International Seminar on Sharia, Law, and Muslim Society
الندوة الدولية في الشريعة والقانون والمجتمع المسلم

International Seminar on Sharia, Law and Muslim Society
Vol. 1, Number 1, 2026, pp. 51-65

Emotional Labor and the Reconceptualization of *Nafkah Batin* in Islamic Family Law

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Abstract

Divorce in Indonesia is dominated by ongoing disputes (64.4%), reflecting a failure to fulfill emotional needs, while classical fiqh reduces nafkah batin to biological obligations. This normative legal research employs Hochschild's emotional labor framework through conceptual and philosophical approaches, utilizing content analysis and conceptual synthesis of the Qur'an, tafsir, cross-madhhab fiqh, contemporary thought, and fatwas. The findings reveal that emotional care has strong normative roots across Islamic sources yet remains systematically unformulated. Through "surface acting" and "deep acting," this study distinguishes performative nafkah batin (external compliance) from substantive nafkah batin (authentic, sustainable care), and redefines nafkah batin as a reciprocal obligation that cannot be reduced to biological fulfillment alone, grounded in maqāsid al-syarī'ah and qawā'id fiqhiyyah. This reconstruction offers a new framework for the enforcement of Islamic family law in emotionally-based disputes.

Keywords: *Nafkah Batin, Emotional Labor, Mu'āsyarah Bil Ma'rūf, Fiqh Reconstruction, Emotional Justice.*

Introduction

Marriage is a bond built upon the foundations of *sakinah* (tranquility), *mawaddah* (love), and *rahmah* (compassion) a relational space where two souls complement one another and navigate the journey of married life together(Siti Zubaidah & Muhamad Zahiri, 2016). However, reality often falls far short of this ideal. Divorce rates continue to rise, and what is even more concerning is that the primary trigger is not merely classic economic issues or physical violence,

Submitted: 07 31, 2026 | Accepted: 08 26, 2026 | Published: 10 13, 2026

but rather endless disputes and arguments that likely stem from the couple's inability to meet each other's emotional needs.

Data from the Central Statistics Agency (Badan Pusat Statistik, n.d.) confirms these concerns. Based on divorce records from 2025, the total number of divorce cases in Indonesia reached 438,168, with divorce suits filed by wives dominating at 346,516 cases (79.1%), far above divorce by repudiation initiated by husbands, which totaled only 91,652 cases (20.9%); In terms of causes, constant disputes and arguments remained the primary factor, accounting for 282,326 cases (64.4%), followed by financial problems at 105,727 cases (24.1%) and one spouse abandoning the other at 31,029 cases (7.1%), while the remainder,domestic violence, accounted for 7,138 cases (1.6%), gambling for 4,623 cases (1.1%), and other factors such as adultery, drunkenness, drug addiction, polygamy, and apostasy collectively accounted for approximately 7,300 cases (less than 2%). These facts indicate that the root causes of marital breakdown in Indonesia are more often triggered by the failure to manage emotional conflicts (the number of which is nearly three times higher than economic factors) rather than purely material issues.(Agna et al., 2026)

Within the framework of Islamic family law, the fulfillment of emotional needs should be a central concern(Firmansyah et al., 2026) , given that the concept of *"nafkah batin"* explicitly refers to the husband's obligation to fulfill his wife's non-material rights.(Mujahid et al., 2026) However, an examination of classical fiqh literature reveals that the fuqaha almost uniformly interpreted *"nafkah batin"* within the framework of purely biological obligations—namely, sexual relations (*jimā'*) and the wife's right to equal turns (*qism*) in polygamous marriages.(Rispler-Chaim, 2020) This interpretation is systematically documented in the foundational texts of the Shafi'i school, beginning with *al-Umm* by (Al-UMM #5: Kitab Induk Fiqih Islam - Imam Asy-Syafi'i - Google Buku, n.d.), which affirms the husband's obligation to provide for his wife's needs*; al-Hāwi al-Kabīr* by al-Māwardī(Mawardi, n.d.), to *Fath al-Mu'īn* by Shaykh Zainuddin al-Malibari (*Fath Al-Mu'in – Al-Malibari (Fiqh Shafii – Harakat)*, n.d.), which further limits the obligation of sexual fulfillment to biological aspects and the right to turn. Differences in the maximum time limits for a husband's failure to provide "nafkah batin" across the schools of thought—Malikiyah(Imam Malik bin Anas, n.d.) (4 days), Hanafiyah (whenever the wife requests it), and Hanabilah (4 months)—also address only the dimensions of frequency and quantity, without addressing the relational quality underlying them. Consequently, classical fiqh constructs reduce *nafkah batin* to a matter of "how often" rather than "how much care."

In fact, if we delve deeper into these same texts, we will find seeds of a far broader meaning. Surah An-Nisā' [4]: 19 commands: *"And live with them in kindness (mu'āsyarah bil ma'rūf)."* Classical exegetes interpreted *mu'āsyarah* broadly. Al-Thabari (Ibnu Jarar At-Thabari, 2000)defined it as *mushāhabah* , *mukhālaṭah*, and *mumāzajah*. Ibn Kathir emphasized the aspects of gentleness, bringing joy to one's wife, and speaking kindly. Contemporary scholars

such as Wahbah al-Zuhailī (Wahbah Zuhaili, n.d.)explicitly mention a wife's non-material rights: *ihsān al-ʻishrah* (improving the relationship), *al-muʻāmalah al-ṭayyibah* (good treatment), and *al-ʻadl* (justice). All of these constitute a rich normative body of references regarding emotional behavior in marital relationships; however, they have never been systematically formulated into an operational definition of emotional support. This serves as the starting point for this study: normatively, Islam has laid a rich ethical foundation for emotional relationships(Fadhilah et al., 2025), yet classical fiqh formulations have not fully captured this richness.

To bridge this gap, an analytical framework is needed that can translate "emotional care"—which has long been regarded as a subjective, personal matter—into something that can be identified and enforced as a legal obligation. This framework is found in the concept of "emotional labor" formulated by Hochschild in The Managed Heart(Hochschild, 2022). The choice of this framework, rather than, for example, attachment theory or Gottman's theory of marital communication, stems from its conceptual character, which interprets the management of emotions as a form of "work," not merely a passive emotional state or competency. This characteristic is methodologically relevant because the Islamic jurisprudence of maintenance, both material and emotional, is inherently built upon the logic of obligations arising from effort or work (*badhl al-juhd*), just as material maintenance is an obligation arising from the husband's work to provide for the family. By framing emotional regulation as a tangible form of work that can fail to be fulfilled, the "emotion work" framework allows the emotional dimension to be analyzed through the logic of legal obligations on par with material maintenance, rather than being reduced to mere subjective preferences.

This article argues that reconstructing the meaning of emotional support from a biological obligation into a holistic emotional-relational obligation is a step that is legally valid under Islamic law and socially urgent. Thus, this study serves as an initial effort to integrate the sociology of emotions into contemporary fiqh by employing the framework of "emotion work" as an analytical tool, as well as *mu'āsyarah bil ma'rūf* and *maqāshid al-sharī'ah*as its ethical-theological foundation. This study aims to: (1) identify the limitations of the interpretation of "emotional support" in classical fiqh; (2) demonstrate that the emotional dimension, which has long been neglected, actually has normative roots in the concept of mu'āsyarah and the values of sakinah, mawaddah, and rahmah; and (3) formulate a more comprehensive concept of "emotional support" that encompasses the fulfillment of biological needs as well as emotional care, sensitivity, and conflict management as integral parts of the obligations of husband and wife.

Methods

This study employs the normative legal research method, which treats law as a system of norms to identify legal rules, principles, and doctrines in order to address the issue under examination, with a descriptive-prescriptive nature that does not stop at merely presenting norms but is directed toward drawing argumentative conclusions regarding the limitations of the interpretation of nafkah batin in classical fiqh and proposals for its reconstruction.(Muhaimin, 2020) This study combines a conceptual approach, used to trace the concepts *of "emotional support"* and *"mu'āsyarah bil ma'ruf"* in exegesis, cross-school fiqh, and contemporary thought, while also serving as the foundation for the use of Hochschild's emotional labor framework as an interdisciplinary analytical tool,[3] with a philosophical approach to explore the legal ideals underlying the values of sakinah, mawaddah, rahmah, and maqāshid al-syarī'ah. The research data is sourced from primary legal materials, namely the Qur'an (QS. An-Nisā' [4]: 19 and 34), exegetical works (Tafsīr al-Ṭabarī, Tafsīr Ibn Katsīr, Tafsīr al-Munīr, Tafsir Al-Mishbah, Tafsir Al-Azhar), cross-school fiqh texts (al-Umm, Badā'i' al-Ṣanā'i', al-Muwaṭṭaʾ, Fath al-Mu'īn, al-Hāwī al-Kabīr), as well as contemporary fatwas—and secondary legal sources such as accredited journals and literature on emotional labor, including Arlie Russell Hochschild's seminal work, *The Managed Heart: The Commercialization of Human Feeling*(Hochschild, 2022) Data collection was conducted through library research by systematically examining four tiers of sources, classical exegesis, cross-school fiqh, the thought of contemporary scholars, and contemporary fatwas, to ensure representative data coverage,[5] while data analysis was conducted qualitatively through content analysis and conceptual synthesis in three stages: mapping cross-source perspectives on the scope of emotional support, synthesis to identify gaps between normative recognition and the absence of operational formulations, and interdisciplinary analysis by borrowing the concepts of "surface acting," "deep acting," and "feeling rules" from the emotional labor framework to dissect the depth of meaning behind these normative provisions.

Results and Discussion

Bridging Hochschild's Emotional Labor and Nafkah Batin: An Analytical Framework for Emotional Justice in Muslim Families

To elaborate on the introduction, this study employs the framework of "emotional labor" formulated by sociologist Arlie Russell Hochschild in The Managed Heart: The Commercialization of Human Feeling(Hochschild, 2022) The core of Hochschild's idea is actually simple yet profound: managing emotions is not something that comes naturally, but rather a form of labor—just as tangible as physical or mental work—and is therefore rarely acknowledged due to its intangible nature. Through her research on flight attendants and debt collectors, Hochschild demonstrates how these two professions are required to regulate their emotions—for example, flight attendants must maintain a smile and speak politely even when dealing with irritating

passengers, while debt collectors must remain firm and stern even when feeling uncomfortable in order to fulfill the demands of their roles.

It must be emphasized from the outset that Hochschild makes a clear conceptual distinction between two terms that are often conflated in popular literature: “emotional labor,” which she reserves specifically for the management of emotions in paid work relationships, and “emotion- work,” which she uses to describe the management of emotions in the private sphere—including family and marriage. More importantly, it is precisely this private sphere that serves as the starting point for Hochschild’s analysis, before she applies the same concept to the realm of paid work. Thus, genealogically speaking, the idea now popularly known as “emotional labor” actually emerged from observations of domestic relationships themselves.

This study deliberately chooses the term “emotional labor” rather than “emotion work” which is technically more precise for the private context,on the grounds that the former has become a far more widely recognized reference in contemporary interdisciplinary literature, including in family and gender studies, which serve as the foundation for this research (Dean et al., 2022; LaFreniere, 2022; Pankratova, 2026; Vettoretto et al., 2026b, 2026a; Wharton, 2009) The use of this more popular term does not alter the substance of the analysis, for as emphasized above, the conceptual roots of “emotional labor” itself stem from emotional work within the domestic sphere. In other words, the use of this framework to analyze household relationships is not the imposition of a concept from an alien domain, but rather a return to its own conceptual roots—merely articulated through a term more widely recognized by readers across disciplines.

From this analysis emerge three core concepts that serve as the primary instruments of this study. “Feeling rules” are unwritten rules that determine which emotions are appropriate to display in specific situations or relationships—social norms that govern emotional expectations without ever being explicitly written down, yet are felt to be binding by anyone fulfilling that role. To comply with these feeling rules, a person may take two paths that are qualitatively very different. “Surface acting” involves adjusting one’s outward appearance alone—such as displaying a specific expression while one’s inner feelings remain unchanged—much like wearing a mask, rather than reflecting what is actually felt. “Deep acting,” conversely, is a sincere effort to transform one’s inner feelings, so that the outward expression that emerges is the natural result of genuine inner regulation, not a forced performance.

The crucial aspect of this framework is not merely to describe psychological mechanisms, but to offer a sharp critique of how society, particularly the modern workplace, treats this emotional labor. Hochschild demonstrates that companies require their employees to perform emotional labor, whether through surface or deep acting, as a condition of employment, yet rarely explicitly acknowledge it as work equivalent to physical labor. Consequently, the risks, such as emotional exhaustion and a loss of connection to authentic feelings are borne solely by the workers without adequate recognition or protection. This is what she refers to as the

commercialization of feelings the transformation of something private and intimate into a commodity, yet without proper recognition for it.

Since the 2000s, family and gender researchers such as (Dean et al., 2022; LaFreniere, 2022; Pankratova, 2026) have productively expanded the framework of emotion work to the analysis of contemporary domestic relationships, including through the concept of "mental load", a combination of cognitive and emotional labor involved in managing family well-being. This study follows that tradition; specifically, unlike attachment- -theory or Gottman's marital communication theory—which emphasize relational patterns or communication styles—the framework of emotional labor conceptualizes the management of emotions as a form of labor rather than merely a passive emotional state or competency. This characterization is methodologically relevant because the Islamic jurisprudence of maintenance, both material and emotional, is inherently built upon the logic of obligations arising from effort or work (badhl al-juhd), just as material maintenance is an obligation stemming from the husband's work to provide for the family. By framing the management of emotions as a tangible form of labor that can fail to be fulfilled, this framework allows the emotional dimension to be analyzed through the logic of legal obligations on par with material maintenance, while also addressing Hochschild's critique of the world of work, which questions whether the emotional labor long demanded of husbands in marriage has been properly recognized as part of their legal obligations, or whether it is instead regarded as a "virtue" that is voluntary and non-binding.

Traces of Emotional Care in Islamic Exegesis and Thought

Armed with this analytical framework, the question that arises is: Is emotional care truly a concept borrowed from outside sources, or has it in fact long been embedded within the Islamic tradition itself, merely never having been woven into a cohesive whole? To answer this, this study explores four layers of sources simultaneously, classical exegesis, the jurisprudence of the four schools of thought, the thought of modern-era scholars, and contemporary fatwas, not to judge which is rich and which is lacking in emotional concern, but to mine and gather the scattered elements of that concern so they can be woven into a single, coherent thread.

The starting point is Surah An-Nisā' [4]:19, the verse containing the command to treat one's spouse with kindness (*mu'āsyarah bil ma'rūf*). Since the earliest generations of exegetes, this verse has been interpreted broadly. Ath-Thabari understood it as a command for husbands to treat their wives kindly, to refrain from any form of harm toward them, and to provide for them—both materially and emotionally—according to their means. Ibn Kathir further emphasizes this relational dimension: a husband is required to speak gently and treat his wife with kindness, just as he himself would wish to be treated by his partner. This principle of reciprocity—treating others as one would like to be treated—aligns with the concept of "feeling

rules": unwritten norms that govern the emotions and attitudes appropriate within a mutually demanding relationship.

Surah An-Nisa' [4]:34, which is often cited as the primary reference when discussing husband-wife relationships, has indeed been interpreted by exegetes such as al-Zamakhshari, al-Razi, and Ibn Kathir(Ibn Katsir, 774) primarily within the framework of the husband's leadership and responsibility. However, this does not mean the verse is devoid of relational content—quite the contrary, it serves as an essential complement: verse 34 establishes the structure of responsibility, while verse 19 fills that structure with the quality of treatment that must accompany it. Both support one another in presenting a complete picture of how a husband-wife relationship should be conducted.

When the exploration delves into the fiqh of the four schools of thought, the findings are actually encouraging. The discussion of *al-īlāʾ* in various schools of thought, for example, provides legal consequences for the prolonged withholding of sexual relations. A comparative study of the Hanafi, Maliki, Shafi'i, and Hanbali perspectives on emotional support reveals that the spiritual dimension has, in fact, been present since the early days of fiqh codification. From the Hanafi school, al-Kāsānī explicitly asserts that a wife's rights are not merely physical but also spiritual—treating one's wife well means not neglecting her, but rather making her feel comfortable and alleviating any loneliness she may feel, for the true purpose of marriage is intimacy and peace of mind. The same stance is reflected in the Maliki school, Imam Malik, as recorded in al-Muwaṭṭaʾ(Malik Ibn Anas, n.d.), asserts that if a wife complains of being neglected by her husband for a long time without a reason justified by sharia, the judge has the right to compel the husband to choose between resuming his emotional and relational obligations toward his wife or divorcing her—a provision that demonstrates that emotional and relational neglect, not merely biological neglect, has long been regarded as a violation of rights that warrants legal recourse.

Reading classical fiqh solely through the category of "sexual relations" will produce an overly narrow depiction. Sexual rights are indeed an important component in the construction of marriage, but they exist within a broader network of concepts such as *ḥusn al-ʿishrah*, *muʿāsyarah bi al-maʿrūf*, protection from harm, and the fulfillment of spousal rights. The focus of fiqh is not only on whether sexual relations occur, but also on whether spouses' rights are fulfilled and whether marriage becomes a source of harm due to prolonged neglect. From this perspective, sexuality can be understood as one of the mediums through which care for a spouse is manifested.

This construction becomes even clearer when the concept of nafkah batin (spiritual/inner maintenance) is distinguished from the technical terms used by the fuqaha. The term "nafkah batin" has developed in the discourse of Muslim family law, particularly in Indonesia, whereas classical fiqh texts more often use the terms *al-waṭʾ, al-jimāʿ, al-istimtāʿ*, and the wife's right to

sexual relations. Therefore, it is inaccurate to say that classical fuqaha defined "*nafkah batin*" exactly as the term is used today. However, it is also incorrect to conclude that the substance of nafkah batin in the classical tradition simply means sexual activity. Sexual rights in fiqh are always situated within the context of marital relations, which also require good treatment, fulfillment of rights, togetherness, and prevention of harm.

The development of modern scholars' thought has further clarified this relationship. Wahbah al-Zuḥaylī (Wahbah Zuhaili, n.d.)regards sexual relations as part of the mutual rights and obligations of husband and wife, and connects it with the principle of *muʿāsyarah bi al-maʿrūf*. This perspective shows that intimate relations are not ideal if they are understood as the one-sided fulfillment of one partner's biological needs. Rather, they are part of the marital relationship that demands attention to the needs of both parties. Thus, the sexual and relational dimensions do not stand separately, but are interconnected within the construction of married life.

In Tafsir al-Azhar (Hamka, 1982) offers an articulation that is closer to this emotional dimension. The discussion of muʿāsyarah bi al-maʿrūf and the goals of marriage through *sakinah* (tranquility), *mawaddah* (love), and *raḥmah* (compassion) illustrates the importance of respecting one's spouse, gentleness in communication, affection, and the ability to build a harmonious life together. In this way, inner needs in marriage can be understood more broadly: not only as sexual needs, but also as the need to be respected, listened to, accompanied, treated gently, and to feel safe within the marital relationship.

The development of this line of thought is rooted in the concept of *qirā'ah mubādalah* proposed by(Kodir, 2021.) Faqihuddin Abdul Kodir. For him, the rights and obligations of husband and wife rest on three pillars that must be reciprocal: a good relationship (*mu'āsyarah bil ma'ruf*), financial support, and the fulfillment of sexual needs, all three are understood as shared obligations, not unilateral demands imposed on just one party. It is interesting to note that the elaboration of the mubādalah concept even specifically includes elements that are structurally nearly identical to the idea of "emotion work", smiles, kindness, and all the "pleasant tasks" that partners are expected to perform for one another, understood as part of the reciprocity that must be fulfilled, not merely as optional "sweetener" for the relationship.

The clearest point of convergence between emotional care and emotional support is actually found in contemporary official fatwas. The Office of the Mufti of the Federal Territory of Malaysia, in one of its rulings, explicitly states that the need for emotional, mental, and physical well-being constitutes a form of emotional support that a husband is obligated to provide to his wife, and that Islam strictly prohibits a husband from mistreating his wife, including through harsh words. This fatwa serves as the most explicit and authoritative affirmation that a wife's emotional needs and mental health fall within the scope of emotional

support—no longer merely a scholar's interpretation, but an official decision by a fatwa institution (Jabatan Mufti Wilayah Persekutuan, n.d.).

From all this research, a common thread can be woven: emotional care is not a foreign concept forced upon Islamic tradition from the outside, but rather a treasure that has long been buried and scattered across various layers, ranging from exegesis, cross-school jurisprudence, contemporary thought, to official fatwas. What has never been done is to compile these valuable fragments into a single systematic operational framework, equivalent to the well-established framework for material support.

Emotional Labor as an Analytical Tool: Reinterpreting *Nafkah Batin*

The insights mined in the previous section leave one task unfinished. These sources affirm that the emotional dimension is important, but they generally stop at the level of outward commands and prohibitions—such as speaking kindly, not causing harm, and providing comfort. The unanswered question is actually more fundamental, referring to Hochschild's distinction explained in the first subsection: do these commands require "deep acting" (inner sincerity) or are they sufficiently fulfilled through "surface acting" (mere outward appearance)? And if the two differ, what legal consequences follow?

Take, for example, Ath-Thabari's (Ibnu Jarar At-Thabari, 2000)command to refrain from harming one's wife. Read literally, this command is fulfilled as long as the husband does not display actions or words that are hurtful—a requirement at the level of behavior that can be observed from the outside. However, when interpreted through the concept of "surface acting," issues emerge that have long been overlooked by classical fiqh. For example, a husband might perfectly suppress his expressions of frustration in front of his wife—by not yelling or verbally hurting her—while inwardly harboring resentment, emotional distance, or even hatred that has never truly been addressed. From a literal fiqh perspective, the obligation to "not cause harm" has been fulfilled. However, as Hochschild demonstrates, prolonged "surface acting"—suppressing expressions without managing one's true feelings—correlates with emotional exhaustion and inner dissonance, which, sooner or later, lead to a more significant breakdown in the relationship (Hochschild, 2022). Thus, this framework reveals a hidden layer beneath outward compliance: that "not causing harm" on the surface is not synonymous with the fulfillment of emotional obligations, if what occurs is merely the suppression of expression without the genuine management of feelings.

The same issue arises when the concept of "deep acting" is juxtaposed with Ibn Kathir's interpretation of the command to speak gently and treat one's wife with kindness. This interpretation, as well as al-Kāsānī's assertion that a husband is obligated to alleviate his wife's loneliness, actually demands more than mere outward performance; it demands a change in the husband's inner feelings, so that the gentleness he displays is not a pretense but a natural

expression of genuine care that has truly been awakened within him. The crucial point is that classical fiqh never explicitly articulated this distinction; it demanded the result (a gentle attitude) without detailing the inner process that gives rise to it. The framework of "deep acting" fills this gap by providing a language to distinguish genuine gentleness from gentleness that is merely performed .

The concept of "feeling rules" offers a different analytical lens when applied to the Maliki school's provisions regarding a wife's complaint to a judge due to her husband's neglect. Viewed through this lens, the Maliki provision regarding a wife's right to file a complaint due to "prolonged neglect" is, in fact, a legal recognition of a violation of the "feeling rules": the wife has the right to seek redress not because of any active act that harms her, but because the absence of attention itself has violated the relational norms that should apply in marriage (Imam Malik bin Anas, n.d.). Classical fiqh, long before the term "emotional labor" was coined, had in fact recognized that failure to fulfill the "rules of feeling" in marriage constitutes a violation of rights with legal consequences—though this recognition was scattered across practical fiqh cases and was never formulated as a general principle.

The most productive tension arises precisely when Hochschild's critique of the workplace, that emotional labor is demanded but not recognized as work worthy of appreciation, is reflected back onto the fiqh of emotional support (Hochschild, 2022). Just as flight attendants are required to manage their emotions without formal recognition of that labor, husbands in classical fiqh are required to "speak kindly" and "not cause harm" without those demands ever being explicitly recognized as equivalent to the clearly measurable obligation of material maintenance, for which failure can be legally enforced. Ibn Kathir's (ibn Kathir, 774)principle of reciprocity and the concept of mutuality within the framework of mubādalah further underscore this point: if emotional care is truly regarded as work equivalent to material support, then it should also be reciprocal and failure to fulfill it should be enforceable against both parties—not a unilateral obligation imposed on one party while the other is not bound by the same requirement.

This series of analyses yields a preliminary conclusion that serves as the foundation for the formulation in the following section: emotional support, which has long been understood as a list of behaviors that must be exhibited—not causing harm, speaking gently, showing attention—can in fact be fulfilled outwardly without truly fulfilling the substance of the emotional obligation intended by mu'āsyarah bil ma'ruf. Just as Hochschild criticizes the workplace for demanding emotional labor without recognizing it as work, classical fiqh has long demanded emotional care from husbands without ever explicitly stating that compliance with outward appearances alone, surface acting, is insufficient to substantively fulfill the obligation of emotional support.

Toward an Operational Definition: Performative and Substantive Emotional Support

The previous three subsections have established three mutually reinforcing foundations: , (Hochschild n.d.)'s framework of "emotion work" demonstrates that the management of emotions is real work that can be performed superficially ("surface acting") or sincerely ("deep acting"); an examination of exegesis, cross-school fiqh, and contemporary fatwas demonstrates that emotional care is not a foreign concept to Islam but has long been embedded, albeit scattered across various sources; and a critical analysis of these sources reveals that classical fiqh tends to demand outward results without articulating the depth of the inner process that gives rise to them. From the convergence of these three pillars, this study proposes a conceptual distinction as its primary contribution: the distinction between performative emotional support and substantive emotional support.

Performative inner sustenance is the fulfillment of an inner obligation that stops at outward appearances: the husband does not verbally harm his wife, speaks in a polite tone, and is physically present in the household, yet without the sincere emotional management underlying these actions. It is equivalent to "surface acting" that is, visible compliance that remains distant from the true inner state. In many cases, this form of emotional support has unconsciously become the minimum standard demanded by classical fiqh considered sufficiently fulfilled as long as there are no active actions that cause harm or demonstrate blatant neglect.

Substantive emotional support, on the other hand, is the fulfillment of emotional obligations arising from a genuine management of feelings such as care, tenderness, and attention demonstrated not as a duty performed mechanically, but as a natural result of an inner state that has been actively cultivated and nurtured. It is equivalent to "deep acting," and indeed this is what is closer to the spirit of *mu'āsyarah bil ma'ruf* as interpreted by Ibn Kathir, required by al-Kāsānī asserts that it is not merely the absence of harmful actions, but the presence of authentic and sustained care.

With this distinction, this study defines the meaning of emotional support as follows: emotional support is the mutual obligation of husband and wife to provide authentic and sustained emotional care for their partner, as a substantive, not merely performative, manifestation of the principle *of mu'āsyarah bil ma'ruf*, which cannot be reduced to the fulfillment of biological needs or compliance with outward appearances alone. This formulation underscores three simultaneous shifts from classical fiqh interpretations: first, from an obligation assessed based on outward appearances to one assessed based on the depth of inner processes; second, from a unilateral obligation of the husband to a reciprocal obligation binding both partners; and third, from emotional care which was previously positioned as a voluntary personal virtue to an inherent part of the legal obligation of emotional support itself, in line with Hochschild's critique that the emotional labor demanded should also be recognized and valued on par with other forms of labor.

This performative-substantive distinction carries implications that go beyond a mere academic redefinition. Rather, it offers a new perspective for the enforcement of Islamic family law in assessing domestic disputes rooted in emotional neglect, as reflected in the divorce data outlined at the beginning of this article, where endless disputes and arguments, not physical violence or the absence of material support are the dominant causes of separation. Until now, such disputes have been difficult to address legally because there are no active actions that can be proven as violations; however, if substantive emotional support is recognized as part of a legal obligation, then relationship patterns that survive only at a performative level such as outward compliance without genuine care can begin to be viewed as a form of legally significant neglect, rather than merely a domestic issue beyond the reach of the law

The reconstruction of emotional support proposed in the previous section must be emphasized as not merely valid from an interdisciplinary analytical perspective, but also firmly grounded in the epistemology of Islamic law itself. This foundation is crucial so that the framework of "emotional labor", borrowed from Western sociology, does not stand alone as a justification but remains consistently subject to and measured against the legal objectives (*maqāsid al-syarī'ah*), which constitute the very spirit of the entire structure of Islamic jurisprudence.

Among the five fundamental objectives of Sharia (*al-darūriyyāt al-khams*)(Imam Abu Ishaq al-Shatibi, 1997), the neglect of emotional care in marriage directly impacts *hifẓ al-nasl* (protection of progeny/the family institution) and *hifẓ al-'aql* (protection of reason/mental health). The family institution, which serves as the vessel for *hifẓ al-nasl*, cannot be sustained solely by the fulfillment of biological and material needs, for the divorce statistics outlined at the beginning of this article actually indicate the opposite: the breakdown of households is most often triggered by relational and emotional failures, not by a lack of material support. Thus, safeguarding the continuity of the family institution (*hifẓ al-nasl* in its broadest sense) requires the fulfillment of substantive emotional care, as outlined in the previous subsection rather than merely performative compliance, which is prone to harboring inner dissonance and ultimately leads to psychological exhaustion (which relates to *hifẓ al-'aql*) which ultimately threatens the integrity of the marriage itself.

This justification is reinforced by the fiqh principle (*qawā'id fiqhiyyah*) *"dar'ul mafāsid muqaddamun 'alā jalbil masālih*,*"* which states that preventing harm takes precedence over seeking benefit. This principle affirms that preventing psychological harm resulting from prolonged emotional neglect (as demonstrated through the concept of emotional dissonance in the previous analysis) holds at least equal, if not greater, importance than merely fulfilling benefits in the form of satisfying biological needs alone. In line with this, the principle *of* "*al-'ādah* muhakkamah" (good customs may serve as a legal consideration) also allows for a contemporary understanding of a spouse's emotional needs—which are increasingly recognized

as genuine needs in modern married life, as confirmed by the contemporary fatwas outlined earlier—to be considered as part of the *'urf* standard (well-established custom) in assessing whether emotional support has been fulfilled, without contradicting the textual sources.

Based on these *maqāsid and qawā'id fiqhiyyah*, the substantive reconstruction of emotional support proposed by this study is not a deviation from the epistemology of Islamic law, but rather a reaffirmation of the legal ideal that is already enshrined within it: that Sharia is always oriented toward genuine public interest and the prevention of actual harm, including psychological and relational harms that have thus far not received adequate attention in classical fiqh formulations regarding emotional support.

Conclusion

This study concludes that the reconstruction of nafkah batin from a narrow biological obligation into a holistic emotional-relational obligation is a step that is legally valid under Islamic law and socially urgent. First, classical fiqh across the Shafi'i, Hanafi, Maliki, and Hanbali schools predominantly reduces emotional support to sexual fulfillment and the right to marital relations, neglecting the normative richness contained in mu'āsharah bil ma'rūf as well as the values of sakinah, mawaddah, and rahmah. Second, emotional care has a strong normative foundation in various sources, ranging from classical exegesis, cross-school fiqh, contemporary thought, to official fatwas, yet it has not yet been systematically formulated. Third, using Hochschild's framework of emotional labor, this study introduces a conceptual distinction between performative emotional labor (surface acting) and substantive emotional labor (deep acting), and redefines it as a reciprocal obligation between husband and wife that cannot be reduced to mere physical compliance, with a firm foundation in *the maqāshid al-syarī'ah* (particularly *hifẓ al-nasl* and *hifẓ al-'aql*) as well as *qawā'id fiqhiyyah*. This study recommends further empirical testing of substantive emotional support in religious court rulings, the formulation of measurable operational indicators, and a deeper exploration of its reciprocal aspects to address the one-sided burden that has historically been placed on husbands, thereby encouraging Islamic family law to become more responsive to emotional justice in contemporary Muslim households.

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