

The Harmony of Husband and Wife of Soldiers of Korem 132 / Tadulako from Perspective of the Islamic Law.

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ABSTRACT

This study investigates the harmony of husband and wife of soldier of Korem 132 / Tadulako from Perspective of Islamic Law. This research includes field research with the qualitative method. The data is collected by direct observation and interviews with such matters and through documentation of data in Korem 132 / Tadulako. Whereas the approach used in this study is the Religion approach, which is based on the questions of the Qur'an, and Al-Hadith, the approach of dis, which is based on the Discipline of Warrior Discipline in Law No. 26 of 1997. Mctode. This analysis uses policing, but the analysis that departs from the facts and concrete events in the field then draws conclusions that are general in nature. This research is descriptive-analytical, namely the risk seeking to harmonize the harmony of soldiers' husband and wife in Korem 132 / Tadulako. research. The results showed that the harmony of the wife's husband and wife in Korem 132 / Tadulako Perspective of the Islamic Law was in accordance with the Islamic law mentioned in QS Ar-Ruum (30): 21 which explained about pleasant-sounding family. In a legal perspective, TNI regulation contributes to improving the husband's relationship the wife of the soldier Because the rules that apply to soldiers and persit must be correlated between each other so that a happy family in the environment is realized.

ARTICLE INFORMATION

Keywords:

Harmonius marriage,
Couple life,
Soldier happiness
Islamic law.

1. INTRODUCTION

Everyone who enters family life through marriage certainly wants the creation of harmonious, happy, and prosperous family, physically and mentally. Like the household of a soldier of the Indonesian National Army, (herein abbreviated as Tentara Nasional Indonesia – TNI), is one of the defense units of the army of the Republic of Indonesia. The task of the TNI itself is to maintain the integrity and sovereignty of the Republic. Soldiers are citizens who are specially trained, prepared and armed for the national defense tasks to deal with military threats and other fortified threats.

Viewed from the Islamic law, members of the military have the same position as ordinary members of the community. It means that as citizens they are bound to all pertinent legal rules. The difference, however, is needed when it comes to a more specific regulation which is more stringent and more severe for military members. These are the things due to some actions which can only be carried out by the army and therefore those things do not apply to public in general, such as: refusing official orders, against orders from superiors (insubordination) and desertion.

Active soldiers (active TNI) in the republic always hold the oath of warriors which is called *SaptaMarga*. The values of the oath of warriors need to be lived in and absorbed by active soldiers. This is to maintain strong disciplinary joints amongst soldiers. Provisions governing the behavior of TNI members is outlined in the form of disciplinary rules, namely the Law Number 26, 1997. This law concerns Discipline of Soldiers, herein abbreviated as HDP of the Armed Forces of the Republic of Indonesia. It is a code of conduct that is always held by TNI members in carrying out their daily duties.

Likewise in the case of marriage, there are rules that must be fulfilled and understood by wives of soldiers who become members of the union organization of warrior wives, herein abbreviated as Persit – Persatuan Istri Tentara. In practice, not all soldiers' families succeed to maintain harmony in their households. This happens especially due to family activities which become parts of services and problems therein. The majority who work as TNI spend their time serving in the military daily routines compared to times spent for their families. However, this does not mean that a TNI family cannot create a harmonious family even though it is his professional

demands that cause them sacrifice their families. To maintain the integrity of household amongst soldiers, a harmonious cooperation between husband and wife is urgently needed. Consequently, it is sometimes needed for wives of soldiers to have double functions when their husbands are assigned for a long period of 1 to 2 years duties.

Maintaining household harmony has become the desire and hope of every couple after legal marriages. The emphasis of family harmony is to maintain balances and understanding between a husband and a wife. Harmony aims to achieve lives in balances and mutual understanding. In family life, it is imperative to maintain these two things in order to achieve harmony in the household. Enjoining goods and forbidding evils (*amar ma'ruf nahi munkar*) was ordered to be carried out wherever, whenever and to anyone. However, the most important thing to do the work of enjoining goods and forbidding evils (*amar ma'ruf nahi munkar*) is to start from oneself, the closest and then far relatives, and then to public in general. Also, the work for enjoining goods and forbid evils in any way should be in accordance with conditions that exist in the field. For example, it could be just saying or

showing good deeds in action. ¹Every person who has a family will always want a harmonious household. However, the fact shows differently. Divorce rates tend to increase from time to time. This shows that in modern society it is more difficult to maintain harmony in the household.

Maintaining the behavior of husband and wife and being understandable are very useful ways to uphold harmony in the household. Mutual understanding means to uphold mutual sympathetic and empathetic of each other. It is to preserve dislikes, strengths, weaknesses, and desires of each other. Open attitude will create a conducive atmosphere for married couples to bring better understanding each other. To act out each other's role in accordance with the concept of Islam is also a good way to maintain harmony in family. In Islam, to determine a law against a problem encountered must be based on the Qur'an and the Tradition of the Prophet.²

If the marriage contract has taken place and is legally compliant with terms and conditions, it will have legal consequences. Thus, it will also raise rights

¹Dr. H. Hasbiyallah, M.Ag, *Keluarga Sakinah*, (Bandung: PT. Remaja Rosdakarya, 2015), 55.

²Moenawar Khalil, *Biografi Empat Serangkai Imam Mazhab (Hanafy, Maliky, Syafi'iy, Hanbaly)*, cet. Ke-III (Jakarta: Bulan Bintang, 1977), 73-296.

and obligations as a husband and a wife in a family. What is meant by rights here is what is received by one person from another person, while what is meant by obligation is what one must do towards another person. Meanwhile, obligation comes from the word mandatory which means accepted reasons to do something. Obligations arise due to rights attached to legal subjects. Therefore, in conjugal relations in a household, a husband has rights and so does a wife. Conversely, a husband has several obligations and so does a wife.

In a marriage, every couple dreams of building a harmonious, happy and loving family. However, the fact shows that many families are found difficult to maintain harmony in their family lives.³ They are bound to depressed and sad lives because of violence in their daily lives, whether physical, psychological, sexual, emotional, or physical violence as well as family neglect. These types of violence are classified into household violence which is termed as Kekerasan Dalam Rumah Tangga - KDRT. This household violence can be caused by internal and external factors, both individually and collectively, especially in the era of open and advanced information.

³Abd. Rahman Ghazaly, *fiqihmunakahat*, (Jakarta: Kencana, 2006), 155.

The acts of violence arise through information media which husbands and wives sometimes cannot filter their negative influences on the comfort zones of their household lives. The household violence is one of the factors that strongly cause the increasing number of divorces in the community. Divorce occurs because there is an element of discomfort in the household. To prevent such violence at home, love and affection must be well-developed early in the family lives. Here, the role of mothers is very important in order for love and affection amongst children at home grow well.⁴

2. LITERATURE REVIEW

2.1 Prior Research

There are several similar studies that have been done by previous researchers, including:

Fera Andika Kebahyang in 2017 with the research title: Implications of Career Women against Household Harmony based on Islamic Law (Study in the Blambangan Pagar District of Lampung).⁵ Research conducted by sister

⁴Amir Syarifuddin, *Hukum Perkawinan Islam Di Indonesia*, (Jakarta: Prenada Media, 2006), 159.

⁵Fera Andika Kebahyang, *Implikasi Wanita Karir Terhadap Keharmonisan Rumah Tangga Ditinjau Dari Hukum Islam (Studi Di*

Fera Andika Kebahyang discusses how negative and positive influences of career women in maintaining household harmony in terms of the Islamic law. The results of the research shows that career women are also able to maintain harmony in their homes as long as they obey provisions and religious law and be able to share time with their family.

Ratnawati in the study of Family Harmony Between Husband and Wife in terms of Emotional Maturity.⁶The research conducted by Ratnawati discusses how family harmony between husband and wife in terms of emotional maturity. It also look at factors that influence disharmony in marriage. The study showed that emotion is one of the factors which greatly affects disharmony in a family. This is due to the inability of couples to adjust to their roles and duties, as well as lack in knowledge about the world of marriage. Moreover, when a couple was not well-prepared for their married lives, they are prone conflict.

Maria Agustin and Fabiola Hendrati in 2013, entitled the study of the Relationship between Wife Independence

and Marriage Harmony in the Early Period of Marriage in Pagentan, Singosari District, Malang.⁷

This study discusses the relationship of wife independence with marital harmony in the early period of marriage. The aim of the study is to determine strengths and weaknesses of wives with working careers and wives who do not have jobs. The strength of a working wife is that it can help family income. However, the disadvantage to family lives is a reduction in quality services of a wife to a husband. Wives who do not work have better services and more spare time for their families as compared to wives with working careers. Moreover, conflicts in the household are potentially greater for women who work than women who do not work. Marital harmony in each pair has varied reasons. The study concluded that there are differences in marital harmony in terms of working wives and those who do not work.

Hardsen Julsy in 2015 in a study of husband and wife communication patterns in maintaining family harmony.⁸This study discusses husband and wife communication

DesaBlambanganKecamatanBlambanganPagar Lampung). Diambil dari proposal tesis, th, 2017.

⁶Ratnawati, *Keharmonisan Keluarga Antara Suami Istri Ditinjau Dari Kematangan Emosi*. Diambil dari proposal tesis, th, 2009.

⁷Maria Agustin dan Fabiola Hendrati, *Jurnal Psikologi Tabularasa* Volume 8, No.2, Agustus 2013: 691-697.

⁸Hardsen Julsy, *Jurnal "ActaDiurna"* Volume IV. No.4. Tahun 2015.

patterns in maintaining harmony. The study shows that mutual understanding is needed between a husband and a wife especially when communicating ways to solve problems. It further shows that trust in relationships needs to be fostered between the two. Through a good and an open communication, sense of trust will grow in the relationship of a husband and a wife. Based on the description, it can be understood that the position of the researcher is different from the previous ones in this matter.

2.2 Review of Harmony and Husband Wife

Harmonious is a condition for an agreement. ⁹Harmony will be realized if there is an attitude shown for a mutual respect and love between family members. The word *harmony* comes from *harmonious* which means mutual understanding and balances. According to Bouman, harmony is a state where mutual understanding and balances take place between family members. This includes husband, wife, children, and grandchildren who live

together in a place headed by a head of family which is so called father.¹⁰

The emphasis of harmony is to have mutual understanding and balances. Harmony aims to achieve mutual understanding and balances in family life¹¹. It is necessary to maintain and to achieve harmony in the household. A harmonious family is a family that is full of calm, serenity, affection, parentage and offspring continuity, compassion and sacrifices. In addition, it is to complement and perfect one another by adhering to a sense of helping and cooperating with each other.

A harmonious family or a happy family is when both partners respect each other, accept each other, trust each other, and love each other.¹² Being happy, well-organized, discipline, respect each other, full of forgiveness, pleased to help each other, have a good work ethic are characteristics of a happy family. In addition, mutual respect with neighbors, obedient, respects elders, loving to seek for knowledge and utilizing

⁹⁹Kamus Besar Bahasa Indonesia, Edisi keempat. (Jakarta : PT Gramedia Pustaka Utama, 2008) ,484.

¹⁰Angel (<http://www.angelfire.com/id/dialogis/keluarga/htm>). Diakses tanggal 5 april 2018

¹¹Tim Penyusun Kamus, *Kamus Besar Bahasa Indonesia*, (Jakarta: Departemen Pendidikan dan Kebudayaan,1989), 299

¹²ZakiahDradjat, *Ketenangan dan Kebahagiaan Dalam Keluarga*, (Jakarta: Bulan Bintang, 1975), 9

free time with positive things are preconditions for a harmonious family.¹³

To live happily in the bond of love between a husband and a wife based on willingness to live in harmony, both physical and spiritual tranquility would happen when a couple feels quite satisfied with everything that exists and has been accomplished concerning income, sexual relations, relationships between household members and association with their community. This kind of household is called a harmonious husband and wife. Each party continues to strive to be a good companion for their partners by giving priority to their partners instead of prioritizing their own interests and desires.

A harmonious marriage is a marriage of two people who are both adults, aiming to bring mutual trust and mutual respect for the sake of living where the same ideals and concepts are to achieve.¹⁴To maintain harmony in a family, one must first respect the existence of a husband or a wife where each of them should feel being valued. It doesn't matter whether you are older or younger than your partner. For example, it would take time to talk about

careers or workloads and discuss children's educational problems. Fostering a household kingdom ship or family life is a religious command for every Muslim man and woman. Through the Islamic households, it is expected that a small community of Islamic communities will be shaped. The family is the smallest unit of society.

If every family is fostered and well-educated in accordance with the principles of Islamic teachings, then eventually an Islamic society will be established. Islamic family or household, is built upon faith and piety as its foundation, sharia or Islamic rules as its building, while morals and noble characters functions as its decoration. Households like these will remain strong and not easily fragile even when encountering a terrible storm of life.¹⁵ Family becomes a very important forum amongst individuals, groups and social groups in which a child is the first member and the family becomes the main building to carry out social lives of children.¹⁶

In psychological perspective, a family is a group of people who live together in a place where each member feels

¹³Hasan Basri, *Merawat Cinta Kasih*, (Yogyakarta: PustakaPelajar, 1996), 1111.

¹⁴*Ibid.*

¹⁵Hasbi Indra, dkk, *Potret Wanita Shalehah*, editor Hasan M. Noer (Jakarta: penerbit penerbit, 2004), 61-63.

¹⁶Abu ahmadi, *Sosiologi pendidikan*, (Jakarta : Rineka Cipta, 2007), 108

being intertwined so that there is mutual influence, mutual attention, and mutual submission. Family is a fellowship of life that is intertwined by affection of a couple (two human beings) bound to a marriage, which intends to perfect each other.¹⁷ Thus, family in its pure practice is a social unit that has certain characteristics in common.¹⁸

From the above understanding, it can be concluded that the family is a relationship which is arranged through joint marital life, where a couple bound to a marriage lives in a household and is the first social group in human life. It is a place for learning and expressing itself as a social human interaction within a group.

1) Factors Affecting Family Harmony

Harmonious or prosperous family is an important goal. Therefore, to create such a household life, the following factors need to be considered:

a). Attention.

Attention is putting heart on all family members as a core basis for good relations between family members. In family development, attention to events happening

in the family, looking for cause and effect problems as well as changes in each of its members are factors to be considered in order to maintain harmony in the household.

b). Knowledge.

There is a need to increase knowledge for a husband and a wife without stopping to expand insights in order to maintain better family life. It is necessary to know family members, that is, every change in the family, and changes in the family members, which may cause undesirable expectations in order to prepare for better anticipations.

c). Introduction to all family members.

This means self-knowledge and good self-knowledge is important to foster understanding. When self-knowledge has been achieved, it will be easier to highlight all the events that occur in the family. The problems will be more easily to overcome because of many undesirable events could be quickly revealed and resolved. The understanding that develops due to this knowledge will reduce chaos in the family.

d). Acceptance.

The next step of understanding is acceptance. It means that all its weaknesses and strengths of the family would be better accepted. This attitude will produce a positive atmosphere and cordiality which

¹⁷Mohammad Shochib, *Pola Asuh Orang Tua, Dalam Membantu Anak Mengembangkan Disiplin Diri*, (Jakarta :RinekaCipta 2010), 17.

¹⁸Abu Ahmadi, *Ilmu Sosial Dasar*, (Jakarta: Rineka Cipta 2003), 104.

underlies the growth of potential and interests amongst family members.

e). Business improvement.

After accepting the family as it is, it is necessary to increase family business. It covers the development of each of the aspects of family lives optimally. It is tailored to the ability of each. The goal is to create changes and eliminate boredom. Adjustments are needed to follow every change both from parent and children.¹⁹ Here are the factors that support family harmony, namely:

(1). Religion

Individuals can achieve peace and tranquility of life if they have a strong principle in carrying out their life. Therefore, as creatures created by God, we must be able to have a strong principle of life which is based on religion. Advice from each other is highly recommended in religion. The family should love each other, love, forgive, express feelings of love, respect, and so on.

From the description above it can be understood that:

- (a). A family that is established based on the guidance of The Almighty God, can achieve peace and tranquility of life where husband, wife, and children are involved.
- (b). Religion encourages every married couple to give and take advice from one another.
- (c). Religion advocates for a husband and a wife to give love to each other, express feelings of love, respect for family, relatives, friends, and forgive one another's mistakes.
- (d). The element of religion in a family can refer to prosperity within family itself and improve welfare of bodily and soul by giving rights and guiding them to noble and healthy goals.

(2). Communication in the Family

Many definitions of communication are unique, reflecting a paradigm or a perspective used by communication experts in approaching a phenomenon of communication. According to Liliweri communication as something:²⁰

- (a). It can be understood as everything that is in mind and heart of a parent to his child / child to his parents / to other family members such as grandfather,

¹⁹Singgih, Gunarsa, D & Yulia Singgih D. Gunarsa.. *Psikologi Untuk Keluarga*. (Jakarta: Gunung Mulia, 1986), 42-44

²⁰Liliweri, Alo, *Komunikasi Antar Pribadi*. (Bandung: Citra Aditya Bakti 1997), 2.

grandmother, and householdassistants.

It sometimes needs to be communicated orally and written. Without a good communication, all desires of each family member cannot be understood by other family members.

- (b). As a relationship or mutual relationship
If communication between family members can be established properly, the relationship between family members will also be well established. Family members will be able to understand, show respect on one another.
- (c). Mutual understanding. There is a need of family members will be immediately understood by other family members. Thus, the assistance needed by family members will be immediately obtained.
- (d). Witha good communication, family members can advise one another, remind one another in order for harmony in family can bebetterachieved. According to Sears, communication functions include: ²¹
 - 1). To convey a message in offering opinions to individuals that have an

important effect on the amount of change in attitude of individuals involved.

- 2). Strengthen relationships between personal According to Sears et al., communication is a group activity, whether it is an endless conversation in a committee meeting, a friendly conversation between two friends, or a family meeting to plan a weekend vacation. As a process of conveying thoughts or feelings by someone, ideas, information, opinions, and others that arise from minds or concerns, anger, courage, excitement, and so forth that grow from the bottom of one's heart. Here are the factors that can hamper family harmony, among others: ²²

a) Psychological instability

Psychological instability is usually caused by not achieving the process of maturity since childhood. Therefore, it shows symptoms of infantile or puberties, such as being childish crying easily, irritability, envious, unable to stand alone, easily anxious, unstable in desire, easy to change direction, easy to fall in love with others, and so on.The attitudes and atmosphere that parents show in their

²¹Sears, David O. Freedman, Jonathan L. danPeplau, Anne. *Psikologi Sosial*. (Jakarta: Erlangga 1991), 185.

²²*Ibid*, 109

household potentially hinder the process of maturity of children as follows:

- (1). Hard attitude, cruel, cold, and authoritarian, who always give advice or scold children.
- (2). Indifferent attitude happens because parents are too busy without paying close attention to difficulties encountered by their children. Therefore, these children receive less attention or as if not seen at all.
- (3). Spoiling attitude happens when the needs of children are overreacted, even though the children themselves do not ask for it. Such an attitude makes children unable to stand alone, because their souls are bound by their parents.
- (4). Attitudes are always worried about children. These attitudes happen when parents are too worried about something that is not desired.

b). Husband's and Wives' Health Condition

If one is often sick or suffers from a chronic illness, a depressive, unhappy household atmosphere will occur.

c). There are differences in principles

Everyone must have a principle, but if a husband or a wife has a very different principle, it will cause family relations to be less harmonious. The principle in this case is

the principal of thought and action where different principles will risk and could cause debates in the household which in turn ruins family relationships. Family that once lives in harmonious lives can turn out to be disharmony.

d). Economic factors

People do not need to have materialistic outlook in their life. However, a household needs strong economic income to be able to meet primary living needs. For example, it is important to have enough healthy food, adequate housing that meets minimum requirements of today's lives, adequate clothing, health care, transportation, education for children, and enough recreational needs.

e). Too Big Gap in Education between a Husband and a Wife

These differences will prevent a smooth dialogue between a husband and a wife about all life problems. Thus, communication misunderstanding often occurs between such couple.

f). Cultural backgrounds related to ethnicity or nationality.

g). Religious Factors

The life principle is based on trust that develops into faith. In general, religious beliefs are shaped since childhood from parents' environment. It is a belief ingrained

into the souls of parties concerned. From this description, it can be concluded that the factors that can inhibit family harmony can be divided into two aspects, internal and external factors. Internal factors include psychological instability, husband and wife's health conditions, and religion. While external factors include: economy, stability of family life, and culture.

3). Characteristics of Family Harmony

The characteristics of harmony in a family according to Islam are as follows:

- a) Fostering a family based on The Almighty God's good wishes. Both parties complement and perfect each other, fulfill the call of nature and the tradition of the Prophet (peace and blessings be upon him – P.B.U.H.), establish friendship and affection, and achieve physical peace and tranquility. In determining matchmaking standards, the Islamic teachings shows that it must be purely based on faith and piety.
- b) The purpose of establishing a family. Household harmony will be realized if two partners are consistent with agreement that is jointly established. Their main goal is to go down the path that Allah has set and expect but His pleasure. In other words, in all their

actions, their main purpose is The Almighty God alone.

c) Environment.

In a harmonious family, the efforts that are always maintained are a loving atmosphere and each of its members performs the role perfectly. Family environment is a place for sheltering family members where difficulties and ease are shared together.²³

d) Relationships with children.

Harmonious families consider children as part of them to build relationships on the basis of respect, care, education, proper guidance, purification of love and moral supervision.

e) Efforts for the common good.

In a harmonious family life, a husband and a wife try to make each other happy. They try to fulfill each other's desires and pay attention to their partner's tastes. They also develop ways to look after each other and pay attention to how to beautify and dress. For the mutual benefit, they always deliberately communicate to ask for opinions. When children are able to

²³Ali Qaimi, *Menggapai Langit Masa Depan Anak*, (Bogor: Cahaya), 2002, 16

understand problems, they need to be included.

In achieving a family harmony, we need to consider several aspects as principles for a happy marriage relationship. The aspects of harmony in the family include:

(1) Family Faith

The faith a family embraces is an important determinant, for choosing a faith to believe in or religion that will be chosen by both partners. Couples who have the same faith can live more easily a married life than those who have different beliefs. It means that the understanding about the concept of harmony can be different.

(2) Affection between Families.

Love is an essential human need because from their birth, humans already need love from others. In a family where an emotional relationship between one another exists, love between them could grow well and meet harmony.

(3) Dialogue or Communication Intertwined in the Family.

Communication is the ideal way to strengthen relationships between family members. By utilizing time effectively and efficiently to communicate, the desire of each party and each problem can be resolved properly. The problems discussed cover

varied daily social problems with friends, problems with school difficulties, with teachers, homework and so on.

(4) Cooperation between Family Members.

Good relationship between family members is needed in daily life. Mutual assistance will encourage children to be tolerant if later socializing in their community.²⁴ Lack of cooperation between families makes children become lazy to learn because they think there is no attention from their parents. Thus, parents must guide and direct children's learning.

(5) Mutual Respect among Family Members.

A harmonious family is a family that provides a place for each family member to appreciate the changes that occur and teaches skills to interact as early as possible to children with a wider environment.

(6) Low Quality and Quantity of Conflicts.

If there are frequent disputes and quarrels in a family, the atmosphere in the family is no longer pleasant. In a harmonious family, each family member tries to solve problems with cool head and looking for the best solution for each problem.

2.3 Impact of Disharmonious Families

²⁴*Ibid*

Disharmonious families mostly lead to divorce. Divorce is often considered a separate and stressful event in family life. But this event has become a part of life in our society. However, the problem that needs to be fully taken into account is how divorce affects children. Divorce in a family always brings a profound impact. This case causes stress, pressure, and causes physical and mental changes. This situation is experienced by all family members, mothers, fathers, and children. Divorce in a family usually starts with a conflict between family members. Factors causing family disputes that end in divorce include economic issues, large age differences, the desire to have children, and problems with different principles of life.²⁵

a) Negative Impact

Loss of warmth in a family between parents and children, lack of or loss of communication between family members would cause loss of cordiality in family members. Being busy is usually often considered the main cause of lack of communication. When fathers and mothers work from morning to evening, they do not have time to eat lunch together, pray in

congregation at home where fathers become a leader and family members become worshipers. A very big impact also occurs on children's mental development. In this case, children will tend to blame themselves when they face problems in their life. They might have a feeling of fear because of changes in family situations and feel anxious because they would be eventually abandoned by one of his parents. Many parents have not yet been aware of the importance of their direct involvement in childcare. In this case parenting often becomes unstable and harms physical and mental of children.²⁶

b) Positive Impact.

Divorce will have a positive impact if the road is the only best and the most appropriate choice for a family that continues to experience prolonged conflict. In the hadith, the Prophet said that divorce is an act that is less favored (hated) by Allah even though it is lawful (allowed), but Allah, The Almighty God, gives space to married couples who cannot maintain their household to separate lawfully.

b. The Understanding of a Husband and a Wife

A husband is a wife's spouse (father of children). A husband has a full

²⁵Husain Mazhari, *Membangun Surga Dalam Rumah Tangga*, (Bogor: Cahaya, 2004), Cet. ke1, 165-174.

²⁶Ibu Tien Suharto, *Pola asuh Anak dalam Keluarga* (Jakarta, Tim Penggerak PKK Pusat, 1992), 1

responsibility in a family and he has an important role, where a husband is demanded not only as a wage earner but also as a motivator in various rules decided to include in a family planning. Meanwhile, a wife is a husband's partner or mother of children. In a family, a wife is very influential in managing all family needs. In the life of a husband and a wife, there are several things that must be accomplished by both, including regulating responsibilities in a household. Managing responsibilities between the two becomes an important thing that is commonly done so that a household life is directed, tasks are organized, and noble goals of the family are easily achieved.²⁷ Making a household directed, organized and achieving its noble goals is among responsibilities of a husband and a wife to perform.

2. Rights and Obligations of a Husband and a Wife in Islam

In Muslim societies, jurisprudence or generally referred to as the law of conduct provides a direction on manners of conduct based on the Qur'an and Hadith. Jurisprudence talks about all forms of human behavior, including rights and obligations of a husband and a wife in the attempts to foster their families. In terms of

²⁷*Ibid.*

definition, rights are the power or authority possessed by someone to get or do something.²⁸ While obligation comes from the word mandatory which means a necessity to do something. Obligations arise because of rights attached to legal subjects. Therefore, in a husband and wife household relationship, a husband has rights and so does a wife. Conversely, a husband has several obligations and so does a wife.

If a marriage contract occurs (marital agreement), a man who becomes a husband receives various rights in a family. Likewise, a woman who becomes a wife in marriage obtains various rights as well. Besides, they also carry obligations as a result of engaging in that lawful marriage.²⁹ Regarding the rights and the obligations of a husband and a wife, there are obligations that are material and obligations that are immaterial. Material means the obligation of property, including dowry and maintenance.

Whereas immaterial obligations are a husband's inner obligations towards his wife, such as leading his wife and children, and associating with his wife in a good

²⁸J.C.T. Simorangkir, Rudy T. Erwin, J.T. Prasetyo, *Kamus Hukum*, Cet. VI (Jakarta: Sinar Grafika, 2005), 60.

²⁹Moh. Idris Ramulyo, *Hukumper kawinan Islam*, (Jakarta: Sinar Grafika Offset, 1999), 63.

way.³⁰ In principle, there is actually no difference between men and women in their rights and obligations. It is not a woman who is placed as a servant to men because actually both men and women are controlled by the Almighty God or under the authority of God as their Creator. In conclusion, Allah establishes equal rights and obligations for men and women. The principle of this equality in the Islamic law is very much taken into account.³¹

According to Yusuf As-Subki, the rights and the obligations of a husband and a wife in Islam are divided into three broad lines, including:

a. Husband's Rights and Wives Obligations

In this case, a husband is entitled to get good service from his wife after the existence of a legal marriage contract and this is a wife's obligation and a husband's rights. This is in accordance with the Islamic law which advocates for organizing household matters. Thus, a husband is obliged to provide education and advice to his wife that is not contrary to the teaching of Islam and it is vice versa. A wife's obligation to a husband is a husband's right

that must be fulfilled by a wife. Among these obligations are:

1) Compliance in Kindness

This is because in every togetherness there must be a responsible leader, and a man (husband) has been appointed by what he has done in the form of dowry, to be the host and the first person in charge in a family.

2) Take Care of Yourself and Husband's Treasure

Among the upkeep of a husband's self is to maintain secrets of her husband, and if a husband is not there then do not allow others to enter the house before being given permission by a husband. And among others, maintaining a husband's property is not wasteful in spending excessive wealth, and it is permissible for a wife to give alms from the property of her husband and a wife who works together in obtaining bounties from their God.

3) Take care and look after the household.

In the Qur'an Al-Baqarah verse 228, The Almighty Allah explains that a wife has equal rights and obligations. Every time a wife is given a burden, then a husband should be given a burden that is proportional to it. The principle laid by Islam in fostering households is the natural principle of men both in working, struggling and trying to get

³⁰Mahmudah 'AbdAl'Ati. *Keluarga Muslim*, (Surabaya: Binallmu, 1984), 223.

³¹Muhammad Said Ramadhan al-Buthi, *Perempuan Dalam Pandangan Hukum Barat dan Islam*, (Yogyakarta: Suluh Press, 2005), 11.

out of the house. Meanwhile, women are considered more able to take care of a household, educate their children and make their household atmosphere more pleasant and peaceful.

b. Husband's Rights and Obligations

If a marriage contract is valid, it will cause legal consequences and thus it will bring rights and obligations as being a husband and a wife. As explained above, the right of a wife is the husband's obligation. There are two kinds of rights of a wife that must be fulfilled by a husband, material rights and non-material rights (spiritual rights). The material rights are dowry and upkeep, while the non-material rights are good treatments of a wife to her husband.

3. RESEARCH METHOD

This research is a qualitative research with phenomenological approach. In this study, researchers observed and interviewed in depth the life phenomena of soldiers in the Tadulako Military Command. The setting of the study is Korem 132 / Tadulako. Precisely, it is located in the Besusu hostel, Korem 132 / Tadulako. The reason for choosing this location is that in the Korem132 dormitory, there are quite a lot of soldiers who have married ladies from different backgrounds. Despite the case, lack

of divorce rates in the military boarding house of Korem132 Tadulako has made the writer interested in researching how to maintain the harmony of the soldier's household.

Data were collected using observation techniques, in-depth interviews and studies from shared written documents. While the data analysis is completed using reduction and verification techniques with various data sources. The reduced data is then analyzed by applying theoretical concepts used in this study.

4. RESULTS AND DISCUSSION

4.1 Measuring Harmony in Soldiers' Wife from the Perspective of the Islamic Law

Strong families always realize that religion is an important element in supporting family harmony and happiness. Closeness with the Creator will shape their personality so that they will get peace of mind, emotions, love and affection. In the Q.S Ar-Ruum (30:21) the term "*sakinah mawaddah warahmah*" is mentioned. *Sakinah* means peace, calm, and happiness.

In a marriage, understanding *sakinah* means building a household with peace, calm and everlasting happiness. *Sakinah* comes from the word *litaskunu* (taken from the word *litaskunuilaiha* in the QS Ar-

Ruum, 30:21) *sakana*. *Sakinah* which means *calm*, Allah has created matchmaking for humans so that one feels peaceful mind and heart with his or her match. So, *Sakinah* can be interpreted simply *being safe*, peaceful mind, calm and protecting each other. The wife can be a shelter for her husband and vice versa. *Mawaddah* means *love* or *hope*. In a marriage, love is an important thing that must exist and is always present in a married couple. *Mawaddah* means always loving at any time being happy or sad. Regarding the definition of *mawaddah* according to Imam Ibn Kathirin his book *Al Mahabbah* (feeling of love), in the interpretation of Al Alusi the author quotes the opinion of Hasan, Mujahid and Ikrimah which states that *mawaddah* is the *kinayah*(common) meaning of a marriage namely *jima* ' (having intercourse) as a consequence of a marriage. According to Hasan Al-Basri, *Mawaddah* is a metamorphosis of marital relations. If the household is a machine, *mawaddah* is dynamics. Among the characteristics of *Mawaddah* are: give each other gifts, always remember kindness of each other, and always communicate and be open with each other. *Mawaddah* is a spaciousness of chest to accept shortcomings of each other. Both a husband and a wife must cover shortcomings of each other and work

together to present their best potential. Loving each other will perfect happiness and shape harmony in a family. Although this is not the only condition, love still has a very important role to build a strong and everlasting marriage. *Warahmah* which is derived from its basic word *rohmah* means love. The word *wa* here is only a conjunction whose meaning *and*. The end result of *sakinah* and *mawaddah*, is affection. There are also those who say that *ar-rahmah* is for old people, while *mawaddah* applies to young people.

Implementation of mawaddah warahmah

Rahmah is the attitude of looking after each other, protecting, helping each other, understanding rights and obligations of each other, among others, to provide for men. In establishing family relationships, compassion is at the core of many factors that must be present. With love, a family can become more harmonious and obtain happiness where it will become a fortress that strengthen their relationship. Thus, whenever there are obstacles, they can be well and easily resolved, precisely without causing a dispute which could be fatal for a marriage. The things that can be considered in measuring family harmony include the following:

1. Holding Commitments

A happy and harmonious family is built on a strong and firm commitment. This strong and firm commitment will keep out third party interference in family authority. With this commitment, the main purpose of the family can be achieved together with family members themselves. According to Ibu Yanti in the Korem dormitory that:

*As a soldier's wife as well as civil servant working in a soldier hospital, I am very aware of the risks of being a soldier's wife. Before we get married, there is a commitment that we must hold, get ready to leave the task anytime and anywhere.*³²

2. There is no household violence

In a family, it is said to be harmonious if both partners live in harmony and there is almost no household violence in the family. This can be a picture that household violence is a real action that does not reflect harmony.

3. Give Feedback (Feedback) and Advise Each Other

Every human being can make mistakes that can harm himself and his family. In a family, it might be the trigger point for a household break. Harmonious families have a habit of giving each other

feedback and advice with the aim of protecting their beloved ones from harmful decisions.

4. Cooperation

A harmonious family has strong cooperation with each of family members. They always try to do various activities together. This will create a sense of belonging that will further strengthen family ties.

5. Communication

Communication is the main pillar in building family relationships. The creation of effective communication within a family further strengthens the inner bonds between family members. Happy families try to prioritize communication in overcoming problems and making important decisions.

6. Managing the income

Most of the time, in any family today is to make a living. It is undeniable that economic factors cannot be underestimated. The ability to manage the income of the family wisely becomes a necessity to maintain family buildings in order to remain strong, durable and be able to meet their needs.

7. Family integrity

What is meant by family integrity is all the integrity in a family structure. This

³²Yanti, (istri dari kepala sekretariat umum korem 132/tadulako). *Wawancara*, tanggal 16 agustus 2018

includes father, mother and children.³³ If there is no father or mother or children in a family, the family is no longer intact. Family ineffectiveness can happen when a husband or a wife or even both are busy at work, leaving their house repeatedly. This can undermine sense of wholeness in a family. A husband and a wife will finally get divorced, causing such family to be no longer intact. Besides sense of wholeness in a family structure, it also means sense of wholeness in family interaction. If within a family, between family members can interact naturally (harmoniously) then the integrity of the family can be fostered well.

However, when his parents or other family members often quarrel and express hostility accompanied with aggressive actions, then such family can be said to be imperfect. Hostility between family members can give a picture that the family is no longer intact. Rarely is there a family in which there is no dispute.³⁴ It is neither of the two parties wanted to bring down their arrogance nor did they undertake peace efforts. Therefore, this is a condition that endangers marital life. In this condition,

external assistance is needed and good intervention from people who can open the path of peace is needed.

Based on the explanation above, it can be concluded that harmony in a family can be measured and known through data obtained from family members. The data obtained comes from research instruments (questionnaires) whose development is adjusted to different aspects that shape the harmony of the family itself. In the Islamic teachings, it is explained about the importance of maintaining harmony between husband and wife. One of the verses the researcher explained earlier in chapter 2 is the Q.S Ar-Ruum (30): 21, which means:

“And among the signs of His power is that He created for you wives of your own kind, so that you are inclined and feel at ease with him, and He made you with love and affection. Surely in that there really are signs for people who think”³⁵

The verse describes how to build a household. Researchers looked at the results of the interviews with informants in the Korem132 dormitory environment that household habits and actions are in accordance with the Islamic teachings. The examples of the interviews conducted by the

³³Gerungan, *Psikologi Sosial*, (Bandung :RefikaAditama, 2004), 185.

³⁴Al Munajjid, Muhammad. *Empat Puluh Cara Mencapai Keluarga Bahagia*. (Jakarta: GemaInsani, 1998), 58.

³⁵Departemen Agama RI, *Alqur'an dan terjemahannya*, 644.

researchers with a great number of mothers in the commander headquarters.

They said that everything we do both in protecting their households and avoiding divorce does not always refer to the books of teachings that they believe in. He, as the commander's wife in the company headquarters personally practices what Muslims make as references. From this point of view, he always emphasizes the teaching of Islam to his wife so that it would improve the practices of the teachings of the Koran which is the guidelines for Muslims.³⁶

The love that grows between a husband and a wife is a gift from the God Almighty, and this love is something that is permissible and instinctive. This is permissible because love and affection are practiced for a legitimate life partner. Moreover, this is commendable in order to perfect relationships between a husband and a wife. The Hadith states that:

حُبِّبَ إِلَيَّ مِنَ الدُّنْيَا

النِّسَاءَ وَالطِّيبُ ، وَجُعِلَ قُرَّةُ عَيْنِي فِي الصَّلَاةِ

Meaning:

It is made beloved to me from your world, women (wives) and perfume, and she is

*made for the coolness of my eyes in prayer.*³⁷

Violations committed by a husband who has an affair with another woman in a closed room and was spotted by his wife can be called adultery. The act can be convicted for adultery as long as there is a complaint from their official partners of one or both parties. This is clearly mentioned in the article 284 of the Criminal Code. Beside the actions that lead to polygamy, if the wife is objected to polygamy, a wife has a right to report the actions of her husband to his superiors, while the sanction can be in the form of dismissal.

Regarding the household violence case in the article 27 paragraph (1) of the 1945 Constitution: it reads "All citizens are at the same position before the law and the government is obliged to uphold the law and without an exception" as in the ordinary people, the TNI has the same position before the law and the government. It means that in the daily life of soldiers, the provisions of generally accepted law, whether criminal, civil, criminal procedure and civil procedure also apply. However, ordinary people cannot

³⁶Titin selaku ibu komandan markas, wawancara, AsramaKorem, tanggal 9 Mei 2018

³⁷HR. Ahmad 3/128, 199, 285, An-Nasa`i no. 3939 kitab 'Isyaratun Nisa' babHubbun Nisa`. Dihasankan Asy SyaikhMuqbil bin Hadi Al Wadi'I Rahimahullahu dalam Ash Shahihul Musnad MimmaLaisa fish Shahihain (1/82)

be enforced by the military law because they are not included in the military class. If this happens, a criminal sanction is taken, that is, imprisonment for 3 months.

4.2. Researcher's Analysis

Based on the discussion above, the researcher concludes that religion and soldiers regulation are very influential on the harmony of the soldier's household. The TNI as the state apparatus is fortified by strict rules but does not reduce its responsibilities as the head of his family. One of the basic rules used as a reference in the code of ethics for the eight mandatory TNI is in the third point which reads upholding the honor of women.

The meaning contained in these points is that this basis is one of the strong guidelines that must be implemented in daily lives of the households. While in the Koran, many verses explain the importance of a marriage and how to maintain a marriage in order to avoid problems that cause divorce. In the life of civil society, it would be easy to choose to divorce, but it is different from the military world.

There are many considerations, for example, the Commander in each unit will not give permission, and many processes are undertaken and must provide concrete

reasons for obtaining permission to divorce. If only due to rare meeting with her husband, this should have been accepted beforehand. Before marrying a TNI soldier, a prospective wife should pay attention to these consequences, so there will be no more problems appear later. Many divorce cases happen in civil community. However, divorce cases are very difficult to find in the military. TNI as an example to the community must be able to give their best and maintain that good reputation in itself.

The legal basis for the assignment within the Army is contained in the Law No. 34 of 2004 in the article 8 point b which reads: carrying out the duties of the TNI in maintaining the security of land borders with other countries. This law automatically binds soldier's wife and they must follow what is written in the reference to the military assignment. A wife must accept the consequences in any case, including leaving her job. Nevertheless, a soldier must maintain a good relationship in his family such as paying attention to his wife. Leaving his wife for a long period of time without a clear reason, could be violations in a household, because it is contrary to the command to treat his wife properly. The Qur'an provides a limitation that a husband

cannot leave his wife for more than four months.

Regarding this, Shaykh Utsaimin made mention that it is not true that the Qur'an does not allow a husband to leave his wife for more than four months because there is no a single verse which says so.³⁸ However, what is contained in the Qur'an is only a limitation on the *ila'* (when a husband vows not to associate with his wife), Allah gives four months to him, as the word of God in QS Al-Baqarah (2): 226, which means *:To those who mistook their wives, they are given a four-month respite. However, if they return (to their wives), then surely Allah is Forgiving, the Most Merciful.*
39

The above verse explains about a husband who is mad about his wife, the intention is that he will not associate with his wife. With this oath, a woman suffers, because she neither shared nor divorced. With the decline of this verse, a husband after 4 months must choose between returning to his wife again by paying the expiation of the oath or divorce her. It is permissible for a husband to leave his wife,

³⁸Fatawa Nir 'Aladarb Syaikh Utsaimin, hal 17, Majalatul Buhuts 9/60. Duruswa Fatawa Haramul Makky, juz 3 h.270

³⁹Departemen Agama RI, *Alqur'an dan terjemahanya*, 55

more than four months, six months, a year or two years on condition that his wife's residence is safe and willing to be left behind. If the place is unsafe or safe but his wife does not give up, then under such conditions, a husband may not leave his wife.

It is mandatory for every husband to treat his wife well. It is in this situation that a soldier's wife must be good at positioning herself and understand conditions and rules that apply in the military law. If a husband leaves after a long period of time without giving a word to his wife (family), he does have to give a letter of *talaq* (a statement to leave his wife). Sheikh Salih Fauzan made mention that no need for a husband to send a letter to drop divorce to his wife,⁴⁰ if he was unable to obey the Islamic law (shari'ah) which result in him not being able to go home. Thus, it is not permissible for a wife to force her husband against her to go home although she has the ability to do so. In this condition, a wife has rights to choose between two choices; be patient waiting for the arrival of her husband or claim rights by applying for divorce.

The act of leaving family is a consequence that must be accepted by a wife of a soldier. Except for a wife who left

⁴⁰Kitabut Muntaqa Syaikh Fauzan, juz 3/242

nusyuz (a state where a wife is against her husband command) while a husband was on duty, a husband's obligation is not to provide for his wife during the *nusyuz*. If her husband dies, his wife does not get inheritance, except for the inheritance before the marriage contract. *Nusyuz* in question can be in the form of deeds, from a wife for example does not want to move to a house that has been provided by her husband, does not want to carry out what was ordered by her husband within certain limits as a wife's duties, leaving the house without her husband's permission.

Another form of *nusyuz* for a wage earner is the escape from his wife from home. Likewise, if a wife leaves the house without her husband's permission and without any prejudice, her husband gives up. It is the same whether the house occupied is her husband's house, or the house where her husband gives up his wife to live in such as a house of her father or even his wife's own house. The release of a wife without the willingness of a husband is immoral even though visiting pious people or even attending *dzikir* (remembrance of the Almighty God) assembly. Wives may leave their house without husband's permission only in an emergency situation. Emergency could be a situation such as when there are

indications that the house they live in will collapse because it is too old. It could be due to earthquake, or fear for thief.

If a husband is away, a wife may go out to visit relatives as long as her husband does not prohibit it before traveling. This is not considered *nusyuz*. When a husband is with him, his wife may not leave without his permission even just for visiting her parents because it is still possible for her to ask for permission. When she goes out without her husband's permission then it is considered *nusyuz* and dies.

5. CONCLUSION

Based on the descriptions above, the perspective of the Islamic law, the authors concludes that the harmony of a husband and a wife of soldiers of Korem 132 Tadulakoruns in accordance with the teachings of Islamic. In the Q.S Ar-Ruum (30): 21, it is explained the importance of maintaining integrity of a household. In chapter 2, the researcher explains the legal basis for harmony and various verses regarding the rights and the obligations of a husband and a wife. The study found that to achieve a harmonious family, a husband and a wife couple in Korem 132 / Tadulako has understood the rights and the obligations of both.

A harmonious household is a household where each member exercises their rights and obligations. The study also shows that the law binding soldiers has an influence on the harmony of a husband and a wife.

To measure harmony of a married couple in Korem 132 / Tadulako, the Islamic law made mention that when the Islamic teaching is well-practiced within a family. In other words, when commitment and shared goals, avoiding conflict, cooperates in looking after their family, communicates both verbally and nonverbally, exercise love and affection one another, and being able to manage income are well-established in a family, a harmonious family could be achieved.

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