

Staying at Home: The Perspectives of Minangkabau Ulemas Concerning Husbands' Provision of Sustenance in Covid-19 Impacted Households

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Abstract: The article discusses the perspectives of Minangkabau ulemas in West Sumatra concerning the ruling for husbands incapable of providing a living for their wife as a result of the COVID-19 pandemic. In West Sumatra, some husbands were unable to provide sustenance to their wife because they were dismissed from their employment due to the COVID-19 pandemic. The study findings are highly specific as Minangkabau customs and culture are grounded on a matrilineal system, yet they remain to be based on Islamic sharia. The research data were acquired by in-depth interviews with three influential ulemas in West Sumatra and a prominent customary figure who is the Chair of the Minangkabau Adat Council. The study found that according to the Minangkabau customary and cultural perspective, husbands are duty-bound to earn a living outside their home while their wife remains at home. Such spousal relationship has an impact on the wife's acceptance of the husband who became jobless since they were dismissed on account of the pandemic. A condition wherein wives can accept being married to a husband incapable of providing a living on account of the COVID-19 outbreak does not become a legal issue. Accordingly, the study will have implications on the formation of new categories concerning the husband's obligation to provide sustenance to his wife during a state of emergency.

Keywords: Stay at Home; Spousal Relationship; Sustenance; COVID-19; Minangkabau Ulemas.

Introduction

According to Islamic law (sharia), the four main schools of jurisprudence (Shafi'i, Hanbali, Hanafi, and Maliki) emphasize that sustenance is the right of the wife and child. However, the Shafi'i school (as well as the Maliki and Hanafi schools) which is followed by most Muslims in Indonesia states that the husband's obligation to provide sustenance can be performed once the wife lives in the same house with the husband (*tamkîn*) (Al-Zuhaili, 2002). The husband's obligation in providing sustenance is an implication of his action, which includes the burden of responsibility (Al-Anshârî, n.d.). Hence, the husband's responsibility to provide sustenance to his family is a risk borne by the husband in family life.

The perspective of these legal scholars assumes that the husband earns a living as a source of income to provide for his wife and child. Accordingly, the scholars had varying opinions concerning the amount of sustenance husbands should give to their wife. Scholars of the Hanafi school allow a flexible amount of sustenance in which it is measured in accordance with the conditions or ability of the husband. The assumption made by the scholars takes place within the context of a normal state of global economic, social, and personal life. However, it seems that the scholars did not include a state of emergency category like

the COVID-19 global pandemic that has spread throughout over 185 countries, including Indonesia (Johns Hopkins University, 2020).

West Sumatra is one of the provinces in Indonesia identified as a COVID-19 pandemic red zone area. According to West Sumatra Province COVID-19 Monitoring Data, at the time of the research there were 408 COVID-19 positive cases and 735 patients under observation of the local government. They were spread throughout all of the regencies in West Sumatra. To break the chain of COVID-19 transmission, the West Sumatra Regional Government enforced a large scale social restriction (PSBB) policy. As a result of the policy, many husbands lost their job and source of income for providing sustenance to their family.

According to the data of the West Sumatra Government Regional Labor Office, as reported by CNN (2020), as of April 5, 2020 as many as 6,551 workers in West Sumatra were impacted by the COVID-19 pandemic. Out of the amount above, as many as 6,157 people were being placed on leave without pay, while 398 people were laid off. The number will continue to rise as there are still many companies that have not reported to the government the number of employees they had to dismiss on account of COVID-19. The data was collected from 1,257 companies out of a total of 3,800 large and medium scale companies in West Sumatra. This means that the data above has not included small scale companies and informal sector workers in West Sumatra.

Such condition is very interesting to study as West Sumatra Province is one of the provinces that maintains strong religious (Islamic) and customary identity. In terms of custom, the people of West Sumatra adhere to the principle of Custom is based on Sharia, and Sharia is based on the Quran (*Adat Bersendi Syara-Syara Bersendi Kitabullah*) (Abdullah, 2010) With the largest matrilineal system in the world (Stark, 2013), Minangkabau custom places men in the position as husbands or fathers who are the breadwinner in the family. During the COVID-19 pandemic, the principle of *Adat Bersendi Syara-Syara Bersendi Kitabullah* is currently confronted by trials and challenges. Given such customary principle, understanding the perspectives of ulemas as religious actors are of utmost importance. This is because ulemas in the Minangkabau tradition hold an extremely crucial role in providing an understanding of Islamic legal aspects, and this correlates with the principle of Custom is based on Sharia, and Sharia is based on the Quran. Based on that argument, we propose the following problem statement in the study: What is the husband's responsibility to provide sustenance to his family impacted by COVID-19 in the perspectives of ulemas in West Sumatra like?

Literature Review

According to the Arabic-Indonesian dictionary written by Munawwir, (1984) *nafkah* is defined as *al-mashru'f wa al-infâq*, which refers to shopping expenses, spending, and living cost. Such definition describes a shift or transfer of wealth or capital from one person to another for cost of living (Abd al-Rahmân Al-Jazirî, n.d. compare also with; Muhammad, n.d.). According to Dimyathî, (n.d.) the shift or transfer of wealth or ownership is conducted for positive purposes such as cost of living and education.

Experts on *fiqh* (known as *fuqaha'*) define sustenance as living cost obligation a person (not necessarily a husband) provides to another person (not necessarily a wife) who is a dependent of the former. The cost of living covers expenses for food/nourishment (*math'âm*), attire/clothes (*malbâs*), house/dwelling (*maskân*) (Abdul al-Rahmân Al-Jazirî, 1996). Within such broad definition, the obligation of providing sustenance may take place between a master and his slave or an older sibling to a younger one. This general definition refers to the Quran surah At-Thalaq (65) verse 7.

Due to the extensive definition of sustenance, experts on *fiqh* (*fuqaha'*) propose 3 types of obligation to provide sustenance, namely: First, obligation to provide sustenance as a consequence of marital relationship (*Zaujiyyah*). According to *fiqh* ulemas of the Hanbali and Hanafi schools, the husband's obligation to provide sustenance even applies to divorced couples. Second, obligation to provide sustenance as a consequence of fraternal relationship and kinship (*Qarabah*). For this type of sustenance, *fiqh* ulemas have determined different limitations. Third, obligation to provide sustenance as a

consequence of slave ownership (*Milk*). This category requires a new *ijtihad* (independent reasoning in Islamic law) as slavery is no longer acknowledged and justifiable by law. (Ali, 2017)

Nevertheless, according to Khalaf (1990), sustenance in Islamic law is sustenance provided for the wife. Khalaf defined sustenance, according to the perspective of family law, as a husband's obligation to properly fulfil his wife's needs in the form of food, clothes, and residence, bed, service, and all things relating to her life necessities. In this perspective, all *fiqh* experts (*fuqaha'*) places the husband as a person with the obligation to provide sustenance to his wife and child (Sābiq, 2002). According to Haqqī, the obligation clearly refers to the Quran surah An-Nisa' verse 34, which states that one of men's privileges over women is the provision of sustenance. (Al-Rāfi'ī, 2002)

Concerning the husband's obligation to provide for the wife, in the context of formal law in Indonesia, it refers to Law No. 1/1974 on Marriage (Law of the Republic of Indonesia No. 4/1974 on Marriage, n.d.). In article 34 verse 1 it is stated that '*The husband is obligated to protect his wife and provide all necessities of family life in accordance with his ability*'. However, the amount of sustenance the husband should provide is not stipulated in the Law. Subsequently, it is stated in article 34 verse 3 that, '*If the husband or the wife neglect their responsibilities, each party may file a claim to Court*'.

The various perspectives above are based on the presupposition that a man in his role as a husband has the obligatory responsibility to provide sustenance to his wife and child under normal conditions, not in a state of emergency. Under emergency conditions such as war, the history of Islam indicates that the wife can take over the husband's obligation to provide sustenance when the husband goes to war. Nevertheless, the wife's obligation to earn a living as a result of the husband going to war is limited. According to a historical narration (*riwayat*) it is elaborated that Caliph Umar limited husbands fighting in wars to a period of 6 months leaving their wife and relinquishing their obligation to provide sustenance (Rawwas, 2011).

Another state of emergency may also occur in which either husband or wife are unable to earn a living due to the presence of a disease outbreak. When a disease spreads in a city/land, the Prophet Muhammad PBUH stated:

"Tha'un [an infectious disease/plaque] is a forewarning from Allah Subhanahu Wa Ta'ala to test His subjects of mankind. So when you hear of the disease spreading in a land, then do not enter that land. And when the disease is spreading in a land you are in, then do not leave it." (Hadith narrated by Bukhari and Muslim from Usamah bin Zaid).

Method

This is a field study conducted amid the COVID-19 pandemic. Data in the study were gathered via in-depth interviews with four informants. They were chosen as informants based on availability of access to all the informants. The informants are Buya Gusrizal Gazahar (Chair of MUI West Sumatra residing in Bukittinggi), Ustad Zulkifli Zakaria (an influential ulema in West Sumatra residing in Padang Pariaman), Mas'ood Abidin (a charismatic ulema in West Sumatra residing in Padang), and M. Sayuti Datuk Rajo Penghulu, (General chair of the West Sumatra Minangkabau wide Association of Village Adat Councils (*Lembaga Kerapatan Adat Alam Minangkabau Sumatera Barat - LKAAM*) residing in Padang).

The research began by observing the phenomenon in which husbands lost their job due to the COVID-19 pandemic (Sudirman et al., 2021). This was subsequently followed by composing the research design and selecting informants who are representative, feasible, and accessible to be contacted for in-depth interviews. The interviews started by asking general questions in order to identify the informants' understanding on the subject matter. Then, more specific questions were asked to find the perspectives of the informants in giving meaning to and understanding the problem formulated in the study. These specific questions, for instance, are, "*What is the Islamic ruling for husbands who are unable to provide for their wife not as a result of his inability, but on account of a state of emergency?*". The gathered data were then grouped (categorized) based on the correlation of meanings contained in the responses provided by the informants

concerning the questions. The data categorization process was accordingly assessed using relevant literary sources. Subsequently, the data were presented in an interpretative and descriptive manner.

Results and Discussion

Sustenance in the Minangkabau Matrilineal Culture: Husbands work, Wives Stay at Home

In the Minangkabau culture in West Sumatra, women hold a vital position in the management of property or wealth. This is one of the most striking features in the authentic cultural system of the Minangkabau ethnic group. Despite putting women in such a significant position, the matrilineal culture does not necessarily place men in a position subordinate to that of women. According to Blackwood (2000) in the Minangkabau custom, men and women mutually have special rights under different contexts. These contexts may be distinguished based on gender, age, or birth order. In general, the differences are established in the role of women as the Mother of the hereditary line while men play the role as the keeper of the hereditary line. Hence, women's role as Mother in a Minangkabau clan is an essential part of the customary leadership structure in Minangkabau culture. Accordingly, Blackwood (Blackwood, 2000) describes the relationship between women and men within the family in the Minangkabau culture as a complex system of 'power networks' with numerous different orientations.

According to M. Sayuti Datuk Rajo Penghulu, the special position that women hold has always been implemented from generation to generation and it has functioned as the guide of Minangkabau culture until today. Consequently, such culture has its implications on various other life aspects, such as spousal relationship in terms of sustenance rights and obligation in the household.

According to customs, ideally speaking, Minangkabau women stay at home. A Minang proverb states, "Bundo kandaung limpapeh rumah nan gadang. Umbun puruak pagangan kunci. Umbun puruak aluang bunian. Pusek jalo kumpulan tali. Sumarak dalam kampuang. Hiasan dalam nigari". This is about the Minangkabau custom giving women dignity. Women hold the key to the rumah gadang (Minangkabau traditional house; literal definition "big house"-Researcher). The entire household economy is held by women. If a husband has a salary, all will be given to his wife. Ambuang puruk pagang kunci, Undung-undung ka Madinah. This means, the wife holds the key to the household storage, she orders the child to leave (on a voluntary journey known as merantau-Researcher) for Madinah. If a women in the household is spendthrift, then the household economy will be spendthrift as well because she holds the money in the household (Interview with M. Sayuti Datuk Rajo Penghulu, May 16th 2020).

The explanation above shows that the distinction between the role of the husband as the breadwinner/earner and the wife as the keeper of wealth is not driven by discrimination that places the wife in a position subordinate to her husband. Egalitarianism functions as a strong and equal relational basis established between husband and wife in the household. Such spousal relationship is manifested in the form of power sharing within the household. According to Wierenga (1995) the social status conferred on women in the Minangkabau custom is a consequence of the egalitarian concept inherent in the Minangkabau community in West Sumatra. Based on the given assumption, the position of women is highly respected before the the customs of Minangkabau culture.

By means of such exceptional role, Minangkabau women as wives can ensure their descendants will constantly be in line with the customary system of Minangkabau culture. Given women's essential position as Minangkabau's cultural agents, women as wives prefer their sons to marry women of Minangkabau descent rather than other ethnicities. The reason for this is, undoubtedly, due to the fact that the custom of Minangkabau culture follows the female lineage (matrilineal) instead of the male (patrilineal). When a Minangkabau man marries a woman of non-Minangkabau descent and they have a child, then that child will not maintain the identity of his/her Minangkabau clan. Accordingly, the child will have no place in Minangkabau's cultural, customary, and social structure.

This cultural perspective, consequently, places the women of Minangkabau as one of the centers or agents of culture aside from the other three elements of leadership in the Minangkabau community that is known as *Tungku Tigo Sajarangan*, namely *Ninik Mamak* (customary leaders), *Alim Ulama* (religious

leaders), and *Cadiak Pandai* (intellectuals). Every Minangkabau clan is led by a *Mamak* or commonly called *Ninik Mamak*. *Ninik Mamak* functions as *Kapai Tampek Batanyo*, *Ka Pulang tampek babarit* (a person to ask (things) when leaving, and give news/information when returning), which means that *Ninik Mamak* is a figure who clan members consult with and who provides news or information to clan members, so a *Ninik Mamak* knows the conditions of their clan members (Penghulu, 1991). These three elements are a customary provision that serves as a basis in the implementation of social, cultural, economic, and religious life among the people of Minangkabau in West Sumatra (Malau et al., 2020). In this case, culture may be defined as "that complex whole which includes knowledge, belief, art, law, morals, custom, and any other capabilities and habits acquired by man as a member of society" (Taylor, 2016).

The Minangkabau culture, which puts women as the most crucial actor in the management of ancestral wealth in Minangkabau, is also reflected in the management of the husband's wealth and income in the household. According to Ustad Zulkifli Zakaria, the wife's position is extremely substantial in managing the husband's earnings as sustenance for the family up to the point that sometimes the husband has to request money from the wife just to buy his personal necessities.

Concerning the use of sustenance in the household, there are currently two point of views. First, Minangkabau people who have a general view of the existing tradition, which indeed involves the husband earning a living and the wife managing the husband's earnings. All of the husband's earnings are given to the wife. Second, Minang people who understand the ruling of Islamic sharia, he will impose limitation. The wife will only be given money or shopping allowance for a month, or a week. It should be like this, not all of the husband's earnings are handed over to the wife. And people belonging in the second group are fewer than the former, which is the customary and traditional group. Customarily speaking, the use of family money is indeed left to the wife. The husband merely stores (his earnings) to the wife. Even for just buying cigarettes, the husband asks for money to the wife (Interview with Ustadz Zulkifli Zakaria, May 5th 2020).

Wealth and Sustenance in Minangkabau Custom

According to Benda-Beckmann (2013), there are two kinds of wealth in the Minangkabau custom. *First*, ancestral wealth which is owned by a clan or sub-clan of the Minangkabau ethnic group. It may be in the form of land for farming or other activities. The ancestral wealth owned by the clan or sub-clan is inherited from generation to generation. Inheritance of communal land (*tanah ulayat*) follows a matrilineal system, which means from the mother's sibling (*mamak*) to the niblings. The ideal marriage for a Minangkabau man, according to Minangkabau culture, is to marry a "*mamak's child*" (the daughter of his uncle). The accumulation of wealth can, thus, be maintained within the clan or sub-clan under a strong customary system because the inheritance of the *Mamak* (uncle) will be given to the children of his sisters (Radjab, 1969).

Second, wealth acquired from individual income, which is commonly called *harta pencaharian* (self-earned wealth). This second type of wealth follows normal practice wherein a husband (father) commonly provides sustenance to his wife or child. However, there is also wealth acquired personally by the husband (father) that subsequently changes into communal/ancestral wealth (*harta pusako*). This provision is specified in detail in Minangkabau custom, which consequently leads to the categorization of wealth into high ancestral wealth and low ancestral wealth.

High ancestral wealth refers to inherited wealth owned by a clan or sub-clan of the Minangkabau ethnic group that is passed on from one generation to the next. Whereas low ancestral wealth refers to wealth acquired from a husband's (father) income/earnings that has changed into communal/ancestral wealth upon being handed down to his clan or sub-clan. Once the wealth that he has amassed on his own has been bequeathed to his clan or sub-clan, it becomes property of the low ancestry and after several generations it will become property of the high ancestry (Evers, 1975).

According to Goettner-Abendroth (2012) in the economic perspective of property or asset management, women in matrilineal society such as Minangkabau has tremendous control over the clan or family's production of economic resources. These resources include cultivation lands, or other food sources. Women function as the center of economic resource management and distribution to the children,

grandchildren, and their descendants. For women who come from an accomplished or wealthy clan, they even bear the responsibility to advance the village or the village community where they live.

Sustenance the husband provides to his wife and child in this case falls into the second category of wealth, which is wealth acquired from individual earnings (as a husband or father). This second type of wealth follows the usual model of a husband (father) typically providing sustenance to his wife or child. That is why, according to Buya Gusrizal Gazahar, the management and amount of sustenance the husband gives to his wife and child are not included in the interest of Minangkabau custom.

The husband is responsible for providing sustenance to his wife and child. The sustenance is a routine obligation, not a part of ancestral wealth. So, management of the sustenance may be specified according to an agreement between husband and wife in the household. Matrilineal (system-Researcher) does not mandate the husband's money to be held by his wife (Interview with Buya Gusrizal Gazahar, May 8th 2020).

According to this perspective, the husband or father is a figure who is respected in the household because he provides sustenance to his wife and child. However, as the largest matrilineal society in the world, a husband or father in the Minangkabau cultural system is perceived as mentioned in the customary adage “*bak abu di ateh tunggua*” (like ash atop a hearth) (Schrijvers & Postel-Coster, 1977). This means that in Minangkabau's matrilineal culture, a husband living and staying in a *Rumah Gadang* (Azra, 2017). *Rumah Gadang* (big house) functions as a place where the extended family of a Minangkabau clan resides. This, consequently, becomes one of the main reasons for husbands to leave their kampong where their clan or sub-clan resides for a voluntary journey outside of their homeland known as *merantau*. They do not return to their homeland or kampong for quite a long period of time.

The Wife's Acceptance Revokes the Husband's Obligation

The various substantial roles that women as wives maintain in the household in the Minang culture are accordingly tested in states of emergency, particularly a global emergency not unlike the current spread of COVID-19. According to Ustad Zulkifli Zakaria and Buya Mas'oeed Abidin, wives can refer to Islamic teachings on contentment (*ridha*) or acceptance of their husband's conditions and his difficulty in providing sustenance in facing these ordeals during the COVID-19 emergency period. Ustad Zulkifli Zakaria argues that if the wife is content and accepts the husband's inability in providing sustenance as a result of unemployment during the COVID-19 pandemic, then it is not an issue according to customary law and Islamic law.

If the husband cannot provide sustenance, but the wife accepts, there's no problem. In a state of emergency, the husband is still held responsible. During the COVID-19 period, although the husband faces difficulty in earning a living, Allah will open other doors of good fortune. There are many people who will help (Interview with Ustadz Zulkifli Zakaria, May 5th 2020).

The perspectives of the two ulemas in West Sumatra set the concept of wife's contentment/acceptance (*ridha*) as an extremely defining response in the ruling of the husband's obligation to provide sustenance to the wife. This means that if the wife accepts/is contented with her husband not providing sustenance due to the state of emergency, then the husband's obligation to provide sustenance is invalidated. However, if the husband is unable to provide sustenance due to the state of emergency and the wife accepts, then how does the couple continue their life with neither sustenance nor income? According to Ustad Zulkifli Zakaria, in the perspective of the wife, this becomes a matter left to Allah SWT as Allah SWT will open doors of good fortune and income through other means such as assistance from others. In a similar vein, Buya Mas'oeed Abidin believes that the state of emergency is an ordeal and Allah SWT does not burden human beings beyond their ability to bear them. According to this perspective, their belief in divine providence or their faith in religious doctrines do influence the opinions of the two ulemas.

The two ulemas stated that the implication of the religious perspective above is that the husband's sustenance to the wife during the COVID-19 pandemic may be taken from the zakat collected from the Muslim community. Buya Mas'oeed Abidin said:

In the perspective of religion, the zakat money collected can be used to address poverty as a result of COVID-19. The religious authorities who manage zakat on wealth wouldn't be right if they don't care.

A different argument was presented by the Chair of MUI West Sumatra, Buya Gusrizal Gazahar. In his opinion the state of emergency does not invalidate the wife's right to receive sustenance from her husband. In cases when the husband's earnings decreased, the amount of sustenance given may be reduced on account of an emergency. However, under conditions in which the husband is unable to provide sustenance not because of his inability but because of existing government policy, then the obligation of providing sustenance is transferred to the government as the policy maker. In principle, the wife's right to receive sustenance cannot be invalidated on grounds of emergency.

The pandemic period does not invalidate the wife's rights on her husband, this is the legal ruling. There are 3 rights of the wife that become the husband's obligation, Mahar (dowry-researcher), Nafkah (sustenance-researcher), and Residence. If COVID-19 were to have an impact on the husband's obligation to provide sustenance, then the extent of the impact should be measured. If the husband is no longer able to earn a living due to the COVID-19 pandemic, it is prohibited to leave the house, then the obligation is transferred to the government.

The husband's obligation to provide sustenance to his wife during the COVID-19 pandemic will subsequently be observed in relation with the state of emergency itself and how the government produced a policy concerning the said state of emergency. According to this perspective, the three ulemas interviewed as informants in the study argue that the government or state is responsible for tending to people who are disadvantaged. According to Buya Maso'ed Abidin, the Constitution of the Republic of Indonesia (*Undang-undang Dasar – UUD*), article 34 verse 1, has stipulated that the poor and destitute children in Indonesia shall be cared for by the state.

The Husband's Responsibility to Provide Sustenance is Transferred to the State

Meanwhile, according to Buya Gusrizal Gazahar, a state of emergency should have proportions with determined criteria so that a situation can be included in a category that has an impact on the husband's obligation to provide sustenance to his wife. According to Gusrizal Gazahar, the state of the COVID-19 pandemic is already considered as *ad-darurat al-muttaqab*, a predictable state of emergency. Muslims are, thus, afforded *uzur syar'i* (religiously justifiable excuse).

During the COVID-19 pandemic, there are two states of emergency. First, emergency that is threatening personal life. Second, emergency that is threatening amah (the public-researcher), emergency that is threatening the general public. In this case, the general emergency should be prioritized from the emergency that is threatening personal individuals. (Interview with Buya Gusrizal Gazahar, May 8th 2020).

Additionally, according to Buya Gusrizal Gazahar, in a predictable state of public emergency (*ad-darurat al-muttaqab*), based on the decision made by the government, the husband's obligation to provide sustenance to his wife is invalidated. This is due to the fact that the husband's inability to provide sustenance is not a result of his own person, but due to an intervention implemented by the government as the policy maker of the state of emergency.

As a consequence, the Regional Governments (including West Sumatra Regional Government) do not have the authority to make policies to regulate their constituents in the region to combat COVID-19. While in fact, every region has their own distinct customs and cultures. West Sumatra, for instance, has a strong religious identity, (Abdullah, 2010 see also; Hadler, 2010) which results in ulemas being one of the most crucial actors for regulating people's life, particularly during the COVID-19 pandemic. Additionally, the people of Minangkabau also practice the *merantau* tradition and *pulang basamo* in the period leading up to the Eid al Fitri celebration. Such cultural tradition is one of the factors that may exacerbate and accelerate the spread of COVID-19 in West Sumatra.

According to Buya Gusrizal Gazahar, the government's policy strategy of not implementing a lockdown in combating COVID-19 is one of the problems in dealing with culture and custom in Minangkabau. The government is considered to have avoided the obligation of funding expenses for residents and livestock in quarantined (locked down) areas. This is provisioned in verse 1 article 55 Law No. 6/2018 on Health Quarantine: *During Regional Quarantine, the basic life necessities of residents and livestock feed are the responsibility of the Central Government.* While in fact, according to Yunus and Rezki (Yunus, 2020),

a lockdown is a viable option as a strategy to anticipate the spread of COVID-19. Several experts have also suggested the government to implement a limited lockdown policy (Asmara, n.d.).

Weible et al. (2020) discern that government policies may change during a time of crisis not unlike the current combat against COVID-19. The government's policy change in fighting COVID-19 may cover mitigation (temporary close down of disease infected areas) or strict lockdown for regions that have become epicenters of the pandemic following projections of mortality rate, as implemented by the British government (Hunter, n.d.; Walker, 2020). However, the government's subsequent decisions may be adjusted to contextual factors such as involvement of institutions (like MUI and Customary Council), local culture (like the custom of *pulang basamo*), economic orientation of residents, and even to operational level such as social behavior on the field. These are sustainable necessities that should be applied so that all parties bear relatively similar burden in combating COVID-19.

Conclusion

In terms of spousal relationship, ulemas in West Sumatra have different opinions concerning the husband's inability to provide sustenance to his wife since he cannot work as a result of the government's policy to implement Large Scale Social Restrictions (PSBB). The first argument is that husbands who are unable to provide sustenance because they are not working is not a legal issue as long as their wife is contented with or accepts their condition. The reason for this is that the wife's contentment or acceptance is the peak of happiness in the household. The second argument is that husbands who are unable to provide sustenance because they are not working does not invalidate the wife's right to receive sustenance from the husband, and it does not invalidate the husband's obligation to provide sustenance to his wife. The reason for this is that the husband's inability to provide sustenance is not caused by the husband himself, but by the government's policy instead.

Nevertheless, in terms of the relationship between husband and wife as citizens and the government, the responsibility of husbands who are unable to provide sustenance because of the government-made policy should be handed over to the government that made the policy causing those husbands to lose their job and consequently become incapable of providing sustenance to their wife. This is a reasonable argument because the government's policy is a threat to the general public. A general emergency should be prioritized over emergencies that personally threaten individuals. Accordingly, impact on individuals such as the husband's obligation to provide sustenance to his wife becomes the state's responsibility.

The study may have implications on the ruling for husbands to provide obligatory sustenance to their wife during states of emergency established by the government. Therefore, during states of emergency, the spousal relationship which includes the husband's obligation to provide sustenance is altered into a relationship between the spouses as citizens and the government. Accordingly, the study suggests an additional new category of sustenance provision during states of emergency. The assumption that a state of emergency invalidates the husband's obligation to provide sustenance to his wife may be considered as a new category of ruling on sustenance provision since the issue has yet to be assessed by experts on Islamic jurisprudence (*fuqaha*).

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