

## THE POSITION OF THE WIFE AS A CAREER WOMAN IN THE PERSPECTIVE OF ISLAMIC LAW

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**Abstract:** The rights and obligations of husband and wife are important things to consider in married life. The rights of husband and wife who are their obligations can be divided into two: property rights, namely dowry rights (dowry) and livelihood rights, non-material rights. While the duty of a wife is in terms of service. While the rights of husband and wife that must be fulfilled are only their rights, not their material rights, because according to Islamic law the wife is not burdened with the material obligations necessary to provide for the family. While the husband's obligation is in terms of providing for himself. In Islamic law, a married woman is allowed to be a career woman. This means that it is permissible to work if one of a number of circumstances allows women to work outside the home, but the state must meet certain requirements. Thus, these activities do not adversely affect her, her husband, children, and the integrity of the household.

**Keywords:** Wife, Career Woman, Islamic Law

### I. Introduction

Marriage is a contract or agreement, but it does not mean that this agreement is the same as an ordinary agreement regulated in Book III of the Civil Code (Erwinsyahbana, 2004). The difference is that in an ordinary agreement, the parties who promise are free to determine the content and form of the agreement, whereas in marriage, the parties cannot determine the content and form of the agreement other than those stipulated by applicable law.

The rights and obligations of a husband and wife are important things that must be considered in married life. Given the harmony of a household, it is determined to what extent the two couples can carry out their respective duties and obligations. Harmony in the household will be realized as long as husband and wife implement and remain consistent with their respective obligations (Syarifuddin, 2007).

So far, the failure of the household occurs because each of them does not know what their obligations are and what their rights are, so that because of that ignorance both husband and wife do not clearly understand what to do. Likewise, the failure of a household is also caused by both spouses only paying attention to their rights without paying attention to the obligations that should be carried out. What follows is inequality and imbalance, because rights are more demanded than obligations that should be carried out.

In its implementation, there are many inequalities that occur in the fulfillment of rights and obligations between husband and wife, where the patriarchal culture that still dominates the world makes equality in the fulfillment of rights and obligations between husband and wife cannot be fulfilled in a balanced sense. There is still an imbalance between the two.

Today, many developments occur in a household. Many problems occur in husband and wife relationships. In its development, the existence and existence of a wife is not only in the domestic area of the family (household activities). However, the growing reality of a wife is that many wives fill their days with activities outside the home, both in work and social activities.

From significant developments regarding the existence and participation of a woman in the world of work. It will indirectly have an impact on the integrity of the household that is established. Especially when facing the fact that a wife's income is greater than that of a husband, and it is the wife who spends more money to support the expenses of domestic life. In the social reality that occurs in today's society as we know from media such as electronic media, print and others, many families experience divorce. Among the causes that result in divorce, one of them is the non-fulfillment of rights and obligations between husband and wife.

Therefore, Islam came to regulate the relationship between the two people. Thus, provisions were formed for them husband and wife regarding their rights and obligations and Indonesia, whose majority of the population is Muslim, formed a law to accommodate it, namely Law Number 1 of 1974 concerning Marriage.

## II. Library Studies

There are several things that will be discussed in this study, namely:

**A wife** is a woman who has been married and married with married status. The wife is obliged to obey and obey the husband. Wives have obligations in the household including those related to civility towards their husbands (Hawari, detikhikmah, 2023).

**Career Women are women** who have careers outside the home, in general women are required to maintain and carry out activities as housewives, take care of their children and guard the husband's property and serve the needs of the husband and children such as eating, drinking and washing clothes. (Nurliana, 2010).

**Islamic law is a law** derived from the religion of Islam, that is, a law sent down by Allah for the benefit of His servants in this world and the Hereafter. (Ichsan, 2015).

## III. Research Methods

There are several approaches in legal research with this approach, researchers will get information from various aspects about the issue that is being tried to find answers (Peter Mahmud Marzuki, 2007). Good writing requires accuracy and accuracy that focuses on this research, the author seeks to collect, compile and implement existing data and examine clearly and specifically.

This research is a legal research with a *statutory approach* (*statute approach*). The data used is secondary data obtained from literature in the form of laws and regulations, books, and other literature that is related to the problems in this study. All secondary data collected are then grouped and analyzed qualitatively to obtain answers to the problems that have been determined. The results of data analysis are described and described in a descriptive analytic manner.

## IV. Discussion

## 1. Joint Rights of Husband and Wife in Marriage

As we know, marriage is a collective agreement between two different sexes to lead a domestic life. Since the word *zawad* was spoken, the two have bound themselves and since then they have obligations and rights that they did not have before. In addition, marriage is a matter that has far-reaching consequences in the legal relationship between husband and wife. With that marriage, a bond arises that contains rights and obligations, such as the obligation to live the same, be loyal to each other, the obligation to provide household expenses, inheritance rights and so on.

If we try to look back, that is when in ancient times women's rights almost did not exist and there were only obligations. This is because the status of women is lower and almost considered as something useless. This may be due to the harshness of life that demands physical endurance to maintain life. In addition to unhealthy competition in finding the necessities of life. Because at that time humans only depended on the existing natural products. And when the need is they move and fight people who want to take their quarry. And none of that can be done by people as physically weak as women.

But after the advent of Islam, the inequality changed and placed women in their rightful place as human beings. As for the material aspect, a woman has property rights. Since marriage women get inheritance from husbands, unlike in the days of jahiliyah women are used as inherited inheritance. And on the contrary, men by their nature have a strong and mighty physique. Therefore, men are in charge of protecting and taking care of weak women. An understanding of the concept of rights and obligations between husband and wife is very important and crucial. Where, currently many wives are not only in the domestic area as well as taking care of the household, but today there are many women who are involved in public areas such as working outside the home. In terms of obligations, husband and wife in the family have the same obligations. The husband supports the family, the wife takes care of the husband. (Kurniawati, 2019).

The joint rights between husband and wife are as follows:

1. Husband and wife are allowed to mix with each other to have fun between the two of them. Thus, it is lawful for the husband of his wife what is lawful for the wife of her husband;
2. Family haram from both sides. That is, the wife is illegitimate (married) to her husband's father, grandfather, children, and children descended from his children, just as it is haram for a husband to marry his wife's mother, daughters, and children descended from his children;
3. The right to inherit each other as a result of a legal marriage bond. If one of the two dies after the marriage contract is executed, then the spouse has the right to inherit it;
4. The child has a clear nasab (offspring) for the husband;
5. Both parties must get along (behave) well, so as to give birth to intimacy and peace of life.

Parental power over children is one of the concepts in family law intended to regulate the relationship between parents and children. (Harisman, Atikah Rahmi, 2021). Juridically, the regulation of parental power over children is found in several provisions of national law, namely the Civil Code (KUH Percivil), Law Number 1 of 1974 concerning Marriage, and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

## 2. Rights and Duties of Wives According to Islamic Law

The rights of wives that are the obligations of husbands can be divided into two: material rights, namely dowry (dowry) and bread, rights of non-material rights, such as doing justice among wives (in polygamous marriages), not doing harm to wives and so on.

### 1. Property Rights

#### a. Mahar (Mas Kawin)

Q.S an-Nisa': 24 commanded, "And give dowry to the women (whom you marry) as a compulsory gift. When they gladly give the dowry to you, take her as a delicious food again for good consequences."

From this verse of the Qur'an can be obtained an understanding that dowry is a compulsory gift property from husband to wife, and is a full right for the wife who should not be disturbed by the husband, the husband is only allowed to participate in the dowry meal if it has been given by the wife voluntarily.

#### b. Nafkah

What is meant by living is to provide for all the needs of the wife, including food, clothing, shelter, housekeepers, and medicine, even though the wife is relatively rich. Q.S Al-Baqarah: 233 teaches, "... And the father is obliged to provide for the food and clothing needs of mothers and children on ma'ruf conditions..."

The next verse (Ath-Thalaq: 7) commands, "He who is able should provide according to his ability, and even the underprivileged should provide for him from Allah's gift, Allah will not burden a person's obligations beyond Allah's gift to him..."

The hadith narrated by Mustli, mentions the content of the Prophet's sermon in Hajj wada', among others as follows, "... fear Allah in fulfilling your duty to your wives, you have taken their wives in the name of Allah, it is your right that they do not receive guests whom you do not like, if they do, you may teach a lesson with small blows that do not hurt, you are obliged to provide for your wife's needs regarding food and clothing with accrual".

### 2. Intangible Rights

The immaterial rights that a husband is obliged to exercise against his wife, are summed up in the command of QS an-Nisaa: 19 that husbands treat their wives with accrual and be patient with things that are not pleased, which are found in the wife.

Courting a wife with accrual may include:

- a. Appreciation, respect, and good conduct, as well as improving his standard of living in the fields of religion, morality, and knowledge required;
- b. Protect and safeguard the good name of the wife;
- c. Meet the needs of the biological nature of the wife.

### 3. Zaman Nur, explaining the rights of wives who are not material include:

- a. Get along with good treatment. The duty of the husband to his wife to respect her, to associate with her in a good way, to treat her in a reasonable manner, to put her interests first in the matter of things that need to come first, to be gentle and to refrain from things that displease her;
- b. Take good care of the wife. The husband is obliged to take care of his wife, take care of his wife and everything that tarnishes her honor, maintain her pride, uphold her honor and glory, so that her image becomes good;

- c. The husband is obliged to provide mental support to his wife at least once a month if he is able. Imam Shafi'i argues that giving mental sustenance is not obligatory because giving mental sustenance is the right of the husband is not his obligation, so it is up to the husband himself whether he wants or not to exercise his right. Imam Ahmad decreed that the husband should provide for his wife every four months. If the husband leaves his wife, the time limit is at most 6 months.

A wife's duties are judged by her ministry. According to some ulama' salaf and ulama' khalaf obliges the service of the wife for the benefit of the family. As Abu Tsaur said, it is obligatory for the wife to assist her husband in every matter.

According to some scholars of the Maliki madhhab, the wife is obliged to do her household chores, and look at her position. If he is rich then he uses a servant, if from a simple class then he is obliged to carry out himself such as spreading a mattress. If from other circles, it is obliged to manage the household, washing, cooking and so on.

Some scholars reject the obligation of wives to render their services in this matter. Some of these scholars were Malik, Ash-Shafi'i, Abu Haneefah, Rahimatullah. The opinion of the three scholars is the same as that of the ulama' dzahir, they say that in fact the marriage contract demands pleasure not to give service, to provide benefits. They say the hadiths mentioned show voluntary and noble morals. According to them, the hadiths about the wife's service to her husband show voluntariness.

### **3. Rights and Duties of Husband According to Islamic Law**

The rights of the husband that the wife must fulfill are only non-material rights, because according to Islamic law the wife is not burdened with material obligations necessary to provide for the family. In fact, it is preferable that the wife does not have to participate in working to earn a living if the husband is able to fulfill the family's obligations well.

The rights of the husband can be mentioned in essence are the right to be obeyed on matters concerning marital life and the right to teach the wife in a good and proper way with the position of husband and wife.

#### **1. Rights Obeyed**

QS an-Nisaa': 34 teaches that men (husbands) are obliged to lead women (wives) because men have advantages over women (in terms of the nature of events), and there is an obligation for men to provide for the needs Family. Righteous wives are obedient to Allah and to the husband-their husbands and preserve the property and rights of husbands, even in their absence, as a result of God's providence and His knowledge of the wives.

- a. In order for the wife to live with the husband who has been provided, the wife is obliged to fulfill the right of the husband to live in the house that has been provided if it meets the following conditions:
  - 1) The husband has fulfilled the obligation to pay dowry to the wife;
  - 2) The house provided is suitable for the wife's residence and is equipped with the furniture and tools needed to live a marriage reasonably, simply, not exceeding the strength of the husband;
  - 3) The house provided is sufficient to guarantee the safety of his soul and possessions, not too far away with neighbors and security guards;
  - 4) The husband can guarantee the safety of the wife in the space provided.
- b. Obedience to the commandments of the husband, except when it violates the prohibition of Allah.

The wife must fulfill the rights of the husband, obeying his commandments if he meets the following conditions:

- 1) The orders issued by the husband include matters that have to do with domestic life. Thus, if, for example, the husband orders the wife to spend her personal property at the whim of her, the wife is not obliged to obey because the expenditure of the wife's personal property is entirely the right of the wife who cannot interfere with the husband;
  - 2) Orders that must be in line with the provisions of Shariah. If the husband commands his wife to do things that are contrary to the provisions of the Shariah, the command must not be obeyed. The hadith of the Prophet narrated by Bukhari, Muslom, Abu, Dawud, and Nasai from Ali teaches, "It is not permissible to obey anyone in obeying Allah, obey only those things that are accrued."
  - 3) The husband fulfills his obligations to which the wife is entitled, both material and intangible.
- c. Stay at home, not going out except with the husband's permission  
The wife must stay at home and not go out except with the husband's permission if the following conditions are met:
- 1) The husband has fulfilled the obligation to pay dowry to the wife;
  - 2) The ban on leaving the house does not break family ties. Thus, if the husband forbids his wife to visit his family, the wife is not obliged to obey. She can go out to visit, but cannot stay overnight without her husband's permission.
- d. Not accepting the entry of a person without the husband's permission  
The right of the husband not to accept the entry of someone without his permission, is intended so that the peace of domestic life is maintained. This provision applies if the person who comes is the mahram, is allowed to accept their presence without the husband's permission.

## 2. The Right to Teach

The second part of Verse 34 of QS An-Nisa teaches, if there is a husband's concern that his wife is rebellious (nusyuz), should be given good advice. If with advice, the wife does not want to obey, the husband should separate to sleep with the wife. If he still does not want to obey, the husband is allowed to teach a lesson by hitting (which does not hurt and is not on the face).

Scholars' opinions regarding the husband's obligations/wives' rights in terms of providing a living. The 'fuqaha' scholars argue that the husband is obliged to provide a living if the conditions of ownership of the right to a living have been fulfilled. To have the right to a living, the following conditions must be met:

1. The marriage contract is carried out legally;
2. The wife gives herself to the husband;
3. The wife makes herself available for the husband to enjoy pleasure with her;
4. The wife does not refuse to move according to the husband's wishes;
5. Both are worthy people to be able to enjoy the pleasure in a husband and wife relationship.

Madzhab Zhahiri argues that the obligation to provide is when you have a husband and wife relationship. When there is a husband and wife relationship, the income must be paid. They consider that the subsistence is still given to wives who are not yet of puberty and wives who disobey them without regard to the conditions laid down by the jurisprudence scholars other than them.



Furthermore, Ulama' Zhahiiyah argues that a wife who does not receive nafaqah from her husband continues to carry out her duties as a wife and should not refuse her husband's request for marriage. The wife must patiently accept the reality of her husband's incompetence. Some scholars argue that if the husband is having difficulties regarding the livelihood, the wife is commanded to take on the debt and remain with him patiently.

In the Hanafi opinion, a husband who is unable to provide for his wife and clothe is not entitled to service, but she should be given the opportunity to seek life. Maliki, Hanbali, and Shafi'i argued that it allowed the wife to request the annulment of the marriage because her husband was unable to provide a living.

From the various opinions above, may a husband / wife understand the shortcomings of their respective partners, in order to establish a harmonious life so as to create a family that is *sakinah, mawaddah, warahmah*.

#### 4. Rights and Duties of Career Women in Islamic Legal Perspective

Women's emancipation is the prospect of women's detachment from a low socioeconomic position, as well as legal restraints that limit the possibilities for development and advancement. In Arabic, the term is known as *tahrir al-marrah*. Long before proclaiming the emancipation of women, Islam had already raised the degree of women from the time of the abandonment of women in the era of ignorance to the time of women's beginning. All are equal before Allah, what distinguishes them before Allah is that they are the most pious, *taqwa* in the sense of carrying out all his commandments and avoiding all his prohibitions. The current understanding of women's emancipation in the name of Human Rights (HAM), calls for women's emancipation is to equate rights with men, even though not all women's rights must be equated with men. Observing this understanding, the author is interested in studying more deeply related to women's emancipation in the perspective of Islamic law.

Islam greatly glorifies women. The Qur'an and Sunnah give great attention and honorable position to women, whether as children, wives, mothers, brothers or other roles. So important is this, Allah revealed a letter in the Qur'an to the Prophet Muhammad namely Surat An-Nisa' in which most of the verses in this surah discuss issues related to the position, role and legal protection of women's rights.

Indeed, Islam places women in a suitable place in three areas: *First*, the Field of Humanity, Islam recognizes the rights of women as human beings perfectly equal to men. *Second*, the Social Sphere, is wide open to women at all levels of education, among whom occupy important and honorable positions in society according to their age level, childhood to old age. Even as she gets older, so do women's rights, of childhood; Then as a wife, until she became a mother who stepped on the elderly (elderly), who needed more love, love and respect. *Third*, in the field of law, Islam gives women the right to have property perfectly in their use when they reach adulthood and no one has power over it either father, husband, or head of the family.

Women make up the bulk of society in general. If they are good, society will undoubtedly be good. Conversely, if they are damaged, society will be damaged. Indeed, if a Muslim woman truly understands the religion, law and shari'a of Allah, they will undoubtedly be able to give birth to new generations who are strong and useful to the Ummah as a whole.

Dienul Islam as *rahmatan lil'alam*, removes all forms of tyranny that afflict women and elevates them as human dignity. The scale of nobility and elevation of dignity in the sight of Allah is piety, as contained in Q.S Al Hujurat: 33. Moreover, God affirms in His other words (meaning):

*"Whoever does the practice of preaching, whether male or female in a state of faith, we will give him a good life and we will reward them with a better reward than what they have done." (An Nahl: 97)*

The pretext of emancipation or equality of positions and responsibilities between men and women has been rife on the stage of modernization. It is used as an opportunity and golden bridge for the enemies of Islam from feminists and anti-Islamic women activists to spread false opinions. "Women's empowerment", "gender equality", "patriarchal cultural confinement" are propaganda that is endlessly crammed in the minds of Muslim women so that emancipation is more likely to be interpreted as a form of liberation for women.

In the family, career is synonymous with the profession of a man or husband as the head of the family who earns a living. Along with the times, lately the term career has begun to be synonymous with women or wives. Women or wives who work outside have many reasons, from developing potential to making a career to earn money or help improve the family's economic well-being.

Before presenting the guidelines and provisions of the Shari'a, please note that false perceptions develop and develop today. Misperceptions about women's careers are often touted by Westerners, such as the slogan that married women must be economically independent in order to freely channel their will and be able to generate their own income. This kind of opinion must be opposed. Because, such a perception can destroy the joints where a family is erected.

In Islam, the obligatory provision of providing for the wife is imposed on the husband. (Hadikusuma, 1990). This is because based on a valid marriage contract, the wife becomes a party who is closely related to her husband and is bound by her husband's rights because the husband has the right to enjoy pleasure with her, must obey her husband, live in his house, take care of his house, take care of the baby, and educate children. The husband must provide for his wife and provide for her as long as it is intertwined. The relationship between the two and there is no defiance or other cause that prevents the provision of income as an exercise of the basic provisions in general, namely everyone who is deprived of the rights and benefits of others, then his income is borne by the person who causes the restraint.

Income is an obligation (which must be fulfilled) by the husband in accordance with the provisions in the Qur'an, Sunnah, and Ijma'. The basis for the obligation to provide a living as contained in the Qur'an is:

*"And it is the duty of the father to feed and clothe the mothers in a ma'ruf way. A man is not burdened but according to the measure of his ability." (Al-Baqarah: 233).*

*"Let him be able to provide for his ability. And he who is narrowed down by his rizki shall provide for what Allah has given him. Allah does not burden a person except according to what Allah has given him." (At- Thalaq: 7)*

The basis for the obligation to provide a living originating from the Sunnah of the Prophet SAW is:

Muslim meriwayatkan, Rasulullah SAW. bersabda pada saat Hajjatul Wada', so fear Allah in women, for you have taken them by the word of Allah, and you have taken them by the word of Allah, and you must not set foot on your mattresses with anyone you hate, and if they do so, then beat them severely, and for them you have to provide for them and clothe them with favor.

*"Fear God about women. Verily you have taken them with the word (covenant bond) of Allah and their shame is sanctioned for you with the word of Allah. Your right that they must fulfill is that they must not let anyone you don't like in your bed. If they do*



*that, then hit them with a punch that is not hard (as a lesson). And their right that you must fulfill is to feed and clothe them properly." (H.R Muslim)*

Judge bin Muawiyah al-Qusyairy ra. said, I asked the Prophet PBUH. O Messenger of Allah, what right does the wife of one of us have to fulfill? He replied,

You feed her if she is fed, and clothe her if she is clothed, and she does not beat the face and does not abandon her except in the house.

*"You shall feed him if you eat, and clothe him if you wear clothes, and do not beat in the face, do not vilify, and do not fight except in the house."*

The basis for the obligation to provide in accordance with the Ijma' ulama' is that according to Ibn Qudamah said, the scholars 'agreed that providing for the wife is an obligation that must be fulfilled by the husband if the husband is of puberty except for the wife who disobeys. This was conveyed by Ibn Mundhir and others. She said, this contains one form of lesson, namely that if a woman is restrained to her husband making her unable to move freely and earn income, then the husband must meet his needs by providing for him.

Islam also gives men the right of maintenance, taking into account their strength and suitability to carry out their responsibilities with their natural laws. Maintenance is an uninterrupted and uninterrupted responsibility. This requires living arrangements, maintaining protection and household security. It is not perfect except by exercising and granting the right of protection in society with the presence of a man in his home under his responsibility.

Based on the description above, it can be understood that the obligation to provide for is the husband's obligation, so the husband is obliged to provide for him and bear all his needs in the form of food, clothing, and everything needed by both the wife and his children. The wife is not obliged to earn a living, because the obligation has been imposed on the husband's side.

In Islamic Shari'a, a woman's obligations are placed on her nature, namely taking care of the household, being a wife, being the mother of her children, and being an educator, regulator and custodian of the household. There are several verses of the Qur'an that describe the duties of a woman. Among them is the word of Allah Surah Al-Ahzab verse 33.

*"And let you remain in your homes, and do not be ornate and behave like the ignorant ones..... ( Al- Ahzab verse 33)*

The verse explains that a woman's primary residence is the home and the exception is the place outside the home. The verse does not mean that the woman will be imprisoned in her home. However, the verse also gives an understanding of the permissibility of women to leave the house. What Islam forbids is to decorate and behave outside the home other than for the husband. Thus, it can be said that women may leave the house as long as the exit is not for decoration and behavior for other than the husband.

The above verse shows that the house is something that is connected to women because the house is the kingdom and the abode of women. In this matter the Prophet hinted that the responsibility of women lies within her household.

The woman is a shepherd in her husband's house and is responsible for her flock.

*"The woman is the leader of her household, and she will be held accountable for her leadership." (Muttafaq 'Alaih).*

However, the reality that is developing today is the emergence of many women who work outside the home (career). Many of the fatwas that have developed regarding career women are as follows:

1. The fatwa of Abdul Aziz bin Baz, states it: Women are created with a special structure that is different from men. The creation of women prepared God for work in the home.

The husband is in charge of earning a living, while the wife is in charge of educating and caring for her children. The appropriate job for women, according to her, is to educate her children, as school administrators, doctors or nurses.

2. Abdul Hamid Kasyk's fatwa states that: Islam recommends that women carry out their role, which is to educate and direct their children. The exception will apply if the presence of women is needed as doctors and teachers. Therefore, Islam does not forbid women from having a career absolutely. Islam only provides requirements for decent work for women.
3. Fatwa Abul A'la al Maududi, He explained that the role of a woman in Islam is to be a housewife. Therefore, if the husband is among those who are able to work and make an effort, the wife's obligation is only to manage household affairs. However, if a woman has household needs, such as seeking treatment or earning a living (because she is widowed or her husband is incapable, for example), Islam has tolerance. He argued that way because it referred to the hadith narrated by Bukhari.

Allah has permitted but for you to go out for your needs (Bukhari)

(رواه البخاري) قد أذن الله لكن أن تخرجن لحوائجكن

*"Indeed, Allah has given permission to you (women), but permission to leave the house is only to meet the needs of the household".*

However, the wife, on the other hand, maintains that tolerance does not change the central rule of Islamic society, namely that a woman's nature is in her household. That tolerance should not be assumed as such wild freedom that the wife forgets her main duty.

4. Hasan al-Bana's fatwa states that if primary needs require a woman to work for the sake of her family and children, she must fulfill the requirements prescribed by Islam. The main requirement is that his employment status is only to meet primary needs, not to meet other needs.
5. Muhammad Abdullah al-Katib's fatwa, He stated that Islam allows women to work in places and types of work that are suitable for their character, such as teachers, doctors, and others. They should not be merely to provide for the husband, for earning a living is the husband's duty, or for his own purposes.

Based on the fatwas of contemporary scholars, it is understood that it is in the nature of a woman to work at home to educate, serve, and take care of her household. The obligation to earn a living is an obligation delegated to a husband. Wives are allowed to work if there is a reason that can be justified shari'i.

The jurisprudence scholars limit the circumstances or reasons that allow women to work outside the home, including:

- 1) When the household requires expenses for primary and secondary expenses at which time the husband has died or is ill and the household has no other income other than the husband;
- 2) When his energy is needed for fields that suit the character of women. It is undeniable that society needs women for fields such as doctors, teachers and lecturers.

In principle, marriage in Islam carries norms that support the creation of an atmosphere of peace, prosperity, justice and equality in the family. However, due to the influence of incorrect interpretations of teachings, there are several formulations of Islamic teachings that do not defend the interests of women and even corner. (Engineer, 1994).

A woman can work if there are one of a number of conditions that allow women to work outside the home, but those conditions must meet certain conditions. Thus, her activities do not have adverse implications for herself, her husband, children or the integrity of her household. The requirements that have been set by jurisprudence scholars for career women are:

- a) Must get the consent of the husband, the husband's consent for career women is the main condition that must be fulfilled. Because men are the guardians and leaders of women.
- b) Balancing household demands and work demands. Most Muslim women who are allowed to work outside the home are unable to equalize and balance household demands and work demands. For this reason, a Muslim woman must believe that the demands between work and household must be positioned proportionally.

If returned to the real context, women are not obliged to earn money to provide for the family. (Cahyadi Takariawan, et al, 2004). The one who is obliged to earn a living is a husband. If the husband (without udzur) does not earn a living, it means that he does not carry out his obligations as a husband. It means that he sinned. Whereas if a wife is busy earning a living, it is not forbidden by Islam as long as she does not sacrifice what is her duty to her husband.

Although the wife will have more income than a husband, she should not be arbitrary towards the husband. The husband remains the leader of the wife and family. The husband still occupies the leading role as a leader and must be obeyed by the wife. As in the Hadith it is mentioned that if one may bow down to another, then the wife is told to bow down to the husband. (Shahatah, 2004).

عن النبي صلى الله عليه وآله وسلم، أخبرنا محمد بن عمرو عن أبي سلمة: حدثنا النضر بن شميل: حدثنا محمود بن غيلان لو كنت امرا أحدا أن يسجد لأحد لامرت المرأة أن تسجد لزوجها: عليه وسلم قال

*"Mahmud bin Ghailan told us, An Nadhr bin Syumail told us from Abu Salamah, from Abu Hurairah from the Prophet PBUH, he said: "If I may command someone to prostrate, then I will command a woman to prostrate to her husband." (H.R. Imam Tirmidzi) .*

The family is an institution whose success depends on the togetherness of its members, and the sharing of responsibilities between them. The agency will not be able to stand well if its members live independently and always compete. What must also be opposed is the perception of those who say that career is very important for women so that they can realize their identity and develop their personality. They are deeply mistaken in this matter because women can manifest their identity, even if only through work as a housewife, with little social or political involvement. This obviously will not clash with other professions that he might do and capitalize on his useful life experience if such things are indeed what he can do.

## V. Conclusion

The rights of wives that are the obligations of husbands can be divided into two: material rights, namely dowry (dowry) and bread, rights of non-material rights, such as doing justice among wives (in polygamous marriages), not doing harm to wives and so on. While the obligations of a wife are seen from her service. According to some ulama' salaf and ulama' khalaf obliges the service of the wife for the benefit of the family. As Abu Tsaur said, it is obligatory for the wife to assist her husband in every matter.

The rights of the husband that the wife must fulfill are only non-material rights because according to Islamic law the wife is not burdened with material obligations necessary to provide for the family. In fact, it is preferable that the wife does not have to participate in working to earn a living if the husband is able to fulfill the family's obligations well. And the husband's obligation/wife's rights in terms of providing a living. The 'fuqaha' scholars argue that the husband is obliged to provide a living if the conditions of ownership of the right to a living have been fulfilled.

A woman can work if there are one of a number of conditions that allow women to work outside the home, but those conditions must meet certain conditions. Thus, her activities do not have adverse implications for herself, her husband, children or the integrity of her household.

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