

An Intellectual Analysis on The Nature of Family Economics in Islamic Law

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Abstract

The concept of family economy in Islam has been addressed under various issues in classical sources though not extensively discussed in the classical literature. Islamic jurisprudence generally embraces pragmatism and pays attention to the needs of society. It is evident that economic relationship within the family is not addressed under a single heading in classical sources, but rather evaluated under numerous headings. From this perspective, it can be observed that each individual within the family concept enjoys distinct economic rights and responsibilities. The social, ethical and financial responsibilities in the family are carried out within the framework of maintenance. In this respect, the Islamic legal system approaches the concept of family economy with a balanced view between income and expenditure, lawful and unlawful, and blessing and burden, and does not evaluate the issue purely as an economic activity. However, in contemporary times, the term family economy is understood more in terms of the economic and legal statuses of the individuals within the family, such as their handling and responsibilities concerning acquired properties and the nature and manner of property distribution. This approach significantly diverges from the individual and social responsibilities entailed by property ownership in Islamic law. In Islam, the possession of individual economic rights and freedoms does not imply that one has no responsibilities towards others and cannot act irresponsibly. Based on this fundamental paradigm difference, this article aims to analyze the concept of family economy from the standpoint of Islamic law, discussing what it is and is not. The study has revealed that, even today, economic interests and activities within the family sometimes lead to conflicts, causing the parties to abandon their ethical and religious responsibilities in favor of establishing definite lines solely based on legal grounds. This, in turn, significantly undermines the essence and continuity of being and remaining a family. Furthermore, when examining writings that attempt to explain the economic status of the family according to Islamic law, it is evident that the provisions found in classical fiqh books, which were arranged according to the human, Islamic, and customary structure of that period and were quite functional, are repeated without considering the contemporary societal structure and changing human character. Although these provisions are accurate and effective within their own context, they are deemed inapplicable by modern individuals, rendering them ineffective. The appropriate way to address this issue can be to emphasize that the rules concerning family economy in

classical fiqh are not merely ethical and conscientious, but that legal intervention will ensue if they are not adhered to. The fundamental assertion of this article is based on this premise: the concept of family economy inherently exists in Islamic law, imposes various responsibilities on the parties, is structured on a balance of blessings and burdens, and entails legal, ethical and religious responsibilities.

Keywords

Islamic law, Family, Economy, Nafaqa (maintenance), Marital Responsibility.

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İslam Hukukunda Aile Ekonomisinin Doğası Üzerine Entelektüel Bir Analiz

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Öz

İslam'da aile ekonomisi kavramı, klasik literatürde ayrıntılı bir şekilde ele alınmamış olsa da farklı konular bağlamında incelenmiştir. İslam hukuku, genellikle pragmatik bir yaklaşımı benimseyerek toplumun ihtiyaçlarını ön planda tutar. Klasik kaynaklarda aile içindeki ekonomik ilişkiler tek bir başlık altında toplanmamış, bunun yerine farklı başlıklar altında ele alınmıştır. Bu bağlamda, aileyi oluşturan her bireyin kendine özgü ekonomik hak ve sorumluluklara sahip olduğu görülmektedir. Aile içindeki sosyal, etik ve mali yükümlülükler ise genellikle nafaka düzenlemeleri çerçevesinde yerine getirilmiştir. İslam hukukunda aile ekonomisi, gelir ve gider, helal ve haram, nimet ve külfet arasındaki denge üzerinden değerlendirilen kapsamlı bir kavramdır. Bu yaklaşım, aile ekonomisini yalnızca ekonomik bir faaliyet olarak ele almaz. Ancak günümüzde, aile ekonomisi kavramı daha çok aile bireylerinin ekonomik ve hukuki statüleri, edinilen malların yönetimi ve paylaşımı gibi konulara odaklanmaktadır. Bu modern yaklaşım, İslam hukukunda mülkiyetin bireysel ve toplumsal sorumluluklarla ilişkilendirilen temel anlayışından önemli ölçüde uzaklaşmaktadır. İslam'da bireysel ekonomik hak ve özgürlükler, başkalarına karşı sorumluluk taşımamayı veya keyfi hareket etmeyi mümkün kılmaz. Bu çalışmada, aile ekonomisi kavramı İslam hukuku perspektifinden ele alınarak bu kavramın ne olduğu ve ne olmadığı tartışılmıştır. Araştırma, günümüzde dahi aile içindeki ekonomik çıkar ve faaliyetlerin çatışmalara yol açabildiğini ve tarafların etik ve dini sorumluluklarını bir kenara bırakarak yalnızca hukuki temellere dayalı kesin çizgiler belirleme eğiliminde olduklarını ortaya koymuştur. Bu durum, aile olmanın ve ailenin sürekliliğinin özüne zarar vermektedir. Ayrıca, İslam hukukuna göre aile ekonomisinin statüsünü açıklamaya çalışan yazılar incelendiğinde, klasik fıkıh kitaplarında yer alan hükümlerin, dönemin insani, İslami ve örfi yapısına uygun olarak düzenlenmiş olmalarına rağmen, çağdaş toplum yapısı ve değişen insan karakteri göz önünde bulundurulmadan tekrarlandığı görülmektedir. Bu hükümler, kendi bağlamlarında doğru ve işlevsel olsalar da modern bireyler tarafından uygulanamaz olarak görülmekte ve bu nedenle etkilerini yitirmektedir. Sorunun çözümü, klasik fıkıhtaki aile ekonomisine dair kuralların yalnızca etik ve vicdani kurallar olmadığını, bu kurallara uyulmaması durumunda hukuki müdahalelerin devreye gireceğini vurgulamak olabilir. Bu makalenin temel tezi, aile ekonomisi kavramının İslam hukukunda yerleşik

olduđu, taraflara çeşitli sorumluluklar yüklediđi, nimet ve külfet dengesi üzerine kurulu olduđu ve hukuki, etik ve dini sorumlulukları içerdiđidir.

Anahtar Kelimeler

İslam Hukuku, Aile, Ekonomi, Nafaka, Evlilik Sorumluluđu.

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Introduction

Family economics refers to the attitudes, activities, and processes related to how individuals within a family, either independently or collectively, manage their resources, plan financially for the future, and enhance their living standards.¹ Family economics is essentially an exercise in micro-level economic planning.

Families undertake financial planning either directly or through intermediaries. In contemporary times, there is a growing reliance on professional intermediaries, especially for the management of savings. Naturally, various factors influence the stages of determining, planning, and executing financial relationships. Economic publications and commentaries, social and professional networks, and internet content can significantly impact a family's economic decisions.² Regardless of the outcomes, a family's economic attitudes and decisions affect not only their own budget on a micro-level but also have broader implications for society at a macro level. Thus, when discussing family economics, one is referring to much more than just the balance of income and expenditure or planning future investments. In this context, the economic attitudes of a family reflect the economic character of their society and nation. This character can indicate whether they are a production-oriented or consumption-oriented society, a society of wastefulness or thrift, or a society of hedonism or ideals and contemplation. Nonetheless, the importance of being and remaining a family is paramount.

For a family to be long-lasting and stable, both individuals and society, as well as the state, must meticulously fulfil their respective duties. Any weakness or deterioration within the family will profoundly impact all these sectors. Addressing this issue requires proactive measures rather than resistance to change. Human presence inevitably brings change, and the only difference between rapid and gradual change is its manageability. In the past, families also underwent change, but the fundamental roles of family members remained relatively stable. However, rapid technological and industrial changes over the past two centuries have profoundly disrupted established patterns and perceptions, particularly for women and children.

¹ Emine Gönen - Özlen Gönen, *Aile Ekonomisi* (Ankara: Ankara Üniversitesi Ziraat Fakültesi Yayınları, 2001), 18.

² Gönen - Gönen, *Aile Ekonomisi*, 18.

Urbanization (which can be seen as a departure from traditional culture) and industrialization have altered the structure, characteristics, and roles within families. Unfortunately, the bonds among family members have weakened, with cooperation and solidarity giving way to self-interest. Concurrently, the family's productivity and self-sufficiency have been replaced by a consumption-centered lifestyle. This shift has seen a significant increase in the number of women entering the workforce, regardless of necessity. This development has had costs for both the family and women. Women, influenced by their income and new social environment, may develop habits of living separately or resort to divorce for various reasons.³ Effective economic planning within families could contribute positively to addressing many problems stemming from economic mismanagement. In today's world, understanding money is crucial to understanding the world. However, losing oneself in material wealth without spiritual guidance could be even more destructive. The Qur'an explains this as follows: "Indeed, Qarun was from the people of Moses, but he tyrannized them. And We gave him of treasures whose keys would burden a band of strong men; thereupon his people said to him, 'Do not exult. Indeed, Allah does not like the exultant' (76), but seek through that which Allah has given you, the home of the Hereafter; and [yet], do not forget your share of the world. And do good as Allah has done good to you. And desire not corruption in the land. Indeed, Allah does not like corrupters (77)."⁴ In this context, the Islamic directive for individuals to lead a life while balancing worldly and otherworldly considerations is of paramount importance. Furthermore, the contemporary understanding of family economics and the provisions and general approaches of Islamic law regarding the economic status of the family represent significantly different concepts. This discrepancy arises because contemporary economic perspectives are rooted in a view of material wealth as governing human life, whereas Islamic thought encompasses a concept of property that is essentially owned by Allah and provided for the benefit of humans. In the Qur'an, it is stated: "And Allah has made for you from your homes a place of rest and made for you from the hides of the animals tents which you find light on your day of travel and your day of encampment; and from their wool, fur and hair is furnishing and enjoyment for a time (80). And Allah has made for you, from that which He has created, shadows and has made for you from the mountains, shelters and has made for you

³ Ahmet Özkiraz - Gül İşçi Baş, "Osmanlıdan Günümüze Türk Toplumunda Aile Yapısı ve Boşanma," *KMÜ Sosyal ve Ekonomik Araştırmalar Dergisi* 18/30 (2016), 88-89.

⁴ Al-Qasas, 28/76-77.

garments which protect you from the heat and garments which protect you from your [enemy in] battle. Thus does He complete His favor upon you that you might submit [to Him] (81).”⁵ In this understanding, both material wealth and worldly life are transient and should not be the object of one's devotion. Therefore, within the system established by Allah, it is essential that wealth does not govern the individual, but rather, the individual should manage and allocate wealth appropriately.

Consequently, it is natural to view family economics today as a scientific discipline and an activity aimed at organizing the family's economic situation. However, from an Islamic perspective, the primary concern is not where this concept stands today but rather where it has brought the family from the past and where it will lead the family in the future. While there is an aspect of prosperity and freedom, the dramatic reality observed is far more significant. Instead of nurturing and sustaining family-centric individuals, viewing and evaluating the family as an economic entity and accepting or rejecting others based on their economic power poses the greatest threat to today's and tomorrow's families. To better understand this point, it is sufficient to examine the evolving family/women relations shaped by post-wild capitalism and their global influence.

Today, presenting sexual life and preferences as an individual's self-realization space, rather than living an ethical life, has overturned many aspects of family life. Deviant relationships, cohabitation without marriage, and children growing up without a mother or father are the results of these processes. If the family institution is not robustly upheld within the framework of religious and ethical values, one does not need to be a seer to predict its future trajectory. Despite everything, the family must be protected for the future.

Protecting family values is not solely the responsibility of a specific religion but is essential for all humanity. The preservation of social order is vital, and no leniency should be shown in this regard. For this reason, even the most unruly individuals have refrained from rebelling against or destroying the family institution.⁶ Isolating individuals from their families and treating them as mere commodities is the greatest harm one can do to the family. In Islamic teaching, humans are never merely economic beings but are honored servants. This paper

⁵ An-Nahl, 16/80-81.

⁶ Süleyman Seyfi Ögün, “Türk Muhafazakarlığının Kültürel Politik Kökleri,” *Modern Dünyada Siyasi Düşünce: Muhafazakarlık* (İstanbul: İletişim Yayınları, 2004), 573.

is organized in the following fashion. A brief overview of what is meant by family economics in the modern era, independent of Islamic law, is initially explained. Subsequently, the paper focuses on the nature and characteristics of family economics, drawing on the Islamic legal-economic thought. Naturally, in order to align with the topic, this paper benefits from the rulings related to marriage and responsibilities in classical Islamic jurisprudence. Ultimately, the fundamental differences and recommendations between both approaches are expounded.

1. Family Economics in Islam

The perspectives on family economics in Islam and the activation of individuals' inherent potentials are closely related to the jurisprudential viewpoint. To elaborate: the longer the childhood phase is extended, the more delayed the onset of individual responsibility and adulthood. This is directly related to the concept of legal capacity in Islamic jurisprudence. Additionally, another crucial aspect is determining who will care for minors and at what age they will be given control over their own property.

It is crucial to adequately enlighten contemporary individuals on what family economics in Islam is or should be. Regardless of their religious identity, people are increasingly losing their commitment to forming and maintaining families. The motivating and spiritually nurturing aspects of tradition are gradually disappearing from our lives, leading to a decline in solidarity among family members and the emergence of two extreme economic attitudes: stinginess and wastefulness. In short, neither saving nor spending seems to satisfy the soul. However, by restructuring the lives with a jurisprudence and *ihsan* (spiritual excellence) centered approach to family economics, Muslim believers can foresee the emergence of a much healthier family structure in the future.

Today, whether religious or not, individuals do not view life from a traditional perspective. Despite claims of valuing others highly, in practice, a person's worth or lack thereof is often measured by their economic value and contribution to the economy. As a natural consequence of this approach, economically unproductive elderly, disabled individuals, and even, to some extent, an excess number of children are perceived as economic burdens to society.⁷ They are often relegated to isolated lives in care homes or left to their own fate.⁸ The exception to this is,

⁷ Shereen Hussein - Mohamed Ismail, "Ageing and Elderly Care in the Arab Region: Policy Challenges and Opportunities," *Ageing International* 42/3 (2017), 274–289.

⁸ Nazife Şişman, "Küresel Dinamikler Bağlamında Aile ve Kadın," ed. Ö. Çaha (Günümüzde Aile: Uluslararası

of course, the realistic perspective and approach of Islamic teaching toward humanity. According to Islam, extending a helping hand to women, children, the elderly, the lonely, and the needy acts as a spiritual shield that saves a person's worldly life and Hereafter.

In Islamic jurisprudence, topics such as earning a living through lawful means, using earnings in legitimate ways, and bearing the family's financial responsibilities are extensively discussed. The work, *Al-Kasb*,⁹ attributed to Imam Muhammad, is a significant classical source in this field.

In Islam, as crucial as earning income through lawful means is the discussion of who within the family is responsible for this income, the individual's right to personal ownership, and how the *zakāt* (almsgiving) on owned property should be allocated. Additionally, the various ways of acquiring property, either originally or through transfer, and the regulations concerning joint ventures (partnerships) for earning income present a rich subject matter and bibliography.

In Islam, the term "earning" refers to acquiring wealth through lawful means. It is obligatory for an individual to strive for lawful earnings to provide for their livelihood and to learn the relevant knowledge.¹⁰ Of course, a person's ability to earn is directly proportional to their physical capabilities. Attempting to gain wealth through unlawful means and appropriating others' property is considered corruption and is prohibited.¹¹

It is important to note that the rulings regarding maintenance, provision, and livelihood are often intertwined with ethics and law in Islamic jurisprudential compilations. Generally, the burden of meeting the basic needs of the family falls upon the man. Women's economic activities and earnings are largely related to their own well-being. Unless there is a serious necessity, women are not obligated to bear the family's economic burden. To further explore this topic, it is necessary to delve into the economic responsibilities and roles of spouses within the family.

Aile Sempozyumu, İstanbul: Ensar Neşriyat, 2005), 612.

⁹ The main purpose of Islamic legal scholars' works on "kasb" is to emphasise the importance given to halal sustenance in our religion. In this sense, the word 'kasb', which means gain, is a key concept that represents not worldliness but, on the contrary, asceticism in the eyes of the fuqaha.

¹⁰ Muhammad al-Shaybani, *Al-Kasb* (Dimashq: Abdulhadi Harssuni, 1400), 1/32.

¹¹ Muhammad al-Shaybani, *Al-Kasb*, 1/37.

1.1. Family Economics in Islam within the Framework of Marital Responsibility

In Islam, many jurisprudential rulings are intertwined with ethical norms, often making it difficult to draw clear boundaries between rules and ethical values.¹² For instance, qualities such as generosity, avoidance of stinginess, abstention from wastefulness, striving to provide for the family's livelihood through lawful means, and sharing one's provisions are seen as elements of a Muslim's noble character. However, when ethical duties are neglected, legal intervention becomes necessary. Thus, in Islamic rulings, there is a very thin and fluid line between ethical imperatives and legal sanctions. If an individual neglects their financial obligations towards their family despite having the means, the law intervenes and allocates a sufficient portion of their wealth to meet the family's essential needs.¹³ There is, of course, a measure and an average for this. In Islam, it is essential for a person to earn a sufficient amount of income through lawful means for themselves and those they are responsible for, without relying on others. However, there are two different views in Islamic jurisprudence regarding what constitutes a sufficient amount of sustenance. Each of these views finds its basis in religious texts. Islamic scholars have centered their lives around servitude (to God) and have thus formed two different perspectives on earning sustenance and income accordingly.

The first approach suggests that once individuals earn enough to meet their needs, they should dedicate the remaining time to worship. Pursuing worldly matters is seen as an impediment to servitude. From this viewpoint, poverty is considered superior to wealth as it allows for more opportunities for worship.¹⁴

The second approach claims that wealth is superior to poverty. Poverty is inherently undesirable because Allah has used the term "*khair*" (good) in relation to sustenance and desires people to seek provision from Him by His grace and generosity. Moreover, the wealth of a pious individual can also be a source of benefit for their community and relatives.¹⁵

In Islamic jurisprudential tradition, rules regarding the provision of sustenance, the fulfilment of alimony, and the earning of income generally

¹² Khaled Abou El Fadl, "Qur'anic Ethics and Islamic Law," *Journal of Islamic Ethics*, (July 27, 2017), 7–28.

¹³ Muhammad al-Shaybani, *Al-Kasb*, 1/58.

¹⁴ Muhammad al-Shaybani, *Al-Kasb*, 1/50.

¹⁵ Muhammad al-Shaybani, *Al-Kasb*, 1/50.

reflect simplicity. This tradition emphasizes the effects of modest living rather than accumulating wealth through greed. While Islam is not opposed to wealth, it stands against covetousness, arrogance, and striving solely for accumulation. In this system, wealth is not just a commodity circulating among the rich but rather a means to contribute to the welfare of the entire community. From this perspective, it is more accurate to speak of providing sustenance rather than wealth. The participants in this economic cycle are traditional family structures, and their primary sources of livelihood are usually agriculture and animal husbandry.

In a society where agriculture and animal husbandry are predominant, the amount of income is generally low, and the number of participants in production activities is high. This means that there is a division of labor within this cycle, and the resulting income is for the common benefit of everyone. In this income, large sums are not in question, nor is there any gender discrimination. Expenditure is made for whoever has the greatest need from the available resources. To summarize, within the traditional production and income system, it is not merely the labor of the woman or the man that is highlighted, but rather a cooperative method. In this system, the woman's area of activity is mostly centered on the home and the personal care of the children. Today, however, the traditional societal structure based on agriculture and animal husbandry, and the jurisprudential heritage that organized its conditions, has given way to modern understandings and income-generating activities. Women are more involved in the workforce, roles within the family are changing, and the care and supervision of children often fall into the hands of others, requiring additional costs. The regulations regarding these matters will undoubtedly take shape according to the new situation. When Islamic family economics is considered within this new framework, new possibilities or impossibilities emerge. These can be classified in terms of their impact on family economics as follows: marriage decisions, the provision of alimony in the event of marriage or divorce, and the care of elderly parents.

1.2. Responsibilities for Providing Alimony in Islam Related to Marriage Decisions

According to Islamic law, marriage is established through a mutual consent agreement between two opposite genders without any prohibitive barriers to

marriage, conducted in the presence of witnesses.¹⁶ From the moment of the marriage contract, lawful intimacy is established between the parties, and family law comes into effect. Although marriage is natural, the criteria for choosing a spouse can vary. A woman is married for four qualities comprising of her wealth, her family status, her beauty and her religion. A relevant hadith on the issue states: “So you should marry the religious woman (otherwise) you will be a losers.”¹⁷ A man should strive to increase the family's provision through lawful and clean means, avoiding greed and stinginess. Regarding greed and stinginess, the Qur’an warns: “Beautified for people is the love of that which they desire - of women and sons, heaped-up sums of gold and silver, fine branded horses, and cattle and tilled land. That is the enjoyment of worldly life, but Allah has with Him the best return.”¹⁸ “Say [to them], “If you possessed the depositories of the mercy of my Lord, then you would withhold out of fear of spending.” And ever has man been stingy.”¹⁹

Marriage entails certain financial consequences. Accordingly, the obligation of providing maintenance for the wife and future children lies with the husband, who is the head of the household. If the husband refuses to fulfill his obligation to provide for his wife and children, their needs will be met through a court order.²⁰ Additionally, the husband is required to give his wife a financial gift known as "mahr" upon marriage. A woman is not obligated to work or provide for the household needs, nor is she required to use her own wealth for the household expenses.²¹

Also, a woman is not obligated to use her own property to meet the household needs. In this context, Islamic jurisprudence has even debated whether a wealthy woman can give her property's zakat to her poor husband. According to Abu Hanifa, a woman cannot give her zakat to her husband. If she does so, it would be as if she is indirectly benefiting from the zakat she has given, and the full transfer of ownership is not considered to be achieved. However, according to Abu Yusuf and Imam Muhammad, there is no objection to this. A woman who is obligated to

¹⁶ al-Maydāni Abd al-Ganī b. Tālib b. al-Ḥanafī, *Al-Lubāb Fī Sharḥ al-Kitāb* (Beirut: Dār al-Kitāb al-‘Arabī, 1999), 3/3.

¹⁷ Al-Bukhārī, “Kitāb al-Nikāḥ”, 16.

¹⁸ Āl ‘Imrān 3/14

¹⁹ Al-Isrā’17/100.

²⁰ Celal Erbay, “Nafaka,” *TDV İslâm Ansiklopedisi* (İstanbul: Türkiye Diyanet Vakfı) (Accessed December 19, 2024), 32/283.

²¹ Vecdi Akyüz, “Ana Baba (Ebeveyn),” *TDV İslam Ansiklopedisi* (İstanbul: Türkiye Diyanet Vakfı, 1991), 3/102.

pay zakat can give her zakat to her poor husband. They base their understanding on the hadith²²: "Verily, charity given to the poor has one reward, and charity given to family has two rewards: one for charity and one for upholding family ties."²³ If a woman desires, she can engage in trade with her property, enter into commercial partnerships, and increase her earnings through lawful means. In other words, in Islam, a woman can participate in income-generating activities if she wishes, but she cannot be burdened with the responsibility of providing family maintenance. However, in marital life, material concerns are not as prominent as they might seem from the outside. In this life, love, affection, sharing, solidarity, and planning for the children's future are prioritized. Material concerns might be the last things to consider. Therefore, beyond legal regulations, family life is about unity and togetherness, thriftiness, and avoiding wastefulness.

The best wealth management begins with avoiding wastefulness. Consequently, a woman raised with Islamic discipline, by being frugal, can contribute significantly to the family economy, as much as, if not more than, by engaging in external income-generating activities. Raising her children with this consciousness, shopping based on needs, repairing rather than replacing damaged items, and avoiding wastefulness are all valuable practices.

1.3. Responsibilities for Providing Alimony for Divorced Spouses and Minor Children

In Islamic jurisprudence, the decision to divorce unilaterally lies with the husband. However, women also have indirect rights to seek divorce through methods such as tafwid al-talaq (delegated divorce), tafriq (judicial separation), and khul (mutual divorce).²⁴

Since the forms and conditions of divorce are not directly related to the research topic, divorce types will not be examined deeply. Nonetheless, it should be noted that there is a financial cost for a man who wishes to divorce his wife. This includes immediately paying any unpaid mahr, covering the wife's housing and maintenance expenses during the waiting period (iddah), and providing maintenance for any minor children under the wife's care.²⁵ However, under

²² Abd al-Ganī b. Tālib b. al-Ḥanafī, *Al-Lubāb Fī Sharḥ al-Kitāb*, 1/153-154.

²³ Al-Tirmidhī, "al-Zakāh", 26.

²⁴ Yakar Sümeyra - Yakar Emine, "A Critical Comparison between the Classical Divorce Types of Ḥanbalī and Ja'farī Schools," *Darulfunun İlahiyat* 31/2 (2020), 280.

²⁵ 'Alā' al-Dīn Abū Bakr b. Mas'ūd Al-Kāsānī, *Badā'iy' Al-Ṣanā'iy' Fī Tartīb al-Sharā'iy'* (Beirut: Dār al-Kutub al-

Islamic law, a man is not obliged to provide long-term maintenance to his divorced wife indefinitely.

In cases of divorce, the care and custody of children are addressed separately in Islamic jurisprudence (*hidana*).²⁶ Generally, the mother is responsible for the physical care of the child until the age of seven, after which the father assumes responsibility until the child reaches puberty. This is because the first seven years are considered a nurturing period, and the subsequent seven years are for preparing the child for life and profession. In both cases, the father's financial obligation to provide for the mother and child's maintenance continues. However, if the divorced mother remarries, the situation is reassessed according to the status of woman.²⁷

One of the most challenging issues for families today is the care of elderly parents. In such situations, the personal and financial responsibility of caring for elderly or dependent parents lies with male children. In a *hadīth*, it is stated: "Let him be humbled into dust; let him be humbled into dust. It was said: Allah's Messenger, who is he? He said: He who sees either of his parents during their old age or he sees both of them, but he does not enter Paradise."²⁸ This issue is addressed within Islamic law under the concept of kinship maintenance (*nafaqa*). If parents are in need of care, their children are obligated to provide the necessary support and expenses. If the children refuse to take care of their needy parents, legal measures are taken to enforce compliance.²⁹

Conclusion

Economic opportunities of families can be divided into three main categories; fixed assets in terms of existing goods, current assets in terms of being converted into profit in trade through *murabaha-mudarabah-musharakah*, and imaginary assets in terms of being included in property in the future through inheritance-dower-alimony-will-grant. There are no restrictions between family members in terms of carrying out all these transactions and turning them into profit. The assets of family members are independent from each other and are completely personal property. However, each individual has legal responsibilities due to the

¹Ilmiyyah, 1986), 2/232.

²⁶ Al-Kāsānī, *Badā'ī' Al-Şanā'ī' Fī Tartīb al-Şarā'ī'*, 4/40.

²⁷ Şevket Topal, "Korumaya Muhtaç Çocukların Bakımı ve Gözetimi Açısından İslam Hukukunda Velâyet ve Vesâyet Yetkisi," *Dinbilimleri Akademik Araştırma Dergisi* 6/2 (no date), 265.

²⁸ Muslim, "al-Birr", 9.

²⁹ Erbay, "Nafaka," 32/283.

property s/he owns. In this sense, the economy of the family in Islam is suitable for independent management and is not suitable for monopolization and stinginess. It can be assumed that there is a property management governed by morality and law together. For this reason, no one, whether a man or a woman, within Islamic circle can act outside the scope of *sharī'a* and show an exhibitionist attitude that highlights his property and himself. In addition, as a society, people cannot be encouraged to consume and live a luxurious life through constant advertisements, breaching the Islamic understanding of law.

It is worth to mention that the colourful and fancy lifestyles imposed on people today is not sustainable regarding a normal income level. Individuals who desire to live a high-cost lifestyle with high cost may resort to illegal means such as involving in criminal activities if they cannot meet their needs through legal earnings.

Hence, society and the state must protect their citizens not only economically but also socially and psychologically. Educational policies should prioritize traditional values that are in harmony with Islamic law such as avoiding wastefulness, considering neighbours, living a moderate life, avoiding ostentation and arrogance, fulfilling promises, involving collective cooperation, competing in good deeds, and acting together in harmony.

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