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Chastity-Maintaining Alimony” (Nafaqat al-I‘fāf) in Iranian and British Laws

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ABSTRACT

Familial integrity alimony" or "chastity-maintaining alimony" (nafaqat al-i‘fāf), entails covering the marriage expenses of the supported or maintained individual (munfaq‘alayh). Is there an inherent obligation for fathers or families, who serve as alimony providers or family maintainers (munfiq), to fulfill this form of alimony, given its significant societal importance? A cross-examination of laws from the Islamic Republic of Iran and the non-Islamic jurisdiction of Britain reveals a notable absence of explicit mandates regarding this type of alimony. In delving into Iranian laws, Shiite juristic opinions or fatwas, which serve as the foundation of the country's legal framework, have been scrutinized, while Christian laws have been explored in the context of British legislation. This study adopts a descriptive-analytical approach using library research methods. The findings indicate that a majority of Shiite jurists dismiss the obligation of chastity-maintaining alimony. Similarly, Christian laws do not address this issue. Moreover, the official legal frameworks of both nations remain silent on the matter, despite the crucial societal roles this form of alimony plays. These roles include upholding chastity within society, fostering righteous conduct, acting as a deterrent against wrongdoing, reducing criminal activity, facilitating procreation, and encouraging spiritual growth. In accordance with the principles of the jurisprudence of pedagogical system, which obligate the acquisition of binding interests, these functions assume a binding nature due to their crucial societal necessity.

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1. Introduction

According to Shiite jurisprudence, mandatory guardianship (*al-wilāyat al-qahriyya*) is vested in the father and the paternal lineage, such as the paternal grandfather. This guardianship encompasses the possessions, life, and rights of the children, with guardianship over their life including custody, upbringing, and permission marriage until they reach the age of puberty. The obligation of providing alimony for custody and upbringing is supported by various sources, including verse 233 of Surah al-Baqara in the Quran ("neither the mother shall cause harm on her child, nor the father on his child"). This verse prohibits parents from causing harm to their children, and when a general principle is established, its specific instances follow suit, thereby establishing the obligation of alimony, as failure to provide it would indeed harm the children (Shirazi 2004, 1:389). Guardianship extends until children reach puberty, after which they gain autonomy in their affairs. However, the obligation to provide alimony for close family members, including children and parents, persists. This alimony is a matter of mutual support and becomes obligatory when the supported individual is in need and the provider is capable of meeting those needs.

When it comes to alimony, certain provisions are deemed essential, including fundamental necessities such as food, clothing, and shelter. According to the majority view upheld by Shiite jurists, chastity-maintaining alimony is not explicitly included in the obligatory alimony for immediate family members. However, the principle of mutual support among believers in critical matters, including marriage, and the precedence of training in "systemic jurisprudence," can potentially establish the obligation of chastity-maintaining alimony.

Chastity-Maintaining Alimony in Shiite Jurisprudence

The term "i'fāf" in Arabic originates from the root "'a-f-f," which carries the literal meaning of abstaining from illicit actions (Farāhīdī 1989, 1:92). In its Quranic context, it denotes a psychological state that impedes the dominance of lust (Rāghib al-Iṣfahānī 1991, 573). Islamic jurisprudential terminology adopts a pragmatic understanding of 'i'fāf (chastity), wherein an individual is described as 'afīf (chaste) when they adhere to Sharia laws, particularly those concerning abstinence from adultery and fornication (Abd al-Rahman, n.d., 1:237). Thus, i'fāf essentially entails the active preservation of others' chastity, such as facilitating marriage arrangements or providing financial assistance for the mahr to enable marriage (Ruhani 1991, 22:343; Shirazi 2004, 1:529; Sobhani Tabrizi, n.d., 2:394).

There is consensus regarding the merit of preserving others' chastity by assisting with their marriage expenses, whether through loans, donations, or similar means. However, the concept of obligatory chastity maintenance (*i'fāf*) as part of alimony is a subject of contention, stemming from various considerations related to the extent of familial alimony. It is incumbent upon the father or paternal grandfather to provide alimony for custody and upbringing, a duty that persists beyond the children's puberty based on principles of mutual support. While custody-related alimony concludes with puberty, the task of fostering moral and spiritual development, thereby preventing corruption, is perpetual and may constitute a form of ongoing alimony for children.

Jurisprudential perspectives on familial chastity-maintaining alimony can be categorized into three main groups. The majority of Shiite jurists,¹ as evidenced by sources such as Baḥrānī (1984, 25:137), Anṣārī (1994, 486), Ruhani (1991, 22:343), and Sobhani Tabrizi (2003, 2:288), maintain that it is not obligatory. Some hold the view that it is religiously recommended, as suggested by

¹ It is worth noting that according to Baḥrānī, the perspective favoring non-obligation is more widely recognized, suggesting that the notion of obligation enjoys some degree of advocacy (Baḥrānī, n.d., 10:396). Additionally, in certain sources, the stance asserting the non-obligatory nature of chastity-maintaining alimony is presented without further elaboration (Āmilī 1993, 3:212).

Baḥrānī (n.d., 10:396), while others issue distinct rulings based on specific circumstances and distinctions (Ruhani 1991, 2:344).

In an argument against the obligation of this type of alimony, it is contended that evidence supporting the obligation of alimony appears to be limited to its conventional form (Sobhani Tabrizi, n.d., 2:394). Some proponents, however, suggest that a father's provision of marriage alimony for his son constitutes an instance of “keeping honorable company” (*al-muṣāḥaba bi-l-ma’rūf*), which is inherently obligatory in the case of parent-child relationship. In response, it has been asserted that “keeping honorable company” has a standard scope that does not encompass such extreme cases. At most, if there is doubt regarding the obligatory nature of the father's chastity-maintaining alimony for his son, recourse can be made to the “presumption of absolution” (*aṣl al-barā’*)—which implies release from obligations in cases of uncertainty—thus suggesting that such alimony is not obligatory (Najafī 1983, 31:377; Ruhani 1991, 22:344).

It is worth noting that certain jurists have also invoked the “presumption of absolution” to refute the obligation of chastity-maintaining alimony for family members other than fathers and children as well (Vejdanifakhr 2005, 12:332). Some argue that the specific context of “keeping honorable company” in the parent-child relationship pertains to a child's respectful treatment of their parent, especially if they adhere to different religions, as outlined in Quran 31:15. This context does not directly relate to the concept of chastity-maintaining alimony. At most, basic alimony such as providing food and clothing may be considered as part of “keeping honorable company” (Sobhani Tabrizi, n.d., 2:394), but this still does not mandate the provision of chastity-maintaining alimony. In reality, there exists no evidence mandating a father's obligation to provide chastity-maintaining alimony for his son, similar to how the son is not bound to settle his father's debts or fulfill any outstanding alimony, such as that owed to his father’s wife (Najafī 1983, 31:377). At most, this type of alimony could be regarded as religiously recommended or supererogatory (*muṣtaḥabb*). Moreover, the commandments directed chastity maintenance can be interpreted as rendering it merely recommended, rather than obligatory (Vejdanifakhr 2005, 12:332).

Some sources assert that the widespread consensus supports the view that chastity-maintaining alimony, whether for children or fathers, is non-obligatory and encounters little opposition (Najafī 1983, 31:377; Shahrudī 1996, 6:109). Furthermore, it has been argued that Abū Ḥanīfa and the majority of scholars uphold its non-obligatory status due to the absence of supporting evidence (Ṭūsī 1986, 4:299). Although there are hadiths suggesting that children have a right upon their fathers to provide the means for their marriage (Ḥurr al-‘Āmilī 1988, 21:482), these hadiths have been interpreted as rendering this act merely recommended rather than obligatory (Sobhani Tabrizi, n.d., 2:394).

While the hadiths mandating “alimony” lack any explicit constraints, other hadiths concerning the obligation to provide food and clothing suggest that “alimony” is confined solely to these basic needs. Therefore, the non-obligatory nature of chastity-maintaining alimony does not contradict these hadiths, as ordinary alimony specifically pertains to the provision of food and clothing and does not extend to the preservation of chastity. Similarly, the directive to “keep honorable company” of parents does not encompass maintaining their chastity. In cases of doubt, as previously mentioned, the “presumption of absolution” applies, indicating the non-obligatory status of chastity maintenance (Najafī 1983, 31:377).

Some may cite verse 232 of Surah al-Baqara, “do not hinder them from [re]marrying their husbands,” as a basis for arguing the obligation of chastity-maintaining alimony. According to this argument, denying financial support for marriage would constitute a violation of this prohibition, as it impedes remarriage. However, in response, it can be argued that this verse specifically pertains

to the possibility of a divorced woman returning to her former husband. Its essence lies in ensuring that others do not obstruct her decision to reconcile with her spouse. In fact, the verse underscores the woman's right to maintain her chastity by remarriage to her former husband, with others obligated not to obstruct her exercise of this right (Majlisī 1983, 8:398). Consequently, this verse does not address alimony obligations.

Indeed, general Quranic injunctions such as "Cooperate in piety and Godwariness" (Quran 5:2) could imply the recommended, rather than obligatory, nature of chastity-maintaining alimony as a particular instance of cooperation in piety (Baḥrānī, n.d., 10:396).

The distinction view states that if the supported individual urgently requires marriage and cannot wait until acquiring the means to cover marriage expenses, then chastity-maintaining alimony, encompassing livelihood expenses, medical needs, and similar necessities, must be provided, regardless of whether it is the father or the son in need. This scenario constitutes a case of pressing need, akin to the criterion for the wife's alimony, which the provider is obligated to fulfill. However, if the need is not urgent, then chastity-maintaining alimony is not obligatory. This is because textual evidence supporting the obligation of alimony tends to refer to ordinary cases, such as provision of food and clothing, whereas chastity represents a non-ordinary circumstance. It is conceivable that the majority of jurists who reject the obligation of chastity-maintaining alimony have this latter scenario in mind (Ruhani 1991, 2:344).

However, some other jurists contend that chastity-maintaining alimony for one's child is obligatory when the child requires financial assistance for marriage, without necessarily restricting this need to instances of pressing urgency. According to this perspective, the father is obligated to cover his child's marriage expenses whenever there is a need, similar to the alimony owed to one's servants (ʿĀmilī 1992, 8:490).

In terms of the need or urgency criterion, the issue of alimony for the father's wife can be approached as follows: If one's father marries and subsequently faces financial hardship, jurisprudential perspectives dictate that providing alimony for the father's wife becomes obligatory, as her expenses are deemed essential for maintaining a decent standard of living, akin to that of a household servant when necessary. According to this criterion, the obligation to pay alimony for one's father's wife is clear, although some jurists argue against its obligation even in cases of urgency. In such a scenario, the alimony for the father's wife can be viewed as a subset of chastity-maintaining or familial integrity alimony—if the broader category is deemed obligatory, then the former also becomes obligatory; otherwise, it may be regarded as religiously recommended at most.

Some jurists contend that if father's marriage becomes obligatory and entails the payment of the wife's alimony, then providing alimony for the father's wife becomes an extension of fulfilling the father's needs and obligations. Just as a son is responsible for providing his father with necessities like food and medicine in times of need, he is similarly obligated to provide for the alimony of his father's wife (Ruhani 1991, 2:344). However, other jurists argue that reasoning such as the father's need for marriage and equating his wife's alimony to that required when the father employs a servant are based on specific considerations and constructions. The crux of the matter is that there is no clear reason or evidence for mandating the payment of alimony for the father's wife (Baḥrānī 1984, 25, 138).

The need criterion is often cited concerning the provision of chastity-maintaining alimony for all immediate family members. If marriage becomes a necessity comparable to the essentials of food and clothing for any family member, then it becomes incumbent upon others to cover its expenses (Sobhani Tabrizi 2003, 2:288). However, it is crucial to note that the necessity for marriage must

be urgent enough that its absence would disrupt the individual’s life and create an urgent need (Sobhani Tabrizi, n.d., 2:395). Najafi offers another perspective, suggesting that if marriage expenses for close relatives or family members are considered routine instances of alimony, there is no requirement to invoke constraints like need, urgency, or immediate need for marriage; they should be treated akin to provisions for food and clothing. However, if these expenses cannot be categorized as routine instances of alimony, then it must be established that there exists an independent obligation for "chastity-maintaining alimony" to preserve familial integrity (Najafi, 1983, 31:378).

Chastity-Maintaining Alimony in Iranian Laws

According to Article 1106 of the Civil Law of Iran, the responsibility for providing alimony to a permanent wife (or a temporary wife when alimony payment is stipulated in the temporary marriage) lies with the husband. Furthermore, Articles 1199 and 1200 of the Civil Law stipulate that individuals are obligated to pay alimony to their children and parents. Therefore, under Iranian civil law, three groups are entitled to alimony: wives, children, and parents.

Regarding the supported individual, as outlined in Articles 1199 and 1200 of this law, familial (versus spousal) alimony can be categorized into two groups: (a) alimony for children and (b) alimony for parents and grandparents. Article 1196 of the Civil Law establishes the general principle governing the obligation of alimony for blood-related relatives, stating, "in kinships, only blood-related (*nasabī*) relatives within the ascending or descending vertical line [namely, children, parents, grandparents, or vice versa] are obligated to pay each other’s alimony." Children are placed within the descending vertical line.

However, Article 1199 of the same law specifically addresses children, asserting that parents or paternal grandparents are responsible for providing alimony to children, following a hierarchy based on the degree of relational proximity (e.g., first the father, and if the father is unavailable, then the grandfather). Furthermore, if the father or paternal grandparents are unavailable or unable to afford alimony, then the responsibility falls upon the mother.

It is evident that alimony payment by the father, paternal grandparents, or other obligated relatives, as specified in the law, pertains to the custody and support of children. Since the law does not specify a specific period or timeframe for children, it applies even after they reach puberty and adulthood, as long as they remain in need of support. If grandparents assume responsibility for the children's alimony, there will be multiple alimony providers, giving rise to the question of precedence among them.

Article 1199 of the Iranian Civil Law has addressed this issue as follows: firstly, the father bears responsibility for the alimony, followed by paternal grandfathers, and then the mother. If the preceding group is unavailable or unable to afford alimony, then the subsequent group assumes responsibility.

The same article further stipulates that if there are multiple alimony providers at the same level of relational proximity, the alimony will be divided equally among them. Despite the general principle outlined in Article 1196 of the Iranian Civil Law, the legislator specifically enacted Article 1199 concerning children’s alimony. Additionally, Article 1200 addresses alimony support for parents and grandparents.

The explicit wording of Article 1200 suggests that both girls and boys, as children, are obliged to provide alimony for their parents if they are in need, without differentiation based on gender. The phrase "the closer, then the close" (*al-aqrab fa-l-aqrab*) implies that if the children are unavailable or unable to afford their parents' expenses, then their own children (the grandchildren) will assume responsibility, and so forth.

Furthermore, the unrestricted language of this and other pertinent articles within the Iranian Civil Law suggests that there is no distinction based on whether children are immature or mature, Muslim or non-Muslim. Moreover, these articles (1196, 1199, 1201) imply that children (or their descendants and so forth) are obligated to provide for their grandparents' alimony, while other relatives are not bound by this law. Although the legislator acknowledged the supportive roles of family members concerning alimony, there is no reference within these articles to the issue of chastity-maintaining or familial integrity alimony.

Chastity-Maintaining Alimony in Christianity

In Christianity, marriage is regarded as a sacred institution, often described as a profound mystery. However, bachelorhood, solitude, and abstention from marriage are considered preferable over marriage. The unmarried devotee can fully dedicate themselves to serving God, mirroring the lives of Jesus and Mary, by minimizing worldly distractions and focusing solely on spiritual pursuits (Petrus 1882, 345; also see Zinati 2005).

According to the Gospel, marriage serves as a means to curb lust and prevent sin but is not inherently valued. While marriage is recognized as a sacred ritual, its sanctity is not intrinsic; rather, it is perceived as a means for safeguarding chastity and satisfying legitimate sexual desires. Thus, if one struggles with temptation and immoral behavior, marriage is recommended. However, for those capable of exercising self-control over their desires, bachelorhood and solitude are considered preferable. This preference stems from the belief that solitude is favored by God over marriage.

Those who find it challenging to maintain their integrity and chastity are advised to marry, yet it is suggested that they refrain from doing so, as marriage demands constant attention to satisfying one's spouse, whereas unmarried individuals can wholly dedicate themselves to pleasing the Lord (Sukri Sarwar, n.d., 68; also see Zinati 2005). The issue of a wife's or children's alimony is not addressed in the New Testament or Christian teachings. For a comparative analysis, the laws of Britain can be consulted.

Chastity-Maintaining Alimony and the British Laws

In British law, only children are entitled to receive alimony, and specific laws and regulations govern the relationships between children and their parents. The criteria for eligibility for alimony within the British legal system are outlined in these terms.² Part one of the 1991 Child Support Act establishes the obligation for parents to provide alimony for their children, with both the father and mother responsible for financially supporting the child. Additionally, the second part of this act mandates that an absent father is required to fulfill this responsibility by making periodic alimony payments.

Part one of the 1991 act defines the conditions under which a child is entitled to maintenance support, while part three emphasizes that this support is intended for the benefit of children. The conditions for entitlement to alimony in British law are delineated into two parts: (a) parental conditions and (b) child conditions. The first condition necessitates the existence of a partnership between a man and a woman, including both married and unmarried couples.

In the 1995 Child Support Act, precise criteria are outlined for children who must be financially supported. A child is defined as someone who is (a) sixteen years old or younger and unmarried, or (b) nineteen years old or younger and enrolled in an undergraduate course or below. This explicit legal provision suggests that the age of social maturity for forming a family and achieving

² For the pertinent British laws and regulations, we referenced the research conducted by Jafarzadeh and Alizadeh (2020) titled "A comparative study of the legal nature and entitlement conditions of immediate family members in Iranian and British law."

independence is considered to be sixteen years old. At this age, an individual is deemed capable of marriage and assuming life responsibilities. Furthermore, the law specifies that the child must not have been married previously; if the child was previously married and subsequently divorced, or if their marriage was annulled, they are considered married and are no longer eligible for maintenance support.

Additionally, the law stipulates that both married and unmarried parents are equally responsible for providing alimony for their children. This indicates that the term "marriage," as understood by the legislator, refers to an official legal marriage.

The apparent contradiction regarding the nineteen-year condition in this article can be interpreted as follows: it specifies an age range of sixteen to nineteen, within which a child engaged in high school or college studies will be supported until the age of nineteen, while a child who does not pursue education will only be supported until age sixteen. According to the 1995 Child Support Act in British law, parents or legal guardians are responsible for providing for the living expenses and educational needs of their children. As children lack the legal capacity to manage their property directly, their possessions are typically handled by their parents or legal guardians. This principle extends to the right of children to receive alimony. While living with their parents, children are expected to be supported by them to fulfill the necessities of life (Roger 1996, 24). The specification of children's alimony amount only becomes relevant when the principle of parental responsibility is compromised.

In the absence of parents, the responsibility for child support in Britain falls upon the Child Support Agency (which is now abolished and replaced by the Child Maintenance Service). This agency assists children without parental care or those whose parents fail to assume responsibility for their upbringing. Additionally, it is tasked with evaluating the financial requirements for supporting the child. Since 1991, the agency has been authorized to intervene under the following circumstances: (a) both parents are absent, (b) one parent is considered absent, or (c) one parent is absent while the other is deemed absent. A parent is absent when they do not reside with the child in the family setting, and the child lives with someone else. If both parents are absent, the agency has the authority to compel them to contribute to the child's support expenses. Furthermore, a parent is considered absent if they provide lesser support to the child compared to the other parent or a legal guardian who shares custody of the child.

Whenever parents fail to adequately support their child within the family setting, the agency is authorized to intervene. The agency's president is authorized to determine the amount of child alimony in accordance with the provisions of the 1995 Child Support Act (Roger 1996, 15).

Furthermore, the appointment of an agent for child support reflects the significant limitation imposed on the jurisdiction of child courts by the new law, particularly regarding the assessment of child alimony in cases where one or both parents are absent. However, this does not imply that specialized courts lack qualifications for addressing child support matters.

Overall, these laws notably do not address the provision of alimony to maintain chastity or support children's marriages.

The Role of Marriage in Personal Development

Numerous studies have explored the role of marriage in personal development and psychological well-being. For instance, an interdisciplinary study examined both religious and psychological aspects of marriage, yielding notable results (Ahmadpanahi, 2006). The findings of this research underscore the positive impact and significance of marriage in guiding individuals and forming a religiously oriented society.

In summary, the positive functions of marriage can be delineated as follows:

- The societal chastity as a whole: the sexual instinct plays a crucial role in the preservation of human life and the continuity of the species. Practicing abstinence and satisfying sexual desires within the bounds of marriage contribute to maintaining the integrity and chastity of society (Eshtehardi, 1998, 19).
- Establishment of righteous actions: A hadith attributed to Prophet Muhammad emphasizes the significance of marriage, stating that in Islam, no institution surpasses the value of marriage (Majlisi 1982, 100:222, the section "on the disadvantage of bachelorhood and encouragement of marriage"). This religious text explicitly prioritizes family formation, highlighting the preference for marriage over bachelorhood. Indeed, it characterizes marriage as a righteous deed, viewing bachelorhood as unrighteous.
- Establishment of chastity and salvation in the hereafter: Chastity is considered a fundamental aspect of religious righteousness and a path to salvation in the afterlife. Prophet Muhammad is reported to have emphasized that those seeking to meet God on the Day of Resurrection with utmost purity must embrace chastity through marriage (Nūrī 1987, 14:150, the section "on the recommendation of marriage"). Unbridled sexual desires may lead to moral deviations and pave the way to other sins.
- Marriage as a deterrent: Marriage serves as a suitable response to human instincts, acting as a deterrent for natural inclination towards various desires such as food, comfort, and fame. Prophet Muhammad advised young men to marry once they feel capable of sexual activities, as marriage helps safeguard one's chastity and integrity. However, for those unable to marry, fasting is recommended as an alternative (Nūrī 1987, 14:153). Fasting also plays a role in deterring inappropriate behavior by exerting control over sexual urges.
- As a preliminary for procreation: The growth of the Muslim population and the expansion of family units contribute to the collective material and spiritual strength of both society and the family. Moreover, fostering a sense of commitment towards one's children promotes rationality and spirituality, diminishing unrestrained sexual pursuits and thereby nurturing chastity in both the individual and society. Recognizing the manifold benefits of childbearing, Prophet Muhammad encouraged marriage and the bearing of children, expressing pride in the multitude of his followers on the Day of Resurrection (Nūrī 1987, 14:153).
- Decreased occurrence of crimes: Moral transgressions resulting from illegitimate responses to sexual needs and a lack of familial commitment often pave the way for moral and economic vices, thereby increasing the prevalence of various crimes in society. Marriage could function as an effective remedy to this challenge. When men and women establish families, they satisfy their instinctual needs in lawful and disciplined manners. Mutual familial rights and responsibilities foster moral and religious discipline, reducing the propensity for criminal behavior. Prophet Muhammad warned that a significant number of inhabitants of Hell are unmarried individuals (Ḥurr al-ʿĀmilī 1988, 20:20).
- Spiritual growth: Spirituality is a divine asset that fosters closeness to God and is a result of obedience to divine commandments. Marriage holds a significant place among the priorities set by the sacred legislator of Islam, with the promise of leading individuals towards perfection and spiritual elevation. The first Shiite Imam, ʿAlī ibn Abī Ṭālib, narrated that whenever a companion of Prophet Muhammad got married, the Prophet would remark that his religion was completed (Nūrī 1987, 14:153).

Jurisprudence of the Pedagogical System

"Systemic jurisprudence" (*fiqh al-nizām*) is an approach within Islamic jurisprudence (*fiqh*) where the jurist considers the social system's nature, administration, and its interests and disinterests when deriving religious rulings. In essence, the jurist evaluates the application of rulings within the framework of the social system as an institution for societal governance. Consequently, systemic jurisprudence presents a methodological approach to deducing jurisprudential rulings, contrasting with the individualistic deduction method (Hekmatnia and Hassanlou 2021, 31).

For example, the permissibility of sterilization, particularly on a wide scale, is intricately linked not only to the interests and disinterests of the family system but also to those of cultural, economic, political, and military systems. Presently, sterilization and the limitation of procreation are wielded as instruments by global powers to exert dominance over Islamic nations (Hekmatnia and Hassanlou 2021, 34).

The Arabic term "tarbia" (training) originates from the root "r-b-w," which denotes increase and growth (Ibn al-Manzūr 1993, 14:314). Shiite jurists define training or pedagogy (*tarbiya*) as the meticulous care of children concerning the development and advancement of their physical, cognitive, and intellectual faculties, with the aim of enhancing their well-being in both worldly and spiritual realms (Shirazi 2008, 3:258). It encompasses the concerted efforts of educators and parents to foster the child's physical, psychological, intellectual, and religious growth.

Considering the imperative of systemic jurisprudence and the necessity of a holistic approach to jurisprudential rulings, the jurisprudence of pedagogical system can function as a method for deducing jurisprudential rulings concerning educational matters. It integrates the contemporary demands of time with various cultural, political, and economic dimensions, all of which are uniformly considered in the upbringing provided by parents and educators. This necessitates a coherent alignment among religious, doctrinal, and educational teachings, all aimed at reinforcing children's commitment to monotheism while safeguarding the interests of the Islamic world. In the specific case of maintaining chastity through alimony, the issue of children's chastity should be examined not only within the framework of pedagogical jurisprudence but also in terms of thwarting the schemes of global powers aimed at corrupting the younger generation of the Islamic world.

In the systemization of pedagogical jurisprudence, it is essential to consider the interests of individuals, families, and society collectively. When analyzing verbal or non-verbal religious evidence for a jurisprudential ruling, it is significant to take account of the various dimensions of the ruling.

Sharia entrusts the task of safeguarding both the binding and non-binding interests of children to mandatory guardians, namely the father and paternal grandfather. Guardianship (*wilāya*) in this context refers to granting control over various aspects of a child's life to a designated guardian—the *walī* (Iṣfahānī 1998, 2:379). The guardianship of the father and paternal grandfather extends to encompass the management of the children's property, rights, and life affairs.

Guardianship over life affairs includes the custody and management of aspects such as marriage, education, and pedagogy (Shirazi 2008, 3:285). Custody entails nurturing the child in a manner that considers both their individual and social well-being. Training is obligatory concerning binding interests and recommended for non-binding interests (Shirazi 2008, 3:288). It is important to note that "custody" (*hiḍāna*) is not restricted by the child's age. Najafī noted that after breastfeeding, the male child should remain under the mother's custody until age two, and the female child until age seven (Najafī 1983, 31:290-291). Sharia legislation institutionalizes the family for the fundamental function of responding to the various needs of its members, including

physical, livelihood, psychological, and pedagogical needs. Thus, no specific age range is prescribed for the mutual support between parents and children.

Before reaching puberty and maturity, when the supported individual is particularly vulnerable, the need for support is more pronounced, as children are unable to manage their affairs independently. Therefore, guardianship has been legislatively mandated for this critical period. However, even after puberty and maturity, alimony remains obligatory (Najafī 1983, 31:372). This ruling is derived from the principle of mutual support within discussions of alimony. With this criterion in mind, we can reject the notion that the obligation of alimony is solely confined to financial support, implying that all forms of support, both financial and non-financial, within the child-parent relationship, are enduring.

Preserving the chastity of children is indeed a vital aspect of their religious upbringing, and under specific age conditions, it becomes a pressing necessity. Examination of various perspectives, rulings, and evidence suggests that the religious legislator has recognized the importance of safeguarding children's chastity from a young age to shield them from sexual deviations, thereby deeming it obligatory.

Jurisprudential teachings emphasize the importance of preserving children's chastity. For example, al-Shaykh al-Mufīd, a prominent early Shiite jurist, states: "When the child reaches puberty, they should be instructed to fast, or fast for three consecutive days before reaching puberty, as transmitted hadiths assert" (Mufīd 1992, 360).³

Undoubtedly, this practice aims to temper and regulate children's desires through fasting. This ruling finds support in various hadiths cited in sources (Ḥur al-ʿĀmilī 1988, 7:167), indicating the religious legislator's concern for measures that help control such instincts. This approach aligns more closely with the holistic perspective of the jurisprudence of the pedagogical system.

Merely stating that there is no explicit religious text as evidence for chastity-maintaining alimony and settling for basic financial alimony alone fail to address the necessities of safeguarding children's chastity. In the following discussion, jurisprudential arguments will be presented to support this assertion.

Obligation of Children's Chastity-Maintaining Alimony

In this discussion, several religious jurisprudential pieces of evidence supporting the obligation of chastity-maintaining or familial integrity alimony will be presented.

1. The Quranic command: "Marry off those who are single among you (*al-ayāmā*), and the upright among your male and female slaves" (Quran 24:32).

This Quranic verse commands believers to support unmarried believers in getting married. It addresses all believers, encouraging them to assist others in marriage and emphasizing that financial constraints should not hinder marriage: "If they are poor, Allah will enrich them out of His grace" (see Ṭabarī 1991, 18:98). This indicates that providing financial assistance to facilitate marriage for others is sometimes necessary, as the verse explicitly states that poverty should not deter marriage. Some Quranic exegetes interpret the term "upright" in this verse as referring to those who choose chastity (Ṭabarānī 2008, 4:426). This suggests that even individuals who remain unmarried due to financial constraints but uphold chastity to avoid sin should still receive support from believers to facilitate their marriage through financial assistance.

The command in this verse is generally understood as a recommendation rather than an obligation, similar to the Prophet's hadith advising marriage when one has the capacity for it (Ṭabarsī, n.d.,

³ Since fasting is not obligatory before reaching puberty, the obligation lies with the parents to guide and encourage the child to fast, even though fasting itself is not obligatory for the child before reaching puberty; rather, it is merely recommended.

17:131). Furthermore, some interpretations suggest that this command applies specifically to mandatory guardians (namely, fathers and grandfathers), implying that believers must facilitate the marriage of those under their guardianship (Rāzī 1987, 14:128). However, certain nuances should be considered.

The term "ayāmā" used in this verse is the plural form of "ayyim," which originally referred to an unmarried woman. However, over time, its usage was extended to include all unmarried individuals, regardless of gender. Therefore, this verse encompasses all unmarried women and men, including the widowed.

The term "ankiḥū" (marry off or help get married) entails facilitating the preliminary steps of marriage rather than compelling individuals to marry, as marriage is optional and depends on the consent of both parties involved. Assisting someone in getting married can involve various actions such as providing financial support, helping to find a suitable spouse, encouraging marriage, and intervening to resolve issues that may hinder the marriage process. Therefore, the scope of the verse is quite broad, encompassing any action or initiative aimed at facilitating marriage.

It is important to note that the Islamic principle of cooperation entails mutual support among Muslims in all matters, but the explicit mention of marriage in the Quranic verse highlights its special significance. This importance is underscored by Imam ‘Alī, the first Shiite Imam, who stated: "The best intercession is to intercede between two individuals for marriage until the marriage takes place." Additionally, Imam al-Kāzīm, the seventh Shiite Imam, mentioned in another hadith: "There are three groups who will be shaded by God on the Day of Resurrection, a day when there is no shade except His: those who facilitate the marriage of their Muslim brother, those who find a servant for their Muslim brother when he needs assistance, and those who keep the secrets of their Muslim brother." Furthermore, the Prophet Muhammad stated: "When an individual facilitates someone's marriage, for each step or word, they will be rewarded with the equivalent of one year of night vigilance for worship and fasting during the day."

Indeed, one common excuse for avoiding marriage and family formation is poverty and lack of financial resources. In response, the Quranic verse reassures believers not to worry about their poverty and encourages them to assist those seeking marriage, as God will enrich them out of His grace: "If they are poor, Allah will enrich them out of His grace, and Allah is all-bounteous, all-knowing" (Quran 24:32). Indeed, God's power is boundless, encompassing the entire universe, and His knowledge is comprehensive, encompassing the intentions of all individuals, including those who enter marriage with the intention of preserving their chastity. Therefore, He will graciously bestow His blessings upon all.

However, there are instances where individuals, despite their own efforts and the support of others, may struggle to find the financial means for marriage, leading them to remain single for a period of time. In such situations, some may erroneously believe that engaging in sexual promiscuity is permissible due to their circumstances. However, the subsequent Quranic verse immediately enjoins piety and chastity upon these individuals: "And let those who find not the means for marriage keep themselves chaste, until Allah enriches them of His bounty" (Quran 24:33) (see Makarem Shirazi 1992, 14:457-462).

Concerning chastity-maintaining alimony, when the supported individual desires to marry and lacks the financial means to do so, the aforementioned Quranic verse suggests the recommendation of encouraging and assisting them in marriage, encompassing everything from finding a suitable spouse to providing financial support. In such circumstances, where the individual is personally inclined to marry, it becomes obligatory for the guardian to support them and cover the necessary marriage expenses.

2. The Quranic verse: “Save yourselves and your families from a Fire whose fuel will be people and stones” (Quran 66:6).

This verse urges believers to safeguard themselves and their families from the torment of Hell. This entails obeying God's commandments, shielding oneself and one's family from sins and indulgence in worldly desires, as well as encouraging them to fulfill their religious obligations and refrain from wrongdoing (Ṭabarsī, n.d., 25:146).

This directive to protect oneself and one's family from Hell can indeed be understood as an obligation. A hadith transmitted by Muqātil ibn Sulaymān interprets this verse as implying that individuals must educate and guide their families and servants, prohibiting them from wrongdoing, which is deemed obligatory for every Muslim. In another hadith, it is mentioned: "May God bless those who instruct their families to fulfill their prayers, fasting, zakat, and to take care of the poor, orphans, and neighbors, as they will be assembled by God in Heaven" (Ṭabarsī 1996, 6:361).

The obligation can be inferred from the implication of the word "save" (qū) in this verse. Allameh Tabatabai, a contemporary Shiite exegete of the Quran, explains that the term "qū" is a plural imperative form derived from the root "w-q-y," which means to protect something from dangers and harms. Additionally, the term "waqūd" (fuel) refers to materials used to fuel fire, such as firewood, and the word "fire" specifically alludes to Hell. The verse portrays those punished in Hell as fuel for its fire because its inhabitants have prepared the grounds for their own torment: "[they are] then set aflame in the Fire" (Quran 40:72) (Tabatabai 1995, 19:560).

Given the context of the verse promising punishment in Hell, the imperative "save" is best interpreted as an obligation. Exegetical evidence suggests that this saving is from sins deserving punishment, which is obligatory to avoid. Avoiding marriage can lead to harm or be a precursor to sins, especially in the current cultural and social contexts of religious and non-religious societies. Thus, neglecting to guide children towards marriage-appropriate ages and failing to provide financial support for their marriage, particularly as a form of chastity-maintaining alimony, contravenes the command to protect one's family from the punishment of Hell. This implies the obligation of chastity-maintaining alimony.

Below is an outline summarizing the findings of this research:

- I'fāf entails preserving someone else's chastity by offering financial assistance for their marriage, covering the necessary expenses such as the mahr (dowry) required for marriage, or facilitating the process of finding a suitable spouse.
- The majority of Shiite jurists hold the view that chastity-maintaining alimony is not obligatory. They argue that the term "alimony" typically refers to ordinary expenses such as basic food and clothing costs, and they invoke the "presumption of absolution," which suggests that obligations should not be assumed without clear evidence. Furthermore, they interpret commands to chastity found in the Quran and hadiths as recommendations rather than obligations. However, there are some jurists who argue that chastity-maintaining alimony is indeed obligatory. They cite hadiths that state it is incumbent upon fathers to facilitate the marriage of their children. Some among this group believe that it is only obligatory to pay chastity-maintaining alimony in cases of urgency or pressing need.
- Marriage serves seven pedagogical functions: public chastity of the society, establishment of righteous practices, salvation in the hereafter, deterring crimes and wrongdoings, preparing the path for procreation as an obligation, deceased occurrence of crimes, spiritual thriving.

- Systemic jurisprudence stands as an approach to deducing jurisprudential rulings, contrasting with the individual method of jurisprudential deduction. On the other hand, the jurisprudence of the pedagogical system presents a broader approach, considering pedagogical matters from a holistic viewpoint. It takes into consideration the demands of the times, alongside cultural, political, and economic aspects, in the upbringing and education of children by parents and educators.
- Considering verse 32 of Surah al-Nur, it should be noted that our issue pertains to a scenario where the supported individual desires to marry and requires financial resources to be inclined for marriage. This verse implies a strong recommendation to assist in marriage, encompassing assistance in finding a suitable spouse to providing financial support to encourage marriage. However, in our situation, the individual is already motivated to marry and seeks financial assistance. Therefore, the provider or guardian is obligated to support the individual for marriage. In other words, while it is recommended to encourage marriage by providing financial support, when the individual already desires marriage and requires financial help, it becomes obligatory for the guardian to provide support.
- Verse 6 of Surah al-Tahrim shows that it is obligatory to save one’s family from all sins. At least in the present cultural and social circumstances of religious and non-religious societies, avoidance of marriage tends to lead to sins, and leaving children to their own devices and failing to financially supporting for marriage goes against the Quranic command to save one’s family from sins, which implies the obligation of chastity-maintaining alimony.
- The jurisprudence of pedagogical system requires emphasis on the current priorities of Muslims’ religious and human life by countering the corruptions and helping with children’s marriage to protect them from sins. This also establishes the obligation of chastity-maintaining alimony.
- A comparative overview of Iranian and British laws shows that both regulations have failed to address chastity-maintaining alimony.

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