

## ABSTRAK

Dalam sebuah perkawinan derajat suami istri sama, jika ada perbedaan maka itu hanya akibat fungsi dan tugas utama yang diberikan Allah kepada keduanya sehingga kelebihan yang ada tidak mengakibatkan yang satu merasa memiliki kelebihan atas yang lain tetapi saling melengkapi, bantu membantu dan saling menopang. *Nusyuz* lebih dikenal sebagai pembangkangan istri terhadap suami. Sesuatu yang mengesankan searah, hanya istri yang membangkang, tidak ada pembangkangan suami. Padahal praktiknya, pembangkangan bisa terjadi dari dua arah, suami maupun istri. Di dalam kompilasi hukum islam (KHI) misalnya, hanya ada pasal mengenai *nusyuz* istri, tidak ada mengenai *nusyuz* suami. Yaitu pada pasal 84 ayat 1-4 disebutkan, bahwa istri yang tidak melaksanakan kewajiban terhadap suami jika tanpa alasan dianggap *nusyuz*. Hal ini berakibat pada gugurnya kewajiban suami terhadap istri. Tetapi tidak ada pembahasan mengenai *nusyuz* suami jika tidak melaksanakan kewajibannya kepada istri, dan apakah jika suami *nusyuz* mengakibatkan gugurnya kewajiban istri terhadap suami. Pembahasan KHI yang demikian terkait *nusyuz* dianggap searah, tidak seimbang, oleh karena itu dianggap tidak *mubadalah*. Sehingga perlu dipahami ulang agar lebih *mubadalah*. Adapun tujuan dari penelitian ini adalah Untuk mengetahui analisis metode *mafhum mubadalah* Faqihuddin Abdul Kodir terhadap masalah *nusyuz* bagi suami. Dan untuk mengetahui dampak dari metode *mafhum mubadalah* Faqihuddin Abdul Kodir terhadap *nusyuz* bagi suami.

Metode yang digunakan dalam penelitian ini adalah kepustakaan (*library research*) yang bersifat normatif. Yaitu penelitian yang bertujuan untuk mengumpulkan data dan informasi tentang *nusyuz* dengan bantuan bermacam-macam materi yang terdapat di perpustakaan, seperti: buku-buku, majalah, jurnal, catatan, kisah-kisah sejarah dan lainnya. Yang selanjutnya dianalisis untuk memperoleh kejelasan penyelesaian masalah, kemudian ditarik kesimpulan.

Berdasarkan penelitian, diperoleh hasil bahwa, suami juga bisa *nusyuz*, seperti mendiamkan istri, berburuk sangka pada istri, tidak mengajak istri tidur bersama, menyuruh istri melakukan maksiat, tidak menggauli istri tanpa uzur, menganiaya istri, menjauhi istri karena penyakit yang di deritanya. Sesungguhnya Al-Qur'an sendiri sudah *mubadalah*, karena mengatakan *nusyuz* bisa dari perempuan dan laki-laki. Di dalam Al-Qur'an *nusyuz* dibagi menjadi dua, ada *nusyuz* isteri terhadap suami QS. An-Nisa' ayat 34 dan *nusyuz* suami terhadap istri QS. An-Nisaa' ayat 128. Menurut penafsiran faqihuddin terhadap ayat 128 maupun ayat 34 yang mengalami pelengkapan, bukan berbeda. Pelengkapan artinya memasukan jenis kelamin yang belum dibahas oleh ulama terdahulu. Sedangkan dampak dari metode *mafhum mubadalah* terhadap *nusyuz* suami yaitu seseorang berpotensi berpaling tentu saja karena lebih punya perhatian relasi dengan banyak pihak, tidak hanya relasi marital. Maka solusi yang di tawarkan Al-Qur'an berdasarkan pemahaman *mubadalah* yaitu *shulhun* (berdamai), *ihsaanun* (berbuat baik), *ittiqoo* (menjaga diri).

Kata kunci : *Nusyuz Suami, Mafhum Mubadalah, Qiro'ah Mubadalah*

## ABSTRACT

In a marriage of the same degree, if there is a difference then it is only due to the main function and task given by God to both so that the existing advantages do not result in one feeling superior over the other but complementing, helping and supporting each other. Nusyuz is better known as the wife's disobedience to her husband. Something impressive in one direction, only the wife disobeys, there is no husband's disobedience. In fact, in practice, opposition can occur from two directions, husband and wife. In the compilation of Islamic law (KHI) for example, there is only an article about the nusyuz of the wife, there is nothing about the nusyuz of the husband. That is, in article 84 verses 1-4 it is mentioned, that a wife who does not perform her obligations to her husband if without reason is considered nusyuz. This results in the fall of the husband's obligation to his wife. But there is no discussion about the husband's nusyuz if he does not perform his obligations to the wife, and what if the husband's nusyuz results in the fall of the wife's obligations to the husband. Such discussion of KHI related to nusyuz is considered one-way, unbalanced, therefore it is considered not mubadalah. So it needs to be re-understood in order to be more mubadalah. The purpose of this study is to determine the analysis of the method of mafhūm mubādalāh Faqihuddin Abdul Kodir on the problem of nusyuz for the husband. And to know the impact of the method of mafhūm mubādalāh Faqihuddin Abdul Kodir on nusyuz for the husband.

The method used in this research is library research which is normative. That is, research that aims to collect data and information about nusyuz with the help of various materials available in the library, such as: books, magazines, journals, notes, historical stories and others. Which is further analyzed to obtain clarity of problem solving, then drawn conclusions.

Based on the research, the results were obtained that, the husband can also nusyuz, such as silencing his wife, worsening his suspicions on his wife, not inviting his wife to sleep together, telling his wife to commit immorality, not mixing with his wife without excuse, abusing his wife, staying away from his wife because of his illness. Indeed, the Qur'an itself is mubadalah, because it says nusyuz can be from women and men. In the Qur'an, nusyuz is divided into two, there is nusyuz of the wife against the husband of QS. An-Nisa 'verse 34 and nusyuz husband to wife QS. An-Nisaa 'verse 128. According to faqihuddin's interpretation of verse 128 and verse 34 which have been completed, they are not different. Completion means including the gender that has not been discussed by previous scholars. While the impact of the method of mafhūm mubādalāh on the husband's nusyuz is that a person has the potential to turn away, of course, because he has more concern for relations with many parties, not just marital relations. So the solution offered by the Qur'an based on the understanding of mubadalah is shulhun (peace), ihsaanun (doing good), ittiqoo (taking care of oneself).

Keywords: *Nusyuz Husband, Mafhum Mubadalah, Qiro'ah Mubadalah*