

Munakahat dan Fulfillment of Family Livelihood: A Normative Analysis of Islamic Law

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Abstract

This study is motivated by the importance of munakahat in Islamic jurisprudence as a normative framework governing marital relationships, particularly regarding the obligation of family maintenance (nafaqah). In contemporary social contexts, economic dynamics and shifting family roles have raised various challenges in understanding and implementing this obligation. Therefore, this research aims to analyze the concept of munakahat and the fulfillment of family maintenance from the perspective of normative Islamic jurisprudence. This study employs a qualitative method with a normative doctrinal approach through library research. Primary data sources include the Qur'an, hadith, and classical fiqh texts, while secondary sources consist of books and contemporary scholarly journal articles. Data analysis is conducted using content analysis and comparative examination of juristic opinions. The findings indicate that the obligation of maintenance is a legal consequence of the marriage contract, carrying both moral and legal responsibility. Islamic jurisprudence on munākahāt also demonstrates flexibility in determining maintenance standards based on the husband's capacity and socio cultural context ('urf). In conclusion, the concept of maintenance within munakahat functions not merely as a legal obligation but as a mechanism for ensuring justice and strengthening Muslim family resilience.

Keywords: Munakahat, Family Mintenance, Islamic Yurisprudence

A. Introduction

The study of marriage in Islamic jurisprudence positions the family as an institution established through a contract that gives rise to reciprocal rights and obligations, and one of the most central consequences is the obligation of maintenance (nafaqah) as the foundation for the continuity of the household.¹ The study of marriage in Islamic jurisprudence positions the family as an institution established through a contract that gives rise to reciprocal rights and obligations, and one of the most central consequences is the obligation of maintenance (nafaqah) as the foundation of household sustainability.² Socio-economic shifts in the increasing labor force participation of women, changes in family income structures, and the complexity of proving financial capability drive the need to reinterpret the concept of spousal support (nafkah) more contextually without abandoning its normative foundations. This is evident in a study that highlights the relationship between nafaqah (financial support) with gender justice and the protection of women's economic rights, while also asserting that social change demands a renewal in the way the concept of nafaqah is understood and applied in Muslim societies.³

In the literature, research on nafkah (maintenance) has evolved along several main currents. First, the normative-juridical current, which affirms the position of nafkah as a primary obligation of the husband regulated by religious texts (nash) and family law instruments (including national regulations), yet often faces implementation challenges due to economic pressures and changing gender roles.⁴ Second, the current of reinterpretation or reconstruction that uses the Qur'anic values and maqasid al-shari'ah approach to reassess the standards and mechanisms of nafkah (maintenance) in the context of the modern economy, including the digital economy, emphasizing the principles of justice, reciprocity, and partnership within the household.⁵ Third, the flow of studies on maintenance in special situations (post-divorce or contested divorce) that demonstrate how the limits, measures, and functions of maintenance can serve as preventive instruments for conflict, as well as reveal the problematic space between norms and practices in judicial institutions.⁶ Fourth, the current study on the shift in breadwinner roles (wife as the primary breadwinner) evaluates this phenomenon through the Compilation of Islamic Law (KHI) and the concept of *masalahah* (public interest), so the issue of financial support does not stop at "formal obligations," but also considers the welfare and justice of the family.⁷

¹ Muhammad Farid Nasrulloh et al., "Workshop Kajian Fikih Munakahat Guna Meningkatkan Pemahaman Cara Meraih Keluarga Sakinah," *Jumat Keagamaan: Jurnal Pengabdian Masyarakat* 6, no. 1 (2025): 186–89.

² Mega Utami Imyansah et al., "Fiqih Munakahat Dalam Pendidikan Islam," *ALFIHRIS: Jurnal Inspirasi Pendidikan* 2, no. 2 (2024): 119–32.

³ Suud Sarim Karimullah et al., "The Concept of Nāfaqah in Islamic Law and Women's Right to Financial Support," *El-Izdiwaj: Indonesian Journal of Civil and Islamic Family Law* 5, no. 2 (2024): 222–42.

⁴ Ahmad gofur Sutabri, "Kedudukan Nafkah Dalam Hukum Keluarga Islam: Antara Tanggung Jawab Dan Realitas Sosial," *Jurnal Hukum Keluarga Islam El-Qisth* 8, no. 01 (2025): 32–38.

⁵ Ridwan Ridwan and Hidayatullah Ismail, "Reformulation of Livelihood in Islamic Family Law: Qur'anic Basis and Women's Dual Roles," *Jurnal El-Thawalib* 6, no. 5 (2025): 647–60.

⁶ Ferlan Niko, Akbarizan Akbarizan, and Nurcahaya Nurcahaya, "Batasan Kewajiban Nafkah Dalam Upaya Preventif Cerai Gugat: Studi Pada Pengadilan Agama Kota Pekanbaru," *Tazkir: Jurnal Penelitian Ilmu-Ilmu Sosial Dan Keislaman* 11, no. 2 (2025): 251–65.

⁷ Yasid Amanulah, Hari Widiyanto, and Muhammad Mustahal, "Analisis Kedudukan Istri Sebagai Pencari Nafkah Utama: Telaah Dalam Perspektif Kompilasi Hukum Islam Dan Masalah Mursalah," *El-Faqih: Jurnal Pemikiran Dan Hukum Islam* 11, no. 2 (2025): 364–79.

Nevertheless, there are still relevant research gaps that need to be addressed. Many studies discuss spousal maintenance (nafkah) purely normatively (doctrinally) or through empirical sociological analysis, but have not sufficiently developed an integrative analysis that: (1) maps the normative structure of nafkah within Islamic marriage law (munakahat) (based on evidence, principles, and contractual consequences), (2) examines the logic behind setting nafkah standards (financial capability, customary practice ['urf], and public interest [maslahat]) as operational tools for norms, and (3) formulates the conceptual position of nafkah as an instrument for family resilience, not merely a financial obligation. Contemporary studies on nafaqah have indeed moved toward reinterpretation of values and contexts, but the conceptual synthesis space of "munakahat nafkah ketahanan keluarga" (marriage-based nafkah for family resilience) remains open for deeper exploration within the framework of normative fiqh analysis.

Thus, the novelty or uniqueness of this research lies in developing a more operational and contextual normative framework for examining nafkah (maintenance) as a consequence of the marriage contract (akad) in munakahat (Islamic family law), while also affirming the parameters of fiqh (Islamic jurisprudence)—such as capability, reasonable needs, 'urf (custom), and maslahah (public interest)—as a bridge between textual sources and the realities of contemporary Muslim families.⁸ Another novelty is the affirmation that flexibility in Islamic jurisprudence is not relativism, but rather a methodological tool to uphold the objectives of family law in protecting family members, relational justice, and household sustainability. This direction aligns with literature advocating for the reinterpretation of the principle of nafkah (financial support) to remain rooted in Quranic values (justice, responsibility, partnership), while being responsive to changes in modern family economic structures.⁹

The justification for the importance of the research can be emphasized from three aspects. First, the theoretical aspect includes enriching the treasury of marriage jurisprudence (fiqh munakahat) with an analytical framework for spousal support (nafkah) that does not stop at the "norm of obligation," but also extends to the rationality behind setting support standards and the orientation towards family welfare. Second, the practical social aspect: providing a more precise foundational understanding for Muslim families in navigating the dynamics of spousal economic roles, without obscuring the basic rights of the supported party. Third, the policy and family law enforcement aspect: helping to map the intersection between fiqh norms, family regulations, and the reality of implementing maintenance (including in contexts of disputes or litigation), so that the research results can serve as conceptual input for strengthening family law literacy and protecting maintenance rights.¹⁰

⁸ Jumni Nelli, "WORKING WIFE'S NAFKAH A FAMILY LAW PERSPECTIVE INDONESIAN ISLAM," *Eksekusi: Journal Of Law* 5, no. 2 (2023): 220–34.

⁹ Ummal Khoiriyah and Fahmi Basyar, "Perspektif Maslahah Tentang Peran Istri Sebagai Pencari Nafkah Utama Dalam Keluarga," *Istidlal: Jurnal Ekonomi Dan Hukum Islam* 7, no. 1 (2023): 1–13.

¹⁰ Riska Wulandari, Muhammad Nirwan Idris, and Jamaluddin Jamaluddin, "Kedudukan Nafkah Istri Nusyuz Selama Masa Idah (Studi KHI Pasal 80 Perspektif Fikih Munakahat)," *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 3, no. 4 (2024): 514–38.

B. Research Method

This research employs a qualitative approach using a library research method¹¹, Because the object of study focuses on the norms, concepts, and legal constructions of nafkah (maintenance) in munākahāt (marriage) according to Islamic jurisprudence. The approach used is normative-doctrinal, which involves examining the provisions of Islamic law as contained in authoritative sources, without conducting field data collection. The primary data sources in this research include the Qur'an, the Prophet's hadith, and classical fiqh books from the major schools of thought that discuss marriage and the obligation of financial support. Meanwhile, the secondary data sources consist of scholarly books, reputable academic journal articles, and contemporary Islamic family law studies relevant to the research theme.¹²

Data collection techniques were carried out through the search and documentation of literature related to the concepts of marriage (munakahat), family support (nafkah), and the principles of legal determination in Islamic jurisprudence (fiqh).¹³ The collected data was then analyzed using content analysis.¹⁴ by examining the meaning, legal arguments, and thought patterns of the fuqaha'. In addition, a comparative analysis is used to compare the views among schools of thought in determining the basis, form, and standards of fulfilling nafkah. The entire analytical process is aimed at obtaining a systematic and comprehensive understanding of the concept of nafkah as a normative obligation in munākahāt and its relevance to the dynamics of contemporary Muslim families.

C. Result and Discussion

1. Right and Obligation of Husband and Wife in Munakahat

In the jurisprudence of marriage (fiqh munakahat), marriage is understood as a contract that legitimizes the spousal relationship while establishing a family structure bound by the principles of responsibility, affection, and the regulation of rights and obligations. Therefore, marriage is not merely a "formal legal" event, but a legal-moral contract that demands a commitment to preserving the well-being of the household.¹⁵ Contemporary family fiqh literature emphasizes that the study of marriage (munakahat) must be positioned within the framework of "family as an institution," which operates through a mechanism of mutually supportive rights and obligations, rather than merely a one-sided power relationship.¹⁶

One of the most direct consequences of the marriage contract is the obligation of financial support (nafkah). In many modern Islamic family law explanations, nafkah is positioned as the husband's obligation to guarantee the basic needs of the family, as a manifestation of the

¹¹ Nurhayati Nurhayati and Kemas Imron Rosadi, "Determinasi Manajemen Pendidikan Islam: Sistem Pendidikan, Pengelolaan Pendidikan Dan Tenaga Pendidikan Islam.," *International Edition* 3, no. 1 (2022): 451–64.

¹² Hasnah Azhari and Muhammad Nuddin, "Penerapan Pembelajaran Ilmu Tajwid Untuk Meningkatkan Kemampuan Membaca Al-Qur'an Pada Siswa Kelas VII MTS Di Pondok Pesantren Babul Umam Hajoran Kec. Sungai Kanan," *Al-Murabbi Jurnal Pendidikan Islam* 2, no. 2 (2024): 259–73.

¹³ Jhon W Creswell, "Education Research, Planning, Conducting, and Evaluating Quantitative and Qualitative Research. USA: Person Education" (Inc, 2020).

¹⁴ Sugiyono, "Sugiyono, Metode Penelitian Kuantitatif Kualitatif Dan R&D," *CV. Alfabeta, Bandung* 25 (2022).

¹⁵ Laila Azizah and Anwar Hafidzi, "Hak Dan Kewajiban Suami-Istri, Harta Bersama, Serta Akibat Hukum Perceraian," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 2 (2025): 1735–41.

¹⁶ Amelya Izmi Azizah, "Hak Dan Kewajiban Suami Istri Dalam Hukum Keluarga Islam," *Maliki Interdisciplinary Journal* 2, no. 6 (2024).

responsibility of household leadership that attaches from the moment the contract takes effect and throughout the duration of the marriage bond. This understanding is evident in studies that formulate that the husband has the obligation to provide financial support, protection, and affection, while the wife has the right to receive this fulfillment as part of the goal of maintaining family harmony.

The obligation of maintenance (*nafkah*) in marriage does not stand alone, but is related to the standards of adequacy and rationality of fulfillment. Normatively, "maintenance" is generally understood to include basic needs such as food, clothing, housing, and other household needs considered reasonable; while the measure of adequacy is not uniform, but is considered based on the capability of the obligated party and the local socio-cultural context. Discussions on the variations in the implementation of rights and obligations in various Muslim contexts also reinforce that the normative framework is clear, but its application can differ according to economic and cultural conditions.¹⁷

From the perspective of the wife's rights, maintenance (*nafaqah*) serves as a crucial form of economic protection, ensuring that she is not left without a guarantee of basic needs, especially in vulnerable situations. Studies on *nafaqah* and women's financial rights emphasize that although the concept of *nafaqah* is regulated in Islamic teachings, social practices do not always align with the principles of economic justice. Therefore, strengthening the protection of women's financial rights becomes an essential part of renewing the understanding of *nafaqah* to avoid creating harmful dependency. From this perspective, maintenance is understood not merely as a "money transfer," but as an instrument of rights protection that upholds dignity and family stability.¹⁸

Meanwhile, from the perspective of the husband's rights and the wife's duties, literature frames the household relationship as one that demands obedience in goodness, respect, and the safeguarding of honor and family property. In several studies, the husband's rights are often described as the right to be respected and obeyed within the bounds of religious law, while the husband's duties include providing sustenance and protection; the key point is the balance of roles to ensure the household functions in an orderly manner. However, some research also emphasizes the importance of interpreting "obedience" ethically and proportionally—not as a legitimization of domination but as part of fair family management.

The relationship between rights and obligations in an Islamic family is fundamentally interconnected: one party fulfills their obligations so that the other party may obtain their rights, and vice versa. Therefore, marriage does not merely contain a "list of obligations," but teaches the relational logic of a wife's right to provision and protection paired with the husband's duty; the husband's right to respect and cooperation in the household paired with the wife's duty to uphold the family's honor and manage the household according to mutually agreed-upon, reasonable terms. Literature discussing the relationship of rights and obligations emphasizes the existence of a category of "shared rights" (tranquility, affection, and well-being) that only

¹⁷ Sifa Mulya Nurani, "Relasi Hak Dan Kewajiban Suami Istri Dalam Perspektif Hukum Islam (Studi Analitis Relevansi Hak Dan Kewajiban Suami Istri Berdasarkan Tafsir Ahkam Dan Hadits Ahkam)," *Al-Syakhsyyah: Journal of Law & Family Studies* 3, no. 1 (2021): 98–116.

¹⁸ Karimullah et al., "The Concept of *Nāfaqah* in Islamic Law and Women's Right to Financial Support."

emerges when both parties fulfill their roles in a balanced manner.¹⁹

In contemporary dynamics, this relationship faces challenges: changes in work structures, the digital economy, and the increasing dual roles of women often raise practical questions about "how livelihood is understood and shared." Some contemporary studies encourage a reinterpretation of the concept of nafaqah by emphasizing Quranic values such as justice, reciprocity, and partnership, without negating the basic norm that livelihood is normatively the husband's responsibility. This means that renewal is directed toward more adaptive and fair implementation methods, not abolishing the principle, but rather reaffirming the ethical purpose of family law.²⁰

Thus, the discussion of the rights and obligations of husband and wife in marriage, particularly maintenance (nafaqah) as a consequence of the marriage contract, shows that Islamic family law operates through two axes: the norm of obligation and the ethics of relational justice. Maintenance is not merely a symbol of being the "head of the family," but a protective mechanism that safeguards household stability, while obedience and respect are not mere formalities, but psychosocial prerequisites for family harmony.²¹ Family law literature that examines the rights and obligations of husbands and wives and the renewal of the concept of nafaqah (maintenance) equally emphasizes the importance of building a family on the basis of responsibility, mutual respect, and mutual kindness.

2. Form and standard of Fulfilling Maintenance (Nafaqah) According to Fiqh

In family law (munakahat), nafaqah (maintenance) is understood as an obligation that includes fulfilling the material (lahir) needs of the household and, to a certain extent, also encompasses non-material or relational (batin) aspects that support the sustainability of the marriage. In contemporary scholarly practice, the mapping of "lahir and batin nafaqah" is often used to emphasize that family resilience is not only determined by economic sufficiency but also by the fulfillment of relational needs considered the basic rights of spouses.²² Material maintenance generally refers to the fulfillment of basic needs such as food, clothing, shelter, and other reasonable household necessities to sustain the family's livelihood. Its normative foundation is established, among others, through the principle that the provision of maintenance and housing must be carried out in a decent and proportional manner, so that material maintenance serves as both economic protection and a form of responsibility within the marital bond.²³

Meanwhile, spousal support in Islamic jurisprudence literature is understood as the fulfillment of non-material rights of a spouse (particularly related to marital relations) that directly impact the dignity, tranquility, and sustainability of the household. A comparative study

¹⁹ Ali Sibra Malisi, "Pernikahan Dalam Islam," *SEIKAT: Jurnal Ilmu Sosial, Politik Dan Hukum* 1, no. 1 (2022): 22–28.

²⁰ Ridwan and Ismail, "Reformulation of Livelihood in Islamic Family Law: Qur'anic Basis and Women's Dual Roles."

²¹ M H Rahmawati, "Fiqh Munakahat 1" (Duta Media Publishing, 2021).

²² Islahuddin Ramadhan Mubarak and Awal Rifai, "Cerai Gugat Kepada Suami Yang Tidak Memberikan Nafaqah Batin (Studi Komparatif Empat Mazhab): Wife-Initiated Divorce on the Grounds of Lack of Sexual Fulfillment by the Husband (A Comparative Analysis of the Four Sunni Madhhabs)," *AL-FIKRAH: Jurnal Kajian Islam* 2, no. 1 (2025): 201–31.

²³ Anita Niffilayani, "KEWAJIBAN AYAH DALAM MENAFKAHI ISTRI DAN ANAK PERSPEKTIF HUKUM ISLAM DAN HUKUM POSITIF INDONESIA," *Syariah: Jurnal Hukum Keluarga Islam* 2, no. 1 (2025): 1–13.

of the four schools of thought shows a general consensus that spousal support is a fundamental right of the wife that must be fulfilled by the husband after the marriage contract, although there are differences in legal responses when this obligation is neglected (related to evidence and the possibility of annulment or divorce initiated by the wife).

Regarding the standard of adequate maintenance in Islamic jurisprudence, it is not uniform but rather operates along two axes: the capability of the obligated party and social appropriateness or recognized custom ('urf). Contemporary literature explains that the amount of maintenance follows the prevailing customs in society (al-'ādah muḥakkamah) while also considering the husband's economic condition. Thus, "adequate" means proportional—not burdensome beyond one's ability, yet not neglecting the local standard of reasonable living. In an operational context, the measure of 'urf (customary practice) can be translated into practical indicators (regional cost of living standards, social feasibility, and livelihood sustainability), so that the assessment of livelihood (nafkah) does not stop at theoretical norms but can be used as a reference for dispute resolution and premarital education. In line with this, technical recommendations in the judicial or mediation sphere also emphasize the importance of indicators for a "decent livelihood" that include the husband's economic capacity and social feasibility standards, so that the determination of nafkah is fairer and more applicable.²⁴

Thus, the form of maintenance in jurisprudence, both material and non-material, aims to preserve the welfare of the family, while the standard of its fulfillment is established through the principles of what is customary (ma'rūf) and capability, and is reinforced by relevant social customs ('urf). Even within the interpretation of the schools of thought, the emphasis on "ma'rūf" indicates that the primary focus is not on a uniform amount, but on appropriateness and humanity in fulfilling the obligation, as long as the obligated party indeed has the capability.

3. The Dynamic of Livelihood Fulfilment in a Contemporary Context

Changes in the economic structure of Muslim families over the past two decades, particularly the rising cost of living, the expansion of the informal labor sector, and the digital economy, have driven a shift in the breadwinner role, which is no longer exclusively held by the husband. Several contemporary studies indicate that the economic role of wives as supporters (and sometimes even as primary breadwinners) has emerged as a response to family needs and on-the-ground realities, rather than purely ideological choices.²⁵

In this context, the discourse of Islamic family law (fiqh munakahat) continues to affirm the normative principle that spousal maintenance (nafaqah) is the husband's responsibility as a consequence of the marriage contract. However, contemporary studies simultaneously emphasize that the interpretation of nafaqah must be viewed through the lens of justice, public welfare (maslahah), and the protection of family economic rights. One such study on nafaqah and women's rights to financial support highlights the need to reformulate understanding so that the concept of maintenance does not place women in a vulnerable position or hinder their access to legitimate economic rights.

Contemporary dynamics are also evident in the phenomenon of "wives as breadwinners,"

²⁴ Karimuddin Karimuddin et al., "Standardisasi Nafkah Istri: Studi Perbandingan Mazhab Maliki Dan Mazhab Syafi'i," *Media Syari'ah: Wahana Kajian Hukum Islam Dan Pranata Sosial* 23, no. 1 (2021): 83–95.

²⁵ Azwandi Azwandi, Edwin Jeri, and Sartika Fortuna Ihsan, "The Role of Wives in Providing Family Financial Support: An Islamic Legal Perspective," *Samara: Journal of Islamic Law and Family Studies* 3, no. 2 (2025): 45–52.

which occurs due to structural factors such as unstable husband's income, employment conditions, labor migration, or greater job opportunities for wives. Research on the shift of financial responsibility to migrant worker wives shows that changes in economic roles often arise from family economic emergencies. Therefore, normative assessments of financial provision need to consider social context, capabilities, and the goal of maintaining household sustainability.²⁶

This is where the flexibility of Islamic family law (*fiqh al-munakahat*) operates: not by altering fundamental principles, but by providing room for adjustment through legal instruments such as *'urf* (recognized custom), *maslahah* (public interest), and consideration of capability (*istiṭā'ah*). The study on reconstructing the concept of *nafkah* (maintenance) in Islamic legal discourse emphasizes the importance of a more inclusive and contextual framework so that *fiqh* norms can resonate with women's social experiences and the realities of modern families, without losing the orientation of Sharia justice.

Additionally, the digital economy is also transforming the ways of working, income, and financial responsibilities of households, such as platform-based jobs, online home-based businesses, and non-fixed income models. Research that explicitly discusses the "reformulation of *nafaqah*" points to the socio-economic transformation of the digital era and the dual roles of women as strong reasons why the concept of *nafaqah* needs to be reanalyzed at a conceptual level, particularly to ensure it remains aligned with Qur'anic values and the objectives of family law.

In the Indonesian context, several local studies indicate that negotiations over breadwinning roles often occur through family agreements and considerations of benefit (*maslahah*), including in situations where the wife becomes the primary breadwinner. These findings reinforce that contemporary Muslim families often practice economic "partnerships" in practical terms, while Islamic jurisprudence (*fiqh*) can respond to this through approaches based on *maslahah* (public interest) and *'urf* (customary practice) to ensure justice is maintained (the basic rights of the dependent party and the prevention of economic injustice).

Thus, the dynamics of fulfilling livelihood today reveal two concurrent phenomena: (1) the changing economic roles within Muslim families is a widespread social reality, and (2) Islamic family law (*fiqh munākahāt*) possesses flexible tools to responsibly respond to that reality by affirming the principle of the obligation to provide livelihood, while structuring its implementation to be more just, contextual, and oriented toward family well-being. This direction aligns with contemporary studies that advocate for an interpretation of *nafaqah* (financial support) that protects economic rights, considers social changes, and strengthens family resilience.

4. Normative Implication of Munakahat on Family Resilience

Within the framework of marriage law, financial support (*nafkah*) is positioned as a normative consequence of the marriage contract, aimed at maintaining the order of rights and obligations and establishing justice within the household.²⁷ Justice here is not just about "who

²⁶ Naili Zakiyyah and Mukhamad Suharto, "Dominasi Istri Pencari Nafkah Utama Dalam Keluarga," *Qanun: Jurnal Hukum Keluarga Islam* 1, no. 2 (2023): 132–49.

²⁷ Miftah Agung, "Analisis Rentannya Ketahanan Keluarga Pada Pasangan Hamil Pranikah (Studi Kasus Di Kecamatan Wonokerto Kabupaten Pekalongan)" (UIN KH Abdurrahman Wahid Pekalongan, 2025).

gives what," but ensuring that the basic needs of family members are met so that no party is neglected economically or socially. Therefore, sustenance functions as an instrument of family protection and stabilization, especially when the family faces economic pressures and changes in domestic relationship structures.

Normatively, jurisprudence also provides guidance that maintenance should be applied proportionally and not rigidly tied to the principles of suitability and capability. Contemporary literature emphasizes that social and economic changes in Muslim societies present new challenges to the concept of nafaqah and the protection of financial rights, especially as gender roles shift and family dynamics evolve. From the perspective of family resilience, this flexibility is crucial so that maintenance does not become an unrealistic burden or, conversely, a reason to neglect obligations.

The normative implications of marriage on family resilience are also evident when sustenance is understood as a pillar of household continuity: it suppresses the potential for conflict due to economic uncertainty while simultaneously strengthening a sense of security within the family. Studies that reconstruct the concept of sustenance through the lenses of maqasid al-shari'ah and gender justice highlight that unequal distribution of economic burdens can trigger domestic injustice and even increase the risk of marital breakdown.²⁸ Thus, the fulfillment of fair livelihood is part of a conflict prevention (preventive) strategy as well as a strengthening of family resilience.

At the same time, the well-being of contemporary Muslim families is increasingly influenced by shifts in economic roles within households, from the rising workforce participation of women, flexible income models, to the phenomenon of female breadwinners. Several studies indicate that these changes often stem from economic necessity and realities (not merely preference), and therefore should be understood as social dynamics that demand more adaptive ethical-legal responses. This perspective affirms that the ultimate goal is to preserve family welfare by ensuring the fulfillment of basic needs, harmonious relationships, and household sustainability.

In that context, the flexibility of Islamic family law (fiqh munakahat) operates through methodological tools such as *maslahah* (public interest), consideration of capability, and recognition of changing social contexts. The study of the wife as the primary breadwinner from the perspective of the Compilation of Islamic Law (KHI) and unrestricted *maslahah* (*maslahah mursalah*) confirms that although the responsibility of financial support traditionally rests with the husband, Islamic law has room for adaptation when social realities demand adjustments to prevent harm and preserve family welfare. In other words, the flexibility of fiqh is not the abolition of principles, but rather a reinforcement of the orientation toward justice and public interest.

The relevance of fiqh values to the welfare of Muslim families is also evident in interpretive approaches that emphasize reciprocity or mutuality (within the *mubadalah* framework) when families face complex economic burdens. Research on the concept of *nafkah* (provision) based on *mubadalah* indicates a more proportional direction of interpretation, where *nafkah* is not understood merely as a "sole duty," but as a responsibility that can involve harmonious shared contributions according to capacity, thereby making the husband-wife

²⁸ Salma Nida, "Konsep Kafaah™ Ah Dan Dampaknya Terhadap Ketahanan Keluarga," *Istidal: Jurnal Studi Hukum Islam* 9, no. 2 (2022): 212–30.

relationship more balanced and cohesive. This approach helps bridge *munakahat* (marriage) norms with the realities of modern families without negating the principle of responsibility.

On the other hand, the conceptual reconstruction of *nafkah* (maintenance) also arises from attention to women's lived experiences and specific cultural structures. Studies proposing a more inclusive *fiqh* (Islamic jurisprudence) framework emphasize the need to consider "lived realities" so that the concept of *nafkah* does not remain confined to normative formalities but can function as an instrument of justice in real social contexts. This is important because family welfare is not merely an economic variable but also relates to dignity, access, and relational justice within the family.²⁹

Thus, the normative implications of marriage law on family resilience can be summarized in two key points: first, financial support (*nafkah*) serves as an instrument of justice and household sustainability, protecting rights, reducing vulnerability, and strengthening stability; second, contemporary dynamics demand flexibility in Islamic jurisprudence (*fiqh*) so that the implementation of *nafkah* remains relevant, fair, and beneficial as the economic roles of husbands and wives change. Contemporary literature consistently positions social changes (gender roles, the digital economy, work structures) as a context that must be addressed through *ijtihad* tools oriented toward *maqasid* (higher objectives) to ensure the well-being of Muslim families remains the primary goal.

D. Conclusion

Based on the discussion in this research, it can be concluded that in Islamic jurisprudence (*fiqh*), spousal maintenance (*nafkah*) within marriage (*munakahat*) is positioned as a normative consequence of the marriage contract, which functions to uphold justice, the order of rights and obligations, and the sustainability of the household. *Nafkah* is understood not merely as a financial obligation, but as an instrument for family protection and stabilization, encompassing the adequate, proportional, and family-welfare-oriented fulfillment of both material and spiritual needs. Thus, the fulfillment of *nafkah* possesses integrated legal, moral, and social dimensions.

This research also indicates that the standard of fulfilling livelihood in Islamic jurisprudence is flexible and contextual, determined by the capability of the obligated party and social appropriateness (*'urf*). This principle affirms that marriage jurisprudence (*fiqh munakahat*) does not adhere to a rigid or uniform approach, but rather allows for adjustments so that substantive justice can be realized within the diverse economic and social conditions of Muslim families.

In a contemporary context, changes in economic roles, such as the increasing labor force participation of women and the phenomenon of wives as primary breadwinners, are social realities that cannot be ignored. Research findings confirm that the flexibility of marriage jurisprudence (*fiqh munakahat*) through instruments like *maslahah* (public interest), *'urf* (custom), and consideration of capability allows Islamic family law to remain relevant and responsive without discarding the basic principle of maintenance responsibility. Therefore, marriage jurisprudence plays a crucial role in strengthening the resilience and well-being of

²⁹ Elfa Murdiana et al., "Reconstructing the Concept of *Nafkah* in Islamic Legal Thought: Gender Reciprocity and Female Breadwinners In the Javanese *Priyayi* Society Culture, Java," *Justicia Islamica* 22, no. 2 (2025): 481–504.

Muslim families, by upholding the values of justice, reciprocity, and public benefit as the primary objectives of Islamic family law.

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