


The Role of Each Family Support for Living Cost Balance A Structural-Functional-Normative Analysis Approach

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Abstract: *This study discusses the crucial role of the person responsible for family support in maintaining economic balance in the family structure. Through a Structural-Functional-Normative analysis approach, this study explores the dynamics of interactions that shape the role of the person in charge of income as a central element in maintaining the balance of family economic functioning. The focus of research includes normative aspects that influence this role and its impact on family economic stability. By integrating structural, functional, and normative dimensions, this study aims to provide insight into how the role of the person in charge of providing for the role of the income person plays a role in maintaining family economic balance. The results of the study show that family support in the family maintains a fixed financial balance taken by the role of a husband as a household. The failure of the husband in financial maintenance can have a structurally functional impact on the position of a family.*

Keywords: *Living Cost; Normative; Structurally; Functional.*

Abstrak: Penelitian ini membahas peran krusial penanggung jawab nafkah keluarga dalam memelihara keseimbangan ekonomi dalam struktur keluarga. Melalui pendekatan analisis Struktural-Fungsional-Normatif, penelitian ini mengeksplorasi dinamika interaksi yang membentuk peran penanggung jawab nafkah sebagai elemen sentral dalam menjaga keseimbangan fungsi ekonomi keluarga. Fokus penelitian mencakup aspek normatif yang memengaruhi peran ini dan dampaknya terhadap stabilitas ekonomi keluarga. Dengan mengintegrasikan dimensi struktural, fungsional, dan normatif, penelitian ini bertujuan memberikan wawasan tentang bagaimana peran penanggung jawab nafkah berperan dalam pemeliharaan keseimbangan ekonomi keluarga. Hasil telaah menunjukkan bahwa nafkah keluarga dalam keluarga pemeliharaan keseimbangan finansial tetap diambil oleh peran seorang suami sebagai kepala rumah tangga. Kegagalan suami dalam pemeliharaan finansial dapat memberikan dampak secara struktural fungsional posisi sebuah keluarga.

Kata Kunci: Nafkah Keluarga, Normatif, Struktural Fungsional.

A. INTRODUCTION

Islamic teachings regulate the procedures for carrying out married life to achieve a happy family. In addition, Islam stipulates that husbands have certain responsibilities towards the household, such as looking after and providing for their wives.¹ Livelihood is a sign of gratitude and respect between husband and wife after marriage. Sharia requires the husband to provide for his wife because providing for him is the husband's responsibility for his family. According to Sharia, the husband is responsible for helping his wife. They must always accompany and obey their husbands, do household work, and educate their children.²

Contextually, according to the social perspective that has developed in contemporary society, many women try to help their husbands earn a living outside the home. The husband is responsible for protecting, nurturing and looking after the family in this case. From this paradigm, Muslim feminists try to change rights and obligations by giving wives the opportunity to work outside the home, a role that must be changed in the household. In this case, classical scholars and the Muslim feminist paradigm have strong reasons to discuss.³

Subsistence in Islam consists of two parts: physical income and mental income. Support is goods that a person gives to his wife, relatives and himself as their main needs.⁴ Basic needs, such as food, clothing and shelter, are defined as all the needs and requirements that apply according to the circumstances and place, such as food, clothing, housing and so on. The amount of subsistence required is simply to meet the needs and requirements and is based on the circumstances and abilities of the person obligated according to the customs of each place.⁵ However, since the marriage contract, the husband has the right to provide for his wife, regardless of

¹ Hazarul Aswat dan Arif Rahman, "Kewajiban Suami Memberi Nafkah Dalam Kompilasi Hukum Islam," *Jurnal al-iqtishod* 5, no. 1 (2021): 16–27.

² Nandang Fathur Rahman, "Perbandingan Kewajiban Nafkah Menurut Hukum Islam dan Perundang-Undangan di Indonesia," *Al-Ahwal Al-Syakhshiyah: Jurnal Hukum Keluarga dan Peradilan Islam* 3, no. 2 (30 September 2022): 193–206, <https://doi.org/10.15575/as.v3i2.20160>.

³ Agus Hermanto dan Anang Wahyu Eko Setianto, "Reinterpretasi Terhadap Konsep Nafkah Suami Kepada Istri Karir," *Tawazun: Jurnal Ekonomi Syariah* 1, no. 1 (2021): 40–63.

⁴ Arif Sahrozi Mujiono, "Tinjauan Hukum Islam Terhadap Pemenuhan Nafkah Lahir dan Batin pada Perkawinan Lanjut Usia," *Jurnal Dinamika* 3, no. 2 (2022): 127–45.

⁵ Karimuddin Karimuddin dkk., "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.

whether the husband invites her to live in the same house or not, whether the wife is still in the cradle or practicing nusyuz, rich or poor, girl or widow, free or slave.⁶

The role of the husband in providing a living is explained in the Qur'an surah al Baqarah verse 233. Unless the wife refuses (willing herself not to be supported by her husband) or acts disobediently, the husband must provide for his wife. For example, living can be determined by food, side dishes, clothing, or certain items. Apart from that, maintenance can also be determined by a certain amount of money in exchange for the price of goods the wife needs. This can also be given annually, monthly, weekly, or even daily, according to the husband's wishes.⁷

In marriage, the role of breadwinner is very important, and husbands try to get money from marriage. The husband must provide for his wife and children, because earning a living is his responsibility. The expected family will not be formed if the husband does not fulfill his obligations to support the family, both for his wife and children.⁸ Therefore, a husband must not only fulfill the needs of his wife and children, but must also maintain and protect the dignity of the family, both for primary and secondary needs. The existence of a relationship between a man and a woman to establish a household is defined as a valid marriage in Islam. living together, maintaining family honor, raising children, and overseeing household finances. During a husband-wife relationship based on Islamic ties, the man must fulfill all his wife's needs, and the wife must obey her husband.⁹

There are quite a few married couples nowadays who are not aware of their respective rights and obligations. A wife who works or earns a living is a normal thing in Indonesia. A husband must earn a living, and a wife must look after the family. There are many husbands who let their wives work even though their income is enough to support their family. A study even found that a husband's

⁶ Subaidi Subaidi, "Konsep Nafkah Menurut Hukum Perkawinan Islam," *Istidal: Jurnal Studi Hukum Islam* 1, no. 2 (2014): 157-69.

⁷ Ibnu Rozali, "Konsep Memberi Nafkah bagi Keluarga dalam Islam," *Jurnal Intelektualita: Keislaman, Sosial Dan Sains* 6, no. 2 (2017): 189-202.

⁸ Kudrat Abdillah dan Moh Nailur Ridho, "Implikasi Poligami terhadap Kerukunan Keluarga di Kecamatan Pragaan Kabupaten Sumenep," *An-Nawazil: Jurnal Hukum dan Syariah Kontemporer* 5, no. 1 (2023): 67-99.

⁹ Rahman, "Perbandingan Kewajiban Nafkah Menurut Hukum Islam dan Perundang-Undangan di Indonesia."

laziness in earning a living is one of the reasons for divorce.¹⁰ In order for a partner to receive their rights and fulfill their obligations, the couple must understand their rights and obligations.¹¹ This research focuses on the role of those responsible for family support in maintaining financial balance using a Structural-Functional-Normative analysis approach.

B. METODE

In the research entitled "The role of the person responsible for the family income in maintaining financial balance: a Structural-Functional-Normative analysis approach", the literature review method was carried out by collecting and analyzing relevant literature related to the role of the person responsible for the income, family financial balance, and structural-functional-normative theory. This process involves identifying key sources, synthesizing information to build a comprehensive understanding, and developing arguments or hypotheses based on analysis of the literature. This research will summarize the findings and summarize their implications, with an evaluation of the strengths and limitations of the methods used, as well as their potential contribution to further studies and practice in the field.

C. RESULT AND DISCUSSION

1. Livelihood in Islamic Concept

The concept of livelihood in Islam, as explained in the Al-Quran and hadith, explains the obligations that a husband must fulfill to his wife and family to meet their daily living needs.¹² Subsistence includes expenses for food, clothing, shelter, and other necessities needed to live a decent daily life. In the context of marriage, maintenance is the husband's responsibility from the moment the marriage contract

¹⁰ Melleni Marhamah, "Perceraian Disebabkan Suami Malas Bekerja Perspektif Teori Struktural Fungsional," *Sakina: Journal of Family Studies* 6, no. 4 (2022).

¹¹ Ilham Romadani, "Konsep Nafkah Muaqqat dalam Tinjauan Hukum Islam dan Hukum Positif," *Qiyas: Jurnal Hukum Islam dan Peradilan* 7, no. 1 (2022).

¹² Mohammad Mahmudul Islam dan Johannes Herbeck, "Migration and translocal livelihoods of coastal small-scale fishers in Bangladesh," *The Journal of Development Studies* 49, no. 6 (2013): 832-45.

is executed. Fulfilling a living by the husband is considered an important part in maintaining the integrity and existence of the family.¹³

In the Koran and Hadith, the husband's obligation to support his wife and family is an important aspect which is regulated in detail.¹⁴ The legal basis for this livelihood can be found in the Al-Quran and Hadith. Allah SWT says in Surah Al-Baqarah verse 233, which confirms that fathers have the obligation to feed and clothe mothers in a ma'ruf manner (according to propriety), and no burden is given to a person except according to his ability.¹⁵ The hadith narrated by Aisyah RA also emphasizes the importance of husbands fulfilling their wives' needs according to their abilities. Here is the hadith¹⁶:

عَنْ عَائِشَةَ، أَنَّ هِنْدَ بِنْتَ عُتْبَةَ، قَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ وَلَيْسَ يُعْطِينِي مَا يَكْفِينِي وَوَلَدِي، إِلَّا مَا أَخَذْتُ مِنْهُ وَهُوَ لَا يَعْلَمُ، فَقَالَ «خُذِي مَا يَكْفِيكَ وَوَلَدِكَ، بِالْمَعْرُوفِ»

It was narrated from 'Aisha that Hind bint 'Utbah said: O Messenger of Allah, Abu Sufyan is a scarce man and does not give me enough for me and my son, except what I took from him when he did not know.

In the text itself, the concept of living is closely related to a husband's responsibility towards his family. Support is defined as everything the husband spends on his family's needs, including food, clothing, shelter and other needs. This also includes costs related to the wife's birth, such as payments for midwives or doctors, drug and hospital costs, as well as meeting the wife's biological needs. The law of providing support for the family is mandatory for the husband, which is based on the Koran, hadith, and Ijma' (consensus) of the ulama.¹⁷ Alimony is considered the main right of the wife that must be fulfilled by the husband since they agreed to

¹³ Nur Eka Setiowati, "Perempuan, Strategi Nafkah dan Akuntansi Rumah Tangga," *Al-Ahwal: Jurnal Ekonomi dan Perbankan Syariah* 8, no. 1 (2016).

¹⁴ Haris Hidayatulloh, "Hak dan Kewajiban Suami Istri dalam Al-Qur'an," *Jurnal Hukum Keluarga Islam* 4, no. 2 (2019): 143–65.

¹⁵ Muchammad Hammad, "Hak-Hak Perempuan Pasca Perceraian: Nafkah Iddah Talak dalam Hukum Keluarga Muslim Indonesia, Malaysia, dan Yordania," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 7, no. 1 (2014): 17–28.

¹⁶ Al-Bukhari, *Shahih Al-Bukhari*, 7th ed., vol. 65 (Suriah: Dar Tuq Al-Najat, 2001), 5364.

¹⁷ Fathul Mu'in, Rudi Santoso, dan Ahmad Mas'ari, "Standar Pemberian Nafkah Kepada Istri Perspektif Filsafat Hukum Islam," *ASAS: Jurnal Hukum Ekonomi Syariah* 12, no. 01 (2020): 119–34.

build a household. Providing alimony that is done generously and without stinginess is considered an important contribution that can bring balance and happiness in the household. Scholars have different opinions on how to determine the amount of alimony that should be given. Some scholars are of the opinion that the amount of alimony should be measured according to the condition of the husband. However, in general, maintenance should be given according to the husband's ability, without burdening himself. If the husband does not fulfill his maintenance obligations, he is considered to be disobedient.¹⁸ On the other hand, if the wife is not healthy and cannot manage her own maintenance, then the maintenance must be handed over to her guardian or a fair parent to handle it. The wife also has the right to get a decent place to live according to her husband's condition. Overall, the concept of sustenance in Islam emphasizes the importance of fulfilling the basic needs of the family.¹⁹

2. Living according to the Compilation of Islamic Law (KHI)

According to the Indonesian Compilation of Islamic Law (KHI), the husband must provide support for the family's living needs. Islamic sources such as the Qur'an, sunnah, and ijma' state that fathers have an obligation to provide for their mothers in a manner that is ma'ruf (good) and according to their abilities. KHI stipulates that, in terms of assets, there is no relationship between the assets of the husband and wife due to marriage. On the other hand, the wife's property remains owned and controlled by the wife, just like the husband's property. However, in practice, there are provisions that allow the husband to use the assets he acquired during the marriage or his wife's own assets to fulfill maintenance obligations. In this case, the husband's material responsibility is what is meant. Support does not include non-material responsibilities, such as fulfilling the wife's sexual desires.

Law no. 1 of 1974, article 34 paragraph (1), and KHI Article 80 paragraph (4), matters of living or fulfilling family needs are also regulated and stated to be the

¹⁸ Ahmad Yani Nasution dan Moh Jazuli, "Nilai Nafkah Istri Dalam Pandangan Ulama Klasik Dan Kontemporer," *TERAJU: Jurnal Syariah dan Hukum* 2, no. 02 (2020): 161–74.

¹⁹ Khoiruddin Nasution, "Metode Pembaruan Hukum Keluarga Islam Kontemporer," *Unisia* 30, no. 66 (2007), <https://doi.org/10.20885/unisia.vol30.iss66.art1>.

husband's responsibility in Indonesian positive law.²⁰ There is no doubt that income has a huge impact and role in building a happy, safe and prosperous family. A marital crisis may result in divorce. Both KHI and Law no. 1 of 1974 regulates livelihoods, which is based on the provisions in KHI and Law no. 1 of 1974, assets obtained in a valid marriage are considered joint assets based on article 1 letter (f) KHI and article 35 paragraph (1) Law no. 1 of 1974. However, both stipulate that property obtained through gifts or inheritance must become each individual's personal property as long as it is intended for that purpose (Article 36 paragraph 1).²¹

This is based on Islamic principles, which stipulate that husbands are responsible for meeting the family's basic needs according to their abilities. The factor that differentiates Islamic law from positive law is how much salary is given. In common, husbands pay wives according to their abilities. According to positive law Law no. 1 of 1974 concerning Marriage.²² The Compilation of Islamic Law, maintenance obligations include physical and spiritual fulfillment, as well as the husband's ability to earn his own living.²³

3. Structural Functionalism Theory

The concept of social order is the basis of structural-functional theory. According to this theory, society is static or even balanced, and each part of society is responsible for maintaining that stability.²⁴ This theory focuses on human behavior in the context of organizations (society) and how this behavior affects the state of balance of the organization or society. To this day, sociological theory has been influenced by structural function theory.²⁵ The United States is where social

²⁰ Samsul Zakaria, "Nafkah Dan Ketimpangan Gender (Analisis Nafkah Dalam Kompilasi Hukum Islam)," *IJTihad* 36, no. 2 (2020).

²¹ Jumni Nelli, "Analisis Tentang Kewajiban Nafkah Keluarga Dalam Pemberlakuan Harta Bersama," *Jurnal Hukum Islam STAIN Curup Bengkulu* 2, no. 1 (2017).

²² Efrinaldi, "Pembagian Harta Bersama Istri Turut Mencari Nafkah Perspektif Hukum Islam dan Hukum Positif di Indonesia," *El-Izdiwaj: Indonesian Journal of Civil and Islamic Family Law* 2, no. 2 (2021): 82-104.

²³ "Pembentukan Keluarga Sakinah Mawaddah Warahmah Menurut Undang-Undang Nomor 1 Tahun 1974 dan Kompilasi Hukum Islam," *Al Hurriyah: Jurnal Hukum Islam* 5, no. 2 (2020): 172-81.

²⁴ Ari Cahyo Nugroho, "Teori Utama Sosiologi Komunikasi (Fungsionalisme Struktural, Teori Konflik, Interaksi Simbolik)," *Majalah Semi Ilmiah Populer Komunikasi Massa* 2, no. 2 (2021).

²⁵ Tony Bilton dkk., "Making Social Life: Theories of Action and Meaning," dalam *Introductory Sociology*, oleh Tony Bilton dkk. (London: Macmillan Education UK, 1996), 618-41, https://doi.org/10.1007/978-1-349-24712-7_18.

theory developed.²⁶ The country was also the site of the failure of structural-functional theory, which was very popular in the 1930s and 60s. Structural-functional theory was developed by Emile Durkheim and several anthropologists such as Auguste Comte and Herbert Spencer. All types of social thinking can be included in the systems they offer. Society is a biological being with interdependent organs, according to one of the theory's main assumptions. By using this functional-structural approach, sociologists can estimate the existence of social order in society.²⁷

Emile Durkheim is the founder of functional structure theory. But Auguste Comte and Herbert Spencer were the first to think about the organism analogy. Comte's concept was developed by Herbert Spencer. He discovered that there were similarities between society and creatures through comparison. From this experience, Spencer gained the necessary understanding of functionalism. Spencer later used this idea as the basis for substantive analysis and the driving force of functional analysis. Durkheim's thinking was greatly influenced by the research of Comte and Spencer, which led to the creation of the term "organism". Durkheim described society as a structure consisting of various parts.²⁸ Each part of the system is interdependent and related to each other, so that if one part does not function properly, pathological conditions arise that disrupt the balance of the system.²⁹

Durkheim's theory of functional structure can be applied to modern society in various aspects, such as communication and information technology. The entire system will be disrupted if access to information and communications technology is disrupted, such as when telecommunications satellites are disrupted. For example, economic transactions and other economic life were stopped. In the end, this

²⁶ Sri Yunarti, "Pemberdayaan Lembaga Bundo Kanduang di Nagari Melalui Kebijakan Pembangunan yang Responsif Gender," *Kafa'ah: Journal of Gender Studies* 7, no. 2 (31 Desember 2017): 221, <https://doi.org/10.15548/jk.v7i2.178>.

²⁷ Nugroho, "Teori Utama Sosiologi Komunikasi (Fungsionalisme Struktural, Teori Konflik, Interaksi Simbolik)."

²⁸ Binti Maunah, "Pendidikan Dalam Perspektif Struktural Fungsional," *CENDEKIA: Journal of Education and Teaching* 10, no. 2 (26 Juni 2016): 159, <https://doi.org/10.30957/cendekia.v10i2.136>.

²⁹ Nugroho, "Teori Utama Sosiologi Komunikasi (Fungsionalisme Struktural, Teori Konflik, Interaksi Simbolik)."

condition will gradually disappear until conditions that can be maintained return to normal. Contemporary functionalists call this normal state the equilibrium system, or balanced system. Unbalanced or unbalanced social changes are referred to as pathological conditions.³⁰

However, according to Parsons, the four main components of functional structural theory are adoption, goal achievement, integration, and delay. 1) Adaptation: social systems or society are always changing so they can adapt to changes. 2) Attainment of Goals: every social system or society always has many goals to achieve. 3) Integration: every part of the social system is integrated with each other so that there is balance. 4) Latency: social systems always try to maintain relatively fixed or static interactions. As a result, continually updated agreements address any deviant behavior.³¹

Parsons did a lot for functional structural theory, and he is known as the founder of functionalism theory. Robert K. Merton only supported this limited view as a representation of structure-function theory. He said that this functional-structural approach had a significant influence on further advances in sociological knowledge, but he also said that structural functionalism could not solve all social problems. Thanks to a deep understanding of classical theory, including the work of Max Weber, Merton's thinking about bureaucracy became more limited.³²

According to Merton, modern bureaucratic organization consists of the following concepts: 1) bureaucracy is a type of social structure that is rationally and formally organized; 2) activity patterns with clear boundaries; 3) the activities that occur in the system are ideally related to organizational goals; 4) existing positions in the organization are integrated in a broad bureaucratic structure; 5) the statuses in the bureaucracy are arranged hierarchically; and 6) existing responsibilities.³³

³⁰ Arifuddin M. Arif, "Perspektif Teori Sosial Emile Durkheim Dalam Sosiologi Pendidikan," *Moderasi: Jurnal Studi Ilmu Pengetahuan Sosial* 1, no. 2 (25 Desember 2020): 1–14, <https://doi.org/10.24239/moderasi.Vol1.Iss2.28>.

³¹ Rahmi Juwita dkk., "Meta Analisis: Perkembangan Teori Struktural Fungsional dalam Sosiologi Pendidikan," *Jurnal Perspektif* 3, no. 1 (16 Januari 2020): 1, <https://doi.org/10.24036/perspektif.v3i1.168>.

³² Ahmad Putra, "Konsep Agama Dalam Perspektif Max Weber," *Al-Adyan: Journal of Religious Studies* 1, no. 1 (6 Agustus 2020): 39–51, <https://doi.org/10.15548/al-adyan.v1i1.1715>.

³³ Purnomo Sidi, "Krisis Karakter Dalam Perspektif Teori Struktural Fungsional," *Jurnal Pembangunan Pendidikan: Fondasi dan Aplikasi* 2, no. 1 (1 Juni 2014), <https://doi.org/10.21831/jppfa.v2i1.2619>.

Academies, universities, and corporations are some of the large-scale organizations that can be described by Merton's bureaucratic model. Merton's functional analysis theory can be described in three concepts. The second hypothesis, known as universal functionalism, holds that every established social and cultural form has positive functions, which can ultimately lead to conflict. The functional unity of society has parts that work together with a sufficient degree of internal consistency, according to the first Hypothesis. The third hypothesis is complemented by the functionalism hypothesis, namely the indispensability hypothesis. This hypothesis posits that each type of civilization, tradition, concept, material object, and belief simultaneously performs several important functions and tasks that must be accomplished. As a result, they become an important part of the overall system activity. In short, each component of societal standards has a beneficial role in this third hypothesis. Moreover, they are an important component of the whole. This hypothesis states that society basically needs all its structures and functions.³⁴

4. Family Support Responsibility in Structural-Functional-Normative

Functional structural theory in the context of family livelihoods is a view that examines how structure and function in the family contribute to the needs and stability of society as a whole. Society as a system consists of various parts that interact with each other to maintain the whole.³⁵

In the context of family livelihoods, functional structural theory focuses on: 1). Division of roles, structural functionalism emphasizes the importance of division of roles in the family. For example, in traditional contexts, fathers are often considered the primary breadwinner, while mothers focus on childcare and household matters. Each of these roles is considered important for maintaining balance and overall family function. 2). Social stability, the family is considered the basic unit of society that provides stability. Effective breadwinning by one or both parents is considered

³⁴ Muhammad Sawir, *Birokrasi Pelayanan Publik Konsep, Teori, Dan Aplikasi* (Deepublish, 2020).

³⁵ Ahmad Shofiyuddin Ichsan, "Memahami Struktur Sosial Keluarga Di Yogyakarta (Sebuah Analisa dalam Pendekatan Sosiologi: Struktural Fungsional)," *Al-Adyaan: Jurnal Sosial dan Agama* 5, no. 2 (2018): 153–66.

vital to this stability, as it ensures that the family's basic needs are met. 3). Socialization and transmission of values, the family also plays a role in the socialization of children. Through daily interactions, children learn the values, norms, and behaviors that are considered important in society. The way parents earn a living and their attitudes toward work can influence the values transmitted to children. 4). Adaptation and change, although functional structural theory tends to emphasize stability and order, it also recognizes the importance of adaptation. For example, in modern society, the breadwinner role may be more flexible and involve both working parents. 5). Interdependence in the family, this theory emphasizes the dependence of family members on each other. The breadwinner needs support from other family members to carry out his role effectively, and vice versa.³⁶

From a structural-functional perspective, family maintenance can be seen as one of the important functions that must be fulfilled to maintain the family system and ensure its survival. The changing role of women in the family, from household managers to breadwinners in the public sector, reflects the adaptation of family structures to changing economic and social demands. This function is not only related to meeting material needs but also with contributing to the functioning of other subsystems in society, such as education and health. The role of breadwinner, traditionally held by men, is now increasingly shared or taken over by women, demonstrating flexibility and dynamics in family structures that adapt to contemporary socio-economic conditions.³⁷

In Islam, maintenance is not only a gift given by a husband to his wife, but is also a responsibility between father and child, as well as between an owner and what he owns. The Koran and hadith, including Surah Ath-Thalaq verse (6) and Al-Baqarah verse: 233, among others, indicate this obligation to support. The name "living" refers to the obligations that must be fulfilled, namely paying for the basic

³⁶ Norholis, "Subtansi dan Relevansi dari Konsep Nafkah dalam Berbagai Perundang-Undangan Hukum Keluarga Islam Kontemporer; Analisis Struktural-Fungsional," *Al-Qadlaya: Jurnal Hukum Keluarga Islam* 1, no. 2 (2022).

³⁷ Suharnanik, "Peran Ganda (Bekerja Sekaligus Ibu Rumah Tangga) Perempuan Muslimah Dalam Perspektif Struktural Fungsional," *Jurnal Al-Hikmah* 17, no. 1 (31 Oktober 2019): 63-78, <https://doi.org/10.35719/alhikmah.v17i1.7>.

needs of the spouse, children and father. In the study of Islamic law, livelihood is very important. Even a wife who has been divorced by her husband still has the right to support herself and her children. Apart from that, even though living is an obligation to be paid, when talking about the level of living, you must first look at the limits of the provider's capabilities.³⁸

In general, maintenance is an obligation that a husband must fulfill to his family, which covers the family's primary and secondary needs. According to the Compilation of Islamic Law, maintenance includes physical and mental needs, which must be met by the husband according to his abilities. This obligation includes providing clothing, food and shelter, as well as other necessities needed to carry out household life. KHI also emphasizes that husbands must provide maintenance in accordance with the standards determined by Islamic law, which includes material and non-material aspects of family life.³⁹ Meanwhile, positive law in Indonesia, which is regulated in Law no. 1 of 1974 concerning Marriage, as well as the Compilation of Islamic Law, regulates the husband's maintenance obligations towards his wife. This positive law emphasizes that husbands are obliged to provide physical and spiritual support and provide adequate housing according to their capabilities. However, in contrast to Islamic law which determines the level of living, positive law does not specifically explain the size of the level of living that must be provided. The similarity between the Compilation of Islamic Law and positive law in Indonesia lies in the principle that living is the husband's responsibility, even though the wife has her own income. The wife's income is considered her own and is not required to be given to the husband in the form of maintenance. Both laws also agree that maintenance is provided.⁴⁰

³⁸ Anung Al Hamat, "Representasi Keluarga dalam Konteks Hukum Islam," *YUDISIA : Jurnal Pemikiran Hukum dan Hukum Islam* 8, no. 1 (8 April 2018): 139, <https://doi.org/10.21043/yudisia.v8i1.3232>.

³⁹ Reno Ismanto, "Standar Nafkah Wajib Istri Perspektif Fiqh dan Kompilasi Hukum Islam," *Islamitsch Familierecht Journal* 2, no. 01 (11 September 2021): 36-55, <https://doi.org/10.32923/ifj.v2i01.1937>.

⁴⁰ Anggi Nur Nisa Tanjung dan Wahyu Ziaulhaq, "Analisis Terhadap Hukum Positif Dan Fiqih Pada Perkawinan Siri Dan Pengaruhnya Terhadap Kepemilikan Harta Kekayaan," *SOSMANIORA: Jurnal Ilmu Sosial dan Humaniora* 1, no. 1 (30 Maret 2022): 62-66, <https://doi.org/10.55123/sosmaniora.v1i1.207>.

D. CONCLUSION

In general, maintenance is a responsibility that must be fulfilled by the husband to his family, which includes the family's primary and secondary needs. According to the Compilation of Islamic Law, maintenance includes physical and mental needs, which husbands must fulfill according to their abilities. Clothing, food and shelter are part of this obligation, along with other necessities needed to carry out household life. KHI also emphasizes that husbands must provide maintenance in accordance with the standards determined by Islamic law, which covers all aspects of family life, both material and non-material. Meanwhile, Indonesian positive law, which is regulated by Law no. 1 of 1974 concerning Marriage and the Compilation of Islamic Law, emphasizes that husbands are obliged to provide physical and spiritual support to their wives and provide adequate housing according to their capabilities. However, positive law does not explicitly state how much maintenance must be provided, in contrast to Islamic law which stipulates this. The similarity between Islamic law and Indonesian positive law lies in the principle that living is the husband's responsibility, even though the wife has her own income. The wife's income is considered her own and is not required to be given to the husband in the form of maintenance. Both laws also agree that maintenance is given to the husband.

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