



Gender Justice in Religious Court Rulings: A Study of Women as The Main Breadwinners

Keadilan Gender dalam Putusan Pengadilan Agama: Studi tentang Perempuan sebagai Pencari Nafkah Utama

**Syahrial Arif Hutagalung^{a,1,*}, Agnestya Yolanda Purba^{b,2}, Jufri Naldo^{c,3},
Batara Abdullah Nasution^{b,4}, Ismail^{d,5}, Maulana Akhyar Hanif^{e,6}**

^a Politeknik Negeri Medan, Indonesia

^b Universitas Sumatera Utara, Medan, Indonesia

^c Universitas Islam Negeri Sumatera Utara, Medan, Indonesia

^d Universitas Islam Sumatera Utara, Medan, Indonesia

^e Universitas Islam Madinah, Saudi Arabia

Email : syahrialarif@polmed.ac.id¹, agnestayolanda111@gmail.com²,
jufrinaldo@uinsu.ac.id³, bataraabdullahnst@gmail.com⁴, ismail@fai.uinsu.ac.id⁵,
443050561@stu.iu.edu.sa⁶

* Correspondence: syahrialarif@polmed.ac.id

Abstract

Social and economic transformations are prompting an increasing number of women to assume the position of primary earners within the household. Despite its integration into contemporary social realities, this phenomena presents legal issues within the framework of Islamic family law and religious court traditions, particularly regarding the delineation of duties, rights, and obligations within the household. This study seeks to examine the legal implications of Religious Courts about women as the economic foundation of the family, and to assess the degree to which the principle of gender justice is implemented in matters of maintenance, divorce, and child custody. The employed methodology is qualitative, utilising a juridical-empirical approach, involving an analysis of pertinent Religious Court rulings and interviews with judges and individuals possessing firsthand experience with the matter. The research findings indicate a lack of consistency in the implementation of gender justice principles, wherein women's economic contributions frequently lack commensurate recognition and legal protection, particularly regarding post-divorce maintenance and the allocation of caregiving responsibilities. These findings necessitate a rethinking of Islamic legal principles that is more responsive to contemporary social realities, including reforms in religious court policies that are more inclusive and gender-sensitive to secure substantive justice for women as major breadwinners.

Keywords : Gender Justice, Religious Courts, Breadwinners, Women

Abstrak

Perubahan sosial dan ekonomi mendorong semakin banyak perempuan mengambil peran sebagai pencari nafkah utama dalam keluarga. Meskipun fenomena ini telah menjadi bagian dari realitas sosial modern, dalam konteks hukum keluarga Islam dan praktik peradilan agama, peran tersebut masih menimbulkan tantangan hukum, khususnya terkait pembagian peran, hak, dan kewajiban dalam rumah tangga. Penelitian ini bertujuan untuk menganalisis pertimbangan hukum Pengadilan Agama terhadap perempuan sebagai tulang punggung ekonomi keluarga, serta mengevaluasi sejauh mana prinsip keadilan gender diterapkan dalam perkara nafkah, perceraian, dan hak asuh anak. Metode yang digunakan adalah kualitatif dengan pendekatan

yuridis-empiris, melalui studi terhadap putusan-putusan Pengadilan Agama yang relevan serta wawancara dengan hakim dan pihak-pihak yang memiliki pengalaman langsung terhadap isu ini. Hasil penelitian menunjukkan bahwa terdapat inkonsistensi dalam penerapan prinsip keadilan gender, di mana kontribusi ekonomi perempuan tidak selalu diiringi dengan pengakuan dan perlindungan hukum yang setara, terutama dalam hal nafkah pasca-cerai dan distribusi tanggung jawab pengasuhan. Temuan ini mengindikasikan perlunya reinterpretasi norma hukum Islam yang lebih adaptif terhadap dinamika sosial kontemporer, serta reformasi kebijakan peradilan agama yang lebih inklusif dan sensitif gender guna menjamin keadilan substantif bagi perempuan pencari nafkah utama.

Kata Kunci : Keadilan Gender, Pengadilan Agama, Pencari Nafkah, Perempuan

1. INTRODUCTION

The evolving landscape of social and economic life has significantly redefined traditional family roles, with women increasingly assuming the position of primary breadwinners. This shift is not merely anecdotal but reflects a broader socio-cultural transformation observed in both modern and traditional communities. Within the context of Islamic family law, where the normative framework assigns the duty of financial maintenance to the husband and grants the wife the right to be supported this reversal of roles presents complex legal and normative challenges (Firdaus, Saputra, Susanti, Desminar, & Nurazizah, 2020). Despite the increasing visibility of economically active women, religious court rulings have not consistently reflected this social transformation. Numerous women now carry the burden of supporting their families, prompted by various factors such as economic hardship, educational aspirations, or the absence of spousal support due to divorce or abandonment. However, legal structures often remain static, offering limited recognition or protection for women who fulfill this role.

Existing literature has examined the economic roles of women in family life, both in local and global contexts. Studies in Western societies, such as those by Jurczyk et al., highlight how the emergence of female breadwinners challenges traditional gender norms and influences both family dynamics and gender identity (Jurczyk, Jentsch, Sailer, & Schier, 2019). Similarly, Meisenbach identified recurring psychological and relational patterns among female breadwinners, such as anxiety, empowerment, and shifting household roles (Meisenbach, 2010). In Indonesia, research by Nurfadila, Ismanto and Tarigan has explored the dual roles of women as both income earners and homemakers, and the role of Religious Court judges in responding to these realities (Ismanto, Wijaya, & Ritonga, 2018; Nurfadila & Yesi, 2022; Tarigan, Nasution, Hutagalung, & Arrazy, 2023).

However, most of these studies stop short of critically analyzing how Religious Court decisions in Indonesia reflect or fail to reflect principles of gender justice in cases where women are the main breadwinners. Few have investigated how judges incorporate this reality into rulings on post-divorce maintenance, child custody, or spousal obligations. The normative gap between lived experience and judicial reasoning remains largely unexamined. This study addresses that gap by focusing on the Religious Court in Padangsidempuan and its judicial responses to cases involving women as primary earners. It seeks to evaluate how far the principles of gender justice are reflected in court decisions, and whether legal interpretations are evolving to meet the demands of contemporary socio-economic conditions. Through this research, we aim to offer practical recommendations for enhancing the responsiveness of the religious justice system and strengthening legal protections for women in their dual roles as economic providers and caregivers.

2. METHOD

This study employs a qualitative methodology utilizing a juridical-empirical research design. A legal framework is employed to examine the rulings of the Religious Court about women as primary earners, while an empirical methodology is utilized to comprehend the viewpoints of the Religious Court judges and the community regarding this issue. This study included both primary and secondary data. Primary data was acquired through an analysis of pertinent Religious Court rulings, comprehensive interviews with Religious Court judges, and discussions with individuals knowledgeable about wives as the principal earners in their

households, specifically referencing cases Number 204/Pdt.G/2019/PA. Psp, Number 296/Pdt.G/2021/PA.Psp, and Number 305/Pdt.G/2021 PA.Psp. Interviews with judges seek to elucidate the influence of legal considerations on decisions pertaining to this phenomena, whilst interviews with the public are done to investigate the social acceptance of the phenomenon and to assess any discrepancies between societal norms and enforceable legal standards. This study utilizes both direct data and secondary data sourced from diverse sources, including books, journals, prior research, and pertinent laws and regulations. This study references several legal texts, including the Compilation of Islamic Law (KHI), the Marriage Law, and fatwas and rules concerning women's roles in the household and support obligations. The data collecting methodology is conducted using three primary methods: document analysis, in-depth interviews, and observation.

The analysis of documents involved examining the decisions of the Religious Court to discern the pattern of judges' considerations in cases where women are the primary breadwinners. Comprehensive interviews were undertaken with judges to elucidate the legal issues influencing their decisions, as well as with the public to comprehend the development and acceptance of this occurrence in societal contexts. Furthermore, investigations were conducted to directly assess the correlation between social dynamics in society and the economic function of women inside the home. The collected data were examined by content analysis techniques and descriptive-qualitative analysis. The analytical method commences with data reduction, which involves selecting and summarizing the most pertinent information from interviews, judicial rulings, and studied literature.

Additionally, the data are classified according to legal, social, and economic dimensions pertinent to this study. Subsequently, data analysis is conducted by correlating it with gender justice theory, Islamic jurisprudence, and national legal policy. This study employs source triangulation to validate the data by comparing the outcomes of interviews with judges, the public, and analyzed court decision records. Moreover, triangulation approaches are employed, namely by integrating decision studies, interviews, and observations to obtain a more thorough and valid representation (Askin & Masidin, 2023).

3. RESULTS AND DISCUSSION

Traditional Understanding of The Role Of Gender in The Family

In traditional Islamic thought, gender roles within the family are structured on the assumption that the man is the primary breadwinner, while the woman is responsible for domestic duties. This understanding is reinforced by Qur'an Surah An-Nisa (4:34) and classical tafsir literature, which emphasize the obligation of men to provide financial support. This view is further institutionalized in Article 80(4) of the Compilation of Islamic Law (Kompilasi Hukum Islam) (anita Rahmawaty, 2015)

Classical fiqh, as articulated by scholars like Sayyid Sabiq in *Fiqh al-Sunnah*, upholds that providing for the family is a husband's duty, and a wife is under no obligation to work outside the home (Sayyid As Sabiq, 2003). Ibn Qudamah, in *Al-Mughni*, further asserts that even if a wife possesses wealth, she is not obliged to contribute to the family's financial needs (Fajar Fadillah & Masrun, 2020). However, this perspective is increasingly being re-evaluated by contemporary scholars. Yusuf al-Qaradawi, for instance, asserts that a woman may become the primary breadwinner if the husband is unable to fulfill his financial obligations (Husni, 2019) Moreover, Indonesia's Council of Ulama (MUI) affirms that women who work for the family's economy are not in violation of Islamic principles, as long as they continue to fulfill their maternal responsibilities.

This transformation aligns with Judith Butler's theory of gender performativity, which argues that gender roles are socially constructed and constantly evolving (Rohmatul Inayah & Agus Fauzi, 2024). With increasing access to education and employment, many women have become the main economic providers for their families. The World Bank's 2022 report notes a rise in female participation in the informal sector, including in Indonesia (Dina & Dewaranu, 2022), indicating that the role of breadwinner is dynamic and influenced by both economic and social factors.

This shift is also evident in local community contexts. Agus Hasibuan, a community leader from North Padang Lawas, observed that men who marry financially independent

women are often seen as having their obligation to provide partially "represented" by their wives' contributions. In Batak culture, for example, the practice of manuhor (bride-price) is viewed as a form of respect and compensation for the woman's role in the family (Hutagalung et al., 2024). This reflects how local social constructions are adapting gender roles to fit changing economic realities.

An interview with a mother named Siti, the main breadwinner in her household, illustrates how economic necessity drives this shift in roles. She said:

At first, my husband worked odd jobs, but the income was unstable. I started selling in the market, and my income became more consistent. Many mothers here do the same, and the community doesn't see it as a problem as long as the family remains harmonious.

This testimony reveals how patriarchal norms are gradually being redefined. Women's economic roles are no longer seen as taboo, so long as familial harmony is maintained. Similarly, Rusman Hasibuan shared:

In the past, I might have felt ashamed if I wasn't the one earning the money. But now I realize that what matters most is the well-being of the family. My wife never looked down on me—we manage the household economy together.

These interviews reflect the emergence of new social values that foster more flexible and collaborative gender relations. In certain contexts, traditional role divisions must be adjusted. Husbands and wives are beginning to share responsibilities more realistically, rather than adhering strictly to conventional norms. Religious and social understandings are thus gradually evolving to become more responsive to real-life dynamics.

Religious Courts' Consideration of the Role of Women as the Main Breadwinner

The transformation of household roles, particularly in cases where women become the primary breadwinners due to economic necessity and a husband's failure to fulfill his obligations, has significant legal implications in the religious justice system. Research conducted at the Padangsidempuan Religious Court reveals that judges have yet to fully consider women's economic contributions in their rulings, especially in divorce cases.

In Decision No. 204/Pdt.G/2019/PA.Psp, a wife working as a civil servant took full responsibility for the family's finances after her husband abandoned the household shortly after the wedding. Although the court granted custody and set child support at one million rupiah per month, the wife's role as the sole financial provider was not acknowledged in the legal reasoning. Similar oversight appears in Decision No. 296/Pdt.G/2021/PA.Psp, where a wife filed for divorce due to economic neglect, undisclosed debt, and infidelity. The judge imposed child support of two million rupiah per month, with annual increases, but made no reference to the wife's significant financial role. Likewise, in Decision No. 305/Pdt.G/2021/PA.Psp, the ruling focused on child custody and marital dissolution without addressing the economic burden the wife bore alone.

These rulings demonstrate a persistent formalist approach in applying Islamic law, which fails to reflect the principle of substantive justice. Contemporary Islamic jurisprudence emphasizes *maslahah* (public interest) as a basis for dynamic legal reasoning that adapts to societal realities, including evolving gender roles within the family (Husni, 2019). Although the Supreme Court, in Decision No. 137 K/AG/2007, affirmed that a wife's contribution to joint marital property must be fairly recognized (Marpaung et al., 2022), this progressive precedent has not yet permeated lower courts like Padangsidempuan. The absence of judicial acknowledgment for women's dual burden—as caregivers and economic providers—suggests a reluctance to exercise *ijtihad* in interpreting the law contextually (Rambe, 2021).

Moreover, Supreme Court Regulation (PERMA) No. 3 of 2017 provides clear guidelines for adjudicating women's cases, encouraging judges to address power imbalances and consider gender-sensitive realities in legal decisions. This regulation supports contextual interpretation, including the use of *contra legem* where necessary, to uphold justice and promote *maslahah*. The Supreme Court has also introduced alternative models of joint property division, such as 70:30 splits in favor of wives, as a recognition of their substantial contributions (Yassir, Muthalib, & Husaini, 2025). In this context, religious courts are urged to

move beyond normative rigidity and adopt a more responsive and inclusive perspective—one that not only acknowledges women's financial contributions but also ensures substantive equality in family law. Economic, emotional, and social labor by women should be viewed as integral to justice in marriage and divorce (Sundari, 2023)

Judge's Views on Efforts to Adapt Islamic Law Norms to Socio-Economic Dynamics

The socio-economic dynamics within society, particularly the rising prevalence of women as primary earners in homes, have significant ramifications for the practice of religious justice. During a conversation with Mr. Idris Nasution, the presiding judge of the Kabanjahe Religious Court, he elucidated that:

The evolving position of women as primary earners is now a significant societal reality that is taken into account in the deliberations of Religious Courts, particularly in divorce situations where the husband fails to financially support his wife. While Article 116 of the KHI and taklik talak may serve as a foundation, judges frequently ascribe them to the grounds of contention. Negligence in maintenance provision should be adequate grounds for divorce, as it has started to be recognized in SEMA. Furthermore, the economic contributions of wives are increasingly considered in the allocation of joint property and mufkahl alimony, with jurisprudential trends granting a greater share to the wife as an acknowledgment of her dual responsibilities in the household and financial support, embodying the essence of substantive justice.

This interview demonstrated that socio-economic trends are increasingly being considered in case determinations, particularly in divorce proceedings and support responsibilities. The judge asserted that the transformation in women's roles is an undeniable societal reality. He asserted that in divorce proceedings, the husband's failure to provide for his wife may serve as a singular basis for divorce under Article 116 of the KHI and taklik talak; nevertheless, this is frequently coupled with allegations of ongoing disputes and conflicts. He further noted that the Supreme Court, via the Supreme Court Circular Letter (SEMA), has acknowledged this perspective, although it has not yet been fully established as regular practice. This approach aligns with the perspectives of Mohammad Hashim Kamali and Jasser Auda, who underscore the significance of maqashid al-shari'ah in modern ijtiḥad, encompassing the concepts of justice ('adl), equality, and the necessity of addressing evolving dynamics (Haqan, 2018). Mr. Idris Nasution acknowledged the normative limits in the KHI, particularly Article 80, which asserts that the husband is the breadwinner, failing to explicitly recognize the wife's economic contributions.

The standards in KHI remain pertinent as the foundation for family law; yet, they have not adequately recognized the role of women as primary earners. Article 80 designates alimony as the husband's obligation, although the wife's financial contribution is not clearly governed, save with shared property. Nonetheless, jurisprudence demonstrates advancement, including increased property division for spouses and enhanced flexibility in mufkahl alimony. Nonetheless, constraints persist as deviations from established norms necessitate ijtiḥad and robust legal reasoning.

The acknowledgment of the wife's contribution is typically evident solely in instances of communal property partition, contingent upon the judge's sensitivity and audacity in contextually interpreting legal norms. The judge stated that the discretion in establishing the amount of mut'ah alimony is now more adaptable, taking into account the wife's contributions, the socio-economic circumstances of both couples, and the husband's financial capacity.

The judge's power to implement this legal modification constitutes a form of contextual ijtiḥad, which is permissible within the Islamic legal framework, provided it adheres to sharia principles and does not significantly conflict with established norms. The judge stated that the principle of contra legem, or limited deviation from the text of positive law, may be invoked provided there exists a robust legal rationale and substantial evidence at trial, including testimony or social facts that advocate for the protection of more vulnerable parties, specifically women in this instance. During the conversation, the judge underscored that ijtiḥad, or the reinterpretation of Islamic legal principles, must be conducted to address societal transformations.

Judges prioritize justice, granting them the authority to interpret legal standards contextually to achieve substantive justice, provided they adhere to sharia. Judges are obligated to uphold legal consistency, even when applying contra legem for compelling reasons such as masalah or 'urf. Jurisprudence in Religious Courts demonstrates adaptability, particularly in the equitable allocation of property or inheritance for women. Nonetheless, jurisprudence is fluid and susceptible to alteration. The safeguarding of women has been reinforced in rules such as PERMA.

She stated that this transformation is becoming evident in practice, particularly in the allocation of communal assets and inheritance legislation, where women's efforts are more recognized. According to him, the most pressing element requiring reformulation is the rationale for divorce. She contended that the husband's failure to provide maintenance should suffice as the sole grounds for divorce, independent of any supplementary causes such as conflict. Furthermore, he thinks that legal penalties should be contemplated for husbands who compel their wives to shoulder the economic responsibility. Mr. Idris Nasution stated in an interview that:

Societal transformations, particularly the multiple responsibilities of women, necessitate ijthad in Islamic family law. Religious Courts have adapted to this by considering women's contributions in the partition of communal property and inheritance. Critical elements for examination encompass: the husband's irresponsibility as the exclusive cause for divorce, penalties for the negligent husband, and acknowledgment of the wife's economic contributions. Ijthad must be conducted using a maqasidi approach to underscore justice and advantages, necessitating coordination among scholars, judges, academics, and policymakers.

He also advocated for a clearer acknowledgment of wives' economic contributions in the development of regulations governing the allocation of joint property should family law undergo modification in the future. The judge's perspectives align with those of numerous scholars advocating for the reform of Islamic family law in Indonesia. Musdah Mulia and Syahrizal Abbas articulated the necessity for the transformation of family law to be more equitable and attuned to the changing social landscape, particularly regarding gender equality (Iswandi, 2021). This is further corroborated by the Supreme Court's jurisprudence, shown in Decisions No. 278K/AG/2006 and 137K/AG/2007, which allocate a greater share to women in the distribution of communal property, acknowledging their dual function.

In this setting, ijthad is not merely an alternative; it is essential for Islamic legal principles to maintain relevance and effectively address evolving social circumstances (Islamy, 2021). Interdisciplinary collaboration among judges, scholars, academics, and politicians is crucial for developing legal frameworks rooted in Islamic values while being adaptable to the evolving responsibilities and social statuses of women within the family. This initiative must be further reinforced to establish an Islamic family law system that is not merely legal-formal, but also advocates for substantive justice.

Legal Feminism and Criticism of Gender-Biased Alimony Obligations

Legal feminism is a perspective within legal studies that emphasizes gender disparity in the existing legal framework (Vieto, Tinenti, Likadja, & Manuain, 2025). The duty of alimony under Islamic family law and civil law, which remains gender-biased, has garnered attention in the study of legal feminism. In multiple legal systems, including Islamic law, it is presumed that the duty to provide for a livelihood rests solely with the spouse. Under Islamic law, the duty to support the family rests with the husband, as confirmed in the Qur'an. An-Nisa, verse 34. This principle is also evident in Indonesia's positive law, particularly in Article 80 paragraph (4) of the Compilation of Islamic Law (KHI), which mandates that husbands must provide maintenance for their wives and children. Likewise, Article 34, paragraph (1) of Marriage Law No. 1 of 1974 stipulates that the husband is accountable for the family's requirements.

While this regulation is predicated on the notion of spousal duty, the reality is that not all men can meet this task. A primary complaint of legal feminism about this regulation is its inflexibility in allocating economic tasks within the family (Amini, Tarigan, & Syahriza, 2024). As women's participation in the workforce increases, the traditional division of roles between

husbands and wives has become irrelevant in many cases. Many women are the backbone of the family, both because of difficult economic conditions and because their husbands are unable to work on a regular basis. In some studies of legal feminism, such as those put forward by Martha Chamallas in *Introduction to Feminist Legal Theory*, laws that are unresponsive to social change can reinforce gender inequality (Chamallas, 1998). The law's continued focus on absolute male support duties neglects the substantial economic contributions women make to the family.

The notion of *qiwamah*, which designates men as the heads of the family, is sometimes employed as a rationale for the maintenance obligation only assigned to the husband. Nonetheless, certain modern scholars, like Yusuf al-Qaradawi and Amina Wadud, have interpreted *qiwamah* with greater flexibility. In contemporary society, home leadership need not be determined by gender, but rather by economic capability and mutual consent of the partners. Amina Wadud, in *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, contends that the notion of *qiwamah* should not be seen as male dominance over females, but rather as a more adaptable allocation of domestic chores (Wadud, 1999). If the wife earns more than the husband, the designation of breadwinner can be assigned to her without compromising the principle of familial justice. In numerous societies, women have transcended the role of housewives to become primary earners. This issue occurs in multiple regions, including Indonesia, where numerous women engage as migrant laborers, traders, or employees to sustain the family income. A 2022 study by the Central Statistics Agency (BPS) indicates that over 30% of households in Indonesia are led by women, signifying that women serve as the primary economic providers for their families. Despite women's significant contributions to the household economy, the legal framework continues to presume that husbands have the primary responsibility for family upkeep (Misrah, Nurcahaya, Ismail, & Hutagalung, 2024). In the legal practice within Religious Courts, a disparity frequently exists between normative texts and social reality.

Numerous women initiate divorce proceedings due to their husbands' inability to give financial support; yet, court orders frequently mandate that the husband continues to fulfill his financial obligations while lacking money. This perpetrates an injustice against the wife, who has been the primary financial provider for numerous years. In many instances, working women may not be entitled to joint property post-divorce, as the law continues to see the property as having been gained only by the husband. Indeed, in numerous instances, the woman possesses an equivalent or even superior role in the accumulation of familial assets. Legal feminism advocates for the rule of law to be more attuned to societal transformations. In the realm of family law, this signifies that legislation must allow for adaptability in the allocation of economic responsibilities within the household (Mahfudin, 2017). In Morocco's 2004 family law reform, women with an income are permitted to contribute to family assistance through a collective agreement (Pokhrel, 2024). This concept may serve as a catalyst for legal reform in Indonesia.

4. CONCLUSIONS

The case decision under case number 73/Pdt.G/2023/PA.Psp represents a significant paradigm shift in the interpretation of Islamic family law in Indonesia. It illustrates how religious courts are beginning to integrate substantive justice, *maqashid al-shari'ah*, and gender sensitivity into their rulings. In this case, the Padangsidempuan Religious Court demonstrated a progressive legal approach by recognizing the wife's dual role as caregiver and primary breadwinner. The panel of judges considered not only the husband's failure to fulfill his financial obligations but also the social, psychological, and economic burdens endured by the wife. The court ruled that the marriage no longer fulfilled its foundational purpose—achieving mutual benefit and equity—and that divorce was justified. By acknowledging the wife's economic contribution and emotional toll, the judges reduced the disproportionate burden of proof typically placed on women. This indicates a deliberate shift from a formalist application of the law to one grounded in contextual interpretation and empathy.

This ruling may serve as a judicial precedent that enhances the realization of gender justice within the religious court system. It underscores the growing capacity of Islamic judicial institutions in Indonesia to perform socially responsive *ijtihad*, reflecting the evolving roles and

realities of women in contemporary Muslim families. Moving forward, such interpretations are essential in building a family law system that is not only legally sound but also ethically just and socially relevant.

REFERENCES

- Amini, S., Tarigan, A. A., & Syahriza, R. (2024). *Homo Islamicus as an agent of socio- of Surah An-Nisa economic change : A study in the perspective*. 10(2), 873–892.
- Anita Rahmawaty. (2015). Harmoni dalam Keluarga Perempuan Karir: upaya mewujudkan Kesetaraan dan Keadilan gender dalam Keluarga. *PALASTREN*, Vol. 8, No. 1, Juni 2015, 8(1), 1–34. <https://doi.org/10.28918/muwazah.v9i2.1126>
- Askin, M., & Masidin. (2023). *Metode Penelitian Hukum Normatif (Analisis Putusan Hakim)*. Jakarta: kencana.
- Chamallas, M. (1998). *Introduction to Feminist Legal Theory*. Retrieved from <https://api.semanticscholar.org/CorpusID:142639327>
- Dina, S. A., & Dewaranu, T. (2022). Reformasi Regulasi untuk Peningkatkan Partisipasi Pengusaha Mikro Perempuan dalam E-Commerce. *Center for Indonesian Policy Studies*, (48).
- Fajar Fadillah, F., & Masrun, M. (2020). Kadar Nafkah Keluarga menurut Ibn Qudamah (Analisis Terhadap Kitab al-Mughniy). *Al-Fikra : Jurnal Ilmiah Keislaman*, 19(1), 19–35. <https://doi.org/10.24014/af.v19i1.7096>
- Firdaus, Saputra, R., Susanti, P., Desminar, & Nurazizah. (2020). Perempuan Bekerja dalam Pemenuhan Nafkah Keluarga. *JURNAL KAJIAN DAN PENGEMBANGAN UMAT*, 3(2), 12–25.
- Haqan, A. (2018). REKONSTRUKSI MAQASID AL-SYARI'YAH JASSER AUDA. *JPIK*, 1(1), 135–152.
- Husni, F. (2019). Nafkah Wajib Menurut Pemikiran Yusuf Al-Qardhawi dalam Perspektif Maqasid Asy-Syariah. *Hukum Islam*, 19(1), 44–62. Retrieved from https://scholar.google.com/scholar?hl=id&as_sdt=0%2C5&q=nafkah+wajib+menurut+yusuf+qardhawi&btnG=#d=gs_qabs&u=%23p%3DSGHSqj78rXAJ
- Islamy, A. (2021). Landasan Filosofis dan Corak Pendekatan Abdurrahman Wahid Tentang Implementasi Hukum Islam di Indonesia. *Al-Adalah: Jurnal Hukum Dan Politik Islam*, 6(1), 51–73. <https://doi.org/10.35673/ajmpi.v6i1.1245>
- Ismanto, B., Wijaya, M. rudi, & Ritonga, A. H. (2018). Istri Sebagai Pencari Nafkah Utama Dan Dampaknya Dalam Keluarga Perspektif Hukum Islam. *Fitrah: Jurnal Kajian Ilmu-Ilmu Keislaman*, 4(2), 397–416.
- Iswandi, A. (2021). Reorientasi Hukum Keluarga Islam Perspektif Para Guru Besar UIN di Indonesia. *Qonuni: Jurnal Hukum Dan Pengkajian Islam*, 1(01), 1–12. <https://doi.org/10.59833/qonuni.v1i01.180>
- Jurczyk, K., Jentsch, B., Sailer, J., & Schier, M. (2019). Female-Breadwinner Families in Germany: New Gender Roles? *Journal of Family Issues*, 40(13), 1731–1754. <https://doi.org/10.1177/0192513X19843149>
- Mahfudin, T. (2017). *Jurnal Hukum Progresif: Jurnal Hukum Progresif*, XI(2), 1928–1940.
- Marpaung, W., Adly, M. A., Rustam, R., Syahputra, A., Siregar, P. A., Hutagalung, S. A., ... Tanjung, D. (2022). Worshippers smoking in mosques: Violation of fatwas of ulemas and governor regulation. *HTS Teologiese Studies / Theological Studies*, 78(1), 1–9. <https://doi.org/10.4102/hts.v78i1.7975>
- Meisenbach, R. J. (2010). The Female Breadwinner: Phenomenological Experience and Gendered Identity in Work/Family Spaces. *Sex Roles*, 62(1), 2–19. <https://doi.org/10.1007/s11199-009-9714-5>
- Misrah, Nurcahya, Ismail, & Hutagalung, S. A. (2024). *From Classroom to Ideological Space: The Formation of Radicalism in the Academic Environment*. 23(3).
- Nurfadila, & Yesi. (2022). POTRET PEREMPUAN PENCARI NAFKAH UTAMA KELUARGA. *Nusantara: Jurnal Ilmu Pengetahuan Sosial*, 9(4), 1483–1490.
- Pokhrel, S. (2024). No TitleEAENH. *Ayan*, 15(1), 37–48.
- Rambe, K. M. (2021). Pemahaman Baru Ashgar Ali Engineer Tentang Hak-Hak Perempuan Dan Relevansinya Terhadap Perkembangan Islam Modern. *Journal of Gender and*

- Social Inclusion in Muslim Societies*, 2(1), 38.
<https://doi.org/10.30829/jgsims.v2i1.9644>
- Rohmatul Inayah, Z., & Agus Fauzi, M. (2024). Pembebasan Seksualitas dan Gender dalam Film *The Danish Girl* Studi Analisis Teori Performativitas Judith Butler. *Paradigma*, 13(1), 131–140.
- Sayyid As Sabiq. (2003). *Fiqhu As-Sunnah*. Kairo: Dar al Fath li al-Alam.
- Sundari, P. (2023). Psikologi Keluarga Dalam Konteks Orang Tua Tunggal (Single Parent). *Khazanah Multidisiplin*, 4(1), 109–128. Retrieved from <https://journal.uinsgd.ac.id/index.php/kl>
- Tarigan, A. A., Nasution, M. S. A., Hutagalung, S. A., & Arrazy, S. (2023). Ensuring Equity in Post-Divorce Economic Rights: A Critical Analysis of Judicial Sensitivity in the Religious Court of Padang Sidempuan, Indonesia. *AL-HUKAMA: The Indonesian Journal of Islamic Family Law*, 13(2), 180–201. Retrieved from [https://scholar.google.com/citations?view_op=view_citation&hl=en&user=Wu50kBkAAAAJ:0CzhzZyukY4C](https://scholar.google.com/citations?view_op=view_citation&hl=en&user=Wu50kBkAAAAJ&pagesize=100&citation_for_view=Wu50kBkAAAAJ:0CzhzZyukY4C)
- Vieto, A., Tinenti, T., Likadja, J. A. C., & Manuain, O. G. (2025). *Rekonstruksi Sistem Pemasarakatan Perempuan di Indonesia dalam Analisis Legal Feminist Theory*. 4(9), 2998–3009. <https://doi.org/10.59141/comserva.v4i9.2806>
- Wadud, A. (1999). *Qur'an and Woman*. New York: Oxford University Press.
- Yassir, M., Muthalib, A., & Husaini, A. (2025). Analisis Ex Officio dan Perlindungan Hukum di Pengadilan Agama (Studi Putusan PA Jember Nomor 1323/Pdt.G/2024/PA.Jr). *Jurnal Al-Fawa'id: Jurnal Agama Dan Bahasa*, 15(1), 210–227.