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Analysis of Maqashid Al-Syari'ah in Supporting the Family By Begging in Panyabungan Mandailing Natal District

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Abstract

Fulfilling family maintenance is an obligation for a head of family. In fulfilling this living, it must be carried out with full responsibility and prioritizing halal and thoyyib. However, some fulfill the needs of their family by begging in a certain mode. The purpose of this research is to explain the maqashid al-shariah analysis of fulfilling family income by begging. This research is a field study in Panyabungan, Mandailing Natal. In collecting data, researchers conducted observations, interviews and documentation. Furthermore, the data findings were analyzed descriptively with maqashid al-shari'ah. As a result of the findings, beggars who do their job to provide for their families are grouped into three types, namely (1) begging with physical and mental disabilities, (2) begging by pretending to be disabled, (3) begging involving other family members. In the maqasid al-shariah analysis, it is permissible that people beg because they are mentally or physically disabled and do not have anyone else to support themselves and their families. Meanwhile, begging by pretending and involving other families is not justified, because it eliminates self-dignity and dignity.

Keywords: *Begging; living; physical disability*

Introduction

The problem of subsistence has always been an important part of married life¹. The obligation to build a household is always based on the ability to make ends meet². Therefore maintenance becomes the principle and foundation in marriage ties. In fulfilling his family's living, a head of household must ensure that the sustenance is halal thoyyiban as the main basis for obtaining it³. That is, in addition to fulfilling the halal aspect in getting it, it must also be done in a good way too⁴.

In Islamic teachings, the husband who is the head of the family is fully responsible for fulfilling his family's living⁵. This is not something new in society, but all walks of life are aware of this. However, a number of facts occur in the field that there are very many heads of families who are unable to provide proper living for their families⁶. Of course these problems are not only

¹ Jamhuri Ungel, Rispalman Rispalman, and Taufiq Hidayat, 'Pengabaian Nafkah Dalam Proses Perceraian Di Kecamatan Pintu Rime Gayo Kabupaten Bener Meriah', *El-USRAH: Jurnal Hukum Keluarga*, 3.2 (2020), 259 <<https://doi.org/10.22373/ujhk.v3i2.7678>>; Arini Mutiara Agi and Indah Dwiprigitaningtias, 'Analisis Yuridis Mengenai Gugatan Nafkah Yang Menjadi Alasan Perceraian', *Jurnal Dialektika Hukum*, 2.1 (2020), 19–35.

² Nandang Fathurrahman, 'Perbandingan Kewajiban Nafkah Perspektif Hukum Islam Dan Hukum Positif Di Indonesia', *Al-Ahwal Al-Syakhsiyah: Jurnal Hukum Keluarga Dan Peradilan Islam*, 3.2 (2022), 193–206 <<https://doi.org/10.15575/as.v3i2.20160>>; Bangun Dasopang and Syukri Albani Nasution, 'Pemenuhan Kewajiban Dan Hak Nafkah Keluarga Masyarakat Petani Di Kabupaten Padang Lawas Utara (Analisis Gender)', 775–88 <<https://doi.org/10.30868/am.v10i02.3050>>.

³ Salmah, 'NAFKAH DALAM PERSPEKTIF HADIS (Tinjauan Tentang Hadis Nafkah Dalam Rumah Tangga)', *Juris*, 13.1 (2002), 92–102.

⁴ An Ras Try Astuti and Ruqiah, 'Bisnis Halal Dalam Perspektif Etika Islam: Kajian Teoritis', *AL MA'ARIEF: Jurnal Pendidikan Sosial Dan Budaya*, 1.2 (2020), 142–56 <<https://doi.org/10.35905/almaarief.v1i2.1139>>.

⁵ Mursyid Djawas dan Nida Hani, 'Pandangan Hukum Islam Terhadap Istri Sebagai Penanggung Jawab Keluarga', *Media Syari'ah*, 20.2 (2018), 202–2020 <<https://medium.com/@arifwicaksanaa/pengertian-use-case-a7e576e1b6bf>>; Arini Rufaida dan Nuryati, 'Pemberian Nafkah Suami Kepada Istri Yang Berpenghasilan Perspektif Sosiologi Hukum Islam', *Qiyas*, 7.1 (2022), 1–11.

⁶ Soraya Devy and Doni Muliadi, 'Pertimbangan Hakim Dalam Menetapkan Nafkah Anak Pasca Perceraian (Studi Putusan Hakim Nomor 0233/Pdt.G/2017/MS-MBO)', *El-USRAH: Jurnal Hukum Keluarga*, 2.1 (2020), 123 <<https://doi.org/10.22373/ujhk.v2i1.7646>>; Rabiatul Adawiah, 'Pola Asuh Orang Tua Dan Implikasinya Terhadap Pendidikan Anak', *Jurnal Pendidikan Kewarganegaraan*, 7.1 (2017), 33–48 <<https://ppjp.ulm.ac.id/journal/index.php/pkn/article/download/3534/3063>>.

limited to the difficulty of employment or the presence of an illness, but more towards low motivation to work and a sense of responsibility⁷.

Furthermore, poverty is one of the obstacles to meeting family needs⁸. In maintaining family resilience, the test of poverty is often a problem of breaking family ties⁹. Shortcuts to meet family needs are often done by begging or begging other people using various methods¹⁰. Efforts to meet family needs are often intruded by heeding halal and ma'ruf ways¹¹.

The excuse of poverty to legalize begging certainly cannot be legalized. Mental begging can damage self-esteem and human dignity¹². Religion teaches *iffah*, namely as an effort to maintain self-respect by not easily begging¹³. Something that is prohibited in religion can indeed be allowed for a certain reason. However, this reason must be able to penetrate *dhoruriyat* for the sustainability of one of the *maqashid sharia*, namely soul, religion, self, mind and wealth¹⁴.

⁷ Oktaviani, 'Peran Wanita Karir Dalam Pemenuhan Nafkah Keluarga Dalam Masyarakat Bugis Di Kota Parepare' (IAIN Parepare, 2021).

⁸ Siswati Saragi, Maria Ulfa Batoebara, and Nur Ambia Arma, 'Analisis Pelaksanaan Program Keluarga Harapan (Pkh) Di Desa Kota Rantang Kecamatan Hamparan Perak', *Publik: Jurnal Manajemen Sumber Daya Manusia, Administrasi Dan Pelayanan Publik*, 8.1 (2021), 1–10 <<https://doi.org/10.37606/publik.v8i1.150>>; Supartono Lingga Tawakal, 'Implementasi Program Keluarga Harapan (PKH) Sebagai Salah Satu Kebijakan Penanggulangan Kemiskinan (Studi Pada Kelurahan Tanjungrejo, Kecamatan Sukun, Kota Malang)', 1–21.

⁹ Ina Yanuar Rukmayanti Tin Herawati, Diah Krisnatuti, 'Dukungan Sosial Dan Ketahanan Keluarga Peserta Dan Bukan Peserta Program Nasional Pemberdayaan Masyarakat (PNPM) Mandiri', *Jur. Ilm. Kel & Kons*, 5.1 (2012); Yudiyanto Yudiyanto, 'Ketahanan Nasional Berbasis Kokohnya Keluarga Indonesia Memasuki Masyarakat Ekonomi Asean (Mea)', *Ri'ayah: Jurnal Sosial Dan Keagamaan*, 1.01 (2016), 40 <<https://doi.org/10.32332/riayah.v1i01.126>>.

¹⁰ Maghfur Ahmad, 'Strategi Kelangsungan Hidup Gelandangan-Pengemis (Gepeng)', *Jurnal Penelitian*, 7.2 (2010), 1–16.

¹¹ Rr. Suhartini, *Religiusitas Kaum Profesional Muslim*, *Jurnal Studi Hukum Islam Dan Pendidikan* (Surabaya: IAIN Sunan Ampel Press, 2017), VI.

¹² Puput Noviawati and Anna Underwati, 'Gambaran Dinamika Kemiskinan Ditinjau Dari Atribut Psikologis: Studi Pada Masyarakat Miskin Kota Semarang', *Seminar Nasional Multi Disiplin Ilmu*, 3 (2017), 670–78; Ama Farida Sari, 'Sikap Mental Pengemis Di Kompleks Pecinan Desa Hadipolo Kecamatan Jekulo Kabupaten Kudus' (Universitas Negeri Semarang, 2016).

¹³ Wahyuddin, *Nilai-Nilai Pendidikan Karakter Di Madrasah* (Makasar: Orbit, 2018).

¹⁴ Atiqi Chollisni Kiki Damayanti, 'Analisis Maqashid Al-Syari'ah Dalam Keputusan Konsumen Memilih Hunian Islami Pada Perumahan Vila Ilhami Tangerang', *Jurnal Islaminomic*, 7.1 (2016).

The term beggar or begging is termed sa'il language. Ibnu Katsir revealed that the meaning of sa'il in the Qur'an is a group of people who are entitled to receive zakat or alms. Therefore, the mention of the term sa'il is closely related to the giving of assets to be used as alms or infaq or zakat¹⁵.

Furthermore, a number of verses also describe that the property owned by rich people includes the rights of beggars and the poor. This is a reality in the teachings of Islam, that whatever is owned by a person in the form of sustenance by Allah SWT, then in it there is a right that must be fulfilled by that person. There is an obligation to give to certain people, while on the other hand, there is someone's effort to maintain his self-esteem so as not to beg¹⁶.

According to Imam Nawawi explained that QS Adzzariyat 19 that someone in collecting wealth must prepare a side or part for the person who is entitled. They must know that in their assets there is a right for people to ask for gifts from humans. Meanwhile, Muta'affif, where some humans consider them rich, so they don't get gifts from other people, so that should be a concern too¹⁷.

The phenomenon of begging to fulfill daily needs is rife in various regions in Indonesia. One of them is in Panyabungan, Mandailing Natal Distrik. The beggars in Panyabung appear and develop to this day. The activities of beggars in the area have knowledge that is constructed as a form of alms-waiting activity. Based on the process of social construction shown by the perpetrators of the waiting alms, it creates simultaneous actions for the actors so that it becomes a habit. The act of begging is an effort made to meet daily needs and survive in carrying out these activities because they think that the activity of waiting for alms is an opportunity¹⁸.

Based on preliminary observations, the authors found facts in the field that there was one family in Pidoli Lombang village, Panyabungan sub-district, Mandailing Natal district whose livelihood was begging. The parents of Ind are

¹⁵ Abu Fida' Ismail bin Umar Ibnu Katsir, *Tafsir Al Qur'an Al 'Adzhim*, II (Riyad: Daar Thoibah, 1999); Aguswan Rasyid and others, 'What AL-Quran Say About 'Aql', *European Journal of Molecular and Clinical Medicine*, 7.11 (2020), 228–34.

¹⁶ Al-Zamakhsyari bin Umar Mahmud, *Tafsir Al-Kasyāf*, III (Beirut: Darul Ma'arif, 2009).

¹⁷ Saipul Hamzah dan Ahmad Ahnaf Rafif Muhammad Rafi, 'Makna Sail Dalam Al-Qur ' an: Tujuan Implisit Pengentasan Pengemis Dalam Ayat-Ayat Sail Dan Aktualisasinya', *Jurnal Studi Ilmu-Ilmu Alqur'an Dan Hadis*, 18.1 (2017), 17–32.

¹⁸ Khairani Rangkuti, *Field Notes* (Panyabungan, 2022).

an able-bodied married couple who take turns begging in unison every day. They have two children named Ind and Pd. The head of the family has no other business besides begging, but from this begging activity, this family manages to own one plot of plantation land and a concrete house of their own¹⁹.

In accordance with the description above, this article will describe the maqashid al-syaraiah review of the head of the family supporting his family by begging.

Method

This research was conducted in the City of Panyabung Mandailing Natal. In collecting data, researchers conducted observations, interviews and documentation as well as literature studies in terms of strengthening Maqashid Al-Syari'ah. Furthermore, the data findings were analyzed descriptively with the concept of Maqashid Al-Syari'ah.

Discussion

The Practice of Begging to Support the Family in the City of Panyabungan

Work is an obligation imposed on all human beings, and Islam places work culture as a central theme for the development and welfare of the ummah²⁰. Even the Prophet Muhammad, who is the messenger of Allah and as a noble human being, is also required to support his family by working²¹. In addition, the Prophet Muhammad was also very happy for people who were always active and not lazy, because working by seeking sustenance was taught as a command from Allah to mankind in order to prosper the earth and bring it in a better direction²².

Beggars with Physical and Mental Disabilities

Persons with physical and mental disabilities are people who have physical and/or mental disabilities, which can interfere with or constitute obstacles and obstacles for them to perform properly, consisting of persons with

¹⁹ Khairani Rangkuti.

²⁰ Mochammad Nadjib, 'Religion , Ethics And Work Ethos Of The Javanese Fishermen ' S Economic Activity', *Jurnal Ekonomi Dan Pembangunan*, 21.2 (2013), 137–50.

²¹ Ahmad Zaini, 'Meneladani Etos Kerja Rasulullah Saw', *BISNIS: Jurnal Bisnis Dan Manajemen Islam*, 3.1 (2016), 115 <<https://doi.org/10.21043/bisnis.v3i1.1476>>.

²² Khusniati Rofiah, 'Konsep Ekonomi Jamaah Tabligh Studi Pemikiran Maulana Muhammad Zakariyya Dalam Kitab Fadhilah Al-Tijarah', *Justitia Islamica*, 12.2 (2015), 221–45.

physical disabilities, persons with mental disabilities and persons with physical and mental disabilities²³.

The author met a beggar at the Panyabung Baru market with a paralyzed special needs condition, and because the beggar had difficulty speaking, the writer conducted an interview with one of the people around the Panyabungan Baru market, he said: "Alhamdulillah, brother, there are many generous people who give a little fortune, every day my brother goes to the market to see him there and sits while putting a small container in front of him. Because his leg hurts and I think my brother is paralyzed because I see his legs are dry and thin."²⁴

Then the author also conducted an interview with one of the traders in the new Panyabungan market, he said: "It's a shame, we actually see him like that, especially since he can't move around. If it's hot during the day, he will overheat even though he has an umbrella that he brought from home, especially when it rains, it's a pity too, but when it rains, the people here help carry him to move places. He has been begging for a long time in this market maybe to make ends meet."²⁵

The author met a family consisting of a mother and her two sons and daughters who were begging in the Panyabungan II sub-district, they begged from house to house, the mother was able-bodied but her two children had ex-psychotic mental disorders with criteria for behavioral disorders . The author then conducted an interview with the mother, she said: "My child is sick and I as a mother have to provide for them because they don't have a father anymore, they can't live alone because they can run away, get lost and even hurt other people without them knowing it. That's why I have to take them to beg because this is the only thing I can do. Even if I work, my child cannot be left let alone brought to work. I am afraid that people who have jobs will not accept it."²⁶

²³ Dewi Krisna Hardjanti, 'Kajian Yuridis Tentang Penyandang Disabilitas', *Perspektif Hukum*, 16.1 (2016), 1–17 <<http://perspektif-hukum.hangtuah.ac.id/index.php/perspektif/article/view/5>>; Abdul Masykur, Fuad & Ghofur, 'Pendidikan Penyandang Disabilitas Dalam Al-Qur'an', *Tarbawi*, 2.2 (2019), 98–111.

²⁴ Raja Ritonga dan Khairani Rangkuti, *Interview with an Informant* (Panyabungan, 2022).

²⁵ Raja Ritonga dan Khairani Rangkuti.

²⁶ Raja Ritonga dan Khairani Rangkuti.

Begging under certain conditions is permissible. The Messenger of Allah allowed this begging only when someone really needed it and he did not have any wealth at all (to maintain the *hifzh nafs* soul). Begging is also okay when the goal is to help others in need.

The author also conducted an interview with a beggar with a blind condition who was assisted by two children to guide him while carrying out his actions at a restaurant in Panyabungan City, he said: "I am used to begging at this restaurant, because the people who come here are very busy, especially when it is before lunch, many come here to take a break from their work office, so they are not stingy in giving alms to me who is sick. I don't go to homes when I ask for donations, but just to places to eat like restaurants, tourist spots and places where young people hang out."²⁷

Feigning a Physical Disability

Pretending according to the Big Indonesian Dictionary, the word pretending means not really. Basically pretending in the sense of obvious hypocrisy is bad. But in the reality of socio-political life, manners often force humans to pretend. The author conducted an interview with KU (initials), a housewife who works as a beggar, she said: "I live with my child in this house, it's been more than 3 years that my husband and I have divorced, since then I've been confused about how to make money, how it's been difficult, finally I decided to become a beggar even though it's hard for me, I asked for alms to meet the needs of the kitchen by going to markets and to food stalls such as meatball stalls, drink stalls which are full of people. But even with the neighbors I'm sometimes embarrassed but what else can I do, I don't know what to do. I used to be able to go to the river to dredge sand to pan for gold in the river with my husband but now I can't anymore since we've separated."²⁸

Based on the interview above, the writer can conclude that these beggars are classified as traditional beggars. Traditional beggars are beggars who in carrying out their activities directly go around the stalls, people's houses, or by placing vessels in front of the crowd. The condition of a beggar like this seems shabby, dirty, dirty, with a weak and old physical condition while speaking pitifully to the people he meets.

²⁷ Raja Ritonga dan Khairani Rangkuti.

²⁸ Raja Ritonga dan Khairani Rangkuti.

The author also conducted an interview with IH (initials) as the son of the beggar mentioned above, he said: "It's true that my mother recently went begging more often, my mother doesn't have a job, I'm also actually married and my husband is also not living with me anymore, I live alone with my mother and I don't have a job either."²⁹

However, the writer found different facts from ZA as a neighbor of the beggar, he said: "I once saw the mother in the market begging for something like that, but I noticed why her legs were dragging a bit like that, as if she was limping even though it turned out that I knew that woman in my village didn't have a limp. Actually, I don't want to think wrongly, but that's what I see in the market there, but indeed this mother is a good person, sometimes we feel sorry for them because the source of money for them is quite difficult because living without the head of the family is the mother who earns a living by herself. beg."³⁰

The old market in the city of Panyabungan is a place for beggars to look for money at the mercy of the people, like AB, one of the beggars the author managed to interview, he said: "I am a neighbor of this father (beggar), I only help guide the way because he has no clear vision, this gentleman has been begging for more than 5 years but the one who guides him often changes who can, we are usually around the market It's been a while, we came here in Siabu by public transportation."³¹

Beggars in the Name of Other Family Members

Soliciting donations or begging is basically not lawful in Islam. Especially if you do it by deceiving or lying to other people as if he or she is someone who is having economic difficulties, or really needs educational expenses for school children, or care and treatment for a sick family, or by means of acting on behalf of a certain institution to pay for it. certain activities, then the law is that all of these are haram and include major sins.

The writer who was observing in the Dalan Lidang village met a beggar who was asking alms for his child who was seriously ill while carrying a photo of his child who was sick, then the writer conducted an interview and he said: "I

²⁹ Raja Ritonga dan Khairani Rangkuti.

³⁰ Raja Ritonga dan Khairani Rangkuti.

³¹ Raja Ritonga dan Khairani Rangkuti.

had to beg all the way to this city. I was from a village far away. I took a bus here for my child. My child after giving birth with a tumor is still lying at home, the child is still a baby while the mother is sick and her husband is not around, I am very sorry, we are not a well-off family and I am forced to beg like this to buy daily needs. We have also received assistance from the government, but still for my daily needs I have to go around asking people for alms.³²”

Based on the results of the interview above, the authors can conclude that the condition of the mother is very forced to become a beggar considering there are babies who really need proper nutrition while their parents are sick. Islam does not prescribe begging unless it is absolutely necessary, and Islam strictly prohibits begging by lying and deceiving. The reason is not only that these actions are forbidden by Allah, but also because these actions are considered to contaminate good deeds and take away the rights of the poor who really need help. It tarnishes the good image of the poor who refuse to beg and those who love virtue. Because they are included in the group of people who beg for help. When in fact they do not deserve it.

Beggars who are physically disabled and have lots of inheritance from their parents but are exploited by their parents for begging

Child exploitation is the use of children in work or other activities for the benefit of others, including child workers and beggars. These activities damage or harm the child's physical and mental health, educational, spiritual, moral and social-emotional development. The perpetrators of acts of violence and exploitation of children are not what happened in the past, but are instead carried out by individuals and community groups. Often appearing in newspapers, watching television on the internet, parents easily sell their babies, close relatives trade close relatives, biological fathers and mothers force their children to beg. The value of children seems to have changed from children as God's mandate, to children as an economic value.

Based on the observations, the authors found that there was a beggar in Dalan Lidang Village with a physically disabled condition who was exploited by his parents to beg even though his parents had enough wealth to pass it on to the child. In an interview session with the author, the beggar's parents stated: “We didn't order our child to beg for begging on the streets, that was his

³² Raja Ritonga dan Khairani Rangkuti.

own will and meant that he could just leave the house and interact socially. There is no intention to collect haerta by begging.³³"

However, elsewhere the author conducted an interview with FN as a physically disabled beggar who was allegedly exploited, he said: "We live mediocre plus my condition is like this, how could I have to be a burden on my family all the time. I just want to try to get out of my incompetence despite being a beggar who is my way. The income that I usually get every time I beg from 10 am to 4 pm is only around 100 thousand. I also gave the money to my parents.³⁴"

Based on the interview above, the authors analyze the function of children in this category to help support the family's economy because of the burden or pressure of poverty that must be borne and cannot be resolved by the parents themselves. In general, children who work as beggars in Panyabungan aim to meet the daily needs of the family, including buying staple food and other needs. Parents who employ their children as beggars do not care about the dangers and impacts on their children.

Based on the results of the data above, it can be concluded that the majority of beggars in the city of Panyabungan are disabled or have special needs with a low educational background.

The Practice of Begging to Support the Family in the City of Panyabungan in the View of Maqashid Al-Syari'ah.

The purpose of law enforcement in Islam is divided into three levels.

1. First, al-dharuriyyat (primary/principle needs) : Al-dharuriyyat is the highest level in Maqasid Al-shari'ah. He is the determinant of the benefit of the world and the hereafter. That is, a fixed price that must be maintained for existence, with some if not nonexistent, will result in the abandonment of the benefit of the face-to-face in this world and in the hereafter. There are five main elements that must be considered in maqasid addharuri, namely, guard the soul, keep religion, look after offspring, keep treasure, keep sense. There are two categories for maintaining dharuriyyat functions. Fulfill the pillars and basic rules. Both of these are basic tools. Without it, the activity is

³³ Raja Ritonga dan Khairani Rangkuti.

³⁴ Raja Ritonga dan Khairani Rangkuti.

considered non-existent. Eliminate things that can cause loss or less optimal results from an activity³⁵.

2. Second, al-hajiyat (secondary needs) : It is the need to achieve benefit, if it is not attempted it will actually not cause benefit to be neglected in totality, it will only cause masyaqqah (difficulties)³⁶.
3. Third, al-tahsini (tertiary needs) : At-tahsini is a need that is considered good according to the general view. With an approximation, if you don't try, it will not cause you to lose benefit or experience difficulties (masyaqqah), but this will only complement the existence of dhururiyat or hajiyat benefits³⁷.

Begging under certain conditions is permissible. The Messenger of Allah allowed this begging only when someone really needed it and he did not have any wealth at all (to maintain the hifzh nafs soul). Begging is also okay when the goal is to help others in need³⁸.

Beggars with physical and mental disabilities in supporting the family if it is associated with the view of Maqashid Al-Syari'ah which is located on Maqashid Al-Dharuriyat means that a benefit is located at the top or main position related to basic needs. Maqashid Al-dharuriyah, is an essential benefit for human life such as beggars with special needs, because it is an absolute requirement for the realization of both worldly and spiritual life. Beggars with physical and mental disabilities in supporting their families are in accordance with the important elements that must be maintained in Maqashid Al-Dharuriyat, namely³⁹:

1. Maintaining or protecting religion (hifz-aldin) : Beggars with physical and mental disabilities in supporting the family are a form of maintaining religion that is carried out by parents in meeting the needs of the family even though they have physical limitations.
2. Maintaining or protecting the soul (hifz-alnafs) : Beggars with physical and mental disabilities in supporting their families are a form of protecting their

³⁵ Muhammad Bakar Ismail Habib, *Maqashid Syari'ah Ta'shilan Wa Taf'ilan* (Kairo: Rabithoh Alam Islam, 1427).

³⁶ Habib.

³⁷ Habib.

³⁸ Muhammad Thohir Ibnu 'Asyur, *Maqashid Syari'ah Al-Islamiah* (Kairo: Darul Kitab Al Masri, 2011).

³⁹ 'Asyur.

souls because with their physical limitations beggars still try to make a living for the sake of the survival of their family (soul).

3. Maintaining or protecting the mind (hifz-al'aql) : Beggars with physical and mental disabilities in supporting their families are a form of protecting their minds because according to the author's analysis, even though they have disabilities, these beggars can still distinguish between what is good and what is bad for themselves and others. By not committing fraud and forcing when begging so that it is proven that the disabled beggar mentioned above has maintained or guarded his mind.
4. Maintaining or protecting offspring (hifz-alnasl) : Beggars with physical and mental disabilities in providing for the family are a form of caring for or protecting offspring because even though they have limitations in their activities, that does not mean that they are not an excuse for not being able to provide for their children or offspring.
5. Maintaining or protecting property (hifz-almaal) : Beggars with physical and mental disabilities in supporting the family are a form of maintaining or protecting assets because with physical limitations they have but their responsibilities as parents in looking for wealth in order to be able to make a living can still be pursued.

A number of hadiths also describe the reproach that begging from humans without any need is unlawful. Therefore, the scholars say that it is not lawful for someone to ask something from humans except during an emergency. The threats in the Hadith above are for people who beg others to enrich themselves, not out of necessity. People who like to beg are very low in front of other people so avoid being beggars. Try with all your might to work, because the Prophet highly praised those who earn their living with their own hands. So the Hadith teaches that giving is more important than begging. The Prophet's hadith contains a very broad meaning, including the command to like to give, to work diligently, and to study diligently⁴⁰.

Islam highly upholds morals. Therefore the prophet Muhammad was sent to this earth to perfect human morality. Because with noble character humans become honorable. The hadith of the prophet should be used as a guide to

⁴⁰ Al-Imam Abul Husain Muslim bin al-Hajjaj al-Qusyairi An-Naisaburi, *Shohih Muslim* (Kerajaan Arab Saudi: Darussalam, 2000).

always try to be a human being who always gives. However, these religious norms are not heeded by the beggar community. They still enjoy their work⁴¹.

Conclusion

People who work as beggars to support their families in Panyabungan are very diverse, ranging from beggars with special needs, beggars pretending to be physically disabled to beggars acting in the name of other people or other family members. Persons with physical disabilities in Panyabung are those who suffer from disorders of the bones and/or joints of the limbs and body, paralysis of the limbs and bones, incomplete upper and lower limbs. Beggars who pretend to be disabled in Panyabung are a group of traditional beggars. Beggars who act on behalf of other family members in Panyabungan have the background of the health conditions and economic conditions of their family members who are considered unable to work for health reasons.

Beggars with physical and mental disabilities in supporting their families are in accordance with the important elements that must be maintained in maqashid al-syari'ah. Beggars pretending to be physically disabled which is evident in the practice of begging to attract the compassion of society does not fulfill the elements of maqasid al-syari'ah. Beggars who act on behalf of other family members in Panyabungan do not fulfill the elements of maqashid al-syari'ah

References

- 'Asyur, Muhammad Thohir Ibnu, *Maqashid Syari'ah Al-Islamiyah* (Kairo: Darul Kitab Al Masri, 2011)
- Adawiah, Rabi'atul, 'Pola Asuh Orang Tua Dan Implikasinya Terhadap Pendidikan Anak', *Jurnal Pendidikan Kewarganegaraan*, 7.1 (2017), 33–48
<<https://ppjp.ulm.ac.id/journal/index.php/pkn/article/download/3534/3063>>
- Agi, Arini Mutiara, and Indah Dwiprigitaningtias, 'Analisis Yuridis Mengenai Gugatan Nafkah Yang Menjadi Alasan Perceraian', *Jurnal Dialektika Hukum*, 2.1 (2020), 19–35

⁴¹ Abdullah Muhammad bin Yazid bin Majah ar-Rabi'i Al-Qazwini, *Sunan Ibnu Majah* (Kairo: Dar El Hadith, 1998).

- Ahmad, Maghfur, 'Strategi Kelangsungan Hidup Gelandangan-Pengemis (Gepeng)', *Jurnal Penelitian*, 7.2 (2010), 1–16
- Al-Qazwini, Abdullah Muhammad bin Yazid bin Majah ar-Rabi'i, *Sunan Ibnu Majah* (Kairo: Dar El Hadith, 1998)
- An-Naisaburi, Al-Imam Abul Husain Muslim bin al-Hajjaj al-Qusyairi, *Shohih Muslim* (Kerajaan Arab Saudi: Darussalam, 2000)
- Damayanti, Atiqi Chollisni Kiki, 'Analisis Maqashid Al-Syari'ah Dalam Keputusan Konsumen Memilih Hunian Islami Pada Perumahan Vila Ilhami Tangerang', *Jurnal Islaminomic*, 7.1 (2016)
- Dasopang, Bangun, and Syukri Albani Nasution, 'Pemenuhan Kewajiban Dan Hak Nafkah Keluarga Masyarakat Petani Di Kabupaten Padang Lawas Utara (Analisis Gender)', 775–88 <<https://doi.org/10.30868/am.v10i02.3050>>
- Devy, Soraya, and Doni Muliadi, 'Pertimbangan Hakim Dalam Menetapkan Nafkah Anak Pasca Perceraian (Studi Putusan Hakim Nomor 0233/Pdt.G/2017/MS-MBO)', *El-USRAH: Jurnal Hukum Keluarga*, 2.1 (2020), 123 <<https://doi.org/10.22373/ujhk.v2i1.7646>>
- Fathurrahman, Nandang, 'Perbandingan Kewajiban Nafkah Perspektif Hukum Islam Dan Hukum Positif Di Indonesia', *Al-Ahwal Al-Syakhsiyyah: Jurnal Hukum Keluarga Dan Peradilan Islam*, 3.2 (2022), 193–206 <<https://doi.org/10.15575/as.v3i2.20160>>
- Habib, Muhammad Bakar Ismail, *Maqashid Syari'ah Ta'shilan Wa Taf'ilan* (Kairo: Rabithoh Alam Islam, 1427)
- Hani, Mursyid Djawas dan Nida, 'Pandangan Hukum Islam Terhadap Istri Sebagai Penanggung Jawab Keluarga', *Media Syari'ah*, 20.2 (2018), 202–2020 <<https://medium.com/@arifwicaksanaa/pengertian-use-case-a7e576e1b6bf>>
- Katsir, Abu Fida' Ismail bin Umar Ibnu, *Tafsir Al Qur'an Al 'Adzhim*, II (Riyad: Daar Thoibah, 1999)
- Krisna Hardjanti, Dewi, 'Kajian Yuridis Tentang Penyandang Disabilitas', *Perspektif Hukum*, 16.1 (2016), 1–17 <<http://perspektif-hukum.hangtuah.ac.id/index.php/perspektif/article/view/5>>
- Lingga Tawakal, Supartono, 'Implementasi Program Keluarga Harapan (PKH) Sebagai Salah Satu Kebijakan Penanggulangan Kemiskinan (Studi Pada Kelurahan Tanjungrejo, Kecamatan Sukun, Kota Malang)', 1–21
- Mahmud, Al-Zamakhshari bin Umar, *Tafsir Al-Kasyāf*, III (Beirut: Darul Ma'arif, 2009)
- Masykur, Fuad & Ghofur, Abdul, 'Pendidikan Penyandang Disabilitas Dalam Al-Qur'an', *Tarbawi*, 2.2 (2019), 98–111

- Muhammad Rafi, Saipul Hamzah dan Ahmad Ahnaf Rafif, 'Makna Sail Dalam Al-Qur ' an: Tujuan Implisit Pengentasan Pengemis Dalam Ayat-Ayat Sail Dan Aktualisasinya', *Jurnal Studi Ilmu-Ilmu Alqur'an Dan Hadis*, 18.1 (2017), 17–32
- Nadjib, Mochammad, 'Religion , Ethics And Work Ethos Of The Javanese Fishermen ' S Economic Activity', *Jurnal Ekonomi Dan Pembangunan*, 21.2 (2013), 137–50
- Noviawati, Puput, and Anna Undarwati, 'Gambaran Dinamika Kemiskinan Ditinjau Dari Atribut Psikologis: Studi Pada Masyarakat Miskin Kota Semarang', *Seminar Nasional Multi Disiplin Ilmu*, 3 (2017), 670–78
- Nuryati, Arini Rufaida dan, 'Pemberian Nafkah Suami Kepada Istri Yang Berpenghasilan Perspektif Sosiologi Hukum Islam', *Qiyas*, 7.1 (2022), 1–11
- Oktaviani, 'Peran Wanita Karir Dalam Pemenuhan Nafkah Keluarga Dalam Masyarakat Bugis Di Kota Parepare' (IAIN Parepare, 2021)
- Rajab, H, and Marlina Wally, 'Bersedekah Pada Pengemis Perspektif Hadis Nabi Saw.', *Tahkim*, 15.2 (2019), 197–210
<<https://jurnal.iainambon.ac.id/index.php/THK/article/view/2471>>
- Rangkuti, Khairani, *Field Notes* (Panyabungan, 2022)
- Rangkuti, Raja Ritonga dan Khairani, *Interview with an Informant* (Panyabungan, 2022)
- Rasyid, Aguswan, Mahyudin Ritonga, Ahmad Lahmi, Talqis Nurdianto, Raja Ritonga, and Supardi Ritonga, 'What AL-Quran Say About 'Aql'', *European Journal of Molecular and Clinical Medicine*, 7.11 (2020), 228–34
- Rofiah, Khusniati, 'Konsep Ekonomi Jamaah Tabligh Studi Pemikiran Maulana Muhammad Zakariyya Dalam Kitab Fadilah Al-Tijarah', *Justitia Islamica*, 12.2 (2015), 221–45
- Salmah, 'NAFKAH DALAM PERSPEKTIF HADIS (Tinjauan Tentang Hadis Nafkah Dalam Rumah Tangga)', *Juris*, 13.1 (2002), 92–102
- Saragi, Siswati, Maria Ulfa Batoebara, and Nur Ambia Arma, 'Analisis Pelaksanaan Program Keluarga Harapan (Pkh) Di Desa Kota Rantang Kecamatan Hamparan Perak', *Publik: Jurnal Manajemen Sumber Daya Manusia, Administrasi Dan Pelayanan Publik*, 8.1 (2021), 1–10
<<https://doi.org/10.37606/publik.v8i1.150>>
- Sari, Ama Farida, 'Sikap Mental Pengemis Di Kompleks Pecinan Desa Hadipolo Kecamatan Jekulo Kabupaten Kudus' (Universitas Negeri Semarang, 2016)
- Suhartini, Rr., *Religiusitas Kaum Profesional Muslim*, *Jurnal Studi Hukum Islam Dan Pendidikan* (Surabaya: IAIN Sunan Ampel Press, 2017), vi

- Tin Herawati, Diah Krisnatuti, Ina Yanuar Rukmayanti, 'Dukungan Sosial Dan Ketahanan Keluarga Peserta Dan Bukan Peserta Program Nasional Pemberdayaan Masyarakat (PNPM) Mandiri', *Jur. Ilm. Kel & Kons*, 5.1 (2012)
- Try Astuti, An Ras, and Ruqiah, 'Bisnis Halal Dalam Perspektif Etika Islam: Kajian Teoritis', *AL MA'ARIEF: Jurnal Pendidikan Sosial Dan Budaya*, 1.2 (2020), 142–56
<<https://doi.org/10.35905/almaarief.v1i2.1139>>
- Ungel, Jamhuri, Rispalman Rispalman, and Taufiq Hidayat, 'Pengabaian Nafkah Dalam Proses Perceraian Di Kecamatan Pintu Rime Gayo Kabupaten Bener Meriah', *El-USRAH: Jurnal Hukum Keluarga*, 3.2 (2020), 259 <<https://doi.org/10.22373/ujhk.v3i2.7678>>
- Wahyuddin, *Nilai-Nilai Pendidikan Karakter Di Madrasah* (Makasar: Orbit, 2018)
- Yudiyanto, Yudiyanto, 'Ketahanan Nasional Berbasis Kokohnya Keluarga Indonesia Memasuki Masyarakat Ekonomi Asean (Mea)', *Ri'ayah: Jurnal Sosial Dan Keagamaan*, 1.01 (2016), 40
<<https://doi.org/10.32332/riayah.v1i01.126>>
- Zaini, Ahmad, 'Meneladani Etos Kerja Rasulullah Saw', *BISNIS : Jurnal Bisnis Dan Manajemen Islam*, 3.1 (2016), 115
<<https://doi.org/10.21043/bisnis.v3i1.1476>>

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