

TYOLOGY OF EX-WIFE'S RESPONSE IN SIWALAN PEKALONGAN: SOCIO-LEGAL ANALYSIS OF POST-DIVORCE CHILD SUPPORT

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ABSTRACT

This study examines the phenomenon of abandonment of post-divorce child support in Siwalan District, Pekalongan Regency, which is contrary to Law No. 1 of 1974 and Islamic law. Although regulations expressly impose maintenance obligations on fathers, empirical reality shows that there is a default that has a significant impact on the welfare of children. This qualitative research with a field research approach aims to formulate the typology of ex-wife's response and analyze the sociological implications caused. Data were collected through in-depth interviews, observations, and documentation of single mothers at the study site. The results of the study classified the response of ex-wives into three typologies: 1) Legalistic-Active (ex-wives have a conscious and firm attitude to the point of using state instruments to force the fulfillment of child support rights); 2) Adaptive-Independent (the legal awareness and culture of ex-wives tend to be low, take a pragmatic attitude based on economic independence, and avoid social stigma); 3) Negotiative-Persuasive (Ex-wives use social capital and family relationships to claim child support rights). This variation in response is influenced by legal awareness, social support, and pragmatic rationality. The implications of this typology suggest that financial independence increases the double burden for mothers, while dependence on ex-husbands creates uncertainty. The legal route provides certainty but risks escalating family conflicts. Fundamentally, this irregularity of livelihood hinders children's growth and development both physically, educationally, and socially. A balance between financial support and emotional stability is key in minimizing the negative impact of post-divorce. This research contributes to mapping the legal behavior of communities at the rural level regarding child support. Through the formulation of three response typologies (Legalistic-Active, Adaptive-Independent, and Negotiable-Persuasive), this study offers a new perspective for family law enforcement that is more responsive to social realities and the best interests of the child

Keywords : *Typology of Response, Child Support, Post-Divorce, Default*

ABSTRAK

Penelitian ini mengkaji fenomena pengabaian nafkah anak pasca-perceraian di Kecamatan Siwalan, Kabupaten Pekalongan, yang bertentangan dengan UU No. 1 Tahun 1974 dan hukum Islam. Meskipun regulasi secara tegas membebaskan kewajiban nafkah kepada ayah, realitas empiris menunjukkan adanya wanprestasi yang berdampak signifikan pada kesejahteraan anak. Penelitian kualitatif dengan pendekatan field research ini bertujuan merumuskan tipologi respon mantan istri serta menganalisis implikasi yang ditimbulkan. Data dikumpulkan melalui wawancara mendalam, observasi, dan dokumentasi terhadap para ibu tunggal di lokasi penelitian. Hasil penelitian mengklasifikasikan respon mantan istri ke dalam tiga tipologi: 1) Legalistik-Aktif (mantan istri memiliki sikap sadar dan tegas hingga menggunakan instrumen negara untuk memaksa pemenuhan hak nafkah anak); 2) Adaptif-Mandiri (kesadaran dan budaya hukum mantan istri cenderung rendah, lebih mengambil sikap pragmatisme berbasis kemandirian ekonomi, dan menghindari stigma sosial); 3) Negosiasiif-Persuasif (mantan istri memanfaatkan modal sosial dan hubungan kekeluargaan untuk menuntut hak nafkah anak). Variasi respon ini dipengaruhi oleh kesadaran hukum, dukungan sosial, dan rasionalitas pragmatisme. Implikasi dari tipologi tersebut menunjukkan bahwa kemandirian finansial meningkatkan beban ganda bagi ibu, sementara ketergantungan pada mantan suami menciptakan ketidakpastian. Jalur hukum memberikan kepastian namun berisiko memperuncing konflik keluarga. Secara fundamental, ketidakteraturan nafkah ini menghambat tumbuh kembang anak baik secara fisik, pendidikan, maupun sosial. Keseimbangan antara dukungan finansial dan stabilitas emosional menjadi kunci dalam meminimalisir dampak negatif pasca-perceraian. Penelitian ini berkontribusi dalam memetakan perilaku hukum masyarakat di tingkat pedesaan mengenai nafkah anak. Melalui rumusan tiga tipologi respon (Legalistik-Aktif, Adaptif-Mandiri, dan Negosiasiif-Persuasif), studi ini menawarkan perspektif baru bagi penegakan hukum keluarga yang lebih responsif terhadap realitas sosial dan kepentingan terbaik bagi anak.

Kata Kunci : *Tipologi Respon, Nafkah Anak, Pasca-Perceraian, Wanprestasi.*

INTRODUCTION

Juridical divorce does not break the civil relationship between parents and children, especially in terms of maintenance obligations. (Sipahutar Tan Kamello & Maharany Barus, 2016) In Indonesia, Pasal 41 UU No. 1 of 1974 concerning Marriage and Pasal 105 and 156 of the Compilation of Islamic Law (KHI) explicitly affirm that fathers remain responsible for the cost of child maintenance and education until the child reaches the age of independence or 21 years old. (Nuruddin & Tarigan, 2006) This obligation is a manifestation of the noble mandate in QS. Al-Baqarah verse 233:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ ۗ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارُّ وَالِدَةٌ وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ ۗ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا ۗ وَإِنْ أَرَدْتُمْ أَنْ تُسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا اتَّيْتُمْ بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ (البقرة: ٢٣٣)

It means: "Mothers should breastfeed their children for two full years, for those who want to perfect breastfeeding. It is the duty of fathers to cover their food and clothing in a proper manner. A person is not burdened, except according to his ability. Let not a mother suffer for her child, nor let her father suffer for her child. The heirs are like that too. If both of them want to wean (before two years) based on agreement and deliberation between them, there is no sin against them. If you want to breastfeed your child (to someone else), there is no sin for you if you pay in a proper way. Fear Allah and know that Allah is All-Seeing of what you do. (Tim Penyempurnaan Terjemahan Al-Qur'an, 2019)

The important message of this verse emphasizes that fathers are obliged to bear the child's living expenses appropriately (*bil ma'ruf*). However, at the empirical level, the transition from a husband to a former husband is often followed by the phenomenon of neglect of financial responsibility, which is legally a form of default on children's rights.

This gap between legal norms and social reality is clearly visible in Siwalan District, Pekalongan Regency. Based on data from the Siwalan District KUA, the divorce rate shows a fluctuating but significant trend, with a peak of 70 cases in 2021 and 58 cases in 2025.

Table 1.1 Number of Divorces in Siwalan District 2018-2023

No	Year	Number Of Divorces
1	2020	53
2	2021	70
3	2022	64
4	2023	62
5	2024	50
6	2025	58

Source: P.A. Kajen and KUA of Siwalan District

The reality on the ground confirms that this increase in divorce rates is directly proportional to the complexity of alimony disputes. Preliminary findings show that there are children (such as the initials Z and A) who experience educational barriers and welfare degradation due to post-divorce paternal neglect. This neglect not only violates positive and religious legal provisions, but also creates negative psychological impacts for both mother and child, including the emergence of feelings of inferiority in the child in his social environment.(Siska Lis Sulistiani, 2015)

The non-implementation of the fulfillment of alimony is triggered by various factors, ranging from economic difficulties, indifference, to the priorities of ex-husbands who switch to a new family. In this conflict situation, the ex-wife as the primary custodian (*badhanah*) faces a double burden and uncertainty. The responses that emerged from ex-wives were very diverse, influenced by individual qualities such as their level of education, occupation, and understanding of the local legal culture.(Cou, 2022) Some mothers choose to fight independently, but many are trapped in resignation due to limited access to legal information or fears of more acute conflicts.(Kgadima & Spaumer, 2026)

In some studies, the phenomenon of neglect of alimony is often referred to as “*Deadbeat Parents*”. The literature shows that neglect of maintenance is not just an economic problem, but a systemic problem. Based on studies Meyer & Cancian emphasizing that the compliance of paying alimony is influenced by the stability of the father's income and the strength of law enforcement in the country.(Meyer, 2021) Abandonment often occurs due to emotional "disengagement" between fathers and ex-wives. In addition, Renly Aprilia, highlighting that although court rulings make alimony mandatory, the mechanism of execution is still very weak, causing many single mothers to "give up" to the circumstances.(Renly Aprilia Pakaya et al., 2026)

Other research conducted by Laya (Laya et al., 2025)and Ernawati & Setiawan (Ernawati & Setiawan, 2025) have identified that the response of foster parents (usually mothers) to child neglect is no longer singular, but rather a spectrum influenced by social pragmatism. In addition, other studies conducted Laya (Laya et al., 2025)(2025) and Nafhani(Nafhani et al., 2025) mentioned that the low compliance of fathers is not only an economic issue, but also due to the lack of a strong compulsory mechanism (automatic wage withholding) for informal sector workers in Indonesia. Neglect of alimony is now categorized more explicitly as a form of child neglect (Sari, 2022). This is associated with a long-term

impact on children's physical and psychological growth which is considered a human rights violation.(Sunarto & Zahro, 2025)

Until now, studies on post-divorce child support are generally still limited to the analysis of court decisions or legal enforcement procedures. There has been no comprehensive research that specifically maps the variation in maternal actions through a typological approach. The novelty of this study lies in the effort to classify the response of ex-wives—both passive-accommodating and active-confrontational—into a complete typology. This mapping is important to identify coping strategies and survival mechanisms for women in the face of the failure of the financial support system of their ex-husbands.

Based on this background, this study aims to explore and formulate the typology of the response of ex-wives to the non-fulfillment of child support in Siwalan District, Pekalongan Regency. This analysis not only aims to enrich the academic literature on the sociology of the family and Islamic law, but is also expected to be able to make a practical contribution to legal and social institutions. By understanding the typology of this response, more effective and equitable policies can be formulated to guarantee the rights of children victims of divorce and provide protection for mothers who are fighting for the future of future generations.

RESEARCH METHOD

This research uses a type of empirical legal research with a field research method. The approach used is empirical juridical one, which places law not just as a textual norm (law in books), but as a social reality that is manifested in community behavior (law in action) (Muhaimin, 2020). The focus of the study was directed at the practice of fulfilling child support after divorce and the construction of the typology of the response of ex-wives to alimony defaults committed by ex-husbands in Siwalan District, Pekalongan Regency.

The research data consists of primary data and secondary data. Primary data was obtained directly through observation and interaction with informants, namely ex-wives who held child custody and did not receive alimony from their ex-husbands. Meanwhile, secondary data includes primary legal materials (UU Perkawinan No. 16 Tahun 2019, Kompilasi Hukum Islam/KHI, dan UU Perlindungan Anak), secondary legal materials (research journals and textbooks), as well as tertiary legal materials.

The data collection technique was carried out through three main instruments: observation, interviews, and documentation. Observation is carried out in a passive

participatory manner to observe the economic activities and psychological condition of the ex-wife in meeting the needs of the child. The interviews were conducted in-depth with purposive sampling techniques to determine the initial informants, which were then developed through snowball sampling techniques to expand the range of data (W. Lawrence Neuman, 2014). Interviews are semi-structured to provide a space for informants to express their personal experiences freely while remaining focused on the subject matter. (Taylor et al., 2016)

To ensure the validity of the data, this study applied a triangulation technique. First, source triangulation is carried out by comparing information between the main informant (ex-wife) and the supporting informant (family or parents in the same household). Second, the triangulation method is carried out by cross-verifying the results of interviews, field observation notes, and documentation studies in order to obtain valid and credible data.

The data analysis technique refers to the interactive models of Miles, Huberman, and Saldana (Matthew B. Miles et al., 2014) which includes the process of data condensation, data presentation (data display), and conclusion drawing/verification. Data condensation was carried out by selecting, simplifying, and transforming interview transcripts and field notes regarding the various responses of ex-wives. All data were systematically organized to form a complete response typology, which was then analyzed descriptively-qualitatively to produce an in-depth understanding of the phenomenon of child support neglect at the research site.

FINDINGS AND DISCUSSION

Typology of Ex-Wife's Response to Child Support Default

Legalistic-Active Response

The Legalistic-Active Response is characterized by the systematic efforts of foster parents to involve state legal instruments as a coercive tool against ex-spouses who neglect alimony obligations. In this typology, foster parents act as proactive legal subjects, starting from the filing of an execution lawsuit to the Religious Court to the use of the guarantee confiscation mechanism (*conservatoir beslag*) on the assets of the supporter. The enforcement of this right is based on the principle that child support is a debt that is binding and has substantive legal certainty. According to Laya et al., (Laya et al., 2025) This response is getting stronger along with increasing legal literacy in the community, although in practice it often comes down to bureaucratic execution procedures and considerable litigation costs.

However, the effectiveness of these responses is highly dependent on the support of the justice system and the availability of integrated coercive mechanisms. In Indonesia, the push for a legalistic-active response is reinforced by internal regulations Mahkamah Agung (such as SEMA No. 3 Year 2015 and PERMA No. 3 Year 2017) which aims to minimize the re-victimization of women and children after divorce. (Siska Lis Sulistiani, 2015) In its research it emphasizes that while this path offers certainty on paper, its real success often requires technological interventions, such as the integration of banking data to track the financial capabilities of the provider. Thus, a legalistic-active response is not just an administrative action, but a form of struggle for children's rights that is positioned as the main legal priority above the personal conflicts of parents.

Adaptive-Self-Response

The Adaptive-Independent response is a manifestation of the resilience of foster parents—the majority of whom are single mothers—who choose to let go of financial dependence on the former partner for the sake of the family's emotional stability. In this typology, foster parents consciously stop pursuing the right to support through legal channels or tiring negotiations, and shift the focus to improving personal economic capacity. This strategy is often taken as a form of self-protection from prolonged conflicts that can interfere with the mental health of children and parents. According to Sari,(Sari, 2022) The choice to become financially independent without the help of an ex-husband is often seen as a "shortcut" to peace of mind, even though legally this means allowing the father's responsibilities to be fulfilled.

In the latest socio-economic dynamics, this response is further strengthened by the use of the digital economy and extensive social support networks. Many foster parents adopt this typology by maximizing income through the informal sector or independent entrepreneurship to cover the gap in child support. However, the literature from Ernawati & Setiawan (Ernawati & Setiawan, 2025) highlighting that while this response shows great independence, it also carries a heavy risk of double burden for foster parents. Sociologically, this independence is often supported by the extended family system in Indonesia that helps provide a social safety net when the biological father is absent. Thus, an adaptive-self-response is not just an economic choice, but a survival strategy that prioritizes psychic peace over the demands of material rights.

Negotiable-Persuasive Response

The Negotiable-Persuasive Response reflects a moderate approach that prioritizes interpersonal communication and good faith to achieve the fulfillment of child support without going through legal confrontation. In this typology, foster parents choose to use persuasion techniques, subtle reminders, or family discussions to make the father aware of his moral responsibility. This step is taken mainly to maintain the quality of the co-parenting relationship so that it remains conducive to the child's psychological development, so that the child does not feel that he has lost the father figure even though the parents have separated. According to Moore (Moore, 2014) This response is often a key choice in a collective society culture, where the involvement of a respected third party, such as extended family members or community leaders, acts as an informal mediator to bridge a more flexible alimony agreement.

While this response offers harmony in the relationship, its effectiveness depends heavily on the level of empathy and economic stability of the provider. Negotiations are often fluid, where the amount of alimony can adjust to fluctuations in the ex-spouse's income, but this also creates a risk of uncertainty for the child's routine needs. Research by Smyth & Moloney (Smyth & Moloney, 2019) which is reinforced again in the latest context by Nisa (Fakhrunnisa, 2025) suggests that although the persuasive path is capable of reducing the trauma of conflict for the child, it has weaknesses in terms of legal certainty if one of the parties is inconsistent. Therefore, a negotiable-persuasive response is often seen as an initial stage or a companion to another strategy, the success of which is largely determined by the balance between the child's economic interests and the maintenance of an emotional relationship between the ex-spouse.

Research in Siwalan District shows that the response of ex-wives to the neglect of alimony by ex-husbands is not single, but is differentiated into the description of three main typologies.

Table 2 Typology of Ex-Wife's Response

No	Initial Name Informants	Reasons for Choosing Action	Actions taken	Typological Tendencies
1	NA	Independence to provide for child support without relying on ex-husbands	Looking for additional jobs, opening a small business	Independent (trying to support yourself)

2	IM	Maintaining child stability and maintaining child support rights	Claiming child support through family mediation	Claiming alimony through family mediation
3	DO	Focus on parenting, avoiding family tension	Neglecting support and diverting attention to childcare	Neglecting support and focusing on the emotional well-being of the child
4	R	Independence in bearing child support through personal business	Claiming child support through family mediation	Claiming alimony through family mediation
5	MA	Focus on childcare and education even though alimony is not provided	Neglecting support and focusing on the emotional well-being of the child	Neglecting support and focusing on the emotional well-being of the child
6	A	Focus on parenting, avoiding family tension	Neglecting support and diverting attention to childcare	Neglecting support and focusing on the emotional well-being of the child
7	T	Maintaining a good relationship, hope for change from the ex-husband	Waiting for the ex-husband to voluntarily fulfill alimony obligations	Waiting for a change from your ex-husband
8	AK	Independence in bearing child support through personal business	Claiming alimony through legal channels or formal mediation	Proactively claiming alimony through legal (formal) channels
9	D	Seeking a peaceful solution that prioritizes children's rights	Claiming alimony through family mediation or a third party	Claiming alimony through family mediation
10	M	The decision to resolve the issue through Islamic law	Claiming alimony by legal process or Religious Court	Proactively claiming alimony through legal (formal) channels

This phenomenon reflects the complex interplay between individual legal awareness, social pressures, and pragmatic rationality. A summary of these typologies is presented in the following table:

Table 3 Informant Typologies and Key Strategies

Typology	Informant	Key Strategies
Adaptive-Self-Sufficient	NA, R, MA, A, T, DO	Self-employment, passive waiting, or emotional focus.
Negotiable-Persuasive	IM, D	Family mediation and public opinion pressure.
Legalistic-Active	AK, M	A lawsuit to the court officially.

The variation in response is greatly influenced by the legal culture of the local community. Informants AK and M, who represent the Legalistic-Active typology, have a high legal awareness and view the courts as an effective means of upholding children's rights. In contrast, informants NA and R show a relatively low legal culture because they choose to bear the financial burden alone without pursuing their legal rights.

From the perspective of pragmatic rationality, ex-wife's decisions are often based on a calculation of emotional and social risk. Supreme Court informants choose not to claim their rights because they avoid social stigma and consider the legal process not proportional to the psychological burden that must be beared, so they represent the Adaptip-Independent typology. Meanwhile, informants D and IM represent the Negotitive-Persuasive typology, they take advantage of social pressure in the local community as a faster and cheaper alternative to the legal route.

Overall, the various typologies that emerged from these informants showed that there was a larger problem related to non-compliance with the law in society. The behavior of ex-husbands who do not fulfill their child support obligations reflects a negative legal culture, where existing legal norms are often not respected or even ignored. This has a great effect on the fulfillment of children's rights that should be protected by law. On the other hand, those who take action to claim alimony through legal channels or mediation show a better understanding of children's rights and parental obligations, which should serve as an example for society to obey the law for the sake of common well-being.

The typology of the response of ex-wives in Siwalan District shows diversity based on the legal culture of the community and the rationality of social pragmatism. Factors such as legal awareness, social norms, community support, emotional connections, and cost-benefit evaluations greatly influence their decisions. Each typology reflects how it adapts to a specific local context.

Mechanism for Execution of Alimony Judgments in Religious Courts

The mechanism for the execution of child support judgments in the Religious Court is basically formally regulated, but in practice it often faces significant structural obstacles.(Harahap, 2014) Legally, if an ex-husband does not carry out the judge's decision voluntarily, the ex-wife can apply for execution through the Chief Religious Court with the *Aanmaning* (warning) procedure.(Mertokusumo, 2013) In this stage, the Chief Justice will

summon the ex-husband to be given a reprimand to fulfill his obligations within a period of 8 days. However, the effectiveness of this mechanism is highly dependent on the existence of fixed assets belonging to the ex-husband that can be confiscated (Execution Confiscation).(Adi Saputera & Masniyati, 2025) Problems arise when the ex-husband does not have assets in his personal name or works in the informal sector, so the court often finds it difficult to carry out real execution of the nominal alimony that has been determined.(Abdullah et al., 2024)

Furthermore, from the perspective of legal sociology, there are weaknesses in the automatic withholding order system that has not been integrated nationally for all professions.(Fadhilah et al., 2023) Currently, direct salary deductions are only effective for the State Civil Apparatus (ASN) based on PP No. 10 Year 1983 jo PP No. 45 Year 1990, But for ex-husbands who work in the private sector or self-employed, the state has no direct control over their income.(Rajafi, 2020) This creates a loophole for ex-husbands to commit "legal defiance" without the consequences of severe administrative sanctions, such as the revocation of public services (driver's licenses, passports, or banking access), which in other countries have already begun to be implemented to force alimony compliance.(Mastur Ali et al., 2025)

This condition encourages the emergence of pragmatism among informants (such as AK and M). Although they have a high legal awareness to take the formal route, they have to deal with the cost of execution cases which are often not proportional to the nominal alimony to be received.(Harahap, 2014) Juridically, Mahkamah Agung has sought to strengthen the protection of the rights of women and children through PERMA No. 3 Year 2017, which provides space for the judge to decide the maintenance of idda' and mut'ah ex officio.(Syarifuddin, 2019) However, the biggest challenge remains in the post-litigation stage; Namely how to ensure that a piece of judge's decision paper can be turned into cash in the mother's hands to meet the nutritional and educational needs of children in the midst of the weak power of forced execution of non-compliant individuals.

Implications of neglect of child support by fathers after divorce

Psychologically, the neglect of child support by the father is not just a financial problem, but a form of symbolic rejection that can damage the child's self-esteem and sense of security.(John W. Santrock, 2018) The absence of material support is often correlated with neglect of emotional support, which triggers the appearance of feelings of worthlessness or abandonment in the child.(Amato, 1994) This condition forces the mother (ex-wife) to bear

an extreme double burden, which risks causing high maternal stress.(McLoyd, 1998) As a result, parenting becomes less than optimal because the mother is trapped in financial anxiety (responsibility syndrome), which in the long term can disrupt the stability of the child's mental development until adulthood.(Wallerstein & Lewis, 2004)

From a socio-cultural perspective, neglect of maintenance strengthens the vulnerability of family structures in society.(Sari, 2022) Sociologically, children from divorced families who are not supported are often trapped in systemic poverty and environmental stigmatization.(Rohmah, 2024) In Indonesia, the legal culture of society that is still thick with patriarchal norms sometimes makes this neglect considered a private matter that is taboo to be interfered with, so that mothers tend to be reluctant to sue for fear of social stigma or being considered Crazy Money/money-oriented.(Salsabila & Budhi, 2024) However, pragmatically, this creates social inequality where the burden of maintaining future generations rests only on one party, which, if left unchecked, will degrade the quality of human resources at the local community level.(Renly Aprilia Pakaya et al., 2026)

Legally, the neglect of alimony is a clear violation of the child's constitutional rights and the commands of the law.(Siska Lis Sulistiani, 2015) In Indonesia, Article 41 UU No. 1 Year 1974 On Marriage expressly states that the father is responsible for all costs of the maintenance and education of the child. Although court decisions (formal channels) have often set the amount of alimony, the main challenge lies in the weak enforcement system.(Pramana et al., n.d.) The absence of automatic criminal or administrative sanctions for neglected fathers makes legal certainty weak. As a result, there is a behavior of legal pragmatism among ex-wives, where they prefer to struggle independently rather than take legal paths that are considered long, expensive, and do not provide a real guarantee of execution.

CONCLUSION

This study concludes that the response of ex-wives to the neglect of child support in Siwalan District, Pekalongan Regency, is polarized into three main typologies, namely Legalistic-Active, Adaptive-Independent, and Negotiable-Persuasive. The choice of response does not stand alone, but is simultaneously influenced by the gradation of individual legal awareness, social norms, and the calculation of pragmatic rationality for costs and benefits. This dynamic shows that the decision to demand rights or choose to be economically independent is the result of negotiations between children's financial needs and

efforts to avoid social stigma and legal culture that tends to be pessimistic about the effectiveness of state instruments.

Each type of response carries dialectical consequences for the well-being of the mother and child, where financial independence and emotional stability often have to be paid for with economic vulnerability as well as severe psychological distress. The uncertainty of the outcome in the legal channel and the risk of cracking social relations in the mediation channel underscore the need to strengthen the maintenance execution supervision system by religious justice institutions and local governments so that the verdict is not just a formal document. Therefore, it is necessary to integrate legal literacy programs and economic assistance for ex-wives, as well as further research on the effectiveness of community-based mediation to minimize the impact of neglect on child growth and development in rural areas.

Theoretically, this study contributes to the development of the sociology of family law through the mapping of the typology of the legal response of ex-wives which is not only legalistic, but also pragmatic-adaptive. These findings enrich the literature on the gap between normative law and empirical realities related to the protection of children's rights at the local level. In addition, this research makes a practical contribution as an evaluation material for policy makers and judicial institutions in formulating a more effective post-divorce maintenance supervision mechanism. The results emphasize the need to strengthen legal instruments that are accessible to single mothers to ensure the welfare of children's growth and development in a sustainable manner.

REFERENCES

- Abdullah, A., Syahri, A., Hamamah, F., Gafur, Abd., & Sholeh, A. (2024). Fulfillment of The Living Rights of Children the Victims of Divorce in the Muslim Community of Lombok, Indonesia. *EL-Usrab: Jurnal Hukum Keluarga*, 7(1), 253–271. <https://doi.org/10.22373/ujhk.v7i1.22281>
- Adi Saputera, A., & Masniyati. (2025). Analisis Terhadap Kelalaian Pemenuhan Nafkah Anak Pasca Putusan Pengadilan Agama Gorontalo. *Tamaddun Journal of Islamic Studies*. <https://doi.org/10.55657/tajis.v2i1.117>
- Amato, P. R. (1994). Father-Child Relations, Mother-Child Relations, and Offspring Psychological Well-Being in Early Adulthood. *Journal of Marriage and the Family*, 56(4), 1031. <https://doi.org/10.2307/353611>
- Cou, H. , et al. (2022). Conflict and Intimacy in Post-Divorce Relationships: Impact on Child Support and Custody Arrangements. *Journal of Family Issues*, 502–520.
- Ernawati, & Setiawan, H. F. (2025). Tinjauan Hukum terhadap Ayah yang tidak Memenuhi Nafkah Kepada Anak Pasca Perceraian. *Arus Jurnal Sosial Dan Humaniora*, 5(2), 2206–2212. <https://doi.org/10.57250/ajsh.v5i2.1499>
- Fadhilah, D. R., Salma, S., Elfia, E., & Mawaddah, A. A. (2023). Jurimetrics Implementation of Determining Wife's Rights in Divorce in Talu Religious Court. *Jurnal Ilmiah Al-Syir'ah*, 21(2), 242. <https://doi.org/10.30984/jis.v21i2.2498>
- Fakhrunnisa. (2025). Dampak dan sosialisasi tentang pentingnya hak nafkah anak. In *Maliki Interdisciplinary Journal (MIJ) eISSN* (Vol. 3). <http://urj.uin-malang.ac.id/index.php/mij/index>
- Harahap, M. Y. (2014). *Ruang Lingkup Permasalahan Eksekusi Bidang Perdata*. Sinar Grafika.
- John W. Santrock. (2018). *Life-Span Development* (17th ed.). McGraw-Hill Higher Education.
- Kgadima, N. P., & Spaumer, A. (2026). When Co-Parenting Becomes A Battlefield: The Impact of A High-Conflict Divorce on Father–Child Relationships. *Innovation Journal of Social Sciences and Economic Review*, 8(2), 1–09. <https://doi.org/10.36923/ijsser.v8i2.326>
- Laya, P. N. D., Cherawaty Thalib, M., Ahmad, A., & Agustina, R. (2025). Legal Implications of Defendant's Non-Compliance with Child Support Obligations Based on Ruling No. 214/Pdt.G/2023/PA.Gtlo. *Estudiante Law Journal*, 7(2), 358–373. <https://doi.org/10.33756/eslaj.v7i2.31592>
- Mastur Ali, Sirajuddin Sirajuddin, & Sulton Miladianto. (2025). Pelaksanaan Putusan Pengadilan Agama terhadap Nafkah Anak Pasca Putusnya Perkawinan PNS. *Jurnal Sosial Humaniora Dan Pendidikan*, 4(3), 106–135. <https://doi.org/10.55606/inovasi.v4i3.4804>
- Matthew B. Miles, A. Michael Huberman, & Johnny Saldana. (2014). *Qualitative Data Analysis: A Methods Sourcebook* (3rd ed.). Sage.
- McLoyd, V. C. (1998). Socioeconomic disadvantage and child development. *American Psychologist*, 53(2), 185–204. <https://doi.org/10.1037/0003-066X.53.2.185>
- Mertokusumo, S. (2013). *Hukum Acara Perdata Indonesia*. Cahaya Atma Pustaka.
- Meyer, D. R. , & C. M. (2021). Child Support and the Economy: Compliance in the Era of Low-Skilled Wage Stagnation. *Demography*, 215–238.

- Moore, C. W. (2014). *The mediation process practical strategies for resolving conflict*.
- Muhaimin, Dr. SH., M. H. (2020). *METODE PENELITIAN HUKUM*.
- Nafhani, A., Suriyani, I., Luthfan, G. F. F., & Atik Dina Nasikhah. (2025). Ensuring Justice in Child Support After Divorce. *Jurnal Hukum Dan Peradilan*, 14(3), 531–548. <https://doi.org/10.25216/jhp.14.3.2025.531-548>
- Nuruiddin, A. ., & Tarigan, A. A. (2006). *BUKU Hukum Perdata Islam di Indonesia Studi Kritis Perkembangan Hukum Islam dari Fikih, Undang-Undang Nomor 1 Tahun 1974 Sampai Kompilasi Hukum Islam*.
- Pramana, D., Rahmayani, N., & Andriaman, M. (n.d.). *EFEKTIFITAS PEMBERIAN NAFKAH TERHADAP ANAK YANG BELUM DEWASA PASCA TERJADINYA PERCERAIAN*. 6(1). Retrieved <http://jurnal.ensiklopediaku.org>
- Rajafi, A. Dr. M. HI. (2020). *Progres Hukum Keluarga ISLAM DI INDONESIA PASCA REFORMASI*.
- Renly Aprilia Pakaya, Dolot Alhasni Bakung, & Nurul Fazri Elfikri. (2026). Kendala Hukum Dalam Penyelesaian Sengketa Nafkah Anak Yang Ditelantarkan: Studi Kasus Perkara Nomor 699/Pdt.G/2021/PA.Gtlo Pengadilan Agama Kota Gorontalo. *Al-Zayn: Jurnal Ilmu Sosial & Hukum*, 4(1), 6227–6238.
- Rohmah, L. (2024). *Dampak Psikologis Pengabaian Nafkah : Kajian Kritis Perspektif Wabbah Zubaili*. 5.
- Salsabila, D., & Budhi, S. (2024). Antara Stigma dan Realitas Sosial: Status Janda Dalam Pandangan Masyarakat Desa. *Huma: Jurnal Sosiologi*, 3(1), 29–39. <https://doi.org/10.20527/h-js.v3i1.210>
- Sari, A. D. (2022). Pengabaian Nafkah Anak Pascaperceraian Orang tua Sebagai Penelantaran Anak. *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)*, 6(3). <https://doi.org/10.36312/jisip.v6i3.3299>
- Sipahutar Tan Kamello, A., & Maharany Barus, U. (2016). TANGGUNG JAWAB ORANG TUA TERHADAP NAFKAH ANAK PASCA PUTUSAN PERCERAIAN BAGI WARGA NEGARA INDONESIA YANG BERAGAMA ISLAM. In *USU Law Journal* (Vol. 4, Number 1). www.badilag.net/data/artikel/varia.pdf,
- Siska Lis Sulistiani, S. H. , M. H. (2015). *Analisis Hukum Pemenuhan Nafkah Anak Pasca Perceraian di Indonesia* (1st ed.). PT Refika Aditama .
- Smyth, B. M., & Moloney, L. J. (2019). Post-Separation Parenting Disputes and the Many Faces of High Conflict: Theory and Research. *Australian and New Zealand Journal of Family Therapy*, 40(1), 74–84. <https://doi.org/10.1002/anzf.1346>
- Sunarto, M. Z., & Zahro, H. (2025). *CHILD PROTECTION IN THE PERSPECTIVE OF MULTICULTURALISM: BRIDGING TRADITIONAL VALUES AND MODERN LEGAL POLICY*. 9(1), 171–180. <https://doi.org/10.33650/jhi.v9i1.13602>
- Syarifuddin, M. (2019). *Perlindungan Hukum Bagi Perempuan dan Anak dalam Perkara Perceraian Melalui Putusan Ex Officio Hakim*. Mahkamah Agung RI.
- Taylor, S. J., Bogdan, R., & DeVault, M. L. (2016). *Introduction to Qualitative Research Methods*.
- Tim Penyempurnaan Terjemahan Al-Qur'an. (2019). *Al-Qur'an dan Terjemahannya* (1st ed.). Lajnah Pentashihan Mushaf Al-Qur'an.
- W. Lawrence Neuman. (2014). *Social Research Methods: Qualitative and Quantitative Approaches*. Pearson.

Wallerstein, J., & Lewis, J. (2004). THE UNEXPECTED LEGACY OF DIVORCE: Report of a 25-Year Study. *Psychoanalytic Psychology*, 21, 353–370. <https://doi.org/10.1037/0736-9735.21.3.353>