

A HUSBAND'S NEGLECT OF MAINTENANCE OBLIGATION FOR HIS WORKING WIVES FROM AN ISLAMIC LAW PERSPECTIVE

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ABSTRACT

Spousal support is a key component in building a harmonious household. However, when a wife earns an income through her work, husbands often become neglectful and assume that providing spousal support is no longer necessary. The purpose of this study is to examine the role of Islamic law in addressing the neglect of spousal support for working wives in Gampong Pulolhoih. This study employs a qualitative approach using a case study design. Data were collected through in-depth interviews, observation, and documentation. The data were then analyzed through data organization and descriptive analysis to describe the cases by linking them to explanatory analysis. The results of the study indicate that Islamic law, explicitly through its primary reference, the Qur'an, has addressed the husband's obligation to fulfill his wife's rights; even if the wife has her own income, this does not automatically nullify the husband's obligation. Findings in Gampong Pulolhoih indicate that the issue of spousal support neglect is not a new one; this is evident from the procedures and steps that must be taken to address this matter. The process begins with resolving the issue through family deliberation, proceeds to the village level if no resolution is reached, and may ultimately end up in the legal system through the religious courts. The practice of neglecting spousal support for working wives in Gampong Pulolhoih is generally caused by the uncertainty of the husband's employment and income, compounded by deeply ingrained bad habits in daily life.

Keywords : *Neglect; Alimony; Working wife; Islamic law; Pulolhoih village*

ABSTRAK

Nafkah bagi istri merupakan komponen utama dalam membangun rumah tangga yang harmonis. Namun, ketika istri memiliki penghasilan melalui pekerjaannya, para suami mulai abai dan menganggap tak perlu lagi memberikan nafkah kepada istri mereka. Tujuan dari penelitian ini untuk melihat peranan hukum Islam dalam menangani pengabaian nafkah bagi istri bekerja di Gampong Pulolhoih. Penelitian ini menggunakan pendekatan kualitatif dengan jenis penelitian studi kasus. Data dikumpulkan melalui wawancara mendalam, observasi, dan dokumentasi. Kemudian data dianalisis melalui organisasi data dan analisis deskriptif untuk menggambarkan kasus dengan menghubungkan dengan analisis eksplanatori. Hasil penelitian menunjukkan bahwa hukum Islam secara eksplisit melalui rujukan utamanya yaitu Al-Qur'an telah membahas terkait kewajiban suami dalam menenuhi hak istrinya, meskipun sang istri telah memiliki penghasilan sendiri, tidak serta merta menggugurkan kewajiban suami. Temuan di Gampong Pulolhoih menunjukkan bahwa persoalan pengabaian nafkah ini bukanlah hal baru, hal ini dapat dilihat dari prosedur dan langkah yang harus ditempuh dalam menangani perkara ini. Dimulai dengan menyelesaikannya terlebih dahulu melalui musyawarah keluarga, berlanjut pada tingkatan gampong jika belum menemukan titik terang, dan dapat berakhir di ranah hukum melalui peradilan agama. Praktik pengabaian nafkah bagi istri bekerja di Gampong Pulolhoih umumnya diakibatkan karena ketidakpastian pekerjaan dan penghasilan suami dan ditambah dengan kebiasaan buruk yang telah mengakar kuat dalam kehidupan sehari-hari.

Kata Kunci : *Pengabaian nafkah; istri bekerja; hukum Islam; gampong pulolhoih*

INTRODUCTION

Marriage involves the mutual assumption of rights and obligations and aims to establish a relationship based on mutual support. Since marriage is part of religious worship, it inherently seeks to please Allah and constitutes one of the most fundamental pillars of a harmonious society (Ismanto et al., 2018). In Islam and national law, marriage is not merely a physical and spiritual bond between a man and a woman, but also a social institution that gives rise to rights and obligations for both parties (Suwito et al., 2025). One of the primary obligations of a husband according to Islamic teachings is to provide for his wife. This support includes basic necessities such as food, clothing, and housing, as well as other needs commensurate with the husband's ability and a standard of living appropriate for his family.

Wahbah az-Zuhaili explains that maintenance is a material or non-material right that a wife is entitled to receive (Rahmadhana et al., 2025). Wahbah explains that a husband is obligated to provide maintenance for his wife (Al-Zuhayli, 1985). Wahbah az-Zuhaili also explains that maintenance is obligatory in three areas: clothing, food, and shelter. Provided the wife obeys her husband, it is obligatory for a husband to continue providing for her (Muda'i & Wahid, 2023). However, if the wife does not comply with Islamic law, the husband is not obligated to provide for her (Khitam, 2020). Furthermore, Muhammad Syahrur explains that maintenance can take the form of *al-Mut'a* a mandatory financial compensation from the husband for the wife's reproductive labor (an exclusive right) and can also take the form of an *nafaqah* living expenses that are a shared responsibility within the family partnership based on ability (Hidayat & Fathoni, 2022).

Based on limited observations in Gampong Pulolhoih, researchers noted a shift in the social landscape, characterized by an increasing number of women or wives working outside the home (Aziz & Anwar, 2022). This is influenced by various factors, one of which is the husband's inability to meet the family's financial needs, necessitating the wife's contribution to the household's finances. This is considered a form of mutual aid in the spirit of kindness encouraged by Islam (Aziz & Anwar, 2022). This shift in the social sphere has given rise to issues regarding the loss or blurring of spousal support, which should rightfully be the full entitlement of the wife or vice versa.

In the social reality of our society, many women play an active role in the public sphere by working and contributing to the family's economy. However, this change is often accompanied by a shift in household responsibilities. Some husbands believe that once their wives have their own income, the husband's obligation to provide financial support may be

reduced or even cease entirely. In fact, under both Islamic law and Indonesian marriage law, the obligation to provide financial support remains with the husband as a form of moral and legal responsibility toward the family. This disparity in understanding often leads to tension, a sense of injustice, and a decline in domestic harmony, which ultimately results in an increase in divorce cases across various segments of society.

Ideally, even though wives work to help ensure the family's financial stability, their rights including their entitlement to spousal support must be fulfilled by their husbands as part of their responsibilities. A husband's failure to fulfill his wife's rights often stems from a lack of knowledge or understanding on his part as the head of the household. Therefore, this study is important to determine how families in Gampong Pulolhoih understand a wife's rights to financial support based on Islamic and state marriage laws.

The researchers identified several previous studies relevant to this research, such as the study by (Firdaus et al., 2023), which states that wives are permitted to earn an income under certain circumstances and conditions. Then there is the study by (Farida et al., 2024), which focuses on the issue of property division for divorced couples who did not enter into a prenuptial agreement. Additionally, studies by (Badriah et al., 2023) and (Nofiyanti et al., 2022) state that a husband's rights are not diminished when his wife contributes to the family's livelihood. Finally, a study by (Amalia & Romli, 2025) compared Islamic law and Indonesian positive law regarding divorced couples. Previous studies have only examined the issue of neglecting spousal support for working wives from the perspective of a specific case or legal review. There has been no concrete investigation into the causes of such neglect.

The distinction of this study lies in its attempt to identify the root causes of husbands' failure to provide financial support for their working wives in Gampong Pulolhoih. The unique social context of a community plays a significant role in shaping how a particular group of people interprets the law. Therefore, this study also compares husbands' understanding of their obligation to provide financial support for their working wives from the perspectives of Islamic law and Indonesian positive marriage law. Previous studies have largely limited their scope to a single legal ruling at the level of the Sharia Court. There has been no further exploration into the social context of a community. Consequently, research findings often fail to account for how these issues ultimately end up in court. Therefore, this study was conducted by directly meeting with the research subjects to obtain accurate data that aligns with on-the-ground realities.

This study seeks to offer a fresh perspective on the comparison between Islamic marriage law and national marriage law. Although national law is essentially a limited manifestation that also draws on some values from Islamic law, there are several striking differences that are worth comparing. Moreover, the research was conducted in Gampong Pulolhoih, Pidie Regency, Aceh Province, which implements Islamic Sharia law. When two legal systems coexist, they naturally have certain strengths and weaknesses. This study seeks to examine the similarities, strengths, and weaknesses of Islamic and national law regarding a wife's right to maintenance. The research questions are: (1) How does the practice of neglecting spousal support for working wives operate in Gampong Pulolhoih? (2) How do Islamic law and Indonesian positive law address the practice of neglecting spousal support for working wives? (3) What are the solutions for resolving spousal support issues for working wives in Gampong Pulolhoih?

RESEARCH METHOD

This study employs a qualitative approach using a case study design. A case study is a research strategy that investigates a phenomenon in depth and holistically within its real life context, particularly when the boundaries between the phenomenon and its context are unclear (Creswell, 2017). In terms of its objective, this study employs an explanatory case study to elucidate the cause and effect relationships within a phenomenon. The aim is to explain how and why the implementation of maintenance rights in Gampong Pulolhoih occurred in that manner.

The data for this study consists of primary sources, including the Qur'an, the Hadith, Law No. 1 of 1974 on Marriage, the Compilation of Islamic Law (KHI), and relevant rulings of the Religious Courts. Secondary sources include literature, books, scientific journals, previous research findings, and the opinions of Islamic scholars or legal experts related to the research topic. Tertiary sources include legal dictionaries, encyclopedias, and other supporting materials that explain key terms or concepts.

The subjects of this study were the entire community of Gampong Pulolhoih, with a total of 10 (ten) working wives and 2 (two) Gampong Pulolhoih officials participating in the research. Data were collected through in-depth interviews, observation, and document analysis. The data were then analyzed through data organization and descriptive analysis to describe the case by linking it to explanatory analysis. A case study research design was chosen to explore the phenomenon under investigation in depth.

FINDINGS AND DISCUSSION

The Practice of Husbands Failing to Provide Financial Support

A husband's failure to provide financial support for his working wife can result from various causes and factors. These include habits, personal character, customs, early marriage, as well as family background and educational background (Andari et al., 2023). However, a husband's failure to provide financial support is heavily influenced by the primary factor of economic circumstances. The husband's limited ability to provide for his wife and family is an early indicator leading to the husband's failure to provide financial support. Thus, a husband's failure to provide financial support for his working wife manifests in ways such as withholding household allowance or insufficient funds for daily needs, failing to assist with household chores or child-rearing, withholding emotional support or attention, spending money on personal interests without considering family needs, and finally, failing to contribute to family financial decision-making.

Based on comprehensive observations in Gampong Pulolhoih, the researcher identified several forms of spousal support neglect toward working wives by their husbands in Gampong Pulolhoih. Among these is the absence of consistent and stable spousal support provided by husbands to their working wives on a weekly or monthly basis. The failure to provide financial support to working wives in a stable, certain, and routine manner is a very common form of neglect of financial support for working wives by their husbands. Furthermore, husbands often view their wives' wages as part of fulfilling the family's financial support needs. In reality, wives should not have the obligation to provide financial support for the family. Shifting the responsibility for providing for the family to the working wife is a major mistake in family life. This is also classified as a form of neglect of the working wife's maintenance rights by the husband.

Moreover, researchers have found that the failure of husbands in Gampong Pulolhoih to provide financial support for their working wives is also driven by social constructs and gender relations that persist within family life. The deeply entrenched patriarchal system contributes to rigid role divisions, where husbands are positioned as the primary authority figures, while wives are expected to fulfill dual roles—managing the household while also contributing economically. In practice, this situation can lead to inequality, where some husbands feel less motivated to actively seek income because they indirectly rely on their wives' financial contributions. On the other hand, there are also social customs such as the culture of drinking coffee or hanging out at coffee shops that have

become deeply rooted as part of the lifestyle of the Acehnese people, including in Gampong Pulolhoih. If not balanced with an awareness of family responsibilities, this custom can contribute to the neglect by some husbands of their role as the primary breadwinners. Thus, the neglect of a working wife's right to financial support is not solely caused by individual factors but is also influenced by cultural constructs, social customs, and patterns of gender relations that have been collectively established within the local community.

In addition to cultural factors or customs, the impact of educational background on the failure to provide spousal support for working wives in Gampong Pulolhoih is particularly pronounced. The majority of husbands have completed their education at the senior high school level or below, without pursuing higher education. Educational background is one of the factors influencing the failure to provide spousal support for working wives. Husbands or wives with higher education generally tend to have modern family dynamics characterized by flexibility, openness, and an understanding of each other's roles within the family (Sugitanata & Zakariya, 2021). Finally, another factor contributing to the failure of husbands to provide spousal support for working wives in Gampong Pulolhoih may stem from the prevalence of early marriage. Marriages lacking support in terms of mental, age-related, emotional, and financial readiness are highly prone to cases of spousal support neglect for working wives. Therefore, to prevent such neglect, collaboration among all elements and segments of society is necessary to address these factors before marriage occurs, thereby preventing spousal support neglect for working wives within a family.

A husband's failure to provide financial support for his working wife must be prevented or addressed as early as possible to avoid undesirable consequences, particularly those that undermine family harmony (Abqori & Rizqi, 2024). In addition to affecting family harmony, a husband's failure to provide financial support for his working wife can be the beginning of a crisis in the household, which may cause psychological stress for family members (Rohmah, 2024), particularly for children who are still growing up. Failure to provide financial support to a working wife can be the first step toward neglecting the financial needs of other family members, thereby threatening domestic harmony and posing a high risk of leading to divorce.

Furthermore, a husband's failure to provide for his working wife is not limited to material support such as money, food, transportation, jewelry, and other items. Rather, forms of neglect such as failing to contribute to household chores and failing to participate in household decision-making are also considered forms of a husband's failure to provide for

his wife. A husband is not merely a provider of material support; his presence and leadership are essential for fostering harmony within the household. Research in Gampong Pulolhoih shows that husbands are overly focused on providing financial support in an inconsistent and unstable manner, a situation exacerbated by a lack of awareness regarding the need to contribute to household chores or participate in household decision-making.

The Islamic Legal Perspective on Spousal Support

The concept of maintenance in Islamic law is a financial obligation arising from family relationships, marriage, or ownership. Linguistically, maintenance means “to provide” (Syamsuri & Hodri, 2022). Technically, it refers to the provision of all basic necessities required for survival (Idin & Mustaming, 2023). The obligation to provide maintenance is based on the Qur’an, hadith, and ijma’. The following is one of the primary references regarding the obligation to provide maintenance:

لِيُنْفِقَ ذُو سَعَةٍ مِّن سَعَتِهِ وَمَنْ قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ ... (الطلاق : ٧)

Meaning: *Let those who are well-off spend according to their means, and let those whose means are limited spend from what Allah has provided for them...* (QS. At-Talaq:7).

This verse was revealed as an explanation of the previous verse (Surah At-Talaq: 6) regarding the matter of housing and financial support for a wife who is divorced while pregnant. The Companions then asked what should be done if the husband is poor and unable to provide financial support, so Allah revealed the following verse regarding the provisions for fulfilling the financial support obligation for a wife who is divorced while pregnant. The verse above clearly conveys the obligation to provide maintenance for those who have the means or depending on the sustenance that Allah has provided. In another narration, it is mentioned that this verse does not specify a certain amount for the maintenance that must be provided by the husband to the wife; rather, it indicates that maintenance is not strictly regulated by Islamic law. Instead, it is determined through ijtiḥad based on customary practices (Yus et al., 2025).

The verse above specifically emphasizes the obligation to provide maintenance to a wife who is divorced while pregnant. In another verse, Allah states regarding a husband’s obligation to provide for his family, namely:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّرُ وَالِدَةٌ بَوْلِدِهَا وَلَا مَوْلُودٌ لَهُ

يُولَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا اتَّيْتُمْ بِالْمَعْرُوفِ^ط وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ (البقرة : ٢٣٣)

Meaning: Mothers should breastfeed their children for a full two years, for those who wish to complete the breastfeeding period. It is the father's duty to provide for their food and clothing in a proper manner. No one is burdened beyond their capacity. A mother should not be made to suffer because of her child, nor should a father be made to suffer because of his child. The same applies to the heirs. If both wish to wean the child (before two years) based on mutual agreement and consultation between them, there is no sin upon them. If you wish to have your child nursed (by someone else), there is no sin upon you if you provide payment in a proper manner. Fear Allah and know that indeed Allah is All-Seeing of what you do. (QS. Al-Baqarah: 233).

Surah Al-Baqarah, verse 233, explicitly outlines the roles of both husband and wife, beginning with the mother's role in breastfeeding the child, the father's role as the provider of financial support, and their shared responsibility in raising the child (Yusuf et al., 2021). This verse serves as the foundation for the synergistic cooperation between husband and wife in building a harmonious and peaceful family. This begins with the husband providing for the family through lawful means; the financial support is then given to the wife and the family. Subsequently, the wife, through her role as a mother, channels this support from the husband to the child. This process demonstrates that the husband holds the key role in establishing a family grounded in Islamic values, starting with the fulfilment of financial support according to the family's circumstances and needs. This verse indicates that financial support within the family is the primary component that must be fulfilled by the husband as the first step toward building a happy family. The legal obligation for a husband to provide financial support to his wife, as stated in this verse, has been incorporated into Indonesian positive law, which unequivocally affirms that a husband must provide for all household needs and protect his wife by providing financial support and the necessities she requires in a proper manner (Indonesia, 1991).

The provision of maintenance encompasses several categories or scopes that are not limited to cash. Maintenance may take the form of basic necessities such as food, clothing, shelter, healthcare, and education (Husnaldi et al., 2025). Furthermore, for the obligation to provide maintenance to be legally binding, it must meet several conditions, including a valid relationship (the existence of a marital bond or blood relation), capacity (the provider has surplus assets after meeting their own needs), and need (the recipient is indeed in a state of need or lacks assets of their own) (Muthalib, 2022).

The obligation to provide financial support in Islam is grounded in the principles of justice and social responsibility, which bind every individual to fulfill their duty to provide for their family according to their means and obligations (Mardhiah et al., 2026). Urgent economic needs within a family have compelled wives to contribute to the household income by working. This shift in the social order has gradually been accepted by the wider public, which previously considered it taboo, in line with the perception that a husband should not work or should always be at home (Adib et al., 2024). Not only Islamic law, but national law in particular has established protections for women to retain and obtain their rights as wives and mothers to their children (Indonesia, 1974).

Case Analysis in Pulothoih Village

Based on interviews with JH, JA, and AA working wives in Gampong Pulothoih who are still married it was noted that husbands sometimes neglect their duties and fail to provide financial support to their working wives, assuming that the wives already have their own income. This understanding on the part of husbands is clearly inconsistent with Islamic law. The Aceh Ulama Council (MPU) has issued a fatwa regarding the husband's obligation to provide financial support to his working wife. The fact that a wife works does not automatically absolve the husband of his obligation to provide financial support to his working wife. Interviews with NA, MI, CM, and NI revealed that the reasons husbands fail to fulfill their obligations are quite varied, such as feeling unable to provide, being lazy, lacking steady employment, showing no concern or sense of responsibility toward their families, and having bad habits like spending the entire day sitting at a coffee shop. This reality is certainly far removed from the provisions of Islamic law, which require husbands to fulfill their obligation to provide financial support to their working wives. As Allah states in the following verse:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ
فَالصَّالِحَاتُ قَانِتَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ
وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاصْرَبُوهُنَّ فَإِنِ اطَّعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا
كَبِيرًا (النساء : ٣٤)

Meaning: Men (husbands) are responsible for women (wives) because Allah has given some of them (men) an advantage over others (women) and because they (men) spend from their wealth. Righteous women are those who are obedient (to Allah) and guard their chastity when (their husbands) are absent, for Allah has guarded (them). As for those women from whom you fear disobedience, admonish them,

abandon them in bed (separate beds), and (if necessary,) strike them (in a way that does not cause pain). However, if they obey you, do not seek ways to cause them distress. Indeed, Allah is Exalted and Great (QS. An-Nisa': 34).

The verse above further reinforces the important role of the husband as the man who is to be the leader of the household. Allah has endowed men with the ability to protect and guide women (wives) in the best possible ways. In this verse, Allah states that husbands have the virtue of overcoming laziness, serving as the backbone of the family, working hard, and being earnest in seeking sustenance. It is through their efforts that they can provide for their wives' needs and fulfil their desires (Syafitri et al., 2022). The provisions of this verse are in stark contrast to the reality on the ground in Gampong Pulolhoih. This indicates that the practice of husbands providing for their families in Gampong Pulolhoih is not yet fully in accordance with Islamic law, especially when viewed from the perspective of *maqasid al-shariah*.

A review of *Maqasid al-shariah* reveals that the failure to provide financial support for working wives indicates that this issue is not merely a matter of formal law, but also relates to the fundamental objectives of Shariah in establishing justice and the public good (Faiz & Khasyi'in, 2026; Pratitis et al., 2025). From the perspective of *Maqasid al-shariah* as formulated by Al-Shatibi, Sharia aims to safeguard five fundamental aspects: religion, life, intellect, lineage, and property. The obligation of spousal support within the household is directly linked to the protection of life (*hifz al-nafs*), lineage (*hifz al-nasl*), and property (*hifz al-mal*) (Al-Shatibi, 2006; Bakar & Rahim, 2021), so a husband's failure to provide financial support, even if the wife works, has the potential to conflict with these objectives.

Normatively, the husband's obligation to provide financial support remains in effect as affirmed in the Qur'an, and does not cease merely because the wife has her own income (Husniyati et al., 2026). A wife's income is fundamentally a personal right that must not be taken or used for household needs without her consent (Nurhasanah & Jannah, 2023). Within the framework of *maqasid al-shariah*, if a husband neglects his maintenance obligation on the grounds that his wife works, this may jeopardize the fulfilment of the wife's basic needs, which contradicts the principle of safeguarding life (Risbyantoro et al., 2023). Furthermore, such a situation can also lead to domestic discord, which ultimately disrupts family stability and impacts the continuity and quality of the family lineage.

Furthermore, the failure to provide financial support also contradicts the principle of asset protection within the *maqasid al-shariah*, as it forces the wife to bear an economic burden without a just basis (Pratitis et al., 2025). Nevertheless, the *Maqasid al-shariah* also

allows for flexibility through the principles of public interest and mutual agreement. A wife may contribute to the family's economy provided it is done voluntarily and does not absolve the husband of his obligation (Salsabila, 2025). Thus, from the perspective of the *maqasid al-shariah*, the failure to provide maintenance cannot be justified, as it contradicts the principles of justice, public interest, and the prevention of harm within family life.

Although the failure to provide maintenance for the working wife in Gampong Pulolhoih has not yet resulted in divorce, this issue must be addressed as soon as possible to save the family. This is especially critical given the future of the children, which is at stake due to this failure to provide maintenance. To achieve this, wives who are victims of this failure to provide maintenance must speak up or seek the nearest assistance to protect their religion, lives, minds, offspring, and property. This is in accordance with their rights as stipulated in Islamic law.

Resolution Efforts and Solutions

Qanun No. 8 of 2009, the Aceh Government Regulation, states that cases or issues may be resolved by village officials in consultation with religious and traditional leaders (Aceh, 2008). Before being addressed by the village government, cases of spousal support neglect in Pulolhoih Village were first handled by the extended family through family deliberations involving both the wife's and husband's sides. Based on interviews with RI and MA, the Village Head (Geuchik) and Village Secretary, it was stated that the extended family first handles cases of a working wife's alimony being neglected by her husband by providing guidance, advice, and understanding to the husband who fails to provide alimony to his working wife. However, if there is no change, the matter is then referred to the village government for resolution.

If a case of a husband's failure to provide financial support for his working wife has been referred to village officials, it is certain that this domestic issue has become widely known. At this stage, a hearing is held at the village hall, attended by village government officials as well as religious and traditional leaders. At this level, the religious and traditional leaders question the husband's commitment to responsibly maintaining the household and require him to promise not to repeat his actions if he wishes to maintain a valid marital bond. Conversely, village officials inquire about the issues causing the husband to neglect his duties and responsibilities. If the issue relates to his lack of employment despite having tried his best to find work, then village officials will assist the unemployed husband in finding suitable employment. Typically, he will work as a day laborer or in similar roles.

If efforts at the village administrative level prove unsuccessful, this case of failure to provide spousal support can be pursued through legal channels by filing a lawsuit in religious court. This may occur if the wife is truly determined to fight for her rights. However, at this stage, there is a high likelihood that the matter will ultimately result in a divorce. If it ends in divorce, this will undoubtedly be detrimental to many parties. Most notably, the children will lose both parents and may experience psychological distress or even severe trauma that could persist into adulthood.

Based on field findings, the researcher concludes that, under the Marriage Law No. 1 of 1974, the Compilation of Islamic Law (KHI), and the context of family law in Aceh, there is a normative tension between the prescribed roles of husband and wife and the social reality of working wives in Gampong Pulolhoih. Article 31(3) of the Marriage Law designates the husband as the head of the household and the wife as the homemaker, while Article 86 of the KHI explicitly separates the husband's and wife's assets, meaning the wife's earned income does not absolve the husband of his maintenance obligation. In Aceh, the Sharia Court has full authority to handle family cases based on Islamic law, with judges employing the *maslahah al-mursalah* approach in resolving maintenance disputes. Thus, normatively, a husband's failure to provide maintenance to his working wife constitutes a violation of Islamic law because it contradicts the principle of *mitsaqan ghalidzan* (a strong marital bond) and the husband's obligation to provide maintenance according to his ability (QS Al-Baqarah: 233).

CONCLUSION

Research in Gampong Pulolhoih found that husbands' failure to provide financial support to their working wives is caused by four main factors: the husband's financial constraints, the assumption that the wife's income can replace the obligation to provide financial support, as well as the social constructs of patriarchy and the "ngopi" culture, which lead husbands to neglect their responsibilities. From an Islamic legal perspective, the obligation to provide maintenance remains solely with the husband (KHI Chapter 80), while the wife's income is her full right (KHI Chapter 86) and cannot reduce this obligation. Failure to provide maintenance violates Islamic law, unless the wife is proven to be disobedient (*nusyuz*) or there is a special agreement based on the principle of public interest. Cases can be resolved through two channels: (1) non-litigation: family mediation, village-level mediation, and strengthening legal and religious awareness; (2) litigation: claims for

maintenance during the marriage (nafkah madhiyah), maintenance during the waiting period (nafkah iddah), or divorce proceedings through the religious court/Mahkamah Syar'iyah, accompanied by preventive education provided by the KUA and the Mahkamah Syar'iyah. This study is limited to a single village in Aceh with a limited number of informants; therefore, the findings cannot be generalized to a broader population.

REFERENCES

- Abqori, N., & Rizqi, E. M. (2024). Implikasi Wanita Karir Terhadap Keharmonisan Rumah Tangga Perspektif Hukum Islam. *An-Nawa: Jurnal Studi Islam*, 06(02), 281–293. <https://doi.org/10.37758/jadnrx76>
- Aceh, P. (2008). *Qanun Aceh Nomor 9 Tahun 2008*. Sekretariat Daerah Provinsi Aceh.
- Adib, M., Salwa, D., & Khairiyah, M. (2024). Tukar Peran Suami dan Istri dalam Rumah Tangga Perspektif Hukum Keluarga dan Gender. *Journal of Islamic and Law Studies*, 8(1), 92–114. <https://doi.org/10.18592/jils.v8i1.12855>
- Al-Shatibi, A. I. I. (2006). *Al-Muwafaqat fi Usul al-Shari'ah* (2 ed.). Dar al-Hadith.
- Al-Zuhayli, W. (1985). *al-Fiqh al-Islami wa Adillatub*. Dar al-Fikr.
- Amalia, A., & Romli, D. (2025). Kewajiban Nafkah Istri Yang Sudah Dicerai: Tinjauan Komparatif antara Hukum Islam dan Hukum Positif Indonesia. *Al-Zayn: Jurnal Ilmu Sosial & Hukum*, 3(6), 8508–85020. <https://doi.org/10.61104/alz.v3i5.2560>
- Andari, I. A. M. Y., Wiguna, I. B. A. A., & Puspawati, S. (2023). Kontribusi Latar Belakang Pendidikan Terhadap Perkembangan Ekonomi Keluarga (Analisis Kritis). *Waisya: Jurnal Ekonomi*, 2(1), 60–74. <https://doi.org/10.53977/jw.v2i1.945>
- Aziz, S. N., & Anwar, M. (2022). Istri Pencari Nafkah Perspektif Hukum Islam. *Jurnal Syariah dan Hukum Islam*, 1(1), 1–23. <https://journal.iaidalampung.ac.id/index.php/jshi/article/view/19>
- Badriah, B., Luthfia, C., & Nida, Q. (2023). Hak dan Kewajiban Suami Istri Perspektif Hukum Islam (Studi Kasus Wanita Karir di Desa Benda Kec. Sirampong Kab. Brebes). *Sultan Jurisprudance: Jurnal Riset Ilmu Hukum*, 3(1), 73–89. <https://doi.10.51825/sjp.v3i1.19800>
- Bakar, M. A., & Rahim, A. K. A. (2021). *Maqasid al-shariah* Theory: A Comparative Analysis Between The Thoughts Of Al-Shatibi And 'Izz Al-Din Ibn 'Abd Al-Salam. *International Journal of Academic Research in Business and Social Sciences*, 11(8), 180–193. <https://doi.org/10.6007/IJARBSS/v11-i8/10683>
- Creswell, J. W. (2017). *Educational Research*. University of Nebraska.
- Faiz, M. J., & Khasyi'in, N. (2026). Tujuan Khusus Hukum Islam Dalam Kewajiban Nafkah Suami: Pendekatan Normatif Terhadap Perlindungan Hak Ekonomi Perempuan. *At-Taklim: Jurnal Pendidikan Multidisiplin*, 3(1), 98–112. <https://doi.org/10.71282/at-taklim.v3i1.1516>
- Farida, N. Z., Djanuardi, & MIS, S. (2024). Akibat Hukum Perceraian Terhadap Harta Bersama pada Pasangan Tanpa Perjanjian Perkawinan dan Istri yang Menjalankan Kewajiban Suami dalam Mencari Nafkah Berdasarkan Perspektif Hukum Perkawinan dan Kompilasi Hukum Islam. *Jurnal Hukum, Politik dan Ilmu Sosial*, 3(4), 155–173. <https://doi.org/10.55606/jhpis.v3i4.4323>
- Firdaus, M. H., Edyar, B., & Sumarto. (2023). Keterlibatan Istri Mencari Nafkah Dalam Perspektif Hukum Islam. *Al-Furqan: Jurnal Agama, Sosial, dan Budaya*, 2(5), 213–222. <https://publisherqu.com/index.php/Al-Furqan/article/view/512>
- Hidayat, R. E., & Fathoni, M. N. (2022). Konsep Nafkah Menurut Muhammad Syahrur dan Kompilasi Hukum Islam. *Syakhshiyah Jurnal Hukum Keluarga Islam*, 2(2), 151–164. <https://doi.org/10.32332/syakhshiyah.v2i2.6139>

- Husnaldi, M., Hidayat, M., Nasrullah, N., & Huri, A. D. H. (2025). Nafkah Istri Dalam Rumah Tangga Modern. *Al-Mashalahab: Jurnal Hukum Islam dan Pranata Sosial Islam*, 13(02), 165–180. <https://doi.org/10.30868/am.v13i02.9204>
- Husniyati, D., Abdillah, R., Shidqi, A., Amiroh, H., Rendi, R., & Mukti, L. T. (2026). Reconstruction of Alimony Obligations in the Household: A Normative Legal Analysis of The Role of the Wife as Breadwinner in Islamic Law. *Custodia: Journal of Legal Political, and Humanistic Inquiry*, 1(3), 187–196. <https://doi.org/10.65310/enkyvd32>
- Idin, A. M., & Mustaming, M. (2023). Nafkah Dalam Konteks Hukum Islam. *Maddika: Journal of Islamic Family Law*, 4(1), 48–56. <https://doi.org/10.24256/maddika.v4i1.4837>
- Indonesia. (1974). *Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan: Kompilasi Hukum Islam*. Sekretariat Negara RI.
- Indonesia. (1991). *Instruksi Presiden Nomor 1 Tahun 1991*. Sekretariat Negara RI.
- Ismanto, B., Wijaya, M. R., & Ritonga, A. H. (2018). Istri Sebagai Pencari Nafkah Utama dan Dampaknya Dalam Keluarga Perspektif Hukum Islam. *Fitrah: Jurnal Kajian Ilmu-ilmu Keislaman*, 04(2), 397–416. <http://dx.doi.org/10.24952/fitrah.v4i2.950>
- Khitam, H. (2020). Nafkah dan Iddah: Perspektif Hukum Islam. *Az-Zarqa': Jurnal Hukum Bisanis Islam*, 12(2), 189–205. <https://doi.org/10.14421/azzarqa.v12i2.2187>
- Mardhiah, A., Sugiono, S., & Fatimah, F. (2026). Konstruksi Hukum Nafkah Dalam Keluarga Islam; Analisis Tafsir Maudhui Dan Istinbath Hukum Al-Qur'an. *Al-Gharra: Jurnal Ilmu Hukum dan Hukum Islam*, 7(1), 1–11. <https://journal.almaarif.ac.id/index.php/algharra/article/view/849>
- Muda'i, S., & Wahid, A. R. (2023). Hak dan Kewajiban Suami Istri Dalam Pernikahan. *Jurnal Hukum dan Abwal Syakhsyiyah*, 3(2), 141–157. <https://ejournal.staidapondokkrempeyang.ac.id/index.php/jmjh/article/view/550>
- Muthalib, S. A. (2022). Pemenuhan Nafkah Bagi Keluarga Jamaah Tabligh di Montasik Aceh Besar. *El-Usrah: Jurnal Hukum Keluarga*, 5(1), 78–87. <https://doi.org/10.22373/ujhk.v5i1.14816>
- Nofiyanti, N., Putri, T., Kamaludin, H., & Umrah, S. (2022). Kewajiban Nafkah Suami Terhadap Istri Dalam Perspektif Hukum Islam dan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan (Studi di Pengadilan Agama Sorong). *Muadalah: Jurnal Hukum*, 2(2), 161–170. <https://doi.org/10.47945/muadalah.v2i2.761>
- Nurhasanah, N., & Jannah, M. (2023). Persepsi Suami Istri Terhadap Gaji Istri Sebagai Harta Bersama. *Wasathiyah: Jurnal Studi Keislaman*, 4(1), 56–67. <https://ejournal.stishid.ac.id/index.php/wasathiyah/article/view/191>
- Pratitis, S. A., Sukiati, S., Nurasih, N., & Harahap, M. Y. (2025). Rekonstruksi Keadilah Dalam Pembagian Harta Bersama Ketika Istri Lebih Dominan Mencari Nafkah. *Al-Mikraj: Jurnal Studi Islam dan Humaniora*, 6(1), 1909–1922. <https://doi.org/10.37680/almikraj.v6i1.9064>
- Rahmadhana, S., Ahmad, E. H. K., & Islamiyah. (2025). Makna Infak sebagai Nafkah dalam Rumah Tangga Pasca Perceraian Perspektif Wahbah Az-Zuhaili. *Jurnal Studi Alqur'an dan Tafsir*, 1(4), 1–16. <https://doi.org/10.47134/jsiat.v1i4.210>
- Risbyantoro, H., Bela, F. M. S., & Firdaus, D. (2023). Peran Istri Sebagai Pencari Nafkah

- Utama Dalam Perspektif Maqashid Al-Syari'ah. *Sahaja: Journal Sharia and Humanities*, 2(2), 198–211. <https://doi.org/10.61159/sahaja.v2i2.133>
- Rohmah, L. (2024). Dampak Psikologis Pengabaian Nafkah : Kajian Kritis Perspektif Wahbah Zuhaili. *Mabahits: Jurnal Hukum Keluarga*, 05(02), 236–247. <https://doi.org/10.62097/mabahits.v6i02.2557>
- Salsabila, M. (2025). Kewajiban Nafkah Suami Dalam Rumah Tangga Modern (Studi Perspektif Kompilasi Hukum Islam Terhadap Pasangan Suami Istri Yang Sama-Sama Bekerja). *Konferensi Nasional Hukum Islam*, 3(1), 1–13. <https://new-conference.unisma.ac.id/index.php/knhi/article/view/2021>
- Sugitanata, A., & Zakariya, M. (2021). Peralihan Peran Pasangan Terdidik Antara Suami dan Istri. *Mahkamah: Jurnal Kajian Hukum Islam*, 6(2), 239–247. <https://doi.org/10.24235/mahkamah.v6i2.7961>
- Suwito, S., Darmawan, D., Harun, S. F., & Zuriah, R. A. (2025). Implications of Prenuptial Agreements in the Perspective of Islamic Family Law in Indonesia: A Normative and Social Study. *Hakam: Jurnal Kajian Hukum Islam dan Hukum Ekonomi*, 9(2), 376–394. <https://doi.org/10.33650/jhi.v9i2.13291>
- Syafitri, N., Hamdani, H., & Ramziati, R. (2022). Tanggung Jawab Nafkah Keluarga Dari Istri Yang Bekerja Menurut Kompilasi Hukum Islam (KHI) Dan Hukum Adat (Studi Penelitian di Kota Lhokseumawe). *Suloh: Jurnal Fakultas Hukum Universitas Malikussaleh*, 10(2), 313–337. <https://doi.org/10.29103/sjp.v10i2.5992>
- Syamsuri, S., & Hodri, M. (2022). Studi Atas Pemikiran Asghar Ali Engineer Relevansi Nafkah Bagi Mantan Istri. *Hakam: Jurnal Kajian Hukum dan Hukum Ekonomi*, 6(1), 57–71. <https://doi.org/10.33650/jhi.v6i1.4067>
- Yus, S., Shiddqi, M. A., Zubaidah, Z., Suraiya, S., Izzah, N., & Hassan, S. N. S. (2025). Khanduri Weu In the Context of Cultural Tradition and Islamic Law In the Village of Lampanah Leungah Aceh Besar. *Penamas*, 38(2), 181–192. <https://doi.org/10.31330/penamas.v38i2.1007>
- Yusuf, M. S., Shofia, H., & Ulwan, M. H. (2021). Kewajiban Orang Tua Dalam Pendidikan Anak Ketika Masa Penyusunan Perspektif Al-Qur'an (Studi Tafsir Surat Al-Baqarah Ayat 233). *Jurnal Teknologi Pendidikan*, 10(2), 1–61. <https://ejournal.uika-bogor.ac.id/index.php/TEK/article/view/15238>