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The Concept of Nusyuz in Kifāyat al-Akhyār and the Experiences of Higher-Earning Wives in Pekanbaru

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Abstrak

Penelitian ini mengkaji konsep nusyuz dalam Kifāyat al-Akhyār dan hubungannya dengan pengalaman istri yang berpenghasilan lebih tinggi daripada suami di Pekanbaru. Dengan pendekatan fikih normatif dan fenomenologi, survei eksploratif melibatkan 24 responden; delapan responden melaporkan penghasilan lebih tinggi dan tiga di antaranya diwawancarai. Analisis menunjukkan bahwa perbedaan penghasilan tidak dapat langsung dipersamakan dengan perilaku nusyuz, yang memerlukan pengujian unsur dan pembuktian tersendiri. Keterbatasan penelitian mencakup jumlah wawancara yang kecil, sumber informasi dari pihak istri, dan perlunya verifikasi teks fikih primer berdasarkan edisi yang digunakan penulis.

Kata Kunci: nusyuz; Kifāyat al-Akhyār; istri berpenghasilan lebih tinggi; mubadalah; maqāṣid al-sharī'ah.

Abstract

The growing number of wives who earn more than their husbands raises a legal question: can economic dominance be classified as nusyuz (marital disobedience)? This study analyzes the concept of nusyuz in the Shafi'i work Kifayatul Akhyar and its relevance to higher-earning wives in Pekanbaru. It is qualitative research that combines a normative-textual reading of Kifayatul Akhyar with social phenomenology. Field data were collected through an online questionnaire completed by 24 respondents and in-depth interviews with three wives who earn more than their husbands, and were analyzed using Shafi'i jurisprudence, Mubadalah theory, and maqāṣid al-sharī'ah. The findings show that in Kifayatul Akhyar nusyuz centers on a wife's refusal of her husband's rights in matters that are ma'ruf, not on income differences. No indicator of nusyuz was found among the three informants. Their conflicts stemmed from weak communication, the husband's psychological strain, and social constructions of family leadership, and family support and deliberation helped to contain them. The study implies that nusyuz should be read contextually and reciprocally, and that any allegation must satisfy the valid-evidence requirement of Article 84 (4) of the Compilation of Islamic Law.

Keywords: *nusyuz; Kifayatul Akhyar; higher-earning wives; Mubadalah; maqāṣid al-sharī'ah.*

Introduction

Changes in social and economic structures have encouraged more and more women to become the main contributors to household income, so that the single maintenance pattern assumed in classical fiqh has shifted towards a double

maintenance pattern.[1] One consequence is the increasing number of wives who earn higher than their husbands.[2] In fact, the fulfillment of basic family needs is still placed as the responsibility of the husband.[3] A YouGov survey in 2015 noted that around 60% of Asian women who are wives or mothers are also working, with the highest proportion in China (75%) and Indonesia at around 51%. This participation is triggered by the increasingly complex economic needs of the family as well as the encouragement of women's self-actualization.[4]

Similar symptoms are seen in Riau Province. According to data from the National Labor Force Survey, the Riau Women's Labor Force Participation Rate (TPAK) in August 2025 reached 47.68%, an increase of 0.63 points compared to August 2024 and 3.41 points compared to August 2023, while the men's TPAK was 84.68% (Table 1).[5] The data is provincial-scale and does not detail the comparison of husband-wife income, so it is only used as a macro context: the participation gap is still wide, but the direction is narrowing.

Table 1. Labor Force Participation Rate (TPAK) by Gender in Riau Province, August 2023–August 2025 (%)

Groups	Aug 2023	Aug 2024	Aug 2025	2023–2024 changes (points)	2024–2025 changes (points)
Male	83,77	84,80	84,68	1,03	−0.12
Women	44,27	47,05	47,68	2,78	0,63
Total	64,45	66,33	66,55	1,88	0,22

Source: BPS Riau Province, National Labor Force Survey August 2025

In a positive legal framework, the Marriage Law stipulates the rights and position of the wife in balance with the husband in domestic life, while at the same time placing the husband as the head of the family who is obliged to protect the wife and meet the needs of domestic life according to his ability.[6] The Compilation of Islamic Law (KHI) emphasizes that alimony, kiswah, and place of residence are borne by the husband according to his income, but the obligation is lost if the wife is nusyuz.[7] Because the result of *the nusyuz law* touches on the right to alimony, the

[1] Khozinatul Asrori, "The Transformation of Qiwamah in the Context of Modern Family Economics (When Wife Becomes the Backbone of the Family)," *Familia: Journal of Family Law* 5 (2024): 153–78.

[2] Cintami Farmawati and Ushuluddin Faculty, "RESOLUTION OF FAMILY CONFLICTS IN WIVES WHO HAVE HIGHER INCOME THAN HUSBANDS," *Motiva: Journal of Psychologists* 3, no. 1 (2020): 66–77.

[3] Arif Rahman Hazarul Aswat, "The Husband's Obligation to Provide for Sustenance in the Compilation of Islamic Law," *Al-Iqtishod Journal* 5, no. 1 (2021): 16–27, http://ejournal.kopertais4.or.id/tapalkuda/index.php/IQTISHOD/.

[4] YouGov, "Working Mothers vs Housewives in Asia," Working Mothers vs Housewives in Asia., accessed at https://id.yougov.com/id/news/2015/08/%0A31/ibu-pekerja-vs-ibu-rumah-tangga-diasia/ on November 6, 2020.

[5] Riau Provincial Central Statistics Agency, "Labor Force Participation Rate by Gender, 2024," January 7, 2026, https://riau.bps.go.id/id/statistics-table/2/NDAxIzI=/tingkat-partisipasi-angkatan-kerja-menurut-jenis-kelamin.html.

[6] Republic of Indonesia, "Law Number 1 of 1974 concerning Marriage" (1974).

[7] "Compilation of Islamic Law" (1991).

question of whether a wife with a higher income can be considered *nusyuz* is not just a moral issue, but a family law issue.

In classical jurisprudence, *nusyuz* is understood as the wife's exit from obedience to her husband in matters that are justified by the Shari'ah. Taqiyuddin Abu Bakr al-Hishni ad-Dimashqi in Kifayatul Akhyar, an important reference of the Shafi'i madhhab, discusses it together with the rights and obligations of husband and wife and mentions the staged stages of disclosure.[8] The formulation was born in Damascus in the late Middle Ages, when the maintenance of the household practically rested on the husband; applying it to contemporary households requires a rereading so as not to justify an unequal relationship. At the social level, the labeling *of nusyuz* also tends to be attached unilaterally to the wife. Hanapi and Wahyuni found that the people of Southeast Aceh interpreted *nusyuz* mainly as the disobedience of the wife, while the husband's *nusyuz* was rarely realized,[9] and Ayu pointed out that *nusyuz* in Temanggung was often rooted in socio-economic pressure and poor communication, not in the rejection of religious obligations.[10]

The most recent studies on *nusyuz* are normative-conceptual. Miswanto points out that KHI only formulates the wife's *nusyuz* (Article 84) and proposes the addition of the husband's *nusyuz* with the theory of Mubadalah;[11] Jayusman et al. read *nusyuz* as an imbalance in the relationship that can be done by both parties;[12] Mukharrom shows that the wrong interpretation of *nusyuz* can be a justification for violence against the wife, thus clashing with the Law on the Elimination of Domestic Violence;[13] while Izzati et al. and Muslim et al. affirm the two-way nature of *nusyuz* from the perspective of hadith and gender.[14] The 2026 study steps towards a reconstruction based on relational justice and emphasizes that *nusyuz claims* that are not supported by objective evidence are contrary to the principle of equality before the law.[15] Reading of the classic book is still limited: Ihyak reads *Fathul Qarib*

[8] Al-Imam Taqiyyuddin Abi Bakr Ibn Muhammad Al-Husaini, *Kifayah Al-Akhyar Fi Halli Gayah Al-Ikhtisar*, *Dar Kitab Al-Ilmiyyah*, 2001.

[9] Agustin Hanapi and Yenny Sri Wahyuni, "People's Views on Nusyuz and Its Implications on Husband-Wife Relations," *International Journal of Child and Gender Studies* 7, no. 1 (2017): 91–103.

[10] Sekar Ayu, "The Problem of Nusyuz Wife Against Husband: A Case Study of Married Couples in Pringsurat Village, Temanggung, Central Java," *JFS: Journal of Family and Sharia* 1, no. 1 (2025): 13–21.

[11] Miswanto, "Criticism of the Concept of Nusyuz in the Compilation of Islamic Law (Mubadalah's Theoretical Perspective)," *Judiciary* 11, no. 2 (2024): 209–19.

[12] Jayusman et al., "Mubadalah's Perspective on Nusyuz in Islamic Law and Positive Law in Indonesia," *RI-PFH: Raden Intan: Proceedings on Family and Humanity* 1, no. 1 (2024): 56–70.

[13] Miftakhul Mukharrom, "Nusyuz Analysis in the Perspective of the Compilation of Islamic Law (KHI) and its Relevance to Law No. 23 of 2004 concerning the Elimination of Domestic Violence," *El 'Aailah: Journal of Family Law Studies* 2, no. 2 (2023): 1–14.

[14] Nida Rafiqa Izzati et al., "Nusyuz in the Perspective of Hadith: An Analysis of Laws, Wisdom, and Its Relevance in the Modern Era," *Al-Hasyimi: Journal of Hadith Science* 1, no. 2 (2024): 36–48.

[15] Inda Brilliant and Fina Mawahib, "Nusyuz Reconstruction Based on Relational Justice in Islamic Family Law from a Mublà Perspective," *Syakhshiyyah: Journal of Islamic Family Law* 6, no. 1 (2026).

with Mubadalah and finds that the book only discusses the *wife*'s nusyuz[16], while Sarwani and Putri work on the *husband*'s nusyuz.[17]

The study of higher-income wives is mostly born from family psychology and sociology. Farmawati reported a decline in the husband's self-esteem and the emergence of a wife's superior attitude when the difference in income is interpreted as a hierarchy of power;[18] Hasanah et al. found that a wife's high income can increase the risk of divorce in the Bengkalis Religious Court through economic, social, and psychological factors;[19] Nuraeni examined the disparity in salary and family harmony;[20] Syukur et al. found that six wives of higher-income traders generally still respected their husbands as the head of the family;[21] and Cahyati and Irwansyah concluded that the dual role of wives does not automatically include nusyuz.[22] In Pekanbaru, economic factors were once recorded as the dominant cause of divorce lawsuits with a portion of 38.9% according to a study of the local Religious Court.[23]

Based on the literature that has been successfully traced, there has been no study that tests the definition and indicators of *nusyuz* in *Kifayatul Akhyar* on the experience of higher-income wives, and no one has linked it to the standard of proof of *nusyuz* in Indonesian family law. This article fills this gap with three steps: (1) unraveling the *nusyuz* element in *Kifayatul Akhyar* and separating the textual from the interpretual; (2) examining the element on the experience of three higher-income wives in Pekanbaru; and (3) linking the findings in Article 84 paragraph (4) of the KHI. The formulation of the problem is: how are the concepts and indicators of *nusyuz* in *Kifayatul Akhyar*; whether the experience of higher-income wives in Pekanbaru meets these indicators; and how conflicts are resolved and what are the implications for the assessment of *nusyuz* in Islamic family law in Indonesia. Theoretically, this article offers a *nusyuz reading* that distinguishes obedience from economic standing; practically, it provides a handle for marriage counseling and judges in assessing nusyuz postulates.

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[16] Ihyak, "Konsep Nusyuz dalam Kitab Fathul Qarib Perspektif Mubadalah," *Journal of Innovation Research and Knowledge* 2, no. 3 (2022): 867–878, https://doi.org/10.53625/jirk.v2i3.3291.

[17] Novita Sarwani, "Reconstruction of the Nusyuz Concept of Husband Nusyuz in Mubadalah Perspective," *Jurnal El-Hadhanah: Indonesian Journal of Family Law and Islamic Law* 3, no. 2 (2023): 250–65.

[18] Farmawati and Ushuluddin, "RESOLUTION OF FAMILY CONFLICTS IN WIVES WHO HAVE HIGHER INCOMES THAN HUSBANDS."

[19] Maghfirah. Alfi Hasanah, Aslati, "THE ROLE OF HIGH INCOME OF WIVES IN INCREASING THE RISK OF DIVORCE (Case Study at the Bengkalis Religious Court)," *Journal of Islamic Law and Law* 12, no. 2 (2025): 525–35.

[20] Desi Nuraeni, "Salary Disparity Between Husbands and Wives as Career Women and Its Implications for Family Harmony," *Sakina: Journal of Family Studies* 6, no. 1 (2022).

[21] Iskandar Syukur, Abdul Qodir Zaelani, and Fajri Ardiansyah, "Income Inequality in Households and Its Implications for Sakinah Family Development: An Empirical Study in Banjar Agung District," *Rewang Rencang: The Lex Generalis Law Journal* 6, no. 6 (2025).

[22] Dewi Cahyati and Shindu Irwansyah, "The Dual Role of Wives and Their Influence on Nusyuz," *Islamic Family Law Research Journal*, 2022, 111–14.

[23] Abdul Thalib and Meilan Lestari, "The High Rate of Divorce Lawsuits at the Pekanbaru Religious Court," *Islamic Law* 17, no. 1 (2017): 30–51.

Research Method

This research is a qualitative research with two layers of study. The first layer is normative-textual, namely examining the fiqh text of Shafi'i in *Kifayatul Akhyar* to find the basis, indicators, and consequences of nusyuz law. The second layer is empirical with a social phenomenological approach, which was chosen because of its purpose to understand the meaning given by higher-income wives to household relations, economic responsibility, and obedience.[24] The three households are studied in depth as *multiple cases* so that their patterns and differences can be compared.[25]

The research was conducted in Pekanbaru City, Riau Province, and field data was collected in January 2026. Primary data sources consisted of (1) *Kifayatul Akhyar* (Arabic edition and Indonesian translation),[26] (2) QS. an-Nisā' [4]: 34 and 128 as well as hadith that became the basis for the discussion of nusyuz, and (3) field data in the form of online questionnaires (Google Form) and interviews. Secondary sources include KHI, Law Number 1 of 1974, Law Number 23 of 2004, and relevant scientific literature.

The online questionnaire was filled out by 24 respondents with various educational backgrounds, occupations, and income levels. From these responses, eight respondents were identified as wives with higher incomes than husbands. Three of them were selected purposively (*purposive sampling*) as interview informants with the criteria of (1) wives earning higher than husbands, (2) long marriage ages so that relationship dynamics can be traced across time, and (3) willing to be interviewed. All three were chosen because their answers represented a variety of answers from the group of eight wives. The semi-structured in-depth interviews explored household economic experiences, roles divisions, forms of conflicts, and how they were resolved. The identities of the informants were disguised with initials and participation was based on verbal consent.

The operational definition is established from the beginning so that the findings can be checked. *A higher-income wife* is a wife who, according to the respondent or informant, earns a monthly income that exceeds her husband. *Nusyuz* is used in the meaning of *Kifayatul Akhyar*, which is disobedience to the rights of the spouse in a ma'ruf case without shari'i uzur, not just disagreement or differences of opinion. *Relational conflict* is used for quarrels, complaints, or tensions that do not meet the nusyuz indicators. This distinction between the three terms is important because this article tests whether the latter two things can automatically be drawn to the former.

Data analysis follows three phenomenological-hermeneutic stages: (1) phenomenological reduction, which is identifying the core meaning of experiences related to *nusyuz* and economic relations; (2) description of meaning, which is describing the meaning in the framework of classical jurisprudence; and (3)

[24] Alfred Schutz, *The Phenomenology of the Social World* (Evanston, IL: Northwestern University Press, 1967). John W. Creswell and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing Among Five Approaches*, 4th ed. (Thousand Oaks, CA: SAGE, 2018).

[25] Robert K Yin, *Case Study Research and Applications: Design and Methods*, 6th ed. (Thousand Oaks, CA: SAGE, 2018).

[26] Taqī al-Dīn Abū Bakr al-Ḥiṣnī, *Kifayah Al-Akhyar Fi Halli Ghayah Al-Ikhtisar* (Beirut: Dar al-Kutub al-Ilmiyyah, 2001).

hermeneutic interpretation with the theory of Mublah and *maqāṣid al-syarī'ah*. From *the text of Kifayatul Akhyar*, a *matrix of nusyuz indicators* (Table 2) was formulated which was then used to examine each case. His analytical framework rests on three foundations: Alfred Schutz's social phenomenology to understand the subjective meaning of wives;[27] the fiqh of Shafi'i in *Kifayatul Akhyar* as a normative benchmark; and the theory of Mublah Faqihuddin Abdul Kodir which reads the rights and obligations of husband and wife reciprocated,[28] strengthened by the approach of *the maqāṣid al-syarī'ah* system (protection of soul, offspring, and honor).[29]

The validity of the data was sought through triangulation of techniques (texts, questionnaires, and interviews) and triangulation of sources (fiqh texts, contemporary literature, and informant statements). This study has limitations: the number of informants is small so the findings are not intended to be generalized statistically, and information about the husband comes mainly from the wife's narration.

Results and Discussion

Nusyuz Concepts and Indicators in Kifayatul Akhyar

Linguistically, *nusyuz* comes from the root of the word نَشَزَ – يَنْشُزُ – نُشُوزًا which means to rise, rise, or oppose.[30] In *Kifayatul Akhyar*, *nusyuz* is understood as the wife's disobedience to her husband in matters that are ma'ruf, namely things that are justified by the sharia.[31] This limitation *of ma'ruf* is important: the obedience demanded is not absolute submission to the husband's will, but the fulfillment of the rights of the household that have been sharia. The basis of the Qur'ani is QS. an-Nisā' [4]: 34 regarding *the wife's nusyuz* and QS. an-Nisā' [4]: 128 regarding the husband's *nusyuz*. The discussion of *Kifayatul Akhyar* focuses on the former, and this is what contemporary studies have criticized as a one-sided reading.[32]

The disclosure *of nusyuz* is in stages: advice, separation of the beds, then a blow that does not hurt as a last resort.[33] The legal consequences mainly concern alimony, which falls during the *nusyuz's wife* and returns to force after *the nusyuz* ceases. This pattern echoes in the KHI: the husband's maintenance is lost when the wife *is nusyuz* (Article 80 paragraph 7), the wife is considered *nusyuz* if there is no valid reason for not carrying out her obligations (Article 84 paragraph 1), the husband's obligation reapplies after *the nusyuz* ends (Article 84 paragraph 3), and the existence or not of *nusyuz* must be based on valid evidence (Article 84 paragraph 4).[34] The stages of the blow cannot be read regardless of the prohibition of physical

[27] Schutz, *The Phenomenology of the Social World*.
[28] Faqihuddin Abdul Kodir, *Qira'ah Mubadalah: A Progressive Interpretation For Gender Justice In Islam* (Yogyakarta: IRCiSoD, 2019).
[29] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008).
[30] Muhammad Habib Badawi, "Nusyuz in the Perspective of Ahkam Hadiths," *Al-Mashlahah* 8, no. 1 (2020).
[31] Taqī al-Dīn Abū Bakr al-Ḥiṣnī, *Kifayah Al-Akhyar Fi Halli Ghayah Al-Ikhtisar*.
[32] Ihyak, "Konsep Nusyuz," 867–878.
[33] Taqī al-Dīn Abū Bakr al-Ḥiṣnī, *Kifayah Al-Akhyar Fi Halli Ghayah Al-Ikhtisar*.
[34] A Compilation of Islamic Law, Article 80 paragraph (7), Article 84 paragraph (1)–(4).

violence in positive law,[35] and contemporary studies affirm that *nusyuz* should not be a pretext for violence.[36] The differences between schools mostly concern the scope of actions that are categorized as nusyuz, not in the principle that *nusyuz* is concerned with obedience within the limits of ma'ruf.[37]

The discussion of *nusyuz* cannot be separated from the idea of husband's leadership (*qiwāmah*) which in the tradition of tafsir is associated with the responsibility of maintenance and protection. Asrori examines the transformation of *qiwāmah* when the wife becomes the backbone of the family and shows that the shift in the source of sustenance encourages a rereading of domestic leadership.[38] If leadership is understood as a function of responsibility, not as a position inherent in the income difference, then the fact that the wife has a higher income does not necessarily remove the husband's leadership, and on the contrary does not automatically make the wife a dissident. In Informant 1, for example, the husband still leaves all his income to his wife and tries to maintain his role, while the wife maintains an attitude of respect; both carry out their respective functions without fighting for positions.

From the text, six indicators of *nusyuz* wife and one comparative indicator are formulated that are the center of this study, namely economic status (Table 2). The last column distinguishes the indicators sourced from *the text of Kifayatul Akhyar* from the author's analytical conclusions, so that the reader can judge for himself the boundary between the text and the interpretation.

Table 2. Nusyuz Wife Indicators Based on Kifayatul Akhyar

No.	Dimensions	Operational indicators	Legal categories	Assignment source
1	Residence	Refusing to live in the same house or move to a suitable place of residence without shari'i uzur	Nusyuz; Lost Maintenance	Kifayatul Akhyar *Text*
2	Husband's biological rights	Refusing the invitation to a husband and wife relationship without a rude relationship (illness, menstruation, harm)	*The Real Nusyuz* (*ṣarīḥ*)	Kifayatul Akhyar *Text*
3	Permission to leave the house	Leaving the house without her husband's permission and without urgent needs	Nusyuz	Kifayatul Akhyar *Text*
4	Obedience to the commands of ma'ruf	Against the commands of the husband who is ma'ruf and does not violate the sharia	Nusyuz	Kifayatul Akhyar *Text*

[35] "Law Number 23 of 2004 concerning the Elimination of Domestic Violence" (2004).

[36] Mukharrom, "Nusyuz Analysis in the Perspective of the Compilation of Islamic Law (KHI) and its Relevance to Law No. 23 of 2004 concerning the Elimination of Domestic Violence."

[37] Badawi, "Nusyuz in the Perspective of Ahkam Hadiths."

[38] Asrori, "The Transformation of Qiwamah in the Context of Modern Family Economics (When the Wife Becomes the Backbone of the Family)."

No.	Dimensions	Operational indicators	Legal categories	Assignment source
5	Self-exaltation	Being rude, condescending, or arrogant over one's husband (*taraffa'at 'alā zawjihā*)	Nusyuz; entering the discovery stage	Kifayatul Akhyar *Text*
6	Household associations	Bringing people your husband doesn't like into the house	Nusyuz	Kifayatul Akhyar *Text*
7	Economic status of the wife	Earning higher than the husband	Not nusyuz; only relevant when accompanied by indicators 1–6	Author's analysis

Source: formulated by the author from Kifayatul Akhyar and KHI Articles 80 and 84.

The structure of these indicators indicates something that determines the direction of the analysis: the first six indicators concern concrete rejection of the husband's rights or condescending attitudes, and none of them mention the amount of income. Economic dominance only enters *the territory of nusyuz* through indicator 5, which is when it gives birth to an attitude of self-exaltation. So what is assessed is obedience behavior, not economic position.

Profile of Respondents and Informants

The online questionnaire was answered by twenty-four respondents and was used only as exploratory screening. Eight reported earning more than their husbands; three of these respondents were selected for qualitative interviews. This convenience screening cannot be treated as a representative sample of wives in Pekanbaru.

Table 3. Questionnaire Respondent Description

Education	Wife's work	Wife's monthly income	Husband's income	Quantity
High school or equivalent	Housewives	IDR 2–5 million	Higher than wife	4
High school or equivalent	Housewives	IDR 2–5 million	Equivalent	1
High school or equivalent	Housewives	IDR 6–7 million	Inferior to wife	1
High school or equivalent	Trade	IDR 2–5 million	Higher than wife	3
High school or equivalent	Trade	IDR 2–5 million	Inferior to wife	1
Diploma	Housewives	IDR 2–5 million	Higher than wife	2
Diploma	Retirees	≥ IDR7 million	Inferior to wife	1
S2–S3	Lecturer	IDR 2–7 million	Inferior to wife	5
S1	Teacher	IDR 5–6 million	Equivalent	1

Education	Wife's work	Wife's monthly income	Husband's income	Quantity
S1	Housewives	IDR 5–6 million	Higher than wife	1
S1	Retired teacher	IDR 2–5 million	Equivalent	2
S2 or higher	Teacher	IDR 5–6 million	Higher than wife	2
S2 or higher	Retired civil servants	IDR 2–5 million	Equivalent	1
Total				25

Source: online questionnaire data (Google Form).

In order to read the response pattern more closely, the data in Table 3 are summarized according to income comparison (Table 4). The group of higher-income wives (8 respondents) is dominated by highly educated professionals: five respondents (62.5%) are lecturers with S2–S3 education, while the other three are from high school (two people) and diploma (one person). In the equal income group (5 respondents), three people are retired. This pattern shows that the difference in income that benefits wives in this sample is more related to educational and professional capital than to the wife's attitude towards her husband; this is in line with the reading that this phenomenon is structural. However, it should be noted that none of the interview informants are lecturers, so the experience of the largest group in the questionnaire has not been represented in the interview data.

Table 4. Summary of Respondents According to Husband-Wife Income Comparison

Groups	n	Educational background	Wife's work
Wife earns more	8 (33,3%)	S2–S3: 5; SMA: 2; Diploma: 1	Lecturers: 5; Trading: 1; Housewives: 1; Retirees: 1
Equivalent earnings	5 (20,8%)	S1: 3; S2 or more: 1; High School: 1	Retirees: 3; teachers: 1; housewives: 1
Husband earns more	11 (45,8%)	Diverse (High School to S2 or above)	Housewife, trade, teacher

Source: processed from Table 3.

All three informants were wives with 25–30 years of marriage who earned more than their husbands, with varying ranges of differences (Table 5).

Table 5. Profiles of the Three Interviewed Couples (Pseudonymous Initials)

No.	Initials	Years married	Wife's work	Husband's work	Wife's income	Husband's income
1	M.F–A.E	25 years	Civil servants and clothing store businesses	Junior High School Honorary Teacher	IDR 4.5–7.5 million	±IDR2 million

No.	Initials	Years married	Wife's work	Husband's work	Wife's income	Husband's income
2	W.G–T.N	30 years	Elementary school teachers (PNS) and tutors	Construction workers (post-layoffs)	±IDR 5 million	IDR 0.9–2.08 million
3	E.N–P.A	28 years	Entrepreneurs (photocopying, printing, stationery, restaurants)	Local government employees	IDR 3–7 million	±IDR2.5 million

Source: interview results.

The Experience of Three Higher-Income Wives

Informant 1. M.F and A.E have been married for 25 years and are blessed with three children. The husband, an honorary junior high school teacher with an income of around Rp2,000,000 per month, is considered insufficient to pay for the children's education; the wife is a civil servant with an income of around Rp4,500,000 and owns a clothing store business. Mrs. A.E said that after she earned a higher income, her husband showed a pessimistic attitude and lacked confidence. She maintains communication, openness in financial management, and respect, and emphasizes that her business is solely for family needs, especially children's education. The husband still leaves all his income to his wife and tries to maintain his role as the main breadwinner.

Informant 2. W.G and T.N have been married for 30 years. After being laid off, W.G worked as a construction worker with an irregular income between IDR 900,000 and IDR 2,080,000. T.N, an elementary school teacher with civil servant status, earns around IDR 3,500,000 plus around IDR 1,500,000 from tutoring. According to T.N, this condition had made her husband nervous, stressed, and less confident. She chose not to demand too much and prioritized emotional support and open communication so that her husband still felt valued and prolonged conflicts could be avoided.

Informant 3. E.N and P.A have been married for 28 years and have four children (the first child died at the age of five). E.N works in the local government with an income of around Rp2,500,000. P.A manages the family-owned photocopying, printing, stationery, and seafood restaurant business with an income of Rp3,000,000-Rp7,000,000. P.A admits that his busy business often triggers complaints and quarrels because his time with his family is reduced and childcare is often assisted by domestic assistants. He still maintains a work-family balance and views this condition as a husband-wife cooperation to meet household needs.

Main Themes of the Interview

Thematic analysis of the three interviews yielded five themes (Table 6). The first and fifth themes were the most decisive for the research questions because they showed that the wife's income was interpreted as a contribution to the family's needs and that the husband's position as a breadwinner was not relinquished by the couple.

Table 6. Main Themes and Their Distribution in the Three Informants

Theme	Key evidence	Cases	Meaning of nusyuz
1. Economic motives are collective	The wife's income for children's education (Informant 1), covering the shortfall after the husband was laid off (Informant 2), and the family business being continued (Informant 3)	1, 2, 3	Not a motive for exalting oneself
2. Husband's psychological pressure	pessimistic and lack of confidence (Informant 1); insecure and stressed (Informant 2)	1, 2	Relational impact, not nusyuz behavior
3. Conflict of time and role	Complaints and quarrels due to busy business and parenting assisted by domestic assistants	3	Negotiable relational conflicts
4. Maintain the dignity of the husband	Financial openness and respectful attitude (1); not over-demanding and emotional support (2); maintaining a work- and family balance (3)	1, 2, 3	The opposite of indicator 5
5. The husband's position is maintained	The husband gives up all his income and continues to play the role of breadwinner (1); the husband continues to work even though he is not permanent (2); the husband works in the local government (3)	1, 2, 3	Maintenance obligations are not transferred

Source: the author's analysis of the interview results.

Mapping Findings to Nusyuz Indicators

The matrix in Table 7 examines each case with the indicators in Table 2. The examination relies on the informant's statement; therefore "not reported" means that it does not appear in the interview data, not absolute evidence of the absence of such behavior.

Table 7. Mapping of Field Findings to Nusyuz Indicators

Indicator (Table 2)	Case 1	Case 2	Case 3
1–4. Denial of residence, biological rights, exit permit, or ma'ruf order	Not reported	Not reported	Not reported
5. Exalting or demeaning the husband	Not found; wife maintains respect and financial openness	Not found; wife chooses not to demand and provide emotional support	Not found; there is conflict due to reduced time together
6. Household associations	Not reported	Not reported	Not reported
7. Higher income	There	There	There

Indicator (Table 2)	Case 1	Case 2	Case 3
Symptoms that appear	Husband is pessimistic and lacks confidence	A weak, stressed, and less confident husband	Complaints and quarrels due to wife's busyness
Conclusion	Does not meet nusyuz indicators	Does not meet nusyuz indicators	Does not meet the nusyuz indicators; there is a relational conflict

Source: the author's analysis of the interview results.

The three interviewed wives reported contributing more income than their husbands, but the interviews did not establish the separate behavioural elements necessary for a legal finding of nusyuz. Cahyati and Irwansyah likewise found that a wife's dual role does not constitute nusyuz when household responsibilities are fulfilled.[39] Syukur and colleagues found that higher-earning wives in their study generally continued to respect their husbands as heads of the household.[40] The entries marked 'not reported' in Table 7 indicate the limits of the interview record, not definitive proof of the absence of the alleged conduct.[41]

Cross-case readings show consistent patterns as well as meaningful variations. The pattern is the same: all three wives view their income as a contribution to family needs, not a means of promotion; all three maintain communication; and all three report psychological impact on husbands. The variation lies in the source of tension. In Informant 1, the tension stems from the difference in income that causes the husband's pessimism; in Informant 2 from the change in the husband's employment status after layoffs that widens the difference; and in Informant 3 from the wife's work intensity that reduces the time together. This means that "higher income" is not a single variable: it interacts with the husband's employment status, the wife's time burden, and the social meaning given by the partner. Therefore, judging *nusyuz* from the difference in income will ignore the factors that actually determine the quality of the relationship.

However, this does not mean that this condition is without problems. The conflict in Informant 3 and the psychological pressure on the husbands of Informants 1 and 2 show that income inequality can shift into a relational problem when interpreted as a hierarchy. This finding is in line with Farmawati's that the main impact of income difference lies in the husband's self-esteem and dominance patterns in the relationship.[42] From the interview, two impacts emerged: on the wife's side, ego can grow because she feels no longer dependent, and on the husband's side, a sense of inferiority grows, which is heavier if the family stays at the wife's parents' house.

[39] Cahyati and Irwansyah, "The Dual Role of Wives and Their Influence on Nusyuz."

[40] Syukur, Zaelani, and Ardiansyah, "Income Inequality in Households and Its Implications for Sakinah Family Development: An Empirical Study in Banjar Agung District."

[41] Hanapi and Wahyuni, "People's Views on Nusyuz and Its Implications for Husband-Wife Relations."

[42] Cintami Farmawati, "Family Conflict Resolution in Wives Who Have a Higher Income from Husbands," *Motiva: Journal of Psychology* 3, no. 1 (2020): 66–77.

Conflict Resolution and Family Support

The three informants resolve conflicts through openness in financial management, mutual respect for their partners' efforts, ignoring social pressures from outside, and building a shared commitment to managing family finances. This pattern is in line with *positive problem solving*, which is constructive resolution through dialogue and negotiation.[43] When read with the categories of social support (emotional, informational, instrumental, and appreciative)[44], the most visible forms are emotional support and appreciation (Informant 2, which keeps the husband feeling appreciated), instrumental support in the form of role-sharing cooperation (Informants 1 and 3), and open communication as a means of information. At the level of jurisprudence, this practice is in line with the principle *of mu'āsyarah bi al-ma'rūf* and with the idea of Mublah that husband and wife are both subjects who maintain the integrity of the household.[45]

These findings imply that the potential *for nusyuz is* more effectively prevented through relationship improvement rather than unilateral sanctions. It should be noted that this study did not quantitatively measure the effectiveness of the resolution model; what can be stated is that in three households that lasted 25–30 years, these practices went hand in hand with the absence of nusyuz indicators.

Discussion

Ethical Warnings in Hadith and Its Limits as Legal Indicators

Concerns about the superiority of the wife are often based on hadith. The Prophet (peace and blessings of Allaah be upon him) said:

> God does not look at a woman who does not thank her husband, and she does not do without him
>
> *"Allah will not look with mercy on a wife who is ungrateful to her husband, when she still needs him."*[46]

This hadith contains ethical warnings about denying the goodness of one's partner. In another hadith, the Prophet (peace be upon him) said that most of the inhabitants of Hell that he saw were women, because they denied the goodness of their husbands (*kufr al-'asyīr*) and the goodness received.[47] The hadith describes a moral phenomenon, not a generalization of nature towards women and not the liberation of men from wrongdoing. As for the hadith about the husband who takes his wife to bed and then refuses so that the husband spends the night in anger and the angels curse him until morning, it is related to indicator 2 and is understood as a prohibition of refusal without reproach.[48] In professional reality, work fatigue can

[43] Farmawati.

[44] James S House, *Work Stress and Social Support* (Reading, MA: Addison-Wesley, 1981).

[45] Kodir, *Qira'ah Mubadalah: A Progressive Interpretation For Gender Justice In Islam*.

[46] al-Ḥākim al-Naisāburī, *Al-Mustadrak ʻalā Al-Ṣaḥīḥayn*, vol. 2 (Beirut: Dār al-Kutub al-'Ilmiyyah, 1990), p. 190.

[47] Muḥammad ibn Ismā'īl al-Bukhari, *Hashateh Al-Bukhari*, Kitāb al-Iman, Baab Kufrān al-Asyir, no. 29. Muslim ibn al-Ḥayaj, *Ṣaḥīḥ Muslim* (Beirut: Dar Iḥyā' al-Turāth al-'Arabī, etc.), Kitab al-Kusuf, no. 907.

[48] al-Bukhārī, *Hashateh Al-Bukhari*, , Kitāb al-Nikāḥ, no. 5193–5194. Muslim, *Ṣaḥīḥ Muslim*, Kitāb al-Nikāḥ, from 1436.

be a legitimate age; new rejection is relevant to *nusyuz* when it is repetitive and accompanied by a condescending attitude.[49]

Thus, the hadiths function as a sign of relational ethics that filter behavior, not as a basis for punishing economic status. The hadith lectures affirm that the obligation of obedience must be framed by the principle of *mu'āsyarah bi al-ma'rūf*; the denial of the rights of a spouse without uzur because of arrogance is indeed reprehensible, but what is reprehensible is his arrogance, not his earning superiority.[50]

Implications of Fiqh, Mubadalah, Maqāṣid, and Positive Law

First, in the framework of Mubadalah, the relationship between husband and wife is read reciprocally, so that the imbalance of responsibility can come from both parties. Informant Conflict 3 shows this: the reduction of time together is not disobedience, but a matter of division of roles that need to be negotiated. This framework also keeps *nusyuz* from being read solely as a wife's issue.[51]

Second, within the framework *of maqāṣid al-syarī'ah, the wife's* economic contribution to the family of Informant 1 is used for the education of children, which is related to the protection of offspring; the husband's psychological pressure on Informants 1 and 2 touches on the protection of the soul; and the attitude of mutual respect to maintain the honor of both parties.[52] Punishing the wife as *a nusyuz* just because of her income can actually undermine those goals.

Third, from a positive legal perspective, the conclusion that higher income is not an indicator *of nusyuz* is in line with the principle of a balanced position of husband and wife and with the requirement of proof in Article 84 paragraph (4) of the KHI.[53] Recent research emphasizes that *nusyuz* claims without adequate and objective evidence are not in line with equality before the law,[54] so judges and counselors need to test *nusyuz* postulates on concrete behavior as shown in Table 2, not on income differences. Because the husband's maintenance is measured according to his income (Article 80 paragraph 4 of the KHI), the wife's higher income does not remove the husband's maintenance obligation.[55]

Based on the description above, this study proposes a gradual assessment framework that can be used by counselors and judges to separate *nusyuz* from relational conflicts (Table 8). This framework is the author's analytical synthesis of *the Kifayatul Akhyar* indicators, Article 84 of the KHI, and the principle of Mubadalah, and has not been empirically tested more broadly.

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[49] Taqī al-Dīn Abū Bakr al-Ḥiṣnī, *Kifayah Al-Akhyar Fi Halli Ghayah Al-Ikhtisar*.

[50] Nida Rafiqa Izzati, "Nusyuz in the Perspective of Hadith: An Analysis of Laws, Wisdom, and Relevance in the Modern Era," *Al-Hasyimi: Journal of Hadith Science* 1, no. 2 (2024): 36–48.

[51] Sarwani, "Reconstruction of the Nusyuz Concept of Husband Nusyuz in Mubadalah Perspective."

[52] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*.

[53] Indonesia, Law Number 1 of 1974 concerning Marriage.

[54] Winda Talita Putri, Dini Handayani, and Sariyah, "Reinterpreting the Concept of Nusyuz of Husbands and Wives in the Perspective of Indonesian Positive Law," *Mizan: Journal of Islamic Law* 14, no. 1 (2026): 14–26.

[55] A Compilation of Islamic Law, Article 80 paragraph (4).

Table 8. Nusyuz Postulate Assessment Framework in Households with Higher Income Wives

Steps	Assessment questions	Policies and outputs
1	What concrete behavior is alleged?	Identify behaviors, not economic status; match them to indicators 1–6 in Table 2.
2	Is it ma'ruf and is there any uzur?	The limitations *of ma'ruf* in *Kifayatul Akhyar*; illness, menstruation, fatigue at work, or harm can become uzur.
3	Is there any valid evidence?	KHI Article 84 paragraph (4); accusations without objective evidence cannot be used as a basis for the loss of alimony.
4	Is the husband also negligent of his obligations?	Mubadalah; KHI Articles 77 and 80; imbalances can come from both parties.
5	What is a proportionate solution?	Deliberation and family mediation, and counseling first; physical violence is prohibited by Law Number 23 of 2004.

Source: author's analysis.

Fourth, this finding is different from Hasanah et al. who found that a wife's high income can increase the risk of divorce.[56] The difference can be explained by the character of the sample: this study examined households that lasted 25–30 years, while the Bengkalis study departed from divorce cases. In other words, these findings may reflect households that successfully manage inequality, and cannot be read as evidence that inequality never leads to conflict. In Pekanbaru itself, economic factors have been recorded as the dominant cause of divorce lawsuits,[57] which shows that income problems remain relational and have a direct impact on the sustainability of marriage.

Fifth, these findings show the role of social construction. When society interprets *nusyuz* as the mere disobedience of the wife[58], a wife who is financially independent is easily labeled as disobedient even though she carries out all her obligations. This label has the potential to pressure the wife and at the same time burden the husband with role expectations that are no longer in accordance with the economic reality of the family. The strategy of "ignoring external social pressures" taken by the informants can be read as an effort to protect the relationship from the label. In the institutional context, institutions that are in contact with the couple, such as the Office of Religious Affairs through marriage guidance and the Religious Court through mediation, are in a strategic position to straighten out this understanding before the conflict intensifies.

[56] Alfi Hasanah, Aslati, and Maghfirah, "The Role of High Wife Income in Increasing the Risk of Divorce (Case Study at the Bengkalis Religious Court)," *Title: Journal of Islamic Law and Jurisprudence* 12, no. 2 (2025): 525–35.

[57] Thalib and Lestari, "The High Rate of Divorce Lawsuits at the Pekanbaru Religious Court."

[58] Hanapi and Wahyuni, "People's Views on Nusyuz and Its Implications for Husband-Wife Relations."

It should also be noted that the proposed reading does not negate the wife's responsibility. Indicators 2 and 5 remain valid: the denial of the husband's rights without uzur and condescending attitudes remains reprehensible and can become nusyuz, anyone with a higher income. The difference lies in the burden of proof and the object of assessment: what is tested is the behavior, and that behavior must be proven, not inferred from salary.

Synthesis of Findings

Table 9 unites three layers of findings, namely fiqh texts, field data, and positive law, so that the contribution of the research can be seen as four mutually supportive propositions: (1) *nusyuz* in *Kifayatul Akhyar* is a behavioral category, not an economic category; (2) higher income for wives is a condition, which is only relevant for *nusyuz* when accompanied by an attitude of self-exaltation or rejection of unequal rights; (3) tensions in households with unequal income stemming from communication, husband's employment status, and wife's time burden; and (4) the assessment of *nusyuz* postulates must be based on evidence of legitimate behavior.

Table 9. Synthesis of Texts, Field Findings, and Positive Law

Aspects	***Kifayatul Akhyar***	**Field findings**	**KHI and the Law**
Evaluation object	Opposition to rights in ma'ruf matters	No indicators 1–6 in three informants	Article 84 paragraph (1): not carrying out obligations without valid reasons
Role of income	Not referred to as an indicator	Wife's income is higher in all three	Article 80 paragraph (4): husband's maintenance according to his income
Sources of conflict	Self-exaltation	Communication, husband's psychological pressure, wife's time burden	Article 77 and the Marriage Law Article 33: mutual respect and help
Proof	Not detailed in the text studied	Assessment focused on narration	Article 84 paragraph (4): valid evidence
Solution	Advice, split the bed, blows do not hurt	Deliberation, financial openness, family support	Law 23/2004: prohibition of physical and psychological violence

Source: author's analysis.

This exploratory study has several limitations. It relies on twenty-four initial questionnaire responses, interviews with only three wives, and accounts that were not independently corroborated through interviews with their spouses. The analysis therefore supports a contextual distinction between income and legal conduct, not a population-wide conclusion or an adjudicative determination of the spouses' behaviour.

Article 84 of the Compilation of Islamic Law should be analysed as an evidentiary and procedural proposition, not as a label automatically triggered by an income difference. Under paragraph (4), a determination of nusyuz must be

supported by valid evidence. The assessment must therefore identify the actual conduct alleged, the rights and obligations in question, the presence of lawful reasons or exceptions, and the reliability of the available evidence. The higher earnings of one spouse cannot substitute for proof of the conduct required by the applicable norm.

The three interviews offer a limited, single-perspective exploration of marital experiences. Because the husbands' positions were not independently collected and the purposive participants were drawn from a small exploratory screening exercise, a report that particular forms of conduct were 'not mentioned' must not be converted into a judicial finding that no breach occurred. The study's narrower contribution is the analytical separation of economic position, marital conflict, and a properly evidenced legal assessment of nusyuz.

Any interpretation of classical family-law language must be read alongside contemporary domestic-violence prohibitions, principles of equal human dignity, and the aims of protecting family welfare. Descriptive presentation of a classical juristic sequence cannot be treated as authorisation for coercion or violence. The source edition, volume and relevant pages of Kifāyat al-Akhyār must be independently confirmed before precise Arabic quotations or page-specific textual claims are approved for publication.

Conclusion

In *Kifayatul Akhyar*, *nusyuz* centers on the wife's disobedience to the husband's rights in ma'ruf cases and on the attitude of exaltation over the husband; the text does not mention the difference in income as an indicator. In the three higher-income wives in Pekanbaru, no nusyuz indicator was found; the conflicts that arise stem from weak communication, psychological pressure from the husband, and social construction about family leadership. Financial openness, mutual respect, and family support accompany the maintenance of the household.

Theoretically, this study emphasizes the need to distinguish obedience from economic position and reciprocal reading *of nusyuz*. Practically, judges, headmen, and marriage counselors need to test *nusyuz postulates* on concrete behavior and valid evidence as per Article 84 paragraph (4) of the KHI, as well as include communication materials and the division of roles in marriage guidance. From a policy perspective, these findings support the idea of formulating the husband's *nusyuz* in the KHI update. Further research is recommended to involve a wider sample, the husband as an informant, and an analysis of court decisions.

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