

Women's Educational Rights after Marriage in Qatar Family Law: Toward an Educational Partnership through Maqāṣid al-Sharī'ah

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Abstract

The protection of women's educational rights after marriage raises a critical question in Islamic family law: how can educational continuity be reconciled with family obligations without making the former automatically subordinate to the latter? This study examines Article 68 of Qatar's Family Law No. 22 of 2006 through a normative legal

method employing statutory and conceptual approaches. It analyzes the provision alongside related rules on reciprocal marital rights and family welfare, using contemporary *maqāṣid al-sharī'ah* scholarship to assess the relationship between educational protection and family responsibilities. The findings indicate that Article 68 expressly recognizes a wife's right to complete compulsory education and continue university education in Qatar, but leaves the criteria for determining conflicts with family obligations insufficiently specified. The study argues that this qualification should be interpreted proportionately, taking into account both the wife's educational continuity and the spouses' reciprocal responsibilities, rather than treating domestic obligations as an automatic ground for restricting education. To develop this interpretation, the article proposes *Educational Partnership in Marriage* as a normative framework grounded in reciprocal support, negotiation, and shared accommodation of educational and family needs. By connecting the protection of intellect (*ḥifẓ al-'aql*) with family welfare and the protection of offspring (*ḥifẓ al-nasl*), the study demonstrates how *maqāṣid* can inform the interpretation of a specific family-law provision. The framework offers a conceptual reference for further legal research and comparative discussions on protecting women's educational continuity after marriage, including in Indonesia.

KEYWORDS

Wives' Educational Rights; Qatar Family Law; Maqāṣid al-Sharī'ah; Educational Partnership in Marriage; Family-Law Reform.

Introduction

Education has increasingly been examined as a dimension of women's capability, participation, and social development.¹ Recent global evidence also demonstrates an association between parental education, particularly maternal education, and child health outcomes. A systematic review and meta-analysis covering 300 studies from 92 countries found a dose–response association between parental education and lower under-five mortality, with maternal education showing a stronger association than paternal education.² Research on female education further emphasizes that educational opportunities remain shaped by gendered social practices and institutional conditions.³ These findings do not mean that education automatically produces family welfare; rather, they demonstrate why educational continuity may constitute a significant dimension of women's lives. The legal question becomes more specific when such continuity occurs within marriage: how should a wife's educational interests be reconciled with the rights, responsibilities, and expectations attached to family life?.

Contemporary scholarship on Muslim family-law reform increasingly examines marital relations through women's rights, gender justice, reciprocal responsibilities, and changing interpretations of Islamic family law. Qatar provides a particularly relevant statutory context through Law No. 22 of 2006 Promulgating the Family Law [8]. Article 56 establishes marital responsibilities including good companionship, mutual respect, affection, preservation of the family,

¹ Ahmed Alduais, Meng Deng, and Seda Gökmen, "Is Female Education 'Gendered' and Procedurally yet Substantively Practiced' in China? Insights from a Systematic Review and the Practical Theory," *Review of Education* 9, no. 3 (2021): e3302, <https://doi.org/10.1002/rev3.3302>.

² Mirza Balaj et al., "Parental Education and Inequalities in Child Mortality: A Global Systematic Review and Meta-Analysis," *The Lancet* 398, no. 10300 (August 2021): 608–20, [https://doi.org/10.1016/S0140-6736\(21\)00534-1](https://doi.org/10.1016/S0140-6736(21)00534-1).

³ S. Koza Ciftci, Engin Karadag, and F. Melis Cin, "Between Gendered Walls: Assessing the Impact of Single-Sex and Co-Education on Student Achievement, Self-Confidence, and Communication Skills," *Women's Studies International Forum* 107 (November 2024): 103003, <https://doi.org/10.1016/j.wsif.2024.103003>.

and care and upbringing of children. Within this framework, Article 68 specifically regulates the wife's education. It requires the husband to allow his wife to complete compulsory education and to facilitate her university education within the State, "provided that this shall not conflict with her family duties". Thus, Article 68 contains two connected but potentially competing elements: an affirmative statutory obligation concerning educational continuation and a qualification based on family responsibilities. The relationship between these elements constitutes the central legal problem.

The phrase concerning family duties requires particular legal scrutiny because Article 68 does not expressly specify what constitutes a "conflict" between university education and family responsibilities or establish a detailed procedure for determining such conflict. Several interpretive questions consequently arise. Does the qualification impose an absolute limitation on university education, or does it apply only where a concrete incompatibility exists? Who determines whether such incompatibility exists? Can it be interpreted as conferring unilateral control upon the husband, or should it be read within the reciprocal structure of marital rights established by Article 56? The statutory distinction between allowing compulsory education and facilitating university education is also significant because facilitation may indicate an affirmative responsibility to accommodate educational continuation. The issue therefore extends beyond whether a married woman may study; it concerns how legal responsibility for reconciling education and family obligations is distributed between spouses.

The broader Qatari context reinforces the importance of this interpretive issue. Recent scholarship describes how Qatari women's educational qualifications and participation in public and professional life continue to interact with family expectations and gendered domestic roles.⁴ Research on Gulf families likewise identifies continuing tensions between educational change, women's empowerment, traditional family

⁴ Mustabshira Jannat, "Qatari Women, Family, and Workplace: Navigating the Domestic-Public Divide," in *Handbook of Families in the Arab Gulf States*, ed. Md Mizanur Rahman et al. (Singapore: Springer Nature, 2025), 445–62, https://doi.org/10.1007/978-981-96-3412-5_25.

roles, and changing household structures.⁵ More specifically, recent scholarship examining Qatar Family Law No. 22 of 2006 situates the statute within the interaction between legal norms, Islamic principles, and social transformation in Qatar⁶. These studies do not determine the meaning of Article 68, but they demonstrate that the phrase “family duties” operates within a changing social and legal environment. Its interpretation may therefore influence whether educational continuation is treated as an independently protected statutory interest or as an activity whose exercise remains substantially conditioned by domestic responsibilities.

Existing scholarship has addressed Muslim family-law reform, gender justice, and Qatari family structures, while recent work has also examined Qatar Family Law No. 22 from broader legal and social perspectives. However, these studies leave a more specific interpretive question insufficiently developed: how should Article 68 be constructed when the statutory protection of a wife’s educational continuation is qualified by her family duties? This study therefore takes Article 68 as its principal legal object and examines whether the qualification should function as an absolute restriction, a context-dependent limitation, or a basis for reasonable accommodation between marital interests. The inquiry consequently moves beyond the binary of permission and prohibition toward the distribution of responsibility within marriage. This formulation establishes the legal foundation for the subsequent maqāṣid analysis, particularly the reconstruction of educational continuity as a dimension of marital partnership rather than merely an activity subject to spousal permission.

⁵ Rajnaara C. Akhtar et al., “Choosing Marriage Partners in the Digital Age: Insights from Qatar,” in *Handbook of Families in the Arab Gulf States*, ed. Md Mizanur Rahman et al. (Singapore: Springer Nature, 2025), 39–52, https://doi.org/10.1007/978-981-96-3412-5_2.

⁶ Hajer Mohammed Ramadan, Lakshmi Venugopal Menon, and Yasser Abdulaziz Jadallah, “Qatar Family Law No. 22: Legal and Social Perspectives,” in *Handbook of Families in the Arab Gulf States*, ed. Md Mizanur Rahman et al. (Singapore: Springer Nature, 2025), 399–414, https://doi.org/10.1007/978-981-96-3412-5_22.

Recent scholarship on Qatari women has increasingly examined the relationship between education, family expectations, and participation in public life, but its principal concern remains social rather than legal. Jannat identifies a persistent domestic–public divide in which highly educated Qatari women continue to negotiate professional aspirations against gendered expectations of family responsibility.⁷ Studies of Qatar’s public sector similarly report work–family balance problems and gender biases affecting women’s professional advancement.⁸ Research on Qatari women academics further demonstrates that professional and domestic demands can produce unequal workloads and pressures across personal and institutional spheres.⁹ Collectively, these studies establish the social context in which educational continuation after marriage becomes contested. Yet they do not examine whether, or how, Qatari family law legally structures the accommodation between a wife’s education and her family responsibilities.

A separate body of scholarship has examined Qatar’s family-law framework and changing marital practices. Akhtar’s analysis of contemporary marriage law and practice in Qatar demonstrates how legal norms interact with changing social expectations and family relations. Ramadan, Menon, and Jadallah similarly situate Law No. 22 of 2006 within the interaction of Islamic legal principles, Qatari social

⁷ Mustabshira Jannat, “Qatari Women, Family, and Workplace: Navigating the Domestic-Public Divide,” in *Handbook of Families in the Arab Gulf States*, ed. Md Mizanur Rahman et al. (Singapore: Springer Nature, 2025), 445–62, https://doi.org/10.1007/978-981-96-3412-5_25.

⁸ Rabia Naguib and Muznah Madeeha, “‘Making Visible the Invisible’: Exploring the Role of Gender Biases on the Glass Ceiling in Qatar’s Public Sector,” *Women’s Studies International Forum* 98 (May 2023): 102723, <https://doi.org/10.1016/j.wsif.2023.102723>.

⁹ Suhad Daher-Nashif et al., “‘Happily Tired’: A Descriptive Qualitative Study of the Impact of the COVID-19 Pandemic on Women Academics in Qatar,” *Women’s Studies International Forum* 106 (September 2024): 102971, <https://doi.org/10.1016/j.wsif.2024.102971>.

norms, and statutory family regulation.¹⁰ This scholarship is important for understanding the architecture of Qatari family law, but its analysis remains predominantly systemic and socio-legal rather than clause-specific. Article 68's distinctive formulation requiring the husband to *facilitate* university education while conditioning it upon family duties has not been subjected to sustained doctrinal interpretation. The literature therefore does not clarify whether "family duties" should operate as a restrictive qualification, a contextual limitation, or a basis for reciprocal marital accommodation.

International research further demonstrates that education and marital institutions are mutually constitutive. Evidence from Turkey shows that women's educational attainment, husbands' educational attainment, and gender-equality attitudes influence marriage timing and family formation.¹¹ Quasi-experimental evidence from Thailand demonstrates that compulsory schooling can alter women's marriage and fertility trajectories, including among Muslim women.¹² Research from Egypt likewise finds that expanded access to higher education produces long-term effects on women's education, labor-market participation, and marriage outcomes.¹³ Most directly, evidence from South Africa shows that strengthening women's matrimonial rights increases female educational attainment, indicating that marital legal structures can influence educational investment.¹⁴ These studies

¹⁰ Rajnaara C. Akhtar, "Contemporary Issues in Marriage Law and Practice in Qatar," *Hawwa* 20, nos. 1–2 (December 2020): 124–58, <https://doi.org/10.1163/15692086-12341389>.

¹¹ Taylan Acar, "The Role of Educational Attainment and Educational Pairings in Women's Marriage Behavior in Turkey," *Women's Studies International Forum* 93 (July 2022): 102616, <https://doi.org/10.1016/j.wsif.2022.102616>.

¹² Pasita Chaijaroen and Pallavi Panda, "Women's Education, Marriage, and Fertility Outcomes: Evidence from Thailand's Compulsory Schooling Law," *Economics of Education Review* 96 (October 2023): 102440, <https://doi.org/10.1016/j.econedurev.2023.102440>.

¹³ Ahmed Elsayed and Alina Shirshikova, "The Women-Empowering Effect of Higher Education," *Journal of Development Economics* 163 (June 2023): 103101, <https://doi.org/10.1016/j.jdeveco.2023.103101>.

¹⁴ Emiel Jerphanion, "Matrimonial Rights & Female Education," *Economics Letters* 227 (June 2023): 111125, <https://doi.org/10.1016/j.econlet.2023.111125>.

establish a significant relationship between education and marital institutions, but they investigate social or causal outcomes rather than the interpretation of a statutory provision governing a married woman's continuing education.

The Islamic family-law literature provides a normative bridge between these empirical findings and the legal problem in Article 68. Contemporary maqāṣid scholarship increasingly challenges hierarchical constructions of spousal rights by emphasizing reciprocity, gender justice, dignity, welfare, and contextual interpretation.¹⁵ Such approaches are useful for reconsidering whether marital obligations should be understood as unilateral authority or as reciprocal responsibilities directed toward family well-being. Nevertheless, existing studies generally address women's rights or spousal obligations at a broad conceptual level, or examine other jurisdictions and legal questions. They do not sufficiently connect a concrete statutory entitlement to educational continuation with a maqāṣid-based reconstruction of competing family responsibilities. Nor do they explain how *ḥifẓ al-ʿaql* can be integrated with the preservation of family welfare without turning the latter into an automatic restriction on women's educational development.

These limitations reveal four interconnected gaps. First, Qatar-specific scholarship has examined women's family and professional experiences but has not closely interpreted Article 68. Second, family-law studies have addressed Qatar's statutory framework but have not adequately analyzed the legal consequences of the terms *facilitate* and "family duties." Third, international empirical research demonstrates that education and marital rights affect women's life trajectories but does not address the intra-marital legal accommodation contemplated by Article 68.¹⁶ Fourth, maqāṣid-based gender-justice scholarship

¹⁵ Royan Utsany, Afrizal Tw, and Khamim Khamim, "Women's Rights and Gender Equality: An Analysis of Jasser Auda's Thoughts and His Contribution to Renewal of Islamic Family Law in Indonesia," *Journal of Islamic Law* 3, no. 1 (February 2022): 54–73, <https://doi.org/10.24260/jil.v3i1.530>.

¹⁶ Asim Iqbal et al., "Gender Equality, Education, Economic Growth and Religious Tensions Nexus in Developing Countries: A Spatial Analysis Approach," *Heliyon*

provides normative principles but has not operationalized them through a close reading of this Qatari provision. This study responds by reconstructing Article 68 through Auda's systems-oriented *maqāṣid* approach and developing Educational Partnership in Marriage, in which educational continuation and family responsibility are understood as mutually accommodative marital interests rather than competing claims resolved through unilateral restriction.

This study employs normative juridical research using statutory and conceptual approaches. The primary legal material is Qatar Family Law No. 22 of 2006, particularly Articles 56, 68, and 69, while secondary legal materials comprise peer-reviewed scholarship on Qatari family law, women's education, marital rights, and contemporary *maqāṣid al-sharīʿah*. The legal materials were collected through library research and analyzed qualitatively using descriptive-analytical and interpretive techniques. The statutory approach is employed to examine the legal construction of the wife's educational entitlement and the qualification concerning "family duties" within the broader structure of marital rights and obligations. The conceptual approach is used to examine the relationship between educational continuation, reciprocal marital responsibility, and gender justice. The analysis subsequently applies Jasser Auda's systems-oriented *maqāṣid* framework, particularly wholeness, multidimensionality, openness, and purposefulness, to reconstruct the relationship between *ḥifẓ al-ʿaql* and family welfare and to formulate the concept of Educational Partnership in Marriage as a context-sensitive interpretation of Article 68.

A. Regulations on the Protection of Wives in Qatar Family Law

Qatar's Family Law No. 22 of 2006 provides explicit protection for women's educational continuity after marriage. Article 68 stipulates: “*Alā al-zawj an yutiḥa li-zawjatih istikmāl ta’limihā ḥattā nihāyat marḥalat al-ta’līm al-ilzāmī, wa-an yuyassira lahā muwāṣalat ta’limihā al-jāmi’i dākḥil al-dawlah bimā lā yata’araḍ ma’a wājibātihā al-usariyyah.*” The provision requires the husband to allow his wife to complete compulsory education and facilitate her continuation of university education within the State, subject to compatibility with her family duties. The formulation is significant because the husband's obligation consists not merely of non-interference but also of *taysīr* or facilitation of continued education. Accordingly, marriage does not automatically terminate the wife's educational trajectory; rather, the law expressly incorporates educational continuity into the framework of marital rights and responsibilities. The statutory protection therefore establishes education as a legally relevant interest within marriage rather than leaving its continuation entirely to the husband's discretion.

The relevance of Article 68 can also be understood alongside Article 17, which establishes the minimum marriage age at eighteen for males and sixteen for females, subject to the statutory requirements and judicial authorization. Although Article 17 does not directly regulate women's education, its relationship with Article 68 is sequential: Article 17 regulates the legal conditions for entering marriage, whereas Article 68 addresses the continuation of education after marriage. This relationship is particularly relevant where marriage occurs before the completion of education. The two provisions should therefore not be treated as independent statutory materials; together, they demonstrate that the legal occurrence of marriage does not necessarily entail the termination of a woman's educational development. The comparatively lower minimum marriage age for women in Qatar, when considered alongside the explicit educational protection in Article 68, makes the

latter provision particularly significant for preserving educational continuity.¹⁷

The principal legal issue, however, lies in the qualification “*bimā lā yata‘ārād ma‘a wājibātihā al-usariyyah*” (provided that it does not conflict with her family duties). This phrase prevents Article 68 from being understood as an unlimited educational entitlement detached from marital responsibilities. At the same time, it should not automatically be read as granting the husband unrestricted authority to determine whether his wife's education is permissible. The preceding wording “*an yutiḥa*” and “*an yuyassira*” places an affirmative obligation on the husband, while the qualifying phrase limits the exercise of the educational right only where an actual conflict with family duties arises. The crucial interpretive question is therefore what constitutes such a conflict and how it should be assessed. A reading that treats every domestic responsibility as sufficient to restrict education would potentially weaken the protection expressly established by Article 68. Conversely, treating educational continuation as overriding all family responsibilities would disregard the qualification deliberately included in the provision. The more balanced reading is therefore to understand the clause as requiring accommodation between educational continuation and legitimate family responsibilities rather than establishing unilateral spousal control over the wife's education.¹⁸

This interpretation also places Article 68 within the broader transformation of women's position in contemporary family-law regulation. Traditional gender-role constructions have frequently associated women primarily with domestic and caregiving responsibilities, potentially creating tension between marriage,

¹⁷ Mega Puspita and Nindya Octariza, “The Rule Minimum Age of Marriage in Islamic Family Law in the Muslim World,” *International Journal of Social Science and Religion (IJSSR)*, July 4, 2022, 185–98, <https://doi.org/10.53639/ijssr.v3i3.71>.

¹⁸ Maribel Delgado-Herrera, Anabel Claudia Aceves-Gómez, and Azalea Reyes-Aguilar, “Relationship between Gender Roles, Motherhood Beliefs and Mental Health,” *PLOS ONE* 19, no. 3 (March 2024): e0298750, <https://doi.org/10.1371/journal.pone.0298750>.

education, and individual development.¹⁹ Qatar's statutory recognition of a husband's obligation to facilitate his wife's university education demonstrates a departure from a purely domestic conception of the wife's role. Nevertheless, this development should not simply be characterized as an unrestricted "paradigm shift." Its legal significance lies more precisely in the attempt to preserve educational continuity while maintaining family responsibilities within marriage. This formulation is consistent with contemporary discussions of women's educational rights in Muslim family-law contexts, where the protection of education increasingly intersects with gender equality and family welfare.²⁰

The protection of educational continuity also has broader social implications. Existing interdisciplinary studies associate women's education with human-resource development, family welfare, child development, and household economic outcomes.²¹ These findings should be distinguished from the legal meaning of Article 68 itself: they do not establish what Qatar's law requires, but help explain the social significance of protecting education after marriage. The relevance of this protection is further supported by research on marriage in Qatar indicating a relatively increasing age at marriage among women.²² Thus, Article 68 is better understood not simply as a symbolic recognition of women's education, but as a statutory mechanism for maintaining educational opportunity within marriage. Its qualification concerning family duties, however, remains the central issue requiring further

¹⁹ Muhammad Zawil Kiram, "Gendered Division of Domestic Labour: Indonesian Muslim Men's Perceptions, Participation and Experiences in Housework and Childcare," *Journal of Gender Studies* 35, no. 1 (January 2026): 174–91, <https://doi.org/10.1080/09589236.2025.2473923>.

²⁰ Meliesa Permatasati, Sonny Dewi Judiasih, and Nyulistiowati Suryanti, "Fulfilling Education Rights for Girls in Child Marriage to Achieve SDGs Gender Equality," *Unram Law Review* 7, no. 1 (April 2023), <https://doi.org/10.29303/ulrev.v7i1.252>.

²¹ Iqbal et al., "Gender Equality, Education, Economic Growth and Religious Tensions Nexus in Developing Countries."

²² Noora Lari, "Toward Marriage Sustainability: Impacts of Delayed Marriages in Qatar," *Cogent Social Sciences* 8, no. 1 (December 2022): 2083480, <https://doi.org/10.1080/23311886.2022.2083480>.

analysis because the effectiveness of the right depends on how the relationship between educational continuity and family responsibilities is interpreted.

B. Protection of Wives' Education from the Maqasid Sharia Perspective as a Step to Improve Modern Human Resources

Maqāṣid al-sharī'ah provides a framework for understanding Islamic law according to its purposes of realizing benefit (*jalb al-maṣāliḥ*) and preventing harm (*dar' al-mafāṣid*) rather than through isolated textual commands. In contemporary Islamic legal thought, this orientation has expanded toward the protection of human capabilities, social rights, education, and human-resource quality. Applied to Article 68 of Qatar Family Law, the protection of a wife's education therefore cannot be reduced to an individual educational entitlement. The provision connects marital law with the broader objective of preserving and developing human capacity. Its significance becomes clearer through Auda's systems approach, particularly the dimensions of wholeness, multidimensionality, interrelatedness, and purposefulness.²³ From this perspective, the wife's educational interest and the family's interests should not be treated as isolated or inherently competing objectives. Rather, they constitute interconnected dimensions of family welfare whose relationship must be assessed according to the *maqṣad* of maintaining and developing human flourishing.

This approach also changes the understanding of the family itself. The family is not merely an institution for biological reproduction or the preservation of marital continuity, but a social environment in which intellectual, moral, economic, and intergenerational capacities

²³ Jasser Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law* (International Institute of Islamic Thought (IIIT), 2022).

are developed.²⁴ Women's education consequently has implications beyond individual self-development because women's educational attainment is associated with the formation of family welfare and the transmission of social values to children.²⁵ Empirical studies further demonstrate the relevance of continued education after marriage to women's capacity, welfare, and family participation.²⁶ These findings, however, should be distinguished from the legal conclusion: empirical evidence does not itself determine the meaning of Article 68, but provides a substantive basis for identifying the *maṣlahah* that the provision can reasonably be understood to protect. In *maqāṣid* terms, the educational right therefore represents an interest that intersects with *ḥifẓ al-ʿaql*, *ḥifẓ al-nasl*, and, in its broader socioeconomic consequences, *ḥifẓ al-māl*.

The more difficult issue concerns the qualification that educational continuation must not conflict with the wife's *wājibātihā al-usariyyah*. Read protectively, this limitation recognizes that marriage generates legitimate responsibilities that cannot simply be disregarded in exercising individual rights. Yet a second reading is also possible: if “family obligations” is interpreted broadly or controlled unilaterally by the husband, the qualification could become a mechanism for restricting the wife's educational autonomy. Auda's multidimensional and purpose-oriented approach requires neither interpretation to be accepted automatically. The relevant question is whether a particular restriction genuinely serves a legitimate family interest and whether that interest can be reconciled with the educational *maṣlahah* protected by Article 68. Thus, the clause should be understood as a coordination

²⁴ Aslati et al., “Utilizing Science and Maqāṣid Al-Sharīʿah in Resolving Contemporary Issues of Islamic Family Law,” *Al-Manahij: Jurnal Kajian Hukum Islam*, March 16, 2024, 17–36, <https://doi.org/10.24090/mnh.v18i1.10571>.

²⁵ Walaa Elsayed, “Building a Better Society: The Vital Role of Family’s Social Values in Creating a Culture of Giving in Young Children’s Minds,” *Heliyon* 10, no. 7 (April 2024): e29208, <https://doi.org/10.1016/j.heliyon.2024.e29208>.

²⁶ Sihab Howlader, Md. Aminur Rahman, and Md. Mosfequr Rahman, “Continuation of Education after Marriage and Its Associated Factors among Young Adult Women: Findings from the Bangladesh Demographic and Health Survey 2017–2018,” *BMJ Open* 13, no. 11 (November 2023): e078892, <https://doi.org/10.1136/bmjopen-2023-078892>.

mechanism rather than a presumption of male authority. The maqāṣid principle emerging from this analysis is that family responsibilities may regulate the exercise of educational rights, but should not be interpreted in a manner that unnecessarily defeats the educational interest itself.²⁷

This balancing logic also explains why marriage, education, and human-resource development should not be constructed as mutually exclusive stages of women's lives. Social structures can generate competition among marriage, reproduction, education, and economic participation, particularly during women's reproductive years.²⁸ A systems-based maqāṣid analysis instead requires these interests to be considered relationally: *ḥifẓ al-ʿaql* through education supports *ḥifẓ al-nasl* through improved family and intergenerational capacity, while educational and professional development may contribute to *ḥifẓ al-māl*. The protection of education after marriage therefore represents a form of interrelated maqāṣid balancing, rather than the prioritization of one right at the expense of family welfare. The legal objective is not to release either spouse from marital responsibilities, but to prevent those responsibilities from becoming an unnecessary barrier to the development of human capabilities.

On this basis, Article 68 can be reconstructed through the principle of Educational Partnership in Marriage. This concept is not an additional statutory right but a normative model derived from the interaction between the educational protection, marital responsibilities, and maqāṣid-oriented interpretation of family law. It requires marriage to be understood as a cooperative institution in which the wife's educational development and family responsibilities are coordinated rather than placed in an inherently hierarchical relationship. The husband's statutory role in facilitating education should consequently be understood as part of the family's shared investment in human

²⁷ Nur Solikin and Moh Wasik, "The Construction of Family Law in the Compilation of Islamic Law in Indonesia: A Review of John Rawls's Concept of Justice and Jasser Auda's Maqashid al-Shari'a," *Ulumuna* 27, no. 1 (June 2023): 315–40, <https://doi.org/10.20414/ujis.v27i1.708>.

²⁸ Matthew Goers et al., "Child Marriage among Displaced Populations – a 2019 Study in Kurdistan Region of Iraq," *BMC Public Health* 22, no. 1 (April 2022): 796, <https://doi.org/10.1186/s12889-022-13220-x>.

development, while the wife's continuation of education remains subject to genuine—not merely asserted—family responsibilities. Such an interpretation is consistent with the broader contemporary maqāṣid orientation toward integrating individual rights, family welfare, and social development.²⁹ Accordingly, the protection of wives' education under Qatar Family Law can be understood not merely as a concession within marriage, but as a legal mechanism for producing more capable individuals, resilient families, and sustainable human resources.

C. Protection of Women's Education as an Increase in Intellectual Resources (*Hifẓ al-‘Aql*)

The protection of wives' education under Qatar Family Law is closely connected to *hifẓ al-‘aql*, not merely because education produces intellectual benefits, but because it provides a basis for interpreting the husband's obligation under Article 68. The provision requires the husband to allow compulsory education and facilitate university education for his wife, subject to her family duties. Research shows that education strengthens critical thinking,³⁰ self-confidence³¹, and women's capacity to manage work and family roles.³² These findings identify the *maṣlahah* underlying the provision, while *hifẓ al-‘aql* gives it normative direction. Accordingly, *yutiḥa* (to allow) and *yuyassira* (to

²⁹ Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law*.

³⁰ Hao Song and Lianghui Cai, "Interactive Learning Environment as a Source of Critical Thinking Skills for College Students," *BMC Medical Education* 24, no. 1 (March 2024): 270, <https://doi.org/10.1186/s12909-024-05247-y>.

³¹ Bella Satiyo Putri et al., "Women's Self-Confidence in Education and Social Welfare: A Systematic Literature Review Based on International Women's Day Insights," *Women, Education, and Social Welfare* 2, no. 1 (June 2025): 26–38, <https://doi.org/10.70211/wesw.v2i1.298>.

³² Shalini Sahni, Leena Ajit Kaushal, and Parul Gupta, "Gendered Differences and Strategies for Work-Life Balance: Systematic Review Based on Social Ecological Framework Perspective," *Acta Psychologica* 256 (June 2025): 105019, <https://doi.org/10.1016/j.actpsy.2025.105019>.

facilitate) indicate a positive obligation to preserve the wife's educational continuity after marriage, rather than merely prohibiting interference. Thus, marriage should not itself constitute sufficient grounds for terminating the wife's intellectual development.

The interpretive difficulty lies in the phrase *bi-mā lā yata'arad ma'a wājibātihā al-usariyyah* ("provided that this shall not conflict with her family duties"). Evidence shows that limited educational access can reduce empowerment³³, socioeconomic capacity,³⁴ and protection against intimate-partner violence.³⁵ These consequences reinforce the *maṣlahah* protected by *ḥifẓ al-'aql*. However, family responsibilities remain legitimate interests and cannot simply be disregarded. The clause therefore requires balancing rather than absolute prioritization. A protective interpretation recognizes genuine family responsibilities, whereas an expansive interpretation could allow the clause to become a gendered restriction on educational autonomy. From a *ḥifẓ al-'aql* perspective, the limitation should consequently be read narrowly: genuine conflicts may require adjustment of educational arrangements, but should not automatically extinguish the wife's educational right. The decisive issue is whether a concrete educational arrangement genuinely conflicts with a legitimate family responsibility.

The maqāṣid significance of Article 68 therefore emerges through the interrelationship between intellectual development and family welfare. Contemporary maqāṣid reasoning recognizes human rights and capacities alongside family interests.³⁶ Accordingly, *ḥifẓ al-'aql* should

³³ Alessia Frola, Marcos Delprato, and Amita Chudgar, "Lack of Educational Access, Women's Empowerment and Spatial Education Inequality for the Eastern and Western Africa Regions," *International Journal of Educational Development* 104 (January 2024): 102939, <https://doi.org/10.1016/j.ijedudev.2023.102939>.

³⁴ Iqbal et al., "Gender Equality, Education, Economic Growth and Religious Tensions Nexus in Developing Countries."

³⁵ Abigail Weitzman, "Does Increasing Women's Education Reduce Their Risk of Intimate Partner Violence? Evidence from an Education Policy Reform," *Criminology: An Interdisciplinary Journal* 56, no. 3 (August 2018): 574–607, <https://doi.org/10.1111/1745-9125.12181>.

³⁶ Ulul Umami and Abdul Ghofur, "Human Rights in Maqāṣid Al-Sharī'ah al-Āmmah: A Perspective of Ibn 'Āshūr," *Al-Ahkam* 32, no. 1 (April 2022): 87–108, <https://doi.org/10.21580/ahkam.2022.32.1.9306>.

be considered together with *ḥifẓ al-nasl*, rather than treating education and family responsibilities as inherently contradictory. Where university study creates childcare difficulties, the *maqāṣid* response should seek accommodation through cooperation and shared domestic responsibility rather than unilateral exclusion. The husband's duty to facilitate education and the spouses' shared responsibility for family life thus support an Educational Partnership in Marriage. This concept is not an additional statutory rule, but a normative reconstruction of Article 68: the wife's educational autonomy is protected as an interest in itself, while family responsibilities regulate its practical organization. *Ḥifẓ al-'aql* therefore functions as a legal interpretive principle that prevents the family-duty limitation from becoming a general basis for restricting women's educational continuity.

D. Protection of Women's Education as an Enhancement of Generational Resources (*Ḥifẓ al-Nasl*)

The protection of wives' education under Article 68 of the Qatar Family Law intersects with the interests of both the wife and her children. Education not only enhances women's intellectual capacity but also develops maturity in decision-making, communication, and family life. A mother's educational maturity, in turn, can influence children's development, upbringing, and quality of life.³⁷ Therefore, a wife's education should not be positioned as an individual interest that conflicts with the interests of the next generation. From the perspective of *maqāṣid al-sharī'ah*, *ḥifẓ al-'aql* and *ḥifẓ al-nasl* can operate synergistically: developing the mother's intellect and capacities can support the protection and development of children. Accordingly, the

³⁷ Mustamam et al., "Reinterpreting Ḥifẓ Al-Nasl in Contemporary Marriage Contracts: Navigating Islamic Normativity and State Law," *MILRev: Metro Islamic Law Review* 4, no. 2 (October 2025): 1258–80, <https://doi.org/10.32332/milrev.v4i2.11158>.

educational protection provided by Article 68 has a dual dimension: preserving the wife's intellectual capacity while creating conditions conducive to the development of the next generation.

However, once a woman becomes a wife, the exercise of her educational right requires a mutual accommodation with her family responsibilities. She remains entitled to pursue education, but this right does not mean disregarding her status as a wife with responsibilities toward her husband and children. Education and family life should therefore be organized in a manner that allows both interests to be reconciled. Education also contributes to preventing early marriage and strengthening family life,³⁸ while women's experiences demonstrate that education, employment, and family life can coexist through diverse arrangements.³⁹ Where educational schedules create childcare difficulties, the solution should be directed toward adjusting family arrangements rather than automatically terminating the wife's education. Thus, family responsibilities should function as a framework for regulating the exercise of the right, rather than as a basis for eliminating the wife's educational right.

Education ultimately serves as a means of enhancing human capacity and can generate benefits for all family members. Therefore, when a wife is pursuing education, the husband should also assume a greater role in childcare and childrearing so that family responsibilities remain fulfilled. Conversely, the wife cannot withdraw from her responsibility to ensure that children receive adequate care. Both spouses must develop a division of responsibilities that enables education and childcare to proceed simultaneously. From a *maqāṣid* perspective, this arrangement demonstrates the interconnectedness of *ḥifẓ al-ʿaql* and *ḥifẓ al-nasl* as mutually reinforcing objectives rather

³⁸ Bunyamin Yafid, Mujahidin, and Winda Sari, "The Role of Education in Preventing Early Marriage and Impact on Family Law in Indonesia," *International Journal of Health, Economics, and Social Sciences (IJHESS)* 7, no. 1 (January 2025): 314~318-314~318, <https://doi.org/10.56338/ijhess.v7i1.6913>.

³⁹ Bo-Hyeong Jane Lee and Anna Manzoni, "Women's Configurations of Family, Work, and Education: Mapping Diverse Pathways Throughout Adulthood," *Social Currents* 11, no. 1 (February 2024): 80~99, <https://doi.org/10.1177/23294965231201373>.

than competing ones.⁴⁰ Accordingly, *hifz al-nasl* requires the educational right of the wife and the child's right to proper care to be reconciled through the shared responsibility of both spouses.

E. Protection of Women's Education as an Increase in Honorary Resources (*Hifz Ird*)

Article 68 of the Qatar Family Law affirms that higher education is a right accessible to women, including after marriage. This protection demonstrates that access to education should not be restricted on the basis of gender or marital status. A woman who continues her education after marriage is not a person who neglects her family, but a legal subject who preserves her honor and dignity by developing her intellectual capacities. Through education, women are not positioned beneath men but on an equal footing, enabling both spouses to contribute to the pursuit of family and social well-being. Women should therefore not be reduced to domestic subjects who lose their opportunities for learning. Limited access to education can reinforce socioeconomic barriers and unequal opportunities,⁴¹ while social exclusion can restrict women's participation and recognition.⁴² Article 68 thus reflects legal recognition of women's dignity and quality through the protection of educational opportunities.

Within the framework of *hifz al-'ird*, these considerations demonstrate that education constitutes a means of preserving women's

⁴⁰ Tawffeeq A. S. Mohammed, "A Scientometric Study of Maqasid Al-Shariah Research: Trending Issues, Hotspot Research, and Co-Citation Analysis," *Frontiers in Research Metrics and Analytics* 9 (November 2024): 1439407, <https://doi.org/10.3389/frma.2024.1439407>.

⁴¹ Dwi Nugroho, Audy Anzany, and Trio Fajri, "Poverty and Women's Access in Higher Education: Dynamics, Prospects, Shared Choices of Liman-Benawi Women Education," *SETARA: Jurnal Studi Gender Dan Anak* 5, no. 01 (July 2023): 98–116, <https://doi.org/10.32332/jsga.v5i01.6848>.

⁴² Omar Ben Haman, "Women and Intersectional Barriers in Social Exclusion," *Women's Studies International Forum* 112 (September 2025): 103142, <https://doi.org/10.1016/j.wsif.2025.103142>.

honor while simultaneously enhancing their quality and capabilities. Honor is not limited to the protection of reputation, but also encompasses recognition of a person's capacity to develop and contribute meaningfully and with dignity to family and social life. Unequal power relations within the household can undermine women's psychological and social dignity,⁴³ including in families where both spouses are employed.⁴⁴ Accordingly, the phrase *bi-mā lā yata'araḍ ma'a wājibātihā al-usariyyah* in Article 68 should not be interpreted as a basis for eliminating a wife's educational opportunities. Family responsibilities must still be fulfilled, but their implementation should be accommodated alongside the wife's educational rights. Thus, *ḥifẓ al-'ird* directs the interpretation of Article 68 so that marital status does not become a justification for diminishing women's intellectual capacities or restricting their opportunities to develop their quality and capabilities.

This interpretation also places *ḥifẓ al-'ird* in relation to *ḥifẓ al-'aql* and *ḥifẓ al-nasl*. Education enhances women's intellectual capacities, while family life requires the contributions of both spouses in fulfilling household responsibilities. Therefore, a wife's education should be accommodated without relieving her of her responsibilities toward her husband and children. The husband should participate more actively in childcare and household management when his wife is pursuing education, while the wife remains responsible for ensuring that the child's right to adequate care is fulfilled. This arrangement gives rise to Educational Partnership in Marriage, which does not treat education as a privilege granted by the husband, but as a protected interest that must be accommodated within a mutually responsible marital relationship [17]. Accordingly, *ḥifẓ al-'ird* functions as an interpretive

⁴³ Michael G. Wessells and Kathleen Kostelny, "The Psychosocial Impacts of Intimate Partner Violence against Women in LMIC Contexts: Toward a Holistic Approach," *International Journal of Environmental Research and Public Health* 19, no. 21 (November 2022): 14488, <https://doi.org/10.3390/ijerph192114488>.

⁴⁴ Siti Mas'udah, "Power Relations of Husbands and Wives Experiencing Domestic Violence in Dual-Career Families in Indonesia," *Millennial Asia* 14, no. 1 (March 2023): 5–27, <https://doi.org/10.1177/09763996211039730>.

principle that prevents women's dignity, quality, and social participation from being subordinated merely to their marital status.

F. Protection of Women's Education as an Increase in Religiosity Resources (*Hifz Din*)

The protection of women's education has a strong relevance to the purpose of *hifz al-din* because the quality of religiosity is determined not only by the intensity of ritual practice, but also by one's capacity to understand religious teachings correctly, rationally, and contextually⁴⁵. Education allows women to develop critical thinking skills so that they are able to distinguish between substantial religious values and cultural constructions that are often legitimized in the name of religion⁴⁶. Through education, women not only become passive recipients of religious teachings, but also are able to understand their rights and obligations proportionately and build family life based on the principles of justice, responsibility, and benefit. In this context, the protection of women's education is an important part of efforts to build a more mature and oriented religiosity quality in social life.

On the contrary, low access to education has the potential to give birth to various religious problems that have an impact on families and communities. Limited knowledge can make women more vulnerable to accepting narrow, exclusive, or gender-biased religious understandings without the ability to critically evaluate their sources and arguments⁴⁷.

⁴⁵ Heru Susanto et al., "The Purposes of Marriage and Its Hierarchy According to Al-Ghazālī on the *Ihyā' Ulum al-Din* Based on Mubadalah Perspective," *Fikri: Journal of Religious, Social and Cultural Studies* 9, no. 2 (2024): 394–409, <https://doi.org/10.25217/jf.v9i2.5132>.

⁴⁶ Hadi Pajarianto et al., "Religious Literacy as a Mediator in the Ecosystem Model of Religious Moderation Towards Youth's Tolerance Attitudes," *International Journal of Law and Society* 4, no. 3 (December 2025): 445–66, <https://doi.org/10.59683/ijls.v4i3.236>.

⁴⁷ Rabea M. Khan, "Speaking 'Religion' through a Gender Code: The Discursive Power and Gendered-Racial Implications of the Religious Label," *Critical Research*

This condition risks perpetuating practices that are not in line with Islamic principles of justice, strengthening unequal family relationships, and hindering the birth of a culture of dialogue in the household. In the long term, the low quality of women's education can also affect the process of transmitting religious values to the next generation, so that the religious patterns that develop tend to be textual, less adaptive, and difficult to respond to the challenges of modern society⁴⁸.

Within this framework, Qatari family law regulations that guarantee the sustainability of the wife's education after marriage show that strengthening religiosity and intellectual capacity development can run simultaneously. Education is positioned as a means to form a family that is not only symbolic religious, but also able to internalize religious values in the form of productive, tolerant, and responsible social behavior. The higher the quality of women's education, the greater their contribution to building a family environment that respects science, prioritizes deliberation, and instills moderate Islamic values to the next generation. Therefore, the protection of women's education in the perspective of *ḥifẓ al-dīn* not only serves to maintain the sustainability of religion, but also improves the quality of religious resources that are the foundation of the development of modern Muslim society.

G. Protection of Women's Education as an Improvement of Health Resources (*Hifẓ Nafs*)

Article 68 of Qatar Family Law No. 22 of 2006 recognizes a wife's right to continue her education after marriage. From the perspective of *ḥifẓ al-nafs*, this recognition can be understood as protecting women's capacity to safeguard their lives and health. Education does not

on *Religion* 10, no. 2 (August 2022): 153–69, <https://doi.org/10.1177/20503032211015302>.

⁴⁸ Adam Gemar, "Parental Influence and Intergenerational Transmission of Religious Belief, Attitudes, and Practices: Recent Evidence from the United States," *Religions* 14, no. 11 (November 2023): 1373, <https://doi.org/10.3390/rel14111373>.

automatically guarantee better health outcomes; rather, it can serve as a pathway to strengthening health literacy, understanding health risks, and making informed decisions concerning reproductive health, nutrition, and personal healthcare.⁴⁹ Accordingly, the protection of educational continuity not only supports intellectual development but also strengthens women's ability to understand health information and determine appropriate actions in response to their needs.

This capacity may also contribute to family health. Adequate knowledge can help women make more informed decisions about their physical health and psychological well-being while enabling them to participate in addressing the health needs of their husbands and children.⁵⁰ Within the framework of *hifẓ al-nafs*, education strengthens a family's capacity to understand health information, recognize risks, and determine appropriate preventive or remedial measures. Such responsibility remains a shared concern between spouses rather than a burden that women must bear alone. Therefore, a wife's right to education has intrinsic value for her personal development and may also contribute to family well-being.⁵¹

From this perspective, Article 68 can be interpreted as a legal instrument that supports the preservation of life by strengthening women's knowledge and decision-making capacity. This interpretation extends the understanding of *hifẓ al-nafs* beyond the protection of physical safety to include individuals' ability to maintain their health consciously and responsibly. Its relationship with *hifẓ al-nasl* becomes apparent when women's health-related capacities also support attention to children's well-being, without reducing women's education to their

⁴⁹ Kimberly A. Kilfoyle et al., "Health Literacy and Women's Reproductive Health: A Systematic Review," *Journal of Women's Health* 25, no. 12 (December 2016): 1237–55, <https://doi.org/10.1089/jwh.2016.5810>.

⁵⁰ Maiken Meldgaard, Mads Gamborg, and Helle Terkildsen Maindal, "Health Literacy Levels among Women in the Prenatal Period: A Systematic Review," *Sexual & Reproductive Healthcare* 34 (December 2022): 100796, <https://doi.org/10.1016/j.srhc.2022.100796>.

⁵¹ Rafael Vila-Candel et al., "Interventions to Improve Health among Reproductive-Age Women of Low Health Literacy: A Systematic Review," *International Journal of Environmental Research and Public Health* 17, no. 20 (October 2020): 7405, <https://doi.org/10.3390/ijerph17207405>.

roles as wives or mothers. Thus, educational continuity constitutes an interest worthy of protection within family life, while its potential benefits for family health provide an additional justification rather than the sole basis for protecting this right.

H. Protection of Women's Education as an Increase in Economic Resources (*Hifz Mal*)

Article 68 of Qatar Family Law No. 22 of 2006 recognizes a wife's right to complete compulsory education and facilitates her continuation of university education within Qatar, subject to the statutory condition concerning family duties. From the perspective of *hifz al-māl*, this recognition can be interpreted as protecting women's capacity to develop and safeguard their economic interests. Education does not automatically guarantee employment, higher income, or financial independence; rather, it can expand the knowledge, skills, and opportunities necessary for economic participation. Research on women's education and household welfare identifies links between educational attainment, women's bargaining power, and several dimensions of household welfare, although these relationships vary across socioeconomic contexts.⁵² Protecting educational continuity therefore supports women's economic capabilities without making the value of their education conditional upon their financial contribution to the household.

Educational continuity can also strengthen women's capacity to make informed financial decisions. Financial literacy supports the understanding of financial information, the assessment of financial products, and decisions concerning saving, borrowing, and financial

⁵² Raymond Boadi Frempong and David Stadelmann, "Exploring Education-Induced Bargaining Power of Women on Household Welfare in Sub-Saharan Africa," *Economics* 12, no. 11 (November 2024): 293, <https://doi.org/10.3390/economics12110293>.

planning.⁵³ Research on women's empowerment further identifies education and training as important components of efforts to overcome economic and sociocultural barriers to women's participation.⁵⁴ The relationship between education and economic security, however, is not automatic: women's opportunities also depend on access to employment, financial services, productive resources, and participation in household decisions.⁵⁵ Accordingly, *ḥifẓ al-māl* should not be reduced to increasing family income or requiring wives to become earners. Its relevance lies in protecting women's capacity to understand, manage, and safeguard their economic interests, including where they do not participate in paid employment.

On this basis, *ḥifẓ al-māl* provides an interpretive framework for understanding Article 68 beyond the economic benefits that women's education may generate for their households. The provision should not be understood as protecting education only when it increases a wife's earning capacity or contributes to family income. Rather, educational continuity can strengthen women's economic agency and their ability to participate in financial decisions. This interpretation also distinguishes the statutory recognition of educational continuity from the broader normative expectation of spousal cooperation. Within the proposed framework of *Educational Partnership in Marriage*, spouses are encouraged to arrange family and financial responsibilities in ways that

⁵³ Md Emran Hosen, Md Nur Alam Siddik, and Md Firoze Miah, "Exploring the Impact of Financial Literacy and Financial Inclusion on Financial Stability: An Analysis Using Machine Learning Approaches," *Borsa Istanbul Review* 26 (August 2026): 100763, <https://doi.org/10.1016/j.bir.2025.11.004>.

⁵⁴ Tika Widiastuti et al., "Capturing the Barriers and Strategic Solutions for Women Empowerment: Delphy Analytical Network Process," *Journal of Open Innovation: Technology, Market, and Complexity* 10, no. 3 (September 2024): 100345, <https://doi.org/10.1016/j.joitmc.2024.100345>.

⁵⁵ Falak Khan, Muhammad Ayub Siddiqui, and Salma Imtiaz, "Role of Financial Literacy in Achieving Financial Inclusion: A Review, Synthesis and Research Agenda," *Cogent Business & Management* 9, no. 1 (December 2022): 2034236, <https://doi.org/10.1080/23311975.2022.2034236>.

enable the wife to pursue education while safeguarding legitimate family interests. This partnership constitutes a *maqāṣid*-based normative reconstruction, not a claim that Article 68 expressly establishes an enforceable obligation to finance every educational choice. Thus, *ḥifẓ al-māl* protects women's economic agency while preserving education as an independent interest.

I. Protection of Wives' Education as a Modern Legal Formula

Education is a fundamental pillar of a high-quality society because it expands individuals' intellectual capacities, independence, and social participation. Within marriage, women's opportunities to pursue higher education should not automatically end when they become wives. Qatar's Family Law No. 22 of 2006 recognizes this interest through Article 68, which requires a husband to allow his wife to complete compulsory education and facilitate her continuation of university education within Qatar, subject to her family obligations. This provision is significant because it gives wives' educational continuity specific recognition within family law rather than treating it merely as a personal choice dependent on household circumstances. Marriage, therefore, does not in itself extinguish a woman's educational interests. The provision nevertheless raises a central interpretive question: how can educational continuity be reconciled with family responsibilities without allowing either interest to automatically override the other?

The phrase "provided that this does not conflict with her family obligations" establishes a qualification on the continuation of a wife's education under Article 68. This qualification should not be interpreted as an automatic justification for subordinating education to domestic responsibilities. Rather, it calls for both interests to be accommodated proportionately. A wife remains responsible for fulfilling her family obligations, while her husband must also fulfil his statutory responsibility to permit and facilitate her education. Articles 55 and 56

of Qatar's Family Law provide relevant interpretive context by recognizing reciprocal marital rights and emphasizing mutual respect, kind treatment, and the preservation of family welfare. Accordingly, the responsibility for achieving balance should not be placed exclusively on the wife. The husband's support and the couple's joint management of family responsibilities are also important to the practical realization of the educational protection recognized by Article 68.

Article 68 should therefore not be understood simply as restricting women's education through their duties as wives. Instead, it recognizes the importance of education while situating its continuation within the responsibilities of family life. The central interpretive challenge is determining when educational activities genuinely conflict with family obligations and how such conflicts should be resolved fairly. Article 68 does not itself specify detailed criteria for determining such a conflict or establish a procedure for resolving it. It should consequently be read alongside the reciprocal principles in Articles 55 and 56, without assuming that the legislation expressly requires an equal division of domestic work. In practice, spouses need to negotiate study schedules, childcare, household responsibilities, and other educational needs so that each party's rights and responsibilities receive appropriate consideration. Such accommodation should not be understood as requiring a wife to abandon her education whenever family demands arise; rather, it calls for a reasoned assessment of the circumstances and available alternatives.

Comparative empirical research further illustrates why the relationship between family law and women's education deserves attention, although findings from other jurisdictions cannot automatically establish how Article 68 operates in Qatar. A study published in *Economics Letters* examined a South African reform that expanded women's rights in marital property administration and estimated an increase in women's educational attainment of approximately six to twelve months.⁵⁶ Research on Thailand's compulsory-schooling reform has likewise examined the effects of

⁵⁶ Emiel Jerphanion, "Matrimonial Rights & Female Education," *Economics Letters* 227 (June 2023): 111125, <https://doi.org/10.1016/j.econlet.2023.111125>.

educational policy on women's schooling and subsequent marriage and fertility outcomes.⁵⁷ These studies suggest that legal and institutional arrangements can influence educational opportunities and related life outcomes. However, neither study directly evaluates Qatar's Family Law or demonstrates the effectiveness of Article 68. Assessing the Qatari provision requires jurisdiction-specific evidence, including its interpretation in practice, the handling of disputes between spouses, and the availability of relevant legal remedies. This distinction is essential to avoid equating statutory recognition with demonstrated practical enforceability.

From the perspective of *maqāṣid al-sharī'ah*, Article 68 can be examined through the relationship between the protection of intellect (*ḥifẓ al-'aql*) and the preservation of family welfare, including the protection of offspring (*ḥifẓ al-nasl*). Education supports the development of knowledge and intellectual capacity, while family responsibilities concern the maintenance of household well-being and the care and upbringing of children. A *maqāṣid*-based analysis should not merely label education as beneficial to intellect and family life as beneficial to offspring. Instead, it should provide an interpretive method for evaluating how these interests should be reconciled when they appear to conflict. For example, invoking domestic responsibilities alone is insufficient to justify restricting education without examining the circumstances, the actual needs of the family, and whether alternative arrangements could allow education to continue.⁵⁸ In this way, *maqāṣid* serves as a framework for assessing proportionality and the purposes underlying the legal provision, rather than as a substitute for positive law or evidence of remedies that the legislation does not expressly establish.

⁵⁷ Pasita Chaijaroen and Pallavi Panda, "Women's Education, Marriage, and Fertility Outcomes: Evidence from Thailand's Compulsory Schooling Law," *Economics of Education Review* 96 (October 2023): 102440, <https://doi.org/10.1016/j.econedurev.2023.102440>.

⁵⁸ Ciara S. Glover, Mayra Y. Bámaca, and Kazumi Homma, "Do Family Obligations Contribute to Academic Values? The Mediating Role of Academic Efficacy," *Behavioral Sciences* 15, no. 9 (September 2025): 1212, <https://doi.org/10.3390/bs15091212>.

On this basis, this study proposes *Educational Partnership in Marriage* as a normative framework for clarifying the interpretation and potential development of Article 68. The principle conceptualizes educational continuity and family responsibilities as interests that should be managed through communication, negotiation, and reciprocal support between spouses. In practical terms, this may involve agreements on study schedules, the distribution of household work, childcare, and the support necessary to prevent education from being discontinued without sufficient justification. This proposal does not claim that Qatari legislation expressly establishes an independent legal doctrine of educational partnership or that informal agreement can resolve every marital dispute. Its contribution is interpretive: it offers a framework for resisting the automatic use of family obligations to displace a wife's education while recognizing that family responsibilities remain legally relevant. Further legal research is nevertheless required to determine how such a principle could be reflected in judicial interpretation, dispute-resolution procedures, or future legislative clarification.

In comparative perspective, the Qatari experience may provide a conceptual reference for developing family-law protection for women's educational continuity in Indonesia. The relevance is not that Qatar's Article 68 should be transplanted directly, but that Indonesia may consider whether the protection of educational continuity after marriage should be addressed more explicitly alongside spouses' mutual rights and responsibilities. The statistical context reinforces the importance of keeping educational opportunity on the policy agenda. According to Statistics Indonesia (BPS), the gross enrolment ratio in tertiary education in 2025 was 35.98% for women and 29.88% for men, indicating that women's participation in higher education remains an important dimension of national human-resource development.⁵⁹ At

⁵⁹ BPS-Statistics Indonesia, "Gross Enrolment Ratio (GER) in Tertiary Education by Sex - Statistical Data," accessed October 9, 2026, <https://www.bps.go.id/en/statistics-table/2/MTQ0NiMy/gross-enrolment-ratio-ger-in-tertiary-education-by-sex.html>.

the same time, BPS reported that 4.56% of women aged 20–24 in 2025 had married or entered a union before age 18.⁶⁰

This figure concerns early marriage and does not directly measure educational discontinuation among married adult women; it nevertheless illustrates the continuing intersection of marriage and educational opportunity. Indonesia's Law No. 16 of 2019 raised the minimum marriage age for women and men to 19, with the stated aim of protecting children's development and access to education. These existing measures do not, by themselves, establish how a married woman's pursuit of higher education should be accommodated when family responsibilities arise. The *Educational Partnership in Marriage* framework may therefore inform future comparative debate on clearer standards for balancing education, domestic responsibilities, and reciprocal spousal support, while any legal reform must be grounded in Indonesia's own statutory framework and social context.

Conclusion

This study concludes that Article 68 of Qatar's Family Law No. 22 of 2006 provides specific legal recognition of wives' educational continuity by requiring husbands to permit the completion of compulsory education and facilitate further university education in Qatar, subject to family obligations. The central legal issue lies in interpreting this qualification without allowing family responsibilities to become an automatic justification for restricting educational opportunities. Because Article 68 does not specify detailed criteria for determining such a conflict, its interpretation requires consideration of the reciprocal rights and responsibilities established elsewhere in Qatar's Family Law. The analysis therefore distinguishes the statutory recognition of educational rights from the question of their practical

⁶⁰ BPS-Statistics Indonesia, "Proportion of Women Aged 20-24 Years Who Were Married or in a Union Before 18 Years Old by Province - Statistical Data," accessed October 9, 2026, <https://www.bps.go.id/en/statistics-table/2/MTM2MCMY/proporsi-perempuan-umur-20-24>.

enforceability, which requires further investigation into judicial practice and available legal remedies.

The study's principal conceptual contribution is the proposed *Educational Partnership in Marriage*, a normative framework for interpreting and developing the protection recognized by Article 68. Rather than presenting education and family responsibilities as mutually exclusive interests, this framework emphasizes reciprocal support, negotiation, and proportionate accommodation between spouses. Through a *maqāṣid al-sharī'ah* perspective, the relationship between the protection of intellect (*ḥifẓ al-'aql*) and family welfare, including the protection of offspring (*ḥifẓ al-nasl*), can be examined as an interpretive question concerning how competing interests should be reconciled. The contribution is therefore not a claim that Qatar's legislation already establishes an independent legal principle of educational partnership, nor a demonstrated reconstruction of the entire *maqāṣid* paradigm. Instead, it offers a normative approach for assessing the family-obligation qualification and identifying possible directions for legal clarification.

The findings may inform comparative discussions of family-law reform in Indonesia, particularly regarding the protection of women's educational continuity after marriage and the reciprocal responsibilities of spouses. However, the Qatari legal framework cannot be transferred directly to Indonesia without examining differences in statutory provisions, legal institutions, and social circumstances. The relevance of this study lies in providing a conceptual reference for future comparative research rather than establishing an immediate legislative prescription. Further studies should investigate the application of Article 68 in Qatar, examine how educational conflicts are addressed in practice, and compare the relevant legal frameworks of Qatar and Indonesia. Empirical research could also assess whether clearer legal protection and supportive marital arrangements are associated with continued educational participation among married women. Such research would

help determine the practical implications of *Educational Partnership in Marriage* for family welfare and women's educational opportunities.

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