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The Dual Roles of Career Women in the Family: A Critical Analysis of the Narrative of Dysfunction in Relational Justice

Muhammad Hanif Muntashir*[1]
Khiyaroh[2]
Muhamad Muslih[3]
A. Rachmat Wirawan[4]
Alief Akbar Musaddad[5]

[1]UIN Sunan Kalijaga, Yogyakarta, Indonesia
[2]Sekolah Tinggi Agama Islam, Yogyakarta, Indonesia
[3]Universitas Sultan Ageng Tirtayasa, Indonesia
[4]Universitas Terbuka, Indonesia
[5]Universitas Islam Darussalam, Indonesia
*e-mail: m.hanifmuntashir@gmail.com[1], khiyaroh5@gmail.com[2], muhamadmuslih@untirta.ac.id[3], rachmat.wirawan@ecampus.ut.ac.id[4], aliefakbarmusaddad@uidc.ac.id[5]

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Abstrak

Meningkatnya partisipasi perempuan menikah di dunia kerja melahirkan peran ganda yang kerap dikaitkan dengan disfungsi dan disharmoni keluarga. Narasi ini cenderung menempatkan perempuan karir sebagai sumber utama persoalan rumah tangga dan mengabaikan faktor relasional serta struktural. Penelitian ini bertujuan menganalisis peran ganda perempuan karir dalam keluarga menurut hukum keluarga Islam, mengkritisi narasi disfungsi keluarga yang dilekatkan pada perempuan karir, dan merekonstruksi pembagian peran suami-istri melalui perspektif Mubādalah dan maqāṣid al-sharī'ah. Penelitian ini merupakan penelitian kepustakaan normatif-kritis dengan pendekatan yuridis-kualitatif dan konseptual. Bahan primer meliputi ayat Al-Qur'an dan hadis tentang relasi suami-istri, Undang-Undang Perkawinan, Kompilasi Hukum Islam, dan Qira'ah Mubadalah; bahan sekunder meliputi artikel jurnal dan buku tentang perempuan karier, patriarki, konflik keluarga, Mubadalah, dan maqasid. Data dianalisis secara interpretatif melalui reduksi, penyajian, dan penarikan kesimpulan, dengan triangulasi sumber dan teori. Hasil penelitian menunjukkan bahwa keterlibatan perempuan di ruang publik tidak otomatis menyebabkan disfungsi keluarga. Persoalan lebih berakar pada ketimpangan pembagian peran dan beban domestik-ekonomi, pola komunikasi yang kurang terbuka, budaya patriarki, serta struktur relasi yang tidak adaptif terhadap perubahan sosial. Perspektif Mubādalah menempatkan suami dan istri sebagai mitra yang memikul tanggung jawab secara timbal balik, sedangkan maqāṣid al-sharī'ah menegaskan bahwa kemaslahatan keluarga menuntut relasi yang adil dan tidak membebani salah satu pihak. Kebaruan penelitian terletak pada perumusan uji keadilan relasional yang membedakan peran ganda sebagai kondisi kerja dari disfungsi sebagai persoalan pemenuhan kewajiban bersama. Kerangka ini mengarahkan penafsiran hukum keluarga Islam pada pembagian peran yang fleksibel, musyawarah, dan kesalingan, sekaligus menyediakan pertimbangan normatif bagi penyelesaian perselisihan perkawinan.

***Kata kunci**: Disfungsi Keluarga, Keadilan Relasional, Mubādalah, Perempuan Karir, Peran Ganda.*

Abstract

Married women's expanding employment has intensified debates over whether dual roles cause family dysfunction, often obscuring relational and structural factors. This study aims to analyze the dual roles of career women within the family from the perspective of Islamic family law, critically examine the narrative of family dysfunction attributed to career women, and reconstruct the division of spousal roles through the perspectives of Mubādalah and maqāṣid al-sharī'ah. This normative-critical library research uses a qualitative juridical and conceptual approach. Primary materials include Qur'anic and hadith texts, Indonesian marriage law, the Compilation of Islamic Law, and Qira'ah Mubadalah; secondary materials include peer-reviewed studies on career women, patriarchy, family conflict, Mubadalah, and maqasid. Data were analyzed interpretively through reduction, display, and conclusion drawing, with source and theoretical triangulation. The findings indicate that women's participation in the public sphere does not automatically result in family dysfunction. Rather, the underlying problems are rooted in unequal distributions of domestic and economic

responsibilities, limited patterns of open communication, patriarchal culture, and relational structures that are not sufficiently adaptive to social change. The Mubādalah perspective positions husbands and wives as partners who share responsibilities reciprocally, while maqāṣid al-sharī'ah emphasizes that family welfare requires equitable relationships that do not disproportionately burden either party. The study's theoretical novelty lies in a relational-justice test distinguishing dual employment roles from dysfunction in the mutual fulfillment of family duties. This framework supports flexible, deliberative, and reciprocal role allocation and provides a normative basis for assessing marital disputes within contemporary Islamic family law.

***Keywords**: Career Women, Dual Roles, Family Dysfunction, Mubādalah, Relational Justice.*

1. INTRODUCTION

The division of roles between husbands and wives is one of the most consequential issues concerning family justice in contemporary society. Globally, women perform approximately 76.2% of all hours of unpaid care work (International Labour Organization [ILO], 2018). When women enter the labor market without a corresponding redistribution of domestic responsibilities, they experience what Hochschild and Machung (2012) refer to as the *second shift*, namely, a second round of work at home after completing their work in the public sphere. This condition is closely associated with interrole conflict, namely, the tension that arises when work and family demands cannot be fulfilled simultaneously (Greenhaus & Beutell, 1985). In Indonesia, this tension is sharpened by a legal-social gap: the female labor force participation rate reached 56.63% in 2025 (Badan Pusat Statistik [BPS], 2026), yet Islamic family law continues to position the husband as the head of the family and the wife as the homemaker (Indonesia, 1974, Article 31(3); Indonesia, 1991, Article 79(1)). Women's dual roles are therefore not merely a matter of personal choice. Rather, they constitute an issue of relational and distributive justice within the family that requires normative responses, including those grounded in Islamic family law.

Within religious and social discourse, dominant assumptions continue to confine women primarily to the domestic sphere and men to the public sphere (Syafitri & Ulfah, 2024; Ulfah et al., 2025; Ulfah & Syafitri, 2024). Yet, as women's participation in the workforce has increased, women no longer function solely as household managers but also as social and economic actors who make tangible contributions to family welfare. This transformation, however, has not always been fully accepted. Married career women are frequently positioned as problematic, as though assuming dual roles automatically undermines household harmony and generates conflict because they leave the home to work (Naswa et al., 2026; Eramawati, 2016; Rahmayati, 2020). This narrative associates women's activities in the public sphere with what is referred to as family "dysfunction," namely, a condition in which the family is perceived as no longer performing its ideal functions harmoniously. Such a perspective is reductionist because it reduces complex family problems to a single variable: women's participation in the workforce.

Existing scholarship on career women in Islam has largely focused either on whether women are permitted to work (Fatimah, 2015; Wakirin, 2017) or on the psychological experiences associated with role conflict (Jannah, 2024; Rahmayati, 2020). Studies employing the *Mubādalah* perspective have extensively examined spousal relations in general (Hermanto & Nisa', 2024; Imtihanah, 2020), while *maqāṣid*-based studies have addressed the regulation of women's dual roles (Salsabila & Nasrulloh, 2026). Nevertheless, these strands remain largely separate. The narrative of dysfunction itself has rarely been examined as a normative claim. It remains unclear whether dysfunction stems from women's participation in the workforce or from legal and relational constructions that have failed to adapt to social change. This is the gap that the present article seeks to address. Crucially, a double burden describes the accumulation of paid, unpaid, and mental labor, whereas family dysfunction refers to demonstrable failure in the fulfillment of relational, protective, or caregiving functions; the first may increase the risk of the second but cannot establish it without evidence of relational effects. Treating the two as equivalent confuses a distributional injustice with an outcome and obscures the obligations of both spouses.

This article aims to analyze the dual roles of career women within the family and critically examine the narrative of dysfunction that positions women as the primary source of household

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problems. The analysis is conducted through the perspectives of Mubādalah and maqāṣid al-sharīʿah, with the ultimate aim of formulating a framework for a Muslim family grounded in relational justice. The context examined in this article is Islamic family law in Indonesia. To situate this context appropriately, it is first necessary to consider the broader landscape. In various Muslim-majority countries, debates on family law reform revolve around a similar question: how should norms concerning male leadership, maintenance, and wives' obedience be reinterpreted within the framework of equality and justice (Mir-Hosseini et al., 2013)? Such reinterpretation is important because Islamic family law has largely emerged from the jurisprudential thought of scholars whose interpretations were shaped by the social, cultural, and economic conditions of their respective periods, including the gender constructions prevailing at the time (Mir-Hosseini, 2003). Similar efforts in Qur'anic interpretation have emphasized the equality of men and women as moral subjects (Wadud, 1999). Within the maqāṣid tradition, law is evaluated according to its capacity to realize human welfare (maṣlaḥah) (Auda, 2008); consequently, legal constructions that produce relational injustice warrant critical reconsideration.

A limited comparison clarifies the distinctiveness of the Indonesian question. Morocco's 2004 Family Code (Moudawana) places family supervision under both spouses (Article 4) and explicitly identifies joint household management, children's education, and consultation as mutual obligations (Article 51) (Morocco, 2004). Tunisia's Personal Status Code, as revised in 1993, similarly prescribes spouses' cooperation in family affairs, but simultaneously preserves the husband's position as head of the family and recognizes the wife's contribution to family expenses when she has means (Tunisia, 1993, Article 23). These two models show that legislative recognition of reciprocity does not automatically erase gendered hierarchies; the relevant question is how a rule allocates actual responsibility when both spouses work. Indonesia differs because the equality provisions of the Marriage Law and KHI coexist with an express gendered designation of husband and wife, making interpretation of the existing provisions as important as their eventual amendment (Mir-Hosseini et al., 2013).

Indonesia is the world's largest Muslim-majority country, and its Islamic family law has been codified in legislation, particularly Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (*Kompilasi Hukum Islam* [KHI]). Both establish the husband as the head of the family and the wife as the homemaker (Indonesia, 1974, Article 31(3); Indonesia, 1991, Article 79(1)). These formulations are historically situated and not ideologically neutral, as they intersect with state ideology concerning women's roles within the family (Blackburn, 2004). At the same time, Indonesia has produced the concept of *Mubādalah*, formulated by a Muslim scholar rooted in the Indonesian *pesantren* tradition (Kodir, 2019), thereby grounding the concept within Indonesia's own Islamic intellectual tradition.

The social reality in Indonesia reveals a gap between legal norms and social practice. According to Statistics Indonesia (Badan Pusat Statistik [BPS], 2026), the female labor force participation rate in 2025 reached 56.63%, an increase from the previous year, although it remained substantially lower than the male participation rate of 84.40%. In other words, more than half of working-age women participate actively in economic activities, while the prevailing formulation of family law continues to position them primarily as household managers.

Within this context, the problems that emerge are multilayered. First, women's decisions to work are often not merely individual choices but responses to family economic demands. This is evident among clove pickers in Bulukumba who work to assist their husbands in meeting family needs while simultaneously negotiating dilemmas concerning the division of domestic roles (Herdayanti, 2018), as well as among women who work as split stone breakers in South Konawe despite receiving very low wages (Tuwu, 2018). Second, patriarchal culture in Indonesia continues to position men as the primary authority and women as those primarily responsible for domestic tasks (Hafani & Buldani, 2025; Nurizzah et al., 2025). Consequently, when problems arise within a family, failure is easily personalized as a woman's deficiency rather than understood as an indication of an unequal distribution of roles. Third, studies of divorce among career women demonstrate the need to examine this issue through a gender perspective (Robiatussoleha et al., 2024). Furthermore, the marital typology developed by Cuber and Harroff (1965, as cited in Jalil,

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2021) demonstrates that family conflict cannot be attributed to a single party but depends on patterns of relationships, communication, and partners' expectations. Thus, positioning career women as the source of family dysfunction is inconsistent with the sociological realities of family life. The inquiry therefore asks: (1) how do classical fiqh and Indonesian marriage law construct rights, obligations, and the division of roles when wives engage in paid work; and (2) how can the dysfunction narrative be tested and the resulting legal interpretation reconstructed through Mubādalah and maqāṣid al-sharīʻah? The argument proceeds from documentary legal findings to criticism of causal attribution and, finally, to a proposed judicially applicable test of relational justice.

2. RESEARCH METHOD

This study is a normative-critical library research employing a qualitative juridical approach (Zed, 2004). A conceptual approach was used to examine the concepts of dual roles, family dysfunction, and relational justice. A normative approach was employed to examine the construction of spousal rights, obligations, and role divisions within Islamic family law. The critical nature of the study lies in its examination of the dominant narrative that positions career women as the cause of family dysfunction. The analysis is grounded in two theoretical frameworks. First, *Mubādalah* theory (*qirā'ah mubādalah*), which interprets religious texts reciprocally for both men and women based on the principles of reciprocity (*taʻāwun*), deliberation, and mutual consent (*tarāḍin*) (Kodir, 2019). Second, *maqāṣid al-sharīʻah*, particularly the protection of life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʻaql*), and progeny (*ḥifẓ al-nasl*), which serves as a benchmark for assessing family welfare (Auda, 2008).

The data sources consisted of primary and secondary materials. Primary materials included the Qur'an and hadith pertaining to spousal relations; legislation, namely the Marriage Law and the Compilation of Islamic Law (Indonesia, 1974, 1991, 2019); and the book *Qirā'ah Mubādalah* (Kodir, 2019). Secondary materials consisted of journal articles, research findings, and academic books addressing career women, dual roles, patriarchy, family conflict, *Mubādalah*, and *maqāṣid*. Data were collected through documentation, involving the systematic searching, reading, and recording of relevant literature from Google Scholar, Garuda, and accredited journal portals using the keywords "career women," "dual roles," "family dysfunction," "*mubādalah*," and "patriarchy." The literature was selected based on thematic relevance, recency (publications from 2015–2026, except for theoretical references), and source credibility. Searches combined Indonesian and English terms, including "wanita karier" OR "career women," "beban ganda" OR "double burden," "disfungsi keluarga" OR "family dysfunction," "qirā'ah mubādalah" OR "mubadalah," "maqasid syariah" OR "maqāṣid al-sharīʻah," and "nusyuz," paired with "marriage law," "family justice," or "Islamic family law." Inclusion required a direct connection to spousal obligations, women's employment, family conflict, or the two interpretive frameworks; identifiable authorship and publication details; and sufficient access to the argument for textual comparison. Opinion pieces without traceable sources, duplicate records, and studies addressing gender outside marriage without analytical relevance were excluded. The 2015–2026 range applied to contemporary secondary scholarship; classical texts, legal enactments, and foundational theoretical works were retained regardless of year. As this was doctrinal research rather than a systematic review, no PRISMA-style claim or invented screening totals are made.

The data were analyzed qualitatively and interpretively in three stages: data reduction, data display, and conclusion drawing (Miles & Huberman, 1994). At the reduction stage, the literature was screened and categorized according to the research focus. At the data-display stage, the findings were organized into three themes: the dual roles of career women, the narrative of family dysfunction, and the reconstruction of Islamic family law. At the conclusion-drawing stage, the constructions of spousal rights, obligations, and role divisions were first identified and subsequently examined through the principles of reciprocity and *maqāṣid*. The marital conflict theory of Cuber and Harroff, as cited in Jalil (2021), was used as a comparative framework to assess whether family conflict can be reduced to a single variable. The validity of the analysis was maintained through source triangulation, by comparing normative texts, regulations, and findings

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from previous empirical studies, as well as through theoretical triangulation. Operationally, each proposition was checked in three passes: the wording and hierarchy of the relevant Qur'anic or legal provision were identified; its construction of rights and obligations was compared with findings from at least one relevant social study; and its implications were tested against Mubādalah's requirements of mutuality, consultation, and non-domination and maqāṣid's criteria of protecting life, intellect, progeny, and property. Agreement among the legal text, the relational interpretation, and contextual evidence strengthened an inference; tensions were recorded as interpretive limitations rather than concealed. This procedure distinguishes primary legal propositions, secondary descriptions of social conditions, and the author's normative conclusions.

3. RESULTS AND DISCUSSION

3.1 Career Women in Islamic Family Law

3.1.1. Classical Constructions of Spousal Relations

Spousal relations in the classical *fiqh* tradition have generally been understood within a hierarchical structural framework, with clearly differentiated roles based on gender. This division was grounded in classical interpretations of the Qur'an and hadith, particularly the verse concerning male authority over women (Qur'an 4:34) and the obligation of financial maintenance (*nafaqah*). The husband was consequently regarded as the leader and primary financial provider, while the wife was expected to manage the household and care for the children. According to Ali's (2016) analysis, this framework originated in the classical *fiqh* conception of the marriage contract, which linked the husband's obligation to provide maintenance with the wife's availability and obedience. Under such a model, the rights and obligations of both parties were not constructed on the principle of reciprocity but rather on an asymmetrical exchange between protection and obedience. At the descriptive level, the sources establish a historically influential maintenance–obedience pairing; this statement reports the doctrinal model and does not itself endorse its continuing application. The critical assessment of that model follows from distinguishing revealed principles from human legal construction.

To assess this construction clearly, it is necessary to distinguish between *sharia* and *fiqh*. *Sharia* refers to the normative message of revelation, whereas *fiqh* constitutes the product of human reasoning concerning that message within particular historical contexts. Hallaq (2009) portrays Islamic law as a tradition of juridical reasoning that developed alongside the social environments of its scholars, rather than as a body of rules delivered in a complete and immutable form. A sharper warning is offered by Abou El Fadl (2001), who argues that when the outcomes of *ijtihad* are treated as though they were the will of God itself, textual authority can shift toward the authoritarianism of the interpreter, with women often becoming among those most adversely affected. Within this framework, the formulation that the husband is the leader and the wife is the household manager can be understood as an *ijtihad* that emerged from societies characterized by particular economic and social structures. It deserves recognition as an intellectual legacy, but it does not automatically remain binding when those structures undergo change.

It is also important to note that classical *fiqh* itself was neither uniform nor as rigid as it is often assumed to have been. Scholars generally agreed that financial maintenance was the husband's obligation even when the wife was wealthy, and that the wife's property remained her own. With regard to wives' domestic services, some scholars regarded such services as a moral obligation rather than a legal obligation that could be judicially enforced, while others grounded them in local custom (*'urf*). These differences demonstrate that the division of domestic labor within the *fiqh* tradition itself allowed room for interpretation. Accordingly, the assumption that all household work constitutes the wife's inherent responsibility does not rest upon a single or uniform foundation within the Islamic legal tradition.

The social context in which classical *fiqh* was formulated also helps explain why financial maintenance was assigned to the husband. At that time, women's access to education, capital, and paid employment was significantly constrained by the prevailing social structure. Under such

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circumstances, the husband's obligation to provide maintenance functioned as a form of economic protection for women who lacked independent sources of income. It was conceived as a mechanism of protection rather than as a prohibition against women earning an income. As these structures have changed and women have gained meaningful access to income-generating opportunities, the protective objective has not disappeared; rather, its implementation needs to be adapted so that it continues to serve the principle of justice.

3.1.2. The Normative Basis for Women's Right to Work

The classical structure did not necessarily preclude women from working. Within the Islamic family law tradition, there is no absolute prohibition against women working outside the home, provided that such work does not violate *sharia* principles or neglect the rights of family members. The Qur'an affirms that both men and women are entitled to a share of what they earn (Qur'an 4:32), thereby establishing that a wife's earnings remain her own property. The Qur'an also recounts the story of two women in Madyan who tended their livestock in the public sphere, and the account contains no condemnation of their activity (Qur'an 28:23). In the hadith tradition, Asmā' bint Abī Bakr is reported to have carried dates on her head from a garden located some distance from her home for the needs of her family. This report is recorded in the collections of al-Bukhari and Muslim without any prohibition from the Prophet against her activity.

The textual evidence often invoked to restrict women to the home requires careful examination. The verse instructing the wives of the Prophet to remain in their homes (Qur'an 33:33) appears within a sequence of verses specifically addressing the Prophet's wives, who occupied a particular status and were subject to specific ethical requirements. Extending this instruction to all women therefore requires a separate argument and cannot be assumed automatically. Meanwhile, the hadith stating that everyone is a guardian responsible for those under their care, including a woman as a guardian within her husband's household, is narrated by al-Bukhari and Muslim. Rather than portraying women as passive parties, this hadith affirms women as holders of genuine responsibility. Likewise, the Qur'anic verse describing believing men and women as mutual allies in enjoining what is good (Qur'an 9:71) indicates that women's social roles are not confined to the domestic sphere.

Contemporary studies on career women in Islam generally arrive at permissibility subject to certain conditions rather than prohibition. A distinction between rights and obligations, however, needs to be emphasized. For women, working constitutes a right that may be exercised by choice, whereas the obligation of financial maintenance remains the husband's responsibility according to the classical view. This asymmetry carries ethical consequences. When a wife exercises her right to work and her earnings also contribute to the family's welfare, she is not thereby fulfilling a legal obligation of financial maintenance but providing an additional contribution. Such contribution should be met with recognition and an equitable distribution of roles rather than with additional demands placed upon her.

On this basis, scholars who permit women to work generally stipulate several conditions: the work must be lawful, the working environment must be safe, the activity must not violate accepted ethical standards, and family rights and responsibilities must not be neglected. Some scholars also require the husband's permission. Within the classical framework, such permission was understood as reflecting the husband's rights over the wife. From a perspective emphasizing reciprocity, however, permission can be reinterpreted as mutual deliberation, because decisions affecting the entire family—including a husband's decision to work or relocate—should likewise be discussed jointly. These conditions, therefore, are not intended to prohibit women from working but to ensure that employment does not cause harm to the family.

3.1.3. Historical Precedents of Women in the Public Sphere

Early Islamic history records numerous women who participated in scholarship, commerce, and political affairs (Cut & Nasir, 2025). Among them was Khadijah bint Khuwaylid, the wife of the Prophet Muhammad, who was renowned as a successful merchant of her time.

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Although she had continued the commercial enterprise she inherited from her former husband, her business acumen enabled the enterprise to grow substantially. Khadijah's story is significant because it demonstrates that women's participation in economic activities was not merely permitted but formed part of the foundations of the early Islamic mission, and her economic role was not regarded as detrimental to the Prophet's household.

Historical sources also mention Qahramanah, a woman who played a role in judicial affairs, as well as Umm 'Ammārah al-Anṣāriyyah, a participant in the Battle of Uhud who was praised by the Prophet as Umm al-Asyāf, referring to a woman who wielded many swords, because of her courage in protecting the Prophet until she was seriously wounded. These figures operated in the economic, legal, and security domains that have traditionally been regarded as male spheres. Taken together, these examples demonstrate that women's participation in the public sphere was not alien to the Islamic tradition and therefore cannot, by itself, be characterized as a deviation from family functions. What has changed across historical periods is not the permissibility of women's public activities but rather the forms and scale of those activities.

Historical precedents should not, however, be treated as legal evidence establishing specific obligations. Their function is more limited but nevertheless important: they demonstrate that claims of a prohibition against women's participation in the public sphere lack a firm basis in the practices of the early Islamic generations. Accordingly, debates concerning career women should not stop at the question of whether women are permitted to work, because the tradition itself provides substantial precedents for that question. The more relevant question is how women's employment should be integrated into family relations in an equitable manner.

3.1.4. Changing Realities and the Emergence of the Double Burden

As social conditions have changed, the realities of family life have shifted significantly. Women now have broader access to education and employment opportunities, making their participation in economic activities increasingly common. Women's participation in the workforce can have positive effects on family economies, including by enabling wives who earn income to alleviate their husbands' financial burdens (Husniyati, 2021). More broadly, national development and welfare require women's participation, as their capacities enable them to make meaningful contributions to society (Kharismawati, 2021). Women therefore function not only as household managers but also as income earners or, at the very least, as economic contributors to the family.

This transformation in women's roles, however, has often not been accompanied by a corresponding change in understandings of domestic responsibilities. New roles have been added without reducing the existing ones. As a result, career women bear a double burden: they continue to be expected to perform domestic responsibilities in full while simultaneously meeting the demands of employment in the public sphere. This burden involves not only physical labor but also mental labor, namely the responsibility to remember, plan, and ensure that the family's needs are met. Such labor often remains invisible, making it difficult to recognize as work and easy to regard as a natural component of women's role.

This burden is also reflected in the law governing child care. The Compilation of Islamic Law stipulates that the mother has the right to care for children under the age of twelve, while the father bears the costs of their maintenance (Article 105). This construction reflects a traditional division in which direct caregiving is assigned to the mother and financial provision to the father. In families where the mother also works and contributes financially, this division can become unbalanced because the mother simultaneously bears caregiving responsibilities and part of the financial burden. This example demonstrates that the double burden is not merely a matter of everyday work allocation but is also embedded in the way the law conceptualizes the respective roles of mothers and fathers.

These changes have also altered the practical meaning of financial maintenance. Within the classical framework, financial provision belonged to the husband, while household management belonged to the wife, allowing the two domains to remain relatively separate. In

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dual-income families, this separation no longer corresponds to social reality. The wife's working hours directly compete with the time required for housework and caregiving, while the division of responsibilities inherited from the older model continues to function as the prevailing standard. It is this mismatch between inherited norms and changing realities that generates tension, rather than women's presence in the workplace per se.

3.1.5. Two Logics within Indonesian Positive Law

This tension is also reflected in Indonesian positive law. The Marriage Law provides that the rights and status of wives are equal to those of husbands (Article 31(1)), while the Compilation of Islamic Law similarly affirms this principle (Article 79(2)) and requires spouses to love, respect, remain faithful to, and provide material and emotional support for one another (Article 77(2)). The Compilation of Islamic Law further provides that husbands and wives share responsibility for the care and upbringing of their children (Article 77(3)), consistent with the Marriage Law, which places the obligation to care for and educate children upon both parents (Article 45). These provisions constitute a positive-law basis for the principle of reciprocity. These are identifiable statutory duties and entitlements rather than empirical findings about which spouse actually performs childcare. The distinction matters because equality in statutory language cannot, without further evidence, be treated as equality in everyday labor.

At the same time, both regulations designate the husband as the head of the family and the wife as the homemaker, assigning the husband the obligation to protect and provide financial maintenance and the wife the responsibility for managing household affairs (Marriage Law, Article 34). The Compilation of Islamic Law identifies the wife's primary obligations as providing physical and emotional devotion to her husband within the limits recognized by Islamic law and managing the household's day-to-day needs (Article 83). It further characterizes a wife who fails to fulfill these obligations without a legitimate reason as *nusyuz*, with the consequence that her entitlement to financial maintenance is forfeited (Article 84). Indonesian positive law therefore contains two logics that are not entirely aligned: equality of rights on the one hand and the formalization of gendered roles on the other. When women contribute to the family economy while domestic responsibilities remain attached to them, the double burden arises not because women have failed but because the normative framework has not adequately responded to social change.

The broader legal framework points in a different direction from the formalization of gendered roles. The Law on the Elimination of Domestic Violence includes within the concept of household neglect acts that restrict or prohibit a person from engaging in appropriate employment, thereby placing that person under the perpetrator's control (Naswa et al., 2026; Indonesia, 2004, Article 9). Indonesia has also ratified the Convention on the Elimination of All Forms of Discrimination against Women, which requires states to guarantee equal rights and responsibilities for husbands and wives in matters of marriage and child-rearing (Indonesia, 1984). These two instruments affirm that unilateral control over a wife's employment and the imposition of the entire burden of domestic responsibilities upon her are inconsistent with the broader direction of Indonesia's national legal framework.

The relationship between *fiqh* and positive law in Indonesia also needs to be properly understood. The Compilation of Islamic Law is a codification that incorporates selected *fiqh* opinions and adapts them to the Indonesian context. It is therefore a product of collective *ijtihad* within a particular historical period rather than revelation itself. Its status as a judicial guideline within the religious court system gives it substantial influence, but does not preclude contextual interpretation. Accordingly, criticizing the role formulations contained in the Compilation of Islamic Law constitutes part of the tradition of legal reform rather than a rejection of *sharia*. Such criticism can be undertaken while continuing to respect the underlying objectives of the law, namely the realization of a family characterized by *sakinah*, *mawaddah*, and *rahmah*.

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3.1.6. Foundational Principles as a Basis for Interpretation

Foundational Islamic principles such as justice, welfare, and mutual assistance should serve as the primary basis for understanding the roles of husbands and wives. The Qur'an commands spouses to treat one another with kindness (*mu'āsyarah bi al-ma'rūf*) within marriage (Qur'an 4:19), affirms that wives have rights equivalent to their obligations in accordance with what is equitable (Qur'an 2:228), and commands mutual assistance in righteousness (Qur'an 5:2). The Prophetic tradition also records that the Prophet Muhammad participated in household chores, as narrated by al-Bukhari from 'Ā'ishah. If the foremost exemplar in Islam himself did not regard household work as exclusively women's responsibility, then assigning the entirety of such responsibilities to a wife who also works is difficult to justify normatively.

In the context of contemporary families, the dual roles of career women should be understood as part of social dynamics that require cooperation and reciprocal responsibility rather than as a burden to be borne by women alone. This understanding provides the basis for the subsequent discussion of how the narrative of dysfunction is constructed and why it requires critical examination.

3.2 Critique of the Narrative of Career Women's Dysfunction within the Family

3.2.1. The Anatomy of the Narrative of Dysfunction

The term "family dysfunction" is often used to describe families that are perceived as failing to perform their ideal functions, such as maintaining harmony, providing adequate childcare, or preventing escalating conflict between husbands and wives. The term is frequently associated with changes in gender roles, particularly when women actively participate in paid employment outside the home. The prevailing narrative suggests that career women are unable to balance the demands of household responsibilities with those of employment, resulting in overlapping roles that affect childcare, domestic work, and the quality of interaction within the family. Career women are consequently positioned as actors who disrupt family stability, as though their presence in the public sphere were automatically correlated with the family's failure to perform its functions. Here, "dysfunction" is treated as a claim requiring relational evidence, not as an established factual diagnosis of employed mothers.

This narrative operates through several steps that often go unnoticed. First, it establishes one particular form of family as the ideal standard, namely a family in which the husband is the sole breadwinner and the wife is entirely responsible for managing the household. Second, families that depart from this standard are interpreted as problematic. Third, any problem that emerges, however minor, is attributed to that deviation. Through this logic, the same problem may be explained differently depending on the family structure. If a child experiences difficulties in a family where the mother works, the cause is sought in the mother's employment. If the same problem occurs in a family where the mother does not work, the cause is sought elsewhere. Such a narrative is difficult to falsify because it can always generate an explanation, and precisely for this reason, it is ideological rather than analytical.

The very notion of "family function" has theoretical roots that need to be recognized. In classical family sociology, the functionalist school distinguished between instrumental roles, generally associated with husbands as breadwinners, and expressive roles, associated with wives as providers of emotional warmth and caregivers (Parsons & Bales, 1955). This framework emerged from the context of middle-class families in the mid-twentieth century, but its influence remains evident in how society evaluates whether a family is "functioning." When the narrative of dysfunction is applied to career women, it effectively employs this older standard as though it were universal. Families that depart from the instrumental-expressive division are automatically viewed with suspicion, even though that division represents only one way of organizing family life rather than a necessary condition of family functioning.

The central problem is that this narrative rests on a fragile causal inference. It takes a single variable—women's employment—as the sole explanatory factor without examining other

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variables that logically contribute to family outcomes, such as spousal support, adequacy of family income, quality of communication, and the availability of alternative childcare arrangements. An apparent association between women's employment and family problems does not necessarily establish a causal relationship. The same condition may instead be explained by an unequal division of roles, which can occur in families regardless of whether women are employed. Serious analysis must distinguish among these factors, whereas popular narratives tend to collapse them into a single accusation.

Another weakness of this narrative is its failure to consider the direction of causation. It may be that families already experiencing economic and relational pressures encourage women to enter the workforce to support the family, rather than the reverse. If so, the wife's employment is a response to an existing problem rather than its cause. Reversing the order of cause and effect in this manner results in women who are attempting to support their families being accused of causing the crisis. Such errors of reasoning are common in popular discourse but should not persist in family-law scholarship, which requires analytical precision.

3.2.2. Conflict as a Relational Phenomenon

Family conflict is, by nature, a complex phenomenon influenced by multiple factors. Cuber and Harroff (1965, as cited in Jalil, 2021) demonstrate that marital conflict cannot be separated from the type of marriage experienced by the couple. The *conflict-habituated* type is characterized by persistent arguments and dissatisfaction that nevertheless become a mechanism holding the relationship together. The *devitalized* type describes couples who remain together despite experiencing emotional emptiness, usually because of children or social expectations. The *passive-congenial* type is based on economic or status considerations, resulting in a relationship characterized by mutual avoidance, whereas the *utilitarian* type emphasizes the formal functions and roles of husbands and wives rather than the quality of their relationship. The *vital* type represents a warm and communicative relationship in which partners fulfill one another's psychological needs, while the *total* type constitutes the most integrated form of relationship, characterized by a very strong sense of togetherness. This typology is presented as a secondary sociological classification, not as direct field data collected by the present study; its analytical use is evaluated in the following paragraphs.

This typology demonstrates that conflict cannot be reduced to the actions of a single party, including a career woman. Conflict is more appropriately understood as the outcome of relational interactions shaped by patterns of communication, the division of roles, marital orientations, and the social expectations attached to husbands and wives. In the *utilitarian* or *devitalized* types, conflict arises because the relationship is structured around functions and structural demands rather than solely because one partner is employed. Even in the *conflict-habituated* type, conflict becomes part of the couple's mechanism of togetherness. Accordingly, family problems constitute a collective and structural phenomenon involving both parties. Blaming career women as the primary source of conflict is an oversimplification that does not correspond to sociological reality.

The Cuber and Harroff typology, of course, cannot be treated as a definitive measurement tool. The study emerged from the context of mid-twentieth-century American society and involved a particular sample group; therefore, its application to Muslim families in Indonesia must be undertaken with caution. In this article, the typology is employed as a heuristic framework, namely as an analytical aid demonstrating that conflict can be explained in terms of relational orientations rather than as an empirical predictive instrument. Its heuristic function is sufficient for the purposes of this critique, namely to demonstrate that a single-variable explanation is inadequate.

A further implication is worth noting. In marriage types oriented toward formal functions, such as the *utilitarian* type, the roles of husbands and wives are understood as obligations that must be fulfilled rather than as expressions of partnership. The narrative of dysfunction that requires women to fulfill domestic roles perfectly effectively reproduces this orientation because family success is measured by the completeness of role performance rather than by the quality of the relationship. By contrast, the type characterized as the healthiest, namely the *vital* type, is

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marked by communication and the reciprocal fulfillment of psychological needs. This is consistent with the principle of reciprocity that will subsequently form the core of the reconstruction of family law.

3.2.3. The Double Burden as a Cross-Contextual Problem

The double burden is not a phenomenon unique to Muslim or Indonesian families. Bianchi et al. (2012), in their review of data from the United States, demonstrate that since the 1960s, women's time spent on housework has declined while men's has increased, yet women continue to perform more domestic work. This inequality has persisted amid women's increasing participation in the workforce because cultural beliefs about gender continue to influence how families, workplaces, and society organize roles (Ridgeway, 2011). The issue, therefore, is the persistence of gender-based divisions of labor rather than women's decision to work.

Within this framework, the double burden constitutes an important dimension of the narrative of dysfunction. Women are expected to continue performing domestic responsibilities in full—that is, managing the household, raising children, and serving their husbands—even while working outside the home under working hours and pressures that are no less demanding. When women are unable to meet these idealized expectations, the resulting failure is often personalized as a deficiency on the part of women rather than understood as an indication of an unjust system of role allocation. At the same time, women's physical and emotional exhaustion is frequently overlooked or even normalized. In this manner, the narrative of dysfunction is not only analytically flawed but also conceals the injustice that actually occurs.

The double burden is also not experienced equally by all women. Affluent families may delegate domestic work to domestic workers or relatives, whereas lower-income families generally lack such options. It should also be noted that such delegation often falls upon other women, whether domestic workers, mothers, or mothers-in-law, meaning that the gender-based division of labor does not actually disappear but merely changes hands. This observation demonstrates that addressing the double burden by adding another woman to perform the work does not constitute a solution in terms of relational justice. What is needed is the husband's involvement as a participant in childcare and domestic work, rather than merely a transfer of responsibility from one woman to another.

The personalization of failure has a dual impact. For women, it generates guilt that encourages them to increase their workload rather than demand a redistribution of responsibilities. For husbands, it removes the question of their own contribution because the problem has already been assigned a specific source. For society, it reinforces the assumption that the solution to family problems is for women to return to the home, even though for many families returning home would mean losing income that supports basic needs. Thus, the narrative of dysfunction is not merely a matter of interpretation but also a social mechanism that sustains inequality.

3.2.4. Economic Motives and the Sacrifice of Working Women

On the other hand, women's decisions to work often arise from family economic pressures, particularly when household needs increase and the income of one party is insufficient. This was experienced by women who worked as clove pickers in Benteng Village, Gantarang District, Bulukumba Regency, who worked with the intention of helping their husbands meet family needs despite facing dilemmas concerning the division of domestic roles (Herdayanti, 2018). Similar findings were reported by Tuwu (2018) in South Konawe Regency, Southeast Sulawesi, where women working as *split* stone breakers continued working to support their families despite receiving very low wages. In these cases, employment was not an expression of career ambition at the expense of the family but rather a form of sacrifice for the family.

Both examples depict women working in sectors characterized by limited protection and low wages, where the physical burden is substantial and the time remaining for household responsibilities is highly restricted. If these women are subsequently accused of causing

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weakened caregiving, such an accusation overlooks the fact that they are precisely the ones helping to ensure that the family's basic needs are met. From the perspective of the objectives of *sharia*, women who provide financial support for their families contribute to the protection of the family's life and property, two of the fundamental objectives of Islamic law. Treating such women as a source of dysfunction effectively penalizes them for attempting to sustain their own families.

The language used in these two studies also deserves scrutiny. Women are described as working to "help" their husbands. The term "help" presupposes that earning a livelihood is fundamentally the husband's responsibility and that the wife's contribution is supplementary. This framework creates two opposing possibilities. On the one hand, it recognizes the wife's contribution as a virtue. On the other hand, it may conceal a real redistribution of economic burdens because income initially regarded as supplementary can gradually become essential to meeting basic needs without any corresponding recognition of the change in its status. When this occurs, the relationship needs to adapt, including by adjusting the division of domestic labor and clarifying rights over the fruits of the wife's labor.

These examples also demonstrate that the category of "career women" in popular discourse is often too narrow. It tends to imagine highly educated women pursuing professional positions, whereas many women work precisely because of economic necessity. A debate based on the former image will be misguided when applied to the latter reality. Accordingly, family-law analysis needs to take into account the diversity of women's motivations and working conditions before drawing normative conclusions.

3.2.5. Where Does the Actual Dysfunction Lie?

When women's decisions to work arise primarily because their husbands' income is insufficient, the issue needs to be examined within the framework of the marital relationship. Women's participation in earning a livelihood should not be understood solely as an individual choice but also as a consequence of economic conditions and patterns of responsibility-sharing within the family. When economic burdens are shifted disproportionately to women without agreement, support, and a proportional distribution of responsibilities by husbands, such a condition may indicate dysfunction within the family relationship. In this context, however, the dysfunction does not arise because women work, but because there is an imbalance in the performance of roles and responsibilities between husbands and wives.

When women must perform the role of breadwinner while continuing to bear most domestic responsibilities, the resulting problem should not be attributed entirely to women. Such a condition may indicate a problem in the family's relational structure, particularly where husbands fail to provide adequate support, fail to participate in the distribution of domestic work, or transfer responsibility for the family's economic needs to their wives without communication and mutual agreement. From this perspective, what requires critical examination is not women's presence in the public sphere but the manner in which husbands and wives organize the distribution of roles, obligations, and responsibilities so as to prevent an unequal burden from falling upon either party.

This distinction is important to ensure that critique does not become another form of blame. At least three situations need to be distinguished. First, women who work by mutual agreement and participate in an equitable division of roles cannot reasonably be said to create dysfunction. Second, women who work out of necessity while being left to carry domestic responsibilities alone illustrate relational dysfunction, but the source of that dysfunction lies in the relational structure rather than in employment itself. Third, some burdens lie beyond the control of the couple, such as low wages, long working hours, lengthy commutes, and limited access to caregiving support; therefore, their resolution cannot be reduced to advice directed solely at husbands and wives.

This critique does not deny that time and energy are limited resources. When both spouses work, the time available for childcare and domestic work is indeed reduced, and families need to adapt accordingly. Recognizing this limitation does not contradict the argument of this article. Rather, it demonstrates that the appropriate response is redistribution and adequate support, not

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the withdrawal of women from the workforce. A family that has less available time but gains additional income and maintains an equitable division of roles may be more functional than a family that formally preserves traditional roles but lacks sufficient resources and is characterized by persistent tension.

The legal dimension of this issue also deserves attention. Family dispute-resolution mechanisms tend to rely on established legal categories, such as financial maintenance, *nusyuz*, and custody, making unequal divisions of domestic labor difficult to articulate as an independent legal issue. As a result, women exhausted by the double burden often receive legal attention only when conflict has escalated into a dispute that can be formally categorized. The absence of legal language for unequal burdens makes the issue appear to be a private problem and, consequently, makes it easier to interpret it as a failure on the part of women.

Accordingly, the assessment of whether a family is functioning should rest upon relational indicators rather than conformity to a single pattern of roles. Such indicators include the spouses' capacity for deliberation, willingness to share burdens, fulfillment of the basic and psychological needs of family members, and preservation of physical and mental well-being, particularly that of the party bearing the greatest burden. By using such standards, career women are no longer automatically positioned as the accused party, and family law can be directed toward improving relationships rather than judging individuals' choices of roles.

3.3 Reconstructing Islamic Family Law for Family Welfare from the Perspective of *Mubādalah*

3.3.1. The Concept and Premises of *Mubādalah*

The *Mubādalah* approach provides an important analytical framework for this reconstruction. It is important to note that *mubādalah* does not simply mean an exchange of roles between husbands and wives. Rather, it constitutes a perspective of reciprocity for interpreting religious texts and structuring relationships, whereby rights and obligations apply reciprocally to both parties (Kodir, 2019). In the context of Islamic family law, this perspective emphasizes an equitable distribution of rights and obligations across various dimensions of family life, including economic, social, and psychological dimensions, and is considered relevant to structuring spousal relations on a more equal basis (Daharis et al., 2025). Although differences in roles may exist in certain respects, the application of *mubādalah* encourages an understanding of husbands and wives as complementary partners rather than as parties engaged in domination.

The foundation of *mubādalah* rests on three premises: Islam is addressed to both men and women; their relationship is built upon cooperation and reciprocity rather than hegemony; and Islamic texts are open to interpretation in ways that encompass both sexes (Hafis et al., 2025). The second premise is grounded in the verse stating that believing men and women are allies of one another (Qur'an 9:71) and in the verse portraying marriage as a space of tranquility, love, and compassion (Qur'an 30:21). The third premise invites readers to ask whether a text that appears to address one sex in fact embodies values applicable to both. Values such as compassion, responsibility, and the obligation to treat one another well cannot reasonably be imposed upon only one party.

Methodologically, a *mubādalah* reading proceeds through several steps. The reader first identifies the principles and values underlying an issue, such as justice, compassion, and responsibility. The reader then identifies the core meaning of the text under consideration, distinguishing between messages of general application and forms associated with particular contexts. Finally, this core meaning is extended so that it applies to both sexes insofar as relevant. These steps keep interpretation anchored in the text rather than allowing it to become an unconstrained reading, while simultaneously creating room for a text that appears to address one party to be interpreted as carrying implications for both.

When this principle is applied to dual roles, the implication is that when women contribute to meeting the family's economic needs, domestic responsibilities and childcare should likewise be shared. The principle is straightforward: what is expected of a wife in terms of economic

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contribution should imply a corresponding willingness on the part of the husband to contribute domestically, and vice versa. The double burden experienced by women should therefore not be regarded as a normative inevitability but as the result of a non-relational approach to legal interpretation that fails to prioritize substantive justice. This reading is consistent with the work of other interpreters who demonstrate that male dominance in family law does not derive from the objectives of revelation itself but from the patriarchal lenses through which its interpreters have approached the texts (Barlas, 2002).

3.3.2. Reconsidering Leadership, Financial Maintenance, and Obedience

This reading has implications for the concepts of male leadership and financial maintenance. If the husband's leadership and obligation of financial maintenance are understood as functions attached to responsibilities undertaken, rather than as fixed attributes of sex, the division of roles can be adjusted according to the capacities and circumstances of each spouse. The verse concerning male authority (Qur'an 4:34) itself associates such authority with two factors: the advantages or capacities granted by God and the financial expenditure undertaken by men. If the underlying circumstances change—for example, because the wife also contributes financially—the implications should likewise be reconsidered, and leadership may instead be understood as a shared responsibility exercised through deliberation.

The classical view that a wife's property belongs to her and that her contribution to family maintenance is voluntary in nature actually reinforces this argument. If a wife's economic contribution constitutes a virtue beyond her legal obligation, then, ethically, that contribution should be reciprocated by the husband's willingness to share domestic work rather than by demanding that the wife continue to bear the entire household workload (Zakariah et al., 2026). In other words, a legal framework that recognizes a wife's earnings as her own is inconsistent if, at the same time, it requires her to bear the domestic burden as though she were not employed.

The concepts of obedience and *nusyuz* likewise require reconsideration. The provision on *nusyuz* in the Compilation of Islamic Law, which regulates *nusyuz* only on the part of the wife (Article 84), should be read through the principle of reciprocity so that it is not used as a basis for blaming wives who work pursuant to mutual agreement. The Qur'an itself recognizes the possibility of *nusyuz* on the part of the husband (Qur'an 4:128), thereby providing a textual basis for reciprocal assessment of violations of marital obligations. A wife who works with her husband's knowledge and agreement should not be categorized as neglecting her obligations, whereas a husband who allows his wife to bear a double burden without adequate support may be regarded as failing to fulfill his obligation of good marital companionship.

With regard to permission, a reciprocal reading shifts the relationship from unilateral authorization toward mutual agreement. Strategic family decisions, including a wife's decision to work and a husband's decision to accept employment in a distant location, should be discussed by both parties with consideration for the welfare of all family members. Under this model, women's employment is no longer treated as a concession that may be withdrawn at any time but as part of a family plan developed through deliberation.

The principles of deliberation and mutual consent also have a textual basis in matters of childcare. The Qur'an states that neither the mother nor the father should be harmed on account of the child and that decisions concerning weaning should be made through mutual consent and consultation between the two parents (Qur'an 2:233). This verse indicates that childcare in Islam is not a unilateral responsibility but an area of cooperation to be determined jointly. For dual-income families, this principle can be translated into practical arrangements concerning schedules, responsibility for picking up children, and the division of responsibilities when a child is ill—all of which should be negotiated rather than presumed to be the mother's responsibility.

3.3.3. Critiquing the Narrative of Dysfunction through the Lens of Reciprocity

The narrative of dysfunction that blames career women can likewise be critically examined through this perspective. The assumption that family harmony depends upon women's

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confinement to the domestic sphere overlooks the principle of reciprocity that forms a foundation of family relations in Islam. In many cases, family conflict instead arises from unequal divisions of roles, poor communication, and unrealistic gender expectations. The *Mubādalah* perspective emphasizes that family dysfunction cannot be attributed to one party alone but should instead be understood as the outcome of an imbalanced and inequitable relationship between husbands and wives.

The perspective of reciprocity also transforms the key question. The traditional question is: may women work, and how can their employment be prevented from interfering with the household? The revised question is: how can husbands and wives jointly organize work and household responsibilities so that both are treated fairly and their welfare is protected? This shift moves responsibility for resolving the problem from one party to both parties and from judging individual choices toward structuring the marital relationship.

This shift also helps distinguish biological conditions from social constructions. Biological conditions include pregnancy, childbirth, and breastfeeding, which can only be experienced by women. Cooking, cleaning, taking children to and from school, and managing daily household finances, however, are not biological conditions but forms of labor that can be performed by either spouse. Conflating these two categories often becomes the basis for assuming that all domestic work is inherently women's responsibility. By distinguishing between them, space is created for sharing domestic labor without denying women's biological particularities, including the need for additional support during pregnancy, childbirth, and breastfeeding.

3.3.4. Reinforcement through *Maqāṣid al-Sharīʻah*

Furthermore, the reconstruction of Islamic family law should be situated within the framework of maqāṣid al-sharīʻah (Hafis & Nelli, 2023). Maqāṣid-oriented interpretations of family-related verses indicate that the objectives of sharia within marriage are the realization of welfare and justice rather than merely the fulfillment of particular role arrangements (Guspidawati et al., 2025). Family welfare cannot be achieved when one party experiences physical and emotional exhaustion as a result of a disproportionate burden. The protection of life (ḥifẓ al-nafs), intellect (ḥifẓ al-ʻaql), and progeny (ḥifẓ al-nasl) instead requires family relationships that are healthy, supportive, and equitable. In what follows, a distinction is maintained between objectives expressly discussed in the maqāṣid literature and the study's proposed application of those objectives to burdens within particular marital arrangements.

This connection can be elaborated further. Chronic exhaustion undermines physical and psychological well-being and places women at risk in ways relevant to *ḥifẓ al-nafs*. Prolonged pressure can impair clarity of thought and decision-making, implicating *ḥifẓ al-ʻaql*. Childcare that depends upon a single exhausted parent while the other parent remains absent may endanger children's development, thereby implicating *ḥifẓ al-nasl*. Meanwhile, a wife's income that contributes to meeting family needs supports *ḥifẓ al-māl*. Accordingly, unilateral restrictions on a wife's employment that leave the family with inadequate resources cannot be justified in the name of protecting the family.

The *maqāṣid* framework also reminds us that family welfare is comprehensive. The protection of religion (*ḥifẓ al-dīn*) requires a household environment that enables religious practice and the transmission of values to take place properly, which is difficult to achieve in a home characterized by exhaustion and resentment arising from an unequal distribution of burdens. Justice (*ʻadl*) as a foundational value of *sharia* requires that the party carrying the heavier burden receive recognition and appropriate relief. Thus, nearly all of the fundamental objectives of *sharia* converge on one conclusion: equitable and mutually supportive family relationships are a condition for realizing these objectives.

The systems approach developed by Auda (2008) provides a useful way of thinking about this issue. Family law should not be evaluated on the basis of a single provision in isolation but according to its capacity to preserve the family system as a whole across multiple dimensions, including justice, welfare, health, and generational continuity. From this perspective, provisions that, when applied rigidly, produce injustice and exhaustion need to be reconsidered in light of

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the well-known *fiqh* maxim that legal rulings may change with changes in time, place, and circumstances. In this regard, a division of roles based on deliberation and mutual agreement constitutes a concrete application of *maqāṣid* in family life.

3.3.5. Concrete Steps for Reconstruction

In practical terms, this reconstruction can be realized through several measures. First, the division of roles should be negotiated from the outset and reviewed periodically because economic conditions, careers, and children's needs change over time. The Marriage Law provides room for marital agreements (Article 29), which can be used to clarify such arrangements. Such negotiations need not produce an exactly equal division but rather a division perceived as fair by both parties, taking into account working hours, income, energy, and the stage of childrearing.

Second, the formulation of the husband as the head of the family and the wife as the homemaker in positive law should be interpreted as a flexible allocation of functions rather than as a hierarchy that fixes roles according to sex. Such an interpretation can be pursued by judges and religious counselors without waiting for amendments to the statutory text, while simultaneously encouraging revisions to the formulation when family-law reform takes place. In marital disputes, for example, judges could consider the distribution of domestic and caregiving responsibilities as a relevant factor rather than focusing solely on the wife's employment status.

For Religious Courts deciding marital disputes, the proposal may be translated into a four-stage legal reasoning sequence rather than a new ground of divorce. First, the judge identifies the pleaded issue and applicable legal basis, then records the actual distribution of income, working hours, childcare, domestic tasks, and any agreements between the spouses. Second, the judge examines the evidence and each spouse's conduct in light of the reciprocal duties to respect, support, and raise children in Marriage Law Articles 31, 34, and 45 and KHI Article 77, without assuming that a wife's employment proves neglect. Third, where nusyuz is alleged under KHI Articles 83–84, the judge distinguishes a demonstrable, unjustified breach of a specific marital obligation from a dispute caused by an unshared double burden; the statutory conditions and proof of a legally relevant reason remain decisive. Fourth, the court explains whether unequal obligations contributed to the established facts of the dispute, using Mubādalah as an interpretive lens and maqāṣid as a welfare-oriented test, not as autonomous replacements for positive-law provisions. The approach therefore improves fact-finding and reason-giving while remaining within the court's existing jurisdiction (Indonesia, 1974, 1991; Imaduddin & Firdausi, 2023).

For example, if a husband attributes household conflict to a wife's paid employment, a legal assessment should ask whether he previously agreed to the employment, who actually undertook essential childcare, whether either spouse withheld legally required maintenance, what alternative care was available, and whether the asserted failure is supported by testimony or documents. A working wife should not be presumed nusyuz merely because she cannot complete every domestic task after paid work; nor does this proposal automatically establish the husband's nusyuz or extinguish his statutory financial obligations. During court-connected mediation, the parties can be encouraged to document feasible commitments concerning caregiving, household expenses, communication, and working schedules, consistently with the procedural framework of Supreme Court Regulation No. 1 of 2016 (Supreme Court of Indonesia, 2016). Where mediation fails, any decision must still rest on proved facts and the substantive legal grounds governing the claim. This clarification prevents a philosophical principle of reciprocity from being mistaken for an already codified new cause of action.

Third, premarital guidance and family counseling should include material on the division of domestic work and childcare as shared responsibilities, as well as communication and conflict-resolution skills. Prospective spouses should be equipped with an understanding that partnership does not arise automatically but must be deliberately built, particularly amid social norms that continue to direct women toward domestic roles. Such education should also target men because changes in husbands' roles are a key element that is often overlooked. A practical premarital exercise could require both partners to prepare and discuss a weekly childcare and domestic-

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work schedule, a contingency plan for illness, and a transparent household budget; the exercise would assess their capacity for consultation rather than impose one uniform family model.

The roles of religious scholars, religious counselors, the Office of Religious Affairs (*Kantor Urusan Agama*), and Religious Courts are important in this process because they occupy a point of intersection between religious texts, law, and family practice. They can assist couples in understanding that the division of roles is flexible and that there is no single universally correct model. An approach emphasizing reciprocity should be communicated in language grounded in the Islamic tradition, supported by scriptural evidence and Prophetic examples, so that it is received as part of religious teaching rather than as an externally imposed idea. In judicial training, the Supreme Court and the Religious Courts could introduce a concise checklist of evidentiary questions on reciprocal duties; religious counselors and KUA facilitators could translate the same indicators into premarital discussion guides, while ensuring that participation remains non-coercive.

Fourth, because some burdens originate from structures outside the household, family law needs to be supported by employment policies and caregiving services that reduce the burdens faced by dual-income families, such as flexible working arrangements, leave policies involving fathers, and affordable childcare services. Without structural support, an equitable division of roles within the household must still operate under substantial external burdens. In other words, relational justice requires structural justice as its foundation.

3.3.6. Possible Objections and Responses

This approach may, of course, encounter objections. Those who defend the traditional division of roles may argue that such a division derives from religious texts rather than merely from culture, and that reinterpreting it risks weakening the authority of the texts. This objection deserves serious consideration. The reconstruction proposed here does not reject the texts but rather reads them alongside principles that are themselves grounded in the texts, namely justice, reciprocity, and welfare. It also does not eliminate differences in roles but rejects fixing those roles according to sex. Couples who agree that the wife will focus on the household while the husband focuses on providing financial support remain compatible with this approach, provided that the arrangement is freely agreed upon, deliberated jointly, and open to review.

Another objection arises from the concern that emphasizing equality may overlook children's needs. This concern is legitimate, but the conclusion drawn from it does not necessarily follow. Children's needs are the responsibility of both parents, as affirmed by positive law, and a more equitable distribution of responsibilities may instead enhance parental involvement with children rather than reduce it. Moreover, this study is library-based and normative and therefore does not empirically test the effects of different patterns of role allocation on children's welfare. Further empirical research would enrich and test the framework proposed here.

Another limitation should also be acknowledged. This article discusses families in general, whereas families vary considerably according to socioeconomic class, geographic setting, occupation, and stage of life. Women working as agricultural laborers, civil servants, or online entrepreneurs face different pressures, meaning that a fair division of roles for one group may not be suitable for another. Accordingly, the principles proposed here should be understood as an orienting framework that needs to be translated into the circumstances of each family rather than as a single prescriptive formula.

The reconstruction of Islamic family law from the perspective of *Mubādalah* affirms that career women are not the source of family dysfunction. Rather, family dysfunction is more appropriately understood as arising from relational structures that fail to adapt to social change. Islamic family law oriented toward welfare is law that is capable of responding to social realities, upholding the principle of reciprocity, and directing spousal relations toward equitable partnership. Within this framework, the dual roles of career women are not a threat but part of the dynamics of contemporary Muslim families that should be addressed through legal wisdom and relational justice.

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4. CONCLUSION

This study concludes that dual roles do not, by themselves, establish family dysfunction. Qur'anic precedents and Islamic legal reasoning do not yield an absolute prohibition on women's employment; instead, Indonesian marriage law combines formal equality with gender-specific allocations of family roles. The reviewed documentary and social literature indicates that the more defensible object of scrutiny is whether the couple can maintain mutual support, adequate care, and fair distribution of responsibilities under changing economic conditions. Consequently, the double burden should be distinguished from dysfunction: it identifies an unequal distribution of labor, while dysfunction requires evidence of impaired family functions and relational obligations.

The contribution of this study is a relational-justice interpretation integrating Mubādalah's reciprocal duties with the maqāṣid assessment of welfare and harm. In the application of existing law, it offers a reasoned way to assess agreement, support, caregiving, and alleged nusyuz without automatically imputing marital failure to a wife's employment. This remains an interpretive framework, not a claim that courts can disregard the wording of KHI or introduce unlegislated divorce grounds. Normative reconstruction should therefore combine context-sensitive interpretation with prospective revision of provisions that categorically assign leadership and domestic responsibility by sex.

For implementation, legislators and relevant ministries should review the gender-specific wording of Marriage Law Article 31(3) and KHI Article 79 while safeguarding legally recognized maintenance and child-welfare duties. The Supreme Court and Religious Courts should test the proposed evidence-based assessment through judicial education and documented analysis of judgments; KUA and religious counselors should incorporate reciprocal care planning in premarital guidance; and labor and social-welfare authorities should improve access to paternal leave and affordable childcare. Future socio-legal research should compare court reasoning and household time-use arrangements across agricultural workers, civil servants, informal workers, and digital workers, with specified indicators of task allocation, marital agreement, caregiving quality, and household well-being. Such evidence is necessary before drawing causal conclusions about whether reciprocal arrangements reduce conflict.

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