

NUSYUZ AND ITS SOLUTIONS IN COMPILATION OF ISLAMIC LAW FROM THE PERSPECTIVE OF THE AL-QURAN

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ABSTRACT

Nusyuz and its solutions in Compilation of Islamic Law from the Perspective of the Al Quran is the title of this paper. Here the writer intends to find out how nusyuz and its solutions are reflected in the Compilation of Islamic Law (KHI). This study aims to: 1) describe and analyze settling nusyuz and its solution in the Islamic Law Compilation, and 2) suggesting the Quran perspective on nusyuz and its solution in the Islamic Law Compilation. The authors use two approaches in answering these problems: the normative theological approach and the formal juridical approach. This research is classified as a research library; data was collected by quoting, adapting, and analyzing using content analysis of representative literature and having relevance to the issues discussed, then reviewing and concluding.

After discussing nusyuz and its solutions in KHI from the perspective of the Quran, we need to know that Nusyuz deeds are not only directed at one's wife but can also be punished by the husband based on the texts of the Quran, the views of some scholars and empirical facts that happened. Moreover, the Al-Quran solution has given to handle nusyuz wives with three stages: advice, separation of beds, and beatings so systematically, and when carried out according to the hierarchy, it is likely to make the family whole again and more harmonious. This can be actualized and become an alternative solution to the wife's nusyuz if we reflect on the conditions and problems that are dynamic in household conflicts today.

Keywords: nusyuz, solution, KHI, Quran



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A. INTRODUCTION

In law No.1 of 1974, marriage is a physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the only Godhead.¹

The definition of marriage, there are five elements in it are:

1. Bonds physically and mentally
2. Between a man and a woman
3. As husband and wife
4. Forming a happy and eternal family (household)
5. Based on the Godhead

As for Chapter II KHI, the meaning of marriage and its objectives are stated in articles 2 and 3:

Article 2

According to Islamic law, marriage is a firm contract or *mitsaqanghalidzan* to obey Allah's orders and carry them in worship.

Article 3

"Marriage aims to create a harmonious, peaceful and affectionate family life."²

The above definitions describe the meaning of marriage explicitly in the Quran. Quran pays attention to the problem of marriage by explaining the spiritual and physical relationship between husband and wife and explaining that between the two, there is a very close bond (*mitsaqan ghalidzan*) which brings them both to love and, with the permission of Allah, will protect them from iniquity and enmity. The logical consequence of the bond between husband and wife is the emergence of rights and obligations between the two of them, namely the wife's right to be fulfilled by the

¹Mr. Sakirman, 'URGENSI UNDANG-UNDANG PERKAWINAN DALAM MEMBENTUK KELUARGA HARMONIS', *Justicia Islamica*, 2016, p. 96 <<https://doi.org/10.21154/justicia.v13i1.458>>.

²Andi Herawati, 'KOMPILASI HUKUM ISLAM (KHI) SEBAGAI HASIL IJTIHAD ULAMA INDONESIA', *HUNAFa: Jurnal Studia Islamika*, 2011 <<https://doi.org/10.24239/jsi.v8i2.367.321-340>>.

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husband and vice versa and joint rights that must be shared. If the rights and obligations in the household are fulfilled according to their respective portions, a good and harmonious family will be created, and vice versa if the husband or wife does not fulfill the rights and obligations, it will create conflicts that can undermine the stability of the family. Quran stipulates regulations to protect the family to ensure safety and sustainability and implements other regulations that are solutions to solve problems completely from all life problems or conflicts in the family.

According to the explanation of the Quran, husband and wife conflict is called *nusyuz*, which means a change in the husband and wife's attitude. The husband and wife *nusyuz* is from those who have been gentle and full of kindness and have a sweet face of changing an indifferent and surly or opposing, from the wife's side usually takes the form of abandoning her duties as a wife, besides it shows disobedience as already mentioned. If that attitude arises from the wife's side, then Allah has provided a good way out with His words in Quran Sura An-Nisa / 4: 34, which translates: But those [wives] from whom you fear arrogance³ - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them [lightly]. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand."³

Meanwhile, if the *nusyuz* comes from the husband's side, then Allah explains with his words in the Quran Surah An-Nisa / 4: 128, which translates: "And if a woman fears from her husband contempt or evasion, there is no sin upon them if they make terms of settlement between them - and settlement is best. And present in [human] souls is stinginess.¹ But if you do good and fear Allah - then indeed Allah is ever, of what you do, Aware".⁴

There are differences in the resolution given by the Quran to the *nusyuz* carried out by husband and wife. If it comes from the wife's side, then they can be advised, separation of the bed, and beaten with beatings that do not torture and do not hurt

³Pendidikan Islam and Departemen Agama, 'Departemen Agama Ri', *Al-Quran Dan Terjemah*, 1989, p. 85.

⁴Islam and Agama, p. 100.

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him, whereas if the nusyuz is from the party, husbands tend to tolerate their wives towards their husbands in relinquishing some of their rights which they should have received.

The difference in settlement of nusyuz lies not only in the nusyuz actors, as stated in the Quran, but there are also apparent differences in the Compilation of Islamic Law about nusyuz and how to solve it. The act of nusyuz in KHI is only attributed to the wife, not to the husband. The solution is by not providing income as money or clothing and the cost of care and treatment for the wife as in Article 7 and Article 84 paragraph (2) KHI, then the husband in Article 77 paragraph (5) and Article 149 letter (b) KHI may make nusyuz by the wife as a reason for requesting divorce in the Religious Court.

Based on the above assumptions, it can be perceived that there is a substantial difference between the Quran and the Compilation of Islamic Law on nusyuz and its solution, both of which are sources of law that have a clear legal area. This problem raises several questions. First, is nusyuz only done by the wife? Second, What is the effectiveness of the nusyuz as it is clearly defined in the Quran? Therefore, the researcher is very interested in discussing "Nusyuz and its Solution in the Compilation of Islamic Law from the Perspective of the Quran."

B. METHODS

1. Research Type

This type of research is library research, namely research that uses library materials as the data source

2. Research Approach

The approach used by the author in this study is:

- a. Normative theological approach; that is, how to approach the problem under study by seeing whether something follows the norms of Islamic teachings. The norms used as the benchmark are the provisions in Islamic law.



- b. Formal juridical approach; how to approach the problem by using the prevailing laws and regulations, namely Law No.1 of 1974 concerning marriage, KHI, the Law on Religious Courts, and other legal regulations.

3. Data Source

In writing this study, the authors used several sources, including:

- a. Primary sources are the primary sources, namely the verses of the Quran, compilations of Islamic law, and other laws related to this research.
- b. Secondary sources are sourced from reference books, articles, and magazines relevant to this research.

4. Data Collecting Method

To discuss the problems of this thesis, the data collection method in this study uses: *Literature*. Researchers will examine the subject through literature or references related to the title of this thesis research. *Documentation* is a method of finding data about things or variables in notes, transcripts, books, newspapers, magazines, minutes, meeting documents, or daily notes. This method is used to record documents and monograph data with historical value related to the issue under discussion.

5. Research Instrument

The instrument used in this research is documentation, which comes from the word document, which means written in carrying out the method of documentation; researchers investigate written objects, such as the Quran, laws, books, magazines, regulations, newspapers. All of which have close coherence with the object of research.⁵

6. Data Processing and Analysis Techniques

After the data has been collected, there is a need for a data selection process and then analyzed and interpreted carefully, tenaciously, and skillfully so that an objective conclusion can be obtained. Data analysis is an activity to expose data to get a reference from the truth or untruth. Another limitation reveals that data analysis is a

⁵Eko Putro Widoyoko, 'Teknik Penyusunan Instrumen Penelitian', Yogyakarta: Pustaka Pelajar, 2012.

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process that details a formal attempt to find themes and plan ideas as suggested by the data and as an attempt to assist with themes and ideas. The data analysis technique in this study used qualitative analysis, meaning that it did not use calculations in conducting research. The data is then presented in a descriptive-analytic form, which describes clearly, accurately, and precisely by providing analysis in certain sections.⁶

C. RESULT AND DISCUSSION

1. Nusyuz and the Solution in Compilation of Islamic Law

Compilation of Islamic Law does not describe the nusyuz in its entirety as described in the Quran. However, in broad outline, nusyuz in the Compilation of Islamic Law can be defined as an attitude when the wife does not want to carry out her obligations, namely: the principal obligation of physical and spiritual filial piety to the husband and other obligations are to organize and manage daily household needs properly. , this can be seen from the sound of Article 84 paragraph (1), namely that a wife can be considered nusyuz if she does not want to carry out the obligations referred to in 83 paragraph (1) except for valid reasons.

The settlement of the nusyuz case in KHI is by neglecting the maintenance of the wife, as regulated in Article 80 paragraph (7):

"The husband's obligation as referred to in paragraph (5) shall fail if the wife is nusyuz."

In Article 80 paragraph (5), it reads: "the obligation of a husband to his wife as referred to in paragraph (4) letters a and b above shall come into effect after there is a perfect appearance of his wife". Moreover, the husband's obligations, as referred to in Article 80 paragraph (5), are in Article 80 paragraph (4) letters a and b, which reads:

"Following his income, the husband bears:

- a. A living, *kiswah*, and a place of residence for the wife;
- b. Household expenses, care costs, and medical expenses for wives and children.

The same thing is reaffirmed in Article 84 paragraph (2) KHI, which reads: "As long as

⁶M Iqbal Wahyu;Hendry Cahyono Yuuhaa and others, 'Teknik Pengolahan Data', *تنبیه*, 2018.

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the wife is in nusyuz, the husband's obligation to his wife in Article 80 paragraph (4) letters a and b do not apply except for matters for the benefit of his child".

Apart from the discharging of livelihoods and the rights that the wife must accept if she is not nusyuz, implicitly the rules in the compilation of Islamic law also allow the husband to file for divorce on the grounds of his wife's nusyuz, this can be seen in Chapter XVII Due to the Breakdown of Marriage Article 149 letter b, which reads: "When a marriage breaks up due to divorce, the former husband is obliged to (b) Provide support, living place, and *kiswah* to the former wife during *iddah*, unless the former wife has been divorced *ba'in* or nusyuz and is not pregnant."⁷

2. The Quranic Perspective Regarding Nusyuz and its Solution in the Compilation of Islamic Laws

a. The Meaning of Nusyuz in the Quran

The terminology of nusyuz in the perspective of the Quran can be seen in two different definitions based on the nusyuz. The Word of Allah SWT in Surah an-Nisa verse 34 describes the attitude of nusyuz that arises from the wife's side, which by the Quran nusyuz on the wife's side means "leaving one's obligations as a wife, such as leaving the house without her husband's permission."⁸ Meanwhile, in Surah an-Nisa verse 128, the nusyuz attitude arises from the husband's side. In this verse, the meaning of nusyuz is "the husband is tough on his wife; do not want to hang out with him and do not want to give his rights."⁹

Meanwhile, according to Sayyid Qutb, etymologically nusyuz means "to stop at a high and prominent place on the earth," a depiction of feelings that express mental conditions. Meanwhile, according to the term, a person who commits nusyuz is a

⁷Muhammad Habib Adi Putra and Umi Sumbulah, 'MEMAKNAI KEMBALI KONSEP NUSYUZ DALAM KOMPILASI HUKUM ISLAM PERSPEKTIF GENDER & MAQASHID SYARIAH JASSER AUDA', *EGALITA*, 2020 <<https://doi.org/10.18860/egalita.v15i1.10179>>.

⁸Makmur Jaya, 'PENAFSIRAN SURAT AN-NISA' AYAT 34 TENTANG KEPIMPINAN DALAM QURAN', *At-Tanzir: Jurnal Ilmiah Prodi Komunikasi Penyiaran Islam*, 2021 <<https://doi.org/10.47498/tanzir.v11i2.407>>.

⁹Islam and Agama, p. 100.

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person who stresses and exalts (bragging) himself by committing offenses and iniquity.¹⁰

b. Steps to complete the Nusyuz in the Quran

Based on two different nusyuz subjects in the Quran, namely from the husband and wife's side, the settlement steps are not the same.

1) The completion of the Nusyuz attitude carried out by the wife

The Islamic *Manhaj* (method/way) did not wait until the real nusyuz took place, the flag of violations was raised, the leadership charisma was destroyed, and the household organization split into two groups/parts. So, the solution is often of no use when the problem reaches this point. Therefore, it needs to be resolved immediately when this nusyuz is only at its initial stage before becoming heavy and difficult. Because it will destroy household organizations, there will be a loss of peace and tranquility, and education for children will not run well. After that, it will cause the dizziness, collapse, and destruction of the organization's entire structure; and will make the children fall apart, or their education will be affected by these destructive factors, which cause mental, nervous, and physical disturbances to them. Also can cause deviant behavior in them.

If so, this problem is very delicate. Therefore, steps should be taken immediately to treat the symptoms of Nusyuz since they appear from a distance. In order to maintain family harmony and maintain household organizations from damage or destruction, it is permissible for the key person in charge of the household (husband) to make efforts to carry out various kinds of education to improve their condition. Not to punish, insult and torture, but to improve the situation at the early stage of the nusyuz, Allah in His Word says:

"But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them [lightly]. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand".

¹⁰Wulandari, Rostandi, and Kosasih.

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All of this is implied when anxieties arise about the wife's nusyuz as if preventive action is taken immediately to improve the psyche and order of household life. So, according to the Quran instrument, there are three stages to complete the nusyuz that the wife does.

The first step is for the husband to advise his wife. This is the first action that must be taken by the head of the household (husband), namely taking educational actions, which are always required of him in all respects,

"O you who have believed, protect yourselves and your families from a Fire whose fuel is people and stones (*At-Tahrim: 6*)

However, in these particular conditions, he must give specific directions for certain targets as well. Namely, treating the symptoms of Nusyuz before it becomes precarious and fatal.

Although sometimes advice does not work because her desires are dominant, she indulges in feelings, feels superior, or boasts about her beauty, wealth, social status of her family, or other advantages. The wife forgets she is the husband's partner in the household organization, not an opponent to fighting or an object of pride.

So, in these conditions comes the second step. Namely, actions that show the greatness of the husband's soul to what the wife is proud of as beauty, attractiveness, or whatever values she is proud to surpass her husband. "*forsake them in bed.*" The bed is a place to release stimulation and attractiveness, in which the nusyuz and arrogant wife feels she is at the peak of her power. If the husband can resist his desire to make out, have sexual intercourse, or other sweet things against this invitation, then the primary weapon of the Nusyuz woman who is so proud of him will fall. Usually, the wife regresses and softens to these tough husbands' faces with the husband's robust control over her.

The act of letting or separating oneself from the wife in bed with no intimate activity must be based on specific education in doing so. The separation is not done openly outside the place where the husband and wife are usually alone together. Do not separate in front of children because it will harm them. Nor is it done by moving to

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someone else, insulting the wife, or slandering her honor and dignity, which will only add to the conflict. The purpose of secession was to treat nusyuz, not to humiliate the wife and destroy the children.

However, sometimes this second step also did not achieve results. If so, will the household be allowed to fall apart? Al-Quran still has one other solution to solve it. Although it is a step or a harsher action, it is still lighter and less impactful than the destruction of the household organization itself due to nusyuz.

The third step is: “and [finally], strike them [lightly].” In line with the intent and purpose of all actions in advance, this beating is not intended to hurt, torture, and satisfy oneself. This beating must not be carried out intending to humiliate or degrading. Nor should it be done harshly and harshly to subject him to a life he did not like. The striking must be for educational purposes, which an educator's love must accompany. As a father does to his children and a teacher does to his student. It is understood that all of these actions should not be carried out if the two parties are allowed to be in harmony but can only be done to deal with the threat of rift damage.

When advice is useless, when the separation from bed is also useless, this deviation is different. Different levels do not work to be resolved by any other means except by beating. Psychiatric facts and experiences sometimes show that this method is the most appropriate way to resolve inevitable psychological conflict, improve the perpetrator's behavior and satisfy his heart.

Whatever the circumstances, it is Allah the Creator who determines these solutions. He understands better about the humans He created. All denials against this word of the All-knowing, all-knowing God are scorn and confusion of thought. Opposition and rejection of what the Creator has chosen can cause the person concerned to leave the area of faith.

Allah, the Most Holy, has determined all of this in a conducive atmosphere, determined cases and solutions, determined the intentions that accompany them, and determined its purpose.

These actions may be taken to solve the Nusyuz problem before it becomes



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severe, and be warned that all of this is not poorly done, even though Islam recognizes and allows for such solutions.

Rasulullah SAW has enforced the sunnah of amaliah in his household against his wives. Moreover, with his directions to treat the attitude of *ghuluw* or "exaggeration" here and there, to rectify the misunderstanding with his following sayings.

"It is narrated in the book as-Sunan and Musnad from Mu'awiyah bin Haidah al-Qusyairi that he asked, "O Messenger of Allah, what is the right of a wife to someone among us against her husband?" He replied, "you feed him when you eat; you clothe her when you clothe yourself; do not beat him in the face; thou shalt not disgrace him (thou shalt not reproach him), and do not separate from him unless he remains in the house."¹¹

Abu Hurairah narrated another hadith in the book Mashabihus Sunnah in ash-Shihhah Rasulullah SAW ... Said: "Do not someone among you hit his wife like a camel, that is he hit her in the morning, but then intercourse in the evening." Likewise, with the hadith narrated by Tirmidhi and Thabrani that the Rasulullah SAW said: "The best you are the kindest person to his wife (family), and I am the kindest person to my family among you."

As a result of texts and directives, the Islamic directives towards Muslim society clash with the tradition of ignorance, which despises the position of women and even makes them liable to be inherited. The same can happen when a man becomes an executioner, a woman becomes a slave, or when a man takes on a woman's role, and vice versa. Contrary to other fields of life, Islam was permeating the hearts of the Islamic community during that period.

Upon achieving the first stage of this goal, Islam has set boundaries that should not be crossed regardless of the circumstances. Therefore, that limit must not be exceeded. "But if they obey you [once more], seek no means against them." When the target has been achieved, the action must be stopped because obedience becomes the

¹¹Wulandari, Rostandi, and Kosasih.

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goal, namely positive obedience, not obedience due to pressure. As a result, household organizations that are the pillars of society cannot be built using obedience.

This text implies that these actions are acts of persecution and transgression when carried out after the wife's obedience to her husband has been manifested. "seek no means against them." Then this prohibition was ended by reminding them of Allah, the Highest, the Greatest so that the heart would calm down, head lowered, and relax the feeling of wanting to do wrong and arbitrarily. When warnings surround the soul according to the method of the Quran in encouraging and in giving threats. "Surely Allah is Most High, Most Great."

2) The completion of the nusyuz attitude carried out by the wife

It differs from the completion stage in the previous Nusyuz case, which the wife carried out with three steps, all of which were preventive measures to maintain the integrity and existence of the family. Here, if the husband does nusyuz, then several steps must be taken.

To begin with, both parties should make peace with each other. As a solution or a way out, the two of them agreed to make peace. This can also be done with tolerance from the wife. Such as his temporary willingness to not receive the rights he should have, such as a living or a night shift, if the husband has another more important wife. This method is per the advice of the Quran surah an-Nisa verse 128:

"And if a woman fears from her husband contempt or evasion, there is no sin upon them if they make terms of settlement between them."

Second, when the husband is reluctant to carry out his obligations, the wife may report the matter to the judge. Henceforth, the judge gave advice and ordered the husband to return to fulfill his obligations. However, if the husband continues to do evil deeds to his wife, even beats him on the wrong ground, the judge may take a warning before imposing a sentence of *takzir*. The warning was deemed necessary because if the judge took him directly, it could confuse the household atmosphere. So it is enough with the ban first; maybe someday the condition will improve and be at ease again. However, if the husband remains in his attitude, the judge may perform



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takzir with the measure based on his demands.¹²

3. Nusyuz analysts and their solutions in KHI viewed from the perspective of the Quran

Based on the description above, it must be understood that even though the behavior of abandoning obligations by one husband or wife uses the terminology nusyuz, the Quran has a broader scope because it also regulates the attitude of nusyuz carried out by the husband. At the same time, KHI only identifies the attitude of nusyuz and limited only to wives.

The compilation of Islamic law in regulating nusyuz seems to follow the line of thought of the jumhur ulama that nusyuz is only intended for wives. This can be seen from the sound of article 80 verse (7) and article 84 verse (1). The husband's obligation to provide for his wife dies as long as the wife does nusyuz. Apart from that, the husband's settlement steps when the wife is nusyuz is filing for divorce on the grounds that the wife is nusyuz as stipulated in article 152 KHI.

Apart from that, if we look at the nusyuz from the KHI aspect, we will conclude that something is wrong or is gender-biased because the formulation of nusyuz in KHI is limited to the wife. This can imply that it is as if we have suddenly committed abuses against women and as if the role of women (wives) and their influence in the household is not so urgent, even though the Quran does not say so even very privileged girls.¹³

According to the current social environment, the formula for solving the nusyuz in KHI above may need to be modified. Observing how women are treated in Indonesia, especially, has embraced the idea of mass women's emancipation and accommodated and protected human rights. Law enforcement officers and government legislators must observe the values, circumstances, and situations that exist within a society

¹²Aisyah Nurlia, Nilla Nargis, and Elly Nurlaili, 'NUSYUZ SUAMI TERHADAP ISTRI DALAM PERSPEKTIF HUKUM ISLAM', *Pactum Law Journal*, 2018.

¹³Adibah.

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because the rules that will be enforced and bind society positively impact society. As per the fiqh law, it says "*The orientation of the leader's policy must return to the benefit of the people.*"

The situation is similar to women working outside the home or having careers outside of the home and equal opportunities for success. Moreover, the term career woman who is so prevalent in community life is a social status that positions a woman not only as a wife who only takes care of household matters (kitchen, mattresses, and preening) but she also takes part and plays a significant role in helping her husband in meeting financial and household needs. Consequently, it is not unusual to find a company office, teachers, or civil servants, in an area dominated by women.

The form of nusyuz settlement planned by Indonesian ulama, compiled in a compilation of Islamic law and likewise what is stated by jumhur Islamic scholars about abortion of livelihood for nusyuz wives, could be the most appropriate benefit to be a solution. Furthermore, do not rule out, as time goes by, and the emotional problem of domestic conflicts requires breakthroughs to resolve the nusyuz case because legal fatwas born in Indonesia are very casuistic as the status of children out of wedlock. It got legal certainty after the Macica Mukhtar case with Murdiono.¹⁴

In several cases, the husband's nusyuz, who has been filed as an excuse for divorce by the wife at the Religious Court, will be given varying sanctions depending on the severity or lightness of the nusyuz violation committed the consideration of the husband's profession and income. Because if it is proven that the violation of the nusyuz committed by the husband is serious and exceeds the limit, the judge will put a heavy burden on the penalty of giving a large *mut'ah* to the wife.¹⁵

The Quran's solution for dealing with nusyuz wives in three stages, namely with advice, separation of beds, and beatings, is so systematic, and when it is carried out according to the hierarchy, it is likely to make the family whole again and more harmonious. This can be actualized and become an alternative solution to the wife's

¹⁴Zulkifli Zulkifli, 'KEKERASAN DALAM RUMAH TANGGA PERSPEKTIF ISLAM', *Raheema*, 2019.

¹⁵Nurlia, Nargis, and Nurlaili.



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nusyuz if we reflect on the conditions and problems that are so dynamic in household conflicts today. Because in fact, what Allah and His Messenger have decreed regarding the needs of human life is the best, as He says in surah al-Ahzab verse 36, which means:

"It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allah and His Messenger has certainly strayed into clear error.¹⁶

Allah also confirms in QS Al-Baqarah verse 216 that what humans like is not necessarily what Allah approves. Similarly, something that is bad may not be considered so by God. Therefore, make sure always to ask God for help when facing something you enjoy or dislike. Our goal is to receive blessings and receive the best guidance.

Therefore, it is essential for us to review the process of completing the Nusyuz in KHI final again or not and or is the Nusyuz solution in KHI still relevant to be applied by looking at developments in current social conditions? If this is not the case, the stages of completion that have been formulated in the Quran can be a relevant and representative solution to put forward. Alternatively, it is also possible to carry out an elaboration with new efforts regarding the settlement of the wife's nusyuz because if you look at the role of women (wives) in today's professional world in order to earn a living and help pay for household life; it is so large and so active that they have their income. Sometimes it is more stable than her husband from an economic perspective, therefore if only the abortion of the livelihood has become the solution of choice in the KHI, it is less relevant, less valuable, which is one of the legal objectives and less effective in reconciling tenuous household organization because of the nusyuz deed.

¹⁶Islam and Agama, p. 424.

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CONCLUSION

1. The nusyuz case, which is only addressed to the wife in KHI, has two forms of the solution the husband can do:
 - a. Discharge giving a living to a nusyuz wife. This can be seen from the sound of Article 80 paragraph (7) and Article 84 paragraph (1).
 - b. Filing for divorce on the grounds of nusyuz wife, as regulated in Article 152 KHI
2. The Quran has also regulated Nusyuz and its solutions, in which nusyuz matters are not only showed by the wife's actions but can also arise from the husband's side.
3. The solution that the Koran has given to deal with wife's nusyuz in three stages, namely by systematic advice, separation of beds and beatings and when carried out according to the hierarchy it is likely to make the family whole again and more harmonious. This can be actualized and become an alternative solution to the wife's nusyuz if we reflect on the conditions and problems that are so dynamic in household conflicts today.

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