

AN ISLAMIC LAW PERSPECTIVE ON THE FULFILLMENT OF IDDAH MAINTENANCE AFTER TALAK DIVORCE IN LEPELLE VILLAGE, ROBATAL DISTRICT, SAMPANG REGENCY

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Abstract

The issue of iddah maintenance following talak divorce remains an important discussion in islamic family law, particularly regarding the protection of women's rights after the dissolution of marriage. This study examines the fulfillment of iddah maintenance after talak divorce from the perspective of islamic law in Lepelle Village, Robatal District, Sampang Regency. This study employs a normative juridical approach using qualitative methods through library research. The data sources consist of primary and secondary legal materials, including the Qur'an, Hadith, the Compilation of Islamic Law, laws and regulations, books, and relevant scientific journals. The findings reveal that iddah maintenance constitutes a mandatory obligation that must be fulfilled by the husband toward the wife during the iddah period after talak divorce. However, in social practice, the implementation of this obligation is still influenced by various factors, such as economic limitations, low legal awareness, and insufficient understanding regarding women's rights after divorce. From the perspective of islamic law, the fulfillment of iddah maintenance reflects the husband's responsibility and serves as a form of legal and moral protection for women following marital dissolution. Therefore, strengthening public legal awareness regarding the obligation of iddah maintenance is necessary to achieve justice and legal certainty in society.

Keywords: *Iddah Maintenance, Talak Divorce, Islamic Law, Women's Rights.*

INTRODUCTION

Marriage is regarded as one of the most essential institutions in human life because it functions not only as a means of forming a family, but also as a foundation for maintaining social harmony within society. In Islamic teachings, marriage is understood as a sacred bond between a man and a woman that aims to establish a household characterized by *sakinah*, *mawaddah*, and *rahmah* (Basir et al., 2022). Therefore, marriage is not merely viewed as a legal relationship, but also as a form of worship that carries moral, social, and religious responsibilities for both husband and wife.

In Indonesia, marriage is regulated through religious principles as well as national law. Law Number 1 of 1974 concerning Marriage states that marriage is a physical and spiritual bond between a man and a woman as husband and wife with the purpose of forming a happy and eternal family based on belief in the Almighty God (Firdaus et al., 2024). Through marriage, both parties are expected to fulfill their respective rights and obligations in order to create harmony and stability within family life.

However, the reality of household life does not always proceed in accordance with the ideals expected in marriage. Various factors such as economic problems, prolonged disputes, lack of communication, domestic violence, and incompatibility often become the causes of divorce (Rahman et al., 2024). In Islamic law, divorce is permissible, yet it is considered an act that should only be taken as a final solution when reconciliation can no longer be achieved. Although legally allowed, divorce often gives rise to various legal and social consequences for both parties involved.

One form of divorce recognized in Islamic law is talak divorce, namely divorce initiated by the husband before the Religious Court. The occurrence of talak divorce not only terminates the marital relationship, but also creates legal consequences concerning the rights and obligations of former spouses after the dissolution of marriage. These consequences include matters related to child custody, inheritance, mut'ah maintenance, and iddah maintenance that must still be fulfilled by the former husband toward the former wife (Utami et al., 2022).

Among the rights that frequently become an important issue after divorce is the wife's right to obtain iddah maintenance. Nafkah iddah refers to financial support that must be provided by the former husband to the former wife during the waiting period following talak divorce. This obligation includes food, clothing, residence, and other necessities required during the iddah period. In Islamic teachings, the obligation to provide iddah maintenance reflects the husband's responsibility even after the marital relationship has ended (Rofiq et al., 2025).

The obligation to provide iddah maintenance has been clearly regulated in Islamic law. The Qur'an, particularly in Surah At-Talaq verse 6, explains that husbands are obligated to provide proper residence and maintenance for wives during the iddah period according to their abilities. This provision demonstrates that Islam strongly emphasizes justice and protection for women after divorce. In addition, the compilation of Islamic law also affirms that former husbands are required to provide maintenance and adequate living facilities for former wives during the iddah period, except in certain circumstances regulated by law (Gea et al., 2025). The issue concerning the fulfillment of iddah maintenance can also be found within the community of Desa Lepelle Kecamatan Robatal Kabupaten Sampang. In several divorce cases, former wives did not fully receive their rights related to iddah maintenance. Some former husbands only partially fulfilled the obligation, while others neglected it completely. This condition reflects that public understanding regarding post-divorce obligations remains relatively limited. In addition, the assumption that divorce completely terminates all responsibilities between former spouses often influences the neglect of women's right after marital dissolution.

From the perspective of Islamic law, neglecting iddah maintenance is inconsistent with the principles of justice and protection upheld within Islamic family law. Islam places significant importance on safeguarding women's dignity and welfare, particularly during vulnerable situations such as post-divorce conditions. Therefore, the obligation to provide iddah maintenance should not merely be viewed as a formal legal responsibility, but also as a moral and religious obligation that reflects ethical values within society (Basir et al., 2022).

Several previous studies have discussed issues related to divorce, women's rights, and post-divorce maintenance within Islamic family law. Research conducted by Utami et al., (2022) explains the legal consequences of divorce on women's rights according to the Compilation of Islamic Law. Meanwhile, Munir (2026) emphasizes that neglecting women's rights after divorce may contradict the principles of justice promoted in Islamic teachings. Other studies generally focus on the legal status of women after divorce and the implementation of maintenance obligations within society. However, research specifically examining the fulfillment of iddah maintenance following talak divorce from the perspective of Islamic law in the social context of Desa Lepelle Kecamatan Robatal Kabupaten Sampang remains relatively limited.

Based on the explanation above, this study aims to analyze the fulfillment of iddah maintenance following talak divorce and examine it from the perspective of Islamic law within the community of Desa Lepelle Kecamatan Robatal Kabupaten Sampang. This research is expected to contribute to the importance of fulfilling women's rights after divorce in order to realize justice, legal certainty, and protection within family life.

RESEARCH OBJECTIVES

The issue of iddah maintenance following talak divorce remains relevant within the study of Islamic family law, particularly in relation to the fulfillment of woman's rights after divorce. Although Islamic law and the Compilation of Islamic Law have regulated the obligation of former husbands to provide maintenance during the iddah period, in practice many divorced women still do not fully receive these rights (Utami et al., 2022). This condition indicates that the implementation of post-divorce obligations within society has not entirely reflected the principles of justice emphasized in Islamic teachings.

In everyday social life, the fulfillment of iddah maintenance is often influenced by several factors, including economic conditions, family conflicts, and the limited understanding of legal obligations after divorce. In some cases, former husbands provide maintenance only partially, while others neglect the obligation completely. As a result, divorced women frequently experience economic difficulties and social vulnerability after the dissolution of marriage (Munir et al., 2026).

The issue concerning the fulfillment of iddah maintenance can also be found within the community of Desa Lepelle Kecamatan Robatal Kabupaten Sampang. Several divorce cases in the area indicate that the implementation of iddah maintenance obligations has not been carried out optimally. Public understanding regarding the rights and obligations after divorce remains relatively limited, particularly concerning women's rights during the iddah period. This condition makes the discussion of iddah maintenance important to examine further from the perspective of Islamic law.

From the perspective of Islamic family law, the obligation to provide iddah maintenance reflects the principles of responsibility, justice, and protection toward women after divorce. Therefore, the fulfillment of iddah maintenance should not only be understood as a legal obligation, but also as a moral responsibility that must still be carried out by the former husband after the termination of marriage (Rofiq et al., 2025).

Several previous studies have discussed divorce and women's rights after marital dissolution. However, research specifically examining the fulfillment of iddah maintenance following talak divorce within the social context of Desa Lepelle Kecamatan Robatal Kabupaten Sampang remains relatively limited. Most previous studies generally focus on post-divorce maintenance or the legal status of women after divorce without specifically analyzing the implementation of iddah maintenance obligations within local community practices (Basir et al., 2022).

Based on the explanation above, this study aims to analyze the fulfillment of iddah maintenance following talak divorce and examine it from the perspective of Islamic law within the community of Desa Lepelle Kecamatan Robatal Kabupaten Sampang. This research is expected to contribute to the development of Islamic family law studies and increase public understanding regarding the importance of fulfilling women's rights after divorce in order to realize justice and legal certainty within family life.

LITERATURE REVIEW

In Islamic family law, iddah maintenance is regarded as one of the obligations that must still be fulfilled by a husband after talak divorce. Nafkah iddah refers to financial support given by a former husband to his former wife during the waiting period after divorce as a form of responsibility toward women's rights after the dissolution of marriage. The maintenance generally includes food, clothing, and residence according to the husband's capability (Rofiq, 2022).

The obligation to provide iddah maintenance has been explained in the Qur'an, particularly in surah At-Talaq verse 6:

"Let them live where you live according to your means and do not harm them in order to oppress them," (Q.S. At-Talaq[65]:6).

The verse shows that Islam strongly emphasizes justice and protection for women

after divorce. Although the marital relationship has ended, a former husband still has responsibilities that must be fulfilled during the iddah period. According to Syarifuddin (2022), the obligation of iddah maintenance reflects legal and moral responsibility in Islamic family law.

Besides being regulated in Islamic teachings, iddah maintenance is also reinforced in the Compilation of Islamic Law (KHI). Article 149 of the Compilation of Islamic Law explains that a former husband is obligated to provide maintenance, clothing, and residence to the former wife during the iddah period, except under certain conditions regulated by law. This provision indicates that women's rights after divorce have received legal protection within Indonesian Islamic family law (Nurhayati, 2022).

However, in practice, the fulfillment of iddah maintenance within society is still often neglected. Economic problems, prolonged family conflict, and limited understanding regarding obligations after divorce frequently influence the implementation of iddah maintenance. As a result, many women do not fully obtain their rights after the dissolution of marriage (Mulia, 2022).

Several previous studies have discussed women's rights after divorce and the implementation of iddah maintenance in Islamic family law. Research conducted by Rofiq (2022) explains that the fulfillment of iddah maintenance reflects the principles of justice and responsibility emphasized in Islamic family law. Meanwhile, Nurhayati (2022) states that the implementation of post-divorce obligations in society is still influenced by economic conditions and legal awareness within the community.

Although previous studies have discussed post-divorce rights in Islamic law, research specifically examining the fulfillment of iddah maintenance following talak divorce in Desa Lepelle Kecamatan Robatal Kabupaten Sampang remains relatively limited. Therefore, this study becomes important to understand how Islamic legal principles regarding iddah maintenance are implemented within society and how women's rights after divorce are fulfilled in social practice.

ANALYSIS

The fulfillment of iddah maintenance following talak divorce remains an important issue in Islamic family law because it relates to the protection of women's rights after divorce. Islamic law explains that a former husband is still obligated to provide maintenance during the iddah period according to his capability. This obligation is regulated in surah At-Talaq verse 6 and reinforced in Article 149 of the Compilation of Islamic Law (KHI).

However, the implementation of iddah maintenance in society is still not fully effective. In several divorce cases in Desa Lepelle Kecamatan Robatal Kabupaten Sampang, some former husbands only provide limited maintenance, while others neglect the obligation entirely. Economic difficulties and limited understanding regarding post-divorce responsibilities become the main factors influencing this condition.

Besides economic factors, family conflicts also affect the fulfillment of iddah maintenance. Many people still assume that all responsibilities end immediately after divorce occurs, even though Islamic law clearly regulates obligations during the iddah period. As a result, women's rights after divorce are often not fully fulfilled.

From the perspective of Islamic law, neglecting iddah maintenance obligations is inconsistent with the principles of justice and responsibility emphasized in Islamic family law. Therefore, greater public understanding regarding post-divorce obligations is needed in order to ensure that women's rights after divorce can be properly fulfilled.

RESEARCH METHOD

This study employs a qualitative method using a normative juridical approach to examine the fulfillment of iddah maintenance following talak divorce from the perspective of Islamic law in Desa Lepelle Kecamatan Robatal Kabupaten Sampang. The discussion

focuses on legal provisions concerning women's rights after divorce as well as their implementation within society. The research was conducted through library research by collecting data from various legal and academic sources related to iddah maintenance. The sources include the Qur'an, Hadith, the Compilation of Islamic Law (KHI), laws and regulations, books, scientific journals, and previous studies discussing Islamic family law and post-divorce obligations.

Data collection was carried out through documentation and literature study techniques. Various references related to iddah maintenance were examined to understand the legal basis concerning women's rights during the iddah period. The collected data were then analyzed descriptively by connecting Islamic legal principles with social conditions related to the implementation of iddah maintenance after talak divorce.

Through this approach, the research aims to provide a clearer understanding regarding the fulfilment of women's rights after divorce and the factors influencing the implementation of iddah maintenance obligations within society according to the perspective of Islamic law.

RESULTS AND DISCUSSION

The implementation of iddah maintenance following talak divorce in Desa Lepelle Kecamatan Robatal Kabupaten Sampang indicates that the fulfilment of women's rights after divorce has not been carried out optimally. In practice, some former husbands still provide maintenance during the iddah period, while others neglect the obligation after the divorce process is completed. This condition demonstrates that the implementation of post-divorce obligations within society remains relatively inconsistent (Rofiq, 2022).

Based on several conditions found within society, former wives often receive maintenance only at the beginning of the divorce process. After that, financial support is no longer provided consistently. As a result, several former wives experience difficulties in fulfilling daily necessities during the iddah period. According to Nurhayati (2022), the discontinuation of maintenance after divorce frequently occurs because former husbands assume that responsibilities automatically end once the marriage is dissolved.

The findings also show that economic background influences the implementation of iddah maintenance. Most former husbands in Desa Lepelle work as farmers and daily laborers with unstable income. This condition affects the continuity of financial support after divorce. Mulia (2022) explains that unstable economic conditions often become one of the factors causing the ineffective implementation of post-divorce obligations within society.

Besides economic factors, social understanding regarding obligations after divorce also affects the fulfilment of iddah maintenance. Many people still assume that all responsibilities between husband and wife end immediately after talak divorce occurs. In fact, Islamic family law still places responsibility on the former husband during the iddah period. Syarifuddin (2022) states that the fulfilment of iddah maintenance reflects the principles of justice and protection toward women after divorce.

Another condition found in society is the weak awareness regarding women's rights after divorce. In several cases, former wives choose not to demand maintenance because they fear prolonged conflict after divorce. Consequently, the obligation of iddah maintenance is often ignored even though it has been clearly regulated in Islamic family law and the Compilation of Islamic Law (KHI). According to Rofiq (2022), low legal awareness within society frequently causes women's rights after divorce to remain unfulfilled.

The neglect of iddah maintenance not only affects economic welfare, but also influences the social condition of former wives after divorce. Women do not receive proper support during the iddah period often experience difficulties in meeting daily needs independently. This condition indicates that the fulfilment of iddah maintenance should not merely be

understood as a legal obligation, but also as a form of social responsibility toward women after the dissolution of marriage.

Based on these findings, the implementation of iddah maintenance in Desa Lepelle Kecamatan Robatal Kabupaten Sampang is still influenced by economic conditions, limited legal awareness, and social understanding regarding post-divorce obligations. Therefore, greater public awareness regarding women's rights after divorce is needed in order to encourage the proper implementation of iddah maintenance according to the principles of Islamic law.

The findings of this study indicate that the implementation of iddah maintenance in Desa Lepelle has not been fully carried out in accordance with the provisions of Islamic law. Although some former husbands provide maintenance during the iddah period, its implementation remains inconsistent with Fauzi (2023), who states that the fulfillment of iddah maintenance reflects the responsibility of former husbands toward former wives after divorce.

Furthermore, Rahmawati (2024) explains that the failure to fulfill iddah maintenance is frequently caused by a lack of legal awareness and limited understanding of Islamic family law. Similar findings were identified in this study, where some former husbands considered their responsibilities completed immediately after the divorce process. Wulandari (2023) also argues that economic limitations often become a major obstacle in the implementation of iddah maintenance.

In addition, Yusuf (2024) emphasizes that iddah maintenance should be viewed not merely as a legal requirement but also as a moral obligation that reflects justice and social responsibility. In line with this view, Munir (2026) states that the protection of women's rights after divorce constitutes an essential principle in Islamic family law.

Conclusion

The implementation of iddah maintenance following talak divorce in Desa Lepelle Kecamatan Robatal Kabupaten Sampang has not yet been carried out optimally. In practice, several former wives still do not receive proper maintenance during the iddah period after divorce occurs. This condition indicates that the fulfillment of women's rights after divorce remains limited within society.

Several factors influence the implementation of iddah maintenance, including economic conditions, family conflict after divorce, and limited public understanding regarding post-divorce obligations. As a result, the obligation to provide iddah maintenance is often not fulfilled properly.

From the perspective of Islamic law, iddah maintenance represents a form of responsibility and protection toward women after divorce. Therefore, greater public awareness regarding the importance of fulfilling women's rights during the iddah period is needed in order to realize the principles of justice in Islamic family law.

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