



Islamic Legal Analysis of the Concept of Maintenance in the Context of a Working Wife

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Abstract

This study examines the legal construction of maintenance obligations within Islamic family law in the contemporary context of working wives. It adopts a doctrinal and normative-comparative approach, integrating classical jurisprudence, Indonesian positive law, judicial practices, and contextual socioeconomic data within a maqāṣid al-shari'ah framework. The findings confirm that maintenance remains a fundamental and non-transferable obligation of the husband across doctrinal, statutory, and judicial dimensions, unaffected by the wife's income. However, judicial practice demonstrates contextual flexibility in determining the proportionality of financial support through case-based reasoning. The analysis further shows that this legal construction aligns with broader objectives of economic protection, fairness, and family stability. This study contributes by offering an integrative normative framework that is contextualized by contemporary social realities, demonstrating the capacity of Islamic family law to adapt without compromising its core principles.

INTRODUCTION

Recent socioeconomic transformations have significantly reshaped the structure and dynamics of Muslim families, particularly in developing countries such as Indonesia. One of the most notable changes is the increasing participation of women in the labor market, where they are no longer confined to domestic roles but actively contribute to formal employment, professional sectors, and entrepreneurial activities. Statistical evidence indicates a steady rise in female labor force participation, reflecting broader structural shifts in household economic arrangements and gender roles. This transformation is not merely a demographic trend but represents a fundamental reconfiguration of family economics, where women's contributions are often essential to maintaining household stability and resilience (Schneider et al., 2024; Gizi Majidova, 2026).

The expansion of women's economic roles has generated substantial academic interest, particularly in relation to its implications for family law and gender relations. Contemporary studies highlight that dual-income households are becoming increasingly common, altering traditional assumptions about economic dependency and authority within marriage (Fitria, 2025; Ahyani & Figueiredo, 2024;

Ubaidilah & Husna, 2023). While these developments contribute positively to household welfare and economic sustainability, they also introduce complex legal and ethical questions, especially in normative systems such as Islamic law, which historically developed within different socioeconomic contexts. As a result, there is a growing need to reassess how classical legal doctrines respond to evolving social realities without undermining their normative foundations.

Within Islamic jurisprudence, the concept of maintenance (*nafkah*) occupies a central position as a fundamental right of the wife and a corresponding obligation of the husband. Classical jurists consistently assert that this obligation arises directly from the marriage contract and remains binding regardless of the wife's financial condition (Ali, 2022; Uddin, 2023). However, these doctrinal formulations were developed in socio-historical contexts characterized by limited female participation in economic production and a predominantly male breadwinner model. Consequently, the application of these doctrines in contemporary contexts—where women often possess financial autonomy—raises interpretive challenges and potential tensions between legal norms and lived realities (Kobko-Odari et al., 2025; Cedeño, 2024; Motiejune, 2025; Turmudi, 2025).

The primary research problem addressed in this study emerges from the tension between classical Islamic legal doctrines, modern socioeconomic conditions, and contemporary legal expectations. In practice, the increasing prevalence of working wives has led to disputes concerning the scope, persistence, and limits of the husband's obligation to provide maintenance. Some interpretations suggest that a wife's income may reduce or even eliminate the husband's responsibility, while others maintain that such obligations remain absolute regardless of economic circumstances (Ardo & Adamu, 2025; Datau et al., 2024). These divergent views not only reflect differing legal interpretations but also reveal deeper conceptual questions regarding the relationship between economic contribution and legal responsibility within marriage.

From the perspective of positive law, particularly in Indonesia, the regulatory framework provides a relatively clear position. Law Number 1 of 1974 concerning Marriage affirms that the husband is obligated to provide maintenance according to his capacity, without distinguishing between working and non-working wives. This position is further reinforced by the Compilation of Islamic Law, which explicitly assigns responsibility for household provision to the husband. These regulatory provisions demonstrate a strong alignment with classical *fiqh* in maintaining the husband's financial obligation as a fundamental component of marital responsibility (Ubaidilah & Husna, 2023; Fadhilah & Alamsyah, 2025). However, the persistence of legal clarity does not eliminate interpretive challenges, particularly when confronted with evolving social practices and expectations.

Despite this normative consistency, existing legal doctrines do not fully address the complexities introduced by modern economic realities. Classical jurists did not explicitly consider scenarios in which wives function as equal or primary income earners, nor did they engage with contemporary labor structures or gender dynamics. As a result, there is a conceptual gap between doctrinal formulations and empirical realities. This gap has prompted scholars to explore new interpretive approaches that can reconcile normative principles with contextual developments without compromising the integrity of Islamic law.

One of the most promising approaches in contemporary Islamic legal scholarship is the *maqasid al-shariah* framework, which emphasizes the objectives and purposes of Islamic law rather than its literal formulations. Originally conceptualized by classical scholars such as Al-Shatibi (1997) and further developed in modern scholarship (Afnandito, 2025; Maulana et al., 2025), this approach argues that legal

rulings should be evaluated based on their capacity to promote welfare, justice, and social balance. In the context of family law, this perspective shifts the focus from rigid rule application toward the realization of substantive outcomes, including economic security, human dignity, and fairness. By prioritizing the protection of fundamental human interests, particularly life and property, the maqasid framework provides a flexible yet principled basis for addressing contemporary legal challenges.

Previous studies have examined the issue of naskah and working wives from various perspectives, including sociological analysis and doctrinal exposition. Research by Maulida (2021) and Nisa (2021), for instance, highlights the increasing economic role of women and its implications for family dynamics. However, these studies often treat legal norms and socioeconomic realities as separate domains, without integrating them into a unified analytical framework. Similarly, studies focusing on legal doctrine tend to reaffirm classical positions without sufficiently engaging with contemporary transformations. This fragmented approach has resulted in a lack of comprehensive analysis that connects classical jurisprudence, modern regulation, judicial practice, and empirical data.

This gap in the literature underscores the need for an integrative approach that combines doctrinal analysis with contextual interpretation. In particular, there is limited research that systematically applies the maqāṣid al-sharī'ah framework to the issue of maintenance in the context of working wives, especially within the Indonesian legal setting. Given the increasing frequency of disputes related to naskah and the growing complexity of family economic structures, such an approach is both timely and necessary.

Accordingly, this study aims to reexamine the concept of naskah in the context of working wives through a normative-comparative analysis grounded in the maqāṣid al-sharī'ah framework. By integrating classical Shafi'i jurisprudence, Indonesian positive law, judicial practices, and contemporary socioeconomic data, this research seeks to clarify whether and to what extent a wife's employment influences the husband's obligation of maintenance. The novelty of this study lies in its integrative methodology, which moves beyond purely textual analysis to incorporate purposive reasoning and contextual realities. The scope of the study is limited to normative legal analysis within the Indonesian context, with particular attention to the interaction between doctrine, regulation, and practice in shaping contemporary interpretations of Islamic family law.

METHODS

Research Design and Approach

This study employs a doctrinal legal research design combined with a normative-comparative approach, enriched by an integrative analytical framework. The research focuses on examining the legal construction of maintenance (naskah) within Islamic family law in the contemporary context of working wives. Given that the research problem is interpretive and normative in nature, this study does not involve field-based empirical data collection but instead analyzes legal texts, juristic reasoning, and regulatory frameworks. The doctrinal approach enables a systematic examination of legal principles governing marital obligations, while the comparative dimension facilitates an assessment of the relationship between classical Islamic jurisprudence and Indonesian positive law.

Multi-Layered Normative Legal Framework

The analytical framework of this study is structured across three interrelated layers. First, classical Islamic jurisprudence (fiqh), particularly within the Shafi'i school, is examined to identify the doctrinal foundations of naskah, including its legal basis, scope, and conditions. Second, Indonesian positive law specifically Law Number 1 of

1974 concerning Marriage and the Compilation of Islamic Law is analyzed to understand how these doctrinal principles are codified and institutionalized within the national legal system. Third, selected decisions from Indonesia's Religious Courts are reviewed to capture how legal norms are interpreted and applied in practice, particularly in disputes involving working wives. These layers doctrine, regulation, and judicial practice are analyzed in an integrated manner to identify both continuity and tension within the legal system.

Contextual Socioeconomic Dimension

In addition to doctrinal and regulatory analysis, this study incorporates a contextual dimension through the use of secondary socioeconomic data, particularly statistics on female labor force participation published by the Central Statistics Agency (BPS). These data are not treated as primary empirical evidence but as contextual support to illustrate the transformation of family economic structures in Indonesia. This inclusion allows the study to situate legal analysis within real social conditions, thereby enhancing the relevance and applicability of the findings. The approach reflects a socio-legal sensitivity while maintaining a primarily normative orientation.

Maqāṣid al-Sharī'ah as an Analytical Framework

The primary analytical framework employed in this study is maqāṣid al-sharī'ah, which functions as a purposive and evaluative tool rather than merely a descriptive concept. In this research, maqāṣid al-sharī'ah is operationalized to assess the extent to which existing legal constructions of nafkah align with the fundamental objectives of Islamic law, particularly the protection of life (ḥifẓ al-nafs), the protection of wealth (ḥifẓ al-māl), and the realization of justice and balance within the family. This framework is applied systematically across all levels of analysis: first, to evaluate classical fiqh doctrines in light of their underlying objectives; second, to assess whether national legal regulations reflect these objectives; and third, to examine how judicial practices embody or adapt maqāṣid-based reasoning in concrete cases. Through this operationalization, maqāṣid al-sharī'ah serves as a bridge between normative doctrine and contemporary social realities.

Sources of Legal Materials

The legal materials used in this study consist of both primary and secondary sources. Primary legal materials include classical fiqh texts, statutory regulations, and judicial decisions. Key classical sources analyzed include al-Umm by al-Shafī'i, al-Majmū' by al-Nawawī, and al-Mughnī by Ibn Qudāmah, which provide the doctrinal basis for understanding the obligation of nafkah. Statutory materials include Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law, representing the formal legal framework governing marital obligations in Indonesia. Judicial materials consist of selected Religious Court decisions that illustrate how nafkah is interpreted in cases involving working wives.

Secondary materials include academic books, peer-reviewed journal articles, and scholarly works related to Islamic family law, gender roles, and maqāṣid al-sharī'ah. In addition, official statistical reports from BPS are used to provide contextual support regarding female labor force participation and changes in family economic structures. The combination of these materials ensures a comprehensive and balanced analysis.

Data Collection Technique

Data collection is conducted through systematic library research. Legal texts, academic publications, and official documents are identified, classified, and critically examined based on their relevance, authority, and credibility. The selection process

prioritizes sources that directly address the research problem and contribute to both doctrinal and contextual analysis.

Data Analysis Method

The method of data analysis employed in this study is descriptive-analytical and evaluative. Descriptive analysis is used to present legal doctrines, statutory provisions, and judicial practices in a structured manner. Analytical interpretation is then applied to examine the internal consistency of these legal norms, their underlying rationales, and their interaction with contemporary socioeconomic conditions. The evaluative dimension is conducted through the *maqāṣid al-sharī'ah* framework, which enables the study to assess whether existing legal constructions promote justice, welfare, and proportionality within modern Muslim families. This multi-layered analysis ensures that the study not only describes legal norms but also critically evaluates their relevance and adequacy.

RESULTS AND DISCUSSION

This section presents the findings of the study based on a multi-layered analytical framework integrating classical Islamic jurisprudence, Indonesian positive law, judicial practice, and contemporary socioeconomic data. The results are organized systematically to reflect the methodological structure outlined in the previous section. The analysis begins with the doctrinal construction of maintenance (*nafkah*) within the Shafī'i school of Islamic jurisprudence, followed by its codification in Indonesian legal regulations. It then examines how these legal principles are applied in Religious Court practices, particularly in cases involving working wives. Subsequently, the study incorporates socioeconomic data to contextualize the transformation of family economic structures in Indonesia. Finally, the findings are evaluated through the *maqāṣid al-sharī'ah* framework to assess the extent to which existing legal constructions align with the objectives of Islamic law. This integrative presentation aims to provide a comprehensive understanding of the persistence and adaptation of *nafkah* obligations in contemporary Muslim family life.

Shafī'i Doctrinal Construction of Nafkah

The analysis of classical Islamic jurisprudence within the Shafī'i school demonstrates a consistent and systematic construction of maintenance (*nafkah*) as an inherent legal obligation of the husband arising directly from the marriage contract. Foundational texts such as *al-Umm* by al-Shafī'i establish that the obligation of *nafkah* becomes binding upon the conclusion of a valid marriage and remains enforceable as long as the wife fulfills her marital duties and is not in a state of *nushūz* (al-Shafī'i, 1990). This doctrinal formulation positions *nafkah* not as a conditional or reciprocal obligation, but as a unilateral legal duty that is structurally attached to the husband regardless of the wife's economic condition.

Further elaboration from al-Nawawī in *al-Majmū'* reinforces that the scope of *nafkah* includes essential provisions such as food, clothing, and housing, with the standard determined by the husband's financial capacity and prevailing social conditions (Nasir & Jubri, 2024; Nizami, 2025). Importantly, the wife's financial independence or participation in income-generating activities does not alter her entitlement to maintenance. This doctrinal stance is further corroborated by Ibn Qudāmah in *al-Mughnī*, who emphasizes that *nafkah* remains obligatory even when the wife possesses wealth, thereby establishing a clear separation between the wife's economic capacity and the husband's legal responsibility. The consistency across these sources indicates a strong doctrinal consensus within classical Islamic jurisprudence that maintenance is an absolute and non-transferable obligation.

From an analytical perspective, the doctrinal construction reflects a protective legal orientation aimed at ensuring economic security within marriage. The separation

between entitlement and economic contribution prevents the commodification of marital relations and preserves the wife's autonomy over her financial resources. This doctrinal consistency serves as the foundational layer of analysis in this study and provides a benchmark against which contemporary legal developments are evaluated.

Regulatory Construction in Indonesian Positive Law

The examination of Indonesian positive law reveals a high degree of alignment with classical fiqh doctrines regarding the obligation of maintenance. Law Number 1 of 1974 concerning Marriage explicitly affirms that the husband is responsible for providing for the needs of his wife and household according to his ability, without introducing any distinction based on the wife's employment status (Republic of Indonesia, 1974). This statutory formulation reflects a deliberate legislative continuity with classical Islamic jurisprudence, maintaining the husband's role as the primary provider within the marital framework.

This position is further reinforced by the Compilation of Islamic Law, which codifies the husband's obligation to fulfill the material needs of the wife, including living expenses, housing, and healthcare (Ministry of Religious Affairs, 1991). Similar to the Marriage Law, the Compilation does not recognize women's employment as a factor that modifies or diminishes the obligation of *nafkah*. The absence of such provisions indicates that Indonesian lawmakers have chosen to preserve doctrinal clarity and legal certainty rather than adapting the legal framework to accommodate evolving socioeconomic roles.

The results of this regulatory analysis demonstrate that Indonesian positive law functions as an institutional extension of classical fiqh, translating doctrinal principles into enforceable legal norms. At the same time, the regulatory framework provides a stable legal reference point for resolving disputes related to maintenance, particularly in cases involving working wives. This alignment between doctrine and regulation strengthens the normative consistency of Islamic family law within the Indonesian context.

Judicial Practice in Religious Courts

An analysis of selected Religious Court decisions reveals how normative legal principles are operationalized in practice. Judicial findings consistently indicate that the husband's obligation to provide maintenance does not lapse due to the wife's employment or independent income. Claims by husbands seeking exemption from *nafkah* obligations on the basis of the wife's economic participation are generally rejected, as they lack support in both statutory law and classical jurisprudence.

However, the results also show that courts exercise a degree of contextual reasoning when determining the amount and proportionality of maintenance. In particular, judicial decisions in divorce-related cases, such as claims for *iddah* and *mut'ah*, occasionally consider the wife's economic contribution as a contextual factor influencing the assessment of financial support. This consideration does not negate the existence of the obligation but reflects an effort to ensure fairness and proportionality in its application.

The judicial practice thus illustrates an implicit integration of normative and contextual reasoning. While the legal obligation of *nafkah* remains intact, courts demonstrate flexibility in adapting its implementation to specific circumstances. This pattern aligns with broader trends in Islamic adjudication, where judges balance doctrinal consistency with practical considerations to achieve equitable outcomes (Faizi & Ali, 2024). The findings confirm that judicial practice serves as a critical intermediary layer between legal doctrine and social reality.

Socioeconomic Context of Working Wives

The incorporation of socioeconomic data provides important contextual insights into the transformation of family structures in Indonesia. Statistical reports from the Central Statistics Agency (BPS) indicate a steady increase in female labor force participation, reflecting the growing economic role of women within households (Aini & Arif, 2025). Women are increasingly engaged in professional, service, and entrepreneurial sectors, contributing significantly to household income and, in some cases, serving as primary earners.

Table 1 presents a summary of female labor force participation trends in Indonesia, illustrating a consistent upward trajectory over the past decade.

Table 1. Female Labor Force Participation Rate in Indonesia

Year	Female Labor Force Participation (%)
2014	53.41
2015	53.73
2016	53.96
2017	54.12
2018	54.20
2019	54.50
2020	54.56
2021	54.70
2022	55.20
2023	55.84

Source: Central Statistics Agency (Badan Pusat Statistik – BPS),

The data presented in Table 1 indicate a consistent upward trend in female labor force participation in Indonesia over the past decade. The participation rate increased from 53.41% in 2014 to 55.84% in 2023, reflecting a cumulative growth of approximately 2.43 percentage points. This trend suggests a structural transformation rather than a temporary fluctuation, indicating that women's economic participation has become an increasingly integral component of household economic systems. The steady increase also reinforces the argument that dual-income households are no longer exceptional but represent a growing norm in contemporary Indonesian society.

This structural increase in female labor participation directly intensifies the normative tension between traditional legal obligations and contemporary economic realities, thereby reinforcing the urgency of re-evaluating the application of *nafkah* within dual-income households. Despite these changes, legal norms remain unchanged, creating a gap between social practice and legal construction.

Comparative Legal Analysis

To synthesize doctrinal, regulatory, and judicial findings, Table 2 presents a comparative analysis:

Table 2. Comparative Construction of *Nafkah* in Different Legal Dimensions

Aspect	Classical Fiqh	Indonesian Law	Judicial Practice
Nature of obligation	Absolute	Absolute	Absolute
Effect of wife's income	None	None	Considered (amount only)

Flexibility	Low	Moderate	High
Legal basis	Marriage contract	Statutory law	Case-based reasoning

Source: Author's analysis (2025)

The comparison reveals a clear pattern of normative stability at the doctrinal and statutory levels, contrasted by increasing flexibility at the level of judicial practice

This table demonstrates that while the core obligation remains consistent, flexibility increases at the level of judicial application. The data demonstrate that women's economic participation is no longer peripheral but constitutes a structural component of household economies. This transformation has implications for family dynamics, particularly in terms of role distribution and expectations of financial responsibility. Sociological studies further indicate that working women often experience a double burden, combining income-generating activities with domestic responsibilities (Utami, 2021).

Despite these significant changes, the results show that legal norms governing *nafkah* have not undergone corresponding transformation. Both classical *fiqh* and Indonesian positive law continue to assign primary financial responsibility to the husband, creating a divergence between social practice and legal construction. This divergence does not necessarily indicate a contradiction but highlights the complexity of aligning normative frameworks with evolving social realities.

Maqāṣid al-Sharī'ah-Based Evaluation

The application of the *maqāṣid al-sharī'ah* framework provides a deeper evaluative understanding of the persistence of *nafkah* as a legal obligation. From the perspective of *ḥifẓ al-nafs* (protection of life), maintaining the husband's obligation of maintenance contributes to emotional stability and economic security within the family. By ensuring that wives are not economically dependent on their own labor for basic needs, the legal framework reduces vulnerability and potential exploitation ().

From the perspective of *ḥifẓ al-māl* (protection of wealth), the separation between the wife's income and the husband's obligation preserves individual property rights and prevents unjust appropriation. Classical jurists consistently emphasize that a husband has no legal claim over his wife's wealth unless it is given voluntarily (Ibn al-Mundhir, 1999; Ibn Qudāmah, 2005). This principle remains particularly relevant in contemporary contexts where women may possess significant financial resources.

The evaluative analysis also highlights that maintaining *nafkah* as a unilateral obligation aligns with the *maqāṣid* objective of justice. Rather than imposing symmetrical financial responsibilities, the legal framework adopts a protective approach that accounts for structural inequalities and potential burdens faced by women, particularly in dual-income households. This distinction between legal obligation and voluntary cooperation allows families to adapt to economic realities without compromising the protective function of Islamic law.

Integrative Analysis Across Legal and Social Dimensions

The integration of doctrinal, regulatory, judicial, and socioeconomic analyses reveals a coherent yet dynamic legal structure governing *nafkah*. Classical *fiqh* provides a stable doctrinal foundation, Indonesian positive law institutionalizes these principles, and judicial practice adapts them to specific contexts. Meanwhile, socioeconomic data illustrate the evolving realities that challenge and inform legal interpretation.

Figure 1 illustrates the integrative analytical framework employed in this study, demonstrating the interaction between doctrine, regulation, judicial practice, and socioeconomic context.

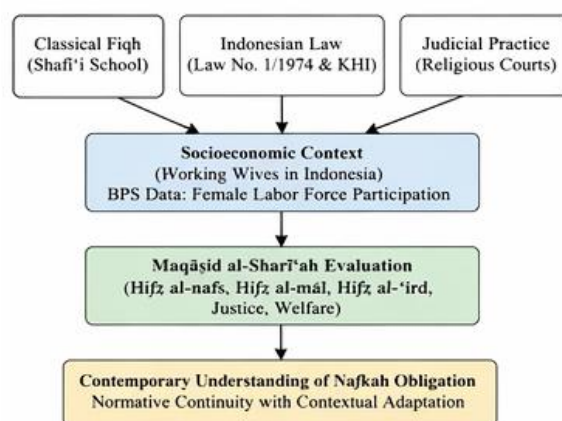


Figure 1. Integrative Framework of Nafkah Analysis in the Context of Working Wives

Source: Author's elaboration (2025)

In Figure 1, the integrative analytical frame of nafkah is shown, which reflects the relation between classical fiqh, Indonesian positive law, judicial practice, and socioeconomic background, all of them considered in terms of maqāsid al-sharī'ah framework. The scheme demonstrates that the doctrinal principles are structurally constant on the legal levels, whereas the contextual adaptation is done at the judicial implementation level. The findings suggest that the stability of the husband obligation of nafkah is not due to legal conservatism per se but is rather a consistent normative system with protection and stability as its objectives. Simultaneously, the adaptability of the judicial practice implies that Islamic family law has the potential to keep up with the changing social circumstances without forsaking its traditional principles.

The results of this paper have shown that the continuation of the duty of the husband of maintenance in the scenario of the working wives cannot be sufficiently perceived as the unchanging continuation of classical jurisprudence. Instead, it is a dynamic normative order that is doctrinally consistent but flexible contextually at the application level. This two-sided nature of normative stability coupled with interpretive flexibility provides a more subtle view of Islamic family law in modern contexts.

Doctrinally, the findings affirm that classical Islamic jurisprudence, especially the Shafiite school, has always fashioned maintenance as an obligatory and non-transferable duty of the husband. This observation concurs with the current literature that highlights the importance of maintenance in the Islamic law as based on the contractual principle of marriage and not on economic dependence (Ardo and Adamu, 2025). Likewise, Datau et al. (2024) state that the purpose of maintenance is to maintain the rights and well-being of wives, with or without economic involvement. These views support the statement that the employment of women does not add to the legal basis of maintenance rather, it works under another normative area.

But placed in the context of the modern socioeconomic environment, the continuation of this doctrinal construction unveils a natural conflict between normative systems of law and the changing social reality. The growing employment of women in the labor force as shown by national statistics is an indication of

structural change in the economic set up of households. Research works by Aini and Arif (2025) and Kurniasari et al. (2025) show that economic necessity, such as an increase in the cost of living and financial stresses in households, contributes to female labor force participation in Indonesia as well as the empowerment factor. This revolution defies the conventional premises of economic dependence in the marriage and questions the viability of the unilateral payment in the future.

Despite this tension, the findings indicate that Islamic law does not respond to these changes by redistributing legal obligations. Instead, it maintains a clear distinction between legal responsibility and voluntary economic contribution. This distinction is supported by recent scholarship emphasizing that women's income should not be construed as a legal substitute for the husband's obligation but rather as an independent contribution (Fitria, 2025; Nasir & Jubri, 2024). Such an approach preserves the protective function of maintenance while allowing flexibility in practical arrangements within the household.

The role of judicial practice in mediating this tension is particularly significant. The findings reveal that Religious Courts in Indonesia consistently uphold the existence of the husband's obligation while exercising flexibility in determining its scope and proportionality. This pattern supports earlier observations (Dahash, 2025) and is further reinforced by more recent analyses indicating that judicial reasoning in Islamic family law increasingly incorporates contextual considerations without undermining doctrinal principles (Hidayah & Meidina, 2023). In this sense, the judiciary functions as a critical site of legal adaptation, where abstract norms are translated into context-sensitive decisions.

This adaptive function of judicial practice can be understood as an implicit application of a purpose-oriented framework of Islamic law. Contemporary scholars argue that such an approach provides a means of reconciling legal norms with social realities by prioritizing welfare, justice, and balance (Afnandito, 2025; Maulana et al., 2025). The findings of this study support this view by demonstrating that the maintenance obligation, when interpreted through this lens, serves broader objectives beyond its formal legal structure. In particular, it contributes to economic security and the protection of individual financial rights within the family.

Importantly, this interpretation challenges the assumption that Islamic family law is inherently rigid or incompatible with contemporary gender dynamics. Recent comparative studies highlight that Islamic legal systems possess internal mechanisms for adaptation, particularly through interpretive reasoning and judicial discretion (Kobko-Odarii et al., 2025). Similarly, Ahyani and Figueiredo (2024) argue that integrating Islamic legal principles with modern social realities can enhance, rather than constrain, social justice and family welfare. The findings of this study contribute to this discourse by demonstrating that the persistence of maintenance is not a sign of resistance to change but a reflection of a normative commitment to protection and balance.

At the same time, the study also highlights the limitations of relying solely on doctrinal consistency without sufficient engagement with social realities. Sociological research indicates that working women often experience a double burden, combining economic responsibilities with domestic duties (Utami, 2021). While the legal framework protects women from obligatory financial contribution, it does not automatically address the practical inequalities that may arise within households. This suggests that legal norms alone are insufficient to ensure substantive justice and must be complemented by social awareness and ethical practices within the family.

The other significant implication of this research is the difference between ethics and the legal compulsory cooperation. The Islamic law does not forbid wives to contribute

to the household expenses but rather presents their contribution as a voluntary action which is based on mutual agreement and cooperation. This view aligns with the modern research that notes that mutual support is essential in modern Muslim families (Nasir & Jubri, 2024). Islamic law achieves an adaptable structure that allows a wide range of economic structures to be accommodated without undermining its protective role by keeping maintenance as a legal requirement and promoting voluntary cooperation.

The results also add to the general theoretical discussion of the interrelation of law and social change. Instead of evolving by the revisioning of formal doctrines, Islamic family law seems to evolve by interpretation and situational application. This trend can be explained by some scholars as adaptive continuity, in which legal frameworks do not change the fundamental principles, but only alter their application to fit new realities (Harefa, 2025). In that sense, the stability of maintenance can be interpreted as one of the stabilizing mechanisms that keep the legal system in place but permits gradual adaptation.

The general impact of this work is the integration of the classical doctrine with contemporary regulation, judicial practice, and socioeconomic change. The results indicate that the requirement of maintenance is a focal and consistent aspect of Islamic family law, despite working wives. Simultaneously, the adaptability of judicial practice suggests that the Islamic law has the ability to adapt to the modern problems without forsaking the principles on which it is based. This integrative approach is the main input of the research. The synthesis of doctrinal analysis and contextual assessment and purpose-oriented rationale bring the research out of the conventional legal analysis and provide a more detailed approach to understanding maintenance in contemporary Muslim societies. It also offers a base on future studies on how Islamic family law can still maintain a balance between normative stability on one side, and social transformation in an ever more complex and dynamic world.

CONCLUSION

This study concludes that the husband's obligation to provide maintenance remains a fundamental and non-transferable principle within Islamic family law, even in the contemporary context of working wives and dual-income households. The findings demonstrate a consistent alignment between classical jurisprudence, Indonesian positive law, and judicial practice in maintaining this obligation as a legal consequence of marriage rather than a function of the wife's economic dependency. However, the study also reveals that Islamic law operates through a dynamic and layered normative system in which doctrinal stability is preserved while contextual flexibility is exercised at the level of judicial interpretation. By applying a purpose-oriented analytical framework, this research shows that the persistence of maintenance obligations serves broader objectives of economic protection, fairness, and family stability, rather than reflecting rigid legal conservatism. The study contributes to the existing literature by offering an integrative perspective that bridges doctrinal analysis, regulatory frameworks, judicial practices, and socioeconomic realities. Nevertheless, future research is needed to explore empirical dimensions of household financial arrangements and to examine how evolving gender roles may influence the practical implementation of maintenance obligations in diverse Muslim societies.

REFERENCES

- Afnandito, M. (2025). From Maqāsid Shariah to Policy An Epistemological Framework for Ethical, Holistic, and Sustainable Islamic Economic Development. *El-Qish: Journal of Islamic Economics*, 5(2), 180-191.

- Ahyani, H., & Figueiredo, A. J. P. (2024). Integrating Shariah Principles in Modern Family and Economic Life for Social Well-being and Justice. *Munakahat: Journal of Islamic Family Law*, 1(1), 94-107.
- Aini, A. N., & Arif, M. (2025). Determinants of Female Labor Force Participation Rate in 2019-2023 in 34 Provinces of Indonesia. *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)*, 8(1), 2520-2531. <https://doi.org/10.31538/iijse.v8i1.6309>
- ALI, K. (2022). Rights and Duties in Marriage. *The Islamic Marriage Contract: Case Studies in Islamic Family Law*, 6, 11.
- Ardo, H., & Adamu, A. I. (2025). The rights of a working wife to maintenance: an islamic perspective. *MAQOLAT: Journal of Islamic Studies*, 3(2), 250-257.
- Cedeño, D. (2024). Applying Hegelian theory to contemporary family science. *Journal of Family Theory & Review*, 16(3), 563-581. <https://psycnet.apa.org/doi/10.1111/jftr.12574>
- Dahash, Z. M. (2025). Family Law in Islamic and Secular Traditions: A Balanced Comparative Study on Gender Equity and Legal Reform. *International Journal of Sharia and Law*, 1(2), 101-116.
- Datau, A. Y., Thalib, M. C., & Kaluku, J. A. (2024). Protection of Rights Against Legal Wives on Fulfillment of Household Maintenance by Husband. *Estudiante Law Journal*, 6(2), 394-406. <https://doi.org/10.33756/eslaj.v6i2.28187>
- Fadhilah, N., & Alamsyah, M. N. (2025). Reinterpreting financial responsibilities in Islamic marriage: A Maqasid al-Usrah perspective. *Al-Syakhsyiyah: Journal of Law and Family Studies*, 7(1), 1-26. <https://doi.org/10.21154/syakhsyiyah.v7i1.10449>
- Faizi, H. F. S., & Ali, H. S. (2024). The core principles of Islamic jurisprudence within legal theory: A comprehensive analysis. *Online Journal of Research in Islamic Studies*, 11(2), 57-72. <https://doi.org/10.22452/ris.vol11no2.4>
- Fitria, T. N. (2025). A Working Wife: An Islamic Economic Perspective on Women's Economic Participation in Household and Workforce. *Jurnal Ilmiah Ekonomi Islam*, 11(03). <https://doi.org/10.29040/jiei.v11i03.17112>
- Gizi Majidova, L. A. (2026). Digital transformation and family resilience: A socio-philosophical analysis of demographic change in Azerbaijan. *Вісник гуманітарних наук*, (18). <https://doi.org/10.5281/zenodo.19660100>
- Habibie, I. Z. (2024). Fulfillment of Wife's Nafkah Rights: Identification of Constraints and Implications for Household Harmony. *Damhil Law Journal*, 4(2), 161-175. <http://dx.doi.org/10.56591/dlj.v4i2.2700>
- Hallaq, W. B. (2022). *Law and legal theory in classical and medieval Islam*. Routledge.
- Harefa, S. (2025). The fundamental principles of Islamic law in the digital era: An ushul fiqh and maqashid Sharia approach. *Journal of Islamic Law on Digital Economy and Business*, 84-99. <https://doi.org/10.20885/JILDEB.vol1.iss1.art6>
- Hidayah, O. N., & Meidina, A. R. (2023). Analysis of the Rights and Obligations of Husband and Wife in the Compilation of Islamic Law: A Review from the Perspective of Gender Equality. *Legitima: Jurnal Hukum Keluarga Islam*, 6(1), 1-15. <https://doi.org/10.33367/legitima.v6i1.4148>
- Kobko-Odarii, V., Leheza, Y., Sokolovskiy, K., Tatarenko, H., & Nestertsova-Sobakar,

- O. (2025). Reconstructing Gender Equality in Family Law: A Normative and Comparative Analysis of European Family Law Systems in Religious Context. *Syariah: Jurnal Hukum Dan Pemikiran*, 25(1), 195-214. <https://doi.org/10.18592/sjhp.v25i1.17694>
- Kurniasari, W., Budiarty, I., & Murwiati, A. (2025). Economic and Health Dimension of Female Labor Force Participation in Indonesia. *Jurnal Ekonomi Pembangunan*, 14(1), 1-17. <https://doi.org/10.23960/jep.v14i1.3879>
- Maulana, M. I., Falah, F., & Sutisna, N. (2025). The Role of Maqashid al-Shariah in Shaping a Civilizational Ethic: Reflections from Tunisia. *Tanwir: Journal of Islamic Civilization*, 2(1), 55-70. <https://doi.org/10.33830/elqish.v5i2.13308.2025>
- Maulida, N. (2021). *Working women and the dynamics of family support in Indonesian Muslim households*. UIN Press.
- Motiejune, G. S. (2025). Polygamy in Islam: A Study on Its Religious Justifications and Empowerment of Women Within Islamic Teachings. *QiST: Journal of Quran and Tafseer Studies*, 4(1), 59-74. <https://doi.org/10.23917/qist.v4i1.6948>
- Nasir, F. N. J. A., & Jubri, M. M. (2024). The Husband's Obligation In Providing Nafaqah To The Wife During The Pandemic Hardship: An Analysis From An Islamic Perspective. *Jurnal Syariah*, 32(2), 300-349. <https://doi.org/10.22452/syariah.vol32no2.4>
- Nasir, F. N. J. A., & Jubri, M. M. (2024). The Husband's Obligation in Providing Nafaqah to the Wife During the Pandemic Hardship: An Analysis from an Islamic perspective. *Jurnal Syariah*, 32(2), 300-349. <https://doi.org/10.22452/syariah.vol32no2.4>
- Nisa, K. (2021). Changes in the economic role of Muslim families and their fiqh implications. *Journal of Islamic Family Studies*, 3(2), 115–132.
- Nizami, A. G. (2025). The Normative Framework of Family Finance in Islam: Between Religious Doctrine and Contemporary Social-Economic Discourse. *Maliyah: Jurnal Hukum Bisnis Islam*, 15(1), 20-37. <https://doi.org/10.15642/maliyah.2025.15.1.26-48>
- Schneider, K. R., De la O Campos, A. P., Cavatassi, R., & Davis, B. (2024). Resilient and inclusive rural transformation in sub-Saharan Africa under climate, demographic, and social change: Challenges and opportunities for income growth and job creation. *Global Food Security*, 43, 100815. <https://doi.org/10.1016/j.gfs.2024.100815>
- Tamamiyah, L. (2025). The Evolving Practice of Marriage Contracts in Islamic Family Law: Customary Influences and Legal Implications. *Journal of Islamic Family Law*, 1(1), 16-22. <https://doi.org/10.59784/jifl.v1i1.3>
- Turmudi, M. (2025). The Financial Rights of Women Post-Divorce: A Critical Analysis of Legal Frameworks, Economic Outcomes, and Gendered Vulnerabilities. *Journal of Islamicate Studies*, 8(1), 1-15. <https://doi.org/10.32506/jois.v8i1.918>
- Ubaidilah, N., & Husna, A. (2023). Regulation of Maintenance in Islamic Family Law: Implications for Family Welfare. *International Journal of Health, Economics, and Social Sciences (IJHESS)*, 5(4), 601-612. <https://doi.org/10.56338/ijhess.v5i4.6639>
- Ubaidilah, N., & Husna, A. (2023). Regulation of Maintenance in Islamic Family Law: Implications for Family Welfare. *International Journal of Health, Economics,*

and Social Sciences (IJHES), 5(4), 601-612.
<https://doi.org/10.56338/ijhess.v5i4.6639>

- Uddin, A. E. (2023). The Practice and Legitimacy of Misyār Marriage: A Critical Analysis within Islamic Law. *Yakın Doğu Üniversitesi İslam Tetkikleri Merkezi Dergisi*, 9(2), 254-270. <https://doi.org/10.32955/neu.istem.2023.9.2.06>
- Utami, S. (2021). The double burden of women in working households. *Indonesian Sociology Journal*, 7(2), 145–162.
- Zada, K. (2020). Maqāshid al-syarī‘ah and public policy in the context of modern law. *Journal of Islamic Law*, 18(1), 23–40.
<https://doi.org/10.21154/justicia.v16i2.1666>