



**IMPLEMENTATION OF POST-DIVORCE ALIMONY
POLICIES FROM A GENDER JUSTICE PERSPECTIVE:
A Comparative Legal Study of Indonesia, Malaysia, and
Brunei Darussalam**

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Abstract: Divorce does not only ends the marriage bond, but also gives birth to legal obligations in the form of post-divorce maintenance for women and children who are in socioeconomically vulnerable positions. Indonesia, Malaysia, and Brunei Darussalam already have their own legal frameworks to govern these obligations, but the effectiveness of implementation differs. This study employs a normative legal research method with conceptual and comparative approaches through regulatory analysis, court decisions, and related legal documents. The perspective of gender justice and *maqāṣid al-sharī'ah* is used to assess the extent to which alimony policies actually provide substantive protection. The results of the study show that normatively the three countries have the same goal, but the realization of justice is uneven across jurisdictions. In Indonesia, the weak enforcement mechanism prevents the fulfillment of alimony obligations at the time of verdict. In Malaysia, the existence of the Family Support Division increases the certainty of child support, even though the protection of ex-wives is not optimal. In Brunei, the strict legal framework is still constrained by sociocultural resistance. This finding confirms that the issue of alimony is not only a matter of legal text, but also of social constructions that affect legal compliance. Livelihood uncertainty has a direct impact on the sustainability of education, health, and socioeconomic stability, and has not fully fulfilled the purpose of protecting *maqāṣid al-sharī'ah*. Therefore, institutional strengthening, gender-responsive enforcement mechanisms, and regional cooperation are needed.

Keywords: Post-divorce alimony, Gender Justice, Islamic Family Law, Comparative Legal Analysis.

DOI: <http://dx.doi.org/10.20414/ujis.v29i2.1762>

Introduction

DIVORCE, in all its forms, leaves enduring social, legal, and emotional consequences that are not only emotional, but also social and legal, especially for women and children.¹ In Southeast Asian Muslim societies such as Indonesia, Malaysia, and Brunei Darussalam, divorce is not uncommon, but the fact that women are often the most affected shows that there is a deeper problem than just domestic separation.²

In recent years, divorce rates in all three countries have shown an increasing trend. In Indonesia, for example, data from the Directorate General of the Religious Justice Agency of the Supreme Court records more than 500,000 divorce cases every year, and about 70-80 percent of them are filed by the wife.³ In Malaysia and Brunei, although the absolute numbers are smaller, a similar pattern is evident: women are more frequent plaintiffs, and many of them carry the burden of post-divorce children's financial responsibilities.⁴

One of the biggest challenges that women face after divorce is the issue of maintenance.⁵ Although in principle Islamic law stipulates that husbands are obliged to provide maintenance during the period of iddah, mut'ah, and child support, the reality

¹ Muhammad Husni Abdulah Pakarti et al., "Perlindungan Hak Anak Dalam Perceraian Menurut Hukum Keluarga Islam," *Usroh: Jurnal Hukum Keluarga Islam* 7, no. 2 (December 2023): 14–36, <https://doi.org/10.19109/ujhki.v7i2.18902>.

² Laila Puspita Anggraeni and Syahidin Syahidin, "Memutus Rantai Domestic Violence Melalui Kesetaraan Gender Dalam Hukum Keluarga Islam," *Jurnal Yudistira: Publikasi Riset Ilmu Pendidikan Dan Bahasa* 2, no. 3 (June 2024): 106–19, <https://doi.org/10.61132/yudistira.v2i3.882>.

³ Ghufron Maksum Heri Sulaiman, "Cerai Gugat Akibat Kekerasan Dalam Rumah Tangga Di Muara Enim (Studi Analisis Putusan Pengadilan Agama Muara Enim No. 864/Pdt.G/2020/Pa.Me)," *Sabiluna: Journal of Islamic Studies* 1, no. 1 (2025): 48–67.

⁴ Jimmi Pasla and Akbarizan Akbarizan, "Kepastian Pemenuhan Hak-Hak Perempuan Dan Anak Pasca Perceraian Di Indonesia Dan Malaysia," *Hamalatul Qur'an: Jurnal Ilmu Ilmu Alqur'an* 5, no. 2 (January 2025): 899–911, <https://doi.org/10.37985/hq.v5i2.400>.

⁵ Shofiatul Jannah and Roibin Roibin, "The Urgency of Determining the Post-Divorce Iddah Payment Period in Indonesian Religious Courts," *Jurnal Ius Constituendum* 8, no. 3 (2023): 424, <https://doi.org/10.26623/jic.v8i3.7606>.

is that many women do not get these rights properly.⁶ In many cases, former husbands frequently evade their legal responsibilities, legal processes are slow, and women have to struggle on their own amid limited legal and economic access.⁷

This phenomenon shows that divorce is not only a matter of breaking up the marital relationship, but also a matter of justice, especially gender justice.⁸ In this context, legal policy regarding post-divorce maintenance is very important to be studied, not only as a legal norm, but also as a mirror of the state's partiality towards vulnerable groups.⁹ If the law fails to protect those most affected, then the law itself is questionable for its effectiveness.

In the Islamic legal system, the husband's obligation to provide for post-divorce maintenance is part of the principles of justice and moral responsibility.¹⁰ However, in practice, the regulation and implementation of these obligations do not always work ideally, especially when legal values have to deal with complex social realities and limited legal structures.¹¹

⁶ Itsna Faiqatul Himmah et al., "Analisis Normatif Putusan Hakim Tentang Pemberian Iddah Dan Mut'ah Sebelum Ikrar Talak," *Jurnal Antologi Hukum* 2, no. 2 (2022): 161–75, <https://doi.org/10.21154/antologihukum.v2i2.1335>.

⁷ Meivanza Dwi Aurellia and Abdul Halim, "Urgensi Pembentukan Lembaga Eksekutor Terhadap Pemenuhan Hak Perempuan Dan Anak Pasca Perceraian," *Jurnal Usm Law Review* 6, no. 2 (2023): 752, <https://doi.org/10.26623/julr.v6i2.7270>.

⁸ Najichah, "Wife's Right to Property After Divorce: An Examination of Islamic Law and Legislation in Religious Court Decisions in Yogyakarta City," *QURU: Journal of Family Law and Culture* 2, no. 2 (2024): 211–32, <https://doi.org/10.59698/quru.v2i2.190>.

⁹ Heniyatun Heniyatun, Puji Sulistyarningsih, and Siti Anisah, "Pemberian Mut'ah Dan Nafkah Iddah Dalam Perkara Cerai Gugat," *Profetika: Jurnal Studi Islam* 21, no. 1 (2020): 39–59, <https://doi.org/10.23917/profetika.v21i1.11647>.

¹⁰ Selli Handini, Ketut Sudiarmaka, and Ni Ketut Sari Adnyani, "Pelaksanaan Pemberian Nafkah Iddah Dilihat Dari Perspektif Hukum Islam Dan Pasal 41 Undang-Undang Nomor 16 Tahun 2019 Tentang Perkawinan (Studi Kasus Di Desa Kalijaga Lombok Timur)," *Jurnal Komunitas Yustisia* 4, no. 2 (2021): 438–46, <https://doi.org/10.23887/jatayu.v4i2.38106>.

¹¹ Reny Istiqomah et al., "Pemenuhan Hak Perempuan Pasca Cerai Gugat (Eksistensi SEMA Nomor 2 Tahun 2019 Di Pengadilan Agama Nganjuk)," *Samawa: Jurnal Hukum Keluarga Islam* 2, no. 2 (2022): 10–24, <https://doi.org/10.53948/samawa.v2i2.48>.

Indonesia, Malaysia, and Brunei Darussalam, although all three are grounded in Islamic family law in family arrangements, have different legal frameworks in regulating post-divorce maintenance. In Indonesia, the regulation of alimony is contained in the Compilation of Islamic Law (KHI), especially in Articles 149 and 156 which regulate the obligations of husbands to ex-wives and children.¹² However, the implementation of the article is still highly dependent on the application of the wife and court decisions, which do not always guarantee effective implementation. Many women have difficulty obtaining the right to support due to the absence of strong enforcement mechanisms and a culture of silence that encourages women to accept the situation without demanding.¹³

In Malaysia, post-divorce alimony arrangements are regulated in a decentralized manner through the Islamic Family Law of each state. Although there is a Sharia Court that formally handles this case, its implementation still faces administrative challenges and weak supervision. In addition, Malaysia's dual legal system between sharia and civil law often confuses society, and in practice, women face obstacles in executing court-determined maintenance rights.¹⁴

Meanwhile, in Brunei Darussalam, the *Islamic Family Law Order* 1999 explicitly regulates post-divorce maintenance, especially based on the Shafi'i *madhhab*. This country legally tends to provide more formalistic space in the settlement of family cases.

¹² Heri Irawan, M. Wagianto, and Gandhi Liyorba Indra, "Nafkah Pasca Perceraian Dalam Perkara Cerai Gugat (Studi Kritik Pada Pasal 149 KHI Terhadap Perkara Nomor 1145/Pdt.G/2010 P.A JS)," *Mabahits: Jurnal Hukum Keluarga Islam* 6, no. 01 (May 2025): 1–14, <https://doi.org/10.62097/mabahits.v6i01.2232>.

¹³ Syafa Ediana Putri and Dewi Murniati, "Implementasi Sema Nomor 3 Tahun 2018 Tentang Kamar Agama Terkait Tuntutan Nafkah Gugatan Cerai Di Pengadilan Agama Surabaya," *Madani: Jurnal Ilmiah Multidisiplin* 1, no. 10 (2023): 193–202, <https://doi.org/10.5281/zenodo.10083055>.

¹⁴ Solihah Mansor and Mohd Norhusairi Mat Hussin, "Perceraian Bagi Perkahwinan Yang Berosia Kurang Dari Tempoh Satu Tahun Di Mahkamah Rendah Syariah Petaling Divorce For Marriages That Are Less Than A Year In Petaling District Shariah Court," *Journal Of Shariah Law Research* 8, no. 1 (January 2023): 33–70, <https://doi.org/10.22452/jslr.vol8no1.2>.

However, a strict legalistic approach also makes the legal process feel rigid and inflexible, so that women in vulnerable positions often do not receive adequate substantive protection.¹⁵

This inequality shows that although the law has existed, it has not been fully responsive to the real needs of post-divorce women.¹⁶ Economic inequality, patriarchal power relations, and limited access to legal services further exacerbate the situation.¹⁷ In this context, the formal justice listed in the regulation does not necessarily mean substantive justice for women. There needs to be a critical reflection, then, on how the legal system constructs the construction of gender justice: whether the law is really there to protect, or rather reinforce existing inequalities.¹⁸

The issue of post-divorce alimony has become a concern for various academics, especially in the study of Islamic family law and gender justice. However, most of the previous research is still partial and focuses on one country or one specific aspect only, so there have not been many comparative cross-country studies, especially between Indonesia, Malaysia, and Brunei Darussalam as representatives of Southeast Asian Muslim countries with different legal approaches.

This research has a very high urgency considering the gender inequality that still exists in post-divorce alimony legal policies in Indonesia, Malaysia, and Brunei Darussalam. Although the three countries have a common legal basis, namely Islamic law, the application of rules on post-divorce maintenance is often not in

¹⁵ Abd. Rouf Rindi Yani, Ahmad Izzudin, "Studi Komparasi Ketentuan Nafkah Suami Dan Istri Dalam Regulasi Perkawinan Di Indonesia, Brunei Darussalam Dan Tunisia," *MAQASID: Jurnal Hukum Islam Jurnal Studi Hukum Islam* 14, no. 2 (2025): 14–23, <https://doi.org/10.30651/mqs.v14i2.26528>.

¹⁶ Allifia Hariaji and M. Sifa Fauzi Yulianis, "Perlindungan Hukum Terhadap Perempuan Dan Anak Dalam Perkara Perceraian Di Pengadilan Agama," *Jurnal Sains, Ekonomi, Manajemen, Akuntansi Dan Hukum* 2, no. 3 (June 2025): 166–79, <https://doi.org/10.60126/sainmikum.v2i3.991>.

¹⁷ Mhd Yazid, "Relasi Suami Istri Dan Pelanggengan Patriarki (Nikah Misyar Dalam Perspektif Gender)," *Ijtihad, UIN Imam Bonjol Padang* 36, no. 1 (2020): 105.

¹⁸ Samsul Zakaria, "Nafkah Dan Ketimpangan Gender (Analisis Nafkah Dalam Kompilasi Hukum Islam)," *Ijtihad* 36, no. 2 (2020): 51–66.

favor of women and children.¹⁹ This issue is increasingly relevant in the midst of social developments that increasingly demand gender justice and equal rights for all family members, as studies on post-divorce maintenance in Indonesia have been carried out extensively, especially in relation to the implementation of Supreme Court regulations that provide guidelines for judges in determining the rights of women and children.²⁰ Previous studies have shown that SEMA No. 04 of 2016 plays an important role in emphasizing the obligation of judges to determine child support as an integral part of the divorce decision, so that children's rights are not neglected.²¹ In addition, Perma No. 3 of 2017 emphasizes a gender justice-based approach for women facing the law, including in divorce and alimony determination, which provides space for judges to consider women's vulnerabilities. However, studies have revealed that although these regulations clarify normative guidelines, practice in the field still faces serious obstacles. The main obstacles lie in the weak execution mechanism, the low level of compliance of ex-husbands, and the limitations of the religious justice apparatus in carrying out supervision, so that many women's and children's maintenance rights are delayed in fulfilling their rights.²²

In Malaysia, research on post-divorce alimony has highlighted the existence of the Family Support Division (BSK) as a government instrument in overcoming the question of ex-

¹⁹ Hotnidah Nasution and Ahmad Rifqi Muchtar, "Access to Justice for Women and Children in Divorce Cases in the Indonesian Religious Courts," *Ahkam: Jurnal Ilmu Syariah* 20, no. 2 (2020): 361–84, <https://doi.org/10.15408/ajis.v20i2.15702>.

²⁰ Elimartati, Firdaus, and Ahmad Julio Saputra, "Studi Penerapan Sema No. 1 Tahun 2017 Di Pengadilan Agama Talu," *ADHKI: Journal of Islamic Family Law* 3, no. 1 (2021): 95–111, <https://doi.org/10.37876/adhki.v3i1.30>.

²¹ Titin Triana, Suhar Suhar, and Ishaq Ishaq, "Providing Nafkah Mu'ah for Wives in Lawsuits of Divorce According to Islamic Law and Indonesian Legislation," in *Journal of Comprehensive Islamic Studies*, no. 1, preprint, 2023, 2:149–66, <https://doi.org/10.56436/jocis.v2i1.197>.

²² Wahyu Iswanto, Tunggal Anshari Setia Negara, and Aan Eko Widiarto, "Legal Implications of The Regulation of Material Legal Norms in A Supreme Court Regulation (PERMA)," *YURISDIKSI: Jurnal Wacana Hukum Dan Sains* 20, no. 4 (March 2025): 556–71, <https://doi.org/10.55173/yurisidiksi.v20i4.271>.

husbands' non-compliance with the maintenance order.²³ BSK was formed under the Sharia Judicial Position with a mandate to assist ex-wives and children in obtaining alimony that has been decided by the court. Empirical studies show that the presence of BSK is an important breakthrough that distinguishes Malaysia from other countries, as there is a special institution that supervises and can even cover the maintenance temporarily.²⁴ However, the study also found that the effectiveness of BSK continues faces challenges, such as limited human resources, convoluted bureaucracy, and gaps in law enforcement in various regions. Thus, despite being more progressive, Malaysia's policies have not been fully able to guarantee the protection of women's and children's economic rights after divorce.²⁵

As for Brunei Darussalam, the research discusses more about the legal framework for post-divorce alimony contained in the Islamic Family Law Act (Chapter. 217) and its derivative rules. The regulation basically guarantees the right of wives and children to earn alimony after divorce.²⁶ However, field studies on the experiences of women, especially single mothers, show that the main problem lies not in the absence of legal norms, but in their implementation and socioeconomic factors. Many ex-wives have difficulty earning a living according to court rulings due to limited access to enforcement mechanisms, lack of institutional support,

²³ Nur Zulfah MD Abdul Salam, Nur Syazwani Mohd Khotib, "Isu Tunggalan Nafkah : Keperluan Penubuhan Bahagian Sokongan Keluarga (BSK) Arrears of Maintenance Issues : Requirements of Family Support Division (BSK) Establishment," *Journal of Muwafaqat* 3, no. 1 (2020): 38–51.

²⁴ M. Alpi Syahrin et al., "Child Support Payments Post-Divorce: A Comparison of Indonesia and Malaysia With a Technological Approach," *Kosmik Hukum* 25, no. 2 (May 2025): 393–408, <https://doi.org/10.30595/kosmikhukum.v25i2.26197>.

²⁵ Siti Madidah Ruzmi, Asma Hakimah Ab Halim, and Fatimah Yusro Hashim, "Pemeriksaan Bahagian Sokongan Keluarga Jabatan Kehakiman Syariah Negeri Selangor Mengikut Undang-Undang Syariah Di Malaysia," *Malaysian Journal of Syariah and Law* 13, no. 2 (August 2025): 428–44, <https://doi.org/10.33102/mjsl.vol13no2.724>.

²⁶ Wegestin Lagus, Asasriwarni, and Zulfan, "Sharia Legal Framework: A Comparative Analysis of Religious Courts in Brunei Darussalam and Indonesia," *Reformasi Hukum* 28, no. 3 (December 2024): 266–80, <https://doi.org/10.46257/jrh.v28i3.1073>.

and reliance on the willingness of their ex-husbands.²⁷ This fact indicates that there is a gap between formal legal provisions and daily realities, so that women and children are still vulnerable to post-divorce economic injustice. In general, research across the three countries confirms that the issue of post-divorce maintenance is not only a matter of regulatory existence, but especially in the aspects of implementation and enforcement.

The urgency of this research lies not only in the study of the law, but also in its impact on the social and economic lives of women and children affected by divorce. In many cases, divorced women have to face a more difficult life, especially if they are the only party responsible for meeting the needs of their children. Therefore, a fair and effective post-divorce maintenance policy is essential to ensure the fulfillment of the rights of women and children, as well as to maintain their post-divorce well-being.

In addition, this research is also important to enrich the literature on Islamic family law in the Southeast Asian region. Although there are many studies on Islamic family law in Indonesia and Malaysia, there has not been much comparative discussion of post-divorce alimony policies in these three countries. By filling these gaps, this research is intended to provide new insights into how countries with similar but different cultural and legal backgrounds face challenges in the implementation of maintenance policies and the protection of women's and children's rights.

The uniqueness of this research lies in its comparative approach that combines legal and gender analysis. This research not only looks at the normative rule of law, but also considers the social and cultural context that influences its implementation. With this approach, this study will provide a more comprehensive picture of gender inequality in post-divorce alimony policies, as

²⁷ Wahyu Saputra and Ning Adiasih, "Analisis Yuridis Perceraian Pada Pengadilan Agama Di Negara Indonesia Dan Brunei Darussalam," *Reformasi Hukum Trisakti* 6, no. 1 (February 2024): 230–40, <https://doi.org/10.25105/refor.v6i1.19510>.

well as offer solutions that are more applicable and relevant to the conditions of society in the three countries.²⁸

The method used in this study is a normative legal research method.²⁹ This method was chosen because the problems studied are related to the construction of regulations, the rationality of norm formation, and their conformity with the principles of gender justice. The approach used is a conceptual and comparative approach. Conceptual approaches are used to place gender justice within the framework of substantive justice and access to justice. A comparative approach was used to compare the arrangements, protection mechanisms, and effectiveness of the implementation of post-divorce alimony policies in Indonesia, Malaysia, and Brunei Darussalam.

The primary data sources in this study consist of legal texts, court decisions, and doctrinal literature, obtained from the study of documents, laws and regulations, and related literature, including journals, articles, and books that discuss Islamic family law and alimony policy.³⁰ The data collected were analyzed normatively, focusing on the content analysis of the applicable legal and policy texts. Through this approach, researchers will compare the three countries to identify whether post-divorce maintenance policies in each country have accommodated the principles of gender justice, as well as the challenges faced in their implementation.

The analysis process will be carried out using comparative analysis between the three countries by identifying post-divorce alimony regulations, with special attention to the protection of women and children. This analysis will lead to an understanding of how these countries regulate post-divorce alimony in the context of gender justice, as well as identify potential gaps in their

²⁸ Sri Mamudji Soerjono Soekanto, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat* (Depok: Raja Grafindo Persada, 2019).

²⁹ Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020).

³⁰ J. R. Raco, *Metode Penelitian Kualitatif Jenis, Karakter Dan Keunggulannya* (Jakarta: PT Gramedia Widiasarana Indonesia, 2010). 42.

regulation and implementation.³¹ This research will also conduct a conceptual analysis of the legal values contained in the regulation, to understand the extent to which legal policies reflect the principles of justice and gender equality in the protection of the rights of women and children after divorce.³²

Implementation of Post-Divorce Alimony Policies: Challenges and Obstacles

Regulations on post-divorce maintenance in Indonesia, Malaysia, and Brunei Darussalam have essentially provided a clear legal framework to protect women and children.³³ However, problems arise when the written law is confronted with social realities.³⁴ In many cases, women and children who are supposed to be the main beneficiaries are trapped in a gap between legal norms and the reality of implementation.³⁵ This shows that the existence of the rule of law is not enough, but must be supported by effective implementation instruments.

In Indonesia, the most fundamental weakness lies in the enforcement aspect. Court decisions that require ex-husbands to pay alimony often stop at the text of the amar without adequate guarantees of implementation. The execution process is time-consuming, procedural, and often does not result in legal certainty. As a result, many women are reluctant to fight for their livelihood rights for fear of facing complicated bureaucracy and

³¹ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2011).

³² Ishaq, *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis, Serta Disertasi*, in *Alfabeta, Cv* (Bandung: Alfabeta, 2017). 97.

³³ Aria Zurnetti et al., "Model Perlindungan Hukum Terhadap Perempuan Dan Anak Korban Tindak Pidana Kekerasan Melalui Pedoman Kejaksaan No. 1 Tahun 2021 Tentang Akses Keadilan Bagi Perempuan Dan Anak Dalam Penanganan Perkara Pidana," *Nagari Law Review* 7, no. 3 (May 2024): 527, <https://doi.org/10.25077/nalrev.v.7.i.3.p.527-543.2024>.

³⁴ Yulius Sodah, "Kekerasan Terhadap Perempuan: Pencegahan Dan Penanganan Suatu Tinjauan Psikologi Sosial," *Syntax Idea* 5, no. 11 (November 2023): 2327–36, <https://doi.org/10.46799/syntax-idea.v5i11.2912>.

³⁵ Nur Ali, Apik Anitasari Intan Saputri, and Stai Al Hikmah, "Revitalisasi Hukum Keluarga Islam Untuk Memberdayakan Ekosistem Ekonomi Syariah Yang Adil: Perspektif Normatif Dan Socio Legal," *CITIZEN: Jurnal Ilmiah Multidisiplin Indonesia* 5, no. 3 (2025): 2025, <https://doi.org/10.53866/jimi.v5i3.871>.

additional costs. This shows the inequality between normative certainty and practical certainty.³⁶

Malaysia is relatively more developed with the existence of the Family Support Division (BSK), a board that helps ensure that ex-husbands meet their maintenance obligations. However, the effectiveness of BSK still faces challenges, especially in cases where the husband changes residence or avoids responsibility through manipulative means, such as hiding assets. The limited human resources and budget in this institution also hinder the optimization of the role of BSK in serving all cases quickly and comprehensively.³⁷

Brunei Darussalam gives great authority to the Syariah Court to enforce maintenance obligations, including by confiscating the husband's property. From a normative perspective, this is more progressive than Indonesia. However, implementation still faces challenges because women's access to the justice system is not always easy. Bureaucratic barriers, litigation costs, and power imbalances often leave women feeling they do not fully enjoy the protection the law promises.³⁸

The role of courts in the three countries in enforcing maintenance rights is still often trapped in a declarative rather than implementing pattern. This means that judges only issue decisions that recognize the rights of wives and children, but do not always ensure their implementation concretely. In Indonesia, the weak supervisory function and the absence of special implementing agencies have caused the courts to appear passive after the verdict is handed down.³⁹ In contrast, in Malaysia and

³⁶ Ita Musarrofa Adnya, Salsabeela, "Analisis Yuridis Pandangan Hakim Pengadilan Agama Sukoharjo Terhadap Pelaksanaan Putusan Tuntutan Nafkah Pasca Cerai," *Al-Hukama The Indonesian Journal of Islamic Family Law* 7, no. 2 (2018): 305–32, <https://doi.org/10.15642/alhukama.2017.7.2.305-332>.

³⁷ Siti Madihah Ruzmi, Asma Hakimah Ab Halim, and Fatimah Yusro Hashim, "Pelaksanaan Dan Penguatkuasaan Perintah Nafkah Tertunggak Oleh Bahagian Sokongan Keluarga: Satu Sorotan Literatur," *'Abqari Journal* 32, no. 1 (May 2025): 88–106, <https://doi.org/10.33102/abqari.vol32no1.630>.

³⁸ Nabilah Falah, "Position Of 'Iddah In Divorce Qabla Al-Dukhûl," *Sahaja* 4, no. 1 (March 2025): 410–21, <https://doi.org/10.61159/sahaja.v4i1.401>.

³⁹ Marlina Flassy, Usman Idris, and M. Zaenul Muttaqin, "Implementing Constitutional Court Decisions: Case Study Of The Revision Of The 2024

Brunei, courts have greater authority to oversee the implementation of judgments, although their effectiveness remains dependent on existing support systems.

To provide a more systematic and comparative picture of the effectiveness of post-divorce alimony policies in the three countries, the following analysis is summarized in a synthesis table based on five dimensions of justice, namely access, enforcement, adequateness, sustainability, and reparations. The preparation of this table aims to clarify the differences in policy character, level of protection, and position of each country in guaranteeing the rights of women and children after divorce.

Table 1. Comparative Synthesis of Post-Divorce Alimony Justice in Indonesia, Malaysia, and Brunei Darussalam

The Dimension of Justice	Indonesia	Malaysia	Brunei Darussalam
Access	Access is open, but often constrained by costs, procedures, and legal literacy	Relatively more structured access, clearer institutional support	Legal access is available, but cultural barriers narrow women's courage to access
Enforcement / Execution	Weak; reliance on ineffective execution mechanisms	Relatively strong through the Family Support Division (BSK)	Regulations are strong but execution implementation is not always responsive
Sufficiency of Maintenance	Often disproportionate to real needs	More standardized for child support	Depends on the judge's interpretation
Sustainability	Unstable; often disconnected after the verdict	Tends to be more guaranteed for child support	Normatively stable, but not always consistent in practice
Indemnification/ Recovery	Weak, limited remedial justice	There is a clearer mechanism, but it is more focused on the child	Limited and highly legalistic

Regional Head Election Law In Indonesia," *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah* 10, no. 1 (March 2025), <https://doi.org/10.22373/petita.v10i1.732>.

The table above shows that although Indonesia, Malaysia, and Brunei Darussalam share the same normative goal of protecting women and children, the level of justice achieved in each dimension is not uniform. Malaysia appears to be stronger in the dimension of enforcement and sustainability for children, Indonesia still faces serious problems in terms of execution and restoration of rights, while Brunei shows normative strength but is constrained by cultural and access factors. This synthesis underscores the need to strengthen gender justice-based policies that do not only stop at regulations, but also ensure the effectiveness of their implementation.

The next challenge lies in cultural factors and social norms. The deep-rooted patriarchal culture makes the issue of alimony often seen as a private matter that does not deserve to be brought into the legal realm.⁴⁰ Women who demand the right to alimony are considered immoral or damage to family harmony, when they are only demanding justice.⁴¹ This stigma makes many women refrain from exercising their legal rights, even when their economic lives are heavily dependent on such a livelihood.

Social norms also construct the perception of society that post-divorce maintenance obligations are more morally voluntary than binding legal obligations. This has a serious impact on the low compliance of ex-husbands, because they do not feel that they have strict legal consequences if they ignore the court decision. When society itself views livelihood as an option, not an obligation, then the existing legal policy loses its social coercion.⁴²

⁴⁰ Alka Sahoo, "Beti Bachao Beti Padhao Scheme: A March towards Gender Equality and Women Empowerment," *International Journal For Multidisciplinary Research* 5, no. 4 (July 2023), <https://doi.org/10.36948/ijfmr.2023.v05i04.7645>.

⁴¹ Esmeranda Manful, Alhassan Abdullah, and Ebenezer Cudjoe, "When Parents Fail: Addressing Delinquent Child Maintenance Through Informal Resources," *Research on Social Work Practice* 31, no. 3 (March 2021): 278–84, <https://doi.org/10.1177/1049731520980801>.

⁴² Yael Cohen-Rimer, "What's Choice Got to Do With It? Addressing the Pitfalls of Using Choice-Architecture Discourse Within Poverty Law," *The Modern Law Review* 86, no. 4 (July 2023): 951–83, <https://doi.org/10.1111/1468-2230.12796>.

On the other hand, implementation obstacles are also closely related to the economic condition of the ex-husband.⁴³ Many ex-husbands claim to be financially incapable, despite the fact that some hide their source of income. The legal systems in all three countries do not yet have a strong asset verification mechanism, making it difficult for the courts to objectively ascertain the husband's economic ability. These limitations further exacerbate the vulnerability of women and children who depend on livelihoods.⁴⁴

In addition, this study shows that the problem of men's failure to fulfill post-divorce maintenance obligations in Indonesia, Malaysia, and Brunei Darussalam cannot be solely understood as a weakness of positive legal construction. Normatively, the three countries already have a relatively adequate legal framework in determining the maintenance obligations for women and children. However, such seemingly "progressive on paper" legal norms do not automatically convert into substantive justice at the praxis level. This gap actually shows that the main problem lies in the social constructs that frame legal practice: patriarchal power relations that control women's bargaining positions, a culture of compromise that normalizes husbands' disobedience, social acceptance of post-divorce economic inequality, and social stigma against women who demand their rights to the legal realm. So that the failure of alimony after divorce is more accurately understood as a social construction problem, not just a legal construction problem. Positive law works in a hierarchical and gender-biased social space. Although legal norms are available, the law loses coercive power when dealing with social structures that do not support the fulfillment of women's rights.

⁴³ Rahma Mentari, "Mewujudkan Keadilan: Perlindungan Hukum Bagi Perempuan Korban KDRT Dalam Sistem Peradilan Pidana Indonesia," *Spectrum: Journal of Gender and Children Studies* 4, no. 1 (June 2024): 32–45, <https://doi.org/10.30984/spectrum.v4i1.1019>.

⁴⁴ Moh Rosil Fathony and Ellemmia Lorenza Pradana, "Analisis Perbandingan Perceraian Dan Akibat Hukumnya Di Beberapa Negara Islam," *HAKAM: Jurnal Kajian Hukum Islam Dan Hukum Ekonomi Islam* 7, no. 1 (2023), <https://doi.org/10.33650/jhi.v7i1.5770>.

Critical Analysis: The Construction of Gender Justice in Post-Divorce Alimony Regulation

Post-divorce alimony regulations in Indonesia, Malaysia, and Brunei Darussalam actually have a fairly strong legal framework. However, the existence of written rules does not necessarily guarantee the realization of gender justice, especially for women and children. The existing legal construction still faces limitations in implementation as well as sociocultural resistance.⁴⁵ Therefore, a critical analysis of the legal basis in these three countries is needed to see the extent to which existing regulations are able to answer the need for substantive justice.

In Indonesia, the regulation regarding post-divorce maintenance can be found in the Compilation of Islamic Law (KHI) Articles 149 and 156 and Law No. 1 of 1974 concerning Marriage. KHI expressly regulates the obligation of husbands to provide iddah, mut'ah, and child support.⁴⁶ This arrangement is strengthened by a number of SEMAs, such as SEMA No. 3 of 2015 which requires an increase of 10-20% per year in child support, or SEMA No. 5 of 2021 which allows the confiscation of assets for the benefit of child support. When viewed in terms of rules, Indonesia seems progressive in accommodating the needs of women and children. However, the big weakness lies in the weak execution mechanism, because there is no special institution to supervise the implementation of the verdict, so women often do not get their rights in real terms.⁴⁷

Malaysia has a more systematic legal basis through the Islamic Family Law Act 1984 (Act 303), especially Sections 59, 72, 73, as well as Sections 74–79 which regulate spousal support, child support, and the court's authority to determine and enforce

⁴⁵ Suud Sarim Karimullah, "Children's Rights in Islam: Towards Gender Equality and Youth Justice," *Muadalah* 11, no. 2 (2023): 87–98, <https://doi.org/10.18592/muadalah.v11i2.11113>.

⁴⁶ Cik Hasan Bisri, *Kompilasi Hukum Islam Dalam Sistem Hukum Nasional* (Jakarta: Logos Wacana Ilmu, 1999).

⁴⁷ Ahmad gofur Sutabri, "Kedudukan Nafkah Dalam Hukum Keluarga Islam: Antara Tanggung Jawab Dan Realitas Sosial," *El-Qisth Jurnal Hukum Keluarga Islam* 8, no. 01 (June 2025): 32–38, <https://doi.org/10.47759/zcje8g90>.

judgments.⁴⁸ In addition, the Family Support Division (BSK) shows the country's concrete steps to ensure the fulfillment of alimony. However, the implementation of BSK is more dominant focusing on child support, while the protection of post-divorce wife maintenance is not as strong as expected.⁴⁹ This shows that the aspect of gender justice is still partial, because adult women are considered more capable of being independent, when in practice many are still economically dependent on their husbands' support.

Meanwhile, Brunei Darussalam relies on the Islamic Family Law Act (Chapter 217) which gives great powers to the Syariah Court to decide and supervise the implementation of alimony. In fact, Brunei's legal system allows the state to confiscate or detain the husband's assets to ensure the enforcement of alimony obligations. In comparison, this rule is stricter than Indonesia and Malaysia. However, the obstacles that arise are not regulations, but social barriers. Many women are reluctant to file a maintenance claim because of the social stigma that considers it a disgrace or a form of resistance to their ex-husbands.⁵⁰

If the three countries are compared, then there is a fundamental difference. Indonesia is relatively complete in adding regulations through SEMA that detail the maintenance of iddah, mut'ah, and child maintenance. Malaysia has an institutional instrument in the form of BSK that provides better assurance, although protection for women is still limited. Brunei Darussalam actually has more strict rules normatively, but it is hampered by cultural factors. This situation indicates that gender justice in post-divorce alimony is not solely determined by the power of the

⁴⁸ Haliza Nur Madhani et al., "Perbandingan Legislasi Hukum Pidana Islam Di Indonesia Dan Beberapa Negara Muslim Lainnya," *Demokrasi: Jurnal Riset Ilmu Hukum, Sosial Dan Politik* 1, no. 3 (2024): 72–82, <https://doi.org/10.62383/demokrasi.v1i3.252>.

⁴⁹ Syahrin et al., "Child Support Payments Post-Divorce: A Comparison of Indonesia and Malaysia With a Technological Approach."

⁵⁰ Norhazlin binti Pg Haji Muhammad and Dato Osman Bakar, "Implementation of the 'Integrated Education System' in Brunei Darussalam: Issues and Challenges," *Journal of Middle Eastern and Islamic Studies (in Asia)* 7, no. 4 (December 2013): 97–120, <https://doi.org/10.1080/19370679.2013.12023234>.

regulation, but also by the extent to which it can be implemented consistently in the field.

One of the biggest challenges in Indonesia is weak *enforcement*. For example, although SEMA No. 5 of 2021 provides room for asset confiscation for the benefit of children, in practice women often have difficulty tracing and proving the assets of their ex-husbands. The same thing also happens in Malaysia, where although BSK can be a solution, limited resources and bureaucracy make the distribution of maintenance rights not always run quickly. Brunei itself has a stricter instrument of confiscation, but the low awareness of women to access the judiciary makes it less utilized.⁵¹

Patriarchal cultural factors worsen the situation in the three countries. In Indonesia, women are often considered "nusyūz" or not entitled to alimony if they sue for divorce, even if the reason for divorce is due to violence or neglect.⁵² In Malaysia, the stigma of society that considers women to be "subdued" to post-divorce conditions makes many ex-wives not dare to claim their rights.⁵³ In Brunei, women's reluctance to claim alimony actually strengthens the position of husbands in post-divorce relationships, even though the law has sided with women.

In terms of gender justice, the three countries have still not achieved substance. Indonesia tends to emphasize procedural aspects by adding regulations through SEMA, but execution remains weak.⁵⁴ Malaysia emphasizes the institutional aspect

⁵¹ Almadison, Akbarizan, and Akmal Abdul Munir, "Studi Komparatif Antara Indonesia, Malaysia, Dan Singapura Terkait Pemenuhan Hak Anak Pasca Perceraian," *Anderw Law Journal* 4, no. 1 (June 2025): 100–117, <https://doi.org/10.61876/alj.v4i1.65>.

⁵² Sanusi Sanusi et al., "Judges' Ijtihad on Women's Rights after Divorce and Its Contribution to Family Law Reform in Indonesia," *SMART: Journal of Sharia, Traditon, and Modernity* 3, no. 1 (2023): 1, <https://doi.org/10.24042/smart.v3i1.16981>.

⁵³ Zulfa Rofiah, "Analisis Yuridis Kasus Hak Asuh Anak Tsania Marwah: Tantangan Perlindungan Hak Ibu Dan Anak Di Indonesia," *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 3 (July 2025): 169–85, <https://doi.org/10.46773/usrah.v6i3.1833>.

⁵⁴ Putri Cilia Tambun, Novea Elysa Wardhani, and Syamhudian Noor, "Pertimbangan Hakim Pengadilan Agama Tentang Perceraian Dengan Alasan

through BSK, but protection for wives is still minimal. Brunei has strict norms, but cultural barriers make implementation not optimal.⁵⁵ This shows that there is a gap between formal law (*law in the book*) and social practice (*law in action*).⁵⁶ In addition, the construction of gender justice in post-divorce alimony regulations in the three countries shows the same direction, namely ensuring that women and children remain protected even after the marriage relationship ends.⁵⁷ Indonesia prioritizes normative-progressive mechanisms through multi-layered Supreme Court rulings and circulars, Malaysia emphasizes legal certainty by strengthening the execution and institutional support of BSK, while Brunei integrates legal regulations with state authority to ensure compliance. All three reflect the transformation of Islamic family law towards gender-based substantive justice, although there are still challenges in implementation in the field, especially related to the consistency of the execution of decisions and the legal awareness of the parties.

Thus, the construction of gender justice in post-divorce alimony regulations in these three countries is still not substantive. The existence of formal regulation is important, but it is not enough to break through structural and cultural barriers. There needs to be institutional strengthening, reform of the execution mechanism, and transformation of the culture of society so that regulations really become instruments of protection. Without these measures, the law will remain in the normative realm without

Pisah Rumah Singkat (Studi Putusan Nomor 375 Pdt.G/2024/PA.Plk)," *Al-Hikmah: Jurnal Agama Dan Ilmu Pengetahuan* 22, no. 1 (April 2025): 105–15, [https://doi.org/10.25299/ajaip.2025.vol22\(1\).21698](https://doi.org/10.25299/ajaip.2025.vol22(1).21698).

⁵⁵ Khotib, "Isu Tunggakan Nafkah: Keperluan Penubuhan Bahagian Sokongan Keluarga (BSK) Arrears of Maintenance Issues: Requirements of Family Support Division (BSK) Establishment."

⁵⁶ Rheina Aini, Graciella Azzura, and Putri Ananda, "Kedudukan Dan Kewenangan Mahkamah Agung Dalam Menyelenggarakan Kekuasaan Kehakiman Di Indonesia," *Jurnal Kewarganegaraan* 8, no. 1 (2024): 303–9, <https://doi.org/10.31316/jk.v8i1.6150>.

⁵⁷ Min Xu et al., "Emotion Dysregulation and Couple Relationship Satisfaction of Clinical Couples: An Actor-partner Interdependence Model," *Family Process* 62, no. 4 (December 2023): 1555–73, <https://doi.org/10.1111/famp.12828>.

being able to guarantee real welfare for women and children after divorce.

Table 2. Comparison of the Construction of Gender Justice in Post-Divorce Alimony Regulation

Aspect	Indonesia	Malaysia	Brunei
Main Regulations	Marriage Law, KHI, Supreme Court SEMA	Islamic Family Law Act, Section Family Support ()	Sharia Court Ordinance
Types of Maintenance	Iddah alimony, mut'ah, child support	Child support, post-divorce spousal support (limited, with primary focus on the child)	Child support, spousal support, may be accompanied by asset seizure
Enforcement Mechanism	Application for enforcement to the Religious Court; no special institution	Through BSK as the agency responsible for collecting alimony	The Sharia Court may seize the former husband's salary/assets
Implementation Challenges	The enforcement process is complicated, expensive, and often ineffective	Lengthy bureaucracy, limited BSK resources	Access to court is hampered by social stigma
Socio-Cultural Factors	Stigma against women who demand alimony is considered "shameful to the family"	Patriarchal values remain strong, women depend on the support of their extended family	Alimony demands are perceived as "rebellious" against the ex-husband
The Role of the Court	More declarative in nature; rulings are often not enforced	Active through BSK, although not always responsive and quick	Firm in enforcement (asset seizure), but hampered by social resistance
Gender Justice	Formalistic, not yet substantive; women still bear the economic burden	Better than Indonesia, but protection tends to focus on children rather than wives	Relatively progressive in legal terms, but limited by patriarchal norms
Case Examples	Many women give up because enforcement fails (e.g., cases in	Wives must wait a long time for alimony payments through the BSK,	Ex-wives are reluctant to sue for alimony even though the court

Aspect	Indonesia	Malaysia	Brunei
	Jakarta and Surabaya Religious Courts)	some fail due to administrative processes	can seize their husband's salary
Critical Reflection	Regulations are not gender-responsive; the Family Court Law () emphasizes the formal obligations of husbands	There are institutional efforts, but there is still minimal support for women's needs as a whole	Progressive regulations, but gender justice has not been achieved due to patriarchal culture

Based on the table above, it can be seen that the implementation of post-divorce alimony regulations in three countries still faces serious challenges in realizing gender justice. In Indonesia, the main problem lies in the weak *enforcement mechanism* and the absence of a special institution that can ensure the continuity of post-divorce maintenance.⁵⁸ As a result, many women have difficulty obtaining their rights even though court rulings have won in their favor. In Malaysia, the existence of the Family Support Division (BSK) actually shows a step forward in the enforcement of alimony law. However, practice in the field still tends to focus more on meeting the needs of children, while the aspect of protecting the wife's alimony is often neglected. Meanwhile, Brunei Darussalam has stricter regulations, including the authority of courts to confiscate the husband's assets or salary as a guarantee of alimony. However, sociocultural barriers, such as the stigma against women claiming the right to alimony, cause many women to be reluctant to take advantage of available legal instruments. Thus, the three countries show that gender justice is still not substantive, as the existence of formal laws is not strong enough to break through the structural and cultural barriers that limit women's access to post-divorce rights.

⁵⁸ Bun Joi Phiau, Amzulian Rifai, and Abdul Latif, "Legal Certainty In The Implementation of Judicial Review Decisions By The Constitutional Court In Indonesia," *Asian Journal of Social and Humanities* 3, no. 5 (February 2025): 913–21, <https://doi.org/10.59888/ajosh.v3i5.497>.

Implications of Post-Divorce Alimony Policy on the Protection of Women and Children

Post-divorce maintenance policies in Indonesia, Malaysia, and Brunei Darussalam are, in principle, aimed at ensuring the economic protection of women and children. However, the effectiveness of its implementation has direct consequences for the sustainability of their education, health, and socioeconomic conditions.⁵⁹ Uncertainty of livelihood causes disruption of access to education, risk of dropping out of school, and weak fulfillment of children's health and nutrition needs.⁶⁰ This situation also increases the economic burden and psycho-social stress on women as ex-wives.⁶¹ In the long term, this condition has the potential to strengthen the inter-generational cycle of poverty and widen gender inequality.⁶²

From a human rights perspective, the situation shows a gap between national legal norms and international commitments, particularly the principles in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which affirm the responsibility of states to ensure effective economic protection for post-divorce women.⁶³ The state cannot leave the issue of maintenance entirely to the individual responsibility of the ex-husband, but must ensure effective enforcement mechanisms

⁵⁹ Mujiono Mujiono, Romlan Romlan, and Syaiful Bahri, "Analisis Yuridis Faktor-Faktor Penyebab Tingginya Angka Perceraian Di Kabupaten Jombang," *Justicia Journal* 14, no. 1 (March 2025): 135–57, <https://doi.org/10.32492/jj.v14i1.14109>.

⁶⁰ M. Amir Mahmud, "Memahami Perilaku Istri Melayangkan Cerai Gugat Di Kabupaten Banyuwangi," *Ar-Risalah: Media Keislaman, Pendidikan Dan Hukum Islam* xix, no. 2 (2021): 331–37.

⁶¹ Wahyu Fitrianoor, "Hukum Perkawinan Muslim Di Brunei Darussalam (Studi Analisis Masalah At-Thufi)," *Maqashiduna: Jurnal Hukum Keluarga Islam* 1, no. 2 (March 2024): 121–37, <https://doi.org/10.47732/maqashiduna.v1i2.320>.

⁶² Guo Ai, "Asian Comparative Constitutional Law: Constitutional Amendments," *Asia Pacific Law Review*, September 16, 2025, 1–5, <https://doi.org/10.1080/10192557.2025.2556088>.

⁶³ Lydia Candelaria González Orta, "The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): From Its Radical Preamble to Its Contemporary Intersectional Approach," *Women's History Review* 34, no. 1 (January 2025): 79–92, <https://doi.org/10.1080/09612025.2023.2277490>.

and provide a social safety net when maintenance obligations fail to be met. At the regional level, cooperation through ASEAN is important to establish minimum standards of gender justice-based livelihood protection.⁶⁴

From the perspective of *maqāṣid al-sharī'ah*, the weak fulfillment of post-divorce maintenance shows that the goals of life protection (*hifd nafs*), property protection and economic welfare (*hifd al-mal*), and generational sustainability (*hifd al-nasl*) have not been fully achieved.⁶⁵ Post-divorce alimony should not only be understood as a formal legal obligation, but as an instrument of social protection that ensures decent survival, economic resilience, and the welfare of children and women. When the law is only strong at the normative level but weak in implementation, then the *maqasid* moves from the normative ideal to the "maqasid that is not substantively realized".⁶⁶ Thus, the reform of post-divorce alimony policy is not only a positive legal imperative, but also an ethical and theological demand within the framework of *maqāṣid al-sharī'ah* to ensure real justice, not just textual justice.

Conclusion

This study confirms that post-divorce maintenance policies in Indonesia, Malaysia, and Brunei Darussalam normatively have the same goal, namely to ensure economic protection for women and children. However, its implementation shows disparities. In Indonesia, the existence of KHI and Supreme Court regulations have not been accompanied by an effective enforcement mechanism, so the right to alimony often ends at the decision's text. Malaysia through the Family Support Division (BSK),

⁶⁴ Ummu Kalsum, "Pertimbangan Hakim Terhadap Nafkah Istri Dalam Kasus Cerai Talak Di Pengadilan Agama Watampone Kelas 1 a," *Jurisprudentie : Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 2 (2019): 57, <https://doi.org/10.24252/jurisprudentie.v6i2.9766>.

⁶⁵ Achmad Suhaili, "Integrasi Maqāṣid Al-Syarī'Ah Dalam Praktik Peradilan Agama Di Indonesia: Studi Alternatif Penyelesaian Sengketa Keluarga," *Jurnal Hukum Keluarga* 06, no. 1 (2025), <https://doi.org/10.62097/mabahits.v6i01.2236>.

⁶⁶ Nur Aqiqah Wahda, Muhammad Sabir, and Muh Fauzi Anas, "The Fulfillment of Post-Divorce Rights for Former Wives and Children in Bantaeng Regency," *Parewa Saraq: Journal Of Islamic Law And Fatwa Review* 4, no. 1 (May 2025), <https://doi.org/10.64016/parewasaraq.v4i1.25>.

presents a more operational institutional model, although protection is still more in favour of the child than the ex-wife. Meanwhile, Brunei Darussalam has a strict legal framework, but patriarchal cultural resistance limits women's access to legal instruments. These findings show that the problem is not only the weaknesses of the legal construction, but also the social constructions that affect compliance and enforcement.

The implications have a direct impact on the sustainability of education, health, and socioeconomic stability of women and children, and have the potential to strengthen inter-generational poverty. This situation also reflects the gap between the state's commitment to the CEDAW principles and the reality of implementation. From the perspective of maqāsid al-sharī'ah, failure to fulfill alimony means that life protection (*hifd nafs*), generational sustainability (*hifd al-nasl*), and economic protection (*hifd al-mal*) are not optimal.

Thus, post-divorce alimony policy will only function as an instrument of substantive justice if it is strengthened with gender-responsive execution mechanisms, institutional strengthening such as the BSK model, increasing legal literacy, cultural transformation, and regional cooperation through ASEAN to establish minimum standards of alimony protection, to move from normative texts to real justice for women and children.

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