

The Obligation of Husband to Provide Financial Support in Islamic Family Law Perspective toward a Financially Independent Wife

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Abstract

The increasing participation of wives in income-generating activities has become a significant feature of contemporary family life, reshaping economic relations within households and raising important normative questions regarding financial responsibility. Within the framework of Islamic family law, the obligation of financial maintenance (*nafkah*) remains a fundamental and binding duty of the husband toward his wife and children, as firmly established in the Qur'an, the Sunnah, and the Compilation of Islamic Law (KHI). However, modern socio-economic realities increasingly reflect shared economic roles between spouses, particularly in families where wives earn independent income. This study examines the legal construction of the husband's obligation of *nafkah* and analyzes its relevance in the context of working wives with independent earnings. Employing a library-based research method, the study adopts a normative-theological and descriptive-analytical approach. The analysis draws upon classical Islamic jurisprudential sources, contemporary scholarly literature, and relevant legal regulations, which are examined through the principles of justice, reciprocity, and family responsibility in Islamic law. The findings indicate that the husband's obligation to provide *nafkah* remains legally binding regardless of the wife's economic status. The wife's income is recognized as her exclusive personal right and does not invalidate the husband's responsibility, although it may be voluntarily allocated to support household needs. Consequently, Islamic family law accommodates economic transformation while preserving its normative foundations, encouraging balanced and harmonious partnerships within modern Muslim families.

Keywords: Husband's financial obligation, Islamic family law, working wife.

Introduction

Marriage is a physical and spiritual bond between a man and a woman as husband and wife. Its primary objective is to establish a happy, harmonious, and enduring family grounded in faith. Through marriage, spouses commit to jointly realizing an ideal household life in accordance with Islamic teachings. The family formed through marriage is expected not only to be outwardly harmonious but also spiritually resilient, aligned with the norms of lawful marriage, and capable of fulfilling the respective rights, obligations, and responsibilities owed to one another (Naseh, 2024).

Marriage is regarded as a crucial and sacred gateway in human life for the formation of a family. From an Islamic perspective, the family occupies a central position as the foundational unit in shaping broader society. The condition of a society essentially reflects the quality of its families; the stronger and healthier the family structure, the more stable and well-ordered the society that emerges from it (Rachmawati & Suwarno, 2020).

Marriage plays a vital role in human life. Through marriage, the continuity of lineage is preserved while familial bonds are established. These bonds are not merely physical but also emotional and spiritual in nature, giving rise to harmonious, stable, and affectionate relationships between parents and children. Consequently, the family formed through marriage becomes a robust social unit that significantly influences the wider social order. According to Musyafah (2020), marriage functions not only as a means of procreation but also as a vehicle for building a complete and affectionate family (Zali et al., 2024).

Syaidun (2019) explains that marriage in Islam encompasses two fundamental dimensions. First is the dimension of love and compassion, which serves as the emotional foundation for a harmonious family. Second is the physical dimension, which includes biological aspects such as reproduction. These two dimensions constitute both the basis and the objectives of marriage, namely, to establish a loving family while ensuring the continuation of progeny (Kartikaningsih & Marsidi, 2024). One of the fundamental obligations prescribed by Islamic law is the husband's duty to provide maintenance (*nafkah*) to his wife. This obligation includes essential needs such as clothing, food, housing, and adequate protection, as explicitly affirmed in the Qur'an and the Prophetic traditions.

Within the framework of Islamic teachings, the rights and obligations between husband and wife are clearly regulated. The husband is positioned as the primary party responsible for earning a livelihood and fulfilling the family's material needs (Possumah et al., 2025).

Article 34 paragraph (1) of Law Number 1 of 1974 of the Republic of Indonesia stipulates that a husband is obliged to protect his wife and provide all necessities of household life in accordance with his ability.

This provision affirms that the husband serves as the head of the family and bears the primary responsibility for financing family life, both physically and economically, based on the capacity bestowed upon him by God. This obligation is also grounded in the concept that the husband possesses advantages in terms of physical capability and household responsibility.

These provisions are consistent with Article 80 of the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI), which emphasizes the husband's obligation to protect his wife and to fulfill household needs according to his means. The husband is also required to provide religious education to his wife and to facilitate her access to

beneficial knowledge for the interests of religion, nation, and state. Furthermore, in accordance with his level of income, the husband is responsible for covering the wife's living expenses and accommodation, household costs, medical care for the wife and children, as well as the educational expenses of the children.

However, in the context of modern society, the economic role of the family is no longer solely supported by the husband. Many wives also engage in employment and earn independent income. This situation may arise out of necessity due to certain conditions or, conversely, as a voluntary contribution to supporting household welfare.

This issue is particularly significant for scholarly examination, as Islamic law firmly establishes the obligation of maintenance as the husband's full responsibility, while social realities demonstrate a more flexible distribution of economic roles between husband and wife. Such disparities often lead to misunderstandings and even conflict if not properly understood within the framework of Islamic family law. Therefore, an academic study on the husband's obligation of maintenance toward a wife with independent income is crucial, both theoretically – to enrich the literature on Islamic legal studies – and practically – to provide insights relevant to the needs of contemporary society.

Based on this background, this study aims to analyze how the husband's obligation of maintenance is understood within the perspective of Islamic family law when the wife has her own income. This research is expected to contribute to a clearer understanding of the respective roles and responsibilities within the household, thereby fostering a balance between normative Islamic principles and the realities of modern family life.

Research Methods

This study employs a library research method as its primary approach. Accordingly, the research focuses on an in-depth analysis of various scholarly sources relevant to the topic under investigation, without involving the collection of empirical data from the field or specific research sites. The approach adopted in this study is theoretical and philosophical, aiming to examine and understand the underlying concepts, theories, and principles related to the research problem through theoretical and philosophical perspectives.

The data sources consist of a wide range of literature, including both printed materials—such as books, academic journals, and scholarly articles—and digital sources, such as e-books, electronic journal articles, and other credible online resources. Data collection is conducted through a literature review, which involves the systematic identification, selection, and examination of relevant sources.

Data analysis is carried out using a theoretical and philosophical framework, whereby existing theories and philosophical principles are employed to interpret, analyze, and synthesize the information obtained from the selected literature.

Result and Discussion

The Normative Obligation of the Husband's Maintenance in Islamic Family Law

In Islamic family law, one of the fundamental and immutable principles is the husband's obligation to provide maintenance (*nafkah*) for his wife and children. This principle is explicitly affirmed in Qur'an Surah An-Nisā' verse 34, which positions the husband as *qawwām* (leader and protector) who bears responsibility for fulfilling the family's material needs. Accordingly, even when a wife has independent income, the husband's obligation to provide maintenance is not annulled. The wife's participation in paid employment is understood as an additional contribution rather than a *shar'ī* obligation that replaces the husband's role.

Based on an extensive review of Islamic legal literature and empirical studies, this research identifies several key findings. Normatively, Islamic law establishes maintenance as the husband's full responsibility toward his wife. This obligation is grounded in Qur'anic injunctions, Prophetic traditions, and the consensus (*ijmā'*) of classical jurists. Imams al-Shāfi'ī, Mālik, Abū Ḥanīfah, and Aḥmad ibn Ḥanbal unanimously agree that the obligation of maintenance does not lapse even if the wife comes from a wealthy family or earns her own income. Contemporary scholarship reinforces this view, as Ali (2022) emphasizes that the duty of maintenance is a legal consequence of the husband's leadership within the household (Ali, 2022).

Even when a wife generates income through employment or business activities, the husband's obligation to provide maintenance remains intact. The wife's income constitutes her exclusive property and may not be used to substitute the husband's duty of maintenance. This principle is firmly upheld by the majority of Islamic jurists. Research by Zali et al. (2024) indicates that in cases where the husband experiences economic hardship, social realities may allow the wife to assist in supporting the family financially. Nevertheless, Islamic legal provisions continue to designate the husband as the primary party responsible for maintenance (Zali et al., 2024).

This position is consistent with the findings of Rahmadani and Hasanah (2025) in their study conducted in Aek Tapa, which concludes that although a wife may be employed, maintenance remains an absolute right that the husband must not neglect, except with the wife's consent or through a legal decision. The study further notes that husbands may be granted an opportunity to recover from temporary economic incapacity (Rahmadani & Hasanah, 2025).

The Socio-Economic Dynamics of Wives with Independent Income in Contemporary Practice

Research by Rahmatullah, Zenrif, and Supriyadi (2024) highlights that economic self-sufficiency in young families is a key indicator of achieving an ideal household. Their study of young families in Batukliang District, Central Lombok Regency, reveals that the fulfillment of economic needs—primarily the husband's

responsibility—must be carried out in accordance with the husband's financial capacity.

The study found that all husbands observed had undertaken their economic obligations, albeit with variations in capacity and methods. These efforts included securing housing through savings, loans, or gradual construction; providing maintenance to wives at varying intervals; managing household expenses—often administered by the wife; and gradually fulfilling needs related to clothing (*kiswah*), healthcare, and children's education in proportion to financial ability (Rahmatullah et al., 2024).

Similarly, research by Kholifah/Tul Janna, Khoirul Asfiyak, and Syamsu Madyan (2022) identifies financial constraints as the primary factor driving wives to pursue careers outside the home, particularly when husbands are unable to work due to illness or economic hardship. The study concludes that wives' employment functions as mutual assistance in meeting family needs rather than replacing the husband's legal obligation to provide maintenance. However, it also notes a discrepancy between religious legal theory and social practice regarding the working roles of wives.

The study further reveals both positive and negative impacts of wives' careers. Positive outcomes include increased self-reliance, strengthened household economies, reduced domestic monotony, and enhanced self-confidence through social interaction and self-care. Conversely, negative impacts include physical exhaustion, reduced family time, potential domestic conflict, and the risk of husbands becoming reluctant to fulfill their maintenance obligations (Janna et al., 2022).

Rachmawati and Suwarno (2020) emphasize that maintenance in Islamic families is not merely material provision from husband to wife but a legal obligation that must be fulfilled according to the provider's capacity. Maintenance encompasses essential needs such as food, clothing, and housing, as well as responsibilities shared among husbands, wives, and children. Their study underscores that the husband's obligation of maintenance persists even when the wife has her own income, unless the wife voluntarily relinquishes her right.

The study also highlights the importance of balancing rights and obligations between spouses as regulated in Islamic legal sources such as the Qur'an and Hadith. A wife's right to maintenance applies once specific conditions are fulfilled, including lawful marital cohabitation. Conversely, maintenance may be suspended if the wife commits *nushūz* (marital disobedience) or apostasy (Rachmawati & Suwarno, 2020).

Handayani (2023) observes that in certain communities, the concept of family maintenance is built upon two primary foundations: partnership and voluntariness. The principle of partnership allows wives to actively contribute to the family economy within the boundaries of Islamic law, while voluntariness affirms that such contributions are made willingly rather than as a legal obligation (Handayani, 2023).

Field research conducted by Kartikaningsih and Marsidi (2024) on female factory workers in Malang reveals that the emergence of dual roles – as income earners and homemakers – often results from husbands' inability to meet family needs. Within the framework of Islamic family law, such roles are permissible as long as wives do not neglect their domestic responsibilities and husbands retain their position as heads of the household (Kartikaningsih & Marsidi, 2024).

Furthermore, Islamic family law emphasizes the importance of maintaining balance between domestic and public roles for wives. While women are permitted to work, their responsibilities in child-rearing and household management should not be neglected. Healthy family management is therefore essential to ensure that wives' economic independence does not generate tension but instead strengthens marital harmony. Consequently, Islamic family law views wives with independent income not as a violation of *sharī'ah*, but as part of acceptable social dynamics, provided that the husband's fundamental obligation as the primary provider remains intact.

Islamic Law, Marriage, and the Normative Framework of Rights and Obligations

According to Ali (2022), the term *Islamic law* is a distinctive expression commonly used in Indonesia as a translation of *al-fiqh al-Islāmī* or, in certain contexts, *al-sharī'ah al-Islāmiyyah*. In Western legal discourse, this concept is generally referred to as *Islamic Law*. Notably, neither the Qur'an nor the Sunnah explicitly employs the term *al-ḥukm al-Islāmī*; instead, they refer to *Islamic sharī'ah*, which is subsequently elaborated through the discipline of *fiqh* (Ali, 2022). Islamic law thus constitutes a body of normative rules derived from divine revelation and the Prophetic tradition that regulate the conduct of legally accountable individuals (*mukallaf*), and which are recognized as binding upon Muslims (Kartikaningsih & Marsidi, 2024).

Marriage, as defined in Article 1 of Law Number 1 of 1974 on Marriage, is a physical and spiritual bond between a man and a woman as husband and wife, established with the purpose of forming a happy and enduring family based on belief in the One Almighty God. Similarly, the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI) defines marriage in Islamic law as a solemn contract (*mīthāqan ghalīẓan*) undertaken in obedience to God's command, the fulfillment of which constitutes an act of worship (Ali, 2018).

Within the framework of role distribution and the allocation of rights and obligations in the household, Islamic law places primary responsibility for fulfilling the family's material needs upon the husband. Accordingly, the wife is not, in principle, burdened with the obligation to provide family maintenance. Nevertheless, women hold equally significant roles within the household, particularly as wives and mothers responsible for managing domestic affairs, nurturing and educating children, and attending to their husbands' needs. Therefore, balance in the execution of respective roles is essential to achieving marital harmony (Naseh, 2024).

In Islamic law, the obligation of maintenance (*nafkah*) constitutes an absolute right of the wife that must be fulfilled by the husband. Qur'an Surah An-Nisā' verse 34 affirms that men are guardians (*qawwāmūn*) over women by virtue of the advantages granted to them by God and their responsibility to spend from their wealth. This normative foundation reinforces the husband's legal duty to provide maintenance.

This principle is further affirmed in Law Number 1 of 1974 on Marriage, which stipulates that the husband bears the primary obligation to protect his wife and to provide all necessities of household life according to his capacity. This obligation is not merely a social norm but a binding legal duty. Correspondingly, the wife also has an essential role and obligation to manage household affairs to the best of her ability. Should either spouse neglect their respective duties, the law provides legal remedies, including the right to bring claims before the court.

More detailed regulation of the husband's maintenance obligation is found in Article 80 paragraph (4) of the Compilation of Islamic Law, which specifies that the husband is responsible for providing maintenance, clothing (*kiswah*), housing, household expenses, medical care for the wife and children, and educational expenses for the children. These obligations are to be fulfilled in accordance with the husband's financial capacity and income, thereby allowing flexibility based on economic circumstances.

Islamic legal doctrine strongly emphasizes the principle of balance between rights and obligations. This principle is reflected in Article 31 paragraph (1) of the Marriage Law and reinforced by Article 79 paragraph (2) of the Compilation of Islamic Law, both of which affirm that the rights and legal standing of the wife are equal to those of the husband within the household and in social interactions.

Independent Income of Wives and the Contemporary Interpretation of Maintenance Obligations

The phenomenon of wives with independent income has increasingly become prevalent in Indonesia, particularly among economically active women in urban areas and various employment sectors. Data from Statistics Indonesia (Badan Pusat Statistik/BPS) in 2024 indicate a significant rise in the number of women serving as primary or equal breadwinners within their families. Approximately 14.37 percent of working women in Indonesia are reported to be the main income earners for their households, reflecting shifts in traditional family roles alongside broader processes of economic modernization within Muslim society (Widya, 2024).

Despite this development, Ali (2022) emphasizes that a wife's economic participation does not diminish the husband's obligation to provide maintenance, as such an obligation is *shar'ī* in nature rather than a product of social agreement. The husband remains the primary bearer of responsibility, while the wife's income

constitutes her exclusive personal right and may not be utilized without her voluntary consent.

Other scholars propose a more contextualized interpretive approach. Zali et al. (2024) argue that the wife's economic involvement may be understood as a form of partnership within the family, provided that it is based on mutual consent and deliberation. This phenomenon does not alter the normative structure of Islamic law; rather, it broadens the understanding of justice and cooperation within modern households. A wife with independent income may contribute to alleviating the family's economic burden, yet such contribution does not nullify the husband's obligation of maintenance (Zali et al., 2024).

From this perspective, Islamic family law accommodates socio-economic change without compromising its foundational principles. The presence of economically independent wives is not viewed as a deviation from *shari'ah*, but as a contemporary social dynamic that remains acceptable so long as it does not displace the husband's core legal responsibility as the primary provider.

Conclusion

Based on the findings of this study, it can be concluded that the husband's obligation to provide maintenance (*nafkah*) within the framework of Islamic family law remains a full and binding responsibility, even when the wife has independent income. This obligation is firmly grounded in the Qur'an, the Prophetic traditions, and classical Islamic jurisprudence, all of which affirm the husband's position as the head of the family and the primary provider for household needs.

The wife's income, by contrast, is recognized as her exclusive personal right and does not nullify the husband's legal duty of maintenance. Although, in practice, such income may be voluntarily contributed to support the family's economy, this contribution cannot be construed as a replacement for the husband's *shar'i* obligation.

Within the context of modern households, the presence of working wives with independent income should therefore not be perceived as a source of conflict, but rather as a form of partnership that complements the husband's responsibility. Islamic family law emphasizes principles of justice, reciprocity, and mutual consultation (*shūrah*) in managing family life, thereby ensuring a balanced distribution of roles without undermining the fundamental obligations assigned to each spouse.

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