

## The Livelihood of Adult Daughters According to Islamic Law: a Case Study of Students at the Syekh Abdul Halim Hasan Institute

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**Abstract.** *This study aims to reinforce the stance of Wahbah az-Zuhaili, who obligates providing sustenance for adult daughters to be applicable in the modern era, as the reality of sustenance in modern times differs from the classical era. The role of women has been acknowledged by Indonesian society as breadwinners, assisting their husbands in meeting the needs of the family, where household expenses are increasing and the husband's ability or income is no longer sufficient to meet the family's needs. However, many husbands and wives still maintain the integrity of their households. It is proven that households, where the wife works, continue to function well and prosper with mutual understanding between husband and wife, ensuring that the goal of a harmonious household is still achieved. This research is a qualitative study of the library research type that utilizes phenomenological and descriptive approaches to provide space for the researcher to generate a real picture of the social phenomenon being studied. The conclusion indicates that the concept of providing sustenance for adult daughters is maximally implemented, demonstrating parental awareness regarding the responsibility of providing sustenance. With the assurance of adequate sustenance for the livelihood and education of adult daughters by their parents, the level of attention and focus in completing their education will be better. However, some classical fiqh concepts mostly do not impose the responsibility of parents to provide sustenance for adult daughters. Therefore, with the changes in society and social norms, the opinion that does not mandate providing sustenance for adult daughters is no longer relevant in the current era.*

**Keywords:** *Family; Islamic; Livelihood.*

### 1. INTRODUCTION

Can an adult woman have *ahliyah wujūb* and *ahliyah adā'* so she has the same procedure of property ownership as a man, so she can strive to fulfill her rights and exercise her rights as long as she is perfectly expert. If there are things that hinder the *ahliyah* such as madness and *safīh*, then the *ahliyah* disappears or decreases. The permissibility of a

woman in a will and the heir must execute her will before distributing the estate as proof of the woman's ability to use the property for a transaction.<sup>1</sup>

In the realm of the concept of bread, livelihood is the responsibility of men and is not based on the superior bag of men over women but a form of fusion between the principle of similarity with the natural nature elements of both. The methodology of *Mubādalāh* Faqihuddin Abdul Kodir shows that the issue of income is the business of both in family life to be responsible for each other in matters of family support. In contextualizing the thoughts of these two feminist figures, a synthesis of the idea is obtained that the principle of interconnectedness *mubādalāh* must remain within the framework of the principle of equality to maintain the principle of universal justice in the Qur'ān.<sup>2</sup>

The provision of sustenance provides beneficial effects on the family and prevents various detrimental effects. The poverty rate can be reduced with a high level of societal education. The economic welfare of the family can be pursued through the implementation of the sustenance concept. The level of family education plays a significant role in raising awareness among household heads to fulfill sustenance obligations to improve the economic welfare of the family.<sup>3</sup>

In the era of modernization and globalization, the role of women has been acknowledged by Indonesian society as breadwinners, assisting their husbands in meeting the needs of the family, where household expenses are increasing and the husband's ability or income is no longer sufficient to meet the family's needs. However, many husbands and wives still maintain the integrity of their households. It is proven that households, where the wife works, continue to function well and prosper with mutual understanding between husband and wife, ensuring that the goal of a harmonious household is still achieved.<sup>4</sup>

Providing child support is the obligation of both parents for the well-being of the child, starting from birth until adulthood. The cost of education is part of the spiritual needs that parents must fulfill for their children, even when the children are adults. With no prohibition on providing support to children, parents are allowed to finance their children's education from the high school level to the doctoral level, provided that the parents are capable and do not burden themselves.<sup>5</sup>

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<sup>1</sup> Jamhuri, "Perempuan Dewasa Dan Tanggung Jawab Nafkah Dalam Pemahaman Ulama Fikih," *El-Usrah: Jurnal Hukum Keluarga Fakultas Syariah Dan Hukum UIN Ar-Raniry* 4, no. 2 (2021): 263–294, <https://doi.org/10.22373/ujhk.v4i2.10618>.

<sup>2</sup> Soleh Hasan Wahid, "Kontekstualisasi Konsep Nafkah Ramah Gender Perspektif Murtaḍhā Muṭṭahhari Dan Faqihuddin Abdul Kodir," *Al Syakhshiyah: Journal of Law and Family Studies Fakultas Syariah IAIN Ponorogo* 1, no. 2 (2019): 255–279, <https://doi.org/10.21154/syakhsyiah.v1i2.2030>.

<sup>3</sup> Shofiyulloh Syaubari, "Analisis Implementasi Konsep Nafkah Dalam Upaya Meningkatkan Kesejahteraan Perekonomian Keluarga Di Desa Karang Sari Kecamatan Kembaran Kabupaten Banyumas," *El-Jizya: Jurnal Ekonomi Islam* 9, no. 2 (2021): 98–113, <https://doi.org/10.24090/ej.v9i2.5515>.

<sup>4</sup> Abdul Aziz, "Peran Perempuan Dalam Nafkah Keluarga Perspektif Hukum Islam," *Jurnal Al-Azhary* 9, no. 1 (2023): 58–69, <https://jurnal.stai-alazhary-cianjur.ac.id/peran-perempuan-dalam-nafkah-keluarga-perspektif-hukum-islam>.

<sup>5</sup> Muhammad Syarofi and Rusmini Rusmini, "Biaya Pendidikan Sebagai Nafkah Anak Dalam Islam (Studi Fenomenologi Keluarga Petani Di Kabupaten Jember)," *Al-Tsaman: Jurnal Ekonomi*

In Islam, among the factors leading to the obligation of providing sustenance is the family relationship (*qarābah al-ba`diyyah*) between parents and their children<sup>6</sup>, whether they are young or adults, due to physical incapacity, poverty, or adult women who are widowed or separated from their husbands (widows). According to Jamhuri (2021), the terms used in the Qur'an to refer to women are "*an-nisā`*", "*al-mar'ah*", and "*al-unsā`*". "*An-nisā`*" has the same meaning as "*al-mar'ah*", referring to mature or adult women, while "*al-unsā`*" signifies the female gender in general, encompassing both infants and elderly women.<sup>7</sup>

The majority of scholars agree that adult men are obligated to provide for themselves. If they marry, they are required to support their wives and children (both sons and daughters) until they reach adulthood. This responsibility and obligation of providing sustenance are not imposed on women by classical jurisprudence. Some opinions state that women are never obligated to support themselves. When they are young, their sustenance is provided by their father or guardian, and when they marry, it is provided by their husbands. If they divorce or are divorced by their husbands, then their sustenance falls back on their father or guardian (male relatives). However, there are also schools of jurisprudence that argue that wealthy adult women (for example, those who inherit wealth) are obligated to support themselves, and it is only when they become poor that the responsibility falls on their male siblings or other guardians. These opinions tend to exempt women from the obligation to seek sustenance (work), even to meet their own needs.

The exposition of the opinions of scholars and jurists regarding child support is clear, but there has not been much detail regarding the sustenance of adult female children. Although some scholars have addressed this issue, it has not been systematically compiled with clear methodological structures and foundations. This has prompted researchers to reexamine the laws to strengthen what has been elucidated by classical jurists. Thus, the laws can be contextualized for the present time, as the reality of child support in the modern era differs from the classical era.

According to the researcher, there is ambiguity in the classical fiqh opinions regarding the sustenance of adult female children. For instance, Abdurrahmān al-Jazāirī (1299-1360 H / 1882-1941 M) mentioned in his book that according to the Hanafī school of thought, a father may encourage his daughter to learn from other women who are skilled or proficient in teaching skills or crafts such as sewing, embroidery, weaving, and so on, as a means of livelihood. However, this perspective of the school of thought does not align with the obligation imposed on parents to bear the costs of their education.

The classical fiqh opinions do not specify the source of funds or expenses for the education or skills training of adult female children. When contextualized in the present day, these opinions serve as a justification (reference) for current parents to relinquish the obligation to provide for their adult daughters (*baligh*), or those who have completed their education at the high school level (SMA) or its equivalent, to continue their education at the university level. In other words, parents encourage their adult

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*Dan Keuangan Islam* 3, no. 1 (2021): 78–97, <https://ejournal.uas.ac.id/index.php/Al-tsaman/article/view/499>.

<sup>6</sup> Jalāluddīn Al-Maḥallī, *Qalyūbī Wa `Umairah* (Kairo: Dar Iḥyā' al-Kutub al-`Arabiyyah, n.d.). p. 69

<sup>7</sup> Jamhuri, 2021, p. 263-294.

daughters to study but fail to realize that there is an obligation to support (provide sustenance) their daughters during their period of study.

Furthermore, it is mentioned in the classical fiqh that after a female child masters a skill and obtains employment, her sustenance comes from her earnings. According to this school of thought, the father is not allowed to permit his daughter to work in the form of service (*khidmah*) because the service recipient (*musta'jir*) will be in the company of the daughter during the job, and this is prohibited by Shariah. There appears to be inconsistency and ambiguity in this opinion regarding female children. The inconsistency lies in the fact that initially, it is stated that both young and adult female children are supported by their fathers. The father is not allowed to employ his impoverished daughter (*fakir*, lacking livelihood or sustenance). However, subsequently, according to classical fiqh, the father is permitted to encourage his child to pursue education (skill learning), without clarity on the funding source and without being supported by other strong evidence.

According to Al Yasa` Abubakar, the obligation of a father or guardian to provide for his adult unmarried daughter, whether due to divorce, being unmarried, or unwillingness to marry, is not based on clear or explicit evidence. It seems that the conclusion drawn by scholars is merely based on the traditions or customs that prevailed in Arab society at that time.<sup>8</sup> The lack of clarity can be seen in the evidence used, which is only based on rational reasoning (*ra'y*), and its context is the social and cultural conditions of the past. Therefore, this matter needs to be reaffirmed, considering that in the present era, many adult daughters (*baligh*) are working either due to the financial condition of their families, seeking additional income and livelihood, or simply wanting to keep up with modern lifestyle trends.

The ambiguity in the opinion of the Hanafi school regarding the obligation of parents to provide for adult daughters requires further study. This is necessary to address the legal obligation of sustenance for adult daughters in the modern era, with the rapid globalization and drastic changes occurring today. Competition for jobs and income to sustain livelihoods is increasingly intense. Furthermore, the needs of adult daughters today are much greater compared to those in classical times.

In Indonesia, where the number of women exceeds that of men, empowerment approaches are considered a strategy that views women not as a burden to development, but rather as potential assets to be utilized to support the development process.<sup>9</sup> In today's era, human needs increase along with the development of technology and society. Consequently, the needs of children, especially adult daughters undergoing higher education, such as the female students of Syekh Abdul Halim Hasan Institute, will also increase and intensify. If the sustenance of life and education for adult daughters is well ensured by their parents, their level of attention and focus in completing their education will be better.

The importance of sustenance, especially in the field of education, as stated by Shofiyulloh Syaubari, lies in the fact that education plays a crucial role in raising awareness among household heads regarding their obligation to allocate sustenance for the economic welfare of the family. He argues that household heads with low

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<sup>8</sup> Al Yasa` Abubakar, 2016, p. 139.

<sup>9</sup> Muhammad Alim Ihsan, "Pemberdayaan Perempuan Dalam Masyarakat Konserfatif," *Musawa Jurnal For Gender Studies* 11, no. 1 (2019): 14–33, <https://doi.org/10.24239/msw.v11i1.441>.

education levels tend to provide sustenance less optimally, resulting in inadequate economic welfare for the family. Therefore, it is crucial to change the mindset of families so that by maximizing the economic sustenance of the family and opening up opportunities for employment within the family, the family's life can become more stable.

Meanwhile, according to Soleh Hasan Wahid (2019), citing the concept of Murtadhā Muthahhari, the assumption that men are superior to women is eliminated, and both should be regarded as creatures who equally possess strengths.<sup>10</sup> Based on their respective nature (strengths and weaknesses), they are then endowed with rights and obligations, including the right and obligation of sustenance. His analysis is based on the perspective of the present era, marked by two indicators: the fourth industrial revolution and globalization. There are several aspects that, in his view, are no longer relevant, including the natural reproductive role of women, which serves as the basis for justifying women's weaknesses in sustenance issues when associated with the flow of globalization and the industrial revolution, which have led to the emergence of new jobs, new social interactions, and information technology that also impact the ability to work virtually without requiring excessive physical effort.

Based on this dissatisfaction, the researcher undertakes this study to reassess whether the sustenance of adult female children is essentially incumbent upon themselves or others, namely their parents. This research will systematically and purposefully examine the issue of sustenance for adult female children in Islam according to the opinions of the various schools of thought.

Based on the research problem formulation presented above, the research objectives can be formulated to determine the intersection of understanding between the concept of a child (*al-walad*) and an adult female child, to understand the concept of sustenance for adult female children according to classical scholars and Islamic academics, and to assess the extent of the influence of classical scholars' concepts of child sustenance on the concept of sustenance for adult female children in the modern era. This will be done by analyzing the concept of adult female children in the classical era and examining whether there have been changes and shifts in the concept in the present era, so that the phenomenon occurring in the present era, especially among the female students of Syekh Abdul Halim Hasan Institute, can receive legal certainty with the presence of the classical concept of sustenance for adult female children, supported by the evidence and methodological foundations of legal excavation.

## **2. RESEARCH METHODS**

This research is a qualitative study of the library research type that utilizes phenomenological and descriptive approaches to provide space for the researcher to generate a real picture of the social phenomenon being studied. The subjects of this research are the female students of Syekh Abdul Halim Hasan Institute, with the sample consisting of a portion of these students. Primary data is obtained by referring to books on Fiqh muamalah and previous research. Other data is gathered using structured interview methods, allowing the researcher to easily gather information related to the context of the

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<sup>10</sup> Soleh Hasan Wahid, 2019, p. 255-279.

discussion and the issues at hand. This research was conducted over two months, from May to June 2023. Data analysis involves three stages: first, data reduction, which aims to narrow down the study to Fiqh discussions concerning sustenance, specifically focusing on sustenance for adult female children. Second, presenting the data provides an explanation of the research with a focused and easily understandable narrative. Third, concluding involves synthesizing the research findings into an integrated and comprehensive conclusion that can be justified.

### 3. RESULT AND DISCUSSION

#### 3.1 The Defenition of Livelihood

The term livelihood is derived from the root word "*infāq*", which means *ikhrāj* (expenditure or spending). The word livelihood is used specifically for beneficial purposes. Etymologically, livelihood refers to *ma yunfiq al-insānu `alā `iyālih* (what a person spends on his family), typically in the form of money. However, terminologically, livelihood is "*kifāyatun man yumawwinuhu min aṭ-ṭa`ām wa al-kiswah wa as-suknā*", defined as the ability to provide for dependents by supplying food, clothing, and shelter. In customary usage, livelihood encompasses food and drink, clothing, and covering for the body. Additionally, the livelihood of *suknā* includes housing or shelter, including household furnishings, adapted to the customs of each locality.<sup>11</sup> Livelihood also refers to expenses or spending, specifically something given by a husband to his wife, a father to his children, or relatives to their dependents as necessities.<sup>12</sup> Therefore, livelihood encompasses expenditures used for beneficial purposes or for the welfare of those for whom one is responsible.<sup>13</sup>

#### 3.2 Adult Daughters

The term adult daughter is used to differentiate from the general term child in classical fiqh, which is "*walad*" in singular form and "*aulād*" in plural form, applicable to both male and female offspring. However, specific terms are used to refer to males and females separately, with "*zakar*" for sons, in plural "*zūkūr*," and "*unsā*" for daughters, in plural "*ināṣ*". "Adult" refers to someone who has reached the age of maturity, has reached puberty, and has achieved maturity in terms of mind, perspective, and other aspects. Psychologically, an adult is someone whose development has reached a level of spiritual maturity. From the perspective of developmental periodization based on the concept of developmental tasks, as proposed by Robert J. Havighurst, adulthood includes early adulthood (ages 18-30), middle adulthood (ages 30-50), and late adulthood (ages 50 and above).<sup>14</sup>

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<sup>11</sup> Wahbah Az-Zuhaili, *Al-Fiqhu Al-Islāmī Wa Adillatuh*, 4th ed. (Beirut: Darul Fikr Mu`āshir, 2002). p. 7.384

<sup>12</sup> Direktorat Jenderal Pembinaan Kelembagaan Agama Islam Departemen Agama, *Ilmu Fiqh* (Jakarta, 1984). p 184.

<sup>13</sup> Abdul Azis Dahlan, *Ensiklopedi Hukum Islam*, 7th ed. (Jakarta: PT. Ictiari Baru Van Hoeve, 2006). p. 1.281

<sup>14</sup> Haitam Salim, *Pendidikan Agama Dalam Keluarga: Revitalisasi Peran Keluarga Dalam Membangun Generasi Bangsa Yang Berkarakter*, 1st ed. (Jogjakarta: Ar-Ruz Media, 2013). p. 153

In the stories of the Qur'an, 9 terms denote females, including the terms الأم, زوج, الأنثى, امرأة, نساء.<sup>15</sup> Specifically, these terms refer to adult women as follows:

**Table 1.** Several uses of the term "adult woman" in the Qur'an include:

No	Theme	Clause	The Word	Word Count
1.	The intimate relationship between husband and wife	Q.S. Al-Baqarah (2): 187. Q.S. Al-Baqarah (2): 223.	نساء نساء	
2.	Menstruation	Q.S. Al-Baqarah (2): 222.	نساء	
3.	Oath <i>'ilā'</i>	Q.S. Al-Baqarah (2): 226.	نساء	
4.	Divorce	Q.S. Al-Baqarah (2): 231. Q.S. Al-Baqarah (2): 236.	نساء نساء	
5.	<i>Mubāhalah</i>	Q.S. Ali `Imrān (3) : 61.	نساء	<i>Nisa`</i> : 16 times
6.	Inheritance portion	Q.S. An-Nisā' (4): 7. Q.S. An-Nisā' (4): 32. Q.S. An-Nisā' (4): 11. Q.S. An-Nisā' (4): 15.	نساء نساء أنثى نساء	
7.	The wife commits adultery ( <i>fāhisyah</i> )	Q.S. An-Nisā' (4) : 23.	نساء	
8.	<i>Mahram</i> female	Q.S. An-Nisā' (4) : 23.	نساء	
9.	Warnings to the wives of Prophet Muhammad SAW	Q.S. Al-Aḥzab (33) : 30.	نساء	<i>Unsā`</i> . 1 time
10.	The special status of the wives of Prophet Muhammad SAW	Q.S. Al-Aḥzab (33): 32 Q.S. Al-Aḥzab (33) : 52.	نساء نساء	
11.	<i>Zihār</i>	Q.S. Al-Mujādilah (58) : 2 dan 3.	نساء	
12.	The waiting period ( <i>'iddah</i> )	Q.S. At-Ṭalāq (65) : 4.	نساء	
13.	The wife of `Imran	Q.S. Ali `Imrān (3) : 35.	إمرأة	<i>Imra'ah</i> : 4 times
14.	The wife of Nuh AS and Luṭ AS	Q.S. At-Taḥrīm (66) : 10.	إمرأة	
15.	The wife of Fir`aun	Q.S. At-Taḥrīm (66) : 11.	إمرأة	
16.	The condition of the Day of Judgment	Q.S. `Abasa (80) : 34.	مرء	

The words "*mar'ah*" (مرأة) and "*imra'ah*" (إمرأة) in the Qur'an are repeated 13 times. These words have the same meaning, which is woman. Both of these words imply maturity and maturity (*al-kāmilah*/الكاملة), unlike the words "*az-ẓakar/al-unsā*" which only refer to biological sex without implying maturity or maturity. That is why in the Qur'an, the word "*imra'ah*" is always interpreted as wife (*az-zaujah*).<sup>16</sup>

Below are some opinions of the schools of thought regarding child support, which are clear about its legality, but do not delve too deeply into the issue of support for adult daughters. Among them, Al-Jazāiri (1299-1360 H / 1882-1941 CE) in his book *Al-Fiqh 'ala al-Mazāhib al-Arba'ah* mentions the issue of child support being the responsibility of the father, whether the child is still young or already grown, and whether they are male or female and not working (*'aṭilūn*). In detail, it is stated as follows:<sup>17</sup>

<sup>15</sup> Ayu Winda Puspitasari and Muh Nashirudin, "Term 'Perempuan' Dalam Al-Qur'an (Tinjauan Study Pustaka)," *Rayah Al-Islam* 6, no. 2 (2022): 97-119, <https://doi.org/10.37274/rais.v6i2.542>.

<sup>16</sup> Nasaruddin Umar, *Argumen Kesetaraan Jender Perspektif Al-Qur'an* (Jakarta: Paramadina, 2001). p. 172

<sup>17</sup> Abdurrahmān Al-Jazāiri, *Al-Fiqhu 'alā Al-Mazāhib Al-Arba'ah* (Kairo: Dār at-Taqwā, 2003). p. 448

Firstly, the Hanafi school of thought states that the term "child" (*walad*) includes both males and females. Therefore, for the support of male children, the obligation falls on the father under three conditions: (a) the child is poor and does not possess wealth, and (b) the child has not reached puberty. If the child has reached puberty and is physically able to work, then the male child must support himself, and (c) be free, meaning not under the ownership of someone else or not being a slave. If the male child is a slave, then the father is not obligated to provide support; rather, it is the duty of the owner or master to provide support. As for daughters, their support is the responsibility of the father, whether they are still young or already grown, under two conditions: (a) the daughter is poor and does not possess wealth or money. In this case, if the daughter possesses wealth, she must support herself from her own money or wealth. In this situation, there is a distinction between male and female children. For a daughter who does not possess wealth or money for her livelihood, the father may not employ her or put her to work so that she can support herself. Conversely, with male children, according to the Hanafi school of thought, if a grown male child is physically able, has no defects, and is capable of working, then the father may employ him. (b) The daughter is not under the ownership of someone else (*hurrah*).<sup>18</sup>

Secondly, the Maliki school of thought holds that the father is obligated to support his children under certain conditions: (a) the children are poor and do not have money or possessions (*mā*). If the child (*walad*) has wealth (money) or a stable business and is already working to support themselves, then the father is not obligated to provide for them. However, if the child has wealth or money before reaching puberty, then they still have the right to support from their father. (b) If the child has reached puberty, is of sound mind, and is capable of working, then the obligation of support is no longer on the father. Conversely, even if the child is an adult but is disabled or mentally ill, then the support is still the responsibility of the father. (c) The child is not under the ownership or control (*mamlūk*) of someone else. If the child is a *mamlūk*, then the obligation of support falls on their master. (d) The father is capable of providing support; if he is unable to do so, then the obligation is lifted from him. If the child is a daughter, then her support is mandatory upon her father until she enters into marriage (*dukhūl bihā*), or if her husband refrains from consummating the marriage even though the daughter (his wife) is healthy and capable (*muṭiq*). However, if she is severely ill or disabled and her husband divorces her, then the obligation of support falls on her father.<sup>19</sup>

As for the Shafi'i school of thought, they state that the obligation of child support falls on the father if one of the following conditions is met: (a) the child is still young. In this case, if the child has grown up (reached puberty), the father is not obligated to support them unless the child is mentally ill or disabled and unable to work. (b) The child is poor. Therefore, if the young child has wealth (is wealthy), or is mentally ill or disabled but wealthy, then the father is not obligated to support them. (c) The child is free (*hur*) and not a slave (*mamlūk*). If the child is a slave under the control of someone else, then their master must provide support. As for the ruling regarding daughters according to this school of thought, the obligation of support remains with

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<sup>18</sup> Abdurrahmān Al-Jazāirī, 2003.

<sup>19</sup> Abdurrahmān Al-Jazāirī, 2003, p. 449



the father until she gets married. Thus, after marriage, the obligation falls on the husband, as detailed.<sup>20</sup>

The Hanbali school of thought also states that the obligation of child support falls on their father. However, this obligation is lifted if one of the following conditions is met: (a) if the children are poor. Conversely, if the children are capable or have wealth or money, then the father is not obligated to support them. They are required to support themselves. (b) The father or guardian is obligated to provide support to the children if they have surplus resources after supporting themselves, their wives, and their dependents. (c) Free (*hur*). If the father or child is a slave, then according to this school of thought, neither party is obligated to provide support to the other. If the father is unable to provide support (*mu'sir*) while the child is capable (*mūsir*), then it is the responsibility of the child to support their father, siblings, and the wife of their father.<sup>21</sup>

Aṣ-Ṣan`ānī (1059-1182 H) mentions, according to Ibn al-Munzīr (241-318 H), that scholars have differing opinions regarding the ruling on providing support to adult children (*baligh*) who do not have wealth or money and do not have a job. Some scholars state that if all children, whether still young or already adults (*baligh*), male or female, do not have wealth, then their parents are responsible for providing support. The majority of scholars, however, think that parents must provide support to their children until they reach adulthood for boys and until they get married for girls. But if these children (both boys and girls) have wealth or are financially capable, then there is no obligation for the father to provide support. The evidence used for this is by analogy, where a wife is allowed to seek separation from her husband if he is unable to provide support.<sup>22</sup>

The opinion of contemporary scholars, including Sheikh Muhammad Amīn al-Kurdī (d. 1332 H), in his book discussing financial support, does not delve further into the issue of support for daughters, especially adult daughters. According to him, parents (*uṣūl*) must continue providing support to their children based on the following conditions: (a) if they are poor (*fakīr*) and still young, (b) if they are poor and disabled, such as being blind or severely ill, (c) if they are poor or mentally ill.<sup>23</sup>

Similarly, Sayyid Sābiq (1915-2000 CE) in his book on Fiqh does not address the details of supporting adult daughters. In his discussion of financial support, he only touches on the support between spouses and the obligation of children to provide support to their parents who are in need. According to him, even in this situation, both parents may take money from the pocket of their son (*ibn*), whether with the son's permission or not. Then, the parents may use this money as long as it is not for improper purposes or extravagance. This is based on the hadith of the Prophet Muhammad SAW: From `Imārah bin Umair from his aunt, who once asked Āisyah RA, "In my household, there is an orphan child under my care. Can I eat from their wealth?" Āisyah RA replied:

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<sup>20</sup> Abdurrahmān Al-Jazāirī, 2003, p. 450.

<sup>21</sup> Abdurrahmān Al-Jazāirī, 2003, p. 451.

<sup>22</sup> Muḥammad bin Isma`il bin Ṣalāḥ al-Amīr Aṣ-Ṣan`ānī, *Subul As-Salām Syarḥ Bulūg Al-Marām Min Jamī`i Adillati Al-Aḥkāmī* (Kairo: Syirkah al-Quds, 2007). p. 319

<sup>23</sup> Syaikh Muḥammad Amīn Al-Kurdī, *Tanwīr Al-Qulūb Fī Mu`āmalati `Allāmi Al-Guyūb* (Kairo: Maktabah al-Tauqīfiyyah, n.d.). p. 367

إِنَّ أَطْيَبَ مَا أَكَلَ الرَّجُلُ مِنْ كَسْبِهِ وَوَلَدَهُ مِنْ كَسْبِهِ

The meaning is: "Indeed, the best provision that a man can consume is from the result of his labor, and likewise, his child is also from the result of his labor."

The second hadith is narrated by Jābir, in which a man said, "O Messenger of Allah, I have wealth and children, but my father needs my wealth." The Prophet Muhammad SAW replied:

أَنْتَ وَمَالُكَ لِأَبِيكَ

The meaning is: "You and your wealth belong to your father."

The three imams of the schools of thought agree that a father is not allowed to take his child's wealth except for necessities. However, Imām Ahmad thinks that the meaning of the hadith is that a father may take his child's wealth or money (*māl*) as he pleases, whether for necessities or other purposes.<sup>24</sup> The context of this hadith is directed towards sons, so scholars argue that parents may only take money or wealth from the pockets of their sons. As for the wealth of daughters, whether they are still young or already adults, it is not mentioned. Wahbah al-Zuhaili (1932-2015 CE) states that the obligation to provide support to children falls on the father based on the words of Allah SWT:

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ

The meaning is: "And the father must provide food and clothing to the mothers in a reasonable manner." (QS. Al-Baqarah: 233).

In other words, the father is obligated to provide support to his children because of the "wiladah" (birth), just as he is obligated to provide support to his wife because of the existence of children as well. This is in line with the statement of Prophet Muhammad SAW to Hindun:

خُذِي مَا يَكْفِيكَ وَوَلَدِكَ بِالْمَعْرُوفِ

The meaning is: "Take what is sufficient for you and your child in a good manner."

Hus, the obligation to provide support to children and wives is incumbent upon the husband.<sup>25</sup> According to the majority of scholars, those who are obligated to be supported are direct children, grandchildren, and further descendants from any lineage. Therefore, the grandfather is obligated to provide support to his grandchildren because grandchildren are branches of children. However, according to Imam Malik, only direct children are obligated to be supported, not grandchildren. This is based on the apparent meaning of the verse وَعَلَى الْمَوْلُودِ لَهُ (And upon the father of the child...)<sup>26</sup> According to Az-Zuhaili, providing support to relatives is obligatory due to the feeling of sympathy (*muwāsah*) and as an act of kindness. Those who live in comfort

<sup>24</sup> Sayyid Sābiq, *Fiqhu As-Sunnah* (Kairo: Dār al-Fatḥ li al-`Ilāmi al-`Arabi, 2009). p. 276

<sup>25</sup> Wahbah Az-Zuhaili, *Al-Fiqhu Al-Islami Wa Adillatuhu*, 14th ed. (Damaskus: Dār al-Fikr, 2002).

<sup>26</sup> Wahbah Az-Zuhaili, 2002, p. 7.411.

do not need sympathy, kindness, or relationships with others. Parents are obligated to provide support to their children if they meet the following three conditions:<sup>27</sup>

1. The parents (*a/-aş*) are capable of providing support or capable of working.
2. The child is poor, living in difficult circumstances, without wealth, and a job.

As for the inability to work, it may be due to the following reasons:<sup>28</sup>

a. Age is still young

As for children who are already adults, there is no obligation for their father to provide support to them. However, if the child is unable to work due to various reasons such as mental illness, disability, blindness, or physical impairments, or if they are still in school, or due to widespread unemployment and limited job opportunities, or due to illness preventing them from working, it differs from the majority opinion. According to the Hanbali school of thought, providing support to a poor adult child is obligatory even if the child is healthy. Just as they are obligated to provide support to poor parents even if the parents are healthy because the condition of both the child and the parents requires it. Therefore, the wealthy parent or child must provide support.

b. Already an adult

A father must provide support to his adult daughter who is poor until she gets married. Once she is married, the obligation shifts to her husband. However, if they divorce, then the obligation to provide support reverts to the father. The father is not allowed to force his adult daughter to work. However, if his daughter has a decent job, away from temptation, such as being a seamstress, teacher, or doctor, then the obligation of the father to provide support to her ceases.

c. Severely ill and unable to work. Such as blindness, severe disability, mental illness, idiocy, and so on.

d. Student status and no time to work.

Even if a student is capable of working, the obligation to provide support remains with their father. Because studying or seeking knowledge is a collective obligation (*fard kifayah*). If a student is required to work, the process of achieving the welfare and prosperity of the community will stop. However, the condition is that the student studies diligently and successfully. But if during the educational process, the student lacks motivation, or if there is no desire to study, then they should leave school and pursue vocational or skill-based education that suits them.

3. Specifically according to the Hanbali school of thought, there is no difference in religion between parents and children.

It is not obligatory to provide support to descendants if they follow a different religion. This is based on accurate narrations according to the Hanbali school of thought. The reason is that if religions are different, there is no need to care for and maintain relationships. Therefore, it is not obligatory to provide support if there are different religions, because they do not inherit from each other. Since they do not inherit from

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<sup>27</sup> Wahbah Az-Zuhaili, 2002, p. 7412.

<sup>28</sup> Wahbah Az-Zuhaili, 2002, p. 7413.

each other, there is no obligation to provide support based on kinship. The condition set by the Hanbali school for those obligated to provide support is that they must inherit. As mentioned in the Quran:

وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ

The meaning is: *"And likewise, heirs are also obligated in the same manner."* (QS. Al-Baqarah: 233).

The factor causing the obligation of a father to provide support to his children is their birth. Consequently, this birth establishes the obligation to provide support regardless of the similarities or differences in religion. Because support is a means (*wasilah*) for living, and the sustenance of life is required and demanded even if one lives with non-believers, in essence, there is no interest and influence in it, as Allah SWT Himself provides sustenance, whether to believers or non-believers.

From the above exposition, it is clear that parents are obliged to provide support to their children if the children do not have wealth and employment. But if the children are capable of acquiring wealth, whether through work or other sources, then parents are not obligated to provide support, especially if the children are already adults. Linguistically, "*walad*," meaning child, refers to both boys and girls.

### 3.3 The Livelihood for the Education of Adult Daughter

Based on the data obtained from 30 female students of the Sharia Economic Law study program at Syekh Abdul Halim Hasan Institute in this research, the following are the findings:

**Table 2.** Female students in their second (II) and fourth (IV) semesters.

Age				Unmar ried	Work	Doesn't Work	Living And Educational Expenses are Covered by the Parents
19	20	21	22				
16	10	3	1	30	3	27	30

### 3.4 of Livelihood for Adult Daughters

The amount of sustenance expenses that the father must bear for his adult daughter should be adjusted according to the standard needs of each region. According to aṣ-Ṣan`ānī (1059-1182 H), the saying of Allah SWT:

لِيُنْفِقُ ذُو سَعَةٍ مِّن سَعَتِهِ وَمَن قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ لَا بُكْلِفُ اللَّهُ تَفْسًا إِلَّا مَآ آتَاهَا سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا

The meaning is: *"Let those who have the means spend according to their means; and he whose means are limited, let him spend of what Allah has given him. Allah does not burden any soul beyond what He has given it. Allah will bring ease after hardship."* (QS. aṭ-Ṭalāq [65]: 7)

This is proof regarding the obligation of providing maintenance and clothing (*kiswah*) that the husband must provide for his wife, as agreed upon by the scholars (*ijma`*).<sup>29</sup> This verse is related to the amount of maintenance, where the regulation of its amount, both in the Qur'an and in the Hadith, is never explicitly mentioned regarding the quantity or amount of maintenance that must be provided. From the stipulation of this verse, it is clear that maintenance should be provided reasonably, meaning it should be sufficient and by the income, in order not to burden or harm the provider.

The jurists unanimously agree on the obligation of maintenance, but they differ regarding the amount or extent of maintenance that must be provided. The jurists limit the amount of maintenance that the husband must provide to his wife and children for the common welfare so that each spouse knows their rights and obligations regarding maintenance. The amount of maintenance is not absolute and is relative. Therefore, one should not arbitrarily demand a specific amount of maintenance, as maintenance is provided according to one's ability.<sup>30</sup>

In the narration of Shu'aib from az-Zuhri regarding the response of the Prophet Muhammad SAW to Hindun, in the Prophet's saying (حُذِي مَا يَكْفِيكَ وَوَلَدِكَ بِالْمَعْرُوفِ)<sup>31</sup> it contains the meaning of (لَا حَرَجَ عَلَيْكَ أَنْ تُطْعِمِيَهُمْ بِالْمَعْرُوفِ) "There is no sin upon you if you feed them in a recognized manner". According to Imam al-Qurtubī, the word "حُذِي" in this narration is imperative and carries the meaning of permitting an action, as evidenced by the phrase "لَا حَرَجَ". Meanwhile, the meaning of "ma'ruf" is a standard known in the customs or local traditions that something is considered sufficient (الْقَدْرُ الَّذِي عُرِفَ بِالْعَادَةِ أَنَّهُ الْكَفَايَةُ). From this, it can be understood that although the action taken by Hindun in taking her husband's money to provide for herself and her children is permissible based on the wording of the Prophet's saying, it is given limitations (*muqayyad*). It is as if he is saying, "If what you are saying is true." However, another opinion suggests that there is a possibility that the Prophet Muhammad (peace be upon him) knew the honesty conveyed by Hindun, so there is no need for limitation (*taqyid*).<sup>32</sup>

Ibn Hajar al-`Asqalānī (773-852 H / 1372-1449 M) mentions that the hadith explaining the act of neglecting or abandoning the provision of sustenance to those under one's care is considered evidence, and the complaint of Hindun regarding her husband's behavior towards herself and her children to the Prophet Muhammad (peace be upon him) serves as evidence of the father's obligation to provide sustenance to his child even if the child is already grown up. Upon examining the story, it appears that everything needed is available in Abu Sufyan's household. However, Hindun cannot obtain more than what has already been provided by Abu Sufyan. Therefore, Hindun seeks permission to take additional money without her husband's knowledge.<sup>33</sup>

The determination of the provision of sustenance as evidence of the legal obligation to provide for one's wife, according to the standard or sufficient measure based on the majority opinion of scholars, including the view of Imam Syāfi`ī, as narrated by al-

<sup>29</sup> Aş-Şan`ānī, 2007, p. 316.

<sup>30</sup> Syamsul Bahri, "Konsep Nafkah Dalam Hukum Islam," *Kanun Jurnal Ilmu Hukum* 17, no. 2 (2015): 381–99, <https://jurnal.usk.ac.id/kanun/article/view/6069>.

<sup>31</sup> Al-Imām al-Ḥafīz Ahmad bin Ali bin Ḥajar Al-`Asqalānī, *Fatḥu Al-Bārī Bi Syarḥi Al-Bukhārī*, 1st ed. (Kairo: Dārul Ḥadīṣ, 1998).

<sup>32</sup> Al-`Asqalānī, 1998, p. 613.

<sup>33</sup> Al-`Asqalānī, 1998, p. 614.

Juwayni, is that the famous opinion of Syāfi`ī scholars is to use the *mud* as a measure. Thus, a financially capable husband should provide two (2) *mud* of sustenance every day, one and a half (1.5) *mud* for those with moderate finances, and one (1) *mud* for those with less means. The determination using the measure of mud is also narrated by Imam Malik. Imam Nawawi in his *Sharh Muslim* states that this hadith serves as evidence for our companions.<sup>34</sup>

#### 4. CONCLUSION

This research indicates that the concept of providing sustenance for adult daughters is maximally implemented, demonstrating parental awareness regarding the responsibility of providing sustenance. With the assurance of adequate sustenance for the livelihood and education of adult daughters by their parents, the level of attention and focus in completing their education will be better. However, some classical fiqh concepts mostly do not impose the responsibility of parents to provide sustenance for adult daughters. Therefore, with the changes in society and social norms, the opinion that does not mandate providing sustenance for adult daughters is no longer relevant in the current era. This research also addresses the legal obligation of providing sustenance for adult daughters in the modern era characterized by globalization and significant changes. With the increasing competition in employment and income to sustain livelihoods, along with advancements in technology and changing times, the need for adult daughters today is much greater compared to the classical era. This research provides legal certainty and strong evidence regarding the phenomenon observed in the current era, where many adult daughters are working, leading to the neglect of their education, even though they are still under the responsibility of their parents, whether they belong to the lower-income class or even affluent families.

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<sup>34</sup> Al-`Asqalānī, 1998, p. 615

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