



**INTERPRETATIONS OF NAFKAH, GENDER RELATIONS, AND
MOTIVATIONS FOR DIVORCE: A CASE STUDY OF DIVORCE LAWSUITS
AT THE KEDIRI CITY RELIGIOUS COURT**

Ulin Na'mah^{1*}, Mochammad Agus Rachmatulloh²

¹State Islamic Institute (IAIN) Kediri, Indonesia; ulinnakmah@iainkediri.ac.id

²State Islamic Institute (IAIN) Kediri, Indonesia; magusr@iainkediri.ac.id

*correspondence author: ulinnakmah@iainkediri.ac.id

Abstract: The phenomenon of high divorce in Indonesian religious courts or Muslim communities causes government anxiety and raises cynical public opinion. Economic considerations are frequently referred to as the excuse for the wife's lawsuit. Data from the Kediri City Religious Court shows that there is a tendency for wives to file for divorce first. Not without justification, it is frequently prompted by the husband's perceived inability to satisfy the wife's requirements. The use of nafkah reasons in divorce can reveal that there is a contradictory tendency; on the one hand, women tend to charge a nafkah to men, and on the other hand, there is a tendency not to charge a nafkah to men or are willing to work to make ends meet. Divorce may not be a factor in limited economic conditions, but the perception of nafkah obligations imposed on husbands. It is critical to recognize that attempts to avoid divorce cannot be based just on economic empowerment but rather on cultural and religious ideas on partnerships and the separation of husband and wife roles. , this article examines the relationship between a contested divorce and economic conditions and perceptions of gender relations in the family, especially in earning a nafkah, to clarify this contradiction. Using a phenomenological approach. The economic reasons that have led wives to divorce are solely due to emptiness and even an emotional drought of love between husbands' wives. The indulgence of husband and wife in dividing household roles from transitional to egalitarian ideology also requires attention and respect for each other.

Keywords: divorce, divorce lawsuits, gender, nafkah, religious court.

A. Introduction

The divorce rate within the Indonesian Muslim community remains the highest in Asia and Africa, standing at approximately 28 percent of the marriage rate and steadily rising. (Adminrina, 2022) Divorce cases surged to 447,743 in 2021, marking a significant increase of 53.50% compared to the 291,677 cases recorded in 2020. In 2021, out of the 447,743 divorce cases, 110,400 were divorce talaq cases, accounting for 24.66%, while



337,343 were divorce lawsuits, constituting 75.34%. Four regions with the highest divorce rate in Indonesia in 2021: (1) West Java with details of divorce talaq: 23,971, divorce lawsuit: 74,117 and total: 98,088; (2) East Java with details of divorce talaq: 25,113, divorce lawsuit: 63,122 and total: 88,235; (3) Central Java with details of divorce talaq: 18,802, divorce lawsuit: 56,707 and total: 75,509; and (4) North Sumatra with details of divorce talaq: 3,553, divorce lawsuit: 13,717, and total: 17,270. (Cindy Mutia Annur, 2022)

The phenomenon of a high number of divorces, mainly through lawsuits, in Indonesia's religious courts or Muslim communities has led to government concern and fostered a cynical public opinion. In this case, Governor Khofifah Indar Parawansa of East Java remarked, "Addressing our collective concern, the divorce rate in East Java is the highest (Liputan Enam, 2019)." Furthermore, during a forum meeting with the rectors of Islamic Religious Universities at the Grahadi Building, she emphasized that the elevated divorce rate is a matter that Islamic Religious Universities must also consider. (Fatimatuz Zahroh, 2019) Moreover, the community has started expressing cynical opinions, exemplified by statements like "The current challenges within families may prove overwhelming for couples, even those who have undergone premarital and certified courses. "The constraints within family life in a capitalist system, characterized by impoverishment, significantly impact the harmony between husband (*RI Darurat Perceraian*, 2017) and wife." Consequently, it is argued that for a comprehensive solution to Indonesia's divorce crisis and other emergencies, a return to Islam is deemed necessary. This perspective is grounded in the belief that the perfect arrangement prescribed by Islam has been compromised by the application of secular capitalism, particularly with the notion of gender equality laden with the liberation of women from their primary duties and responsibilities. (Retno Esthi Utami, 2016)

Economic considerations are often cited as a common rationale behind wives filing for divorce lawsuits. Hasbi Hasan, who served as the Director of Development of the Religious Justice Administration of the Supreme Court's Religious Justice Agency, elucidated that economic factors were the predominant cause of divorce. (Fauziah Mursid, 2016) Upon further examination of divorce lawsuits in Kediri, based on data from the Religious Court (PA) of Kediri City, a discernible trend emerges wherein wives initiate divorce proceedings. Mun Farida, the Registrar of Young Law at Kediri City Religious Court, explained that approximately "80 percent are predominantly comprised of divorce lawsuits." (Gimo Hadiwibowo, 2022)

According to the data obtained by the Religious Court, Mun Farida stated that in the entirety of 2020, there were 704 divorce cases, comprising 545 divorce lawsuits and 159 divorce talaq cases. He also explained that most of the cases were in July. In contrast, in 2021, divorce cases decreased to 584, with a breakdown of 428 cases initiated by wives filing for divorce and 156 divorce talaq cases. In that year, the most divorce cases were in September. (Anwar Bahar Basalamah, 2022) In January-June 2022, 325 divorce cases entered the Kediri City Religious Court. Out of the total, 254 cases were divorce lawsuits. The remaining 71 cases were filed by the husband, also known as divorce talaq. (Anwar Bahar Basalamah, 2022)

Additionally, Mun Farida explained that wives' tendency to initiate separation is not without cause; it is often motivated by the husband's inability to meet the wife's needs. Most individuals undergoing divorce are still in their youth and at a productive age. (Anwar Bahar Basalamah, 2022) He also elucidated that economic factors have

overwhelmingly played a dominant role as reasons for divorce in these cases. (Anwar Bahar Basalamah, 2022)

After conducting preliminary research on the reasons for divorce, the lawsuit written in the case of filing a divorce lawsuit to the Kediri Religious Court is often why the *nafkah* does not stand alone. The reason for financial support (*nafkah*) often arises concurrently with other factors, including domestic violence, moral crisis, and the presence of another woman. In reality, does economic hardship serve as the primary reason or a secondary factor in these cases? Why is the reason for *nafkah* often raised in this case? Furthermore, it is typical for the petitioner in a divorce lawsuit case to be a working woman. At the same time, the husband is typically employed in the private sector, engaged in manual labor, or involved in miscellaneous occupations. However, women initiating divorce filings typically express concerns such as "the defendant failed to provide financial support, leaving the plaintiff to fulfill daily needs through her sole employment." Additionally, some cases involve claims that "the daily income was insufficient, and the defendant declined to seek alternative employment." (*Putusan Perkara No. 286/Pdt.G/2022/PA.Kdr*, 2022; *Putusan Perkara No. 402/Pdt.G/2021/PA.Kdr*, 2021; *Putusan Perkara No. 517/Pdt.G/2022/PA.Kdr*, 2022; *Putusan Perkara No. 635/Pdt.G/2020/PA.Kdr*, 2020) On the other hand, in case number. 618/Pdt.G/2020/PA.Kdr, the wife, cited the reason for filing as "The defendant prohibited the plaintiff from working, but the defendant's income did not suffice to meet their daily needs." (*Putusan Perkara No. 618/Pdt.G/2020/PA.Kdr*, 2020) Based on the explanation of the reasons for seeking financial support (*nafkah*) in divorce filings, two contradictory tendencies emerge. On one side, women often lean towards placing the burden of livelihood solely on men. On the other side, albeit less common, there is a tendency for women not to rely on men for financial support and to be willing to work and provide for themselves.

Why does the tendency of indulgence in the mindset in the modern era, from patriarchal to egalitarian ideology in Kediri, tend to be low? Moreover, it is stuck in a transitional ideology that is very detrimental. Meanwhile, referring to the high number of divorce cases with the economy as the dominant reason, it is time to move to an egalitarian ideology that contextually accommodates the role of domesticity. Therefore, it is anticipated that an egalitarian ideology can mitigate the prevalence of economic factors as a primary cause for divorce.

The phenomenon of the high number of divorce lawsuits in Kediri is noteworthy, mainly due to its occurrence within a religious community where Islamic boarding schools strongly uphold patriarchal values. The inclination to cite financial support (*nafkah*) as a reason for divorce lawsuits is legitimized by the Shafi'i madhhab, the most widely followed madhhab in Indonesia (Rohmah & Zafi, 2020). On the other hand, the inclination to use the inability to provide financial support (*nafkah*) as a justification for divorce, guided by the Hanafi madhhab, is exceptionally rare in this society (Karimuddin et al., 2021).

Recent researchers have come across viewpoints on financial support (*nafkah*) that lean towards the *manhaj* pattern of the Hanafi madhhab, as exemplified by KH. Husein Muhammad argues that alimony is not an obligation of the husband alone but an obligation imposed on the ability between husband and wife (Na'mah, 2015; Nuroniyah et al., 2019). Divorce may not necessarily be a consequence of constrained economic conditions but is influenced by the perceived financial support obligations placed on husbands. It is critical to recognize that attempts to avoid divorce cannot be based just

on economic empowerment but rather on cultural and religious ideas on partnerships and the separation of husband and wife roles. To elucidate this contradiction, this article explores the relationship between contested divorces and economic conditions and the perceptions of gender relations within the family, particularly concerning the provision of financial support (nafkah).

Numerous studies have shed light on the challenges within marital relationships, particularly in the context of wives as employed individuals. Nonetheless, the analysis of research still tends to marginalize women. Even when women are employed, they are often designated as primarily responsible for domestic affairs, while men are regarded as primarily responsible for providing nafkah. Existing research often needs to position the relationship between a husband and wife who work in the public sector in a balanced manner. The expectation is that when a working wife embraces a dual role, a similar dual role should be attributed to the husband as well. A corresponding increase in men's involvement in domestic responsibilities differs from the rise in women in the public sector. (Ismail, 2018; Isnawati, 2018; Nurdin, 2019; Rahmah & Rahmah, 2016; Shoviana & Abdillah, 2019; Warsito, 2013) The justification for the unequal division of household roles in a relationship is often viewed through Islamic guidance. Furthermore, the standardization of gender roles is perceived as a conduit for virtue. When this 'gender bias' Islamic teaching is implemented within the family, it is believed that the institution of marriage can endure, divorce rates remain low, women's honor is preserved, and their well-being is safeguarded. Conversely, feminist teachings are perceived as a potential threat to the institution of marriage, leading to an increase in divorces, loss of family harmony, a rise in crime, deprivation of women's rights, and disturbance of comfort. (Warsito, 2013)

The analysis above preserves specific intentions as ideological manifestations that are not readily subject to change. In connection with this, there is research on the influence of working women on the gender beliefs of men in the West, as Western men are perceived to be more prone to deviate from certain ideologies. Moreover, do men generally perceive women's employment as a threat or an advantage? Two hypotheses were tested regarding this impact: (1) Husbands rejecting the idea of gender equality due to concerns about losing their masculine identity and fearing a reduction in domestic services from their wives, and (2) Husbands being prepared and willing to shift their ideology towards egalitarianism because they perceive material benefits from their wives. As a result, the second hypothesis is supported by empirical evidence. (Zuo & Tang, 2000) Western society is often characterized as more rational, displaying a tendency to readily accept and advocate for optimistic, realistic, and rational demands for change.

On the contrary, Indonesian people often encounter challenges advocating for this ideological change. This suggests that the interpretation of Islamic teachings, perceived as standardizing gender roles, may contribute to the difficulty of transitioning from traditional ideologies to egalitarian ideologies.

For this reason, this study aims to investigate the factors contributing to ideological challenges, as perceived by husbands and wives involved in divorce lawsuits in Kediri. This focus is prompted by the substantial number of divorce cases citing inadequate financial support (nafkah) from husbands as a primary ground for divorce. Furthermore, Kediri is the foundational city for Salaf and traditional Islamic boarding schools. (Yasin, 2021)

Caryn E Medved has also conducted similar research on Western women who work within the context of husband and wife relationships. This research explores how these women interpret their work and examines the positioning of BWMs (breadwinning *mothers*) in the symbolic relationship between work and family. Based on the findings derived from discourse analysis through interviews with 44 married breadwinner women, it is evident that there are five distinct meanings associated with earning a living: (a) viewing earning a nafkah as a primary career; (b) perceiving earning a nafkah as an obligation; (c) considering earning a nafkah as conformity and a reflection of personality; (d) regarding earning a nafkah as a relational force; and (e) conceptualizing earning a nafkah as an ideal worker. The practical implications of these findings are related to the life conflicts faced by female workers, the negotiation of self-defense roles, and the existence of interactions and interventions in the workplace. (Medved, 2016) The collective effort of women to solely provide nafkah for the betterment of family life should no longer be a subject of dispute or ridicule. Instead, the emphasis should be on addressing the issue thoughtfully and appropriately. For this reason, it is necessary to strengthen egalitarian ideology so that there is no form or term of double burden.

As outlined earlier, there remains a limited inclination to contemplate the possibilities for ideological change. The consideration of nafkah in the family, often perceived as a catalyst for conflicts and injustices in husband and wife relationships, is articulated through several themes or focal points. However, some of these themes or focuses have yet to be explicitly connected to the issue of the high number of divorce lawsuits. These include: 'nafkah is an obligation for those who can afford it from a husband or wife,' 'the citation of verses about nafkah in the Quran must be related to the early history of Islam, which treated women in a minor way towards major treatment, so that women (wife) who were once prohibited from earning a nafkah can be transformed to participate in building the family economy or even as the main breadwinner in a household that swaps places with the husband,' 'when the provision of joint property is applied, the nafkah and other household obligations become the joint responsibility of the husband and wife,' and 'the enactment of the contextual equality of the role of the husband and wife in building the family, both wives, and husbands have the same responsibilities of nafkah, taking care of children, and also taking care of the house.' (Na'mah, 2016; Nelli, 2017; Nuroniyah et al., 2019; Rajafi, 2018)

Research has attempted to unravel the high number of divorce lawsuits, yet they have yet to undertake an ideological approach to comprehending the underlying issues. Moreover, the findings of some of these studies cannot be generalized as they are consistently linked to varying backgrounds and locations. (Jamil & Fakhrudin, 2015; Kustini & Rofiah, 2015; Rahmalia & Sary, 2017; Toni, 2019; Umam & Fazriyah, 2017; Welly & Sari, 2017)

The formulated problem for discussion in this article is: (1) How do wives interpret the obligation of nafkah and the concept of earning a nafkah in a Muslim family? Furthermore, (2) What motivates wives to file for divorce based on insufficient nafkah?

B. Method

This research employs an empirical legal research design (Sovia et al., 2022), employing a phenomenological approach to uncover meaning. There are two models: *hermeneutic phenomenology* (hermeneutic phenomenology) and *empirical, transcendental, or psychological phenomenology* (empirical, transcendental, or psychological phenomenology). In hermeneutic phenomenology, Van Manen elucidates

that research on a phenomenon centers around life experiences, subsequently interpreted as a life text. In other words, phenomenology is not merely a depiction or presentation of experience but also a process of interpretation, where the researcher acts as the interpreter to mediate or bridge between various meanings of life experience within a phenomenon. (Creswell et al., 2007)

On the other hand, empirical, transcendental, or psychological phenomenology, as initiated by Clark Moustakas, does not give priority to the interpretation by researchers, as in hermeneutic phenomenology. Instead, it emphasizes the portrayal of individual experiences, as previously formulated by Husserl in the concept of phenomenology through his *epoche* concept. *Epoche* is a stage in which a researcher endeavors to set aside personal experiences as much as possible to attain a fresh perspective on a phenomenon through research. Furthermore, *transcendental* means observing something (phenomenon) in the present moment, identical to or as the phenomenon occurred at that time. However, according to Moustakas, achieving a perfect understanding of the phenomenon at the precise moment it initially occurred is challenging. (Moustakas, 1994)

For this study, the researcher opts to employ the empirical phenomenology of Clark Moustakas. This choice is based on the systematic steps in the approach, providing clear guidance on conducting analyses and creating textural and structural descriptions. This study employs a phenomenological approach as its objective is to unearth the essence and meaning of divorce due to economic pressure. This can only be accomplished by directly delving into data from the involved parties and the wife's family. In doing so, the researcher refrains from influencing the determination of meaning and essence. The essence and meaning are formulated based on the experiences and interpretations of the wife regarding the object or phenomenon of divorce.

To identify the study location, the researchers tracked statistical data from the Kediri City Religious Court regarding case reports received and decided upon, categorized by type. From this data, researchers have observed that the Kediri City Religious Court has a higher divorce rate than divorce talaq cases. In response to the data, the researchers visited the Kediri City Religious Court to gather additional information, specifically focusing on the factors contributing to divorce. The data on the factors causing divorce indicate that economic pressure is one of the predominant factors leading to divorce (Moustakas, 1994). This economic factor is frequently cited as a reason for wives filing for divorce lawsuits. Therefore, researching divorce lawsuits based on economic problems in the Kediri City Religious Court proves compelling and exciting.

Moreover, interviews were carried out based on data from divorce lawsuit cases that were decided on economic grounds from 2020 to 2022. However, not all potential interviewees were approached, as finding suitable and willing research subjects proved challenging. The challenge in locating subjects for this study stemmed from various factors, including the likelihood of individuals remarrying after divorce and changing their addresses due to work or marriage outside the Kediri City area. Furthermore, intensive interviews and observations were conducted from October to November 2022.

The data collection techniques employed in this study included interviews and documentation. Interviews are utilized to explore the wives' and husbands' experiences and meanings regarding the divorce lawsuits they have undergone. Documentation is employed to extract written data, encompassing annual report data on divorce cases

from the Kediri City Religious Court. It also uncovers secondary data, such as articles, reports, or news from mass media sources.

Regarding the selection of research subjects, the researcher employed *purposeful sampling*. This method involved the researcher conducting interviews with subjects based on specific criteria to gather data that could form a pattern aligned with the perspective of the developed theory. Therefore, the researcher did not adhere to a predetermined number of research subjects for interviews. Instead, the focus was on exploring as much information as possible and identifying patterns in the data.

The analytical method in this study comprises three stages: (1) phenomenological reduction, (2) imaginative variation, and (3) synthesis between textural description and structural description. These three stages of analysis must be carried out because of the various understandings; a phenomenological reduction must be carried out that is adjusted to the theme so that one horizon or meaning can be obtained, or what is referred to as a universal textural description. Subsequently, distinct meanings and experiences identified in the textural description are utilized to generate a list of structural qualities (imaginative variations) for each experience recounted by the research subjects. Moreover, the researcher incorporated each distinct meaning and experience into the research themes, creating a structural portrayal of each research subject. The synthesis between textural description and structural description represents the final stage, aimed at amalgamating the two to create a synthesis that combines the meaning and essence of a phenomenon or experience. (Moustakas, 1994)

C. Results and Discussion

As per Article 49 of Law Number 3 of 2006, amending Law Number 7 of 1989 concerning Religious Courts, it is stipulated: *"The Religious Court has the duty and authority to examine, decide, and resolve cases at the first level between Muslim people in the fields of (a) marriage; (b) inheritance; (c) wills; (d) grants; (e) endowments; (f) zakat; (g) infaq; (h) shadaqah; and (i) shari 'ah economy."*

Divorce comprises both the Lawsuit Divorce and the Divorce of Talaq, falling under the category of marriage cases. Kediri City Religious Court, located at Jalan Dr. Saharjo Number 20, Kediri City, is one of the entities responsible for exercising judicial power within the framework of the Supreme Court under the Religious Courts Agency. It is a court at the first level, and its jurisdiction encompasses three sub-districts: Kota Sub-district, Mojoroto Sub-district, and Pesantren Sub-district.

The predominant type of case presented and adjudicated in the Kediri Religious Court is divorce, specifically Lawsuit Divorce. Economic factors cause the majority of divorces.

Table 1: Recapitulation of Case Data Received, Case Decided, Divorce and Factors Causing Economic Divorce Kediri Religious Court

Year	Description	Total
2019	Total Cases Received	952
	Number of Decided Matters	959
	Divorce Talaq	183
	Divorce Lawsuit	525
	Factors Causing Economic Divorce	393
2020	Total Cases Received	871

Year	Description	Total
	Number of Decided Matters	935
	Divorce Talaq	159
	Divorce Lawsuit	545
	Factors Causing Economic Divorce	375
2021	Total Cases Received	775
	Number of Decided Matters	776
	Divorce Talaq	156
	Divorce Lawsuit	428
	Factors Causing Economic Divorce	286

Data Source: 2019, 2020, and 2021 Annual Reports of the Kediri City Religious Court

It can be asserted that almost all divorce cases entering the Kediri City Religious Court ultimately result in divorce despite having undergone a prior mediation process. Based on PERMA Number 1 of 2016, every case is required to undergo mediation. Otherwise, the verdict will be deemed null and void. (Rachmatulloh, 2021; Rachmatulloh & Rahmawati, 2023) However, due to the nature of divorce cases involving matters of the heart or *emotions* and often being highly subjective, nearly all attempts at divorce mediation are unsuccessful. This aligns with one of the principles of Collins' conflict theory, which posits that humans are inclined towards emotional attachments in their pursuit of satisfaction. Furthermore, in line with Coser's perspective, even though intimate conflicts (between husband and wife) may initially be restrained, they will eventually become unbearable. This can lead to a potentially severe emotional explosion, namely, the dissolution of the relationship through divorce.

Based on the textural and structural descriptions derived from data processing, it is evident that both wives and husbands have transitioned to a contextual understanding of the division of household roles, with only a few who have yet to make this shift. This is evident from the descriptions of various cases, except for case number 618/Pdt.G/2020/PA.Kdr demonstrates that the wife and husband can accept each other when the wife is involved in work, and the husband's income is less. However, in the end, this economic problem has become the main argument in every quarrel, leading to divorce in front of a panel of judges. On the one hand, they demonstrate the ability to endure economic stress, but on the other hand, why do these economic challenges ultimately culminate in divorce? To discern the motive or significance behind filing for divorce based on economic reasons, the researcher initially establishes the structural meaning, which is subsequently complemented by determining imaginative variations to extract the structural meaning. Furthermore, it combines textural and structural meanings to obtain conclusions about the motives of divorce lawsuits, which are said to be dominated by economic problems.

In summary, based on the description of divorce lawsuits for economic reasons in the jurisdiction of the Kediri Religious Court, the textural meaning can be concluded as follows: (1) The wife perceives that the husband lacks a sense of responsibility towards her; (2) The wife becomes a victim of domestic violence from the husband; and (3) Infidelity of the husband involving third parties.

The husband's economic capacity is minimal and even insufficient. From this point, the wife does not remain passive; she also works to earn money while managing her

domestic responsibilities. Thus, the wife has shouldered the double burden, exemplifying a manifestation of gender injustice. Not only does the wife fail to receive recognition for her efforts to work and contribute financially, but she also endures physical and verbal domestic violence (Na'mah et al., 2022), further exemplifying a form of gender injustice.

From a gender perspective, biological conditions will remain the same throughout time, namely the existence of men and women. When social culture recognizes a hierarchical division of labor between men and women, cultural factors are transformed together with biological factors into political, economic, social, and cultural problems, leading to the subordination of women by men in the public or domestic sectors. (Arianti & Fahrizal, 2022)

Based on the interview results, it is evident that the wife is not particularly concerned about the husband's lack of financial support. The wife is willing to work and endure a double burden. However, she is unwilling to tolerate the husband's neglect and complete lack of appreciation, manifested through harsh words and physical and verbal domestic violence. Furthermore, the husband not only neglected the wife's financial needs but also engaged in deceit and ignored her emotional and psychological needs. This can be observed in the case of decision No. 677/Pdt.G/2020/PA.Kdr, it is stated, "The obligation of providing livelihood is contextual, but the primary responsibility still lies with the husband, while the wife merely assists. Therefore, if the wife works, she should receive more value and appreciation from the husband, rather than facing happiness with an unfulfilled livelihood and experiencing violence." In addition, it can also be observed that the case in decision No. 679/Pdt.G/2020/PA.Kdr, it is mentioned, "Husband and wife work together; the husband is a farmer, while the wife is a lecturer at the health campus." The divorce, in this case, is attributed to economic issues, where the husband's ability to provide for his wife is suboptimal and, crucially, infidelity on the part of the husband. Another case example can be observed in case decision No. 286/Pdt.G/2022/PA.Kdr, the reason for filing a divorce lawsuit is outlined as follows: "The grounds for divorce include disputes and quarrels initiated by the Defendant, who is the head of an irresponsible family due to his refusal to work. The Defendant did not appreciate or value the Plaintiff as his wife, frequently uttered the word divorce (talaq), used harsh language, engaged in physical violence, and harbored feelings for another woman."

Based on the brief review, the wife's primary emotional need to feel loved by her partner is not fulfilled. Both partners in this relationship feel a lack of connection and mutual willingness to make sacrifices for each other. In this situation, the wife may become disheartened by her efforts to contribute financially to the family, as there is a sense of insincerity and lack of reciprocity in the relationship (Hosseini, 2005). Additionally, without realizing it, spouses often have different primary emotional love languages, and resentment may (Hosseini, 2005) erode the love that once existed. The gaze of the eyes alone can be crushing, so intimate partners can be considered enemies, which then turns the marriage into a battlefield. (Hosseini, 2005) In such situations, each partner can become highly sensitive and prone to exaggerating minor issues, leading to conflicts and arguments. In the end, the emotional reservoir of love is gradually depleted until it eventually dries up, posing a threat to the continuity of the marital relationship and ultimately leading to divorce. Therefore, the justification for divorce based on the

husband's inability to provide sufficient livelihood can be viewed as the wife's response to the void in her primary love language, a gap she had hoped her husband would fill.

The husband's infidelity, starting with transparency, was interpreted by the wife as a confirmation of the husband's lack of love for her, leading to the sudden depletion of the wife's emotional well-being. In response, the wife felt compelled to demand nafkah from her husband, even though she could provide for herself, to resist her disappointment in the unfulfilled emotional love tank. Instead of realizing the unfaithfulness of the husband, domestic problems increase and become increasingly tangled, which leads to divorce.

Case Decision No. 218/Pdt.G/2020/PA.Kdr: "When the husband's income is mediocre and only has odd jobs, while the wife works and has her income, the wife is willing to help the family's economic needs. Likewise, the husband is willing if the wife participates in working to help the family economy. However, the condition is that the husband needs to appreciate who the backbone of the family economy is. From this, the opportunity for indulgence in egalitarian ideology exists. However, often, the husband cannot fulfill the wife's primary love language, which ultimately causes the wife to withdraw from the indulgence. At first glance, this condition implies that the fulfillment of the partner's primary love language by the partner is compensation for the indulgence of the practice of transitional ideology in egalitarian ideology. This means that filling the emotional tank of a partner's love can contextualize the exchange and division of roles. This is because, from the beginning of birth and human growth, the brain has been filled with patterns of relationships between men and women based on traditional ideologies or patriarchy, so it is tough to erase something that first appeared and is often considered standard.

De jure, traditional ideology is still firmly stated as the ideology that is believed. In this context, the phenomenon of husband-wife relationships, which has gradually accepted modern life patterns, is not accompanied by corresponding changes in the underlying beliefs between husbands and wives. It should be modern relationship patterns or lead to modern, purely egalitarian ideology. If this is not the case, then the dual roles and burdens will often lead to tension and even rifts in the husband-wife relationship. Thus, this is where the connection between ideology and social change is referred to. Furthermore, for the success of the husband and wife relationship pattern in marriage in the modern era, transitioning from the entrapment of transitional ideology to embracing an egalitarian ideology can facilitate the realization of a tranquil, affectionate, and merciful (*sakinah, mawaddah, and rahmah*) family. There is a need for awareness of the needs and fulfillment of each partner's primary love language.

As explained by Ziba Mir Hosseini, modern society often stops at Neo-Traditional discourse in understanding issues related to husband and wife relations. (Hosseini, 2005) Although initially wanting to realize a truly modern life or move away from traditional ideology to egalitarian ideology, it turns out that it is stuck in a transitional ideology where, in practice, husband and wife relations are modern, but the belief is still firm in holding on to the standardization of gender roles. As a consequence, a perilous dual role often emerges. This dual role can become a double burden when not accompanied by the assurance of meeting the emotional needs, the primary love language, of couples juggling multiple roles. Why is that? Because the position of guaranteeing the fulfillment of the emotional tank of the central love of each partner can be a substitute for the incomplete process of internalizing egalitarian ideology. To maintain and strengthen

healthy domestic relations, *mawaddah* and *rahmah* in the context of modern life, such as both husbands and wives working together to make money or exchanging roles between the two, do not lead to double burdens and demands for their respective rights, which can ultimately lead to conflict and divorce. The fulfillment of the main emotional tank of love for each partner in the form of reciprocity in caring can avoid the meaning of multiple roles or role exchange as a disappointing and burdensome burden. Furthermore, this approach helps prevent resistant behaviors, which, if sustained, can deplete the primary emotional love tank and potentially lead to conflicts and divorces.

As explained in the interview about the divorce case in Case Decision No. 218/Pdt.G/2020/PA.Kdr: *"When the husband's income is mediocre and only has odd jobs, while the wife works and has her income, the wife is willing to help the family's economic needs. Likewise, the husband is willing if the wife participates in working to help the family economy. However, the condition that occurs is that the husband needs to appreciate who the backbone of the family economy is."*

Based on the interview excerpt, it is evident that the husband and wife have reached a mutual agreement regarding the division of roles within their relationship. Nevertheless, suppose the husband needs to express gratitude or acknowledge the wife's contributions to supporting the family, and he seldom returns home. In that case, the wife is reverting to a traditional ideology that prioritizes the husband as the primary breadwinner in the family. The phrases "husband rarely comes home" and "does not care" encapsulate the unmet need for love that the wife anticipates and finds lacking in her relationship. If the husband can recognize and meet the primary love requirement of his wife, which is "words or actions of affirmation," then the wife may not complain about her role as the breadwinner or the backbone of the family's livelihood, as it is neither expected nor her sole responsibility. In addition, the wife who says that the backbone of the family should be her husband and not herself is also implied as a form of the wife's resistance to the husband's indifference to her, who is willing to act as the backbone of the family. Ultimately, the wife finds herself caught in a transitional ideological situation.

Another example can be observed in a divorce case, specifically in the decision documented as Case Decision No. 629/Pdt.G/2020/PA.Kdr as follows: *"When the husband's income is mediocre, the wife works only as a help, not as an obligation. Consequently, despite the wife's employment, she maintains the expectation of nafkah from her husband. The husband is open to the idea of the wife working. However, he chooses not to inquire into whether the wife ends up shouldering the primary responsibility as the family's economic backbone. The unequivocal responsibility for providing sustenance becomes the obligation of the husband. The husband is content when the wife engages in work but prefers not to be concerned with other aspects."*

Based on the description above, the wife does not mind if she eventually becomes the backbone of the family as long as the husband affirms his love for his wife. Contrastingly, the husband is deeply involved in modifying his motorbike and spending time with friends, seemingly oblivious to the wife's challenges in juggling her dual roles. Moreover, this situation prompts the wife to raise the issue, asserting that it is not inherently her duty to serve as the primary support for the family's economy; instead, it is an unequivocal responsibility of the husband. Indeed, achieving a purely egalitarian ideology seems challenging in this context. However, a viable solution could involve exchanging or dividing roles based on mutual agreement, provided each partner fulfills

their primary love's emotional needs. In this scenario, meeting the primary emotional expectation involves consistently offering words of affirmation and acts of service. For instance, if the wife assumes the role of the breadwinner, the partner should reciprocate by taking on other unattended household responsibilities such as picking up children and cleaning the house. This analogy is quite understandable, as the household can be likened to a small ship that relies on the joint efforts of both the husband and wife, navigating through their responsibilities in a spirit of cooperation. Domestic life is not the exclusive domain or responsibility of one partner alone. Essentially, the household is a shared concern, embodying the principle of mu'asharah *bi al-ma'ruf*, or cooperation and understanding.

The divorce case was contested in Case Decision No. 635/Pdt.G/2020/PA.Kdr brought researchers to the results of the interview as follows: *"...husbands do not work and often get angry to do domestic violence.... wives are willing to be the backbone of the family, but husbands do not want to try to find work and just stay at home. The wife plays a double role: she works to make a living for the family and continues carrying out household affairs, while the husband does not care. "*

In line with the interview results above, the following is the case of a divorce lawsuit in Decision No. 677/Pdt.G/2020/PA.Kdr, it is stated, *"The obligation of providing livelihood is contextual, but the primary responsibility still lies with the husband, while the wife merely assists. Therefore, if the wife works, she should receive more value and appreciation from the husband, rather than facing happiness with an unfulfilled livelihood and experiencing violence."*

Still, in line with the interview results above, the divorce case was contested in Case Decision No. 679/Pdt.G/2020/PA.Kdr follows: *"When the husband's income is mediocre, and the wife works and earns, the husband is willing, and the wife is also willing to be the backbone of the family, as long as the husband keeps trying and does not commit infidelity. The wife still demands a living from her husband as much as possible because living is the husband's obligation. "*

Similarly, in the case of a divorce lawsuit, Case Decision No. 286/Pdt.G/2022/PA, Kdr follows: *"The reason for divorce is because of lack of livelihood.....and the most important thing is because the husband cheated..... As the husband is currently unemployed, the wife has taken on the role of the family's economic backbone. In connection with this, the husband appears indifferent or unconcerned about the situation. The husband is content with the wife working, and the wife is pleased to assist the husband. However, a concern arises when the husband ceases to work shortly after the wife begins working."*

From the four instances depicting the sentiments of the wives in the given description, it can be affirmed that the wife is willing to take on the role of the family's economic backbone, provided the husband demonstrates care. He reciprocates in expressing love in the very language of love that the wife deeply desires as her source of strength. Indeed, the concept of an egalitarian ideology aims to foster a husband and wife relationship grounded in reciprocity, mutual concern, and the fulfillment of each partner's emotional needs. In other words, the shift of a husband and wife toward a transitional ideology in this modern era can be attributed to the absence of reciprocity, mutual concern, and the fulfillment of each other's emotional needs. Despite the contemporary practice of not strictly adhering to traditional gender roles, husbands and wives may find themselves inadvertently constrained by such standards. This could

manifest resistance to the perceived lack of mutual respect, concern for each other, and the fulfillment of emotional needs within the relationship.

D. Conclusion

The phenomenon of husband-wife relationships, wherein the wife ventures into the public sphere to work and contribute to the family's income, does not necessarily entail a corresponding shift in the fundamental beliefs about the relationship between husbands and wives. Ideally, modern relationship patterns should lead to a purely egalitarian ideology. If this ideal is not realized, the dual roles and associated burdens can often result in tension and, in some cases, strain or rift in the husband-wife relationship. This is where the intended relationship between ideology and social change becomes significant. Moreover, for the success of the husband and wife relationship pattern in modern marriage, shifting from the constraints of transitional ideology to embracing an egalitarian ideology can pave the way for achieving a peaceful, affectionate, and compassionate (*sakinah, mawaddah, and rahmah*) family. This requires awareness of the needs and the fulfillment of the primary love language for each partner.

It is undeniable that in divorce lawsuit cases based on economic reasons within the jurisdiction of the Kediri Religious Court, wives interpret the obligation to provide *nafkah* as a specific responsibility of the husband. Nevertheless, in urgent situations, wives are prepared to engage in the public domain, even as the family's primary breadwinner, working to generate income. The economic reasons behind the wife's decision to file for divorce stem solely from her disappointment with her husband. In these circumstances, the wife not only lacks acknowledgment from the husband for her efforts in working and assuming the roles of the breadwinner and economic backbone of the family but also faces internal and physical torment. This torment manifests in the form of domestic violence, both verbal and physical, instances of infidelity, and the neglect of the wife's rights, particularly concerning her emotional well-being. Therefore, the transition of the husband and wife in the division of household roles from a transitional to an egalitarian ideology necessitates careful consideration and mutual respect.

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