222

²⁹ Lajnah Pentashihan Mushaf Al-Qur'an Research and Development Agency and Training of the Ministry of the Republic of Indonesia, *Tafsir Al-Qur'an Thematic Jüid 2 Revised Edition*thing. 66

³⁰ Amir Syarifuddin, 2006, *Islamic Marriage Law in Indonesia*, (Jakarta, Prenada Media Group, 2006), pp.165-167

characteristics. *First*, the income that is the obligation of an owner to what he has. In this case, it also includes the obligation to provide a living from the owner to his pet. Livelihood in this category is referred to by Mutahhari as *the livelihood of al-malikiyah wa al-mamlukiyyah*. *Second*, the income that is a person's obligation to his young children or those who live on the poverty line. This also includes the obligation to provide for both parents when they are classified as poor.³¹

As for the *third* category, the income that is the obligation of a husband to his wife. This third category according to Mutahhari is not categorized as the *livelihood of al-malikiyah wa al-mamlukiyyah* nor is it caused by the condition of a wife as a poor person or a weak person. In this case it is clear that the income that a husband is obligated to his wife is solely as a consequence of the contract he is performing and implies an exchange between the rights and obligations attached to the husband and wife.^{32,33}

In Ibn Hazm's terms, the obligation of subsistence has been attached to a husband since the conclusion of the marriage contract, whether it is a rich or faqir woman, an orphan or an orphan, a virgin or a widow, or a free woman or slave. The basis on which he argued was the hadith of the Prophet which was said when he performed Hajj wada' in which he stated that the husband has the obligation to provide a woman with a decent living and clothing. For Ibn Hazm, the hadith postulates that providing has been an obligation for a husband since the contract.³⁴ The hadith referred to by Ibn Hazm in full reads:

"Let you fear Allah for your wives, for you take them with Allah's protection and justify their honor with Allah's words. And you have the right that it is their duty not to let anyone in their bed who you hate. If they do that, then hit them with a punch that does not hurt. And they have the right which is your duty of subsistence and clothing in a ma'ruf manner."

Conclusion

Livelihood is an obligation that must be carried out by the husband as the head of the household. In fulfilling the obligation to provide for the family, it is considered as sedeqah. Thus a husband when willing to give sedeqah with a possible amount is very large. The obligation of the husband in fulfilling the needs of the wife according to Islamic law is the fulfillment of household needs both clothing, food and shelter. Although a living may bring the husband into heaven, if the person is negligent in carrying out his duties, it will lead to hell. When the husband does not provide for himself, the above hadith explains that the wife is allowed to take over from her husband, even without the husband's knowledge. The wife's ability to take a living that is not given by her husband is only intended for very important things, not for needs that are of an additional nature.

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³¹ As quoted by Nor Salam in Journal: Journal of Law and Shari'ah Vol. 11 No. 1, The 2019 entitled Leadership and Family Livelihood in the Perspective of Textual Reason Ibn Hazm Al-Dzahiriyy, De Jure Available online at <http://ejournal.uin-malang.ac.id/index.php/syariah> p. 48-62, Murtadha Mutahhari, *Nidzam Huquq al-Mar'ab fi al-Islam* (Iran: Dzawi al-Qurba, 2005), p. 250.

³² Murtadha Mutahhari, *Nidzam Huquq al-Mar'ab*, thing. 251.

³³ Abdussalam Ibn Muhammad al-Shuwa'ir, *Atsar 'Amal al-Mar'ab fi al-Nafaqat al-Zawjiyyah* (Riyad: Jami'ah al-Imam Muhammad Ibn Sa'ud al-Islamiyah, 2011), thing. 11.

³⁴ Ibn Hazm, *Al-Muballa*, Vol. 9, 249.

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