

Maqāṣid-Based Interpretation of Wife Alimony in Ṣiddīq Ḥasan Khān's *Fath al-Bayān*

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Abstract

The issue of spousal maintenance (*nafqa*) remains a persistent source of domestic conflict within Muslim families, frequently contributing to marital breakdown and divorce. This study critically examines Ṣiddīq Ḥasan Khān's conception of the husband's obligation of maintenance as articulated in *Fath al-Bayān fī Maqāṣid al-Qur'ān*, situating his exegetical position within a *maqāṣid al-Qur'ān* framework as developed by Maḥmūd Shaltūt. Rather than approaching maintenance solely as a juristic obligation, this article seeks to uncover the ethical and socio-moral rationales underlying Qur'anic injunctions on financial responsibility within marriage. Employing a qualitative, library-based research design, the study conducts a thematic analysis of key Qur'anic passages on maintenance—Qur'ān 2:233, 2:241, 4:5, 4:34, and 65:6–7—drawing on primary sources including the Qur'ān, *Fath al-Bayān*, and Shaltūt's *Ilā al-Qur'ān*, supported by relevant secondary literature in Qur'anic exegesis and Islamic family law. The findings demonstrate that Ṣiddīq Ḥasan Khān conceptualizes maintenance as the husband's fundamental and continuous responsibility, encompassing provision of food, clothing, and housing in accordance with the husband's financial capacity and prevailing social norms. This obligation persists under specific circumstances, such as during the *'iddah* period and pregnancy, reflecting a protective orientation toward women's rights. From a *maqāṣid al-Qur'ān* perspective, maintenance emerges not merely as a legal prescription but as a moral commitment aimed at upholding justice, sustaining marital harmony, and securing broader social welfare. This study contributes to contemporary Qur'anic family law scholarship by integrating classical exegetical insights with a *maqāṣid*-oriented reading, offering a more ethically grounded and context-sensitive understanding of spousal maintenance in the Qur'ān.

Keywords: Spousal Maintenance (*Nafqa*), Ṣiddīq Ḥasan Khān, *Fath al-Bayān*, *Maqāṣid al-Qur'ān*, Qur'anic Family Law.

Abstrak

Persoalan kewajiban nafkah dalam keluarga muslim terus menjadi isu krusial yang berimplikasi langsung pada ketidakharmonisan rumah tangga dan meningkatnya angka perceraian. Studi ini mengkaji secara mendalam pandangan Ṣiddīq Ḥasan Khān mengenai kewajiban nafkah suami



terhadap istri sebagaimana termuat dalam karyanya *Fath al-Bayān fī Maqāṣid al-Qur'ān*, dengan menempatkannya dalam kerangka pendekatan *maqāṣid al-Qur'ān* yang dikembangkan oleh Maḥmūd Syaltūt. Penelitian ini bertujuan untuk mengungkap konstruksi penafsiran Ṣiddīq Ḥasan Khān terhadap ayat-ayat nafkah serta menilai dimensi moral, sosial, dan kemaslahatan yang melandasi kewajiban tersebut. Metode penelitian yang digunakan adalah kualitatif berbasis studi kepustakaan dengan teknik analisis tematik terhadap ayat-ayat Al-Qur'an yang berkaitan langsung dengan nafkah, yaitu QS. al-Baqarah (2): 233 dan 241; QS. an-Nisā' (4): 5 dan 34; serta QS. at-Ṭalāq (65): 6–7. Data primer bersumber dari Al-Qur'an, *Fath al-Bayān*, dan *Ilā al-Qur'ān al-Karīm* karya Syaltūt, yang diperkuat dengan literatur sekunder berupa kitab tafsir, buku fikih keluarga, dan artikel ilmiah relevan. Hasil kajian menunjukkan bahwa Ṣiddīq Ḥasan Khān memandang nafkah sebagai kewajiban utama dan berkelanjutan suami yang mencakup pemenuhan pangan, sandang, dan papan, dengan mempertimbangkan kemampuan ekonomi suami serta kebiasaan sosial yang berlaku. Kewajiban nafkah tetap diberlakukan dalam kondisi tertentu, seperti pada masa *'iddah* dan kehamilan, sebagai bentuk perlindungan terhadap hak perempuan. Dari perspektif *maqāṣid al-Qur'ān*, kewajiban nafkah tidak semata-mata dipahami sebagai norma hukum, tetapi sebagai tanggung jawab moral yang berfungsi menjaga keadilan, meneguhkan keharmonisan keluarga, dan menopang terwujudnya kemaslahatan sosial. Kontribusi utama penelitian ini terletak pada pengayaan kajian tafsir tematik keluarga dengan integrasi antara tafsir klasik, pendekatan *maqāṣid*, dan isu kontemporer, sehingga membuka ruang pemahaman yang lebih etis, kontekstual, dan transformatif terhadap konsep nafkah dalam Al-Qur'an.

Kata Kunci: Nafkah, Ṣiddīq Ḥasan Khān, *Fath al-Bayān*, *Maqāṣid al-Qur'ān*, Tafsir Keluarga

Introduction

A harmonious household characterized by *sakīnah* (tranquility), *mawaddah* (love), and *raḥmah* (mercy) represents the ideal marital life in Islam. This ideal is built upon the pillars of mutual understanding and the reciprocal fulfillment of rights and obligations between husband and wife. One of the husband's primary obligations with direct implications for domestic harmony is the provision of *nafaqah* (maintenance). In classical Islamic jurisprudence, the duty of *nafaqah*—encompassing the provision of basic needs such as food, clothing, and shelter—is viewed as an absolute obligation of the husband, rooted in patriarchal ethics (Firdawaty et al., 2024). However, social reality often diverges from this normative ideal. This phenomenon indicates that economic problems within the household are not merely material issues but touch upon the moral and spiritual responsibility of the husband, frequently culminating in family discord.

Normatively, the husband's position as *qawwām* (leader and maintainer) of the household (Qur'an 4:34) is coupled with the responsibility to provide maintenance. The fulfillment of *nafaqah* is a concrete actualization of this leadership trust and a crucial prerequisite for realizing a *sakīnah*, *mawaddah*, *wa raḥmah* family. Conversely, its neglect can

trigger injustice and fracture. Therefore, a profound understanding of the concept of *nafaqah* is insufficient if derived solely from normative jurisprudence (*fiqh*). It necessitates examination through the lens of *maqāṣid al-sharī'ah* (the higher objectives of Islamic law) to capture its spirit, context, and contemporary relevance in addressing modern problems, while also critiquing rigid patriarchal interpretations (Firdawaty et al., 2024).

Various studies have examined the obligation of *nafaqah* from multiple perspectives. Conceptually, *nafaqah* is understood as an absolute financial duty of the husband (Firdawaty et al., 2024). At the level of Qur'anic exegesis (*tafsīr*), Izzah & Sari (2023), in a comparative study of QS. Al-Baqarah [2]: 233 in *Tafsīr al-Munīr* (by Wahbah al-Zuhaylī) and *Tafsīr al-Qur'ān al-Majīd al-Nūr* (by Teungku Muhammad Hasbi al-Shiddieqy), concluded that the husband's duty is to provide maintenance according to his capability, emphasizing the importance of cooperation and mutual understanding within the family. On the other hand, studies on scholars emphasizing the *maqāṣid* approach have also been conducted, such as on Mahmūd Shaltūt, known for advocating the application of *maqāṣid* principles to address contemporary issues, ensuring Islamic law remains relevant (Alias et al., 2025; Ayu, 2019), and his transformative role at Al-Azhar (Abrar et al., 2025).

Meanwhile, studies on Ṣiddīq Ḥasan Khān—an influential 19th-century Indian thinker and statesman—have largely focused on his contradictory political biography (Ocak, 2022) and his extraordinary contributions to publishing and the formation of transnational scholarly networks through works in Arabic, Urdu, and Persian (Metcalf, 2023). However, a significant research gap remains there is no dedicated study that explores the exegesis of maintenance (*nafaqah*) verses through the *maqāṣid* lens offered by Ṣiddīq Ḥasan Khān in his work *Fath al-Bayān Fī Maqāṣid al-Qur'ān*. While previous research by Izzah & Sari (2023) employed the comparative (*muqāran*) method on a single verse, this study will thematically examine the *maqāṣid*-oriented exegesis of *nafaqah* verses. The *maqāṣid* approach from a exegete who was also a statesman like Ṣiddīq Ḥasan Khān is believed to offer a rich perspective on the 'illah (rationale) and wisdom behind the obligation of maintenance, which is highly relevant for contextualizing responses to contemporary issues of economic injustice within the household.

Based on this identified gap, this study aims to analyze Ṣiddīq Ḥasan Khān's exegesis in *Fath al-Bayān Fī Maqāṣid al-Qur'ān* concerning verses related to *nafaqah* (maintenance) and describe the concept of economic justice within the household constructed from the perspective of *maqāṣid al-sharī'ah*. Consequently, this research is expected not only to

contribute academically to the treasury of *maqāṣid*-based exegesis and studies on Ṣiddīq Ḥasan Khān's thought but also to offer a constructive perspective for efforts to build more harmonious and just families.

Methodology

The objects of this study are five Qur'anic verses that form the normative foundation for the husband's obligation of *nafkah* (financial maintenance): Q 2:233, Q 2:241, Q 4:5, Q 4:34, and Q 65:6–7. These verses were selected because they explicitly establish the legal and ethical framework for *nafkah* across various family contexts (marriage, divorce, pregnancy, and protection of vulnerable groups). The verses are analyzed through the exegesis of Ṣiddīq Ḥasan Khān in *Fath al-Bayān fī Maqāṣid al-Qur'ān* and evaluated using the Qur'anic *maqāṣid* (objectives) framework of Sheikh Maḥmūd Shaltūt in *Ilā al-Qur'ān al-Karīm*.

This research employs a qualitative design with a textual study (library research) approach. The qualitative approach was chosen as the study focuses on exploring the meaning, context, and teleological purposes of *nafkah* stipulations, which requires an in-depth analysis of textual and interpretive data. This design allows the researcher to conduct thematic and *maqāṣid* analysis holistically, without being constrained by quantitative variables.

Primary data sources consist of: (1) the exegetical work *Fath al-Bayān fī Maqāṣid al-Qur'ān* by Ṣiddīq Ḥasan Khān, and (2) the work *Ilā al-Qur'ān al-Karīm* by Sheikh Maḥmūd Shaltūt. Secondary data sources include classical and contemporary exegetical literature, *uṣūl al-fiqh* (Islamic legal theory) texts, Islamic family law books, and relevant scholarly articles. The primary sources were selected for providing direct access to authoritative interpretations and the theoretical *maqāṣid* framework. Secondary sources serve to enrich the context and provide comparative perspectives. All sources were accessed through systematic library research in physical libraries and academic databases.

Data collection was conducted through systematic library research. This method is appropriate for comprehensively gathering, selecting, and organizing the required textual data. The steps involved: (1) identifying and recording Ṣiddīq Ḥasan Khān's interpretations of the five *nafkah* verses from *Fath al-Bayān*; (2) compiling key concepts of Qur'anic *maqāṣid* from Shaltūt's work; and (3) gathering relevant secondary materials to strengthen the contextual foundation.

Data analysis utilizes thematic analysis and *maqāṣid* analysis techniques. Thematic analysis is used to identify patterns, categories, and structures within Khān's interpretations. *Maqāṣid* analysis is employed to evaluate the teleological dimensions (purposes) of these interpretations and to test their alignment with broader Sharia objectives. The process was carried out in three stages: (1) Coding and Categorization: Khān's interpretive data was coded based on themes such as the type of obligation, context, and principles for determining *nafkah*. (2) Maqāṣid Mapping: The thematic findings were mapped onto Shaltūt's tripartite *maqāṣid* framework (creed, morality, law) as well as specific objectives like justice (*'adālah*), welfare (*maṣlaḥah*), and protection (*ḥifẓ*). (3) Integrative Synthesis: The results from both analyses were synthesized to construct a comprehensive understanding of *nafkah* as a value-oriented and context-sensitive legal instrument.

Results and Discussion

A. Empirical Patterns of Spousal Maintenance (*Nafaqa*) in Ṣiddīq Ḥasan Khān's Tafsīr

The analysis of *Fath al-Bayān fī Maqāṣid al-Qur'ān* demonstrates that Ṣiddīq Ḥasan Khān conceptualizes spousal maintenance (*nafaqah*) within a structured and clearly classified framework. Maintenance is consistently presented as a primary obligation of the husband, encompassing essential needs such as food, clothing, and housing, and functioning as a stabilizing pillar of marital relations. This pattern recurs across Qur'anic interpretations related to marriage, divorce, and the protection of women. The findings indicate that *nafaqah* is not treated as an incidental or conditional duty, but rather as a continuous responsibility intrinsically embedded in the Islamic family structure.

Textually, Ṣiddīq Ḥasan Khān's exegesis reveals a deliberate distinction between the obligation of maintenance and its quantitative measure. In his interpretation of Q. al-Baqarah (2):233, the duty to provide maintenance is framed as an absolute divine command that cannot be nullified under any circumstances. However, the amount and form of maintenance are considered relative, determined by the husband's economic capacity and prevailing social norms (Al-Qinujī, 1992). The exegetical data suggest that this differentiation is grounded in a Qur'anic principle that prohibits imposing burdens beyond human capacity, thereby integrating legal obligation with ethical proportionality.

The relational structure of *nafaqah* in this tafsīr highlights a clearly defined division of roles between husband and wife. Q. an-Nisā' (4):34 is employed to affirm the husband's position as the provider and the wife's status as the rightful recipient of economic support (Al-

Qinuji, 1992). The findings indicate that this relationship is not merely symbolic but operational, as the concept of leadership (*qiwāmah*) is directly contingent upon the fulfillment of maintenance obligations. Consequently, male leadership is not constructed as inherent authority, but as a functional role derived from tangible economic responsibility.

Ideologically, the exegetical data demonstrate that Ṣiddīq Ḥasan Khān views *nafaqah* as the foundational source of the husband's domestic authority. His interpretation of Q. an-Nisā' (4):34 establishes a causal relationship between economic provision and leadership legitimacy. The neglect of maintenance obligations results in the erosion of that legitimacy (Al-Qinuji, 1992). This finding suggests that *qiwāmah* is not framed as gender superiority, but as a socio-economic responsibility with legal and moral consequences within Muslim family life.

The data further reveal that maintenance obligations are differentiated according to the wife's legal status. In interpreting Q. al-Baqarah (2):241 and Q. at-Ṭalāq (65):6–7, Ṣiddīq Ḥasan Khān distinguishes between wives in an intact marriage, wives undergoing *'iddah*, and divorced wives. While these distinctions modify the form and duration of maintenance, they do not negate the obligation itself (Al-Qinuji, 1992). This finding indicates that *nafaqah* operates as a contextual obligation, responsive to legal position and biological condition rather than applied uniformly.

In cases involving pregnant wives, the exegetical position appears particularly consistent. Q. at-Ṭalāq (65):6–7 is interpreted as establishing an unequivocal obligation of maintenance until childbirth, with minimal scholarly disagreement. Ṣiddīq Ḥasan Khān explicitly frames this obligation as a protective mechanism for both mother and child. At the same time, the level of maintenance remains proportionate to the husband's capacity, thereby preserving the principles of justice and balance (Al-Qinuji, 1992).

Although Q. an-Nisā' (4):5 is often read as restricting women's access to property, Ṣiddīq Ḥasan Khān's interpretation situates the verse within a broader protective framework. The verse is accompanied by an explicit command to provide sustenance and clothing for women deemed incapable of managing property independently. The findings suggest that limitations on property management do not equate to the denial of economic rights (Al-Qinuji, 1992). Instead, the verse functions as a safeguard aimed at preserving financial resources to ensure the continuity of women's maintenance.

To present the findings in a clear and measurable manner, the relationship between Qur'anic verses, the wife's legal status, forms of maintenance, and Ṣiddīq Ḥasan Khān's

exegetical position is summarized in Table 1. The table illustrates that each verse generates distinct maintenance implications based on contextual conditions. This visual representation reinforces the conclusion that maintenance obligations are neither homogeneous nor static, but stratified and context-sensitive, reflecting a consistent interpretive pattern across the analyzed verses.

Qur'anic Verse	Wife's Status	Form of Maintenance	Exegetical Position
Q. al-Baqarah (2):233	Lawful wife / nursing mother	Food and clothing	Mandatory, capacity-based
Q. al-Baqarah (2):241	Divorced wife	<i>Mut'ah</i>	Obligation remains
Q. an-Nisā' (4):5	Wife / <i>sufahā'</i>	Food and clothing	Economic right preserved
Q. an-Nisā' (4):34	Wife in marriage	Dower maintenance	and Basis of <i>qiwāmah</i>
Q. at-Ṭalāq (65):6–7	Divorced / pregnant wife	Housing maintenance	and Mandatory until childbirth

Table 1. The Relationship between Qur'anic Verses on Maintenance (Nafaqah), the Wife's Legal Status, and Şiddīq Ḥasan Khān's Exegetical Position

Overall, the findings indicate that Şiddīq Ḥasan Khān's conception of *nafaqah* is comprehensive, hierarchical, and responsibility-centered. Maintenance functions not only as a legal duty, but also as a moral indicator of leadership and a protective instrument for women. These results underscore the direct relationship between the fulfillment of maintenance obligations, marital harmony, and relational justice between spouses. Consequently, the findings provide a robust analytical foundation for further discussion within the framework of *maqāṣid al-Qur'ān*.

B. The Maintenance (*Nafāqah*) Pattern in Classical Exegesis and Jurisprudence: A Maqāṣid-Based Analysis

In classical exegesis (*tafsīr*) and jurisprudence (*fiqh*), maintenance (*nafāqah*) is established as the husband's primary obligation, encompassing food, clothing, housing, and basic necessities (Al-Qinujī, 1992; Ahmed et al., 2021). In his exegesis, Şiddīq Ḥasan Khān explicitly defines this scope of *nafāqah* as a primary material obligation that is exclusively the husband's responsibility. From the perspective of the Qur'anic *maqāṣid* (objectives) as

articulated by Syaltut, this obligation is not merely legal-formal; it aims to realize economic justice within the family, protect vulnerable parties, and create household harmony as part of Shariah's objectives (Syaltut, n.d.). Khān asserts that while the obligation itself is absolute, its quantum and form are contextual—a principle that aligns with Syaltut's emphasis on law accommodating individual capability and social reality.

This contextual approach is further reflected in the exegesis of other classical scholars. Al-Jalalayn (n.d.) underscores that fathers are obligated to provide maintenance in the form of clothing and food to mothers in a decent manner according to their capacity, especially after divorce. Meanwhile, Quraish Shihab (2003) introduces a philosophical dimension, positing that the husband's duty to provide *naḥāqah* constitutes a form of reciprocity, serving as a counterbalance to the wife's role in breastfeeding and nurturing children. Within Syaltut's *maqāṣid* framework, this logic of reciprocity reinforces the objectives of establishing balanced justice (*al-‘adl*) and achieving common welfare (*jalb al-maṣlaḥah*) within the family institution (Syaltut, n.d.).

Ibn Kathir emphasizes that *naḥāqah* must be proportional to family needs and societal norms, ensuring an ethical and context-sensitive application. This approach, also evident in Khān's exegesis, is congruent with Syaltut's *maqāṣid*, which stress that law must consider actual conditions and individual capability while aiming to cultivate noble morals and social justice (Syaltut, n.d.). Similarly, *Aḥkām al-Qur’ān* by Abū Bakr ibn al-‘Arabī integrates social and legal realities into legal interpretation (Ibn ‘Arabi, 1968). This perspective affirms that *naḥāqah* is not merely a textual command but a mechanism to promote household stability and moral responsibility—an idea consistent with Syaltut's emphasis on the moral and welfare dimensions inherent in every legal ruling (Syaltut, n.d.).

Tafsīr al-Sa‘dī asserts *naḥāqah* as the foundation of household harmony, illustrating the consistent recognition of spousal duties in classical exegesis (Al-Sa‘dī, 2000). Ṣiddīq Ḥasan Khān fortifies this view by directly linking the fulfillment of *naḥāqah* to the legitimacy of the husband's leadership (*qiwāmah*) within the family. Within the *maqāṣid* framework, this domestic harmony constitutes a higher objective (*maqṣad*), wherein *naḥāqah* serves as an instrument to achieve tranquility (*sakīnah*) and justice in familial relations (Syaltut, n.d.). In classical jurisprudence, *I‘ānat al-Ṭālibīn* establishes *naḥāqah* as an obligation covering the basic needs of wives and children (Murtaza, 2025; Syatha, 2019). Khān meticulously classifies this obligation based on the wife's status (within marriage, pregnant, in *‘iddah*), demonstrating the application of detailed juristic principles. These detailed rulings, viewed through the lens

of Syaltut's *maqāṣid*, function to realize the objectives of preserving life (*ḥifẓ al-nafs*) and progeny (*ḥifẓ al-nasl*) through the fulfillment of material needs (Syaltut, n.d.). Practical legal manuals, such as *Al-Habsy* and *Mughnī al-Muḥtāj*, stress that *naḥāqah* is a legal necessity ensuring the welfare of family members, thereby connecting doctrinal law with quotidian household practice (Murtaza, 2025). This emphasis on welfare directly mirrors the Qur'anic *maqāṣid* to secure benefit (*maṣlaḥah*) and prevent harm in family life (Syaltut, n.d.).

From the perspective of legal theory (*uṣūl al-fiqh*), Al-Shāṭibī in *Al-Muwāḥḩāt fī Uṣūl al-Sharī'ah* emphasizes that the *maqāṣid al-sharī'ah* necessitate the consideration of welfare and harm reduction in fulfilling *naḥāqah*, transcending mere literal textual compliance (Asy-Syathibi, n.d.; Fadhilah & Alamsyah, 2025). This approach is wholly congruent with Syaltut's vision that every Qur'anic injunction—including *naḥāqah*—must be understood in light of its primary purpose: to uphold justice, morality, and human welfare (Syaltut, n.d.). Khān's exegesis, which emphasizes the proportionality of *naḥāqah* according to the husband's capacity (QS. Al-Baqarah: 233), exemplifies the application of these principles of *maṣlaḥah* and justice. Al-Ghazālī, in *Al-Mustaḥḩā*, reinforces that laws governing *naḥāqah* must align with family welfare, thereby linking legal duty with ethical objectives (Al-Ghazali, 1937). Similarly, *Jam' al-Jawāmi'* justifies *naḥāqah* through *qiyās* (analogical reasoning) and *ijmā'* (scholarly consensus), highlighting the consensus on the husband's moral and legal responsibility (Al-Subkī, 1994). This consensus (*ijmā'*) is not merely a legal agreement but also a collective affirmation of the Shariah's *maqāṣid* to protect familial rights and ensure justice (Syaltut, n.d.).

Sharḩ Sunan Abī Dāwūd connects Prophetic traditions on *naḥāqah* with core juristic principles, ensuring their practical and moral relevance for family governance (Abī Dāwūd, n.d.). Collectively, classical exegetical and juristic literature—including the works of Ṣiddīq Ḥasan Khān, Al-Jalalayn, and Quraish Shihab—portrays *naḥāqah* as an essential, contextual, ethical, and legally grounded obligation. This underscores its multidimensional role in maintaining family harmony, social justice, and moral accountability. Khān's detailed classification and explanation of *naḥāqah* relative to various female statuses (wife, nursing mother, divorced, pregnant) reinforce this multidimensionality. Such a comprehensive scope aligns with Syaltut's tripartite framework of *maqāṣid*, encompassing aspects of creed (as a form of obedience to God), morality (as an expression of responsible conduct), and law (as a system guaranteeing justice) (Syaltut, n.d.). These sources collectively demonstrate a coherent integration of textual, social, and legal perspectives in conceptualizing *naḥāqah*.

In conclusion, classical scholarly literature establishes a nuanced and tiered understanding of nafāqah obligations. These interpretive patterns exhibit sensitivity to local customs, economic realities, and family structures, thereby reflecting a broader commitment to the *maqāṣid* framework. As evident in Khān's exegesis, this sensitivity manifests in the differentiation of maintenance forms and the emphasis on prevailing equitable norms (*ma'rūf*). Such contextual sensitivity is integral to the realization of the Qur'anic *maqāṣid*, which seek to create living, just, and socially attuned legal principles (Syaltut, n.d.). The classical emphasis on proportionality, justice, and household welfare—further nuanced by the logic of reciprocity articulated by scholars like Shihab—demonstrates that nafāqah is simultaneously a practical responsibility and a moral imperative. It functions to support justice, ensure family stability, and foster ethical spousal conduct. Therefore, nafāqah in the classical view—as exemplified in the exegesis of Khān and his peers—transcends the question of legal procedure (*kaifiyah*). It fundamentally addresses the teleological purpose (*limādhā*) of the law: to actualize a tranquil family unit (*usrah sakinah*), a just society, and righteous individuals—objectives that constitute the very essence of the Qur'anic *maqāṣid* according to Syaltut (Syaltut, n.d.).

C. Contemporary Application and Ethical Dimensions of Nafāqah in Islamic Law

In contemporary Islamic law, nafāqah (spousal maintenance) remains the husband's primary obligation, encompassing food, clothing, housing, and basic necessities (Ahmed et al., 2021). From the perspective of Syaltut's *maqāṣid* framework, this provision is not merely a legacy of classical jurisprudence but an actualization of the Shariah's objective to ensure economic justice and familial continuity (Syaltut, n.d.). The right to maintenance can be affected by the wife's conduct; if she leaves the marital home without legitimate cause (*nushūz*), her entitlement may be restricted. However, separation due to the husband's negligence does not void her right (Harahap et al., 2025). Through the lens of Syaltut's *maqāṣid*, the restriction of maintenance in cases of *nushūz* can be understood not as a mere punitive measure but as an effort to restore balance and mutual responsibility within the marital relationship—a form of enforcing relational justice that is central to the Qur'anic *maqāṣid* (Syaltut, n.d.). This pattern aligns with Ṣiddīq Ḥasan Khān's exegesis, which views nafāqah as a tiered obligation sensitive to legal context and a woman's status (Al-Qinujī, 1992). These regulations demonstrate the contextual flexibility of nafāqah while

safeguarding justice, reflecting both classical fiqh and its modern application within diverse social circumstances.

During divorce, *nafāqah* typically continues throughout the *'iddah* (waiting) period, while obligations toward children remain mandatory (Zuhdi et al., 2024). Within Syaltut's *maqāṣid* framework, the continuation of maintenance during *'iddah* functions as a temporary social safety net, protecting women during a transitional phase and ensuring the continuity of child-rearing. This embodies the specific objectives (*maqāṣid*) of preserving the family unit (*ḥifẓ al-usrah*) and progeny (*ḥifẓ al-nasl*) (Syaltut, n.d.). Socio-economic shifts, such as wives working as migrant laborers, can render them primary breadwinners. Nevertheless, the husband's duty as a provider retains its ethical and legal significance (Hijriyati et al., 2024). This reality demonstrates that the principle of the husband's economic responsibility within Islamic *maqāṣid* is substantive—the paramount concern is the fulfillment of family needs, not merely the identity of the provider. This aligns with Syaltut's emphasis on law supporting dynamic welfare (*maṣlaḥah*) and reinforces Khān's interpretation that the quantum of *nafāqah* is adjusted according to capacity (Al-Qinuji, 1992). This duality illustrates the adaptive nature of *nafāqah*, integrating traditional duties with contemporary economic realities.

Islamic law provides protective mechanisms such as *khul'*, where the wife compensates the husband to dissolve the marriage, ensuring both legal recourse and fairness (Anggraeni et al., 2022). This mechanism, from a *maqāṣid* perspective per Syaltut, serves as an instrument for resolving marital impasses peacefully and with dignity, while considering justice for both parties—a principle congruent with the Shariah's objective of averting harm and choosing the most beneficial course (Syaltut, n.d.). Post-divorce disputes over property and financial entitlements often require judicial intervention to uphold equitable *nafāqah* distribution, highlighting the necessity of formal mechanisms to enforce legal rights (Fardindaputri & Hasanudin, 2025). Here, the role of the state and judicial institutions becomes crucial in concretely realizing the Qur'anic *maqāṣid*, ensuring that the law is not merely codified but also enforced to achieve substantive justice (Syaltut, n.d.).

Marriage registration further safeguards spousal rights, including *nafāqah*, minimizes potential conflicts, and ensures legal recognition of marital duties (Arifuddin, 2024). This administrative aspect strengthens and formalizes the noble objectives of the Shariah, as it provides legal certainty and prevents the denial of responsibility—an approach that resonates with Syaltut's vision of grounding Qur'anic values within modern societal governance

(Syaltut, n.d.). The integration of legal frameworks with ethical principles demonstrates the alignment between Shariah objectives and contemporary legal governance. Through registration and judicial enforcement, *nafāqah* transforms into both a practical and ethical instrument of family protection.

Consequently, contemporary practice reveals *nafāqah* to be multidimensional, bridging material provision, ethical responsibility, and social welfare. This multidimensionality is a direct reflection of the holistic scope of the Qur'anic *maqāṣid* as conceptualized by Syaltut, encompassing legal, moral, and social welfare dimensions (Syaltut, n.d.). Its proper fulfillment sustains family harmony, reinforces the husband's moral duty, and ensures justice, illustrating the enduring relevance of classical principles in modern contexts. Thus, both in classical exegesis (Al-Qinujī, 1992) and contemporary analysis, *nafāqah* is consistently understood as a central pillar for realizing familial justice (*'adālah usriyyah*)—a core objective that constitutes the heart of the Qur'anic *maqāṣid* according to Syaltut (Syaltut, n.d.).

D. The Maqāṣid Framework and the Ethical Dimensions of Nafkah: Integrating the Perspectives of Syaltut and Ṣiddīq Ḥasan Khān

The *maqāṣid* (higher objectives) framework positions *nafkah* (financial maintenance) as an instrument for achieving higher objectives of the Sharia, aimed at safeguarding the welfare of the wife, children, and the household (Chamdan, 2025). From the perspective of Syaltut's Qur'anic *maqāṣid*, this aligns with his emphasis that every legal ruling—including *nafkah*—must serve to realize human benefit (*maṣlaḥah*), protect fundamental rights, and establish social justice (Syaltut, n.d.). Beyond material support, *nafkah* serves to protect progeny, dignity, and justice, reflecting the ethical and moral goals of family life. This emphasis on the moral dimension is consistent with Syaltut's classification of *maqāṣid*, which includes morality (*akhlāq*) as a primary pillar, and resonates with the interpretation of Ṣiddīq Ḥasan Khān, who viewed *nafkah* not merely as a legal obligation but as a marker of the husband's functional and responsible leadership (Al-Qinujī, 1992). This framework underscores that *nafkah* is not a purely transactional duty but a social and moral responsibility, highlighting the interconnection between justice, ethics, and familial obligations.

During the *'iddah* (waiting period), the husband remains obligated to provide *nafkah*, although certain jurisdictions, such as Bangladesh, restrict the right to *nafkah* after its conclusion, raising concerns regarding social justice (Ferdousi, 2021). This situation highlights the importance of aligning contemporary legal practices with *maqāṣid* principles to protect women's welfare and uphold justice. Through Syaltut's *maqāṣid* lens, the restriction

of post-*'iddah nafkah* warrants re-examination to prevent conflict with the Sharia's objective of protecting women from post-divorce economic harm (Syaltut, n.d.). Conversely, Khan's interpretation, which differentiates the form and duration of *nafkah* based on a woman's status (as in Q. al-Ṭalāq 65:6–7), provides a basis for arguing that financial protection for divorced women must consider specific circumstances and substantive justice, not merely formal temporal limits (Al-Qinuji, 1992).

In Indonesia, courts can seize a husband's property to guarantee child support after divorce, reflecting *maqāṣid* principles in protecting progeny (*ḥifẓ al-nasl*) and ensuring family welfare (Zuhdi et al., 2024). Such policy constitutes a tangible implementation of *ḥifẓ al-nasl* and *ḥifẓ al-māl* (safeguarding wealth for *maṣlaḥah*), as emphasized by Syaltut (Syaltut, n.d.). Similarly, legal reforms in Malaysia regulating polygamy and maintenance allowances demonstrate efforts to ensure justice, equity, and social justice for all family members (Mohd Kusrin et al., 2025). This approach aligns with the dynamic spirit of *maqāṣid*, whereby law must be responsive to social change to achieve substantive justice—a principle also affirmed by Khan in his contextual interpretation of *nafkah* (Al-Qinuji, 1992).

Maqāṣid principles also demand consideration of cultural and social contexts. For instance, marriages involving female converts in Western countries require careful handling to prevent emotional and psychological harm, illustrating the importance of context-sensitive application of Sharia objectives (Mohammad Nasir et al., 2024). Such considerations expand the scope of the ethics of *nafkah* beyond mere financial provision. Within Syaltut's framework, this contextual sensitivity embodies the principle that Islamic law must always secure benefit and repel harm according to specific societal conditions (Syaltut, n.d.). Khan's interpretation, which distinguishes forms of *nafkah* based on the husband's status and economic capacity, similarly provides a foundation for such flexibility in legal application (Al-Qinuji, 1992).

Overall, interpreting *nafkah* through the *maqāṣid* framework reinforces its role in protecting life, dignity, and justice. *Nafkah* functions as a legal, moral, and social instrument that ensures family welfare and ethical responsibility are upheld, bridging traditional obligations with contemporary societal needs and challenges. Thus, both the *maqāṣid* perspective of Syaltut (Syaltut, n.d.) and the contextual fiqh analysis of Ṣiddīq Ḥasan Khān (Al-Qinuji, 1992) affirm that *nafkah* is not merely a material obligation but a means to realize a just, moral society that protects its vulnerable members.

E. The Implementation of Nafkah: Navigating Structural Challenges through Maqāṣid and Contextual Fiqh

The application of *nafkah* (financial maintenance) faces practical challenges, including bureaucratic hurdles, patriarchal norms, and unequal access to justice, which can impede the fulfillment of this obligation (Chamdan, 2025). From the perspective of Syaltut's *maqāṣid*, these structural barriers are not merely procedural issues but substantially obstruct the realization of the Sharia's objectives in protecting family dignity and welfare (Syaltut, n.d.). While theoretical principles align with *maqāṣidic* aims, effective enforcement requires robust legal and social mechanisms to safeguard wives and children, ensuring that both ethical and legal responsibilities are met. Here, the interpretation of Ṣiddīq Ḥasan Khān, which emphasizes *nafkah* as an absolute and structured obligation (Al-Qinujī, 1992), must be supported by an adequate legal system so that ideal norms do not remain merely textual but are accessible and enforceable in practice.

Mechanisms such as asset seizure for child support, *khulu'* (divorce initiated by the wife), and judicial oversight of maintenance payments reflect the practical translation of ethical obligations into enforceable rights (Zuhdi et al., 2024; Anggraeni et al., 2022; Mohd Kusrin et al., 2025). These instruments are tangible manifestations of the Qur'anic *maqāṣid* that emphasize restorative justice and protection for the vulnerable (Syaltut, n.d.). Such measures illustrate the intersection of moral responsibility, legal authority, and social welfare in family governance. Khan's approach, which views *nafkah* as a tiered obligation based on a woman's status (Al-Qinujī, 1992), strengthens the argument that enforcement mechanisms should also be differential and contextual, tailored to the specific circumstances of the recipient.

Socio-economic dynamics, including wives as primary breadwinners or polygamous household arrangements, necessitate a flexible and context-sensitive implementation of *nafkah* (Hijriyati et al., 2024). This flexibility aligns with the spirit of Syaltut's *maqāṣid*, which stresses that law must secure benefit (*maṣlaḥah*) and prevent harm (*mafsadah*) in accordance with social realities (Syaltut, n.d.). Such adaptation prevents undue burden on husbands while ensuring family justice and welfare, highlighting the practical relevance of ethical flexibility in contemporary Islamic law. Khan's interpretation, which emphasizes the proportionality of *nafkah* based on economic capacity (Al-Qinujī, 1992), provides a jurisprudential foundation for adjusting material obligations to modern household income dynamics without negating the husband's core responsibility.

Marriage registration serves as a preventive step that protects marital rights, including *nafkah*, minimizes disputes, and ensures legal recognition of spousal obligations (Arifuddin, 2024). This administrative aspect is a crucial instrument for actualizing the Qur'anic *maqāṣid*, as it provides legal certainty and prevents the denial of responsibility—a concern aligned with Syaltut's emphasis on systems that guarantee fundamental rights (Syaltut, n.d.). It underscores the integration of formal legal structures, cultural awareness, and Sharia objectives in achieving household justice.

In conclusion, *nafkah* functions as a moral, social, and legal instrument that upholds the dignity of the wife, the continuity of generations, and domestic justice. Within Syaltut's *maqāṣid* framework, this multidimensionality demonstrates that Islamic law is designed to build holistic and dignified family life (Syaltut, n.d.). Its holistic and contextually adaptive implementation ensures that the obligation of *nafkah* supports ethical conduct, social welfare, and family stability, demonstrating the enduring relevance of Islamic law in contemporary contexts. Thus, both the *maqāṣidic* vision of Syaltut (Syaltut, n.d.) and the contextual fiqh analysis of Ṣiddīq Ḥasan Khān (Al-Qinujī, 1992) converge on the conclusion that *nafkah* is more than a material transfer—it is a vehicle for realizing justice, morality, and protection within the family and society.

Conclusion

Analysis of tafsīr, fiqh, and the *maqāṣid* perspective demonstrates that *nafāqah* constitutes a fundamental obligation for husbands, encompassing food, clothing, housing, and other basic needs. This obligation is not merely material but also moral and social, functioning to protect the wife's dignity, ensure family welfare, and uphold justice within the household. The pattern of *nafāqah* is contextual, adapting to the wife's legal status, the family's socio-economic conditions, and the husband's financial capacity. Fulfilling *nafāqah* also serves as an indicator of the husband's legitimate leadership (*qiwāmah*), grounded in ethics and justice rather than gender-based dominance.

Scientifically, this study contributes to an integrative understanding of *nafāqah* by linking classical tafsīr, fiqh literature, and *maqāṣid* al-Qur'ān with contemporary contexts. It highlights that *nafāqah* is not merely a financial duty but also a moral, social, and legal instrument supporting family welfare and the legitimacy of household leadership. These findings provide a theoretical foundation for Islamic family law reform, fair implementation of *nafāqah*, and policy approaches that consider modern socio-economic realities.

Nevertheless, this study has limitations, particularly regarding geographic scope and variations in socio-economic practices among different Muslim communities. The research primarily emphasizes legal and tafsīr perspectives, so practical dynamics, such as nafāqah implementation among migrant couples or in multicultural settings, require further investigation. Future research could expand the analysis through cross-national empirical studies, considering cultural, economic, and gender factors to understand how nafāqah can be executed fairly and effectively in contemporary global contexts.

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