

Childcare, Single-Mother Sex Workers, and Islamic Family Law: Contemporary Realities Between Child Welfare and Social Stigma

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ABSTRACT

Purpose – *Contemporary Hadānah practices* are often confronted with complex social and economic realities. Childcare practices by Single mothers working as sex workers must bear full responsibility for childcare amid economic pressures and moral stigma. This study focuses on the tension between the principle of child welfare and the social marginalization of single mothers who are sex workers.

Design/methods/approach – This research employs a qualitative field method with a case study. Primary data were collected through in-depth interviews and observations of four single mothers who worked as sex workers in Astana Village, Cirebon, Indonesia. The data were analyzed thematically using the interpretive framework of *Qirā’ah Mubādalah* and Maslow’s hierarchy of needs.

Findings – The research findings show that the practice of *hadānah* by single sex worker mothers in Astana Village, Cirebon, Indonesia reflects a reciprocal caregiving relationship oriented towards the welfare of the child, as emphasized in the *Qirā’ah Mubādalah* perspective. Analysis using Abraham Maslow’s Hierarchy of Needs Theory reveals that caregiving is carried out simultaneously and contextually through the fulfillment of physiological needs, safety, affection, and even the child’s future aspirations, despite structural limitations.

Research implications/limitations – These results confirm that the suitability of *hadānah* cannot be measured by the stigma of the mother’s work but rather by her commitment and ability to fully meet the needs of her children.

Originality/value – This research offers a novel interdisciplinary analysis integrating *Qirā’ah Mubādalah* and Maslow’s theory to reinterpret maternal resilience and justice in childcare, promoting a more compassionate and contextual understanding of Islamic family law.

Keywords: *Childcare, Single-Mother Sex Workers, Islamic Family Law, Child Welfare, Social Stigma*

Introduction

Child custody in Islam (*hadānah*) is one of the fundamental aspects of Islamic family law that is directly related to the fulfillment of children’s rights, especially the right to care,

protection, and the fulfillment of basic needs.¹ In the classical *fiqh* tradition, *hadānah* is understood as the obligation to care for children, which, in principle, rests with the parents, especially the mother, taking into account the best interests of the child.² However, the development of modern society has presented new complexities in the practice of *hadānah* that cannot be adequately explained through classical normative constructs.³

In the context of contemporary Islamic family law, the practice of *hadānah* is confronted not only with religious norms but also with the social, economic, and cultural realities that surround the lives of legal subjects. Changes in family structure, rising divorce rates, poverty, and the socioeconomic vulnerability of women have influenced the way *hadānah* is carried out in real life.⁴ Therefore, the interpretation of *hadānah* today requires a more contextual, empirical, and sensitive approach to the life experiences of the actors, especially for women.⁵ One of the groups that is most vulnerable in the practice of *hadānah* is single mothers who are sex workers. This places them at the intersection of moral stigma and multiple economic pressures.⁶ On the one hand, they bear full responsibility for their children's care after divorce or the absence of a partner. On the other hand, the choice to work as a sex worker often arises from limited access to economic opportunities, education, and decent work. These conditions mean that single mothers who are sex workers are often perceived negatively and experience social marginalization, including in the context of assessing their suitability as caregivers for their children.⁷

¹ Asantia Puspita Rohmah et al., "Determination of Custody Rights (Hadhanah) for Children Who Are Not Yet Mumayiz to the Father," *Rechtsnormen: Journal of Law* 1, no. 2 (2023): 49, <https://doi.org/10.55849/rjl.v1i2.307>.

² Meshal Humud Faleh Alnefaie, "Child Custody Standards in Islamic Jurisprudence (An Analytical Study)," *Russian Law Journal* (Россия, Москва) 11, no. 5 (2023): 1018.

³ Mustafid et al., "Child Custody Rights After Divorce in Indonesia from a Contemporary Islamic Family Law Perspective," *Al-Hurriyah: Jurnal Hukum Islam* 10, no. 2 (2025): 150, <https://doi.org/10.30983/al-hurriyah.v10i2.10096>.

⁴ Ahmad Rusyaid Idris et al., "Contemporary Islamic Law in Indonesia: The Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage," *MILRev: Metro Islamic Law Review* 3, no. 1 (2024): 4, <https://doi.org/10.32332/milrev.v3i1.8907>.

⁵ Nur Muhammad Safii and Gagandeep Kaur, "The Role of Islamic Family Law in Modern Child Custody Cases: Balancing Sharia Principles with Contemporary Needs," *Journal of Islamic Family Law* 1, no. 1 (2025): 33, <https://doi.org/10.59784/jifl.v1i1.5>.

⁶ Julie E. DeWolf, "Sex Workers and the Best Interests of Their Children: Issues Faced by Sex Workers Involved in Custody and Access Legal Proceedings," *Windsor Yearbook of Access to Justice / Recueil Annuel de Windsor d'accès à La Justice* 37, no. 2 (2021): 312–36, <https://doi.org/10.22329/wyaj.v37i1.7280>.

⁷ Danielle Friedman Nestadt et al., "Sex Workers as Mothers: Correlates of Engagement in Sex Work to Support Children," *Global Social Welfare* 8, no. 3 (2021): 251–61, <https://doi.org/10.1007/s40609-021-00213-8>.

Social stigma against sex workers often results in neglecting the reality of their struggles to provide for their children. In practice, this stigma often influences how society, including social authorities and institutions, views the custody rights of mothers who are sex workers.⁸ In fact, Islamic family law normatively places the welfare of the child as the primary consideration in *hadānah*, not merely the morality of the parents' profession.⁹ The tension between legal norms and social reality is a crucial problem in the practice of *hadānah* in contemporary society today.¹⁰ The village of Astana, Cirebon, Indonesia, as the location of the research, provides an interesting empirical context for examining this issue. This area is known as one of the regions with unique socio-economic dynamics, including the presence of women who work as sex workers with the background of being single mothers.¹¹ Under these conditions, custody is not only interpreted as a normative obligation but also as a survival strategy amid economic limitations and social pressure. In Astana Village, single working mothers often play the dual role of breadwinners and primary caregivers for their children, frequently without the support of an extended family or adequate social networks.¹²

Previous studies on *hadānah* in Islamic law have tended to focus on normative-doctrinal aspects. For example, research on the concept of *hadānah* is based solely on analysis of the texts of the Qur'an and Hadith, as conducted by Multazam¹³, Firdausia¹⁴, and Rahmatullah.¹⁵ This research is limited to a conceptual approach without contextualizing the practice of *hadānah* in contemporary reality. On the other hand, studies on *hadānah* also

⁸ Hamdani et al., "Criminalization of Sex Workers from the Perspective of Criminal Law Transformation in Indonesia," *Ranah Research: Journal of Multidisciplinary Research and Development* 7, no. 1 (2024): 54–62, <https://doi.org/10.38035/rrj.v7i1.1261>.

⁹ Sukron Ma'mun and Ibnu Akbar Maliki, "A Socio-Historical Study of Women's Rights Advocacy in Islamic Legal Construction," *Journal of Southeast Asian Human Rights* 7, no. 1 (2023), <https://doi.org/10.19184/jseahr.v7i1.39156>.

¹⁰ W. H. Lee, "Reclaiming the 'Good Women' Identity: A Case Study of Surabaya's Muslim Sex Workers Negotiating Islam and Sex Work," *Asian Journal of Social Science* 52, no. 2 (2024): 92–99, <https://doi.org/10.1016/j.ajss.2024.04.002>.

¹¹ Diva Legi Vanesa, "Cirebon Law Enforcement is Using the Michat App to Combat Online Prostitution," *Jurnal Legisci* 1, no. 1 (2023): 17, <https://doi.org/10.62885/legisci.v1i1.14>.

¹² Nur Romli et al., "Dampak Perilaku Sosial Pada Wanita Pekerja Seks (WPS) Di Perkumpulan Keluarga Berencana Indonesia (PKBI) Kota Cirebon," *QOSIM: Jurnal Pendidikan Sosial & Humaniora* 3, no. 1 (2025): 8–14, <https://doi.org/10.61104/jqv3i1.585>.

¹³ Umar Multazam, "The Concept of Child Custody (Hadhanah) After Divorce in the Perspective of Islamic Law," *Indonesian Journal of Islamic Law* 7, no. 1 (2024): 16–39, <https://doi.org/10.35719/ijil.v7i1.1956>.

¹⁴ Salsabila Firdausia, "Hadhanah in the Concept of Compilation of Islamic Law and Law," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 20, no. 2 (2020): 317–22, <https://doi.org/10.19109/nurani.v20i2.4849>.

¹⁵ Prayudi Rahmatullah et al., "Children's Protection in The Issue of Hadhanah Based on Islamic Law Perspective," *Alfiyah: Jurnal Sosial Keagamaan* 6, no. 2 (2022), <https://doi.org/10.31958/jsk.v6i2.6009>.

focus on court decisions related to child custody disputes, as conducted by Aulia¹⁶, Saragih¹⁷, and Rahim.¹⁸ Meanwhile, studies that specifically raise the empirical experiences of single mothers who are sex workers in carrying out *hadānah* are still very limited. This gap in research has led to the practices of vulnerable groups in *hadānah* being understood in a simplistic and normative manner, without considering the underlying social and economic complexities.

Based on this description, this study is important for revealing how the reality of custody is carried out by single sex worker mothers in Astana Village, Cirebon, especially in the face of social stigma and economic vulnerability. This study not only attempts to describe childcare practices factually but also analyzes the extent to which these practices are in line with the principles of contemporary Islamic family law, which emphasizes justice, benefit, and protection of children's rights. Thus, this study is expected to contribute academically to the development of Islamic family law studies that are more contextual, inclusive, and responsive to the social realities of society.

Methods

This study uses a qualitative research method with a case study approach, and the research is field research. This method was chosen to gain an in-depth understanding of the resilience of single female sex workers, including aspects of family economics, dual roles in the family, and the fulfillment of parental obligations in meeting children's rights. Research data were obtained from primary and secondary data sources. The primary data sources included observations and interviews with four single-sex worker mothers in Astana Village, Cirebon, Indonesia. Secondary data sources were obtained through topic-related research, including scientific journals, books, and the related literature.

Data were collected through in-depth interviews and direct observations. Interviews were conducted with four single mothers who work as sex workers in Astana Cirebon Village to explore their experiences in fulfilling their children's rights. Observations were conducted by directly observing the daily activities of families where single mothers working as sex

¹⁶ Sidiq Aulia, "Juridical Analysis of Inkracht Decision on Hadhanah Rights in Kepahiang Religious Court," *Istinbath: Jurnal Hukum* 21, no. 02 (2024): 157–76, <https://doi.org/10.32332/istinbath.v21i02.10364>.

¹⁷ Chantika Andini Saragih and Khalid, "Revocation of Hadhanah at the Pekanbaru High Religious Court (Decision Analysis No. 26/Pdt.G /2023/PTA.Pbr)," *JCH (Jurnal Cendekia Hukum)* 9, no. 1 (2023): 43–51, <https://doi.org/10.33760/jch.v9i1.750>.

¹⁸ A. Rahim et al., "Juridical Review of the Implementation of Religious Court Decisions Regarding Father's Responsibility for Child Care Costs (Hadhanah) After Divorce," *JILPR Journal Indonesia Law and Policy Review* 1, no. 2 (2020): 92–107, <https://doi.org/10.56371/jirpl.v1i2.31>.

workers were the main breadwinners. The data analysis technique used in this study was qualitative analysis, which involved identifying, classifying, and interpreting collected data. In this study, identification was performed by selecting relevant data from interviews and observations related to the fulfillment of children's rights by single mothers who are sex workers. Next, classification grouped the data into categories such as the fulfillment of basic needs, education, affection, and children's future hopes. Finally, the data were interpreted using the *Qira'ah Mubadalah* theory and Maslow's Hierarchy of Needs to understand how mothers continue to fulfill their *hadānah* despite difficult economic and social conditions.

Result and Discussion

The Concept of *Hadānah* in the Perspective of *Qira'ah Mubadalah* and Hierarchy of Needs Theory

Hadānah (child custody in Islam) is a significant concept in Islamic family law that regulates the care and upbringing of children.¹⁹ This term specifically refers to the rights and responsibilities of caring for young children who are not yet *mumayyiz* (unable to distinguish between right and wrong independently) after divorce or termination of their parents' marriage. The primary purpose of *hadānah* is to ensure the physical, mental, and spiritual well-being of children during their critical developmental periods.²⁰ The foundational principles of *hadānah* in Islam are derived from the Qur'an, Sunnah, and scholarly consensus (*ijmā'*).²¹ Although the Qur'an does not explicitly mention the term "*hadānah*," the basic principles regarding child maintenance and parenting priorities can be found in various verses, such as the command not to harm children and the importance of good family relations. The hadiths of Prophet Muhammad SAW and the practices of his companions then became the main references in formulating the details of *hadānah* law.²²

¹⁹ Asman and Ahmed, "Parental Obligations Towards Hadhanah Mumayyiz After Divorce Islamic Family Law Perspective," *Jurnal Mediasas: Media Ilmu Syari'ah Dan Ahwal Al-Syakhsiyah* 6, no. 1 (2023): 28.

²⁰ Mulki al-Sharmani, review of *Review of Child Custody in Islamic Law: Theory and Practice in Egypt since the Sixteenth Century*, by Ahmed Fekry Ibrahim, *Journal of the American Oriental Society* 141, no. 3 (2021): 735–37.

²¹ Khoiruddin Nasution and Syamruddin Nasution, "Implementation of Indonesian Islamic Family Law to Guarantee Children's Rights," *Al-Jami'ah: Journal of Islamic Studies* 59, no. 2 (2021): 347–74, <https://doi.org/10.14421/ajis.2021.592.347-374>.

²² Aldi Sofiandi et al., "Explore The Foundations and Principles of Islamic Family Law," *ANAYASA: Journal of Legal Studies* 1, no. 2 (2024): 168–77, <https://doi.org/10.61397/ays.v1i2.107>.

Custody rights are typically granted to the biological mother of a child as a matter of priority.²³ This is based on the understanding that a mother generally possesses maternal qualities (love, patience, and tenderness) that are essential for young children, particularly for breastfeeding and for meeting their basic needs.²⁴ Thus, Islam recognizes the central role of the mother in the early stages of a child's life. Although the mother is given priority, custody is not an absolute right.²⁵ A mother (or other caregiver) may lose custody if she is proven to have failed to meet certain conditions, such as apostasy (leaving Islam), committing immoral acts, suffering from mental illness, marrying a man who is not the child's mahram, or being proven incapable (negligent/indifferent) of caring for and educating the child.²⁶ These requirements emphasize that the best interests of the child (*maṣlahat al-ṣaghīr*) are always the highest consideration in custody cases.²⁷ If the mother is ineligible or unable to fulfill her duties, custody rights are transferred to the child's closest female relative, according to the order of priority established by Islamic law.²⁸ This order typically begins with the maternal grandmother, followed by the paternal grandmother, biological sisters, sisters from the same father, aunts (sisters of the mother), and aunts (sisters of the father).²⁹ Custody is transferred to the closest male relatives, such as the father, grandfather, or uncle, only if female relatives are unavailable or ineligible.³⁰

²³ Putri Maja Mulia Anisa et al., “Protecting the Vulnerable: Child Custody Adjudication in Domestic Violence Cases in Banyuwangi Religious Court,” *Indonesian Journal of Islamic Law* 7, no. 2 (2024): 31, <https://doi.org/10.35719/ek3d7b04>.

²⁴ Nasaruddin Mera et al., “Child Custody Rights for Mothers of Different Religions: Maqāṣid al-Shari’ah Perspective on Islamic Family Law in Indonesia,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (2024): 1650, <https://doi.org/10.22373/sjhk.v8i3.23809>.

²⁵ Hotnidah Nasution et al., “Ensuring Children’s Rights after Divorce in Indonesia: Religious Court Decisions on Nafkah Madiyah,” *Al-Ahwal: Jurnal Hukum Keluarga Islam* 17, no. 1 (2024): 43, <https://doi.org/10.14421/ahwal.2024.17103>.

²⁶ Sabrina Damayanti et al., “Legal Philosophy Perspective Toward Post-Divorce Child Custody in Indonesia,” *Yustisia Tirtayasa : Jurnal Tugas Akhir* 4, no. 1 (2024): 53, <https://doi.org/10.51825/yta.v4i1.24367>.

²⁷ Agustin Hanapi et al., “The Application of Hadhanah Rights for Muallaf Parents and Its Consequences on Child Welfare in Malaysia (An Analysis of Federal Court Decision No. 02-19-2007 (W)): Penerapan Hak Hadhanah Bagi Orang Tua Muallaf Dan Konsekuensinya Terhadap Kesejahteraan Anak Di Malaysia (Analisis Putusan Mahkamah Persekutuan No. 02-19-2007 (W)),” *El-Hadhanah : Indonesian Journal Of Family Law And Islamic Law* 4, no. 2 (2024): 119–39, <https://doi.org/10.22373/hadhanah.v4i2.5677>.

²⁸ Adelina Nasution et al., “The Disparity Of Judge’s Verdict On Child Custody Decision In Aceh Sharia Court,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 2 (2022): 840, <https://doi.org/10.22373/sjhk.v6i2.12758>.

²⁹ Farah Nabilah Binti Zulfahrizal and Sudirman Suparmin, “Konflik Perundungan Hak Hadhanah bagi Ibu Non-Muslim di Malaysia,” *Journal of Education, Humaniora and Social Sciences (JEHSS)* 6, no. 1 (2023): 418–26, <https://doi.org/10.34007/jehss.v6i1.1863>.

³⁰ Muhammad Zainuddin Sunarto and Diah Uswatun Hasanah, “Analisis Penjatuhan Hak Hadhanah pada Perempuan dalam Tinjauan Maqashid As-Syari’ah,” *Jurnal Hukum Lex Generalis* 6, no. 2 (2025), <https://doi.org/10.56370/jhlg.v6i2.823>.

According to the majority of scholars, the right of custody has a time limit, generally ending when the child reaches the age of discernment (approximately seven years or older, depending on the child's maturity). After the age of discernment, the child is given the right to choose to live with either the mother or the father (*khijar*), although some schools of thought have differing opinions on the exact age at which custody ends and the mechanism of the child's choice. Ultimately, when the child reaches puberty, custody rights automatically end, and the child is considered an adult under Islamic law.³¹ Although daily custody (*hadānah*) may be held by the mother or female relatives, the responsibility for child support remains with the father. The father is obliged to provide for his children, including basic needs such as food, clothing, shelter, education, and healthcare, during the period of custody, regardless of who holds custody rights. This obligation to provide financial support continues until the child becomes financially independent or married.

Even if the father is not the primary holder of *hadānah* rights, he still has the right to supervise (*hadānat al-raqābah*) and interact with his child. Fathers have the right to visit their children regularly, monitor their development and education, and provide religious and moral guidance. Similarly, children have the right to remain acquainted with and maintain a good relationship with their fathers.³² In the modern context, the application of custody often requires adjustments and new interpretations by judicial institutions. Issues such as parental mobility, caregivers' remarriage, or children's special needs demand decisions that remain committed to the principle of the child's best interest while considering contemporary social realities. Essentially, the concept of *hadānah* in Islam emphasizes a deep commitment to the protection and best care of children, especially in situations where the family is not intact.³³

In the context of Indonesian positive law, the regulation of *hadānah* is not explicitly articulated in Law Number 1 of 1974 on Marriage, as amended by Law Number 16 of 2019, which governs marriage. Nevertheless, fundamental principles concerning child custody following divorce can be identified in several provisions. Article 41 of the Marriage Law

³¹ Evita Mardhotilah and Siti Maymanatun Nisa, "Fulfillment of the Rights of Single Parent Male Children and the Legal Consequences of Hadhanah in West Tegal District," *Asian Journal of Law and Humanity* 3, no. 2 (2023), <https://doi.org/10.28918/ajlh.v3i2.1>.

³² Syaflin Halim Halim and Muhammad Abdurrazaq, "Settlement of the Hadhanah Dispute After Divorce of a Husband and Wife of Different Ethnicities in Indonesia (Case Study of Rao Pasaman)," *Jurnal Al-Qadāu: Peradilan dan Hukum Keluarga Islam* 9, no. 2 (2022): 112–23, <https://doi.org/10.24252/al-qadāu.v9i2.32032>.

³³ Sulhani Ani et al., "The Transformation of Hadhanah in the Digital Era: Islamic Parenting Strategies with Technology," *NALAR FIQH: Jurnal Hukum Islam* 15, no. 2 (2024): 87–99, <https://doi.org/10.30631/nf.v15i2.1687>.

stipulates that the dissolution of marriage due to divorce does not eliminate parental obligations toward children, particularly regarding their care, education, and financial support. This provision indicates that national law places the welfare and best interests of the child at the center of post-divorce arrangements, even though it does not provide detailed mechanisms regarding custody or prioritize specific custodial responsibilities.³⁴

More specific regulations concerning *hadānah* are found in the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI), which serves as a substantive legal reference for Religious Courts in Indonesia. Article 105 of the KHI provides that, in the event of divorce, custody of children who are not yet *mumayyiz* or under the age of 12 is granted to the mother, while children who have reached the age of discernment are given the right to choose whether to live with the mother or the father.³⁵ Furthermore, Article 156 of the KHI elaborates the hierarchical order of individuals entitled to custody should the mother be unable to fulfill her custodial responsibilities. The KHI also consistently emphasizes that the obligation to provide child maintenance remains with the father, regardless of which party holds custodial rights.³⁶

However, the regulation of *hadānah* within the KHI reflects a predominantly normative and textual orientation, which tends to prioritize the mother as the primary custodian based on traditional assumptions regarding maternal roles.³⁷ In practice, such provisions have not always been sufficiently responsive to contemporary social dynamics, including the realities of working women, economically vulnerable single mothers, or other complex social conditions that require a contextual re-examination of custodial eligibility. Consequently, a more contextual and justice-oriented interpretative approach is necessary, which can be offered through the framework of *Qira'ah Mubādalah*.³⁸ *Qira'ah Mubādalah* is an interpretative approach to Islamic texts that emphasizes reciprocity, relational justice, and

³⁴ Sudirman L and Iain Parepare, "Child Custody After Divorce: Enhance a Shared-Parenting in Indonesian Marriage Legal System," *Russian Law Journal* (Россия, Москва) 11, no. 3 (2023): 928–37.

³⁵ Mahendra Utama Cahya Ramadhan et al., "Comparative Normative Study on Child Custody and Guardianship in Islamic Family Law: Lessons from ASEAN and Europe," *ASEAN Journal of Islamic Studies and Civilization (AJISC)* 2, no. 2 (2025): 155, <https://doi.org/10.62976/ajisc.v2i2.1421>.

³⁶ Muhammad Fitri Adi, "Hadhonah Rights of Children (Not Mumayyis) Based on Compilation of Islamic Law and Child Protection Act," *NUSANTARA: Journal Of Law Studies* 2, no. 1 (2023): 11, <https://doi.org/10.5281/zenodo.17388734>.

³⁷ Agus Setiawan and Ibnu Akbar Maliki, "The Development of Family Law Materials in Bahtsul Masail Nadhlatul Ulama," *Jurnal Mabkamah: Kajian Ilmu Hukum Dan Hukum Islam* 5, no. 2 (2020), <https://doi.org/10.25217/jm.v5i2.1162>.

³⁸ Umar Multazam and Akhmad Roja Badrus Zaman, "The Mubadalah Approach to Parental Rights and Obligations in Childcare According to Islamic Law," *Journal of Mujaddid Nusantara* 1, no. 2 (2024): 46–58, <https://doi.org/10.62568/jomn.v1i2.139>.

partnership between men and women. Within this framework, family relations—including matters of *hadānah*—are not understood through hierarchical or gender-biased constructs but rather as cooperative relationships grounded in a shared responsibility for the welfare of the child.³⁹

When the concept of *hadānah* is examined through the lens of *Qirā'ah Mubādalah*, custodial priority is no longer determined solely by gender or biological status (mother or father) but by actual capacity, commitment, and competence in fulfilling the child's holistic needs. The central principle remains *maṣlahat al-ṣaghīr* (the best interests of the child), which, within the *mubādalah* framework, is interpreted as a shared obligation of both parents to ensure that the rights and well-being of the child are upheld fairly and proportionally.⁴⁰ This perspective allows for a critical reassessment of custodial practices that tend to stigmatize certain parties, such as working mothers or mothers from marginalized social backgrounds, as inherently unfit caregivers, without adequately considering the broader structural context and power relations surrounding them. From a *mubādalah* standpoint, custodial eligibility must be evaluated substantively rather than moralistically, considering the caregiver's ability to ensure the child's safety, emotional security, education, and overall development.⁴¹

Moreover, *qirā'ah mubādalah* challenges the reduction of the father's role to that of a financial provider. Instead, it affirms the father's equal responsibility for emotional nurturing, moral guidance, and educational involvement. Accordingly, *hadānah* is no longer conceptualized as the “right of the mother” or the “right of the father,” but as a collective trust (*amānah*) that must be carried out in a just, reciprocal, and context-sensitive way.⁴² Abraham Maslow's Hierarchy of Needs provides a relevant analytical framework for assessing the effectiveness of *hadānah* in ensuring child welfare. Maslow categorizes human needs into five hierarchical levels: physiological needs, safety needs, love and belongingness,

³⁹ Abdullah Abdullah et al., “Child Education Concept from The Perspective of Qira’ah Mubadalah,” *Darul Hikmah: Jurnal Penelitian Tafsir dan Hadits* 10, no. 1 (2024): 42–51, <https://doi.org/10.61086/jstiudh.v10i1.57>.

⁴⁰ Ibnu Akbar Maliki and Anta Mustika Sari, “Relasi Suami Istri Dalam Pengasuhan Anak Perspektif Mubadalah (Studi Kasus Di Desa Rajabasa Lama II),” *SETARA: Jurnal Studi Gender Dan Anak* 5, no. 2 (2023): 8, <https://doi.org/10.32332/jsga.v5i02.6880>.

⁴¹ Ibnu Akbar Maliki et al., “Pengasuhan Dan Perlindungan Anak Dalam Undang-Undang Negara Muslim (Meninjau Resiprokalitas Keluarga Dan Negara),” *Syakhshiyah: Jurnal Hukum Keluarga Islam* 3, no. 1 (2023), <https://doi.org/10.32332/syakhshiyah.v3i1.7028>.

⁴² Deddy Sutendy and Rozana Isa, “Childcare in Lampung Saibatin Indigenous Community from the Perspective of Mubadalah and Its Contribution to the Development of Family Law in Indonesia,” *SMART: Journal of Sharia, Tradition, and Modernity*, December 29, 2023, 41–55, <https://doi.org/10.24042/smart.v3i2.20506>.

esteem needs, and self-actualization needs.⁴³ In the context of *hadānah*, ideal custodial arrangements are those capable of progressively and comprehensively fulfilling a child's needs across all these levels.⁴⁴

At the level of physiological needs, *hadānah* must ensure the fulfillment of basic necessities such as food, clothing, shelter, and healthcare. In this regard, the obligation of financial support imposed on the father under both Islamic and Indonesian positive law plays a crucial role. The subsequent level, safety needs, encompasses emotional stability, protection from harm, and continuity of care, all of which are often disrupted in post-divorce situations. The need for love and belonging underscores the importance of emotional bonds between children and caregivers. From this perspective, custodial eligibility cannot be assessed merely on the basis of formal legal status but must consider the caregiver's capacity to foster a healthy and nurturing emotional relationship with the child. Higher-level needs, such as esteem and self-actualization, require a caregiving environment that supports education, personal development, and recognition of the child's dignity as an autonomous subject.⁴⁵

Applying Maslow's theoretical framework, it becomes evident that *hadānah* oriented toward the best interests of the child must be holistic and multidimensional. An economically disadvantaged caregiver who can provide emotional security, affection, and psychological support should not be automatically deemed unfit. Conversely, economic stability alone does not guarantee effective *hadānah* if emotional and psychosocial needs are neglected.

Resilience of Single Mothers Working as Sex Workers in Fulfilling Their Parental Responsibilities in Astana Cirebon Village

Based on interviews with four single mothers who are sex workers in Astana Village, Cirebon, covering family economics, resilience in dual roles within the family, and fulfillment of child rights, it can be seen that there are variations in answers with the same reasons. In this case, the author has disguised the real names of the interviewees to protect their identities.

⁴³ Altymurat Altymurat et al., "Human Behavior in Organizations Related to Abraham Maslow's Hierarchy of Needs Theory," *Interdisciplinary Journal Papier Human Review* 2, no. 1 (2021): 12–16, <https://doi.org/10.47667/ijphr.v2i1.87>.

⁴⁴ Azmia Aulia Rahmi et al., "Analisis Teori Hierarki of Needs Abraham Maslow Terhadap Perkembangan Sosial Emosional Anak Usia Dini," *Aulad: Journal on Early Childhood* 5, no. 3 (2022): 320–28, <https://doi.org/10.31004/aulad.v5i3.385>.

⁴⁵ Ihda Shofiyatun Nisa' et al., "Integration of Maslow's Hierarchy of Needs Theory and Maqāṣid al-Shari'ah for Optimizing Childecare in Long-Distance Situations," *Al-Tahrir: Jurnal Pemikiran Islam* 25, no. 1 (2025): 111–32, <https://doi.org/10.21154/altahrir.v25i1.9795>.

Informant 1, Mrs. Mawar, explained:

“I became a single parent because my husband left me and my child without any news or financial support since my child was still young, and since then, I have had to struggle alone to meet our basic needs. I did not want to become a sex worker, but economic pressure and my child's need to eat, go to school, and survive forced me to choose this path because other low-income jobs were insufficient to pay the rent and meet my child's needs. Despite this, I still strive to fulfill my children's rights by providing adequate food, ensuring they attend school, picking them up and dropping them off, teaching them to pray and read the Quran, and accompanying them in their studies every night, so they can still feel love, protection, and education despite my working under these conditions. I am aware that this job is not ideal, but it is the only way I can ensure my child does not go hungry and can grow up properly while I continue to pray that Allah will provide a way out so I can secure a better job in the future.”⁴⁶

Mrs. Mawar's experience as a single mother abandoned by her husband without financial support demonstrates the practical application of the principle of reciprocity in *qirā'ah mubādalah*. When men are absent from their economic and parenting responsibilities, women have the right and obligation to take over these roles for the family's benefit. Mrs. Mawar chose to become a sex worker not out of moral desire but as a survival strategy. Economic pressure and the lack of alternative jobs pushed her to take this path to meet her children's basic needs. From the *Qirā'ah Mubādalah* perspective, this action is seen as an effort to maintain *hifz al-nafs* (حفظ النفس), *hifz al-nasl* (حفظ النسل), and *hifz al-mal* (حفظ المال). This ensures that her children continue to eat, attend school, and remain safe and protected, both emotionally and spiritually.

In contrast, Mrs. Mawar consistently fulfilled her children's rights. She provides food, ensures education, accompanies them in their studies, and teaches them to pray and read the Qur'an. This reflects parenting (*hadānah*) in accordance with Islamic values. *Qira'ah Mubādalah* emphasizes that quality parenting is not determined by employment status, but by the fulfillment of love, protection, and constant attention. Mrs. Mawar's struggle shows that she fulfills her parenting role fully, fairly, and always with her children's best interests in mind, despite challenging socioeconomic conditions.⁴⁷

Informant 2, Mrs. Melati, said:

“I became a single parent because my marriage was not harmonious. My husband abandoned his responsibilities, including those toward our child. At the time, there was no other choice but to endure for the sake of the child, even though I had to

⁴⁶ Mrs. Mawar, “Interview on Childcare by Single Mothers Who Are Sex Workers,” August 19, 2025.

⁴⁷ Mrs. Mawar, “Interview on Childcare by Single Mothers Who Are Sex Workers.”

bear everything alone. Heavy economic pressure and a lack of education made it difficult for me to secure a decent job. Ultimately, I was forced to become a sex worker. Not because I wanted to, but because it was the only quick solution I could take to ensure my child could eat, go to school, and live a decent life. I know this work is looked down upon, but I still strive to fulfill my responsibilities as a mother despite the challenges. I ensure that my child is in good care, and I provide a safe place to live, nutritious food, education, and love. I do not want my child's future to be as bleak as the path I have walked. Despite the difficulties, I hold onto the hope that I can give my child a better life.”⁴⁸

Mrs. Melati's experience shows that marital breakdown and the husband's failure to fulfill his responsibilities place women in a position where they must take on dual roles. From the perspective of *Qirā'ah Mubādalah*, when husbands fail to fulfill their obligations of providing financial support and protection, women have the right to take on these roles to maintain the welfare of the family. Mrs. Melati's decision to work as a sex worker was an emergency measure due to economic pressure, lack of education, and limited access to decent employment. This choice was not based on moral desire but as a quick step to maintain *hifz al-nafs* (حفظ النفس) and *hifz al-nasl* (حفظ النسل), which is to ensure that children continue to eat, go to school, and live in decent conditions in the midst of a crisis.

In contrast, Mrs. Melati's efforts to provide safe shelter, nutritious food, access to education, and affection for her children show that she continues to fully perform her *hadānah* function. *Qirā'ah Mubādalah* assesses the quality of parenting not based on the mother's job status but on her ability to fulfill the children's rights comprehensively—physically, emotionally, and educationally. Thus, Mrs. Melati's struggle reflects the values of reciprocity, responsibility, and orientation towards benefit, which are at the core of the concept of *qirā'ah mubādalah*. Despite her difficult socioeconomic conditions, she continues to strive to protect and improve her children's future, hoping to give them a better life than she has experienced.⁴⁹

Informant 3, Seroja, explained that:

“I became a single parent because I experienced domestic violence during my previous marriage. My husband often beat me and failed to provide for our basic needs, so I eventually decided to leave for the safety of my child and myself. After the separation, I had to take care of all our needs on my own, despite having no special skills and a low level of education. Due to economic pressures and my child's daily needs, I was forced to become a sex worker. I know this is not a good job, but I just want my child to be able to eat, go to school, and not lack anything. In fulfilling

⁴⁸ Mrs. Melati, “Interview on Childcare by Single Mothers Who Are Sex Workers,” August 25, 2025.

⁴⁹ Mrs. Melati, “Interview on Childcare by Single Mothers Who Are Sex Workers.”

my child's rights, I continue to strive to provide love, care for them when they are sick, provide adequate food and shelter, and ensure that their education progresses. I want my child to grow up in better conditions and not feel deprived of a mother's love, even though the path I have chosen is extremely difficult for me to endure.”⁵⁰

Mrs. Seroja's experience as a victim of domestic violence shows the breakdown of mutuality, which is the basic principle of *qirā'ah mubādalah*, in her marriage. When a husband neglects to provide financial support and commits violence that threatens safety, women have the full right to leave the relationship to protect *hifz al-nafs* (حفظ النفس) and *hifz al-nasl* (حفظ النسل). After separation, the absence of economic support and limited education forced Seroja to take on the dual role of breadwinner and caregiver. The decision to work as a sex worker emerged as a survival strategy due to economic pressures and the urgent needs of her children. From the perspective of *Qirā'ah Mubādalah*, this choice is understood not as an individual moral act but as an emergency measure to fulfill a greater good, namely, ensuring that her children continue to live decently, attend school, and have their basic needs satisfied.

Despite her difficult circumstances, Mrs. Seroja's consistency in fulfilling her children's rights shows that she carries out her *hadanah* function with full responsibility. She provides love and affection, cares for her children when they are sick, provides food and shelter, and ensures that their education is going well. *Qirā'ah Mubādalah* assesses the quality of parenting based on the fulfillment of children's needs and efforts to maintain their welfare, rather than the mother's employment status or social conditions. Thus, Mrs. Seroja's struggle reflects the values of justice, protection, and reciprocity that are at the core of *Qirā'ah Mubādalah*. She strives to ensure that her children grow up in a safe and loving environment, even though the path she has taken is difficult and full of risks.⁵¹

Informant 4, Mrs. Anggrek, revealed the following:

“I became a single parent because my husband passed away when our child was still young, and I had no close family members who could help support our finances. I only have a primary school education, and finding a decent job was extremely difficult, especially when raising a child. The pressures of daily living expenses, such as food, rent, and school fees for my child, forced me to become a sex worker. I knew this job was not good, but I had no other choice at the time to ensure my child's survival. In fulfilling my child's rights, I still strive to provide the best I can, such as ensuring he eats enough, can go to school, stays clean and healthy, and feels the love of his mother. Every night before bed, I always pray that one day I can find a better

⁵⁰ Mrs. Seroja, “Interview on Childcare by Single Mothers Who Are Sex Workers,” September 2, 2025.

⁵¹ Mrs. Seroja, “Interview on Childcare by Single Mothers Who Are Sex Workers.”

job so I can accompany my child as he grows up in a better way, because I don't want my child to experience the life I am living now.”⁵²

Mrs. Anggrek's statement shows that being a single parent due to the death of her husband puts women in a situation where they have to bear all the responsibilities of the family. From the perspective of *Qirā'ah Mubādalah*, equality of responsibility in the family allows women to take on economic roles when men are no longer present, either because of death or other reasons. Limited education and the difficulty of finding decent work forced Mrs. Anggrek to choose sex work as an emergency option to meet her children's basic needs. Within the framework of *Qirā'ah Mubādalah* and *maqāṣid al-shari'ah*, this action can be understood as an effort to maintain *hijz al-nafs* (حفظ النفس) and *hijz al-nasl* (حفظ النسل), which is to ensure that children continue to eat, go to school, and live in decent conditions, even though this job choice is socially viewed negatively.

Despite her heavy economic and psychological burdens, Ibu Anggrek continues to maintain the quality of childcare. The fulfillment of basic needs such as food, education, hygiene, health, and emotional warmth is the core of *hadānah* from an Islamic perspective. *Qirā'ah Mubādalah* assesses that good parenting is not determined by the type of work the mother does but by her sincerity in fulfilling the rights of her children comprehensively. By constantly praying and hoping to find a better job, Ibu Anggrek demonstrates moral and spiritual responsibility in line with the values of reciprocity, benefits, and compassion. Her efforts reflect her focus on her child's future so that he can grow up in better conditions and not repeat the difficulties she has experienced in life.⁵³

Based on interviews with four single-parent mothers who are sex workers in Astana Village, Cirebon, it shows that in judging something, there needs to be a change in interpreting a certain condition. In this case, single-parent sex workers are marginalized by society, leading to intersectional stigma, including identity dissonance and psychospiritual trauma. Single mothers are expected to perform dual roles by simultaneously fulfilling the roles of both fathers and mothers.⁵⁴ The ability to substitute for the absent role is essential

⁵² Mrs. Anggrek, “Interview on Childcare by Single Mothers Who Are Sex Workers,” September 10, 2025.

⁵³ Mrs. Anggrek, “Interview on Childcare by Single Mothers Who Are Sex Workers.”

⁵⁴ Resti Pujiasvity et al., “Single Parents in Indonesia: How to Carry Out the Practice of the Eight Family Functions?,” *The Family Journal*, SAGE Publications Inc, January 28, 2021, 1066480720986500, <https://doi.org/10.1177/1066480720986500>.

to prevent children from engaging in deviant behavior that could hurt their future.⁵⁵ Parenting is a fundamental and significant aspect of preparing children to become constructive members of society.⁵⁶ Child-rearing is a process of interaction between parents and children that includes meeting the child's financial needs, caring for them, providing protection, supporting their educational success, and teaching acceptable behavioral norms within the social environment.⁵⁷

The author does not aim to evaluate the normative aspects of the permissibility or impermissibility of this profession, given that from a theological perspective of various religions, its existence does not receive legitimacy. However, this study seeks to explore the alternative dimensions of awareness of a sex worker in carrying out the obligation of *hadānah* towards their offspring. The fulfillment of maternal duties by single mothers engaged in sex work cannot be generalized. Each case requires specific analysis, considering the child's optimal well-being, maternal psychological condition, and quality of the caregiving environment. A fair and non-discriminatory methodology is a fundamental prerequisite to ensure that the rights of mothers as primary caregivers are not overlooked solely due to social stigmatization but rather based on objective evaluation for the sake of the child's optimal prospects.⁵⁸

Mubādalah Perspective on Childcare by Single Sex Workers in Astana Village, Cirebon

Empirical findings from Astana Village, Cirebon, demonstrate that the practice of *hadānah* carried out by single mothers working as sex workers cannot be simplistically understood through a moralistic lens or solely based on occupational status. The lived experiences of the four informants—Mrs. Mawar, Mrs. Melati, Mrs. Seroja, and Mrs. Anggrek reveals a consistent pattern in which involvement in sex work does not stem from an autonomous or voluntary choice but rather from conditions of structural compulsion.

⁵⁵ Michelle Andrina, "Maternal Employment and Childcare Arrangements in Indonesia: The Needs for Childcare Support Policies," *Masyarakat Indonesia* 48, no. 2 (2022): 221–36, <https://doi.org/10.14203/jmi.v48i2.1244>.

⁵⁶ Digdo Aji Mukti et al., "Pembentukan Akhlak Mahmudah Perspektif Keluarga Maslahah Sebagai Upaya Pencegahan Menghadapi Pandemi Covid-19," *SETARA: Jurnal Studi Gender Dan Anak* 2, no. 1 (2020), <https://doi.org/10.32332/jsga.v2i01.2220>.

⁵⁷ Ahmad Zainudin and Fatima Al-Muqri, "The Role of Family on Children's Education: Islamic Law Perspective," *As-Sakinah: Jurnal Hukum Keluarga Islam* 2, no. 2 (2024): 63–72, <https://doi.org/10.55210/jhki.v2i2.436>.

⁵⁸ Rosanna Hertz et al., "When Paid Work Invades the Family: Single Mothers in the COVID-19 Pandemic," *Journal of Family Issues* 42, no. 9 (2021): 2019–45, <https://doi.org/10.1177/0192513X20961420>.

These conditions include abandonment by husbands without financial support, marital breakdown, domestic violence, the death of a spouse, limited educational attainment, and restricted access to decent employment.

From the perspective of *Qirā'ah Mubādalah*, such circumstances reflect the collapse of the principle of reciprocity (*mubādalah*) in family relations. When husbands fail to fulfill their fundamental obligations—whether due to neglect, violence, or physical absence—the *qirā'ah mubādalah* framework provides ethical and interpretive legitimacy for women to assume economic responsibilities to safeguard the survival and well-being of their children.⁵⁹ Accordingly, the informants' decision to work, even within a socially stigmatized sector, should not be interpreted as a violation of Islamic moral values but rather as a manifestation of moral and social responsibility aimed at preserving family welfare.⁶⁰

Field data further indicate that all informants consistently perform the functions of *hadānah* actively and responsibly. For instance, Mrs. Mawar not only fulfills her child's basic nutritional and educational needs but also remains directly involved in emotional and spiritual caregiving by accompanying her child to and from school, supervising daily study routines, and teaching prayer and Qur'anic recitation. Similar patterns are evident in the experiences of Mrs. Melati, Mrs. Seroja, and Mrs. Anggerek, all of whom prioritize affection, emotional security, and educational continuity for their children despite severe economic and psychological pressures.

Within the framework of *Qirā'ah Mubādalah*, the quality of *hadānah* is not determined by the caregiver's social status or type of employment, but by the extent to which children's rights are fulfilled comprehensively, encompassing physical, emotional, educational, and spiritual dimensions. These findings challenge moralistic interpretations that reduce parental competence to women's sexual morality while ignoring empirical realities of caregiving practices. *Qirā'ah Mubādalah* firmly rejects such reductionism and reasserts that the primary benchmark of *hadānah* is the realization of *maṣlahat al-ṣaghīr* (the child's best interests).⁶¹

⁵⁹ Ahmad Saerozi et al., "Implementation of Qira'ah Mubadalah on Verses and Hadiths on Family Issues and Its Contribution in Determining Public Policy," *Jurnal SMART (Studi Masyarakat, Religi, Dan Tradisi)* 11, no. 1 (2025): 138–50, <https://doi.org/10.18784/smart.v1i1.2918>.

⁶⁰ Ramadhita Ramadhita, "The Sharing of Childcare Roles in Contemporary Muslim Families: A Critical Analysis of Amina Wadud's Thought," December 31, 2023, 505–17, <http://conferences.uin-malang.ac.id/index.php/ICOLESS/article/view/2692>.

⁶¹ Septi Gumiandari and Ilman Naf'i'a, "Mubadalah as an Islamic Moderating Perspective between Gender and Patriarchal Regimes in Building Family Resilience," *Jurnal Penelitian* 17, no. 2 (2020), <https://doi.org/10.28918/jupe.v17i2.2970>.

Furthermore, the caregiving practices of the informants may be understood through the lens of *maqāṣid al-shari‘ah*, particularly the protection of life (*hifz al-nafs*), lineage (*hifz al-nasl*), and material sustainability (*hifz al-māl*). Engagement in sex work emerges as a survival strategy in emergencies, undertaken to ensure that children continue to have access to food, education, and a relatively secure living environment. From the mubādalah perspective, such choices are not viewed as isolated individual moral acts but as ethical responses to the failure of familial and social structures to adequately protect women and children.⁶²

This analysis also reveals a significant disjunction between the social stigma directed at single mothers working as sex workers and the actual caregiving realities they embody. There is no empirical evidence that the informants neglect, abuse, or endanger their children. In contrast, the data demonstrate a strong commitment to breaking the cycles of poverty and vulnerability through education, emotional support, and sustained parental involvement. Consequently, labeling these women as unfit custodians reflects societal moral prejudice rather than an objective assessment of the child’s best interest.⁶³

Through a contextualized reading of *Qirā’ah Mubādalah* grounded in empirical findings from Astana Village, it can be asserted that *hadānah* should be understood as a relational trust (*amānah*) rather than as a rigid right attached to moral status or gender identity. *Qirā’ah Mubādalah* positions single mothers working as sex workers as moral agents endowed with agency, responsibility, and dignity, who are entitled to legal and social recognition as long as they demonstrably fulfill caregiving responsibilities in a just manner and with a clear orientation toward the welfare of the child.

Hierarchy of Needs Analysis of *Hadānah* Practices by Single Sex Worker Mothers

Field findings from Astana Cirebon Village demonstrate that the *hadānah* practice of single mothers who work as sex workers cannot be simplistically understood as the fulfillment of children’s physical needs alone. Rather, it constitutes a complex and continuous process involving simultaneous efforts to meet multiple layers of children’s needs under structurally constrained circumstances. In this context, Abraham Maslow’s Hierarchy of Needs provides a relevant analytical framework, although it must be applied critically and

⁶² Amrina Rosyada et al., “Gender Justice in Husband and Wife Relations According to Shaykh Nawawi Al-Bantani: A Study of the Kitab Syarah ‘Uqūd al-Lujain,” *Qanun: Jurnal Hukum Keluarga Islam* 2, no. 2 (2024), <https://dx.doi.org/10.62870/qanun.v2i2.27087>.

⁶³ Syahrida Syahrida et al., “Rethinking Hadhanah: Child Labor and Custodial Crisis in Banjarmasin’s Islamic Legal Response,” *Journal of Islamic and Law Studies* 9, no. 2 (2025): 354–70, <https://doi.org/10.18592/jils.v9i2.17852>.

contextually to avoid rigid and normative interpretations. At the most fundamental level, physiological needs, such as food, clothing, and shelter, emerged as the primary concern for all informants. Mawar, Melati, Seroja, and Anggrek consistently emphasized that their decision to engage in sex work was not driven by moral inclination but rather functioned as a survival strategy to ensure that their children could eat, attend school, and avoid hunger.

These experiences indicate that fulfilling children's physiological needs forms the foundational basis of *hadānah*. In contexts marked by limited education, the absence of family support, and restricted access to decent employment, sex work is positioned as an emergency economic mechanism for survival. At this level, Maslow's theory helps to explain how unmet basic needs can compel individuals to make extreme choices. However, empirical realities also reveal that such fulfillment is accompanied by significant psychological burdens and social stigma, dimensions that are insufficiently accounted for in Maslow's classical framework. At the level of safety needs, the field data revealed a more nuanced and fragile dynamic. Mrs. Seroja's experience of domestic violence illustrates how the need for physical and psychological safety may become more urgent than maintaining economic stability in an abusive household. Her decision to leave the marriage reflects her prioritization of protection for both herself and her child.

Similarly, the participants made conscious efforts to create a sense of security for their children by separating their professional activities from their domestic lives, selecting relatively safe living environments, and minimizing children's exposure to stigma and violence. These practices indicate that safety needs within *hadānah* are rarely fulfilled under ideal conditions; rather, they are continuously negotiated within high-risk environments.⁶⁴ Thus, Maslow's assumption of safety as a stable condition requires reinterpretation when applied to the lived realities of single mothers working in highly vulnerable sectors.⁶⁵

Despite persistent social stigmatization, all four participants demonstrated a strong commitment to fulfilling their children's emotional and relational needs. For instance, Mrs. Mawar actively accompanies her child's studies, teaches religious practices such as prayer and Qur'anic recitation, and maintains an emotional presence in her child's life. Similar patterns were observed among Mrs. Melati and Mrs. Anggrek, who emphasized affection and

⁶⁴ Saidatul Chumayro et al., "Resiliensi Keluarga Sakinah Dalam Pasangan Long Distance Marriage Di Kalangan Buruh Bangunan," *El-Izdiwaj: Indonesian Journal of Civil and Islamic Family Law* 5, no. 1 (2024), <https://dx.doi.org/10.24042/el-izdiwaj.v5i1.21745>.

⁶⁵ Iman Jauhari et al., "The Qur'an and Islamic Legal Perspectives on Child Protection," *Pharos Journal of Theology* 104, no. 4 (2023), <https://doi.org/10.46222/pharosjot.104.417>.

attention as essential parenting components. These findings challenge Maslow's hierarchical assumption that love and belonging needs can only be addressed after basic needs are met. In practice, informants simultaneously fulfill emotional needs while making efforts to meet physiological demands. This demonstrates that *hadānah* does not operate through a rigid linear hierarchy but unfolds through overlapping processes shaped by maternal agency and a contextual awareness of children's needs.

At the level of esteem needs, the social stigma attached to sex work emerges as a critical factor influencing parenting dynamics. The informants are acutely aware of the moral judgments directed at their occupation, yet they actively seek to preserve their dignity through their dedication to their children's education and future prospects. Active involvement in childcare is a primary source of self-respect and a form of resistance against negative social labeling. In this regard, Maslow's theory provides limited analytical space for understanding how structural stigma constrains the fulfillment of esteem needs. The empirical data instead show that recognition as a "responsible mother" functions as an alternative pathway for meeting esteem needs, even in the absence of broader societal validation of the same.

Notably, despite their ongoing struggles to meet basic needs, the participants also exhibited orientations toward self-actualization. This is reflected in their aspirations to leave sex work, secure more dignified employment, and ensure better opportunities for their children. Spiritual reflection, prayer, and future-oriented moral commitments are distinctive expressions of self-actualization in religious and cultural contexts. This suggests that self-actualization does not necessarily emerge only after all lower-level needs are fully satisfied, as posited by Maslow.⁶⁶ Instead, among single mothers working as sex workers, self-actualization arises from moral consciousness and maternal responsibility forged through persistent hardship.⁶⁷

Based on these findings, it can be concluded that *hadānah* practiced by single mothers who are sex workers reflects a nonlinear, simultaneous, and contextual fulfillment of children's needs. While Maslow's hierarchy remains analytically useful, it must be critically adapted, as it lacks sensitivity to structural poverty, social stigma, and religious dimensions that profoundly shape women's decision-making. Therefore, *hadānah*, in this context, cannot be assessed solely through the lens of maternal occupation. Rather, it should be evaluated

⁶⁶ Altymurat et al., "Human Behavior in Organizations Related to Abraham Maslow's Hierarchy of Needs Theory."

⁶⁷ Pujihasvuty et al., "Single Parents in Indonesia."

based on the extent to which children's physical, emotional, psychological, and moral needs are meaningfully addressed under constrained conditions. This analysis affirms that the childcare practices of single mothers working as sex workers retain substantive ethical and social significance, provided they remain oriented toward the best interests of the child.

Conclusion

This study concludes that the implementation of *hadānah* by single mothers who work as sex workers in Astana Village, Cirebon, Indonesia, is driven primarily by structural economic vulnerability rather than moral failure. Despite experiencing social stigma and limited access to decent employment, these mothers consistently fulfill their children's fundamental rights, including nutrition, education, emotional care, and basic religious guidance. The findings confirm that the quality of childcare is determined by the caregiver's commitment and ability to meet the child's essential needs, not by occupational status or social labeling. By integrating *Qirā'ah Mubādalah* with Abraham Maslow's Hierarchy of Needs, this study contributes a contextual and interdisciplinary framework for understanding *hadānah* in marginalized settings. The study demonstrates that *hadānah* should be interpreted as a reciprocal and dignified responsibility grounded in justice, compassion, and the best interests of the child (*maslahat al-saghir*). These findings suggest the need for more inclusive interpretations of Islamic family law and the development of supportive legal and social policies that recognize marginalized single mothers as legitimate caregivers to protect their rights.

Declarations

Author contribution statement

A.R. conceived the study, designed the research framework, and prepared the initial draft of the manuscript. D.M. contributed to the theoretical analysis from the perspective of *Qirā'ah Mubādalah* and supervised the interpretation of Islamic jurisprudence. A.M. assisted in developing the discussion section and cross-referenced relevant contemporary literature. R.M.S. contributed to the comparative analysis of Maslow's Hierarchy of Needs Theory and edited the methodological coherence section. N.A. participated in data collection, field interviews, transcription and validation of empirical findings. All authors have read, revised, and approved the final version of this manuscript.

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Data availability statement

The data supporting the findings of this study were obtained through interviews and direct observations of participants (single mothers working as sex workers in Astana Village,

Cirebon). Owing to ethical and privacy considerations, raw data are not publicly available. However, anonymized data can be provided by the corresponding author upon reasonable request at adityaramadhan9821@gmail.com.

Declaration of interests statement

The authors declare that they have no competing financial interests or personal relationships that could have influenced the work reported in this paper.

Additional information

This article is part of an ongoing academic effort to integrate gender-equitable Islamic jurisprudence (*Qirā'ah Mubādalah*) into contemporary humanistic psychology frameworks. This study highlights an interdisciplinary approach that combines Islamic law, gender studies, and social psychology, aiming to contribute to the discourse on maternal resilience and child welfare in marginalized communities.

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