



Kedudukan Istri dalam Rumah Tangga Perspektif Fiqh dan Hukum Positif: Studi Berbasis Kearifan Lokal Mandailing Natal

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ABSTRACT

This study aims to analyze the position of a wife in the household based on the perspective of Islamic jurisprudence, positive law in Indonesia, and the local wisdom of the Mandailing Natal community. The issue of the wife's position often gives rise to differences in interpretation between religious norms, state legal provisions, and social practices that develop in society. This study uses a normative legal method with a legislative, conceptual, and local wisdom approach, with data sources in the form of the Qur'an, Hadith, fiqh literature, and laws and regulations such as the Marriage Law and the Compilation of Islamic Law. The results of the study indicate that from a fiqh perspective, a wife has a noble position with proportional rights and obligations, even though the husband is positioned as a leader within the framework of responsibility (qiwāmah). Meanwhile, Indonesian positive law emphasizes the principle of equality and justice between husband and wife, while in Mandailing Natal culture, the position of a wife is respected through the dalihan na tolu kinship system that places women in a strategic position in the social structure. Thus, these three perspectives essentially complement each other in forming harmonious, just, and sustainable household relations.

Keywords: Position of Wife, Fiqh, Positive Law, Mandailing Natal.

ABSTRAK

Penelitian ini bertujuan untuk menganalisis kedudukan istri dalam rumah tangga berdasarkan perspektif fiqh Islam, hukum positif Indonesia, dan kearifan lokal masyarakat Mandailing Natal. Permasalahan kedudukan istri sering memunculkan perbedaan penafsiran antara norma keagamaan, ketentuan hukum negara, dan praktik sosial. Penelitian ini menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan kearifan lokal, dengan sumber data berupa Al-Qur'an, hadis, literatur fiqh, serta peraturan perundang-undangan. Hasil penelitian menunjukkan bahwa dalam perspektif fiqh, kedudukan istri bersifat mulia dengan hak dan kewajiban yang proporsional dalam kerangka qiwāmah sebagai tanggung jawab, bukan dominasi. Hukum positif Indonesia menegaskan prinsip kesetaraan dan keadilan antara suami dan istri, sedangkan kearifan lokal Mandailing Natal melalui sistem dalihan na tolu menempatkan perempuan pada posisi yang dihormati dan strategis. Penelitian ini menyimpulkan bahwa ketiga perspektif tersebut memiliki titik temu pada nilai keadilan, keseimbangan, dan keharmonisan, sehingga diperlukan pendekatan integratif untuk membangun relasi rumah tangga yang adil dan berkelanjutan.

Kata Kunci: Kedudukan Istri, Fiqh, Hukum Positif, Mandailing Natal.

PENDAHULUAN

The family is a social institution that plays a fundamental role in shaping a harmonious and sustainable societal structure. From an Islamic perspective, the family is viewed not only as a biological unit but also as an institution built on strong spiritual, moral, and social values. The principles of *sakinah* (peace and blessings), *mawaddah* (love), and *rahmah* (mercy) are the primary foundation for building an ideal household life, where husband and wife are positioned as partners who complement each other and work together in carrying out family functions. (Fitria, 2023)

However, in the practice of social life, the wife's position in the household is often debated, both within the realm of religious norms and within the context of positive law and social reality. In Islamic jurisprudence, the wife's position is often linked to the concept of *qiwamah*, namely the husband's leadership in the household. (Hidayat, 2025)

This concept is often understood textually and tends to place the wife in a subordinate position. However, substantively, *qiwamah* implies the husband's responsibility, protection, and obligation to meet the family's needs, not as a legitimization of domination over his wife. (Shabri & Muchsin, 2024)

On the other hand, positive law in Indonesia, through Law No. 1 of 1974 concerning Marriage and the Compilation of Islamic Law, regulates the relationship between husband and wife within a more egalitarian framework. These provisions affirm that husband and wife have equal status in domestic and social life, and have complementary rights and obligations. (*Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan*, 1974) This shows the state's efforts to adapt Islamic legal values to the principles of justice and gender equality in the context of modern life. (Basri & Kurniawan, 2024)

In addition to the perspectives of Islamic jurisprudence and positive law, the wife's position in the household is also inseparable from the influence of local cultural values prevalent in society. In the Mandailing Natal region, the *dalihan na tolu* kinship system serves as the basis for regulating social relations, including family life. (Pratama & Siregar, 2024) This system places women, including wives, in a respected and strategic position within the social structure. Women play not only a role in the domestic sphere but also play a vital role in maintaining the balance of social, customary, and family relationships.

However, in reality, there is still a gap between the ideal norms contained in Islamic jurisprudence, positive law, and local cultural values and the practices of everyday life. It is not uncommon for biased understandings of the wife's position to lead to unequal relationships within the household. (Azizah, 2023) This shows that a more comprehensive and integrative study is needed to understand the position of the wife as a whole, not only from one perspective, but by combining various relevant approaches.

Based on this background, this study aims to analyze the position of the wife in the household from the perspective of Islamic jurisprudence, positive law in Indonesia, and the local wisdom of the Mandailing Natal community. Furthermore, this study aims to find common ground between these three perspectives in building

harmonious, just, and sustainable household relationships. Therefore, the results of this study are expected to contribute academically to the development of Islamic Family Law studies and serve as a reference in understanding the role and position of the wife contextually in community life.

METODE

This research is a normative legal study using a library approach, focusing on the study of legal norms, principles, and concepts related to the wife's position in the household. Normative legal research is used to analyze legal materials sourced from statutory regulations, Islamic legal sources, and relevant scientific literature. (Soekanto & Mamudji, 2001) The approaches used in this research include: (1) a statutory approach, namely by examining statutory regulations relating to family law in Indonesia, in particular Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law; (*Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan, 1974*) (2) conceptual approach, which is used to understand the concepts in Islamic jurisprudence regarding the position of the wife, the rights and obligations of husband and wife, and the concept of *qiwamah*; (Hidayat, 2025) and (3) the local wisdom approach, which is used to study the cultural values of Mandailing Natal, especially the *dalihan na tolu* kinship system, in viewing the position of wives in the social context of society. (Pratama & Siregar, 2024) The data sources in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include the Qur'an, Hadith, and relevant laws and regulations. Secondary legal materials include fiqh books, scientific books, journals, and previous research related to Islamic family law. Tertiary legal materials include dictionaries, encyclopedias, and other sources that support understanding of the terms and concepts used in the study. (Marzuki, 2017) The data collection technique was conducted through library research, namely by identifying, collecting, and reviewing various relevant literature. The data obtained were then analyzed using qualitative analysis methods with a descriptive-analytical approach, namely by systematically describing and analyzing the position of wives from the perspectives of fiqh, positive law, and local culture, then comparing and integrating these three perspectives to gain a comprehensive understanding. (Moleong, 2018)

HASIL DAN PEMBAHASAN

This study found that the wife's position in the household cannot be understood in a single context, but rather must be viewed comprehensively through the perspectives of Islamic jurisprudence, positive law in Indonesia, and the local wisdom of the Mandailing Natal community. These three perspectives demonstrate shared core values, but also demonstrate differences in implementation and interpretation.

1) The Position of a Wife from the Perspective of Islamic Fiqh

From the perspective of Islamic jurisprudence, the wife's position in the household is closely related to the concept of *qiwamah*, the husband's leadership within the family. This concept stems from the Quran, which emphasizes that men are leaders of women. However, this leadership is not absolute, but rather carries

with it the responsibility to protect, guide, and provide for the family. (*Al-Qur'an Surah An-Nisa Ayat 34*, n.d.)

a. The Concept of Qiwāmah in Fiqh

The concept of qiwāmah in Islamic jurisprudence is often understood as a form of husband's authority over his wife. However, upon closer examination, this concept actually emphasizes the husband's responsibilities and obligations, not domination. Classical scholars emphasized that a husband's leadership must be exercised based on the principles of justice, deliberation, and respect for his wife. (Hidayat, 2025)

b. Rights and Obligations of a Wife

A wife has the right to receive sustenance, protection, and good treatment (*mu'āsyarah bil ma'rūf*). On the other hand, a wife also has an obligation to uphold her own honor and that of her family. This relationship is reciprocal and inseparable from the principle of justice in Islam. (Wulandari et al., 2024)

c. Implications for Domestic Life

A narrow understanding of the concept of qiwāmah often leads to unequal relationships within the household. Therefore, a reinterpretation of the concept is necessary to align it with the values of justice and equality taught in Islam.

2) The Position of a Wife from a Positive Legal Perspective

Positive law in Indonesia provides a clearer and firmer framework regarding the position of the wife in the household, especially through Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law. (Fauzi, 2024)

a. The Principle of Equality in Positive Law

Positive law affirms that husband and wife have equal status in domestic life and society. This is reflected in the provision that states that each party has rights and obligations that must be exercised proportionally. (*Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan*, 1974)

b. Regulation of Rights and Obligations

In positive law, the rights and obligations of husband and wife are regulated in detail, including the husband's obligation to provide maintenance and the wife's obligation to manage the household. However, these regulations are not rigid and can be adjusted to suit the circumstances and agreements of both parties. (Basri & Kurniawan, 2024)

c. Implications for Wife Protection

Positive law provides stronger protection for wives, particularly in cases of domestic violence and women's rights. This demonstrates that state law strives to ensure justice and well-being in family life.

3) The Position of a Wife in the Perspective of Mandailing Natal Local Wisdom

In Mandailing Natal society, the position of a wife is not only determined by religious norms and state law, but also by the cultural values that exist in society, especially the *dalihan na tolu* system.

a. The Role of the Wife in the Dalihan Na Tolu System

Sistem *dalihan na tolu* menempatkan perempuan dalam posisi yang terhormat, terutama dalam hubungan kekerabatan. Istri memiliki peran penting dalam menjaga keharmonisan keluarga dan hubungan sosial. (Pratama & Siregar, 2024)

b. Cultural Values in Husband-Wife Relations

Mandailing culture emphasizes the importance of mutual respect, cooperation, and balance in husband-wife relationships. This demonstrates that a wife's position is not merely subordinate but also strategic in social life.

c. Social Implications

Local wisdom plays a role in strengthening the values of justice and harmony within the household. However, in some cases, cultural interpretations can also reinforce gender stereotypes if not understood appropriately.

4) Integration of Fiqh Perspective, Positive Law, and Local Wisdom

Analysis of the three perspectives shows that there is a meeting point in the basic principles, namely justice, balance and harmony in the household.

a. Meeting Point of Values

Both fiqh, positive law, and local wisdom emphasize the importance of responsibility, cooperation, and respect in husband-wife relations.

b. Differences in Implementation

The differences are more visible in the aspects of implementation and interpretation, where fiqh tends to be normative, positive law is formal, and local wisdom is more contextual.

c. Implications and Recommendations

An integrative approach is needed to understand the status of wives, combining religious values, state law, and local culture. Further research is recommended to examine empirical aspects through fieldwork to more concretely observe implementation in society.

SUPPORTING INSTRUMENTS

The supporting instruments in this study are presented in tabular form to clarify the results of the analysis regarding the wife's position in the household based on the perspectives of Islamic jurisprudence, positive law, and local wisdom of Mandailing Natal. The tabular presentation aims to provide a systematic comparative overview of the main aspects analyzed, thus facilitating understanding of the similarities, differences, and common ground between the perspectives used in this study. (Huda & Saifudin, 2024)

In addition, this table also functions as an analytical tool in integrating the three perspectives, so that it can be clearly seen how the values of justice, equality, and harmony are implemented in each system, both in the normative realm and in social practice. (Setiawan & Mubarak, 2025)

Table 1. Comparison of the Position of a Wife from Various Perspectives

No	Assessment Aspe	Islamic Fiqh	Indonesian Posi	Local Wisdom Mandailing Natal
1	Basic Principles	Qiwāmah (responsibility- based leadership)	Equality and just	Dalihan na nce of sc ons)

2	Wife's Position	Noble, proportional rights and positions	Equal to husband and society	Respected and strategic position in structure
3	Wife's Rights	Maintenance, protection, good treatment (syarah bil ma'rūf)	Legal protection, economic, social and local	Respect in customary and social roles
4	Wife's Obligations	Maintain personal and family honor	Arrange household according to Islamic law	Maintaining family and kinship relations
5	Husband-Wife Relationship	Complementary and complementing each other	Equal partnership	Cooperation based on customary values
6	Potential Problem	Bias of interpretation (qiwāmah) (domination)	Implementation not even	Gender types in ceremonies
7	Solutions/ Integrations	Reinterpretation and value of justice in fiqh	Strengthening institutions and protection	Revitalization of customary values

CONCLUSION

The wife's position in the household is essentially a normative and social construct that cannot be understood singly, but rather must be analyzed integratively through the perspectives of Islamic jurisprudence, positive law in Indonesia, and the local wisdom of the Mandailing Natal community. These three perspectives demonstrate the shared fundamental values of justice, balance, and harmony in the husband-wife relationship, despite differences in approach and implementation. In Islamic jurisprudence, the concept of qiwāmah emphasizes the husband's leadership based on responsibility, protection, and fulfillment of the wife's rights, not as a form of legitimacy of domination. Therefore, the husband-wife relationship in Islam is inherently complementary and oriented toward the common good. Meanwhile, positive law in Indonesia, through the Marriage Law and the Compilation of Islamic Law, places husband and wife in a balanced position by emphasizing the principles of equality and justice. The state plays a role in providing legal certainty and protecting women's rights within the household, thus creating fairer and non-discriminatory relationships. On the other hand, Mandailing Natal local wisdom, through the dalihan na tolu system, strengthens the wife's position as a respected party and plays a strategic role in maintaining balanced social and family relationships. This demonstrates that local culture plays a significant contribution to building harmonious household relationships. Thus, the integration of Islamic jurisprudence (fiqh), positive law, and local wisdom is key to understanding and proportionally positioning the wife. This integrative approach not only reduces existing interpretive bias but also provides a more comprehensive foundation for building a harmonious, just, and sustainable household. Therefore, sustained efforts are needed from various parties, including academics, legal practitioners, and the community, to internalize these values in everyday life.

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