

# The Understanding of the Jamaah Tabligh on Wife Gender Justice: A Maqāsid Sharī'a Review

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**Submission date:** 02-Apr-2023 03:08PM (UTC+0700)

**Submission ID:** 2053304076

**File name:** 6935-22291-2-PB.pdf (1.18M)

**Word count:** 8217

**Character count:** 42810

**The Understanding of the Jamaah Tabligh on Wife Gender Justice: A *Maqāṣid Sharī'a* Review**

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| *Recieved: 15-09-2022* | *Revised: 13-11-2022* | *Accepted: 16-11-2022*

**Abstract:** This research explained the concept of gender justice based on *maqāṣid sharī'a*. The concept of gender justice will be used to criticize the teaching of Jamaah Tabligh, which often marginalizes womenfolk in their families. This study is field research that uses the normative approach. The data-collecting techniques of this research are interviews and documentation. The analysis technique of this research is descriptive. The findings of this research were the concept of gender justice of *maqāṣid sharī'a* based on that which has the fundamental basis; namely, benefit, and it also cannot be generalized between women another. In Jamaah Tabligh's teaching context, several things should be criticized; negative stigma toward the wife, the wife's livelihood, the children who have been left for months, even years, and the obligation to support the preaching that the husband does. The Jamaah Tabligh's doctrine toward wife is the determining factor for good or bad of human life. This doctrine is not suited to *maqāṣid sharī'a* *hifdz al-irdl's* concept (maintaining honour's concept). Legally the husband is obliged to protect his wife's honor (*hifdz al-irdl Janzab*), either physically or psychologically.

**Keywords:** Gender Justice; *Maqāṣid sharī'a*; Jamaah Tabligh.

**Introduction**

Jamaah Tabligh is a transnational religious preaching movement that grew in Indonesia. Gradually, the presence of Jamaah Tabligh was accepted in Indonesia as a Sufistic revivalist movement that had no political interest and tended to leave the caliphate, so the Indonesian people quickly accepted it. The missionary movement of the Jamaah Tabligh moves based on the faith of its followers. Awareness and strong determination in preaching are not imposed by the group but become personal awareness that is part of their faith. Pilgrims are willing to sacrifice their time, energy, thoughts, and wealth for their preaching, as did the preaching that was once carried out by the Prophet Muhammad. This movement's religious understanding and practices are highly adaptive to various groups and schools of thought as long as these groups and schools are still rooted in the traditions of the Prophet Muhammad. However, some Activities of the Jamaah Tabligh do not align with the current situation and conditions.

**Table 1. Criticism of Jamaah Tabligh Activities**

No	Type of Activity	Criticism of the Jamaah Tabligh's Activities
1	<i>Khuruj</i>	First criticism, Jamaah Tabligh sometimes does not provide sufficient supplies or <i>dhohir</i> support for families who are left behind during <i>khuruj</i> activities. In fact, providing for a legal family is <i>fardhu ain</i> , while <i>khuruj</i> is not <i>fardhu ain</i> .

	<p>The second criticism of Jamaah Tabligh, who performs <i>Khuruj</i> abroad in Pakistan, India and Bangladesh, is that many have not gone to Hajj. In fact, Hajj should take precedence.</p>
<p>2 <i>Masturoh</i></p>	<p>The first criticism teachers on <i>masturoh</i> activities come from the wives of the Jamaah Tabligh, which are carried out alternately. In fact, a teacher should be pious and have mastered something to be taught. The second criticism is that participants in <i>masturoh</i> activities sometimes still have small children (babies) who desperately need a mother. So it is not good if the child is left too long to participate in <i>masturoh</i> activities.</p>
<p>3 <i>Silaturahmi</i> (face-to-face)</p>	<p>The first criticism is that the meaning of <i>silaturahmi</i>, which the Jamaah Tabligh understands, is too narrow; it only means physical <i>sillatuuurahmi</i>, even though the actual meaning of <i>sillatuuurahmi</i> is comprehensive, and there are many forms of connecting the relationship. The second criticism is that the Jamaah Tabligh requires certain times for gathering in one day, even though the law should be that it is sunnah to connect kinship ties. (H. Badri, personal communication, June 2021)</p>

Moreover, Jamaah Tabligh's view toward the wife in the family impacts the wife's unfair treatment. The doctrine stated that the *solihah* woman is better than 70 *auliya* (beloved of Allah), whereas a woman with a bad manner is worse than 1000 evil men. The bad moral wife will drag four people to hell: the father, husband, brother, and husband's children (Suratno & Setyawan, 2019, p. 272). The results of the interviews strengthen this assumption;

*The pious wife is the jewel of the world. She can be better than seventy wali/lover of Allah. The other way around, the bad moral wife is the world's poison. The bad moral wife is worse than a thousand evil men.* (I. Syafi'i, personal communication, June 2021)

The initial message from this statement is indeed good, but it can appear bad stigmatization to the wife, potentially accusing women of being the cause of crime on the earth. If there is a crime that will occur later, a wife is very potentially accused as the cause of the crime. Jamaah Tabligh's view of such a wife is not glorifying and elevating the wife's degree, but it has the potential to limit and demean the wife, so it is a form of gender injustice.

At first glance, this doctrine seems very good because it can motivate the wives of the Jamaah Tabligh to become pious wives, but behind this doctrine, it still leaves its problems. Often the husbands of the Jamaah Tabligh blame their wives when there are fights in their household. They think the source of the fault in the household comes from the wife's side because a wife who is not pious is worse than a thousand men. If viewed in substance, this doctrine causes gender injustice to the wives of the Tablighi Jamaat. The essence of the gender of a wife is to be led by her husband, not to be a leader in a family. So how is it possible if there is an error in the household that is asked to be responsible for the wife? The normal logic is that the husband should be the one who deserves to be held accountable. To minimize this problem, the Jamaah Tabligh needs to understand the Muslim family concept from *maqāṣid shari'ah*'s perspective. So that the Jamaah Tabligh can understand what the *shari'ah* commands. The practice of gender injustice against the wives of the Jamaah Tabligh should not happen again. A wife must be placed on her gender (nature of a wife).

On the other side, the wife of a member of the Jamaah Tabligh is also restricted from seeking knowledge; she is only allowed to seek knowledge from her husband that is related to religious knowledge. The seeking knowledge outside the home is only in the majlis that the internal Jamaah Tabligh has provided, which is called *masturah*, with strict restrictions on either facilities or infrastructure as well as

limitations in the knowledge learned, namely only religious knowledge, especially *fadhailul amal* (the main charity of worship) (Darise & Macpal, 2019, p. 63). The limited access to the wife has violated her rights (gender equality), which is unsuitable for her scientific development. If the husband is pious (clever in religious knowledge), maybe, it will not be a problem, but if the husband is not good at religious matters, it will be very detrimental to the wife; instead of his wife becoming religious, the wife will get lost in the way later. People are not good at religion. If they teach it, they will be *dhillun mudhilun* (misleading) even though Islam is obligatory to study religious knowledge for either husband or wife. Gender equality in Islam is very clear. There is no difference in obligations in matters of studying; even the husband gets more obligations and responsibilities for educating his wife in the religious field. Research on wife and gender stated that three perspectives of point view included: The first, the Theory of nurture states that there are differences between wife and husband; it is based on the consequences of cultural construction that has given effect on different tasks, in this case, the wife is always left behind, and her roles are ignored in family, community and state life (Nugraheni et al., 2012, p. 106). Second, the Theory of nature explains that the differences between husband and wife are natural, so the duties and obligations are very different. Third, the Theory of equilibrium states that It must be a balance between husband and wife. Therefore, they must work together to complement each other (Soelistyoningrum, 2020, p. 43). According to the theories above, it is clear that the forerunner of gender inequality is cultural bias; it is the form of a patriarchal culture that places the husband in a dominant position, and this affects the understanding of religion which is gender biased. In this case, the understanding of Jamaah Tabligh's religion in terms of gender has not been mapped yet.

The Jamaah Tabligh has often been the object of research, such as the research conducted by Sukran Ma'mun with the title "The Concept of Family and Women in the Perspective of the Jamaah Tabligh (Normative-Sociological Analysis)." This study aims to reveal the views of the Jamaah Tabligh about the family and women, resulting in research that the Jamaah Tabligh is often considered to tend to exclude women or position women in a subordinate (domestic) area (Ma'mun, 2019, p. 55). Furthermore, research conducted by Masdalifah Sembiring with the title "Communication of Jamaah Tabligh Women as Da'wah Agents in Langsa City." This study aims to determine how the form of communication among female members of the ta'lim, ta'lim is part of face-to-face interpersonal communication (Sembiring, 2018, p. 64). Further research was carried out by M. Yusuf Khummaini and Sukron Ma'mun with the research title "Matching and Matchmaking for the Jamaah Tabligh Santri at the Temboro Islamic Boarding School." This research departs from the sociological problem of the pesantren community, namely the pattern of student relationships, especially in the relationship between men and women at the Jamaah Tabligh Islamic boarding school, Temboro. The relationship pattern between male and female Temboro students tends to be closed, which does not allow them to have a "special relationship" to get to know one another. However, there are many marriages between male and female students at the Temboro Islamic Boarding School. (Khummaini & Mamun, 2020, p. 23)

From some of the research described above, it appears that no one has specifically examined the understanding of the Jamaah Tabligh on gender justice for wives based on *maqāṣid shari'ah*. The research that has been done only examines from a sociological perspective the condition of the wives of the Jamaah Tabligh. In contrast to the three studies above, this research aims explicitly to show Jamaah Tabligh about the wife in the family and the treatment of the wife due to her views, whether her views and treatments are gender-unequal that follow *maqāṣid shari'ah*. This research also aims to reveal the arguments related to the religious doctrine in the form of arguments or the typology of interpretation used. Simply, it can be said that this research aims to examine how the Jamaah Tabligh views the wife's status in the family and the forms of its implementation (gender justice) from the perspective of *maqāṣid shari'ah*.

## Literature Review

Jamaah Tabligh is a proselytizing movement that seeks to return to pure Islamic practice. The main objective of this movement is to awaken the spiritual spirit in every Muslim personally and in social life.



Passionate preaching of Sufism is one of the movement's characteristics (Hasanah, 2017a, p. 1). Jamaah Tabligh has a typology of thought that is still traditional. This group considers that everything done by the Prophet Muhammad in spreading the teachings of Islam should not be innovated. Thus, there has been a patent and fixed example of proselytizing. Jamaah Tabligh tends to understand the Qur'an and hadith textually. They are very rigid in carrying out the teachings of the Islamic religion, so it is very difficult to adjust to the significant changes of the times. Especially nowadays, technological advances are very drastic, requiring us to adjust to the times. (Latif & Fatmawati, 2020, p. 156)

This rigidity and inflexibility in understanding the teachings of Islam are carried over also into domestic affairs. According to the Jamaah Tabligh, his position wife is like a captive to her husband. A wife must take precedence over her husband's rights over her own and obey her husband above all else because her husband's *rida* is the *rida* of Allah Almighty. Everything the wife does is always overshadowed by anathema, whether it is the anathema of nature, angels, or God. It is undeniable that they still often use hadiths that smell misogynistic, probably because they try to consistently apply a way of life that is only based on the Quran and the hadith and does not consider the social conditions of society that exist today. (Tamza & Rajafi, 2018a, p. 103)

This understanding of Jamaah tabligh breeds gender injustice against their wives. Even though, the teachings of Islam are not like that. Islam treats women very nobly. Women and men were indeed created by Allah differently, but this difference is *sunnatullah* and makes the two harmonious in realizing the togetherness of life in the world (Asmaret, 2018, p. 267). Men and women must create harmonious situations in the family and society. With this relationship model, then no one party oppresses the other. The two parties are a symbiotic pair of mutualism (Mutual Benefit) (Siri, 2014, p. 244). women's rights are the same as men's and should not be discriminated against and subordinated (Chakim & Habib, 2022, p. 52). This kind of gender concept can make a family harmonious, peaceful and happy in the world and the hereafter.

The concept of gender in Islam is supported by **1** *maqâshid shari'a* so that *Maslahah* (benefits) become the spirit and principles that must be maintained. Without understanding the *maqâshid shari'a*, the teachings of Islam will only appear as a tool without spirit. (Tabrani, 2018, p. 110) One of the purposes of *maqâshid shari'a* is the existence of justice (Fauzi, 2015, p. 144). Justice for the rights and obligations of husband and wife is crucial in realizing the *sakinah mawadah warahmah* family. If there is always injustice in the household, certainly, the family will not be happy. The jamaah tabligh's understanding of family fiqh is certainly not quite right, if it gives birth to injustice against the wives of jamaah tabligh. All forms of shari'a are made as an attempt to bring in *maslahat* and reject *mafsadat*, both *dunyawi* and *ukhrawi*. (Sulihudin, 2021, p. 2)

The scholars divided the *maqâshid shari'a* into **3** five: *hifz ad-din* (preservation of religion), *hifz al-nafs* (preservation of life), *hifz al-mal* (preservation of property), *hifz aql* (preservation of reason) and *hifz an-nasl* (preservation of offspring). Some scholars add *hifz al-ird* (preservation **2** honour) so that *maqâshid shari'a* is often called the six essential/primary purposes (Luqman, 2022, p. 69). The meaning of *maslahah* in shari'a is the realization of the purpose of the law (*maqâshid shari'a*), that is, to maintain religion, to defend the right to life, to maintain the health of the mind, to keep the purity of the offspring, and to protect the right to wealth. (Atsar & Izuddin, 2018, p. 123)

## Method

This **13** study is field research using a normative approach. Data collection techniques used are interviews and documentation. While the analytical technique used in this study is descriptive, the descriptive technique used in this study encourages researchers to collect data using in-depth interview techniques or interviews based on interview guidelines provided by the village. This instrument of data collection through in-depth interviews is actually driven by qualitative variables, which theoretically can only be described through the description of the data found in the field. The primary data used in this research were obtained from informants directly through in-depth interview instruments, namely in-depth

interviews with research subjects consisting of six husbands from the Jamaah Tabligh group selected by purposive sampling taking into account the character's capacity and seniority in the Jamaah Tabligh community. At the same time, secondary data were obtained through literature obtained from written sources related to the research theme, namely the understanding of the Jamaah Tabligh about the wife in the family and its relationship to gender equality from *maqāṣid shari'ah* perspective.

## Results and Discussion

### The Profile of Jamaah Tabligh

Etymologically, the word Tabligh Jamaah comes from Arabic, meaning a group of messengers. Jamaah Tabligh is the preaching movement that aims to return to the pure teachings of Islam. Jama'ah activities are not only limited to their group. The primary purpose of the movement is to awaken the spiritual soul in every Muslim person, either individually or socially life (Hasanah, 2017b, p. 1). Maulana Muhammad Ilyas founded the Jamaah Tabligh group in 1926 in Mewat, India. That has the principle as his philosophy, in order to always obey all the commands of Allah and, contrary, avoid all prohibitions by referring all their practices to the attitude and behavior of the Prophet Muhammad. Maulana Muhammad Ilyas's excellent ideas were manifested in his daily life on all issues concerning the worship of *mahdlah* or *ghairu mahdlah*. For *mahdlah* worship, it is very clear that efforts are made to comply with the shari'ah that has been established in the Qur'an and the Sunnah of the Prophet Muhammad. More than that, regarding the worship of *mahdlah*, even beyond that, it is always endeavored to be exactly the same as what has been done by the Prophet Muhammad. (Saepuloh, 2009, p. 658)

Jamaah Tabligh avoids *khilafiyah*, political problems and promotes a sense of brotherhood in preaching, so Jamaah Tablighs have many members or followers in Indonesia. Jamaah Tabligh strictly forbids its members to become political buzzers; political buzzers are people who campaign for certain groups for practical political interests (Jafar, 2022, p. 60). The Jamaah Tabligh usually consists of various religious groups and communities, ranging from kyai, santri, students, champions, artists, workers, and even politicians and officials. Increasingly widespread and more developed, the preaching movement of the Jamaah Tabligh in Indonesia using various methods will impact the community's social life in terms of economy, morality, religion, and family life. (Yono, 2019, p. 201)

Jamaah Tabligh is also known as human and has unique customs and traditions full of various symbols in their physical appearance, such as maintaining the beard and distinctive clothing with a *jalabiya* style (loose *cingkrang* pants with long tops up to the knees). Besides, their other characteristics are the use of distinctively scented perfume, eating together with their hands on a tray, the habit of using Siwak to stay oral hygiene, and still many other characteristics are full of the meaning of virtue and following the Sunnah. (Hasanah, 2014, p. 24) Jamaah Tabligh had headquarters from the central to the regional levels in every country. Even in areas, It had hundreds of small headquarters, usually known as *halaqah*, consisting of sub *halaqah* then *mohalla* (mosques or *mushalla*). Structurally the Jamaah Tabligh preaching headquarters are structured as follows:

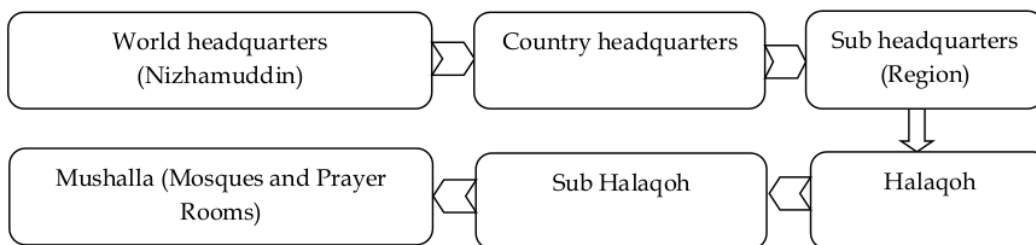


Figure 1. Structurally the Jamaah Tabligh Preaching Headquarters

*Halaqah* is the spearhead of this movement's preaching activities. This is where preaching programs are arranged daily, weekly, or monthly. Daily activities include deliberation, daily *taklim*, morning and evening remembrance, and the practice of friendship. The weekly activities include going away or visiting fellow Muslims and talking about faith and charity, as well as trying to increase it and prepare for the afterlife. At the same time, the monthly activities are *khuruj* (going out) together for three days to mosques. *Khuruj* is to do self-reflection and invite others to try to increase faith. During *khuruj*, there are usually four main activities that must be focused on. First, preaching to Allah (*ad-preaching ila Allah*). Second, learning and teaching (*at-ta'lim wa at-ta'allum*). Third, remembrance and worship. Fourth, *Khidmat* (serving fellow Muslims). All activities done during this *khuruj* will be reported daily to Amir. (Abdillah, 2018, p. 9)

Jamaah Tabligh holds the concept of preaching known as *ushul al-sittah* (six basic foundations) or *al-nature al-sittah* (six properties) in each of their preachings. These six basic foundations summarize the characteristics of the Companions of the Prophet, later called the Six Attributes of Friends. The Six Characteristics of the Companions are then supported by the rules (orderly preaching) known as the proposals for preaching, totaling twenty-eight proposals. The preaching proposal is a sign for anyone who takes part in the preaching effort of the Jamaah Tabligh, especially during *khuruj fii sabilillah* (out in the way of Allah) (Subu et al., 2017, p. 35). The activities carried out are divided into two types: *Intiqoli* and *Maqomi*. As for the details of *Intiqoli* activities related to *Khuruj* activities, the initial stage of *Khuruj* is carried out three days every month, 40 days every year, and four months in a lifetime, then the advanced stage is four months every year. (Zulaiha, 2016, p. 103)

Jamaah Tabligh constantly studies and practices the contents of the book *Fadhail al-'amal* which Maulana Muhammad Zakaria wrote. This book becomes the mandatory guide for every Jamaah Tabligh because there are many stories of friends, *fadhilah* prayer, *fadhilah* dhikr, *fadhilah* Qur'an, *fadhilah* Tabligh, and also *fadhilah* Ramadan in this book. This book is read by all Jamaah Tabligh in the world, except in 'Arabic countries. Arab countries read the book of *Riyadhussolihin*, which Imam Nawawi wrote. The position of this book for the Jamaah Tabligh is very high because this book can arouse the enthusiasm and passion of the Jamaah Tabligh for preaching and doing good deeds. (Furqan, 2015, p. 9)

### The Views of Jamaah Tabligh Community's on Wife's Status

Jamaah Tabligh, a religious community that engages in preaching, views the existence of husband and wife as *sunatullah*. Even though they have different genders, but have the same task, namely worshipping Allah and preaching, spreading the understanding and practising of Islam as practised by the Prophet and his companions and the *tabiin*. As the religious community that is traditionalist revivalist, they try to practice *amaliah ubudiah* as practised by the scholars of the Salaf generation. Jamaah Tabligh is known as a preaching community from a mosque, either in its region or outside the region or in other countries (*khuruj*); the characteristics of the religious understanding of the Jamaah Tabligh community are textual scripturalists, guided by the traditions that contain *fadhailul amal*. This way of understanding religion affects viewing the wife's status in the family. According to Jamaah Tabligh's understanding of community, the meaning of the wife's status is the position of the wife as a human being besides the husband in the context of religion and preaching. Does the wife have her responsibility for preaching or only as a supporter for her husband? What are attributes attached to the wife's shoulder as a part of a human being? The status of the wife in religion and preaching, according to the views of the Jamaah Tabligh community, was sourced from interview data. Wife is responsible to Allah for their religious deeds as husbands. A wife is unique because an evil woman could be eviler than 1000 evil husbands, and a pious woman can exceed 70 *Waliyulloh*.

*When I am in harmony, my husband always praises me as a soleha wife. He said that a soleha wife is better than 70 lovers of Allah, but while we were fighting, my husband often insulted me, and he said that I was an evil creature of more than 1000 evil men. My husband's insults hurt my feelings. He seemed as if he had accused me of being the cause of all the mistakes.* (N. Susilowati, personal communication, October 2021)

The view of the Jamaah Tabligh community about the existence of a wife as an important figure can determine the good and bad of the world with the jargon that one evil wife will be eviler than 1000 criminal



husbands and a good wife will be better than 70 Waliyulloh. It seems as a form of respect for a wife. However, If it is seen further, there is a form of gender inequality against the wife because placing women who are not fair can be used to accuse the culprit of the world's evil because of his bad wife.

#### **The Views of Jamaah Tabligh Community toward Wife's Rights and Duties**

The rights and obligations of the wife in the Jamaah Tabligh community are the wife's burden and the rights obtained in the family. In the religious context and culture, wives are often given multiple obligations as wives, homemakers, and mothers of their children. In the Jamaah Tabligh community's family, a wife also should support her husband's preaching. In short, the rights and obligations of the Jamaah Tabligh wife are related to supporting her husband in preaching. The related rights and obligations of the wife in the Jamaah Tabligh community, the following researcher presents interview data results ;

*The wife must obey her husband in all aspects even though she has to summarize the Sunnah religious practices; the wife may not leave the house without her husband's permission although she only visits her neighbour's house, the wife should search for the pleasure of her husband because the heaven just can be got from the pleasure of her husband. The wife should be happy to serve her husband, although the wife has to sacrifice her pleasure.* (R. Hamdani, personal communication, August 2021)

The wife in the family of the Jamaah Tabligh is the husband's subordination; whatever she has done should be as part of pleasing her husband because the husband is the leader of the household that should be obeyed as a condition to get Allah's heaven, all of which has done within the framework of obedience to the husband.

#### **Dual Duties of the Wife in the Jamaah Tabligh Family (Preaching and Livelihoods)**

The wife naturally performed the duties of giving birth, breastfeeding, and looking after her children. She also has additional duties, usually attached to the wife: cooking, washing, cleaning the house and serving their husband. Besides the heavy duties attached to the wife, many carried tasks related to providing for economic needs. The wife in the family of Jamaah Tabligh community also bears double duties, which she either directly or indirectly bears. The following is a description of the empirical data obtained from the interviews:

*It is hard being a wife. We are charged with many daily tasks, which must be thoroughly taken care of. On the other side, we also have to think of the economic burden on the family if our husband goes to preach until her husband does not come home for a long time. Sometimes, our husband's shopping money is still insufficient to meet our needs. It is not that we are not good at thrifting, but indeed the cost of daily necessities has now gone up, everything is expensive, and the cost of children's education. We sometimes have to go into debt to cover this shortfall.* (I. Pertiwi, personal communication, August 2021)

The Next interview data,

*As long as I am a wife, I have participated in masturbuh's activities more than ten times. I am also tired of participating in this activity, but I still do it because it is an obligation that I have to do.* (R. Adawiyah, personal communication, September 2021)

The wives have an essential role in the indictment (preaching) of the Jamaah Tabligh; they have done their obligation naturally, which are their duties, namely ing birth, breastfeeding, and caring for their children; they also have duties that are attributes attached to them, namely as a housewife and a wife and they have to finish sector work domestic completely namely cooking, washing, etc. As wives, they have to serve their husbands; In addition to the heavy task that is carried out by the wife of the Jamaah Tabligh community, they also have to bear the burden of organizing and meeting the economic needs of their family when their husbands did the preaching missions outside the home (*Khuru*). The wives of the Jamaah Tabligh community imposed the family's economic responsibilities when their husbands did preaching missions outside the region (*Khuru*); the burden would be heavier if they came from mediocre families. It is not easy to be done by wives, including the wives of the Jamaah Tabligh community. Because of that, the husband's role is to persuade and strengthen religious arguments; namely, the wife supports her husband in preaching outside the region (*khuru*). They will get to heaven 500 years faster than her husband.



The husbands of the Jamaah Tabligh should often advise their wives to be patient when their wives were left preaching out of town. The wives who can be patient will get many rewards; even the wives can enter heaven five hundred years faster than their husbands. (A. Wijaya, personal communication, October 2021)

Every member of the Jamaah Tabligh who is *khuruj* should be able to instill the values of patience in forging his emotion, communicate with others to forge his social side, exercise every morning to nourish his body and wake up at night to forge his spiritual side. Based on *khuruj*, the husband will reach the valuable lesson and transfer it to his house. He should be able to become the priest whom all members of his family can accept, his wife should be able to support her husband and keep the family's trust, and his children should be able to become gems of the heart for their father and mother. (Tamza & Rajafi, 2018b, p. 102)

### The Critical Study of the Jamaah Tabligh's Understanding of Gender Justice Wife from the *Maqāshid Shari'a* Perspective.

Before the data were analyzed, we had to comprehend *maqāshid shari'a*'s Theory. *Maqāshid sharia* literally means the purposing of law. (Harisudin & Choriri, 2021, p. 476) *Maqāshid* is from the word "*qāshada*" which means the purposing. (Muhammad Icsan dan Erna Dewi, 2019, p. 51) The purpose of the result is expected from the application of Islamic law. The concept of *maqāshid shari'a* has been mentioned directly in the Qur'an, Sunnah, and the Mujtahid priest. The urgency of *maqāshid shari'a* is to realize the benefit of humans (*jalb al-masalih*) and to save them from danger (*daf'u al-mafasid*). (Zatadini & Syamsuri, 2019, p. 5) The priest al-Ghazali wrote that the main human needs include three important things: *dharuriy*, *hajy* and *tahsiny*. (Saputra & Bayro, 2018, p. 194) *Dharuriy* needs are the fulfilment of basic needs, which include five important things, *hifdz ad-din* (maintaining religion), *hifdz an-nafs* (maintaining souls), *hifdz al-aql* (maintaining reason), *hifdz al-mal* (maintaining wealth), *hifdz al-irdl* (maintaining Honor). (Jamal, 2016, p. 8)

The first level, *dharuriyat* need, is the level of need that must exist, called primary need. If this level of need can not be met, the safety of humanity will be threatened either in the world or hereafter (Fitriana & Nugroho, 2021, p. 185). The second level, the need for *hajiyat*, is the secondary need which, if it is not realized so it will not threaten safety but will experience difficulties. (Munawar, 2021, p. 216) The third level, *tahsiniyat* need, is the level of need that, if not met, will not threaten the existence of one of the five points and does not cause difficulties. (Fahlefi, 2016, p. 228) This level of need is complementary; these are appropriate according to customs following morals and morality. (Kartika & Noor, 2014, p. 52) In other words, the purpose of Islamic law is the benefit of human life, either spiritual or Physical, individual and social. The benefit is not only for the world's life but also for the life hereafter. The literature's five objectives of Islamic law are called *maqāshid al-khamsah* or *maqāshid shari'a*. (Yumni, 2016, p. 49)

Allah revealed the Islamic law to realize the welfare of the whole of humankind. If *maqāshid shari'a* is related to gender justice for the wife of the Jamaah Tabligh, it will be seen that it is not suited to Islamic provisions. Islamic teaching is the comprehension that prioritizes the benefit that is more basic than the benefit that can still be postponed or into the prime benefit. The Jamaah Tabligh's doctrine about the wife as a determining factor for the good and bad of human life. The doctrine does not suit the *Maqāshid shari'a* concept of *hifdz al-irdl* (maintaining honour). A husband is legally obligated to protect his wife's honour (*hifdz al-irdl Jawzah*), either physical or psychological. The burden on the wife's psychology will be heavy If the statement says that an evil wife will be more dangerous than a thousand bad husbands. This statement is very dangerous because it views the women as different from their husbands as if they had absolute freedom. The wife must be careful because the wife can cause crime even though the husband does the crime, but the wife causes it. The accusations are the form of gender inequality, the stigmatizations or stereotypes toward the wife as a source of depravity in human life.

These accusations contradict the *Maqāshid shari'a hifdz al-irdl* (maintaining honour). The husband's doctrine is the wife's leader; the Jamaah Tabligh interprets that the husband's family has the leader's function. Because of that, all wife's household activities must be with the permission and husband's blessing. The wife should reduce the Sunnah practices in order that the wife will get the husband's blessing. The wife is not allowed to leave the house without the husband's permission, even though she only goes

to the neighbour's house. The wife must also be the prime supporter of the husband's proselytizing. Thus the doctrine and treatment of Jamaah Tabligh to the women in the family as the husband's subordination, this is one of the forms the gender inequality namely it thinks that the wife is as husband subordination. The wife's concept is as husband's subordination, it was born from the misunderstanding of the Qur'anic text which think that the husband is as "*ar-rijalu qawwamuna alanisa*". The text of this verse give describing that the husband is superior or the absolute authority to the wife. According to the fact, It is not like that is wanted by Shari'a.

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*Maqāṣid shari'a* of verse *ar-rijalu qawwamuna alanisa* is the husband must be able to realize the wife's benefit and save the wife from dangerous either physical or psychological danger (*tahqiqul maslahah alanisa wadaf ul mafasidihā*). The concept indeed states that all of the wife's activities in the household should get the husband's permission and blessing, but If the husband does not permit the wife to do activities until they are caused *mudhorot* (negative impact) to the wife, so the husband has violated the rules of the Shari'a. It is not surprising If the Prophet Muhammad said, "*Khoirukum khoirukum liahlili wa ana khoirukum li ahli*". This Prophet's hadith confirms that the husband should be able to realize the benefit and reject the *mudhorot* (dangerous) that will befall the wife. The more successful the husband is in realizing the benefit to the wife, he will be the best person in Islam.

On the contrary, more often husband gives *mudhorot* to his wife, such as the husband likes to forbid his wife until his wife feels very tired and frustrated or physically exhausted. Hence, according to the Prophet Muhammad, the husband is like this: the worst husband. The husband's superiority must be based on the *maqāṣid shari'a*, namely the realizing benefit and rejecting the evil (*mudhorot*) that will befall the wife; if it was not done, the husband had violated the shari'a. The wife's prohibition from doing Sunnah practices is to realize the husband's pleasure. It must be based on *Maqosidus Syariah*. What prohibition can realize the benefit to the wife or cause the *mudhorot*/harm (negative impact) to the wife? If this prohibition really causes the wife's benefit so the husband may do the prohibition, but If this prohibition is only a form of arbitrariness so the husband has done wrong (*dholim*) to his wife because he has abused his authority, and he will get a stamp as the bad husband in Islam. Likewise, the concept of prohibiting the wife that she may not leave the house without her husband's permission or his wife must be a prime supporter of the husband's proselytizing.

The basis of prohibiting that the wife is forbidden to leave the house and as a prime supporter of her husband is proselytizing. It should be based on the concept of *tahqiqul maslahah wa daf ul mafsadah*. The husband may not unilaterally prohibit his wife from leaving the house without reason is justified by the Sharia. The wife also has the right to refresh herself so that she is not stressed about the burden of household work. The wife must bear the heavy burden in the Jamaah Tabligh community's family, which includes domestic duties as a mother must give birth, breastfeed and take care of her children. The housewife must do the household tasks, and the wife has to serve her husband in totality. This heavy burden will cause stress for a long time, so the wise husband will invite his wife to refresh instead of forbidding his wife to leave the house until his wife gets tired and stressed at home. In the matter of proselytizing, the husband should not unilaterally force his wife to be obliged to support his proselytizing. If the husband forces his wife to support her husband's proselytizing, it turns out that his wife actually gets bad luck, so his husband has violated the Sharia. The husband goes to preach (*khuruj*), so he must provide more income. the husband goes to preach, and his wife is in debt to meet the need of her family. The husband's preaching often causes the wife in the family of the Jamaah Tabligh to experience gender inequality in the form of burden, namely the bearing of the double burden in the family. The wife in the Jamaah Tabligh community often has to do economic tasks either in meeting their need or managing them when their husband goes to preach (*khuruj*) for a long time. From the perspective of *maqāṣid shari'a*, the understanding of the Jamaah Tabligh is not justified. The legal is *fardu ain*, whereas the preach is Sunnah, and some opinions argue that it is *fardu kifayah*. When there is a conflict between livelihood and preaching, what must be won is livelihood. Likewise, in preaching, the wife's law is Sunnah, whereas the managing

household affairs are *fardu ain*. When there is a conflict between the wife's preaching and managing household affairs, what must be won is the managing household.

### Conclusion

The findings of this research are the concept of gender justice based on *maqāṣid shari'a*, which is based on the benefit and cannot be generalized between women and one another. According to Jamaah Tabligh, several things are criticized; the negative stigma toward the wife, the wife's livelihood, and the children who are left for months and even years, and the wife is required to support the preach that the husband does. If *maqāṣid shari'a* is related to gender justice for the wife of the Jamaah Tabligh, It will be seen that it is not suited to Islamic provisions. Islamic teachings prioritize the benefit that is more basic than the benefit or not the main benefit. The Jamaah Tabligh's doctrine about the wife as the determining factor for the good or bad of human life is the doctrine that is not suited to the *maqāṣid shari'a* concept of *hifdz al-irdl* (maintaining honour). The husband is obliged by law to protect his wife's honour (*hifdz al-irdl Jawzah*), either physical or psychological. In the perspective of *maqāṣid shari'a*, the understanding of the Jamaah Tabligh is not justified. The legal livelihood is *fardu ain*, whereas the legal preach is Sunnah, and some argue that it is *fardu kifayah*. When there is a conflict between livelihood and preach, what must be won is livelihood. Likewise, in a matter of preaching, the wife's law is *Sunnah*, whereas the managing household is *fardu ain*. When there is a conflict between the wife's preach and the managing household, what wins is the matter of managing a household. The wife experiences gender inequality in the family of the Jamaah Tabligh community; it will harm the wife individually, the wife can not develop her potential as a human being because the husband's dominance in the family limits it, and the wife can not leave the house without the husband's permission. The double burden that is received in the family. It makes the wife in the family of Jamaah Tabligh suffer because she charges the heavy burden, so she does not have enough time to develop herself. As the wife in the family of the Jamaah Tabligh, she is also potentially accused of being the most guilty of the world's destruction; the stereotype attached to her is that a bad wife will be worse than a thousand men, and one good wife will be better than seventy *auliya*.

### Acknowledgement

The author should like to thank Rektor of the Sharia Faculty of IAIN Metro, who has supported this project, and the Center for the Study of the Turos Book of the Sharia Faculty of IAIN Metro. The author also thanks KH. Dadang Kosumanjaya for his invaluable guidance and advice.

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### Conflict of Interest

This manuscript has not been published or presented elsewhere in part or entirety and is not under consideration by another journal. There are no conflicts of interest to declare.

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