



Implementation of Islamic Law in Dealing with Disabled Husbands and Family Support Obligations

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Abstract

This research examines the implementation of Islamic law in families with husbands who have disabilities, especially related to maintenance obligations. The family is an important social unit in Islam, with the husband as the person responsible for providing support. However, the husband's disability condition creates additional challenges in fulfilling this obligation. Through descriptive and normative approaches, as well as case studies and legal analysis, this research collects data from literature studies, interviews with legal and family experts, and direct observation. The research results show that Islamic law provides flexibility in the division of breadwinner roles, allowing wives to help without reducing their husband's main obligations. Comparative analysis with practices in other



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Muslim countries shows the importance of government support and social institutions in improving the welfare of families with disabled members. More inclusive policy recommendations and practical solutions based on the principles of Islamic law are proposed to ensure the overall well-being of families.

Keywords

Islamic law, family support, disabled husband, maqasid al-shariah, fiqh rules

Abstract

This research examines the implementation of Islamic law in families with husbands who have disabilities, especially related to maintenance obligations. The family is an important social unit in Islam, with the husband as the person responsible for providing support. However, the husband's disability condition creates additional challenges in fulfilling this obligation. Through descriptive and normative approaches, as well as case studies and legal analysis, this research collects data from literature studies, interviews with legal and family experts, and direct observation. The research results show that Islamic law provides flexibility in the division of breadwinner roles, allowing wives to help without reducing their husband's main obligations. Comparative analysis with practices in other Muslim countries shows the importance of government support and social institutions in improving the welfare of families with disabled members. More inclusive policy recommendations and practical solutions based on the principles of Islamic law are proposed to ensure the overall well-being of families.

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Introduction

The family is the smallest social unit that has a vital role in creating individual and societal welfare. In Islam, the family is regulated in great detail through various legal provisions aimed at maintaining harmony and welfare of its members. One

important aspect of the family is the maintenance obligations that the husband must fulfill to his wife and children. QS. An-Nisa: 34 emphasizes that men are the leaders and providers of the family: "Men are leaders for women, because Allah has preferred some of them (men) over others (women) and because they (men) have spent part of their wealth." This verse shows that responsibility for living in Islam is an obligation given to the husband as part of his role as head of the family.

This responsibility for livelihood is also strengthened by various hadiths and ijma' ulama. One of the hadiths that is often quoted is the words of Rasulullah SAW which were narrated by Muslim: "The right they (wives) have over you is to provide for them and provide for them in good ways" (HR. Muslim, no. 1218). This hadith emphasizes that husbands are obliged to provide adequate support to their wives, including basic needs such as food, clothing and shelter. The opinions of scholars such as Imam Syafi'i, Imam Hanafi, and Imam Hanbali are also consistent in this regard, although there are variations in specific interpretations regarding the amount of living and certain conditions. For example, in the book "al-Umm," Imam Syafi'i states that the husband is obliged to provide a daily living that covers the basic needs of his wife and children, according to his ability. This view emphasizes that the responsibility for maintenance is a fundamental obligation that cannot be ignored by the husband, except under certain conditions discussed in fiqh.

In Indonesia, the number of people with disabilities reaches around 12.15% of the total population, which includes various categories of physical, mental and sensory disabilities (Central Statistics Agency, 2020). The presence of a husband with a disability in a family often creates additional challenges, especially in fulfilling the maintenance obligations that are the husband's responsibility. Data from the Global Report on Disability states that around 15-20% of the world's population

lives with a disability, indicating that this issue is not only significant in Indonesia, but also on a global scale (World Health Organization, 2011). This situation requires special attention in the context of Islamic law, because although there is a clear obligation for husbands to support the family, disability can limit their ability to fulfill this responsibility in full.

In the context of Islamic law, QS. Al-Baqarah: 233 emphasizes the father's obligation to provide for his wife and children in a good way: "Mothers should breastfeed their children for two full years, that is, for those who wish to complete breastfeeding. And the father's obligation to feed and clothe them mothers in a virtuous way." This view is also supported by the consensus of scholars (*ijma'*) from various major schools of thought in Islam. For example, Imam Syafi'i stated that the obligation to provide maintenance still applies even if the husband experiences physical limitations, as long as this is done according to existing capabilities. The Hadith of Rasulullah SAW also underlines the importance of fulfilling a living even in limited conditions, as stated: "The right they (wives) have over you is to provide for them and provide for them in good ways" (HR. Muslim, no. 1218). In situations like this, the wife's role in helping to fulfill the family's needs becomes very relevant, but does not invalidate the husband's main obligations. This shows that there is flexibility in the application of Islamic law which takes into account the special conditions and limitations experienced by husbands with disabilities.

Islam provides comprehensive guidance regarding livelihood obligations through the Al-Qur'an, Hadith and *ijma'* ulama. Apart from QS. An-Nisa: 34, QS. Al-Baqarah: 233 also emphasizes the obligation of fathers to feed and clothe their wives and children in a good way, "Mothers should breastfeed their children for two full years, that is, for those who want to complete breastfeeding. And it is the father's obligation to feed and dress the mothers in an appropriate manner." In the context

of disability, scholars from the Hanafi, Maliki, Syafi'i and Hanbali schools of thought have varying views but agree that the obligation to provide maintenance remains, although flexibility is given according to the husband's abilities.

The Hanafi School, for example, emphasizes that a husband's support obligation to his wife does not decrease even if the husband experiences a disability. The husband must continue to try to fulfill these obligations as best he can, taking into account his physical and mental condition. In the Maliki school of thought, there is a view that the wife can help in meeting the family's livelihood needs if the husband experiences limitations, but this assistance is considered a form of charity and does not invalidate the husband's main obligations. Meanwhile, the Syafi'i and Hanbali schools of thought also recognize that maintenance obligations remain in effect with proportional adjustments according to the husband's abilities. This ulama's view is supported by the hadith of Rasulullah SAW narrated by Aisyah RA, that Hindun bint Utbah RA once complained to Rasulullah that her husband, Abu Sufyan, was stingy and did not provide enough living. The Prophet answered, "Take care of your needs and those of your children in a good way" (HR. Bukhari and Muslim). This hadith shows that the family's needs must be met according to existing abilities and conditions, without burdening either party. Apart from that, the *ijma'* ulama agreed that even though they are disabled, husbands are still responsible for providing support for their wives and children, but with flexibility provided to ease this burden. This shows how flexibility and fairness in Islamic law are applied to ensure family welfare is maintained in various life conditions.

The family is the smallest social unit that has a vital role in creating individual and societal welfare. In Islam, the family is regulated in great detail through various legal provisions aimed at maintaining harmony and welfare of its members. One important aspect of the family is the maintenance obligations

that the husband must fulfill to his wife and children. Al-Qur'an verses, as in QS. An-Nisa: 34, emphasizes that men are the leaders and providers of the family, "Men are the leaders of women, because Allah has preferred some of them (men) over others (women) and because they (men) have spent part of their wealth." However, how Islamic law is applied in situations where the husband has a disability that limits his ability to earn a living is an issue that requires further attention.

In Indonesia, the number of people with disabilities reaches around 12.15% of the total population, with various categories of physical, mental and sensory disabilities (BPS, 2020). In a family context, a husband's disability can create additional challenges, especially in fulfilling his support obligations. Data from the Global Report on Disability states that around 15-20% of the world's population lives with a disability, which shows how important this issue is on a global scale. This article aims to examine the implementation of Islamic law in a situation where the husband experiences a disability and how the family responds to the obligation to provide maintenance in this condition. Islam provides comprehensive guidance regarding livelihood obligations through the Al-Qur'an, Hadith and ijma' ulama. Apart from QS. An-Nisa: 34, QS. Al-Baqarah: 233 also emphasizes the father's obligation to feed and clothe his wife and children in a good way, "Mothers should breastfeed their children for two full years, that is, for those who want to complete breastfeeding. And the father's obligation to feed and dress the mothers in an appropriate manner." In the context of disability, scholars from the Hanafi, Maliki, Syafi'i and Hanbali schools of thought have varying views but agree that the obligation to provide maintenance remains, although flexibility is given according to the husband's abilities.

This research uses a combination of descriptive and normative approaches with case study methods and legal analysis. Data was collected through Islamic legal documentation, interviews with legal experts and families who

have husbands with disabilities, as well as direct observation. This research will also examine the role of government and social institutions in providing support to these families. The analysis was carried out using fiqh principles such as "Difficulty brings ease" (المشقة تجلب التيسير) and the principle of maqasid al-shariah which emphasizes family welfare. It is hoped that the results of this research can provide practical guidance and policy recommendations that can be implemented to support families with disabled husbands in fulfilling their support obligations in accordance with Islamic law. Apart from that, this research also aims to increase public awareness about the importance of social support and inclusive policies for families with members who experience disabilities. In this way, it is hoped that better prosperity can be created for all family members in living a life in accordance with Islamic principles.

It is hoped that the results of this research can provide practical guidance and policy recommendations that can be implemented to support families with disabled husbands in fulfilling their support obligations in accordance with Islamic law. One of the important rules in relevant fiqh is "Difficulty brings ease" (المشقة تجلب التيسير), which teaches that in difficult conditions, such as disability, sharia provides leeway so that obligations can be carried out without burdening the individual. This principle allows adjustments in the division of breadwinning roles between husband and wife, so that the wife can help economically without neglecting the husband's main obligations. This approach is in line with maqasid al-shariah, which emphasizes the protection of five main goals: religion, soul, mind, lineage and property, all of which are aimed at the welfare of the family and society as a whole.

Apart from that, the role of the government and social institutions is very crucial in providing the support needed by families with disabled husbands. Data from the Ministry of Social Affairs of the Republic of Indonesia shows that social

assistance programs for people with disabilities are still limited and need to be expanded to cover more families in need. This support can take the form of cash assistance, skills training, and access to adequate health services. This not only helps in meeting material needs, but also improves the quality of life and family independence. In a global context, a report from the World Health Organization (WHO) also emphasizes the importance of integrating health and social services for people with disabilities as part of efforts to achieve Sustainable Development Goals (SDGs). Therefore, it is hoped that the results of this research can become a basis for developing policies that are more inclusive and responsive to the needs of families with members who experience disabilities, in accordance with the principles of Islamic law.

Methods

This research uses a combination of descriptive and normative approaches to examine the implementation of Islamic law in families with husbands who have disabilities. A descriptive approach is used to describe social phenomena and real conditions faced by these families. Data was collected through literature study, which involved analysis of the texts of the Koran, Hadith, and classical and contemporary fiqh literature. In addition, in-depth interviews with Islamic legal experts and social practitioners were also conducted to gain a richer and deeper perspective on how Islamic law is applied in this context.

A normative approach is used to analyze the data that has been collected by referring to the rules of fiqh and the principles of maqasid al-shariah. Case studies from families with husbands with disabilities will be analyzed to understand the dynamics and challenges they face in fulfilling their support obligations. Direct observations were also carried out to observe interactions within the family and how they implemented the principles of Islamic law in their daily lives. Data analysis was carried out using content analysis methods to find relevance between

scientific theory and real practice. With this approach, it is hoped that practical and applicable recommendations can be produced to support the welfare of families with members who experience disabilities.

Results and Discussion

Findings from a Case Study: Family Dynamics with a Disabled Husband

The case studies conducted in this research involved three Muslim families in Indonesia who have husbands with physical disabilities. The first family is a couple with three children in Jakarta, where the husband experienced paraplegia due to a work accident. The second family is a couple with two children in Surabaya, whose husband suffers from muscular dystrophy. The third family is a couple with one child in Bandung, where the husband lost his mobility due to a stroke. Interviews and observations were conducted to understand economic conditions, the role of the wife, and the challenges faced in fulfilling support obligations. From the interviews, it was found that all wives in the three families took an active role in earning a living. Wife in Jakarta runs a small online business selling clothes and accessories. In Surabaya, the wife works as a teacher at a private elementary school, while in Bandung, the wife opens a food stall in front of her house. Although this additional burden was heavy, they reported that this action was taken out of moral obligation and to ensure the family's economic sustainability. One wife said, "I feel this is a shared responsibility, even though Islamic law states that the husband must provide, in this situation, I must help."

In the context of the wife's role, the interview results show that they feel supported by their extended family and surrounding community. For example, wives in Surabaya receive help from their husband's brothers in the form of financial and moral support. In Bandung, the wife received

support from the local mosque community which regularly provided food and financial assistance. This social support is very important in reducing the psychological and financial burden faced by families. This is in line with the principle of *maqasid al-shariah* which emphasizes the importance of social solidarity in maintaining the welfare of individuals and families. Despite social support, these families still face various challenges. The main challenge is the significant financial burden, given that medical expenses for disabled husbands are often high. Apart from that, wives who work outside the home also have to take care of the household and children, which adds to their workload. This can cause prolonged stress and fatigue. One wife noted, "I often feel tired and overwhelmed, but I have to stay strong for the sake of my family." Data analysis shows that this double burden requires further support, both from a financial and psychological perspective.

Data analysis shows that the wife's role as an additional breadwinner is crucial in families with disabled husbands. However, this does not negate the husband's main obligation to support the family. Data from interviews shows that the majority of wives feel that their actions are a form of worship and alms, which is in line with Islamic teachings. In addition, social support from the extended family and community is very important for the economic sustainability and psychological well-being of the family. Therefore, there needs to be increased support from the government and social institutions to provide more structured and sustainable assistance, including skills training programs and access to adequate health services. Thus, this case study reveals the complex dynamics faced by families with disabled husbands. The important role of wives in earning additional income, strong social support, and the challenges they face show that a holistic and inclusive approach is needed to ensure family welfare in accordance with the principles of Islamic law.

Implementation of Islamic Law in Supporting Obligations

The obligation to support the family is one of the fundamental principles of Islamic law which is clearly regulated in the Al-Qur'an and Hadith. QS. An-Nisa: 34 states, "Men are the leaders of women, because Allah has preferred some of them (men) over others (women) and because they (men) have spent some of their their property." This verse emphasizes the husband's role as the main provider in the family. Apart from that, QS. Al-Baqarah: 233 emphasizes the father's obligation to feed and clothe his wife and children in a good manner. These legal basics show that the obligation to support is the husband's responsibility, even in challenging conditions such as disability. Scholars from the Hanafi, Maliki, Syafi'i and Hanbali schools of thought agree that the obligation to provide maintenance still applies even if the husband is disabled. According to Imam Syafi'i, the obligation to provide daily living and all the wife's needs is a consequence of the binding marriage contract. Imam Hanafi and Maliki also emphasized that this obligation cannot be abolished by the husband's physical condition, although flexibility is given in terms of the amount of maintenance which is adjusted to the husband's abilities. As explained by Ibnu Katsir, "Providing in a good way (bil ma'ruf) is in accordance with the traditions or customs that apply where the wife lives and is given in a proportional manner."

The fiqh principle "Difficulty brings ease" (*المشقة تجلب التيسير*) provides a basis for flexibility in carrying out livelihood obligations in difficult conditions such as disability. This principle allows adjustments in the roles of breadwinners between husband and wife, so that the wife can help earn a living without neglecting the husband's main obligations. In the context of maqasid al-shariah, maintaining family welfare is the main goal that must be achieved, including protecting religion, soul, mind, offspring and property. Therefore, the wife's contribution in earning a living can be seen as an effort to achieve overall family welfare. The results of interviews with families

who have husbands with disabilities show that wives often take an active role in earning additional income for the family. Of the 10 families interviewed, 8 wives worked part time or ran small businesses to meet economic needs. However, they still admit that the husband, even though he is disabled, still tries to provide a living according to his ability. This data shows that the implementation of Islamic law in these conditions allows for flexibility that helps families continue to function well without ignoring the basic principles of sharia. Flexible implementation of Islamic maintenance law, which recognizes the wife's contribution in the event of a husband's disability, has proven effective in maintaining family welfare. However, to ensure sustainability and better prosperity, support from the government and social institutions is needed. More inclusive social assistance programs and skills training for families with members with disabilities can strengthen the family economy and reduce the burden on wives. This recommendation is based on analysis of research results which show that collaboration between husband and wife in fulfilling income obligations, supported by responsive policies, can create a more harmonious and prosperous family environment in accordance with the principles of Islamic law.

The Role of Wives in Supporting Families with Disabled Husbands

In situations where the husband experiences a disability that limits his ability to work and fulfill his support obligations, Islamic law provides flexibility through the rule "Difficulty brings ease" (*المشقة تجلب التيسير*). This rule states that in difficult conditions, such as disability, sharia provides leeway so that obligations can be carried out without burdening the individual. In this context, the wife is allowed to help earn a living to meet the family's needs. The principle of maqasid al-shariah, which emphasizes the protection of the five main goals – religion, soul, mind, offspring, and property – also supports the wife's role in maintaining the welfare of the family. The results of interviews

with several Muslim families who have husbands with disabilities show that many wives take an active role in supporting the family's economy. These wives generally work part time or run small businesses from home, such as sewing, trading online, or providing catering services. This data is consistent with the results of previous studies which show that the wife's economic contribution can increase the family's financial stability without reducing the husband's main obligations. In conditions where the husband cannot work optimally, the wife plays the role of economic support, but still maintains the principle that the husband is the main provider.

From in-depth interviews with ten families, it was found that eight out of ten wives actively earned additional income. Most wives expressed that they felt obliged to help lighten their husbands' burdens. For example, Mrs. A, a wife who works as a seamstress, stated, "I feel the need to help my husband, especially because he cannot work full time. With me working, we can meet the family's basic needs and provide a good education for the children." This data shows that the wife's role in earning a living is a form of family solidarity and evidence of adaptation to existing conditions. Scholars from various schools of thought agree that the obligation to provide maintenance remains the husband's responsibility, but in special conditions such as disability, the wife's contribution is accepted as an additional one without invalidating the husband's main obligations. According to the views of Imam Syafi'i and Imam Hanafi, a wife who works with her husband's permission to help support the family is legal and considered a noble form of charity. Maliki and Hanbali Imams also recognize this flexibility, emphasizing that the wife's role in emergency situations can be considered a recommended act of kindness. Therefore, the wife's economic contribution is not only accepted but also valued in the view of Islamic law.

The results of this research underline the importance of the wife's role in supporting the family when the husband experiences disability. To ensure family welfare, support from the government and social institutions is needed. Skills training programs and access to adequate health services are needed to empower wives who take on additional roles in earning a living. Apart from that, there needs to be policies that support economic and social inclusion for families with members who have disabilities. This recommendation is in line with the principles of *maqasid al-shariah* which emphasize welfare and justice for all members of society. Thus, the wife's role in supporting the family economically when her husband experiences disability is not only valid according to Islamic law, but is also important for maintaining family stability and prosperity. This research shows that flexibility in Islamic law allows for the necessary adaptations to face real-life challenges, ensuring that families can still meet basic needs and live a decent life.

The Role of Government and Social Institutions in Supporting Families with Disabled Husbands

In the context of a family with a husband who has a disability, the role of the government and social institutions is very crucial in providing the support needed to maintain family welfare. Data from the Ministry of Social Affairs of the Republic of Indonesia shows that social assistance programs for people with disabilities are still limited and need to be expanded. Based on interviews and observations, many families still depend on cash assistance and skills training programs provided by the government and social institutions to meet their basic needs. This suggests that more comprehensive and structured interventions are needed to ensure that the needs of these families can be met on an ongoing basis. Analysis of data from the Ministry of Social Affairs' annual report reveals that only around 30% of families with disabled members have full access to existing social assistance programs. These programs include cash transfers, skills training, and access to health services. However, there are

still many families who do not receive adequate support, especially in remote areas. This shows gaps in the distribution of aid and the need for more inclusive and equitable policies. For example, the Persons with Disabilities Card (KPD) program launched in 2018 only covers a small portion of the population in need, indicating the need to increase coverage of the program.

Furthermore, the role of social and community institutions in providing support to families with disabled husbands is also very important. Social institutions such as foundations and non-governmental organizations are often significant sources of additional assistance. Based on the results of interviews with several families, the support provided by these institutions includes material assistance, counseling and economic empowerment programs. For example, the Indonesian Disability Development Foundation has launched various skills training programs that help wives of husbands with disabilities to start small businesses and increase family income. However, although there are several aid programs underway, major challenges remain in terms of implementation and effectiveness of these programs. Analysis shows that one of the main problems is a lack of coordination between the various institutions involved, both at national and local levels. Many programs overlap or are not integrated with each other, so the assistance provided is not optimal. Apart from that, the existence of social stigma towards people with disabilities is also a significant obstacle in the distribution of aid and public acceptance of these programs. To overcome this problem, collaborative efforts are needed between government, social institutions and communities to improve coordination and effectiveness of aid programs. Therefore, this article recommends several steps to increase support for families with disabled husbands. First, there is a need for more inclusive and responsive policies, by expanding the scope of social assistance programs and ensuring their equitable distribution. Second, increasing coordination

between the various institutions involved to avoid overlap and ensure that the assistance provided is right on target. Third, there needs to be an education and outreach program to reduce social stigma towards people with disabilities. Thus, it is hoped that families with disabled husbands can receive adequate support and live more prosperous lives in accordance with the principles of Islamic law which emphasizes welfare and social justice.

Comparative Study of the Implementation of Islamic Law

This comparative study was carried out by analyzing practices in various Muslim countries regarding the implementation of Islamic law regarding support obligations in families with disabled husbands. In Malaysia, for example, the government has a social assistance program known as “Bantuan Orang Disadvantaged” (BOKU), which provides cash assistance and skills training to families with disabled members. Analysis shows that this program not only helps meet material needs but also increases the family's economic independence. Data from Jabatan Kebajikan Masyarakat Malaysia shows that 75% of aid recipients reported improved quality of life and ability to meet their basic needs. In Indonesia, programs such as the Family Hope Program (PKH) have provided support to poor families, including those with members with disabilities. However, the coverage and effectiveness of this program still needs to be improved. Data from the Indonesian Ministry of Social Affairs shows that only around 30% of families with disabled members receive adequate assistance. This shows the need for more focused and inclusive policies to ensure that all families in need can get the support they deserve.

To increase support for families with disabled husbands, more inclusive and responsive policies are needed. First, the government needs to expand the scope of social assistance programs such as PKH to cover more families with members with disabilities. Second, skills training and economic empowerment programs must be improved to ensure that family members, including wives, can have the skills needed to support

the family economy. This is in line with the principles of maqasid al-shariah which emphasizes the protection of assets and economic prosperity. In addition, the government needs to work together with social institutions and communities to provide moral and material support to families. Institutions such as BAZNAS (National Zakat Amil Agency) can play an important role in providing assistance based on the principles of zakat and alms. In Islamic law, zakat is one of the pillars that can be used to help those in need, including families with disabled members.

For Muslim families who face the condition of a disabled husband, it is important to understand that Islamic law provides flexibility in the division of breadwinner roles. The fiqh rule "Difficulty brings ease" (*المشقة تجلب التيسير*) allows wives to play an active role in earning a living without abandoning their husband's main obligations. In practice, wives can look for work or start a small business with their husband's approval to ensure that the family's needs are met. The results of interviews with families show that collaboration and good communication between husband and wife are very important in managing the breadwinning role. Many wives who work to help support the family financially report that moral support from their husbands is very helpful in carrying out their dual roles as breadwinner and housekeeper. Data shows that families who have good communication tend to be more harmonious and able to overcome economic challenges more effectively. Analysis of data from interviews and observations shows that families with disabled husbands who receive support from the government and social institutions tend to have better welfare. Effective social assistance programs, skills training, and moral support from husbands play an important role in helping wives fulfill their role as breadwinners. In this context, Islamic law provides a flexible and inclusive framework that allows families to adapt to disability conditions without violating sharia principles. Thus, these results and discussion show the importance of

collaboration between the government, social institutions and families in supporting the implementation of Islamic law regarding livelihoods in families with disabled husbands. It is hoped that more inclusive and responsive policy recommendations, as well as practical solutions based on the principles of Islamic law, can improve family welfare and ensure that all family members obtain their rights in accordance with sharia.

Conclusion

This research shows that Islamic law provides a flexible and inclusive framework in regulating support obligations in families with husbands who have disabilities. Relevant verses of the Qur'an and Hadith, as well as views from various schools of jurisprudence, emphasize that the husband's maintenance obligations remain valid even in a disability. However, the principle of *maqasid al-shariah* and the rule "Difficulty brings ease" allows for adjustments in the division of breadwinning roles between husband and wife. Wives are allowed to help earn a living provided they do not infringe on their husband's main obligations, and this action is seen as worship and a contribution to the welfare of the family.

Comparative analysis and data from case studies indicate that support from the government and social institutions is very important in helping families with disabled husbands. Effective social assistance programs and skills training can improve families' economic independence and quality of life. More inclusive and responsive policy recommendations are needed to ensure all families in need receive adequate support. Overall, this research underlines the importance of collaboration between various parties to implement Islamic law practically and effectively, in order to achieve fair and equitable prosperity for all family members.

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