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A Review of Islamic Family Law on Child Care (Hadhanah) for Working Parents in the Modern Era

Rasyada Kausar[1]
[1]rasyadakausar15@gmail.com
[1] Institut Agama Islam Ummul Ayman

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ABSTRACT

Childcare (hadhanah) is one of the important aspects of Islamic family law, aimed at ensuring the optimal growth and development of children in physical, mental, spiritual, and social aspects. In the modern era, the increasing number of working parents has created various challenges in the implementation of hadhanah. This article aims to examine the concept of hadhanah in Islamic family law and analyze its implementation in families with working parents. The method employed is library research, involving an examination of various sources of Islamic law, statutory regulations, and relevant literature. The findings indicate that Islam does not prohibit parents from working, provided that their responsibilities for childcare and the fulfillment of children's rights continue to be properly carried out. From the perspective of Islamic family law, hadhanah is not limited to the physical care of children but also encompasses education, moral development, protection, and affection. Therefore, working parents remain fully responsible for childcare through a balanced division of roles, adequate supervision, and the comprehensive fulfillment of children's needs.

Kata Kunci:
Hukum Keluarga Islam,
Hadhanah,
Pengasuhan Anak,
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ABSTRAK

Pengasuhan anak (hadhanah) merupakan salah satu aspek penting dalam hukum keluarga Islam yang bertujuan untuk menjamin tumbuh kembang anak secara optimal, baik dari segi fisik, mental, spiritual, maupun sosial. Di era modern, meningkatnya jumlah orang tua yang bekerja menimbulkan berbagai tantangan dalam pelaksanaan hadhanah. Artikel ini bertujuan untuk mengkaji konsep hadhanah dalam hukum keluarga Islam serta menganalisis pelaksanaannya pada keluarga dengan orang tua bekerja. Metode yang digunakan adalah studi kepustakaan (library research) dengan menelaah berbagai sumber hukum Islam, peraturan perundang-undangan, serta literatur yang relevan. Hasil kajian menunjukkan bahwa Islam tidak melarang orang tua bekerja selama kewajiban pengasuhan dan pemenuhan hak-hak anak tetap terlaksana dengan baik. Dalam perspektif hukum keluarga Islam, hadhanah tidak hanya berkaitan dengan pemeliharaan fisik anak, tetapi juga mencakup pendidikan, pembinaan akhlak, perlindungan, dan kasih sayang. Oleh karena itu, orang tua yang bekerja tetap memiliki tanggung jawab penuh terhadap pengasuhan anak melalui pembagian peran yang seimbang, pengawasan yang memadai, serta pemenuhan kebutuhan anak secara menyeluruh.

INTRODUCTION

The family is the first and foremost environment in which a child obtains education, affection, protection, and character formation. From an Islamic perspective, the family is not merely a social institution formed through the bond

of marriage, but also constitutes a moral and religious trust and responsibility. Through the family, the values of faith, morality, responsibility, affection, and social life are first introduced to the child. The Qur'an affirms the importance of the family's responsibility in safeguarding its members from anything that could ruin their life in this world and the hereafter. This is affirmed in QS. al-Taḥrim [66]: 6, which commands the believers to protect themselves and their families from the Fire. This verse shows that the responsibility of parents toward their children does not stop at meeting biological and material needs, but also encompasses religious and moral formation.

In the Islamic perspective, a child is regarded as a trust (amanah) who has the right to receive care, protection, education, and affection from his or her parents. This trust requires parents to give attention to every aspect of the child's life — physical, psychological, intellectual, spiritual, and social. It is in this context that the concept of *hadhanah* becomes important in Islamic family law. *Hadhanah* is generally understood as the activity of maintaining and caring for a child who is not yet able to look after himself, including meeting basic needs, safeguarding his safety, providing education, and guiding him to grow into a good person.[1] Thus, *hadhanah* is essentially a manifestation of parental responsibility in guaranteeing the interests and welfare of the child.

This duty of care has a strong foundation in the Qur'an. QS. al-Baqarah [2]: 233, for instance, describes the responsibility of parents in the maintenance of children, including the father's obligation to provide maintenance (nafkah) and appropriate needs. This verse also shows a division of responsibility between father and mother in meeting the child's needs. Childcare in Islam thus cannot be separated from the principle of shared responsibility in safeguarding the survival and development of the child. Indeed, the Prophet Muhammad (peace be upon him) affirmed that every person is a leader and will be held accountable for what he

[1] Wahbah Al Zuhaili, *Fiqh Al Islam Wa Adillatuhu Jilid X* (Dimasyq: Dar al Fikr, n.d.)., p. 7291–7293.

leads, including a person's responsibility toward his family.[2] This principle shows that childcare is a responsibility that is moral, social, and religious in nature.

In the development of contemporary society, the fulfillment of the responsibility of childcare faces increasingly complex dynamics. Changes in social structure, the growing economic needs of families, the development of education, and the opening of employment opportunities for women have caused more and more families to have both parents working. The phenomenon of *working parents* has become part of the reality of modern family life. The involvement of both father and mother in the workforce, on the one hand, contributes positively to economic resilience and improved family welfare. Higher family income can help meet the needs of education, health, food, housing, and other developmental needs of the child. On the other hand, however, the involvement of both parents in employment can also give rise to problems concerning time, attention, supervision, and the quality of interaction between parents and children.

This issue becomes increasingly important when a parent's job demands long working hours, high mobility, business travel, or even requires the parent to work outside the region or overseas. Limited time spent with the child can reduce the intensity of communication and interaction within the family. If this condition is not balanced with an appropriate pattern of care, the child may experience a lack of attention, supervision, and guidance from the parents. In fact, a child's development is determined not only by the fulfillment of material needs, but also by the quality of emotional relationships, communication, stimulation, and the caregiving environment the child receives. From the perspective of child protection, a child has the right to receive care, education, protection, and the opportunity to develop optimally.[3]

Within the context of Indonesia's positive law, parental responsibility toward children likewise rests on a strong normative foundation. Law Number 1 of

[2] Abū 'Abd Allāh Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, Kitāb al-Nikāḥ, hadith no. 5200; Abū al-Ḥusayn Muslim ibn al-Ḥajjāj, *Ṣaḥīḥ Muslim*, Kitāb al-Imārah, hadith no. 1829.

[3] Republic of Indonesia, Law Number 35 of 2014 on the Amendment of Law Number 23 of 2002 on Child Protection, Article 4 and Article 26.

1974 on Marriage as amended by Law Number 16 of 2019 affirms that both parents are obliged to care for and educate their children as best they can.[4] This provision shows that the duty of care is a legal obligation inherent to parents. Even after divorce, the obligation of parents toward their children in principle does not end. Article 41 of the Marriage Law affirms that both mother and father remain obliged to care for and educate their children, based solely on the interests of the child.[5] Thus, the status of being a working parent, as well as any change in marital status, cannot be used as grounds for eliminating responsibility toward the child.

This provision is in line with Law Number 35 of 2014 on the Amendment of Law Number 23 of 2002 on Child Protection. That law affirms that parents are obliged and responsible for caring for, maintaining, educating, and protecting the child, and for fostering the child's growth in accordance with the child's abilities, talents, and interests.[6] This means that childcare within the Indonesian legal system has a broad dimension. Care is understood not only as an activity of meeting physical needs, but also as encompassing education, protection, the development of potential, and the fulfillment of the child's psychological and social needs.

In Islamic family law in Indonesia, the concept of *hadhanah* is likewise regulated in the Compilation of Islamic Law (KHI). Article 105 of the KHI provides that, in the event of divorce, the care of a child who is not yet *mumayyiz* or not yet 12 years of age is the right of the mother, while the care of a child who is already *mumayyiz* is left to the child to choose between the father or the mother.[7] Meanwhile, Article 156 of the KHI regulates the consequences of divorce for the care of children and places the child's interests as one of the important considerations in resolving matters of *hadhanah*.[8] These provisions show that *hadhanah* in Islamic family law is

[4] Republic of Indonesia, Law Number 1 of 1974 on Marriage as amended by Law Number 16 of 2019, Article 45 paragraph (1).

[5] Republic of Indonesia, Law Number 1 of 1974 on Marriage as amended by Law Number 16 of 2019, Article 41 letter a.

[6] Republic of Indonesia, Law Number 35 of 2014 on Child Protection, Article 26 paragraph (1) letter a.

[7] Directorate for the Development of Religious Courts, *Kompilasi Hukum Islam Di Indonesia* (Jakarta: Departemen Agama Republik Indonesia, 2001)., Article 105.

[8] Agama., Article 156.

not simply a matter of who formally obtains custody, but also of how the child's needs and best interests can continue to be met.

The issue becomes more complex when both father and mother are working. Normatively speaking, employment is not a condition that automatically extinguishes the parental duty of care. From the Islamic perspective, the activity of working is essentially part of the effort to meet the family's needs, especially for parents who bear the responsibility of providing maintenance (nafkah). The Qur'an even places the fulfillment of the family's needs as part of parental responsibility. For this reason, parental employment needs to be positioned proportionally alongside the duty of care. The issue is not merely whether or not the parents work, but rather how that work is managed so that it does not result in the neglect of the child's rights.

In this context, it must be understood that *hadhanah* has a scope broader than the mere physical presence of parents beside the child. Good care encompasses the provision of proper food and shelter, health care, education, moral formation, protection from violence and neglect, psychological support, and the giving of affection and attention.[9] Therefore, working parents can still carry out *hadhanah* so long as they are able to ensure that all of the child's basic needs and developmental needs continue to be met. Care can be carried out through a division of roles between father and mother, effective time management, the use of family support, and the use of caregiving services that remain under the supervision and responsibility of the parents.

Islam in principle allows room for human beings to engage in economic activity and employment, so long as such activity is carried out lawfully (halal) and does not neglect other obligations. Within the family context, the fulfillment of economic needs and the care of children should not be positioned as two conflicting interests. Both are integral parts of parental responsibility. The principle of *maslahah* in Islamic law requires that every arrangement of family life be directed toward

[9] Abdurrahman Al Jaziri, *Kitāb Al-Fiqh 'Alā Madzāhib Al-Arba'Ah* (Beirut: Dar al-Kutub al-Ilmiah, 2003)., p. 527-530.

realizing benefit and protection for family members, especially children, as the party most dependent on their parents.[10] With this approach, working and raising children can proceed simultaneously where there is a balanced arrangement of roles and responsibilities.

The issue of care within families with working parents also needs to be viewed from the perspective of *maqāṣid al-syarī'ah*. The protection of children is closely related to the objectives of the shari'ah, particularly the protection of life (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and religion (*hifz al-dīn*).[11] Good care is an important instrument for ensuring that a child can grow up in a safe condition, obtain a proper education, enjoy good health, and develop morally and socially. Thus, the implementation of *hadhanah* for families with working parents must be directed toward achieving the child's welfare, not merely toward the division of domestic work between father and mother.

On the other hand, the development of the concept of child protection in international law likewise increasingly places the child's best interests as a fundamental principle. The *Convention on the Rights of the Child* affirms that in all actions concerning children, the best interests of the child must be a primary consideration.[12] The principle of the *best interests of the child* is relevant for enriching the analysis of *hadhanah* in families with working parents. In determining a pattern of care, the primary measure is not merely who has more time or who formally holds custody, but whether that pattern is capable of providing the best conditions for the child's growth, development, safety, education, and welfare.

Thus, the phenomenon of working parents needs to be examined more deeply from the perspective of Islamic family law. On the one hand, employment is an important means for meeting the family's economic needs and welfare; on the

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[10] Al Syathibi, *Al Muwafaqat Fi Ushul Al Syari'ah* (Beirut: Dar al-Kutub al-Ilmiah, 2007)., p. 17-21.

[11] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law* (Virginia: IIIT Press, 2008)., p. 1-3.

[12] United Nations, *Convention on the Rights of the Child*, adopted 20 November 1989, Article 3(1).

other hand, care is a trust (amanah) that cannot be neglected. The main challenge lies in how to build a balance between economic responsibility and the responsibility of care, so that the child does not become the party harmed by the parents' busyness. Islamic family law has principles that can serve as a basis for building a pattern of care that is adaptive to social change without losing the substance of parental obligation toward the child.

Based on the above description, a study of the implementation of *hadhanah* in families with working parents is important to conduct. This study is needed not only to understand the concept of *hadhanah* normatively within Islamic family law, but also to analyze how that concept can be applied within the reality of modern family life. Accordingly, this research is directed toward examining the concept of *hadhanah* in Islamic family law, the responsibility of working parents for the fulfillment of children's rights, and the forms of role division and patterns of care that can realize the child's best interests. This approach is expected to contribute to the development of Islamic family law that is responsive to social change while remaining oriented toward the protection, welfare, and well-being of children.

RESEARCH METHOD

This study uses a library research method with a juridical-normative approach. The research data are sourced from primary legal materials in the form of the Qur'an, hadith, the Marriage Law, the Child Protection Law, and the Compilation of Islamic Law, as well as secondary legal materials in the form of fiqh texts, books, scholarly journals, and prior research relevant to the concept of *hadhanah* and childcare in families with working parents. The analysis is carried out descriptively-analytically, namely by describing the concept of *hadhanah* in Islamic family law and then analyzing its relevance to the practice of care within the context of the modern family, with an emphasis on the fulfillment of the child's rights and best interests.

RESULTS AND DISCUSSION

A. The General Concept of *Hadhanah* in Islamic Law

Hadhanah is one of the important concepts in Islamic family law relating to the maintenance and care of children. Etymologically, the word *hadhanah* comes from the Arabic al-hidhn (الحضن), meaning the side/flank, an embrace, or the act of holding someone close to one's lap. This meaning describes the closeness, protection, and affection given by a person to the child in his or her care. Therefore, hadhanah is understood not merely as physical maintenance, but also as encompassing attention, affection, education, and protection of the child.

Terminologically, *fiqh* scholars define hadhanah as the effort to maintain, nurture, educate, and protect a child who is not yet able to look after himself, until he reaches a certain age or is able to stand on his own. According to Wahbah Az-Zuhaili, hadhanah is the maintenance of a child who is not yet able to manage his own affairs, safeguarding his physical and spiritual safety, and educating him so that he is able to live independently. This definition shows that hadhanah encompasses the physical, psychological, social, and spiritual aspects of the child comprehensively.[13]

In line with this, Amir Syarifuddin explains that hadhanah is the activity of nurturing, maintaining, educating, and managing the affairs of a child who is still young or not yet able to manage his own interests. In its implementation, hadhanah aims not only to preserve the child's survival, but also to shape his personality and character so that he becomes a person useful to his religion, family, and society.[14]

From the perspective of Islamic family law, hadhanah is a right of the child that must be fulfilled by the parents. The child has the right to receive affection, protection, education, health care, and a proper standard of living. Conversely, parents have the obligation to fulfill all of these needs according to their ability. Thus, hadhanah is not viewed merely as a right of parents over the child, but rather emphasizes the child's best interest (*the best interest of the child*).

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[13] Wahbah Az-Zuhaili, *Terjemahan Fiqih Islam Wa Adillatuhu (Jilid 10)* (Jawa Barat: Gema Insani, 2010)., p. 7297.

[14] Amir Syarifuddin, *Hukum Perkawinan Islam Di Indonesia, Antara Fiqh Munakahat Dan Undang-Undang Perkawinan* (Jakarta: Kencana, 2007)., p. 327.

The legal basis for hadhanah in Islam can be found in the Qur'an, hadith, and the opinions of scholars. One of the verses that forms an important basis regarding parental responsibility toward children is the word of Allah SWT in QS. At-Tahrim verse 6:

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوْا قُوْٓا اَنْفُسَكُمْ وَاَهْلِيْكُمْ نَارًا وَّقُوْدُهَا النَّاسُ وَالْحِجَارَةُ عَلَيْهَا مَلٰۤىِٕكَةٌ غِلَاظٌ شِدَادٌ لَّا يَعْصُوْنَ اللّٰهَ مَآ اَمَرَهُمْ وَيَفْعَلُوْنَ مَا يُؤْمَرُوْنَ ۝٦

Meaning: "O you who believe! Protect yourselves and your families from a Fire whose fuel is people and stones." (QS. At-Tahrim [66]: 6).

This verse shows that parents have a responsibility to guard, guide, and educate the members of their family so that they are kept from acts that could lead them to ruin. According to the exegesis (tafsir) of the scholars, the command to protect one's family in this verse encompasses the provision of religious education, moral formation, and supervision of the child's behavior so that he grows into a righteous and pious person.[15] In addition, the legal basis for *hadhanah* is also found in QS. Al-Baqarah, verse 233, which explains parents' obligation to maintain and meet the needs of the child:

وَالْوٰلِدٰتُ يُرْضِعْنَ اَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ اَرَادَ اَنْ يُّتِمَّ الرَّضَاعَةَۗ

Meaning: "Mothers shall nurse their children for two complete years, for those who wish to complete the nursing period." (QS. Al-Baqarah [2]: 233).

This verse shows the importance of the role of parents, particularly mothers, in providing optimal care for children from an early age. This care is not limited to breastfeeding, but also encompasses the fulfillment of the child's physical and emotional needs.[16]

The hadith of the Prophet Muhammad (peace be upon him) also explains the right of childcare. It is reported that a woman came to the Messenger of Allah (peace be upon him) and said: "O Messenger of Allah, indeed this child of mine my womb

[15] Ibnu Katsir, *Tafsir Ibnu Katsir Jilid 8*, ed. Shofik Riza Basalamah (Jakarta: Pustaka Imam Asy-Syafi'i, 2008)., p. 150.

[16] Muji, "Peran Ibu Pada Pola Pendidikan Anak Dalam Keluarga (Telaah Q.S. Al-Baqarah : 233, Luqman : 14 & Al-Ahqof : 15)," *Tadiban: Journal of Islamic Education* 2, no. 1 (2021): 1–11.

bore him, my breast nursed him, and my lap was his refuge. Now his father has divorced me and wishes to take him from me." The Messenger of Allah (peace be upon him) then said, "You have more right to him, so long as you do not marry [another]." (Narrated by Abu Dawud).[17]

This hadith shows that Islam pays great attention to the interests and welfare of children in matters of care. Scholars use this hadith as one basis for the position that a mother has the primary right to care for a young child, since she is psychologically and biologically closer to meeting the child's needs.[18]

Within the context of positive law in Indonesia, the regulation of hadhanah is also found in Article 105 of the Compilation of Islamic Law (KHI), which states that the care of a child who is not yet mumayyiz or not yet 12 years of age is the right of the mother, while the cost of care is the responsibility of the father. This provision shows that Islamic law in Indonesia places the interests and welfare of the child as the foremost priority in matters of care.

Thus, hadhanah in Islamic family law is a very important responsibility, relating not only to the fulfillment of the child's physical needs, but also encompassing education, moral formation, protection, affection, and character development. The primary aim of hadhanah is to realize the welfare of the child so that he may grow and develop optimally in accordance with the teachings of Islam.

B. The Rights and Obligations of Parents in Childcare

In Islamic family law, the relationship between parents and children is based not only on a biological bond, but is also a trust (amanah) that must be carried out with full responsibility. The child is regarded as both a gift and a trust from Allah SWT that must be maintained, educated, and guided so as to grow into a person of faith, noble character, and benefit to society. Islam therefore establishes a number

[17] **Imam Ahmad** (No. 6707) and **Imam Abu Dawud** (No. 2276), and authenticated (sahih) by **Imam Al-Hakim**.

[18] Faisal Fauzan Ilyasa et al., "Keutamaan Ibu Dalam Hak Asuh Anak Perspektif Pendidikan: Analisis Hadits Tarbawi," *Al-Hikmah: Jurnal Agama Dan Ilmu Pengetahuan* 22, no. 1 (2025): 90–104, https://doi.org/10.25299/ajaip.2025.vol22(1).15850.

of rights that a child must receive and obligations that parents must fulfill as part of the implementation of hadhanah.

1. Meeting the child's physical needs, such as food, clothing, and shelter. Parental obligations toward the child begin from the moment the child is born, and even while still in the womb. One of the primary obligations of parents is to meet the child's basic needs in the form of food, clothing, shelter, and other necessities of life. This obligation is known in Islam as the provision of maintenance (*nafaqah*). Allah SWT says:

وَعَلَى الْمَوْلُوْدِ لَهٗ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوْفِۗ لَا تُكَلَّفُ نَفْسٌ اِلَّا وُسْعَهَاۚ لَا تُضَاۤرَّ وَالِدَةٌۢ بِوَلَدِهَا وَلَا مَوْلُوْدٌ لَّهٗ بِوَلَدِهٖ ۚ وَعَلَى الْوَارِثِ مِثْلُ ذٰلِكَۚ

Meaning: "…The father shall bear the cost of their food and clothing in a fair manner. No one is burdened beyond his capacity. No mother shall be made to suffer because of her child, nor shall a father be made to suffer because of his child. The same duty is incumbent upon the heir …" (QS. Al-Baqarah [2]: 233). This verse shows that meeting the family's economic needs is a parental responsibility, particularly that of the father as the provider of maintenance. Meeting the child's physical needs is very important because it relates to the child's optimal growth and development

2. Providing religious and moral education. In addition to physical needs, parents are also obliged to provide education to the child. Education in Islam is not limited to formal education, but also encompasses religious, moral, social, and intellectual education. Parents are the child's first and foremost educators. They are responsible for instilling the values of faith, accustoming the child to worship, and shaping good character from an early age. This is as explained in the word of Allah SWT in QS. At-Tahrim [66]: 6. This verse contains a command to parents to guide and educate their children so that they are kept from acts that deviate from the teachings of Islam. According to the scholars, protecting one's family from the Fire can be achieved through religious education, moral formation, and supervision of the child's behavior

3. Safeguarding the child's health and safety. The next obligation is to safeguard the child's health and safety. Parents must ensure that the child receives adequate health care, a safe environment, and protection from all forms of violence, neglect, and exploitation. In Islam, the protection of life (*hifz al-nafs*) is one of the primary objectives of the shari'ah (*maqashid al-syari'ah*), such that the protection of children is part of the obligation that parents must fulfill.
4. Giving affection and attention. In addition, parents are also obliged to give affection and attention to the child. Affection is a psychological need that is very important for the child's emotional development. A child who grows up in a family environment full of affection tends to have greater self- confidence, emotional stability, and better social skills. The Messenger of Allah (peace be upon him) set an example in showing affection to children through attention, embraces, and gentleness in raising them.
5. Guiding the child to grow into a responsible person. Furthermore, parents are obliged to guide the child to become a responsible person. Such guidance is carried out through role-modeling, advice, the habituation of positive behavior, and supervision of the child's social associations. The aim is for the child to be able to understand his rights and obligations as an individual, a member of the family, and a member of society.

On the other hand, the child has various rights that parents are obliged to fulfill. These rights include the right to maintenance, education, protection, affection, health, personal identity, and the right to grow and develop optimally. From the perspective of Islamic family law, the fulfillment of children's rights is one indicator of the successful implementation of hadhanah. The better parents fulfill these rights, the better the quality of the care given to the child.

According to Amir Syarifuddin, a child's rights in Islam essentially include the right to life, the right to receive maintenance, the right to obtain a good education, and the right to receive protection from all forms of treatment

detrimental to his physical or mental development.[19] Thus, the implementation of hadhanah is understood not merely as physical maintenance, but also as a comprehensive effort to meet the child's physical, spiritual, intellectual, and social needs.

Based on the above description, it can be understood that the rights and obligations between parents and children are two interrelated aspects of Islamic family law. Parents are obliged to fulfill all of the child's needs, while the child has the right to receive proper maintenance, education, protection, and affection. The fulfillment of these obligations forms the primary foundation for realizing a harmonious family and supporting the child's optimal growth and development.

C. Working Parents in the Modern Era

The development of the modern era has brought about significant changes in family life, including in patterns of childcare. Technological advances, growing economic needs, and changes in the social structure of society have driven more and more family members to become involved in the workforce. Whereas in the past the role of breadwinning was more often placed upon the father, in the present modern era women likewise have broad opportunities to pursue careers and participate in various employment sectors. This condition has caused many families to depend on the income of both parents in order to meet the necessities of life and improve family welfare.

From the Islamic perspective, working is an activity that is encouraged so long as it is carried out lawfully (halal) and does not neglect one's obligations to Allah SWT or to the family. Both men and women have the right to work and contribute to social and economic life. Nevertheless, Islam continues to emphasize the importance of balance between the responsibility of work and the responsibility of family, particularly with regard to childcare.[20] Therefore, the growing participation of parents in the workforce gives rise to new challenges in the implementation of *hadhanah*, or childcare.

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[19] Syarifuddin, *Hukum Perkawinan Islam Di Indonesia, Antara Fiqh Munakahat Dan Undang-Undang Perkawinan*., p. 322.

[20] Abdullah Nashih Ulwan, *Tarbiyatul Aulad Fil Islam* (Kairo: Dar al Salam, 2002)., p. 145-148.

The condition of working parents brings about changes in the family's pattern of care. Time that was previously available to directly accompany the child is reduced due to the demands of work. As a result, some parents choose to use the services of a childcare provider (*babysitter*), enroll the child in a childcare institution (*daycare*), or ask other family members, such as grandparents, uncles, or aunts, to help care for the child. Although care may be temporarily delegated to another party, the primary responsibility for the child's growth and development remains with the parents, as the party entrusted by Allah SWT with the task of educating and maintaining their children.[21]

The phenomenon of an increasing number of working parents essentially has a positive impact on the family. With additional income, a child's needs — such as education, health, nutrition, and other supporting facilities — can be better met. In addition, a stable economic condition can help create an environment more conducive to the child's development. In many cases, working parents can also serve as role models for the child in terms of discipline, responsibility, hard work, and independence.[22]

Nevertheless, parental involvement in the workforce can also give rise to various challenges in the process of childcare. One of the main challenges is the reduced intensity of interaction between parents and children due to limited time. A child who rarely receives attention and communication from his parents is at risk of experiencing emotional problems, such as feeling neglected, lonely, or losing closeness with the family. In addition, insufficient parental supervision can increase the risk of the child being influenced by a poor environment, whether in terms of social associations or through digital media, which is increasingly easy to access in the modern era.[23]

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[21] Mardani, *Hukum Keluarga Islam Di Indonesia* (Jakarta: Kencana, 2017)., p. 134-136.
[22] Abd. Rahman Ghozali, *Fiqh Munakahat* (Jakarta: Kencana, 2010)., p. 182.
[23] Syarifuddin, *Hukum Perkawinan Islam Di Indonesia, Antara Fiqh Munakahat Dan Undang-Undang Perkawinan*., p. 331-333.

The development of information technology is likewise a factor influencing patterns of childcare in modern families. The uncontrolled use of devices, the internet, and social media can have a negative impact on the child's development if not properly supervised. Therefore, even though parents may have limited time due to work, they are nonetheless required to supervise the child's activities, provide guidance in the use of technology, and build effective communication so that the emotional relationship with the child is maintained.[24]

In the context of Islamic family law, working is not a reason that can eliminate parental obligations toward the child. Parents remain obliged to fulfill the child's rights, which include maintenance, education, protection, affection, and moral formation. In other words, the success of care is measured not only by the amount of time spent with the child, but also by the quality of the attention, education, and guidance given to the child. Therefore, working parents are required to be able to manage their time and carry out their roles in a balanced manner so that the child's physical and psychological needs continue to be met optimally.

Based on the above description, it can be understood that the phenomenon of working parents is a reality inseparable from modern family life. Although it provides benefits in improving the family's economic welfare, this condition also presents challenges in the implementation of childcare. Therefore, strong awareness and commitment are needed from parents to continue carrying out the responsibility of hadhanah optimally, so as to realize the healthy, intelligent, and morally upright growth and development of the child.

D. A Review of Islamic Family Law on Hadhanah among Working Parents

Social and economic changes in the modern era have driven an increase in the number of working parents, both fathers and mothers. This condition gives rise to various dynamics in the implementation of childcare (*hadhanah*). From the perspective of Islamic family law, working is an activity that is permitted, even encouraged, so long as it is carried out lawfully (halal) and does not neglect obligations toward the family. Therefore, Islam does not prohibit parents, including

[24] Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, *Pedoman Pengasuhan Anak Di Era Digital* (Jakarta: KPPPA RI, 2021)., p. 45.

mothers, from working outside the home, so long as such work does not conflict with the principles of the shari'ah and does not eliminate the primary responsibility of caring for and educating the child.[25]

In Islamic history, women during the time of the Messenger of Allah (peace be upon him) were also involved in various economic and social activities. One example is Khadijah bint Khuwailid, known as a successful merchant. This shows that Islam provides women the opportunity to be active outside the home, so long as they maintain their dignity, religious values, and family responsibilities. Nevertheless, this permissibility to work must not diminish the rights of the child that parents are obliged to fulfill.

In Islamic family law, the primary focus of hadhanah does not lie in the parent's status as employed or unemployed, but rather in whether or not the child's best interest (*maslahah al-walad*) is met. The child has the right to receive care, education, protection, affection, and good moral formation. So long as the parents are able to fulfill these rights, the activity of working is not contrary to the concept of hadhanah in Islam. Conversely, if the work causes the child to be neglected, to lack attention, or to lose the opportunity to obtain adequate education and formation, then that is contrary to the objective of hadhanah as established by the shari'ah.[26]

The primary objective of hadhanah in Islam is to safeguard and realize the welfare of the child. This principle is in line with the concept of *maqashid al-syari'ah*, which emphasizes the protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al'aql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*). In the context of childcare, parents are obliged to ensure that all of these aspects are fulfilled so that the child can grow and develop optimally.[27] Therefore, there are several principles

[25] Az-Zuhaili, *Terjemahan Fiqih Islam Wa Adillatuhu (Jilid 10)*., p. 7305–7308.
[26] Syarifuddin, *Hukum Perkawinan Islam Di Indonesia, Antara Fiqh Munakahat Dan Undang-Undang Perkawinan*., p. 327–333.
[27] Al Syathibi, *Al Muwafaqat Fi Ushul Al Syari'ah*., Volume 2, p. 8-10.

that working parents need to apply in carrying out hadhanah in accordance with Islamic family law.

1. Maintaining Balance between Work and Family

   One of the greatest challenges for working parents is dividing time between work and family. Islam teaches the importance of balance in carrying out life's various responsibilities. Parents must be able to manage their time effectively so as to retain the opportunity to interact, communicate with, and accompany their children in daily life. The emotional presence of parents is often more important than the mere fulfillment of material needs.

2. Meeting the Child's Emotional Needs

   In addition to physical needs, children also have emotional needs that must be met. Affection, attention, support, and good communication are important parts of hadhanah. A child who receives attention from his parents tends to have healthier psychological development, higher self-confidence, and better social relationships. Therefore, the demands of work must not become a reason to neglect the child's emotional needs.[28]

3. Providing Religious and Moral Education

   Religious education is the primary foundation in the formation of a child's character. Parents are responsible for introducing Islamic values, accustoming the child to worship, and instilling noble character from an early age. In QS. At-Tahrim, verse 6, Allah SWT commands every parent to protect themselves and their family from the Fire. This command means that parents are obliged to provide adequate religious education so that the child grows into a righteous and pious person.

4. Supervising the Child's Development

   Even while working, parents must continue to supervise the child's development, in terms of education, social associations, and the use of digital technology alike. Supervision is very necessary in order to prevent the child from being influenced by a negative environment. In today's digital era,

[28] Mardani, *Hukum Keluarga Islam Di Indonesia*., p. 136-140.

supervision also encompasses the use of the internet, social media, and various forms of technology that can influence the child's mindset and behavior.

5. Choosing a Trustworthy and Responsible Caregiver

   In certain circumstances, parents may need the assistance of another party in caring for the child, such as a caregiver, a childcare institution, or a family member. In the view of Islamic law, this is permissible so long as the trusted party has the ability, responsibility, and good character. Nevertheless, delegating part of the task of care does not mean transferring the responsibility entirely. Parents remain the primary party responsible for the child's education and welfare, and must periodically supervise the caregiving process carried out by the other party.[29]

Based on the above description, it can be understood that Islamic family law does not concern itself with whether or not the parents work. The primary measure is the extent to which the child's rights can be fulfilled and the child's welfare can be maintained. Therefore, working parents can still carry out hadhanah optimally if they are able to maintain a balance between work and family, meet the child's physical and emotional needs, provide adequate religious education, exercise effective supervision, and ensure a caregiving environment that is safe and supportive of the child's development. Thus, the quality of care becomes a more important aspect than the mere quantity of time available with the child.

CONSLUSION

Hadhanah is a parental obligation to maintain, educate, protect, and meet the needs of the child until he reaches adulthood. In Islamic family law, childcare encompasses not only physical aspects, but also education, moral formation, and the fulfillment of the child's emotional needs. The development of the modern era, marked by an increasing number of working parents, does not eliminate the responsibility of *hadhanah* toward the child. Islam does not prohibit parents from

[29] Compilation of Islamic Law (KHI), Article 98 and Article 105.

working, so long as the child's rights continue to be fulfilled and care is carried out responsibly. Therefore, working parents need to maintain a balance between the demands of work and family obligations, so that the objective of *hadhanah* in Islamic family law can be realized optimally.

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