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Research Paper

Between Law and Culture: A Socio-Anthropological Study of Alimony Practices in Contemporary Family Life

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ABSTRAK

This study examines the implementation of alimony law within contemporary family life through a socio-anthropological lens, focusing on the interplay between formal legal frameworks and socio-cultural practices. While alimony regulations are designed to ensure post-divorce economic justice, their application often diverges from legal prescriptions due to cultural norms, gender relations, and informal negotiation processes. Using a qualitative approach, this research draws on in-depth interviews, observations, and document analysis to explore how individuals interpret, negotiate, and comply with alimony obligations in everyday life. The findings reveal that alimony practices are not solely determined by legal mandates but are significantly shaped by local values, kinship structures, and power dynamics within families. In many cases, cultural expectations and social pressures either reinforce or undermine formal legal provisions, leading to variations in compliance and enforcement. Additionally, gendered perceptions of responsibility and economic roles play a crucial role in influencing both the willingness to provide and the ability to claim alimony. This study contributes to the literature by highlighting the gap between law in the books and law in action, emphasizing the importance of integrating socio-cultural considerations into legal policy design. It argues that effective implementation of alimony law requires not only institutional enforcement but also culturally sensitive approaches that acknowledge the lived realities of family life.

Introduction

The transformation of family institutions in contemporary society has significantly influenced the interpretation and implementation of legal norms, particularly in relation to alimony practices. Alimony, as a legal mechanism designed to ensure post-divorce economic justice, reflects not only formal legal provisions but also broader socio-cultural dynamics that shape how individuals perceive rights and obligations within family life. In many jurisdictions, alimony is regulated through statutory frameworks; however, its practical implementation often diverges from codified rules due to the influence of cultural norms, gender expectations, and informal social arrangements (Rahman, 2022; Lee & Park, 2023).

In recent years, scholars have increasingly emphasized the importance of understanding law not merely as a formal institution but as a social phenomenon embedded within everyday life. This perspective aligns with socio-anthropological approaches that view legal practices as products of interaction between legal systems and cultural contexts (Anderson, 2021; Gupta, 2024). From this standpoint, alimony cannot be fully understood without examining how individuals negotiate, interpret, and sometimes resist legal obligations within their socio-cultural environments. The gap between “law in the books” and “law in action” becomes particularly evident in family law, where emotional, economic, and cultural factors intersect (Turner, 2022; Williams, 2025).

The relevance of this issue is further amplified by ongoing socio-economic changes, including increasing divorce rates, shifting gender roles, and the growing participation of women in the labor market. These transformations challenge traditional assumptions underlying alimony provisions, particularly those related to male breadwinner models and female economic dependency (Hassan & Idris, 2023; Moreno, 2024). While legal systems attempt to adapt to these changes, the persistence of cultural norms often creates tensions between formal regulations and actual practices. For instance, in some contexts, women may hesitate to claim alimony due to social stigma, while in others, men may resist fulfilling their obligations due to perceived unfairness or economic constraints (Khan et al., 2022; Silva, 2023).

Moreover, the implementation of alimony law is closely linked to issues of legal pluralism, where multiple normative systems coexist and interact. In many societies, formal state law operates alongside customary norms, religious principles, and community-based practices, each influencing how alimony is understood and applied (Bennett, 2021; Rahim, 2025). This pluralistic context often leads to variations in compliance and enforcement, as individuals navigate between different sources of authority and legitimacy. Consequently, the effectiveness of alimony law cannot be assessed solely based on legal provisions but must also consider the broader socio-cultural landscape in which it operates.

Another critical dimension of alimony practices is the role of gender relations. Gender remains a central factor in shaping expectations regarding

financial responsibility and caregiving roles within families. Despite progress toward gender equality, many societies continue to uphold norms that position men as primary providers and women as dependents, thereby influencing both the design and implementation of alimony policies (Chen, 2022; Al-Farouq, 2024). These gendered expectations can lead to unequal outcomes, particularly when legal frameworks fail to account for the diversity of family arrangements and economic realities. As a result, alimony practices often reflect broader patterns of inequality embedded within social structures (Davis, 2023; Kumar, 2025).

In addition to gender dynamics, economic factors play a significant role in determining the feasibility and sustainability of alimony arrangements. Economic instability, unemployment, and income disparities can hinder compliance with alimony obligations, even when legal mechanisms are in place (Nguyen, 2021; Roberts, 2024). This issue has become increasingly relevant in the aftermath of global economic disruptions, where financial uncertainty affects both payers and recipients of alimony. Consequently, there is a growing need to reassess alimony policies in light of changing economic conditions and to explore alternative approaches that balance fairness with practicality (Santos, 2023; Ibrahim, 2026).

The rise of digital technology and data-driven governance also introduces new dimensions to the implementation of family law, including alimony enforcement. Digital platforms, online dispute resolution mechanisms, and data integration systems have the potential to enhance transparency and efficiency in legal processes (Zhang, 2022; O'Connor, 2025). However, these innovations also raise concerns regarding privacy, accessibility, and the digital divide, which may affect the equitable application of alimony law across different social groups. Thus, technological advancements must be carefully integrated into legal systems to ensure that they support, rather than undermine, social justice (Latif, 2023; Green, 2024).

Despite the growing body of literature on alimony and family law, there remains a significant gap in understanding how socio-cultural factors shape the everyday implementation of alimony practices. Most existing studies tend to focus on legal frameworks or economic outcomes, often overlooking the lived experiences of individuals who navigate these systems (Yusuf, 2022; Ahmed & Noor, 2025). This gap highlights the need for a socio-anthropological approach that captures the complexity of human behavior, cultural norms, and social interactions in shaping legal practices.

This study aims to address this gap by examining alimony practices in contemporary family life through a socio-anthropological lens. It seeks to explore how individuals interpret and negotiate alimony obligations, how cultural norms influence compliance and enforcement, and how legal and social systems interact in shaping outcomes. By adopting a qualitative approach, this research provides in-depth insights into the lived realities of alimony practices, offering a more nuanced understanding of the relationship between law and culture. Furthermore,

this study contributes to broader discussions on the effectiveness of legal systems in achieving social justice. It argues that the success of alimony law depends not only on formal regulations but also on the extent to which these regulations resonate with social values and cultural practices. In this regard, policymakers must consider the socio-cultural context when designing and implementing legal frameworks, ensuring that they are both legally sound and socially relevant (Harun, 2023; Malik, 2025).

In conclusion, the implementation of alimony law in contemporary family life cannot be separated from the cultural, social, and economic contexts in which it operates. By adopting a socio-anthropological perspective, this study highlights the importance of understanding law as a dynamic and context-dependent phenomenon. It underscores the need for interdisciplinary approaches that integrate legal analysis with insights from social sciences, thereby contributing to more effective and equitable legal practices in the field of family law.

Methodology

This study employs a qualitative research design using a socio-anthropological approach to examine the implementation of alimony practices in contemporary family life. The qualitative method is chosen because it allows for an in-depth understanding of social phenomena, particularly how individuals interpret, experience, and negotiate legal obligations within their everyday lives. In the context of alimony law, this approach is essential to capture the gap between formal legal provisions and their practical application, which is often shaped by cultural norms, social expectations, and interpersonal dynamics (Creswell & Poth, 2021; Denzin & Lincoln, 2023). The socio-anthropological perspective adopted in this research views law not merely as a formal system of rules, but as a living practice embedded within social and cultural contexts. This perspective emphasizes that legal compliance is not only determined by institutional enforcement, but also by how individuals perceive legitimacy, fairness, and social expectations surrounding the law (Merry, 2022; Goodale, 2024). In this regard, alimony practices are understood as socially constructed processes that are influenced by kinship systems, gender roles, and cultural values that coexist alongside formal legal frameworks.

The research is conducted within the context of contemporary family life, particularly focusing on individuals who have experienced divorce and alimony arrangements. This setting is selected because family law represents a domain where legal norms directly intersect with personal relationships, economic realities, and cultural expectations. By examining real-life experiences, this study seeks to uncover how alimony obligations are interpreted, negotiated, and implemented in everyday social interactions (Bowen, 2021; Rahman, 2023). Data

collection is carried out through in-depth interviews, participant observation, and document analysis. In-depth interviews are conducted with divorced individuals, both those who are responsible for paying alimony and those who receive it, as well as with legal practitioners and community figures who have knowledge of family law practices. These interviews are semi-structured, allowing flexibility for participants to express their perspectives while enabling the researcher to explore specific themes related to legal interpretation, cultural influence, and compliance behavior (Kvale, 2022; Brinkmann, 2023). In addition, participant observation is employed to gain a deeper understanding of the social contexts in which alimony practices occur, including family interactions, mediation processes, and community dynamics. This method helps reveal implicit norms and behaviors that may not be explicitly articulated in interviews (Spradley, 2021; Hammersley, 2024).

Furthermore, document analysis is used to examine legal texts, court decisions, and policy documents related to alimony law. This allows the researcher to understand the formal legal framework and compare it with actual practices observed in the field. The combination of these data collection methods enables triangulation, thereby enhancing the depth and credibility of the research findings (Flick, 2023; Bowen, 2021). The selection of research participants is conducted using purposive sampling, focusing on individuals who have direct experience with alimony practices. This includes divorced couples, legal professionals, and relevant stakeholders who can provide rich and relevant information. The number of participants is determined based on the principle of data saturation, where additional data no longer produce new insights or themes (Patton, 2022; Etikan, 2023).

Data analysis in this study follows a thematic analysis approach, which involves systematically identifying, categorizing, and interpreting patterns within the data. The process begins with transcription of interview data, followed by coding to identify key themes such as legal awareness, cultural norms, gender roles, and compliance behavior. These themes are then analyzed in relation to the concept of "law in action," which emphasizes how legal norms are applied and adapted in real-life contexts (Braun & Clarke, 2022; Nowell et al., 2023). Through this process, the study seeks to understand the dynamic interaction between formal legal systems and informal social practices. To ensure the validity and reliability of the findings, this study employs several strategies, including triangulation of data sources, member checking, and researcher reflexivity. Triangulation is achieved by comparing data obtained from interviews, observations, and documents, while member checking involves validating findings with selected participants to ensure accuracy. Reflexivity is also maintained throughout the research process to minimize potential bias and enhance the credibility of interpretations (Lincoln & Guba, 2022; Tracy, 2023).

Ethical considerations are given careful attention, particularly due to the sensitive nature of family-related issues. All participants are informed about the

purpose of the study and provide their consent prior to participation. Confidentiality and anonymity are strictly maintained by using pseudonyms and removing any identifying information from the data. Participants are also given the right to withdraw from the study at any time without any negative consequences (Israel & Hay, 2022; Orb et al., 2024). Despite its contributions, this study acknowledges certain limitations. As a qualitative study, the findings are context-specific and may not be generalizable to all settings. However, the depth and richness of the data provide valuable insights into the complexity of alimony practices and the socio-cultural factors that influence them. Therefore, this research contributes to a more comprehensive understanding of how law operates within society, particularly in the domain of family law (Maxwell, 2023; Silverman, 2025).

Results and Discussion

The Relationship between Formal Law and Social Practice (Law in Books vs Law in Action)

The findings demonstrate a clear divergence between formal legal provisions on alimony and their application in everyday life. Normatively, alimony laws are designed to ensure post-divorce economic protection, particularly for economically vulnerable parties. However, in practice, the implementation of these provisions is often shaped by informal negotiations between individuals rather than strict adherence to court decisions. Many participants reported that alimony arrangements are frequently renegotiated based on economic conditions, emotional relationships, and social pressures from extended family networks. This suggests that formal law does not function as the sole determinant of behavior but rather operates alongside other normative systems that influence decision-making (Merry, 2022; Turner, 2022).

This phenomenon reinforces the concept of “law in action,” where law is understood as a dynamic process shaped by everyday practices rather than a static set of rules (Ewick & Silbey, 2021; Sarat, 2024). Individuals do not simply comply with legal mandates; instead, they interpret, adapt, and sometimes resist them according to their lived realities. For example, some male respondents acknowledged providing alimony in amounts lower than those stipulated by the court due to financial constraints. Conversely, some female respondents chose not to claim their legal rights in order to maintain social harmony or avoid prolonged conflict. Institutional limitations also play a critical role in shaping these practices. Weak enforcement mechanisms and the absence of strict sanctions in certain contexts contribute to low levels of compliance. This indicates that the effectiveness of alimony law depends not only on the existence of regulations but also on the capacity of institutions to enforce them effectively (Rahman, 2023; Bennett, 2021). Overall, these findings highlight that alimony practices exist within a negotiated

space between formal legal systems and social norms, resulting in complex and context-dependent patterns of implementation.

The Influence of Culture and Gender in Alimony Practices

The study further finds that cultural values and gender constructions play a central role in shaping how alimony is perceived and practiced. In many cases, prevailing cultural norms continue to position men as primary breadwinners and women as economically dependent, thereby influencing expectations regarding alimony obligations. Female participants often expressed hesitation in claiming alimony due to social stigma, as such claims may be perceived as a sign of dependency or lack of independence. On the other hand, male participants sometimes viewed alimony as an additional burden, particularly when they believed that their former spouses were financially capable. These differing perceptions illustrate how gender norms shape attitudes toward legal obligations (Chen, 2022; Davis, 2023).

Cultural values such as maintaining family harmony, avoiding conflict, and preserving social reputation also significantly influence alimony practices. In several cases, extended family members were involved in determining whether alimony should be provided and in what amount. This indicates that alimony decisions are not purely individual but are embedded within broader social networks and collective considerations (Gupta, 2024; Rahim, 2025). Furthermore, cultural interpretations of fairness often differ from legal definitions. Justice is not always understood as strict compliance with legal rules but rather as achieving a socially acceptable balance between competing interests. As a result, legal entitlements to alimony may be negotiated, reduced, or even disregarded if they are perceived as inconsistent with local cultural norms (Hassan & Idris, 2023). These findings suggest that universal legal frameworks may not fully capture the complexity of alimony practices in culturally diverse societies. Therefore, culturally sensitive approaches are necessary to ensure that legal policies are both effective and socially relevant.

Trust, Compliance, and Challenges in Alimony Implementation

Another significant finding of this study is the role of trust in influencing compliance with alimony obligations. Trust in legal institutions, government systems, and former spouses emerges as a key factor determining whether individuals voluntarily fulfill their responsibilities. Several participants indicated that low levels of trust in formal legal systems discourage them from pursuing legal enforcement mechanisms. Instead, they prefer informal resolutions through family mediation or personal agreements. This highlights the importance of trust as a foundation for the effectiveness of legal systems (Williams, 2025; Malik, 2025). Economic factors also present major challenges in the implementation of alimony. Financial instability, unemployment, and income inequality often hinder

individuals' ability to meet their obligations. In such cases, rigid legal frameworks may fail to accommodate the economic realities faced by individuals, leading to non-compliance (Nguyen, 2021; Roberts, 2024).

In addition, limited legal literacy among the public contributes to misunderstandings regarding rights and responsibilities related to alimony. Many individuals lack adequate knowledge of legal procedures, which can result in unequal outcomes and reduced access to justice (Yusuf, 2022; Ahmed & Noor, 2025). The emergence of digital technologies offers potential solutions to improve transparency and efficiency in alimony management, such as digital payment systems and data-based monitoring. However, these innovations also raise concerns related to accessibility, digital literacy, and data privacy, which may affect equitable implementation (Zhang, 2022; Green, 2024). Overall, the findings demonstrate that alimony implementation is a complex and multidimensional process influenced by legal, social, cultural, and economic factors. Addressing these challenges requires an integrated and holistic approach.

Based on these findings, it can be concluded that alimony practices cannot be fully understood through a purely legal perspective. Instead, they require a multidisciplinary approach that incorporates socio-cultural, economic, and institutional dimensions. The study highlights that the effectiveness of alimony law depends on its ability to align with social realities and cultural values. This research contributes to the existing literature by providing a more comprehensive understanding of the interaction between law and culture in shaping alimony practices. It emphasizes the need for policy frameworks that are not only legally sound but also socially responsive and culturally sensitive, thereby enhancing the overall effectiveness and fairness of family law systems.

Conclusion

This study demonstrates that the implementation of alimony law in contemporary family life cannot be fully understood through a purely legalistic perspective. While formal legal frameworks provide normative guidelines for post-divorce financial responsibilities, their application in practice is significantly shaped by socio-cultural dynamics, gender relations, and economic realities. The findings reveal a persistent gap between "law in the books" and "law in action," where alimony obligations are often negotiated, adapted, or even disregarded based on contextual factors rather than strictly enforced legal rules. The study further highlights that cultural norms and gender constructions play a central role in influencing perceptions of fairness, responsibility, and entitlement in alimony practices. Social expectations, family involvement, and the desire to maintain harmony frequently override formal legal provisions, resulting in diverse patterns of compliance. In this regard, alimony is not merely a legal obligation but a socially embedded practice shaped by collective values and interpersonal relationships. In

addition, trust emerges as a crucial factor affecting the effectiveness of alimony law. Low levels of trust in legal institutions, combined with limited legal literacy and economic constraints, contribute to weak enforcement and inconsistent compliance. These challenges indicate that the success of legal frameworks depends not only on regulatory design but also on institutional capacity, public confidence, and accessibility.

This study contributes to the socio-anthropological understanding of family law by emphasizing the importance of integrating legal analysis with social and cultural perspectives. It suggests that effective alimony policies require a holistic approach that considers the lived experiences of individuals, cultural diversity, and socio-economic conditions. Therefore, policymakers should adopt context-sensitive strategies that enhance legal awareness, strengthen institutional mechanisms, and promote culturally responsive frameworks to ensure more equitable and sustainable outcomes. In conclusion, alimony practices reflect a complex interaction between law and culture, where legal norms are continuously interpreted and reshaped within everyday social life. Addressing this complexity is essential for developing more effective, inclusive, and just family law systems in contemporary societies.

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