

Fulfillment of Wife and Child's Rights in the Tabligh Family (Case Study of Khuruj against the Jama'ah Tabligh Medan Area and Medan Helvetia)

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Abstract

This research presents the latest information on the analysis of Islamic law on the practice of fulfilling the rights of wives and children in the household among the Tablighi Jama'ah. This research is presented in a qualitative form with the approach of sociology of law (Islamic law). This study uses Islamic law (mashlahat theory) as an analysis tool in analyzing research data. In the end, this study concluded that the rights and obligations of husband and wife and children in the household among the Tablighi Jama'ah were actually subject to and did not differ from the provisions of Law No. 1 of 1974, KHI and so from the opinion of Imam Shafi'i, although in reality related to the Tablighi Jama'ah policy, especially when selecting members who want to leave the khuruj still needs to be improved so that there are no more members of the jama'ah who are mentally incapable, especially financially making khuruj, so this does not impact on the non-implementation of the obligations of the husband in the household and the poor image of preaching khuruj in the midst of society, especially the city of Medan.

Keywords

wife's right; jama'ah tabligh; khuruj; Medan



I. Introduction

The family is a basic family unit consisting of a husband, wife and children.⁵ Families in the Islamic view have a value that is not small. Even Islam pays great attention to family life by laying out wise rules to preserve family life from disharmony and destruction. Why is this so much the concern of Islam? Because it is undeniable that the family is the first brick to build a Muslim community palace and is a madrasa of faith that is expected to be able to produce generations of Muslims who are able to elevate Allah's sentence on earth. (Batubara, 2019)

Islam has provided a proportion of the duties and functions of each family member that is harmonious, filled with a sense of faith, piety and happiness, the husband as head of the family, the leader of the family and must provide for his wife and children. Meanwhile as a wife has the main task as a mother and household manager. As a child, it is his duty to do good, obey and obey parents while parents give good instructions and advice.

Rights are anything that is received by someone from another person, while what is meant by obligation is what one must do to another person. In married family relationships, the husband has rights and so does his wife and children also have rights. Behind that the husband also has obligations as well as his wife and children also have obligations. The existence of rights and obligations between husband, wife and children in domestic life can be seen in several verses of the Koran and the hadith of the Prophet. As in Surah al-Baqarah (2) verse 228:

Meaning: "Divorced women remain in waiting for three periods, and it is not lawful for them to conceal what Allah has created in their wombs if they believe in Allah and the Last Day. And their husbands have more right to take them back in this [period] if they want reconciliation. And due to the wives is similar to what is expected of

them, according to what is reasonable. But the men have a degree over them [in responsibility and authority]. And Allah is exalted in Might and Wise. (Q.S. al-Baqarah.02:228)”¹

The above verse explains that the wife has rights and the wife also has obligations. The wife's obligation is the right of the husband. Wife rights such as the husband's rights which are said in this paragraph contain the rights and position of the wife such as or equal to or balanced with the husband's rights and position. However, the husband has a higher position, namely the head of the family, as indicated by the end of the verse above.

While the verse that shows the rights and obligations of a child is contained in the Koran surah al-Baqarah verse 233:

Meaning: Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. Upon the father is the mothers' provision and their clothing according to what is acceptable. No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. And upon the [father's] heir is [a duty] like that [of the father]. And if they both desire weaning through mutual consent from both of them and consultation, there is no blame upon either of them. And if you wish to have your children nursed by a substitute, there is no blame upon you as long as you give payment according to what is acceptable. And fear Allah and know that Allah is Seeing of what you do.² (QS. Al-Baqarah:233)

Islamic teachings³ determine the position of the husband as a family leader who will lead and control the ark of the household. World opinion until now tends to establish the husband as the head of the family is based on religious teachings. Besides the position of the husband, Islam also regulates the pattern of the position of the wife and children and other family members, the rights and obligations to the Hadhanah, inheritance rights and nasab including the position of adopted children and so on.

The husband has a position in the family as the head of the family, so of course as the head of the family among the obligations that must be fulfilled is the obligation to provide a living both home, clothing, as well as food, health and education of his wife and children. Whereas seeing the position of the wife in the household plays the role of a housewife, then the One who regulates the finances in the family is obtained from the income provided by the husband to the wife. Being as a child deserves love and good education from both parents. This as regulated in article 79 of the Compilation of Islamic Law (KHI) reads: (1) The husband is the head of the family and the wife of the housewife. (2) The rights and position of the wife are balanced with the rights and position of the husband in domestic life and association with the community.⁴

The head of the family experiences or experiences long-distance relationships with his family (his wife and children), this can be caused by duties or an important thing that causes

¹ Kementerian Agama RI, *Al-Quran Tajwid dan Terjemahannya Dilengkapi Dengan Asbabun Nuzul dan Hadits Shahih*. (Bandung: Syamil Quran, 2010), p. 44.

² Kementerian Agama RI, *Al-Quran Tajwid dan Terjemahannya Dilengkapi Dengan Asbabun Nuzul dan Hadits Shahih*. (Bandung: Syamil Quran, 2010), p. 44.

³ Ajaran Islam yang dimaksud, baik secara fikih tradisional maupun yang telah di akui oleh pemerintah seperti Kompilasi Hukum Islam, Undang-Undang No 1 Tahun 1974. Lebih lanjut lihat Mhd Nur Husein Daulay, Pemberlakuan Hukum Ekonomi Islam Dalam Hukum Nasional, *Islamic Business Law Review*, 2018; <http://jurnal.uinsu.ac.id/index.php/iblr/article/viewFile/1365/1110>.

⁴ Tim Redaksi Nuansa Aulia, *Kompilasi Hukum Islam* (Bandung: CV Nuansa Aulia, 2009), p. 26.

him to leave his wife and children. Like a gardener who weeks or even months left his family, a BUMN employee assigned to carry out his work mandate in other areas far from where his family lives, or an Indonesian Worker (TKI) who leaves his family. All that was done was intended to meet the needs of their families. In addition, in our society there are also groups of people who leave their families for the sake of da'wah. And these latter call themselves the Tablighi Jama'ah.

Tablighi Jama'ah is a group of people who move to invite people to worship Allah, they leave their wives and children to carry out the activities of *khuruj fisabilillah*.⁵ *Khuruj fisabilillah* or going out in the way of Allah Almighty is a necessity for the pilgrims to do so, while their *khuruj* time is three days from a month, forty days from a year, four months from a lifetime, and their longest time *khuruj* is one to two years. They argue that *khuruj* is a training program to practice one's sacrifice in the way of Allah. And the practices are always practiced everywhere.⁶

II. Discussion

2.1 Rights of wives and children in the family of the Tablighi who are in good faith

Khuruj is an activity with the aim of getting out on the path of Allaah in order to do da'wah to improve our belief in Allah. Improve yourself and invite others to improve themselves. Continuing the work of the Prophet Muhammad is to spread religion to every human being. Living up to the nature of the Companions of the Prophet so that those qualities are manifested in us, our families and all of the Ummah of the Prophet. With these objectives it is important for a Tabligh Jama'ah to make khuruj. When a member of the Tabligh congregation wants to make a khuruj, the members of the Tabligh congregation are required to consult with their family members (wife) and fellow members of the Tabligh Jama'ah.

Discussions in the deliberations by the family of Tablighi Jama'ah related readiness in terms of physical, mental and financial. Khuruj requires participants to use their own costs, bring in adequate fees, and may not accept help from others. The goal is for the khuruj participants to learn to live independently, simply, be patient, surrender to God and be able to establish solidarity with fellow khuruj participants.⁷

Related to the rights of wives and children in khuruj activities, before making khuruj, a family coaching is carried out, especially mothers and women held by ta'lim mothers whose names are *masturat*, meaning: closed or veiled. In this coaching, women or mothers are trained independently. So that when living in khuruj, they can already act as head of the household at home.⁸ Khairul Marzuk further explained the khuruj activities, for residents who had been willing to do Tabligh work and had registered themselves with the preachers, a congregation or group of at least 10 people were immediately formed. After they do Tabligh work, then they will disperse on their own as people who have finished in the congregation prayers. One of them who is competent in their management is chosen as the group's amir (leader). In the case of choosing amir not required knowledge of knowledge, so that a person

⁵ *Khuruj fisabilillah* adalah keluar dijalan Allah SWT, secara ringkas *Khurujnya* Jama'ah Tabligh adalah keluarnya seseorang dari lingkungannya untuk memperbaiki diri dengan belajar meluangkan waktu sebagian harta serta waktunya dari kesibukannya dari pekerjaan, keluarga, dan urusan-urusan lainnya, demi meningkatkan iman dan amal shaleh semata-mata karena Allah SWT. Lihat Abu Muhammad bin Ahmad Abduh, *Kupas Tuntas Jama'ah Tabligh 3* (Bandung: Khoirul Ummat, 2008), p. 147-148.

⁶ *Ibid.*, p. 147.

⁷ Interview, Khairul Marzuk Pimpinan Jama'ah Tabligh Kota Medan, Tanggal 23 August 2019

⁸ Interview, Zainuddin Anggota Jama'ah Tabligh Kota Medan, Tanggal 23 August 2019.

is not necessarily clever in his religious knowledge, but usually seen in his experience in leading a group (pilgrims).⁹

Related to inner living, this is an inevitable risk of Taburban Jama'ah khuruj activities which is the delay in fulfillment of husband and wife (sexual) inner living. As for the tactics that are carried out is to fast and get closer to God by increasing worship. However, this is not a problem in the household of Tablighi members because it has become an agreement and willingness between husband and wife, and also the risk or consequences of jihad in their da'wah.¹⁰

Baihaqi explained, if the husband is khuruj, then the wife is demanded to be able to be independent, because when the husband is at home, the wife can depend on him, unlike if the husband is khuruj. While regarding the livelihood left behind for the family in the form of both birth and inner living, Khairul Marzuk stated that in his concept the Tablighi Jama'ah regarding fulfillment of family living was in accordance with Islamic law.

Understanding khuruj, after getting support from family and other groups of Tablighi Jamaat, will understand the meaning of Tablighi Jamaah in this khuruj. Khuruj which aims for da'wah activities, to invite Muslims back on the right path in a way that according to the Jamaah Tabligh should be done, because khuruj activities other than preaching or inviting goodness, but can be a learning for those left behind in this case their wives and children.

Wives left behind when making khuruj, long before the wife's scheduled departure will be taught about the At-Taubah letter, 24 in the Qur'an which means "say if your fathers and your children, your brothers, your wives, your wives, your family experts , your possessions that you strive for, commerce, for which you fear loss, and the houses of residence that you like are more loved by you from Allah and His Messenger and from struggling on His path, then wait until Allah Almighty brings His decisions ". The commentators state that the sign of the purity of one's faith is his love for Allah, the Messenger of Allah, and jihad in the path of Allah, higher than his love for others, including the eight cases above. The sign of love is the sacrifice for the loved one. Therefore, nothing can prevent a person of faith in sacrificing for Allah, His Messenger and the struggle of his religion, including the love of family. Because of that the wife of the Tablighi Jamaah helped the da'wah that was carried out by the husband by giving permission to the husband to khuruj.

Besides that, there are also statements from the wives of the Tabli Jama'ah who disagree with the activities of husbands who make khuruj especially in the period of 40 days and 4 months. As the description of the following informants:

Halimah: I represent the wives of Tablighi Jama'ah who consider this activity to result in neglecting the obligations of a husband in the household.¹¹ Halimah further explained the khuruj activities in the Tablig Jama'ah by traveling to areas that have been determined to preach to Muslims with predetermined times, such as 3 (three) days, 40 (forty) days, 4 (four)) months there are even up to 1 (one) year. This preaching activity is considered an activity that is required by Jama; ah Tabligh. As a wife, this activity is considered to have a very negative impact on some circles of wives, especially herself. Because if this activity is not based on a broad view of religious law, then there will be harm on the other side. For example that I experienced. The husband left his job as a bank employee who already had a position included in the high category in his place of work with a fairly high salary. But he (husband) left because of this activity (khuruj). So that after completing her husband's khuruj activities become unemployed and then

⁹ Interview, Khairul Marzuk Pimpinan Jama'ah Tabligh Kota Medan, Tanggal 23 August 2019

¹⁰ Interview, Abdullah Anggota Jama'ah Tabligh Kota Medan, Tanggal 23 August 2019.

¹¹ Halimah merupakan perwakilan isteri Jama'ah Tablih sebagai informan, karena sebagai isteri Jama'ah Tabligh umumnya tidak memiliki ruang yang luas untuk berkomunikasi kepada orang lain, khususnya kepada seorang laki-laki.

open a small business by selling, which of course income is far from the previous amount. Of course this has an impact on the economic needs of the family, resulting in a lack of daily shopping, food needs, the cost of electricity, water, as well as children's education costs and so on. With khuruj activities that give up their previous jobs have neglected their obligations as husband in the household. When this happens, not many wives think they will ask their husband for divorce. This is also what I experienced. But because as a wife who works as a doctor with an income that can be said to be adequate until now I can help my husband's obligation to support the family and think of the children in the future so that my intention to divorce is undone. But out there, not all Tablighi Jama'ah wives have jobs. So that khuruj activities are carried out by Tablighi Jama'ah who do not have an adequate understanding of religion, by choosing khuruj without considering the conditions of the household who have done wrongful acts towards their wives and children.¹²

Some explanations from the informants after researching that the khuruj activities carried out by the Tablighi Jama'ah in principle that the khuruj activity was carried out to preach Islamic teachings to Muslims, and this khuruj activity was in accordance with the provisions set by the Tablighi Jama'ah, which must have physical, mental and financial readiness when having a khuruj so that his wife and child (family) are not abandoned. Although there are also some members of Tablighi Jama'ah who when making khuruj are not in accordance with the concept of Tablighi Jama'ah without preparing physically, mentally and financially, so khuruj activities have an impact on the abandonment of their responsibilities as husbands, so that wives and children are sacrificed. Of course this (khuruj activities) carried out by the Tablighi Jama'ah got a negative image in the midst of the community, especially the City of Medan.

2.2 Overview of Islamic Family Law Concerning the Fulfillment of Wife and Child Rights in Tablighi Jama'ah Families When *Khuruj*

Conception of Tabligh congregation, a person will be considered a follower of the Tablighi Jama'ah if he has participated in the khuruj. Because *khuruj* for Tablighi Jama'ah is an obligation. The concept of khuruj which was built by the Tablighi Jama'ah was based on the theological foundation of the leaders of Tabligh. Ali Imran: 104:

Means: "And let there be among you a group of people who call for virtue, order to the ma'ruf and prevent from evil. they are the lucky ones."

Ali Imran: 110:

Meaning: "You are the best people who are born for human beings, commanded to forgive, and prevent from evil, and believe in Allah. If the believers of the book of faith, surely it is better for them, among them there are those who believe, and most of them are people who are wicked.

The 40 day khuruj activities are based on an understanding of the word of Allah, including:

1) Al Baqarah: 37:

Meaning: Allah said, "Then Adam received a few sentences from his Rabb, then Allah accepted his repentance." (Al-Baqarah: 37)

Ibn Abbas (may Allah be pleased with him) said, "Adam and Eve cried for two hundred years over the blessings of heaven which they had lost and they did not eat or drink for 40 days and Adam did not see Eve for a hundred years".¹³

¹² Interview, Halimah isteri anggota Jama'ah Tabligh Kota Medan, Tanggal 28 August 2019.

¹³ Al-Baghawi, Abu Muhammad al-Husain bin Mas'ud, *Tafsir al-Baghawi "Ma'alimu at-Tanzil"*, (Riyad: Dar at-Taibah, 1412) jilid.1, p. 85.

2). Al-Baqarah: 51:

Meaning: "And (remember) when We promised Musa (as), 40 nights, then we made calves (worshippers) after he left and you are wrongdoers." (Al-Baqarah: 51)

Abul Aliyah said, "In the month of Dhu'l'ah and ten days of Dhu al-Hijjah. When Musa (as) left his friends and left them with Aaron. Musa stayed 40 nights on the hill of Thur and was lowered upon him the Torah in Alwah".¹⁴

3). (Ali-Imran:27)

Meaning: "You remove the living from the dead and you remove the dead from the living." (Ali-Imran: 27)

Issued Baihaqi in Al-Asma'was Nature and Abu Shaykh in Al Uzhmah, Salaman ra, narrated, "Allah stirred the Adam's land in 40 days (before being created) then put his hands in it, then rise with this every thing and for that matter this is every bad, then mixed with each other, then created from it Adam As.

Determination of 40 days in khuruj is also based on the hadith:

1. Anas bin Malik ra,

عن أنس بن مالك ، قال: وُقِّتَ لَنَا فِي قَصِّ الشَّارِبِ وَتَقْلِيمِ الْأَظْفَارِ وَحَلْقِ الْعَانَةِ وَتَنْفِ
الإِبْطِ أَنْ لَا نَتْرُكَ أَكْثَرَ مِنْ أَرْبَعِينَ لَيْلَةً¹⁵

Meaning: "From Anas Bin Malik RA he said, 'We were given a time limit (by Rasulullah SAW) in shaving the mustache, cutting the nails, shaving the pubic hair, and pulling the hair so that we would not leave it for more than forty nights,'" (Muslim HR)

2. Abu Juhaim

عن أبي جُهَيْمٍ قَالَ رَسُولُ اللَّهِ : لَوْ يَعْلَمُ الْمَارُّ بَيْنَ يَدَيْ الْمُصَلِّي مَاذَا عَلَيْهِ لَكَانَ أَنْ
يَقِفَ أَرْبَعِينَ خَيْرًا لَهُ مِنْ أَنْ يَمُرَّ بَيْنَ يَدَيْهِ.¹⁶

Meaning: From Abu Juhaim radhiyallahuanhu that Rasulullah SAW said, "If the person who passes in front of the prayer person knows what will happen to him, then waiting for 40 will be more for him than passing in front of the prayer. (HR. Muslim) Rasulullah SAW does not know explain what he means by that number 40, whether 40 days, 40 months or 40 years ".

3. Ummu Salamah

¹⁴ At-Thabary, Abu Ja'far Muhammad bin Jarir, *Tafsir at-Tabari Jami' al-Bayan an- Ta'wil aaii al-Qur'an* (Dimasqi: Daar al-Qalam, 1418H-1997H), cet.I, Jilid II, p. 92.

¹⁵ Abu Husain Muslim bin Al Hajjaj, *Shahih Muslim* (Beirut: Dar al Fikr, t,th), jilid I, p. 211.

¹⁶ *Ibid.*, p. 243

عَنْ أُمِّ سَلَمَةَ، قَالَتْ: كَانَتْ النُّفْسَاءُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَجْلِسُ
أَرْبَعِينَ يَوْمًا، وَكُنَّا نَطْلِي وَجُوهَنَا بِالْوَرَسِ مِنَ الْكَكْفِ¹⁷.

Meaning: "From Umm Salamah he said, 'During the time of the Prophet Muhammad the postpartum women sat in silence (waiting for the puerperium) for forty days, and we cleaned our faces from dirt with wars (a kind of fragrant plant)," " (HR Ibn Majah)."

Some of the verses of the Qur'an and the hadith above are the arguments and bases for the determination of the 40-day period in khuruj activities carried out by the Tablighi Jama'ah. By making Al-Qur'an and Hadith as a backrest in the activities of the Tablighi Jama'ah propaganda certainly the activity of khuruj by determining the number of days in accordance with Islamic Law.

The concept of khuruj Jamaah Tabligh and its relation to the rights and obligations of the husband in the household that the rights and obligations of the husband in the Jamaah Tabligh are basically the same as the rights and obligations according to Islamic Law and Positive Laws applicable in Indonesia, namely, Law No. 1 of 1974 concerning marriage and Compilation of Islamic Law. Likewise with the opinion of the Shafi'i school of husband's obligations as follows:

قال الشافعي : قال والنفقة نفقتان , نفقة الموسر ونفقة المقتر عليه رزقه وهو الفقير . . قال وأقل ما يلزم المقتر من نفقة امرأته المعروف ببلدهما قال فإن كان المعروف أن الأغلب من نظرائها لا تكون إلا مخدومة عالها وخادما لها واحدا لا يزيد عليه وأقل ما يعولها به وخادما ما لا يقوم بدن أحد على أقل منه وذلك مد بمد النبي - صلى الله عليه وسلم في كل يوم من طعام البلد الذي يقتاتون حنطة كان أو شعيرا أو ذرة أو أرزا أو سلتا ولخادما مثله ومكيلة من آدم بلادها زيتا كان أو سمنا بقدر ما يكفي ما وصفت من ثلاثين مدا في الشهر ولخادما شبيهه به . ويفرض لها في دهن ومشط أقل ما يكفيها ولا يكون ذلك لخادما لأنه ليس بالمعروف لها . (قال الشافعي) : وإن كانت ببلد يقتاتون فيه أصنافا من الحبوب كان لها الأغلب من قوت مثلها في ذلك البلد وقد قيل لها في الشهر أربعة أرتال لحم في كل جمعة رطل وذلك المعروف لها ، وفرض لها من الكسوة ما يكسي مثلها ببلدها عند المقتر وذلك من القطن الكوفي والبصري وما أشبههما ولخادما كرباس وتبان وما أشبهه وفرض لها في البلاد الباردة أقل ما يكفي في البرد من جبة محشوة وقطيفة أو لحاف وسراويل وقميص وخمار أو مقنعة ولخادما جبة صوف وكساء تلتحفه يدفئ مثلها وقميص ومقنعة وخف وما لا غنى بها عنه

¹⁷ Abu Abdullah, Muhammad bin Yazid, *Sunan Ibnu Majah* (Beirut: Dar Al-Fikr,t,th), p. 178

وفرض لها للصيف قميصا وملحفة ومقنعة قال وتكفيها القطيفة سنتين والجبّة المحشوة كما يكفي مثلها السنتين ونحو ذلك¹⁸ ..

Meaning: Imam Shafi'i said: and there are two kinds of income: a living when it is roomy and a living when it is narrow, namely a person who is faqir and the least income that must be spent by a narrow husband whose sustenance is in accordance with the customs of his country, although that is ma'ruf but the majority is served his needs, aides for him, and no more than that. And at the very least of what he gave him and served him what someone who did not do less than him, namely 1 mud to the size of the Prophet's mud every day of the food he ate in his country both wheat with all kinds, sya'ir (jam) , corn, rice, or type of wheat (type of food), and for helpers it is also the same. And side dishes that are appropriate for his country, be it oil, fat to taste about 30 mud in a month, and so are the same with his servants, and provide him with hair oil and comb according to his needs, and do not give it to his servants, because this is not a custom for him. (Imam Shafi'i said): if the wife of a country whose main food is all kinds of grains is for her the majority of grains consumed in that country. And there are those who are of the opinion: for him 4 rithl of meat a month, every Friday 1 rithl of meat and that is familiar in his country. And provide her with clothes that are in accordance with the customs of her country according to her husband's lacking conditions, namely cotton made by Kufa, Basrah and the like, and for his servants such as ribas (white cotton), tubban (clothing) and the like. And provide it for him in a cold country that is at least enough to withstand the cold from a rough altar, jacket, blanket, pants, shirt, headgear, type of clothes to withstand the cold. And for the maid in a fur robe, clothes that can provide warmth, shirt, head cover, shoes over the ankles, and whatever he needs. And provide for him when summer clothes, clothes that can cover, and headgear, and enough for him velvet (silk) used for two years, and coats of rough cloth can be used for 2 years, and so on.

Even in providing a living for their families, if the husband is unable to provide for the living, the husband should give the choice to stay with him or ask for divorce, as follows:

قال الشافعي رحمه الله تعالى دل كتاب الله عز وجل ثم سنة رسوله صلى الله عليه وسلم على أن على الرجل أن يعول امرأته قال الشافعي فلما كان من حقها عليه أن يعولها ومن حقه أن يستمتع منها ويكون لكل على كل مال لزوج على المرأة وللمرأة على الزوج احتمال أن لا يكون لرجل أن يمسك المرأة يستمتع بها ويمنعها غيره تستغني به ويمنعها أن تضطرب في البلد وهو لا يجد ما يعولها به فاحتمل إذا لم يجد ما ينفق عليها أن تخير المرأة بين المقام وفراقه فإن اختارت فراقه فهي فرقة بلا طلاق لأنها ليست شيئا أوقعه معه أخبرنا الربيع قال أخبرنا الشافعي قال الزوج ولا جعل إلى أحد إيقاعه أن أخبرنا مسلم بن خالد عن عبيد الله عن نافع عن ابن عمر بن عمر بن كعب إلى أمراء

¹⁸ Imam Syafi'i, *Al-Umm* (Beirut: Dar al-Kutub al-Ilmiah, tth), Juz V, p. 95.

الأجناد في رجال غابوا عن الخطاب رضي الله تعالى عنه كتب إلى أمراء الأجناد في رجال غابوا عن الخطاب رضي الله تعالى نساءهم يأمرهم أن يأخذوهم أن ينفقوا أو يطلقوا فإن طلقوا بعثوا بنفقة ما حسبوا قال الشافعي وهذا يشبه ما وصفت قبله وإليه يذهب أكثر أصحابنا والله تعالى أعلم لم يجد بحضرته لهم أموالا يأخذ منها نفقة وأحسب عمر نساءهم فكتب إلى أمراء الأجناد أن يأخذوهم بالنفقة إن وجدوها والطلاق إن لم يجدوها وإن طلقوا فوجد لهم أموال أخذوهم بالبعثة بنفقة ما حسبوا¹⁹

Meaning: Shown by the Book of Allah 'Azza wa Jalla, then by Sunnah Rasulallah s.a.w. that for the man to provide for his wife. So when it is from the wife's right to the husband to make a living and from the husband's right to have fun with the wife and is for each of each of them, what is for the husband over the wife and for the wife for the husband, surely it is possible that there is no for the man that holds the wife, whom he has fun with the wife and he forbids the wife of another person, the wife feels enough with him alone and he forbids the wife that the wife is back and forth in the country and he does not get what he will suffice for his wife's living. If he (husband) is unable to provide for his wife, then the husband can ask his wife to choose (berkhiyar) between settling in with the husband or divorcing. If the wife chooses to divorce, then the wife divorces with divorce, because it is not something that is dropped by the husband. And the husband does not assign to someone to drop it. It was reported to us by Ar-Rabi' who said: it was reported to us by Asy-Shafi'i who said: it was reported to us by Muslim bin Khalid, from Ubaidullah, from Nafi', from Ibn Umar, that Umar bin Khattab r.a. wrote a letter to the commander-in-chief of the army, about a man who went far from his wife, asking them to make a living or divorce. If they divorce, so that they send their living as long as they hold their wives in power. This resembles what I have explained before. And to that is what most of our friends have gone through. And I thought that Umar - and Allah the Exalted One, knew there was nothing ahead of him, that they had wealth, which he would take from him for the living of the wife of the army. Then he wrote a letter to the commander-in-chief of the army so that they would take from their property to earn a living. And divorce if they don't have that treasure. If they have boiled it down, then they are found to have wealth, then they take it by sending the living, as long as they hold the wives.

Imam Shafi'i's statement shows that if a husband does not try to bring in money, or leaves his obligation to make a living to cover the needs of the family, then the wife can file for divorce. This means that the obligation to meet the needs of living is the obligation of the husband in the household. The opinion of Imam Shafi'i was also agreed upon by the Tablighi Jamaah, however, the wife in their view was obliged to give encouragement to the da'wah efforts undertaken by her husband, even the wife joined in getting rewards if she supported her husband's jihad fisabilillah. And the wife is given provision by her husband that is the foundation of the virtues of preaching, and the wife's right in encouraging her husband to do khuruj fisabilillah. Besides the husband must provide for living during *khuruj* in accordance with the needs of his wife.

¹⁹ Imam Syafi'i, *Al-Umm*, Juz V, (Beirut: Dar al-Kutub al-Ilmiah, tth), p. 98.

Judging from the provisions of khuruj that have been determined by the leadership of the Tablighi Jama'ah, the *khuruj* activities carried out by the Tablighi Jama'ah while meeting the needs of his wife and children, and not leaving a husband's obligations do not have things that are contrary to Islamic Law. Although some members of the Tablighi Jama'ah as well as this are an internal problem for the Tablighi Jama'ah especially Medan City, there are some members when making khuruj prioritizing the obligation of preaching by setting aside their obligations as a husband so that neglecting the rights of wife and children in the family, of course this is an act of *zhalim* because it does not fulfill the rights of family members and this is not in accordance with what is desired by Islamic sharia in shaping and fostering households. So that the end of the research conducted by researchers concluded that the mistakes made in the *khuruj* activities of the Medan City Tabligh Jama'ah were mistakes made by individuals not from the khuruj concept determined by the leaders of the Tablighi Jama'ah and this error also occurred due to the lack of management of every element of the management of the Tablighi Jama'ah so that there are still a few members of the congregation who are mentally incapable, especially financially making *khuruj*, and seen from the impact of the lack of management for members who are less able or lack of readiness to make khuruj, there are still many in the middle -the middle of the community, so this has an impact on the non-implementation of the obligations of the husband in the household and the bad image of preaching *khuruj* in the midst of the community, especially the city of Medan.

III. Conclusion

From the analysis of field data related to the rights and obligations of husband and wife and children in the household among the Tablighi Jama'ah, they are actually subject to and do not differ from the provisions of Law No. 1 of 1974, KHI and so from the opinion of Imam Shafi'i, although in the view of the Tablighi Jama'ah a wife is obliged to give encouragement to the da'wah efforts undertaken by her husband, even the wife joins in getting merit if she supports her husband jihad *fisabilillah*. So from the provisions of khuruj that have been determined by the leaders of the Tablighi Jama'ah, the khuruj activities carried out by the Tablighi pilgrims while meeting the needs of the wife and children, and does not leave the obligations of a husband there are no things that are contrary to Islamic law. Although in reality it is related to the policies in the Tablighi Jama'ah especially when selecting members who want to leave the khuruj still needs to be improved so that there are no more members of the jama'ah who are mentally incapable especially financially making khuruj, so this does not have an impact on the non-implementation of the obligations of the husband in household and the bad image of khuruj propaganda in the midst of the community especially Medan City.

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