

WOMEN IN THE FULFILLMENT OF FAMILY LIVING MUBADALAH'S PERSPECTIVE

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Abstract: Divorce is a popular trend today. Every year, Indonesia has more divorces, and economic reasons are the main contributing cause. The rise of divorce has made Indonesia an emergency *maslahat* family. This research method is library research by making *mubadalah* as the primary source. According to *mubadalah*, the concepts of *away* and *mu'asyarah bil ma'ruf* transform the duty of life into a dual duty and responsibility. The duty to support oneself is based on one's qualities and capacities, not on one's gender, and in today's world, women have the same opportunities as men. It is hoped that divorce on financial grounds can be avoided when the husband and wife are aware of their respective roles, rights, and responsibilities and are supported by an understanding of *Mubadalah*. This is because they will be willing, understanding, supportive of, and able to care for one another.

Keywords: women, living, *mubadalah*, islamic law.

INTRODUCTION

For a male, marriage is a spiritual occasion. Islam sees marriage as a sublime mistaken powerful relationship (*mitsaqan ghalidzan*).[1][2]. In [3], has a comparable definition. It is clear from this definition that the goal of marriage is to create a happy, peaceful, and eternal family by each other's views, without regard for human rights or gender roles.

The family is the smallest social unit, the major social institution that plays a significant role in achieving social welfare, and the institution that upholds religious, humanitarian, moral, and patriotic values. therefore being a family of *maslahat* is a necessity.[4] [5].

It is difficult to build a family that consists of *sakinah*, *mawaddah*, and *rahmah* since the challenges that arise frequently cannot be satisfactorily handled, and the marriage must ultimately come to a stop in court. Court-supervised divorce is more common in today's society [6]. This is demonstrated by the rising number of divorces, including *talak* divorces, that occur in Indonesia every year.

Table 1. Data on divorce in Indonesia in 2007 – 2020 (Aug)

No	Year	Total
1	2007	175713

2	2008	193189
3	2009	223371
4	2010	285184
5	2011	276791
6	2012	346480
7	2013	324247
8	2014	344237
9	2015	347256
10	2016	365633
11	2017	374516
12	2018	444358
13	2019	480618
14	2020 (Agt)	306688

Source:

- Data for 2007 - 2013 from the Central Bureau of Statistics
- Data for 2014 – 2017 from the Directorate General of Religious Justice Agency (Badilag) of the Supreme Court
- Data for 2018 – 2020 (Aug) from VOA Indonesia

From the data above, it can be seen that the number of divorces has increased every year. Here are the factors that cause divorce in comparison in 2017 and 2020.

Table 2. Factors Causing Divorce in 2020

No	Factors Causing Divorce	Total
1	Conflict	176683
2	Economy	71194
3	Leaving One	34671
4	Domestic violence	3271
5	Drunk	1218
6	Apostate	1108
7	Imprisoned	803
8	Polygamy	759
9	Gamble	648
10	Adultery	498
11	Forced Marriage	310
12	Opium	271
13	Disability	243
Jumlah		291677

As can be seen from the data above, economic issues trail only conflicts and persistent, difficult-to-reconcile arguments as the second most common reasons for divorce. Despite not being the primary cause of divorce, financial issues pose a serious threat to the stability of the home. According to research, financial strains affect the family's ability to survive, be happy, and be resilient. Higher financial strain

results in a lower expected return from the marriage and increases the likelihood of divorce. The inability to manage finances will undoubtedly impact the family's happiness and the couple's relationship, which will then grow and spill over into other difficulties like infidelity, arguments, and fights [7][8].

According to Article 31 paragraph 3 of the Marriage Law No. 1 of 1974 and the religious doctrine outlined in the QS. An-Nisa verse 34 of the word "ar-rijaalu qowwaamuuna 'alan-nisaa-i," which positions the man as the head of the household, while the woman as the receiving party means the man (husband) as the protector or leader for the woman, the economy or the duty of earning a living is essentially the (wife). According to this legal or religious concept, the husband is the head of the household and is responsible for providing for the necessities of the family and managing its finances. This indicates that the wife is free from the responsibility of supporting the family. According to traditional legal doctrine, the wife does not commit to the living of the property; rather, the husband is responsible for that. Faqihuddin Abdul Kodir offers a different perspective on how to complete family life in his mubadalah philosophy. To build a prosperous household, *sakinah, mawaddah, and rahmah*, he claims that wives are occasionally required to make financial contributions to the household.

In an endeavor to reduce the divorce rate in Indonesia owing to economic concerns, the author is interested in exploring the role of women or spouses in family living from the perspective of mubadalah.

METHODOLOGY

This study uses the library research analysis method, according to [9] Written data from various types of literature that relate to the study's subject matter that the author then interprets. By describing *qira'ah Mubadala* as an approach, the research methodology adopted is qualitative [10].

The primary data used in this study are books by Faqihuddin Abdul Kodir, including "Qirā'ah Mubādalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam", "60 Hadis Hak-Hak Perempuan Dalam Islam: Teks dan Interpretasi". While secondary data are taken from relevant books and journals.

RESULTS AND DISCUSSION

The Perspective of Mubadalah in the Family

Mubadalah is etymologically descended from the Arabic word مُبَادَلَةٌ *masdar* from يَدَّلُ, which means to exchange, alter, and replace. [11]. Regarding the translation into English, reciprocity, which means exchange, reciprocity, or reciprocal, which is reciprocal or reciprocating in nature, can be used to describe *mubadalah*.

From this definition, according to [12] the term *mubadalah* develops into an understanding and perspective of the interaction between two parties that encompasses the connotation of reciprocity, interdependence, collaboration, cooperation, and reciprocal. Relationships between people in general, the state and its citizens, employers and employees, parents and children, spouses and wives, teachers and pupils, and the majority and the minority can all be considered. between a man and a male, a female and a female. between individuals and between society and society, as well as between individuals.

The discussion of *mubadalah* in this study was centered on how men and women interact at home and how husbands and wives collaborate to build a family ark. To establish a reciprocal connection between husband and wife that is mutually beneficial and does not hurt any side, *mubadalah's* attitude must be used in the home. [13]

In journals written [13] a balanced and equal relationship between husband and wife is an ideal relationship concept in Islam. This balance and equality include many things, such as sexual relations, self-actualization, child education, and even economic or financial arrangements in the family. And to realize this ideal relationship, then qirā'ah mubādalāh Faqihuddin Abdul Kodir is present to be a new and fresh view in the husband and wife relationship to realize the *sakinah* family, *mawaddah warahmah*.

Principles of Marriage in Mubadalah

Due to its close ties to numerous social issues, the family is the smallest and most fragile institution in society [14]. *Mubadalah* offers the fundamentals of marriage as a safeguard for domestic life to prevent family disarray.

a. The principle of *zawaj*

Applying the pairing theory makes it possible to comprehend the Quran's Princip *zawaj*. The description of this principle, according to the account of Faqihuddin Abdul Kodir referred to him from the book of *Al-Mu'jam al-Mufahras li Alfazh al-Qur'an* by Fuad Abdul Baqi, that the word "*zawj*" is in 17 places in the Qur'an, including 7 places without affixes 4 (زوج), places with the addition of male pronouns 2 (زوجك), places with single third-person pronouns for men (زوجه) and 4 places with single pronoun affixes for women. In all these places, the word "*zawj*" means couple. [12]

This principle of *zawaj* is contained in QS. ar-Rum verse 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً ۗ وَرَحْمَةً ۗ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

“And of His signs is that He created for you from yourselves mates that you may find tranquillity in them, and He placed between you affection and mercy. Indeed in that are signs for a people who give thought”.

From the viewpoint of *mubadalah*, [12] The word "*azwajan*" in the passage above can be translated as "spouse," which indicates that the husband is the spouse of the spouse and the wife is the spouse of the husband. There is no domination from either party, as is typical in social systems where the husband is superior to the woman. Both have the same role and hold the same status as a pair, thus they should support one another's existence just like a couple would. It is referred to as "*garwo*" in Javanese, which is short for "*sigare nyowo*," or "half of the soul," or "half the soul." This implies that until the husband and wife are joined and work together, each is simply the other's half of the soul.

b. The principle *mu'adalah*

Speaking about justice is a fundamental aspect of *mu'adalah*. Every family member must be placed to have the value of everything according to *mubadalah*,

which means that no member of the family should be denied existence. Therefore, the *mu'adalah* principle, which according to *mubadalah* can be interpreted as meaning that every member of the family, including the husband, wife, child, father, mother, etc., has the same opportunity according to his portion to be able to develop himself without regard to his gender, is applicable, [15]. The concept of *mu'adalah*, or justice, is now characterized as justice of a proportional nature rather than just equality or placing things in their proper places.

The principles of *mu'adalah* are frequently mentioned in the Qur'an, but family issues are not implicitly addressed. These verses, however, can at least be applied as a practical foothold within the family, QS. An-Nisa verses 58 and 90.

c. The principle *muwazanah*

The principle of *muwazanah* speaks of the existence of balance in the family. It is said to be balanced if there is no inequality between one another. This principle is related to the principle of *mu'adalah*, where if every family has applied *mu'adalah* then it is certain and certain that the principle of *muwazanah* has been realized. [16]

By upholding one's rights as an individual, a family, a worker, and a member of society, one can achieve balance within the family. For instance, the father must be able to meet his own needs and rights as well as the requirements of his wife, his children, his employer, and society. There must be nothing that escapes notice. The woman must also be able to fulfill her wants and rights as well as the needs and rights of her spouse, her kid, and others, including her right to work and social rights. If any of the aforementioned rights are not exercised, there is inequality, and there is injustice if there is inequality.

According to *mubadalah*, which demonstrates the reciprocal concept, every member of the family makes an effort to maintain harmony among themselves. As a result, to maintain the balance in the family, the husband and/or the child with assistance complete the responsibilities and functions of the wife when one of the family members, for example, the wife, is unwell and unable to adequately handle household matters.

d. The principle of *muawanah*

The principle of *muawanah* is the guiding concept of a relationship [16]. In the context of the family, the husband and wife work together to fulfill the family's vision and mission. They must complement one another and be dependent on one another, just like a partner or partner, necessitating a partner relationship. The key idea here is that no one from either side is more significant, superior, powerful, or in control of the other than the other. A good partner supports encourages and provides for the other all the time. They also give each other advice and counsel and are patient with one another as they work through the challenges of daily living in the home. This idea is mentioned multiple times in the Qur'an.

This partnership or *muawanah* principle has the following implications:

1. Mutual respect; awareness of each other's personal histories; and awareness of oneself
2. Accepting each other's benefits and drawbacks,
3. Observing each other's every word, emotion, talent, and desire,

4. Believe in each other, and
 5. Meekly love one another in association and speech, show concern for your spouse, act wisely in your relationships, avoid having self-centered views, and are patient with one another. [17]
- e. The principle of *musyawarah*.

The *musyawarah* principle mandates that husbands and wives adopt attitudes and practices that encourage opinion-exchanging and counseling while making decisions about domestic life. Both spouses must participate in decision-making and must be asked for their comments and perspectives. Husbands and wives are not permitted to be autocratic and impose their will on their partners. They should also avoid making all family- and couple-related choices alone [12]

Talking to your partner is a way to show them that you appreciate and recognize what they can do. Additionally, it involves enlarging and seeing a situation from a potential alternative perspective. A person will be inspired to make deliberate judgments that can result in benefits and other consequences by being exposed to such a wide range of ideas and opinions[18].

One of the tenets of the family that is a part of Islamic and prophetic teachings is giving and receiving advice. Deliberation is a positive deed that is encouraged both inside and outside of the home, between husband and wife, and between parents and children. Engage in social issues. The Qur'anic verses QS. al-Baqoroh 233, QS. Ali 'Imran 159, and QS. ath-Thalaaq 6 all uphold the sequence of discussion [19][20].

Weaning practices should be decided jointly and with the consent of both husband/father and wife/mother, following the Quran's teaching on household discourse. There is no outside pressure to make the greatest choice as the two consults with or debate each other (*tasyawurin*).

- f. The principle of *taradhin min huma*

According to the *taradhin min huma principle*, both the husband and the wife must be willing to accept the other as they are and must feel at ease around one another. Since there is no longer even a tiny wedge of rejection in his heart, willingness is the fullest expression of comfort [12].

Married couples must consistently uphold the value of *taradhin min huma* in their home life for it to be a stable foundation for all of their behaviors, speeches, attitudes, and acts. Only then can their home life be filled with happiness and love.

The fundamental idea behind *taradhin min huma* comes from QS. al-Baqarah 233, weaning alone necessitates the husbands' and wives' willingness, especially in light of other matters, which unquestionably calls for greater willingness. Therefore, it should be seen as *mubadalah*, to build a heavenly life that always promotes calm and comfort, in the framework of seeking willingness in the family. For instance, according to a hadith, a wife will enter paradise if she can convince her husband to do so. According to the *Mubadalah* hadith, the husband will enter heaven if he can convince the wife to do so. This is so that the husband and wife can essentially always work to win their partners' consent. [16].

- g. The principle of *mu'asayarah bil ma'ruf*

The attitude of treating one another properly is the cornerstone of *mu'asyarah bil ma'ruf*. In a husband and wife relationship, kindness must be demonstrated and simultaneously experienced by both sides. A positive attitude is the most essential ethical principle. The goal of marriage, which is to create a family that is *sakinah* (calm), *mawaddah* (loving), and *rahmah*, will be realized if there is adequate communication between the husband, wife, and other family members (affection).

Princip *mu'asyarah bil ma'ruf* affirmed in QS. an-Nisa' 19:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهَ اللَّهُ وَلَا تَعْضُلُوهُنَّ لِتَذَهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفُحْشَةٍ مُبِينَةٍ ۚ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا ۚ وَجَعَلَ اللَّهُ فِيهِ حَيْرًا كَثِيرًا ۚ

“O you who have believed, it is not lawful for you to inherit women by compulsion. And do not make it difficult for them to take [back] part of what you gave them unless they commit a clear immorality. And live with them in kindness. For if you dislike them - perhaps you dislike a thing and Allah makes therein much good”.

Although this phrase is meant to encourage husbands to treat their wives well, it also clearly demonstrates the reciprocal meaning, showing that wives should equally act honorably toward their husbands. Thus, a *mubadalah* interpretation of the aforementioned passage is possible.

Mubadalah, the standard of *mu'asyarah bil ma'ruf* between husband and wife, is the apex and moral compass of all Islamic doctrine and laws. The aims of Islamic law (*maqasid al-syari'ah al-khamsah*) can be achieved in the family by adopting this *mubadalah* perspective since it at least makes it feasible to ensure that both men and women get goodness.

Women and Livelihoods in Mubadalah

According to the classical fiqh interpretation [21], the husband's duty to supply property shifts to his duty to the wife. This duty is based on the demands of biological hormones, which vary between men and women. Particularly when women are going through energetically demanding reproductive stages including menstruation, pregnancy, childbirth, breastfeeding, and parenting. So frequently, women's roles and positions are restricted to the home. Men are not subject to this reproductive phase, but they are still free to work and create property to support their families. Men must provide for their families, however, women are not compelled to do so because it is unquestionably men's responsibility to do so.

Verse 34 of QS an-Nisa, which states that men/husbands are given the responsibility (*qawwam*) to provide for women/wives, is particularly pertinent in this scenario. Verse 34 of QS An-Nisa does not, however, apply universally because, in some circumstances, the woman is also expected to contribute to the satisfaction of living. Particularly in this day and age, when women may work just as hard and make just as much money as men. Since the time of the Prophet Muhammad, women have participated in the economy; now, they are [12] :

1. Siti Khadijah, the Prophet's wife, has been a prosperous trader since she was a young woman (commissioner)
2. Qilat Ummi Bani Ammar, a trader to whom the Messenger of Allah offered advice on pricing
3. Zainab Binti Jahsy makes crafts at home and sells them on the market in addition to working as a tanner (home industry).
4. Ummu Salim Binti Malhan is a cosmetics artist for weddings.
5. Caliph Umar assigned a woman with a talent for writing, Al-Shifa, to manage the Medina market.
6. Because Abdullah Ibn Mas'ud's wife and children at the time were unable to support their family, she became well-known as a successful and active self-employed person.
7. Ummul Mukminin Abu Bakr ash-Aisyah Shiddiq's binti. She instructed in Islamic recitation assemblies specifically for women and narrated 2,210 hadiths during her lifetime, which was a record for the period.
8. To meet her daily necessities, Fatima Az-Zahra ground wheat.
9. Halimah As-Sa'diyah helped the Prophet's nurse.
10. A woman who works in a date palm garden named Ummu Mubasir Ansar

Considering the number of women who participated in the economy at the time of the prophet, it is obvious that this is no longer considered improper if many women labor to support their families [22]. In Islamic history, working women were never forbidden or considered to be against Islamic values. Nor were they considered to be nominal, [21]. The Qur'an has various verses that govern the pursuit of livelihood, such as QS. at-Taubah verse 71, QS. al-Jumu'ah verse 10, QS. al-Baqarah verse 3, QS. al-Baqarah verse 267, and QS al-Baqarah verse 233.

In the mubadalah perspective, the verses that talk about the search for rizki and livelihood should be addressed to both men and women. That is, both men and women are encouraged in Islam to work in search of rizki to meet the needs of the family. Although in Arabic the verses are intended for men, the verses with the male form are also applied to women [23].

A wife's right and her husband's obligation to support her are no longer mutually exclusive, according to the above-described marital concept. Following the tenets of *zawaj* and *mu'asyarah bil ma'ruf*, wherein the husband and wife are jointly responsible for all of the family's necessities, maintaining a living becomes their duty. In both cases, it is forbidden for the wife to dominate by holding onto all of the husband's wealth. They jointly control and manage the assets they created—either between the two of them or one of them—for the family's benefit. Accordingly, the notion that has grown in popularity in society that "the wife owns the husband's property, but the wife owns the husband's property" is unjustified from the standpoint of *mubadalah*. [12]

Several hadiths also discuss the labor that women do to support their families economies in addition to the Qur'anic verses cited above.

عَنْ مُعَاذِ بْنِ سَعْدٍ - أَوْ سَعْدِ بْنِ مُعَدٍ - أَنَّ جَارِيَةَ لِكَعْبِ بْنِ مَالِكٍ كَانَتْ تَرَعَى عَنَّمَا يَسْلَعُ فَأُصِيبَتْ شَاةٌ مِنْهَا فَأَذْرَكَتَهَا فَذَبَحَتْهَا بِحَجْرٍ فَسُئِلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ "كُلُّوْهَا" (رواه البخاري)[24]

“From Sa'd bin Mu'adz ra, also known as Mu'adz bin Sa'd ra. He revealed to me that a member of the household of Ka'ab bin Malik was employed in the Sala' highlands to herd goats. He goes to kill one of his goats as soon as an incident occurs. The Prophet Saw was questioned on this. The Prophet Saw said, "Eat (the goat)." (Shahih Bukhari)

Sheikh Abu Shuqqa claimed that there is absolutely no restriction on women working in Islam based on this hadith. Women can work in any occupation, including that of a herder, a breeder, an entrepreneur, or another. Fundamentally, though, Islam does not forbid women from engaging in business ventures that might generate revenue for both their families and themselves.

According [25], numerous fatwas issued in the name of Islam all too frequently forbid women from engaging in specific economic pursuits with the presumption that men provide for women's needs and that women do not earn a living. Men and women of both sexes have the fundamental right to work, thus this right cannot be arbitrarily removed when marriage happens. However, because labor is a fundamental right of everyone, the status of women as income recipients does not affect these fundamental rights (1945 Constitution article 27 paragraph 2). Negotiation and a fair sharing of responsibilities between the parties are necessary for a married institution. [24]

The aforementioned hadith is one of many that document the history of women who worked to support their families. According to *Mubadalah*, everyone who can work and earn money has a responsibility to take care of the basic needs of their bodies. Instead of being based on gender like other Islamic responsibilities, this one is based on ability and capability. Men prioritize and place more emphasis on life's necessities as a result, but both men and women are ultimately responsible for carrying the weight of raising a family, and both must work together and support one another.

From this explanation, if the husband and wife understand their respective roles, rights, and obligations and are supported by an understanding of *mubadalah*, it is hoped that divorce on economic grounds can be avoided because the husband and wife can understand each other, help, and provide for each other. Islam has expressly and justly regulated the distribution of duties and roles of husband and wife, but in terms of livelihood, Islam does not prohibit wives from participating in work and fulfilling the family economy, provided that there is negotiation and approval from the husband and does not interfere with other rights and obligations, [26]. Family living in the perspective of *mubadalah* becomes an obligation with husband and wife according to their respective abilities that can be crushed together according to the principle of deliberation. When the wife works for a living, the husband must also be willing to take responsibility for doing domestic work at home. So that the burden of households is shared, just as the burden of living is also carried together according to their respective abilities and opportunities.

CONCLUSION

The obligation to earn a living in the perspective of *mubadalah* is joint no longer an obligation of the husband and a wife's rights, but following the principles of *zawaj and mu'asyarah bil ma'ruf*, then all the needs of the family become a shared

responsibility, the living becomes to a joint obligation of the husband and wife. The basic living obligation is not gender, but ability and capacity, therefore Therefore the demands of family living are principally the joint responsibility of the husband and wife and both are required to cooperate and help each other. When husbands and wives understand their respective roles, rights, and obligations and are supported by an understanding of mubadalah, it is hoped that divorce for economic reasons can be avoided because husbands and wives can understand each other, willingly, help, and provide for each other.

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