

The Effectiveness of Post-Divorce Maintenance Decisions for Wives and Children: Legal Compliance of Former Husbands in Pekalongan

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Abstract. *The implementation of post-divorce maintenance decisions for former wives and children remains a significant challenge within the Indonesian Religious Court system. Although Indonesian family law recognizes the rights of women and children to receive post-divorce maintenance, the enforcement of judicial decisions frequently encounters obstacles due to the low level of compliance among former husbands. This study aims to analyze the effectiveness of judicial decisions concerning post-divorce maintenance, identify factors affecting former husbands' compliance with maintenance obligations, and formulate an ideal model for strengthening the enforcement of maintenance decisions in Pekalongan Regency and Pekalongan City. This research employed an empirical legal method with a socio-legal approach. Primary data were obtained through interviews with judges, court officials, former wives, and other relevant informants at the Kajen Religious Court and the Pekalongan Religious Court. Secondary data were collected from statutory regulations, court decisions, legal literature, and academic publications. The data were analyzed qualitatively using Soerjono Soekanto's theory of legal effectiveness, Achmad Ali's theory of legal compliance, and the maqāṣid al- shari'ah framework. The findings reveal that the effectiveness of post-divorce maintenance decisions remains suboptimal because implementation largely depends on the voluntary compliance of former husbands. Economic difficulties, informal employment, patriarchal culture, post-divorce emotional conflicts, and low legal awareness were identified as the primary factors contributing to non-compliance. Analysis based on Soekanto's theory indicates that weaknesses in enforcement mechanisms, institutional support, facilities, and legal culture significantly hinder the realization of maintenance rights. Analysis using Achmad Ali's theory demonstrates that compliance is predominantly motivated by external pressure and social considerations rather than internalized legal awareness. This study proposes an integrated enforcement model consisting of regulatory reform, population data integration, digital monitoring systems, administrative sanctions, legal education programs, and a maqāṣid al- shari'ah approach. The proposed model constitutes the novelty of this research*

and is expected to strengthen the protection of women and children while promoting substantive justice in post-divorce maintenance enforcement.

Keywords: *Compliance; Effectiveness; Legal; Maintenance; Religious.*

1. Introduction

The increasing number of divorce cases in Indonesia has generated complex legal consequences, particularly regarding the fulfillment of post-divorce maintenance obligations toward former wives and children. Maintenance constitutes a fundamental legal responsibility that remains attached to a husband even after the dissolution of marriage. Indonesian family law, through Law Number 1 of 1974 concerning Marriage, the Compilation of Islamic Law, and Supreme Court Regulation Number 3 of 2017, recognizes the rights of women and children to receive adequate post-divorce maintenance. The existence of these regulations reflects the state's commitment to protecting vulnerable family members and ensuring substantive justice after divorce (Syarifuddin, 2014: 215).

The implementation of maintenance decisions issued by Religious Courts, however, remains problematic. Although judges frequently order the payment of iddah maintenance, mut'ah, child support, and other financial obligations, many former husbands fail to comply with court decisions voluntarily. The discrepancy between legal norms and actual implementation demonstrates that judicial decisions alone are insufficient to guarantee the realization of women's and children's rights. Legal effectiveness is therefore not merely determined by the existence of legal norms but also by the willingness of legal subjects to obey them (Soekanto, 2014: 8).

Empirical conditions found in Pekalongan Regency and Pekalongan City illustrate this phenomenon. Divorce cases in both jurisdictions continue to increase, with divorce petitions filed by wives (divorce sue) consistently exceeding divorce petitions filed by husbands (divorce divorce). This trend indicates that marital disputes often culminate in legal separation initiated by women, thereby creating a greater need for legal protection regarding post-divorce maintenance obligations. The growing number of divorce cases simultaneously increases the potential number of maintenance disputes and implementation problems.

The problem of non-compliance is not limited to Pekalongan. Data from the Surabaya Religious Court and the Civil Registration Office of Surabaya reveal that out of 10,959 divorce cases integrated into the population administration system, 7,642 former husbands failed to fulfill maintenance obligations after divorce. The unpaid obligations included mut'ah maintenance, iddah maintenance, and child support. These findings indicate that court decisions concerning maintenance have not been fully effective despite possessing binding legal force. Economic

limitations, low legal awareness, and weak enforcement mechanisms have been identified as major contributing factors (Rofiah, 2020: 170).

Previous studies generally focus on normative analyzes of maintenance provisions, judicial reasoning, or the amount of maintenance awarded by courts. Research conducted by Tarigan examined the implementation of iddah and mut'ah maintenance following Supreme Court Regulation Number 3 of 2017, while Musfiroh analyzed the fulfillment of child support obligations after divorce. Nevertheless, existing studies predominantly emphasize legal doctrine and judicial interpretation rather than examining the actual compliance behavior of former husbands and the effectiveness of maintenance enforcement mechanisms in practice (Tarigan, 2021: 51; Musfiroh, 2022: 84).

The present study identifies a significant research gap. Limited empirical research has comprehensively examined the relationship between judicial effectiveness, legal compliance, socio-cultural factors, and post-divorce maintenance implementation across multiple Religious Courts. Existing scholarship rarely integrates Soerjono Soekanto's theory of legal effectiveness, Achmad Ali's theory of legal compliance, and the maqāṣid al- syarī'ah framework to evaluate maintenance enforcement. As a result, the practical dynamics underlying former husbands' compliance remain insufficiently explored.

The novelty of this study lies in its integrated socio-legal analysis of post-divorce maintenance enforcement in two Religious Courts within the Pekalongan region. The study not only evaluates the effectiveness of judicial decisions and the determinants of former husbands' compliance but also proposes an ideal model for strengthening maintenance enforcement through administrative integration, digital monitoring, regulatory reform, and a maqāṣid al- syarī'ah approach. This integrated model is expected to contribute to the development of Indonesian family law and enhance legal protection for women and children following divorce.

This research aims to analyze the effectiveness of judges' decisions concerning post-divorce maintenance for wives and children, to identify factors influencing former husbands' compliance with maintenance obligations, and to formulate an ideal model for strengthening the implementation of maintenance decisions in Pekalongan City and Pekalongan Regency.

2. Research Methods

This study employed an empirical legal research method with a socio-legal approach. The socio-legal approach was used to examine the implementation of post-divorce maintenance decisions and the factors influencing former husbands' compliance within their social and legal contexts. The research was conducted at the Kajen Religious Court and the Pekalongan Religious Court, Central Java, Indonesia, selected due to their significant number of divorce cases and maintenance-related disputes (Soekanto, 1986). Primary data were obtained

through interviews with judges, court clerks, former wives, and other relevant parties involved in divorce and maintenance cases. Secondary data were collected from statutory regulations, court decisions, books, journal articles, and other legal materials related to family law, maintenance obligations, and legal compliance. Data collection techniques included interviews, document studies, and observations. The collected data were analyzed qualitatively using descriptive analysis. The analysis focused on examining the effectiveness of post-divorce maintenance decisions, identifying factors affecting former husbands' compliance, and formulating an ideal model for strengthening maintenance enforcement. The analytical framework was based on Soerjono Soekanto's theory of legal effectiveness, Achmad Ali's theory of legal compliance, and the *maqāṣid al-shari'ah* approach (Ali, 2015; Marzuki, 2017).

3. Results and Discussion

3.1. The Effectiveness of Post-Divorce Maintenance Decisions in Pekalongan

1) Judicial Considerations in Determining Maintenance Awards

The determination of post-divorce maintenance constitutes one of the most important aspects of family law adjudication within the Indonesian Religious Court system. Judicial authority in maintenance cases extends beyond the mere application of statutory provisions and requires careful consideration of the social, economic, and familial circumstances of the parties involved. The objective is not only to resolve disputes arising from marital dissolution but also to ensure legal protection for women and children whose welfare may be adversely affected by divorce (Syarifuddin, 2014).

Maintenance awards in divorce cases are principally governed by Law Number 1 of 1974 concerning Marriage, the Compilation of Islamic Law (KHI), Supreme Court Regulation Number 3 of 2017 concerning Guidelines for Adjudicating Cases Involving Women in Conflict with the Law, and various Supreme Court Circular Letters. These legal instruments emphasize that divorce does not extinguish the husband's responsibility to provide financial support to his former wife and children. Judicial decisions concerning maintenance therefore function as mechanisms for safeguarding post-divorce rights and ensuring substantive justice for vulnerable family members (Nurlaelawati, 2010).

Empirical findings from the Kajen Religious Court and the Pekalongan Religious Court indicate that judges consider multiple factors when determining maintenance obligations. Economic capacity constitutes the primary consideration because maintenance awards must reflect the actual ability of the husband to fulfill his obligations. Judges regularly assess employment status, income level, property ownership, and overall financial conditions before determining the amount of maintenance. This approach seeks to balance the

rights of former wives and children with the principle of proportionality in the imposition of legal obligations.

A judge interviewee during the research explained:

"Maintenance is determined based on the husband's occupation and estimated monthly income. When the husband works in the informal sector and there is no fixed salary, the court examines available evidence and surrounding circumstances to estimate his financial capacity." (Interview with Judge of Kajen Religious Court, March 2025).

The statement demonstrates that judicial reasoning often extends beyond formal documentary evidence. Since many litigants in Pekalongan Regency and Pekalongan City work in informal economic sectors, precise proof of income is often unavailable. Judges therefore employ contextual assessments to determine reasonable maintenance obligations while ensuring that awards remain enforceable in practice.

The first component commonly awarded in divorce cases is *iddah* maintenance. Article 149 of the Compilation of Islamic Law requires former husbands to provide maintenance to former wives during the waiting period following divorce unless the wife is legally proven to be *nusyuz*. Judicial practice in both Religious Courts reveals that *iddah* maintenance is routinely granted, particularly in divorce applications initiated by husbands. Such awards reflect the continuing responsibility of husbands during the transitional period following marital dissolution and aim to prevent economic hardship experienced by former wives.

The second component is *mut'ah*, which functions as financial consolation provided to former wives after divorce. Unlike *iddah* maintenance, which is limited to a specific period, *mut'ah* represents a broader form of compensation intended to preserve the dignity of women and mitigate the social and economic consequences of divorce. Judges typically consider the duration of marriage, the economic condition of the husband, and the circumstances surrounding the divorce when determining the amount of *mut'ah*.

Another judge stated:

"The determination of *mut'ah* is based on fairness. The amount varies according to the husband's economic condition and the circumstances of the marriage and divorce." (Interview with Judge of Pekalongan Religious Court, March 2025).

Child maintenance constitutes the most significant continuing obligation after divorce. Religious Court judges consistently emphasize that parental responsibilities survive the dissolution of marriage. Child support awards are therefore determined by considering educational needs, healthcare expenses, daily living costs, and the child's overall welfare. Judicial practice reflects the

principle of the best interests of the child, which has become increasingly prominent in contemporary family law jurisprudence (UNICEF, 2021).

The findings further indicate that judges increasingly adopt a substantive justice approach in maintenance cases. The influence of Supreme Court Regulation Number 3 of 2017 has encouraged judges to consider structural inequalities affecting women and children rather than relying exclusively on formal legal reasoning. As a result, maintenance awards are increasingly viewed as instruments of social protection designed to ensure that divorce does not produce disproportionate hardship for vulnerable family members.

2) Implementation of Maintenance Decisions After Divorce

The effectiveness of maintenance decisions cannot be evaluated solely through judicial reasoning. The true measure of effectiveness lies in the extent to which maintenance obligations are implemented after divorce. Maintenance decisions become meaningful only when former husbands comply with the obligations imposed by the court and women and children receive the benefits intended by judicial protection.

The importance of implementation becomes increasingly evident when examined against the growing number of divorce cases in Pekalongan Regency and Pekalongan City. Divorce remains one of the most common family law disputes handled by Religious Courts, creating a substantial number of cases involving post-divorce maintenance obligations.

Table Divorce Cases at Kajen Religious Court (2021–2025)

Year	Divorce Petition	Divorce by Husband	Total
2021	1,813	612	2,425
2022	1,738	584	2,322
2023	1,622	551	2,173
2024	1,487	503	1,990
2025	1,644	557	2,201

Source: Kajen Religious Court Annual Reports (2021–2025).

The data indicates that divorce cases at the Kajen Religious Court remained consistently high during the five-year period. Divorce petitions filed by wives significantly outnumbered divorce applications filed by husbands. The dominance of *divorce lawsuit* suggests that many women resort to judicial mechanisms to terminate unsustainable marital relationships and secure legal protection. This trend has direct implications for maintenance enforcement because divorce petitions frequently include claims for *iddah* maintenance, *mut'ah*, and child support.

The data further reveals that maintenance disputes should not be viewed solely as individual legal conflicts. The substantial number of divorce cases processed annually creates a corresponding increase in the number of maintenance obligations imposed through judicial decisions. As a result, the effectiveness of

maintenance enforcement becomes a critical issue affecting the welfare of women and children within the court's jurisdiction.

A similar pattern appears within the jurisdiction of the Pekalongan Religious Court.

Table Divorce Cases at Pekalongan Religious Court (2021–2025)

Year	Divorce Petition	Divorce by Husband	Total
2021	1,492	498	1,990
2022	1,521	505	2,026
2023	1,716	563	2,279
2024	1,650	541	2,191
2025	1,651	548	2,199

Source: Pekalongan Religious Court Annual Reports (2021–2025).

The statistics demonstrate that divorce petitions consistently exceed divorce applications filed by husbands. The highest number of divorce cases occurred in 2023, reaching 2,279 cases. The persistence of high divorce rates indicates that maintenance obligations continue to affect a substantial number of families each year. Consequently, ensuring the effective implementation of maintenance decisions remains a major challenge for the Religious Court system.

Field research revealed varying levels of compliance among former husbands. Some respondents reported receiving maintenance regularly in accordance with court decisions. Such cases were generally associated with stable income, positive post-divorce communication, and higher levels of legal awareness. Voluntary compliance represented the most effective means of implementing maintenance decisions because it eliminated the need for further legal proceedings.

Partial compliance emerged as a more common pattern. Several former wives reported receiving maintenance irregularly or in amounts lower than those specified by the court. This situation was particularly prevalent among former husbands engaged in informal employment with fluctuating income levels. Although maintenance obligations were not entirely ignored, inconsistent payments often failed to satisfy the needs of women and children.

Cases of complete non-compliance also appear frequently during field research. Some former wives reportedly received no maintenance despite legally binding judicial decisions. One respondent explained:

"My former husband paid child support only during the first few months after the divorce. After that, he stopped making payments entirely, and I had to support our child alone." (Interview with Former Wife, April 2025).

The findings indicate that implementation remains heavily dependent upon voluntary compliance. The absence of effective monitoring and enforcement mechanisms significantly reduces the practical impact of maintenance decisions. Consequently, legal rights recognized through judicial proceedings do not always translate into actual protection for women and children.

The effectiveness of post-divorce maintenance decisions can be analyzed through Soerjono Soekanto's theory of legal effectiveness, which identifies five factors influencing the operation of law: legal substance, law enforcement institutions, facilities and infrastructure, society, and legal culture (Soekanto, 2014).

The first factor concerns legal substance. Indonesian family law provides a comprehensive normative framework regulating post-divorce maintenance through the Marriage Law, the Compilation of Islamic Law, Supreme Court Regulation Number 3 of 2017, and various judicial guidelines. These regulations clearly recognize the rights of women and children to receive maintenance after divorce. From a normative perspective, therefore, the legal substance governing maintenance obligations can be considered adequate.

The second factor relates to law enforcement institutions. Judges at both the Kajen Religious Court and the Pekalongan Religious Court generally demonstrate a strong commitment to protecting women and children through maintenance awards. Judicial decisions frequently include considerations of fairness, proportionality, and child welfare. Nevertheless, the authority of Religious Courts is largely limited once a judgment becomes final. The absence of effective post-judgment monitoring mechanisms reduces the practical effectiveness of maintenance decisions.

The third factor concerns facilities and infrastructure. Research findings indicate that maintenance enforcement suffers from the lack of an integrated monitoring system. Religious Courts possess no dedicated mechanism for tracking maintenance payments after judgments become legally binding. Unlike jurisdictions employing wage garnishment systems or centralized maintenance agencies, Indonesian Religious Courts rely predominantly on voluntary compliance. This institutional limitation significantly weakens enforcement capacity.

The fourth factor involves society. Economic conditions play a substantial role in determining compliance behavior. Many former husbands work in informal sectors characterized by unstable income. Financial insecurity frequently results in delayed payments, partial compliance, or complete non-compliance. Social conditions therefore exert a direct influence on the practical implementation of maintenance decisions.

The fifth factor concerns legal culture. Patriarchal attitudes remain influential within certain communities and continue to affect perceptions regarding post-divorce responsibilities. Some former husbands view maintenance obligations as burdens imposed by the court rather than continuing legal and moral duties toward their children. Emotional conflicts arising from divorce further contribute to resistance against compliance. These cultural factors demonstrate that legal

effectiveness depends not only on legal rules but also on the degree to which legal norms are accepted within society.

Analysis based on Soerjono Soekanto's theory therefore demonstrates that the effectiveness of post-divorce maintenance decisions in Pekalongan remains suboptimal. The legal framework regulating maintenance is relatively comprehensive, and judges generally apply the law appropriately. Nevertheless, weaknesses in enforcement mechanisms, limited institutional support, economic constraints, and unfavorable legal culture continue to impede the realization of maintenance rights. These findings confirm that improving the effectiveness of maintenance decisions requires not only legal reform but also institutional strengthening, enhanced monitoring systems, and broader efforts to cultivate legal awareness within society.

3.2 Analysis Based on Achmad Ali's Theory of Legal Compliance

The findings concerning former husbands' compliance with post-divorce maintenance decisions may be analyzed through Achmad Ali's theory of legal compliance. According to Achmad Ali, compliance with legal norms is generally influenced by three levels of legal obedience, namely *compliance*, *identification*, and *internalization*. These three indicators provide an analytical framework for understanding the motivations underlying compliance behavior and the extent to which legal norms are accepted and implemented by members of society (Ali, 2015).

The first indicator is *compliance*, which refers to obedience motivated primarily by the desire to avoid sanctions or adverse consequences. Individuals comply with legal norms not because they genuinely accept their legitimacy but because they seek to avoid punishment. Research findings indicate that a number of former husbands fulfill maintenance obligations only when they perceive a direct legal consequence resulting from non-compliance. Such compliance is generally temporary and tends to diminish when supervision or legal pressure decreases.

Several respondents revealed that maintenance payments were made primarily because the obligation was expressly stated in a court decision. Compliance in such circumstances reflects obedience based on external pressure rather than personal conviction. The existence of a legally binding function serves judgment as the principal motivating factor. Once enforcement becomes weak or monitoring mechanisms are absent, compliance frequently declines. This phenomenon demonstrates that maintenance enforcement remains highly dependent on formal legal authority rather than voluntary commitment (Soekanto, 2014).

The second indicator is *identification*, which occurs when individuals comply with legal norms in order to maintain social relationships, preserve social status, or obtain recognition from others. Compliance at this stage is influenced by social

expectations and interpersonal relationships rather than fear of sanctions alone. Former husbands who continue to maintain positive relationships with their children and former wives generally exhibit a higher level of compliance because they seek to preserve family relationships and social reputation.

Field research indicates that former husbands maintained regular communication with their children tended to demonstrate greater consistency in fulfilling maintenance obligations. Such individuals often perceive maintenance not merely as a legal duty but also as a means of preserving emotional ties and parental identity. Social expectations from family members, community leaders, and relatives may further encourage compliance by reinforcing the importance of parental responsibility after divorce (Lindsey, 2012).

The influence of identification becomes particularly evident in cases where former husbands voluntarily provide maintenance beyond the minimum amount ordered by the court. Such behavior suggests that compliance is motivated not solely by legal obligation but also by the desire to maintain positive social relationships and fulfill societal expectations regarding responsible parenthood. As a result, compliance at the identification stage tends to be more stable than compliance based exclusively on fear of sanctions.

The third indicator is *internalization*, which represents the highest level of legal compliance. Internalization occurs when legal norms are accepted as personal values and become integrated into an individual's moral consciousness. Compliance at this stage is no longer dependent upon sanctions, supervision, or social pressure because individuals genuinely believe that obedience to legal norms is the correct course of action (Ali, 2015).

Research findings suggest that internalization remains relatively limited among former husbands involved in maintenance disputes. A small number of respondents demonstrated a strong commitment to fulfilling maintenance obligations regardless of economic difficulties or post-divorce conflicts. These individuals viewed maintenance as both a legal and religious obligation, including their continuing responsibility toward the welfare of their children. Compliance in such cases reflects a deep understanding of parental duties and a genuine commitment to protecting children's rights.

One respondent stated:

"Whether or not the court orders it, my children remain my responsibility. Divorce ends the marriage, but it does not end my obligations as a father." (Interview with Former Husband, May 2025).

The statement illustrates the essence of internalization. Maintenance obligations are fulfilled because they have become part of the individual's personal values and

moral convictions. Compliance is therefore sustained even in the absence of external supervision or coercive enforcement mechanisms.

Analysis of the empirical findings indicates that the majority of compliance observed in Pekalongan remains concentrated at the levels of *compliance* and *identification*. Many former husbands obey maintenance decisions because of legal obligations or social considerations rather than because they have fully internalized the values underlying those obligations. This finding helps explain why compliance often declines when enforcement mechanisms are weak or when social relationships deteriorate after divorce.

The persistence of non-compliance further suggests that legal awareness among former husbands remains uneven. Limited understanding of post-divorce responsibilities, combined with economic difficulties and socio-cultural influences, often prevents the development of internalized legal obedience. Consequently, compliance with maintenance decisions remains vulnerable to fluctuations in external circumstances and personal motivations.

From the perspective of Achmad Ali's theory, improving compliance requires more than strengthening legal sanctions. Sustainable compliance can only be achieved when individuals progress from obedience based on fear of sanctions (*compliance*) to obedience based on social responsibility (*identification*), and ultimately to obedience grounded in personal conviction and moral commitment (*internalization*). This progression highlights the importance of legal education, public awareness programs, religious guidance, and family counseling as complementary strategies for strengthening compliance with maintenance obligations.

The analysis therefore demonstrates that the low level of compliance among former husbands cannot be explained solely by economic factors. Legal compliance is a multidimensional phenomenon influenced by legal authority, social relationships, personal values, and moral consciousness. Achmad Ali's theory provides valuable insight into the motivations underlying compliance behavior and explains why judicial decisions concerning maintenance frequently encounter difficulties during implementation. The findings further suggest that efforts to improve compliance should focus not only on enforcement mechanisms but also on fostering legal awareness and internalized responsibility among former husbands.

3.3 An Ideal Model for Strengthening the Enforcement of Post-Divorce Maintenance Decisions

The findings of this study demonstrate that the implementation of post-divorce maintenance decisions remains ineffective despite the existence of a relatively comprehensive legal framework. Judicial decisions concerning *iddah* maintenance, *mut'ah*, and child support possess binding legal force; However,

their effectiveness is frequently undermined by weak enforcement mechanisms, limited monitoring systems, low legal awareness, and the absence of effective sanctions against non-compliant former husbands. These conditions create a substantial gap between legal norms and legal reality, ultimately reducing the ability of maintenance decisions to provide meaningful protection for women and children following divorce (Soekanto, 2014).

One of the principal weaknesses of the current system lies in the execution mechanism. Religious Courts possess authority to issue maintenance decisions, yet practical enforcement remains largely dependent upon voluntary compliance. Former wives frequently encounter significant difficulties when seeking the implementation of maintenance obligations after a judgment has become final. Existing execution procedures tend to be costly, time-consuming, and procedurally complex, making them inaccessible for many women seeking to enforce maintenance rights. As a result, judicial victories do not always translate into actual economic protection for former wives and children (Ali, 2015).

Research findings further indicate that the absence of a structured monitoring system contributes significantly to low compliance levels. Religious Courts generally do not possess mechanisms for tracking whether maintenance payments are made regularly after a judgment becomes legally binding. Compliance therefore depends almost entirely upon the willingness of former husbands to fulfill their obligations. This institutional limitation reduces the effectiveness of maintenance decisions and weakens legal certainty for beneficiaries of maintenance orders.

The problem of weak enforcement has encouraged several local governments and judicial institutions to explore innovative approaches. One notable example is the collaborative initiative implemented by the Surabaya Religious Court and the Surabaya Population and Civil Registration Office. Through an integrated administrative system, former husbands who fail to comply with maintenance obligations may face restrictions on access to certain public services. This model demonstrates that administrative sanctions can serve as effective instruments for increasing compliance while avoiding the complexities associated with traditional execution procedures. The Surabaya experience illustrates the potential benefits of integrating judicial decisions with population administration systems in order to strengthen enforcement and promote compliance.

The integration of population administration data represents one of the most promising strategies for improving maintenance enforcement. Such integration could involve cooperation between Religious Courts, the Supreme Court, the Ministry of Home Affairs, and local Population and Civil Registration Offices. Through a centralized digital system, maintenance obligations could be linked to administrative records, thereby enabling authorities to monitor compliance more effectively. Administrative measures could then be applied to individuals who

persistently fail to comply with maintenance orders while maintaining safeguards for due process and legal certainty.

Another important aspect concerns regulatory reform. Existing regulations provide substantive rules regarding maintenance obligations but offer limited guidance concerning post-judgment enforcement. Research findings indicate the need for a special Supreme Court Regulation (*Regulation Court Agung*) specifically addressing maintenance enforcement. Such regulations could establish standardized procedures for monitoring compliance, reporting non-compliance, and implementing administrative measures against persistent defaulters. A more comprehensive regulatory framework would strengthen legal certainty and improve institutional capacity to protect maintenance rights.

Digital monitoring mechanisms may further enhance enforcement effectiveness. Advances in information technology provide opportunities to develop integrated monitoring systems connecting Religious Courts, population administration agencies, and relevant government institutions. Digital platforms could facilitate payment verification, compliance monitoring, and reporting mechanisms accessible to beneficiaries and law enforcement institutions. Such innovations would reduce administrative burdens while increasing transparency and accountability in maintenance enforcement.

Strengthening legal awareness also remains an essential component of effective enforcement. Research findings indicate that many former husbands comply with maintenance obligations only when confronted with legal pressure or social expectations. Sustainable compliance requires a deeper understanding of maintenance as both a legal and moral responsibility. Educational programs, family law counseling, community outreach initiatives, and religious guidance may contribute to the development of stronger legal awareness and greater acceptance of post-divorce responsibilities (Ali, 2015).

The findings of this study therefore support the development of a comprehensive enforcement model integrating legal, administrative, technological, and educational approaches. Such a model seeks not only to strengthen compliance but also to ensure the realization of substantive justice for women and children affected by divorce.

Table Proposed Model for Strengthening Maintenance Enforcement

Existing Problems	Proposed Solutions
Weak execution mechanism	Special Supreme Court Regulation (PERMA) on maintenance enforcement
Lack of monitoring	Digital monitoring system
Low compliance	Legal education and family law awareness programs
Weak coercive power	Population data integration
Absence of sanctions	Administrative sanctions

Source: Developed from Research Findings, 2025.

Table illustrates the proposed model developed from empirical findings obtained during this study. The model recognizes that maintenance enforcement problems are multidimensional and therefore require multidimensional solutions. Regulatory reform alone is insufficient without effective monitoring systems, while administrative sanctions may be ineffective without corresponding improvements in legal awareness. The proposed model independently integrates legal, institutional, technological, and socio-cultural approaches into a single framework designed to improve compliance and strengthen protection for women and children.

The novelty of this study lies in the integration of maintenance enforcement with population administration systems, digital monitoring mechanisms, and *maqāṣid al-shari'ah* principles. Previous studies have generally focused on legal doctrine or judicial reasoning, whereas this research proposes a practical and institutional model capable of strengthening enforcement beyond traditional execution procedures. Such an approach reflects the need for innovative legal solutions capable of addressing persistent compliance problems in contemporary family law.

Figure Ideal Model for Strengthening Post-Divorce Maintenance Enforcement

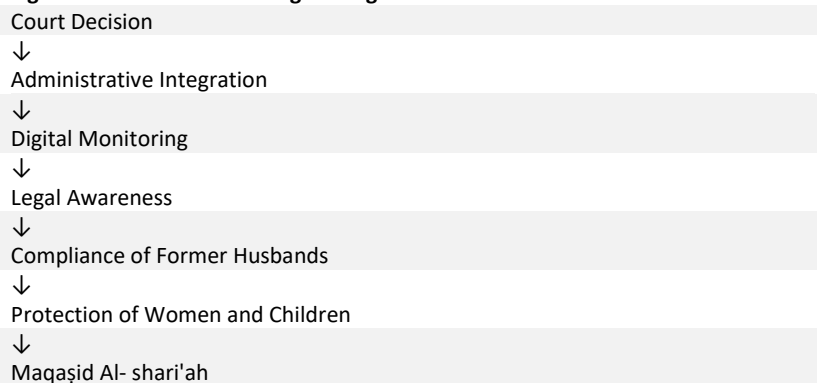


Figure demonstrates the conceptual framework of the proposed enforcement model. Judicial decisions constitute the starting point of legal protection, but their effectiveness depends upon subsequent administrative integration and digital monitoring mechanisms. These measures contribute to higher levels of legal awareness and compliance among former husbands, thus enhancing the protection of women and children. The ultimate objective of the model is the realization of substantive justice and social welfare in accordance with the principles of *maqāṣid al-shari'ah*, particularly the protection of life (*hifẓ al-nafs*), lineage (*hifẓ al-nasl*), and property (*hifẓ al-māl*).

The proposed model therefore represents a comprehensive strategy for strengthening the implementation of post-divorce maintenance decisions in Indonesia. By combining regulatory reform, administrative integration, digital innovation, legal education, and Islamic legal principles, the model seeks to transform maintenance enforcement from a largely voluntary process into a more

effective system capable of ensuring the realization of legal rights and substantive justice for women and children after divorce.

4. Conclusion

The effectiveness of post-divorce maintenance decisions in Pekalongan remains suboptimal despite the existence of a comprehensive legal framework regulating the rights of former wives and children. The study found that maintenance enforcement continues to depend largely on the voluntary compliance of former husbands, resulting in varying levels of implementation ranging from full compliance to complete non-compliance. Economic constraints, socio-cultural influences, psychological factors, and low legal awareness were identified as the primary factors affecting compliance with maintenance obligations. Analysis based on Soerjono Soekanto's theory indicates that weaknesses in enforcement mechanisms, institutional support, and legal culture hinder significantly the realization of maintenance rights, while Achmad Ali's theory demonstrates that compliance is predominantly motivated by external pressure and social considerations rather than internalized legal awareness. The study further proposes an integrated enforcement model combining regulatory reform, population data integration, digital monitoring systems, administrative sanctions, and legal education programs. This model represents the novelty of the research by offering a practical mechanism for strengthening compliance and improving the implementation of maintenance decisions. Such an approach is expected to enhance the protection of women and children following divorce while promoting substantive justice in accordance with the principles of *maqāṣid al- shari'ah*.

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