

Spotting the Knots of Post-Iddah Maintenance in Shari'ah & Law

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ABSTRACT

The paper discusses issues relating to post-divorce maintenance for Muslim women, a subject that has received limited deliberation in Islamic Personal Law. As such, this paper significantly contributes to understanding the existing discussions on post-Iddah maintenance, highlighting its contradictions in both Shariah and secular law. The primary aim of this research is to elaborate on the different situational maintenance grants available to Muslim women following the dissolution of their marriage bond. It identifies key issues in developing a theoretical perspective on the term 'Muta'tul-Talaq' in Islamic Law and explores a wide range of interpretations. Additionally, the paper examines how classical Jurists have interpreted various texts from the Holy Quran and the famous traditions of the Holy Prophet (PBUH) in this context. Employing a qualitative methodology, data was collected from libraries and the Internet. The analysis was conducted through discussions and thematic analysis to reach a conclusion. This research highlights the modern developments in laws regarding maintenance and their juristic interpretations. It concludes that maintenance is a right for all Muslim women in certain situations and offers solutions for the complex issues associated with post-Iddah maintenance, in accordance with the injunctions of Islam.

1. Introduction

Maintenance is mentioned as a fundamental right of a wife in the verses of the Holy Quran. This right also has recommendations and acknowledgment from the Prophet (SAW) saying to right of maintenance for Muslim wives.¹ However, during the period pre-Islamic period post-divorce maintenance was not a considerable question because remarriage was a common practice with divorced women and the women herself considered property. After the revelations of Islam, women were respected and honored in all manners of life. Therefore, Islam has recognized the right of maintenance of women during their wedlock and even after divorce but apparently, it seems restricted during the *Iddah* period. After the *Iddah* period, there appears to be no reason for men to support their ex-wives.²

The Holy Prophet (SAW) interpreted and explained the Quranic verses to help the people understand the divine commands. As a result of the teachings of Islam, social lives were transformed into the most respectable manner, and women were given more honor and dignity in all their relationships.³ Therefore, if there are any extraordinary circumstances for a divorced woman then Islam has provided a mechanism for maintaining her, so she can live her remaining life with respect and dignity. This article has argued above the special circumstances and the researcher has tried to find the appropriate answer to the question of how a divorced woman can be maintained financially after divorce.

1.1 Maintenance after Dissolution of the Marriage

Post-divorce monetary support to women is known as *Mut'at-al-talaq* in Islamic law. The research aims to focus on modern Muslim jurists' discussion to resolve this issue of post-divorce maintenance. Islam is a religion that recognizes women's rights but for the sake of interpretation, the responsibility of Islamic scholars and jurists is to ensure that Muslim women receive their rights.⁴ Financial rights granted to Muslim women, as revealed in the Holy Quran, and practiced by the Holy Prophet (SAW), ought to be extended to today's modern Muslim women.⁵

There are two separate categories under which a divorced woman may be entitled to maintenance. 1) During her *Iddah* period after divorcing it is a fact through the injunctions of Islam. 2) Post-*Idda'h* period till her remarriage or for her whole life.

Women are not entitled to maintenance after the *Iddah* period in the modern era but are considered eligible only during the *Iddah* period. Even though it is accepted that the husband is responsible for the wife's maintenance during the marriage.⁶ Women are not required to earn money, but if they do, they cannot be forced to spend it on their male partners or children. However, once the marriage is broken by divorce or dissolution, most Muslim scholars agree that women have no right to the property and wealth acquired by the husband during the matrimonial relationship. It is argued that the wife received all her basic needs from her husband during the marriage at the husband's home. Generally agreed that after divorce, women can only receive financial support from their husbands for the *Iddah* period.⁷

Many Muslim scholars also simply disregarded this social aspect of post-divorce maintenance because this is not regarded as a significant issue. The current scenario is that women who have

been divorced are usually not welcomed back into our society for a second marriage. Neglecting divorced women for a second marriage is against the teachings of Islam. Even if Muslim scholars nowadays do not place much emphasis on this issue, the precepts of the Holy Quran recognize it in various verses to protect the rights of divorced women, and the Holy Prophet (SAW) and his companions also executed accordingly these Islamic teachings.⁸

2. Principles Of Maintenance In Islamic Law After Divorce

Mut'ah is an Arabic word that means 'happiness'. It is the term used synonymously for "post-divorce maintenance". The goal of this post-divorce financial support is to help women overcome their feelings of social disgrace and to boost their confidence and prestige. According to Islamic Law, one of the rights of women is maintenance after divorce; therefore, no one can avoid this obligation if he is subject to it.⁹ The Islamic jurist interpreted this word *Mut'ah* as restricted only to those divorced women whose marriage is not consummated.

2.1 Provisions of Post-Divorce Maintenance (*Mut'at-al-talaq*) in the Holy Qur'an

Mut'at-al-talaq is fiercely rooted in the celestial scripture, as evidently mentioned in the tracking Qur'anic verses and it is established by different jurists in their interpretation of the verses of the Holy Quran as *Tafseer*:

لَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمْ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً ۖ وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدْرَهُ وَعَلَى الْمَقْتِرِ قَدْرَهُ مَتَّعًا بِالْمَعْرُوفِ ۚ حَقًّا عَلَى الْمُحْسِنِينَ ٢٣٦

In verse 236 of Surah Bakra, there is no blame on you if you divorce women before consummation or the fixation of their dowry; but bestow on them *Mut'at-al-talaq*, the wealthy according to his means and the poor according to his means; (such *Mut'at* of a reasonable amount is due from

those who wish to do the right thing” (i.e. *Mut'at-al-ṭalāq*).¹⁰

وَلِلْمُطَلَّاقَاتِ مَتَعٌ بِالْمَعْرُوفِ ۖ حَقًّا عَلَى الْمُتَّقِينَ ٢٤١

In verse 241 of Surah Bakra, and for divorced women is a suitable *Mut'at*. This is a duty on the righteous.¹¹

يَا أَيُّهَا النَّبِيُّ قُلْ لِأَزْوَاجِكِ إِن كُنْتُمْ تُرِيدْنَ الْحَيَاةَ الدُّنْيَا وَزِينَتَهَا فَتَعَالَيْنَ أُمَتِّعَنَّ وَأَسْرَحَنَّ سَرًا جَمِيلًا ٢٨

In verse 28 of Surah Al-ahzab, O, Prophet, say to your wives: if you desire the life of this world and its glitter, then come! I will make a provision for you and set you free in a handsome manner (i.e. divorce you all).¹²

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَّةٍ تَعْتَدُونَهَا ۖ فَمَتِّعُوهُنَّ وَسَرَّحُوهُنَّ سَرًا جَمِيلًا ٤٩

In verse 49 of Surah Al-ahzab, O you who believe! When you marry believing women and then divorce them before you touch them, no prescribed waiting period should be imposed on them, but grant them the *Mut'at* and set them free in a handsome manner”.¹³

3. *Mut'At-Al-Talāq* In The Commentaries Of The Qur'an

Most of the explanations of the Holy Quran are notably the same, not only in terms of viewpoint and main concept but also in the explanation of several induces in different commentaries the vocabulary and language used are also the same.

3.1 *Tafsīr of Imam al-Ṭabarī*

Imam al-Tabari, the primigenial commentator of the Quran, in his treatise, effectively advocated and endorsed women's rights in *Mut'at*. Imam believed that the expense “of *Mut'at-al-ṭalāq* to a divorced wife is obligatory to a husband by the Quranic verses”¹⁴ and he also strongly defended the same belief. In his commentary on the present

topic, he reported diverse opinions of jurists on the matter, and after discussing their opinions in detail he said, “According to my belief, the arguments of those who say that post-divorce *Mut'at* is mandatory for all divorced women, represents the truth among all of the above jurists' as Allah has said the same in the holly book: ‘For all divorced women *Mut'at* as a duty on the *muttaqīn*’”.¹⁵

Imam Al-Tabari distinct from many other legal experts was a commanding jurist who just did not reiterate what had been conveyed beforehand but also narrated his self-governing opinion up to his best intellect, rationale, and faith and even sometimes he was uncompromising and unconvincing on the arguments of his opponents and disapproves them with solid words.¹⁶ He is quoted in *Tafsīr* (Explanation) as saying: “that his conviction on the same topic is that the post-divorce *Mut'at* is an obligatory payment on the husband who divorced his wife, and he is bound to pay the amount of her *Mut'at-al-ṭalāq* in the manner similar to he has to pay the due dower, and he will never be exonerated from such obligation until he pays her or her proxies or heirs and that *Mut'at-al-ṭalāq* is like other debts that are due, and the husband is subject to the incarceration of those debts and even his property can be sold to pay her post-divorce due *Mut'at* to his wife.”¹⁷

3.2 *Tafsīr Imam al-Qurṭubī*

Mohammad b Ahmed al-Ansārīal-“Qurṭubī a known *Mufasīr*, was a disciple of the Maliki Jurisprudence School”, but when it comes to the topic of maintenance, he has given his perspective, which differs from the Maliki School's other encumbrances. “According to Imam Malik, the post-divorce *Mut'at* is not mandatory but is only preferred”. Al Qurtubi possessed his own opinions about the topic and disagreed with Imam Malik on it.¹⁸

Al-Qurtubi quoted Abdullah ibn Omar, 'AlibnAbilib, Sa'dibnJubair', and other prominent successor scholars as saying that the "*Mut'at-al-talaq* is obligatory and came in the form of a command, so it is a binding rule (Wajib)", and those successors strongly believe that.¹⁹

3.3 Tafsīr Imam ibn Kathīr

Abū al-Fidā' Ismail ibn Kathīr added a rare very substantial point in his eminent *Tafsīr*. At first, Imam defined the term *Mut'at-al-ṭalāq* and said: "*Mut'at* is something that the husband paid to his divorced wife, according to his means of income, to compensate the loss of the wife what she has observed after divorce".²⁰

Then, Imam quoted Abdullah ibn 'Abbās and agreed on the sum of *Mut'at-al-ṭalāq* for a divorced wife, saying, "If the husband is well off and has a good means of income he should compensate his divorced wife according to his means and can provide her with a servant or the like, but if he is of limited resources and cannot afford the same then he should provide her with four pieces of clothing".²¹

Further, the imam has defined the apparel by quoting a *Shābī e Rasool*, one of the descendant jurists, who uncovered the sum of *Mut'at al-talaq* as "a vest, a head scarf, a blanket, and a" dress. Further, Imam expounded the same that it should be kept in thinking that in this present time, females need at least three sets of each item.²²

3.4 Tafsīr Imam al-Fakhr al-Rāzī

Imām al-Fakhr al-Rāzī also assisted "the opinion of the jurists who argued that the ruling of *Mut'at-al-ṭalāq* is appropriately mandatory and is not an optional" matter. According to his accord, Imām Ḥanīfa and Imam Shāfi supported the view that *Mut'at-al-ṭalāq* was essential for the husband.²³ Its explanation in verse 2:236 may

sum up his tendency to consider divorced women into three" categories:

1) Women who have been divorced before "the fixation of dower and the consummation of" marriages. According to them, the *Mut'at* is required for their divorcing husbands.²⁴

2) Even these women got divorced after their dower was fixed but before their marriages were consummated. There is no *Mut'at* for them, but they are only entitled to half of the previously fixed dower.

3) Women who are divorced following the fixing of their dowries and marriages are also consumed. The ruling of *Mut'at-ul-talaq* is mandatory for their divorcing husbands.

He also examined, Abdullah ibn Omar's statement that *Mut'at-ul-talaq* is reserved for all divorced women. He did not hesitate to back up his contention with the same points made by al-Qurtubi, then added that the preposition letter of the holly verse 'Al in Arabic indicates that the subject at hand is neither discretionary nor preferable, but rather obligatory on its part.²⁵

4. Assessment of Post-Idda'h Financial Support In Islamic Law

It is very significant to record that our predecessor jurists worked on the same subject exclusively and left us with only a rationed legacy on the theme of assessment of during-iddat financial support for divorced women²⁶, as roughly every matter involving post-divorce financial backing of women is reported by the very nearer acquaintances of the Holly Prophet (SAW), such as 'Abbās and al-Ḥasanibn 'Alī.²⁷

Abdullah ibn Abbas reported that the post-divorce monetary support for women varies from case to" case. A woman could be permitted to slave, men, or women, even if she was married to a wealthy man, who had the resources to provide

her with the same, and a woman who married a person who had low earnings would be eligible for four or five pieces of clothing.²⁸

Dr. Wahbah al-Zuhayli, in *al-fiqh al Islāmī, waadillatuhu* discussed the attitudes of vastly deemed jurists on a concern in detail and has concluded that the issue is entirely dependent on the common status of the couple.²⁹

If the pair belongs to the regarded class of the society, then obviously the divorced wife shall be enabled to have clothing and she can also have a servant (slave), and if the pair belongs to the low social session and has low income, then the divorced women shall be eligible to anything affordable to their status and income and it could be a piece of clothing if is of very low social status. Hence the endowment of maintenance to a divorcee wife will be according to the social and financial background of the husband.³⁰

Dr. Zuhayli holds the opinion of the famous Jurists; Imam Abū Ḥanīfa, Imām Shāfi, and Imam Mālik on the matter of assessment of post-divorce monetary support and he also said that it is the discretion of the trial justice to regulate or assess the amount of financial sustenance keeping in view the social status of the man. Furthermore, he is emphatic that a cap on “post-divorce finances is not possible in any case, because the utterness of the matter is directly derived from the Qur'an”.³¹

The most powerful evidence of the appraisal of post-divorce monetary assistance is the best-known ad of Abdullah ibn Abbas, who revealed from the Holy Prophet (SAW) that the productive employment of post-divorce assistance is to provide the divorced wife with a servant, the second consists of supplying her with sustenance or daily life, and the minimum is to clothe her.³²

Imam Ibn Kathir revealed in the hadith that Ibn e Abbas in his book also made two very significant

points that were significant and a step forward in determining post-*Iddah* financial support. His finding was that the post-*Iddah* financial support could be in variety and cash; he also made a point after analyzing the rules of the matter mentioned in the Quran and the Sunnah and stated his findings according to the modern time as if the woman was wedded to a husband of good means who can provide her a servant after divorce who would serve her and children for the respite of her life. To be hereditary by her children afterward her death. So, keeping in mind the need of the present time we can easily presume that a separated “woman whose” partner is wealthy should be allowed no less than a dynasty to shelter her. Further, “she has dependents for the rest of her life and be genetic by her children after her death”.³³ In the route of agreeing on the “financial” prop, it does not be disregarded the financial impact made by the divorced wife on the family unit.³⁴

5. Assessment Of Post-Idda'h Financial Support In The Modern World

The socio-economical system of life in the Western world, which also includes a few Muslim communities is based on family cooperation. Usually, both spouses work in most cases and share the burden of the house. Most of the time spouses used to keep a joint bank account and share the burden of life held in an even manner. In case the marital life of the spouse ends for any reason the principle is the subject of the communal division of all the real and personal assets of the family.³⁵

It is also pertinent to keep in mind that the modern world has established a theory of Alimony for the equal financial contribution of spouses in a marriage tie and after the dissolution of the marriage, all the assets during this bond will be distributed among spouses on an equal basis.³⁶

6. Arguments For Comparative Study On Maintenance After *Idda'h* Period

The cultural and social practices of Muslims in Pakistan and India are the same. Because both nations were once part of the same unit, they have many resemblances. Sections on both sides bear many similarities and have a long history of cultural exchange. Pakistan is an Islamic republic in which Muslims predominate, but Indian Muslims are in the minority. Despite being a minority in their own country, the Muslims of India have a population that is nearly equal to that of Pakistan. It is widely assumed that the "Muslim community in India, as part of a diverse culture, is more liberal than that of" Pakistan.³⁷ The moderation in Indian Muslims is most likely since Muslims are a minority in India and do not have much freedom to practice all their rituals freely. As members of various religious, cultural, and social systems, they have made some compromises.

Pakistan, on the other hand, is an independent Islamic state founded to allow people to practice their religion freely while also providing a safe environment for minorities. Quid Azam Muhammad Ali Jinnah, the founder of Pakistan, was a moderate Muslim who established a moderate state. Though the Afghan war and the Taliban's influence later harmed Pakistan's moderate image, the country is once again uniting under unifying political and military leadership to rid itself of militant groups and "reclaim its soft image."³⁸

Unfortunately, despite being an Islamic state, Pakistan has done little to improve its legal system from an Islamic standpoint. Many of the requirements are met by the law, which was drafted and later adopted by Pakistan. However, the need for improvement never goes away, as in our case, maintenance after divorce is a significant social problem that, if not addressed

seriously, can lead to a variety of social evils. The famous Shah Bano case in India was a watershed moment in the lives of Indian Muslim women.³⁹ The Indian judicial system took Islamic guidance and effectively determined that Islam does not rob women of the right to maintenance afterwards divorce. Various Islamic laws, including those in Pakistan, make no provision for maintenance later divorce.

The reason for this can be that, unlike other religions, Islam urges divorced women to remarry. As a result, after the termination of *Iddah*, Muslim men do not pay maintenance to their divorced wives, and the responsibility of maintenance is temporarily shifted to the women's parents, brothers, or grown children after remarriage, and the new husband takes this responsibility.⁴⁰ Because Muslims in the subcontinent have a long cultural history with Hindus, they are usually hesitant to remarry a divorced woman. This cultural concern is playing a significant role in the need for post-divorce maintenance. In Pakistan, there is an urgent need for prudent reforms in the area of post-*Iddah* maintenance.⁴¹

7. Developments of Maintenance Law In Pakistan

The regulatory changes in Pakistani maintenance laws generally deal with various interpretations of these laws by the country's higher courts. A few changes have occurred in Pakistani family law. Some of the changes anticipated by the 1956 commission were applied by the MFLO in 1961.⁴²

7.1 Maintenance in the MFLO 1961

The Pakistani legal system follows customary Muslim family law in cases involving maintenance. The MFLO 1961 marked a step forward in Pakistani family law. Religious scholars opposed the MFLO 1961 because it

conflicted with Islamic law.⁴³ Despite a lack of acceptance and appreciation for the MFLO 1961, there was no significant opposition” in the country due to military rule. As martial law was lifted, scholars of various viewpoints began working to repeal the MFLO 1961. A bill against MFLO was introduced in parliament, but it was defeated by a slim majority. Later, the administration of the time, through the first amendment to the 1962 constitution, prohibited MFLO from court review. Under Article 8(3) of the 1973 constitution, the MFLO is still protected.⁴⁴

The MFLO 1961 was created to protect the rights of women. It also aided in the resolution of family conflicts through negotiation. The married partners were given grounds and time to work out their differences and avoid divorce.

Corresponding to Pearl, Realizing the popular feeling that would be aroused against him if there were changes in the traditional way of life of the peasants and the town dwellers, Ayub linked his reforms of the family law to the twin concepts both near to his heart of local administration, and arbitral conciliation. The ex-peasant had confidence in the ability of locally elected. Men to understand the problems of their immediate community, and he saw no reason why the local leaders whom he had created by the basic order, ought not to be provided with judicial functions on issues of family discord.⁴⁵

It is widely acknowledged that the obstruction of elder distinctions can be resolved, whereas taking the concerns to court may result in personal matters being made public. Family settlements may protect partners from future bitterness caused by court-related issues, and they may also help to reduce the burden on civil courts. MFLO 1961 was created to protect women's rights, but it only mentions post-divorce maintenance briefly.⁴⁶ Section 5 states that under Islamic law,

every marriage must be registered, and failure to do so is considered an offense. Maulana Mahmoodi was also in favor of marriage registration. Section 6 of the MFLO deals with polygamy and states that before marrying again, the person must obtain permission from his wife or wives as well as the arbitration council. Noncompliance with this section may result in imprisonment for up to one year, a fine of up to five thousand rupees, or both. The man may be required to pay his wife's or wife's entire unpaid dower.⁴⁷

The MFLO 1961 tries to resolve the problem and save the relationship. After the divorce is declared, it is suspended for ninety days while the chairman attempts to resolve the issue and reconcile the partners. If reconciliation efforts are unsuccessful, the divorce becomes final. However, the MFLO 1961 is silent on this point, so the judiciary has interpreted Section 7 differently in different scenarios.⁴⁸

In the prior line of cases, starting from “Ali Nawaz Gardezi v. Mohammad Yusuf” the apex court declared that notice for divorce is mandatory.⁴⁹ However, in another case “Mirza Qamar Raza v. Mst. Tahira Begum” the court verdict on that section 7 of the MFLO 1961 revolted against the teachings of Islam in 1990.⁵⁰ In another matter, the high court's outcome in “Allah Baksh v. Khurshid Bibi”⁵¹ is about the pronouncement of divorce, three times in the same sitting is entirely valid. In another case, “Allah Dad v. Mukhtar and others”, the Supreme Court Shariat Appellate Bench held that notice to a chairman for divorce is not mandatory.⁵² In the matter of “Mst. Kaneez Fatima v. Wali Muhammad and others,” the apex court assumed that if a divorce takes place with the mutual consent of parties, then notification of the chairman is a formality. The cited examples from section 7 of the MFLO 1961 exhibit disinclination of our justice system while

considering *Talaq-al-Bida* against the teachings of Islam.⁵³ It revealed that the law is not kind toward women in matters of divorce. The MFLO 1961 is followed by the justice system, not as a resource of relief for women it is just liberal mockery.⁵⁴

8. Comparison Of Post-Idda'h Maintenance In Western Law And The Islamic Law Of Shari'ah

It is important to discuss the Western perspective of post-divorce maintenance or spousal support. In this way, we can evaluate and compare the causes and reasons based on which these maintenance awards after the divorce have been granted in Western Societies by Manmade Law and in Islamic Societies by Shariah principles. Somehow the reason behind the post-divorce maintenance is more and less the same and both systems recognized the right to get maintenance of women for her and her children after the divorce. The findings of both laws are based on the principle of self-sufficiency. Not only financial but also mental and physical stability is important and necessary for both parties. Islamic as well as Western laws required men, who are supposed to be stronger emotionally and physically than women, to solace destitute women by providing them with gifts or support, because the women are usually more sensitive and emotionally weak on such matters.

The point of divergence between Islamic Law and Western law arises, where Western law encourages alimony or spousal support for the disserted women for permanent tenure, which ends up on overburdened by the male counterpart. On the other hand, Islam encourages men to provide relief to the disserted women till the period of *Iddah*, so that they can comfort their grief and make themselves able to be recomposed. Further Shariah endorses both spouses to forget the bitter incident of life and

take a new start by contracting another marriage. So that the family unit can be strengthened, and protection can be given to the women without overburdening anyone. Shariah provides the solutions to all the problems whereas the human brain creates many problems to solve one problem.

9. Conclusion

This paper concludes with the following remarks.

The real challenge to obtaining legal maintenance is the time factor involved in getting maintenance after divorce. Maintenance for the wife is an immediate need, and delays in litigation frequently defeat the objective, so legislative reform is suggested. This method for an interim maintenance order should strengthen the power of the family court system in this regard, as it will provide relief to deserted wives who have no other means of support.

Divorce is a hard reality, a phase of one's life difficult to handle. But Islam has taught Muslim men and women to end the knot of marriage respectably if seems impossible to live together. In most cases, women are the most vulnerable in the whole situation of divorce. Keeping the factor on note Islamic law has designed such remedies and solutions for the divorced woman's son so that she can prevent herself from depending on others. In Islamic law rights and duties are based on the nearness and closeness of the relationships as mentioned in Islamic law of Inheritance.

The problem arises soon after the divorce is who will be responsible for that woman, her essential expenses, and living hood? This problem can efficiently and successfully be fixed by resorting to the Islamic law of share in Inheritance for women at first instance, as the issue arises when the women are deprived of their inheritance right. However, exceptions are always found during the cases as the situation varies from case to case.

There must be a focus on such cases where the woman has left deprived and destitute, her best part of life expertise, and energy has been spoiled by the husband then keeping in view the circumstance she should be given maintenance as a matter of justice. Along with every remedy and solution given by Shariah to divorced women, is the right to remarriage according to the prescribed manner of Shariah. A divorced Muslim woman is free to remarry after the period of her *Iddah* according to Islamic law.

Thus, it is concluded from the facts and findings gathered through the present research paper that if the rulings of the Shariah on the rights and duties of women are properly administered and followed, then there is no need to stipulate lifelong maintenance grants for divorced women. There is no need to make such laws, which in turn

damage the honor, self-respect, and dignity of the woman. If there is a situation where the divorced woman has no other close relatives and is unable to find a job for her living expenses. And cannot find a husband for a second marriage due to her age or being divorced. Further, the state is also unable to take the responsibility of maintenance of the divorced and widow woman, so there should be an option, courts may impose long-life maintenance on the ex-husband in the means of *Sadaqa* or *Ajar*.

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