

**THE PHENOMENON OF ‘ABANDONMENT OF CARE’ IN THE
PERSPECTIVE OF ISLAMIC ETHICS: A MORAL ANALYSIS OF A
FATHER’S NEGLIGENCE TOWARDS FAMILY SUSTAINABILITY**

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Abstract

The phenomenon of fathers' neglect of their family maintenance obligations is a pressing and increasingly prominent socio-legal problem; however, it is often only addressed through legal procedures without addressing the root of the ethical crisis behind it. This study offers a new analytical perspective by constructing neglect of maintenance as a form of "Abandonment of Care" (AoC) and analyzing it in depth through the lens of Islamic Ethics. This normative qualitative study uses a content analysis method on primary texts of Islamic Ethics, focusing on the principle of Mas'uliyah (responsibility) and the Maqashid Sharia framework. The results show that AoC in the context of maintenance constitutes a serious violation of the Mas'uliyah principle mandated by Sharia. Moreover, ethically, this neglect fundamentally contradicts the basic objectives of Sharia because it threatens the protection of life (Hifzh al-Nafs) through economic instability, harms the protection of offspring (Hifzh al-Nasl) through psychosocial and educational neglect, and violates the protection of property (Hifzh al-Mal) belonging to the entitled party. It was found that the AoC reflects a moral crisis that undermines the structure of Mizan (balance) and family justice. Therefore, this study concludes that Islamic ethics must be integrated as a primary foundation for addressing the issue of neglect of care, with an emphasis on reaffirming the father's role as the bearer of the Maqashid Sharia mandate.

Keywords: Islamic Ethics, Abandonment of Care, Livelihood, Paternal Negligence, Maqashid Sharia.

Introduction

Human life is a complex system governed by values and ethics, where family ethics in Islam serve as a fundamental guideline for achieving harmony, based on the principles of compassion, justice, and responsibility. The husband's obligation as the primary provider of income (*qawwām*) is a core doctrine that is both normatively and ethically bound. The basis of this obligation is explicitly affirmed in the Qur'an, as Allah SWT says in Surah At-Talaq, verse 7:

لِيُنْفِقَ ذُو سَعَةٍ مِّن سَعَتِهِ ۗ وَمَن قَدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ هَالِكًا يَّكُلُّ فِى هَالِكٍ نَّفْسًا مَّا آتَاهَا سَيِّئًا
هَالِكٌ بَعْدَ عُسْرٍ
أَيُّسْ أَرَاءَ

It means:

“Let the person who is spacious (in his sustenance) provide a living according to his ability, and the person whose sustenance is limited, should provide a living from what (treasures) Allah has bestowed upon him. Allah does not burden a person except (according to) what Allah bestows on him. Allah will give you spaciousness after narrowness.”

(Qur'an. At-Talaq [65]:7). This verse establishes that the obligation to provide maintenance is an obligation that must be adjusted according to ability, making it the primary measure of a husband's responsibility. Neglecting maintenance by a capable husband is ethically interpreted as violating the boundaries of Divine law, turning an obligation into an injustice, and hindering the realization of God's promise to provide relief after hardship.

Despite its strong normative foundation, the phenomenon of fathers' neglect of financial obligations has become a massive socio-legal problem in Indonesia, glaringly reflecting a crisis of ethical responsibility. Existing academic discourse is often limited to classical fiqh analysis or the effectiveness of jurisprudence enforcement, and consistently fails to explore the fundamental normative ethical dimension. This analytical gap arises from the lack of an adequate conceptual framework to analyze this moral failure beyond the formal sanctions approach (Rahmatika et al., 2025). In response to this limitation, this study aims to address this gap by proposing the construction of neglect of financial support as a form of AoC, a broad ethical concept. This study argues that AoC violates the fundamental principles of Mas'uliyah and

critically undermines the fundamental objectives of Islamic law, the Maqasid Sharia, specifically Hifzh al Nafs, Hifzh al Mal, and Hifzh al Nasl. Therefore, this study hypothesizes that fathers' neglect of financial support is classified as AoC and contradicts Islamic ethical principles and Maqasid Sharia, thus making a unique scholarly contribution by providing a new ethical-philosophical framework.

Methods

This research uses a Normative Juridical approach, focusing on literature study and theoretical legal analysis. This type of research was chosen because the main study is to analyze, criticize, and construct normative concepts (Islamic Ethics and Maqashid Sharia) on contemporary family law issues (negligence of maintenance). The approaches used include a Conceptual Approach to formulate neglect of maintenance as Abandonment of Care (AoC) and a Philosophical/Ethical Approach to analyze its moral implications through the analytical knife of Maqashid Sharia and the principle of Mas'uliyah (Naamy & Si, n.d.). The research data are secondary data, including: Primary Legal Materials (Al-Qur'an, Hadith, Classical Fiqh Books, and Legislation), as well as Secondary Legal Materials in the form of scientific publications and books discussing Contemporary Islamic Ethics, Maqāahid theory, and the concept of universal ethics.

The data collection techniques applied are Documentation Study and Selective Literature Review, namely by carefully collecting, classifying, and identifying the relevance of legal and theoretical sources. The collected data are then analyzed qualitatively through two main stages (Adhi Kusumastuti, et al., 2019). The first stage is Linguistic Conceptual Analysis, which is to conduct an in-depth interpretation of the concept of AoC and find its equivalent in Islamic Ethics terminology (Ihmal or Zulm) in the context of negligence of maintenance responsibilities. The second stage is Deductive Normative Analysis, which functions to analyze the conceptual findings with the highest theoretical framework in Islamic Ethics. This analysis is deductively directed to prove that AoC maintenance is a violation of the Mas'uliyah principle and critically undermines the basic objectives of Islamic law, namely Hifzh al Nafs, Hifzh al Nasl, and Hifzh al Mal, thus requiring moral intervention that goes beyond formal sanctions of positive law (Siti, 2020).

Results and Discussion

Conceptual Construction of AoC and Equivalent Terminology

Maintenance comes from the Arabic word *نفقة*, as in the sentence *نفقة المعيشة*, which means living expenses. According to the Big Indonesian Dictionary, maintenance is defined as expenses for living, (money) income, expenses given to the wife, or sustenance, daily living provisions (Big Indonesian Dictionary). In discussions of the rights and obligations of husband and wife, it is always stated that maintenance is the husband's obligation to his wife and other family members. As stated in Article 80 of the Compilation of Islamic Law, according to his ability, the husband is responsible for the maintenance, *kiswah*, and residence for his wife.

Maintenance is an obligation that must be fulfilled, in the form of providing material support related to basic needs, both by a husband to his wife, and a father to his children and family. In Islamic teachings, a husband is obligated to provide maintenance for his wife, in the form of food, clothing, adequate housing, and other things. The findings of this study indicate that a father's negligence in fulfilling the obligation to provide maintenance, which is legally only identified as a civil violation, has a strong ethical equivalent in Islamic tradition. AoC is constructed as a substantive withdrawal from the role of *qawwam* (protector/responsible), which is terminologically equivalent to *Ihmal* (passive neglect) and *Tafriḥ* (active or careless negligence). This construction is important because it shifts the focus of analysis from mere financial loss to the realm of fundamental ethical failure. This normative categorization confirms that AoC is not a new phenomenon, but has been conceptualized in Islamic tradition as a form of neglect of duty that must be followed up morally and legally (Aen Nurul Aen, et al., 2022).

1. AoC as the Antithesis of Mas'uliyah: An Ethical Analysis of Personal Responsibility.

The deliberate neglect of child support by a father after a divorce, from both national and Islamic legal perspectives, is intolerable. Both national and Islamic law emphasize a father's full responsibility (*mas'uliyah*) for his child's well-being (Andriyani et al., 2025). *Mas'uliyah* is positioned not merely as a legal obligation, but as a moral commitment rooted in obedience to God. Failure in this *Mas'uliyah* is categorized as more than a violation of civil law; it constitutes *Khianat al-Amanah* (betrayal of trust) against the most vulnerable entity. The culmination of this ethical failure is the act of *Zulm* (injustice), as the father knowingly places the burden of the family's basic needs

and rights in an inappropriate position, namely on the shoulders of his wife and children. Thus, AoC is not merely a financial failure, but a fundamental ethical failure with consequences in the afterlife, demanding moral accountability that goes beyond worldly sanctions.

2. Multidimensional Impact on Existential Goals (Maqashid Syariah)

In this context, the dangers of forming a family without a thorough understanding of family attitudes and responsibilities become apparent. This lack of understanding can lead to serious problems. The impact of the AoC is systematically examined through a deductive analysis of the teleological Maqasid Sharia framework. The findings indicate that the AoC simultaneously damages three key dimensions, rarely highlighted in conventional legal analysis. First, the threat to Hifzh al Mal (Protection of Property) and Hifzh al Nafs (Protection of Life) is evident in the acute economic vulnerability and negative psychological impacts (stress, anxiety, depression) experienced by family members. Second, and at the core of this teleological crisis, the AoC fundamentally undermines Hifzh al Nasl (Protection of Offspring). By hindering the provision of a stable educational and moral environment, this omission essentially limits the child's optimal developmental potential, undermines the quality of generations, and disrupts the family's structural balance (Mizan). Therefore, the AoC should be viewed as an existential crisis within the framework of Islamic Family Law (Qomaro et al., 2024).

3. Recommendations for Moral and Ethical Interventions

Based on the analysis of the limitations of formal sanctions, it is concluded that positive legal mechanisms are only able to address the symptoms (debt) and fail to address the root of the moral problem (Mas'uliyah). This study proposes recommendations for moral interventions that complement legal mechanisms, focusing on Işlah (self-improvement) and Tazkiyah (soul purification) for negligent fathers. These interventions must be realized through mediation based on Ethics (Maqasid), which plays a fundamental role in the formulation of Islamic law. Islamic jurisprudence scholars agree that the Maqasid of Sharia is oriented towards the welfare of human life. This welfare is considered essential for human existence, thus becoming a primary need that must be realized, along with institutional development programs that emphasize restoring Mas'uliyah awareness. The integration of Islamic Ethics must be the primary foundation in policies addressing neglect of livelihood, placing moral accountability above merely financial accountability. Thus, the proposed solution aims to maintain

social Mizan and ensure the achievement of Sharia goals through the internalization of ethics, not just compliance with regulations.

Conclusion

This study definitively verifies the main hypothesis: paternal injustice towards the obligation of maintenance is constructed as Neglect of Parenting (AoC) and is fundamentally contrary to the principles of Islamic ethics and Maqasid Shariah. Through a normative categorization analysis, AoC is identified as a substantial act of *Ihmal* and *Tafriṭ*, the culmination of which is the total antithesis of the principle of *Mas'uliyah* (Responsibility) and leads to *Zulm* (injustice). The scientific contribution of this study lies in providing a new ethical-philosophical framework, which complements the classical *fiqh* analysis by asserting that AoC constitutes an ethic of personal failure and *Khianat al-Amanah*, a dimension that is overlooked by civil law. The main theoretical implication is that AoC creates a systematic teleological damage to Maqasid Shariah, which simultaneously undermines *Hifzh al Nafs*, *Hifzh al Mal*, and especially, *Hifzh al Nasl* (Protection of Offspring), which underscores the urgency of resolving the problem beyond the financial dimension.

The practical implications of these findings require a shift in focus from formal sanctions of positive law to more effective moral interventions. It is concluded that legal mechanisms are incapable of changing the moral character of fathers, necessitating the integration of *Iṣḥāḥ* and *Tazkiyah* (spiritual improvement) programs that emphasize the restoration of *Mas'uliyah* consciousness within a mediation system. Although this study is purely normative, its limitations (external validity) open up opportunities for future research, with empirical studies strongly recommended to examine the psychological impact of AoC on families and to evaluate intervention program models based on Maqasid Sharia. Ultimately, resolving AoC requires a shift from the jurisprudence of sanctions to a holistic vision of Islamic ethical justice, which provides a moral framework for reconstructing family balance (*Mīzan*) and preventing structural *Zulm*.

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