



RIGHTS OF WOMEN IN ISLAM

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Abstract: Islam is a significant and crucial monotheistic religion in the world. The religion protected gender equality and women's rights in all aspects of their lives. According to the Oxford Dictionary, "women's right" means "Rights that promote social and legal equality of women with Men". Islam guarantees equal rights to men and women, and there is no discrimination between them. You could think that women's rights in Islam are being suppressed. Muslims comprise about 20 to 25 percent of the world's population today. Some Muslim communities adhere closely to Islamic teachings. At the same time, some are pretty distant from Islamic beliefs. So, if someone wants to evaluate women's rights in Islam, they shouldn't estimate it based on what Muslims or the Muslim community do. They should judge it based on the authentic sources of Islam. The Quran and the Authentic Hadith are trustworthy sources of Islam. The Quran is the last and final revelation of God. The Authentic Hadith is the teachings of Prophet Muhammad, the final messenger of Islam. The Prophet's narrations speak of women with praise and respect. Prophet Muhammad once said: "The world and all things in it are precious, and the most precious thing in the world is a virtuous woman" (Ahmad and Muslim). So, women's rights in Islam should be based on the Quran and authentic hadith. Based on the above-mentioned accurate sources, I have broadly divided women's rights in Islam into six broad headings: the spiritual rights of women in Islam, the economic rights of women in Islam, the social rights of women in Islam, the educational rights of the women in Islam, the legal rights of the women in Islam and the political rights of the women in Islam.

Index Terms - Qur'an, Hadith, Mahr, Jihad, Talaq, Khula.

INTRODUCTION

Islam is a religion that bestows rights upon men and women equally. However, this fundamental idea of the rights and status of Muslim women within the religion continues to be a controversial topic due to a lack of understanding of Islamic teachings and inadequate knowledge of the Qur'an and Hadith. If we look at the pre-Islamic era, commonly called "Jahiliya," which means "Age of ignorance,"¹ we will realize that women were treated no better than commodities.² We will get information on women in the pre-Islamic period from classic Arabic poetry and other literary narrations of that age. Although most pieces of information are recorded in the Quran and the Hadith.³ Women's position in pre-Islamic Arabia varied greatly depending on the laws and cultural customs of the tribes in which they lived. Women had fewer legal positions under the traditional tribal law that prevailed in Arabia at the time of ignorance. Inheritance was only bestowed through male lineages in these patriarchal societies and the world as a whole. The unwritten laws of the tribe, which often restricted the rights of women, were upheld by the tribal chief. Women were frequently viewed as possessions that might be inherited or taken during a tribal dispute. On the other hand, many upper-class women enjoyed the luxury of many rights. They married into prosperous families and were often able to possess property or even inherit from their relatives.

One evil practice in pre-Islamic Arabia was burying a girl child alive. Still, this heinous crime is being continued in some parts of the world. During the pre-Islamic Age, when a father hears the good news of a baby girl's birth, he will be ashamed and feel embarrassed to face society and family and get aroused in anger and starts to think of burying her alive⁴. The two main reasons behind this atrocious act were the fear of increasing economic burden due to the girl child and the girl would have to face humiliation from an aggressive tribe. The Quran describes this practice and speaks against female infanticide due to the fear of poverty in two distinct places (17:31 & 6:151), and other places (81:8, 9) where the Qur'an warns about the affirmation of being interrogated about burying a girl child. *"And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin."* (17:31)⁵

One of the Hadith of Prophet Muhammad (PBUH) gives the highest honor to the parents of a daughter, "He who looks after two girls properly till they reach maturity, he and I will come on the day of resurrection together like these two (fingers)." (*Muslim and al-Tirmidhi*).⁶ "Whoever has three daughters (Even two) and he cares for them, he is merciful to them, and he clothes them, then Paradise is certainly required for him." (Ahmed). In the case of marriage, there were no rights and no freedom to make their own decisions for women during the Jahiliya period; even now, it is an abashed open secret in most parts of the world. In the pre-Islamic age, marriage was considered a contract between the groom and the bride's father or guardian. Woman had no involvement in her marital decisions.

Polygamy and polyandry were common among the Arabs during the dark ages. Besides, a man could have illegal relations with several women, and a plurality of wives is also prevalent among them. Stepmothers were married to their sons, and siblings were married to each other. There were no issues with such a marriage system. Women had no right to inherit the property of their deceased husbands, fathers, or other relatives. The women followed such miserable conditions before the advent of Prophet Muhammad (PBUH). He raised their status from the yoke of loneliness and proposed to stop such torture, cruel deeds, and inhuman activities toward women. He said, "The best of you are those who behave best to their wives." "There is no doubt that Prophet Muhammad (PBUH) was sent to remove the veil and take them from darkness towards light.

In his farewell ceremony, Prophet Muhammad (PBUH) spoke about the greatness of women and their protection within the Islamic circle. But today, several Muslims do not realize the status and the rights of women permitted by Islam due to the lack of in-depth knowledge of the Quran and Hadith. The Quran and Hadith serve as the primary sources of Muslim personal law. Muslim women's rights are derived mainly from the Holy Quran, which is considered the Magna Carta of fundamental rights. In Qur'an, one whole chapter speaks about women named Surah An Nisa' (The Women). To ascertain my corroborate views about women's rights in Islam, I broadly divide it into six primary rights such as spiritual, economic, social, educational, legal, and political.

1. Spiritual Rights of Women in Islam

The Almighty Allah says, "I did not create Jinn and Humans except to worship me" (51:56). One should worship Allah alone and combat evil forces under Allah's commandments to achieve eternal life in Paradise. But the common misconception among the non-Muslims about Islam is that Paradise is only meant for men. This verse of the Holy Quran can easily defy this misconception;

*"And whoever does righteous deeds, whether male or female, while being a believer - those will enter Paradise and will not be wronged, [even as much as] the speck on a date seed."*⁷

It is clear from the above verse that both men and women in Islam have the same spiritual duties. So as a woman, it's her right to enter Paradise by believing in Allah and doing good deeds. Allah said,

*"Whoever does righteousness, whether male or female, while he (or she) is a true believer -we will verily, to him we will give a good life (in this world with respect, contentment and lawful provision), and we shall pay them certainly a reward in proportion to the best of what they used to do (i.e. Paradise in the Hereafter)."*⁸

It is mentioned in the Quran that it does not attribute Adam's first error to women. Both acknowledged that they disobeyed God in the same way, repented, and received forgiveness.⁹ Adam was singled out for guilt in one Verse(20:121). Thus, there is no doubt that men and women will be judged hereafter, each bearing burden of their deeds, each soul get punished for its transgressions, and each will get rewarded for their obedience to Allah.

There is no difference between men and women when doing religious duties like proclamation of Islamic belief, daily prayers, fasting, Zakat (Compulsory payment), and pilgrimage. In some situations, women do

have some advantages over men. For instance, a woman is excused from the obligatory daily prayers and fasting for forty days following childbirth and throughout her menstrual cycle. If there is a risk to her health or the health of an unborn child, she is also excused from fasting during pregnancy and breastfeeding time. If the days of missed fasting (during the month of Ramadan) are required, she can make up for them when she is recovered. For any of the above mentioned circumstances, she is not required to make up for the missed prayers. Women can and have entered mosques during the time of the Prophet; their participation in Friday congregational prayers is voluntary, whereas it is obligatory for men.¹⁰

2. Economic Rights of women in Islam.

In Islam, women are financially secure. Women were despised and oppressed in Arabia before the advent of Islam. Rights of inheritance were only provided to male relatives during that time. The rise of Islam enhanced their status in society. It gave them a respectable position and acknowledged their humanity. Islam has detailed descriptions of women's economic rights, particularly their ownership and property rights. Before her marriage, it was her father and brother's responsibility to look after her. After her marriage, it's her husband and son's responsibility to look after her. The Holy Quran mentions that Men are the caretakers of women, and it's their responsibility to support them financially.¹¹ In Islam, Women are not obliged to spend on their families, but men are compelled to spend on their families.

Women acquire their property rights through marriage, gifts, and inheritance. During the marriage, the bride will receive a gift in the form of money or possession from the groom. This gift is called 'Mahr.' The Quran says, "And give the women [upon marriage] their [bridal] gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease." (4:4). This Mahr becomes her personal property. Furthermore, in Islam, a woman is allowed to inherit. Its details are mentioned in Surah An Nisa', "and women need not spend their share of inherited wealth or the money they earn on the family because it's the responsibility of the men to take care of them financially.

Islam has established specific guidelines regarding inheritance. Inheritance is based on two fundamental ideas:

- ❖ Only the relatives of the deceased person will get property.
- ❖ The relatives closer to the deceased will receive more significant parts of the property. i.e., near relatives are favored over distant relatives.

Nearly all of the facts about inheritance are covered in the Quran and Hadith; even the inheritance ratios are implemented (Surah An Nisa') the proportions of people do not remain constant but alter according to the circumstances, especially in the case of women. The Holy Quran says "Allah thus commands you concerning your children: the share of the male is like that of two females. If (the heirs of the deceased are) more than two daughters, they shall have two-thirds of the inheritance; and if there is only one daughter, then she shall have half the inheritance." (Surah Nisa: 11). Besides, the Quran declares that 12 persons are considered Ja'wil Furuz (determined share-holders) from the 12, only four were men, and the remaining 8 were women. Hence in Islam, women are financially secure. In Islam, even women can do business and work. So as a woman, it's her right to be provided with financial assistance by a man.

3. Social rights of women in Islam.

The social rights of women in Islam are further divided into four categories. 1)The rights of the daughter in Islam, 2)The rights of the wife in Islam,3)The rights of the mother in Islam, and 4)The rights of the sister in Islam. First, we will look at the rights of the daughter in Islam.

(1) Rights of Daughters in Islam

According to the 2011 census, the child-sex ratio to be decreased continuously. One of the primary reasons behind this is feticide, which means the act of causing the death of a fetus. The fear and shame of giving birth to a girl child and the technological advances to confirm it lead to this atrocity.

Most parents believe that a girl child is a financial burden and only boys will help them throughout their lives. But it is a wrong perception of parents. It is a condition of contemporary society and prevailed among the other earliest civilizations. During the dark ages, the girl child was buried alive soon after birth. But today, the community takes a step further; they feticide without even being given a chance to enter this world. Such a degraded condition still prevails in many cultures.

The Quran forbids this practice, and this murder is considered a major sin. In the Quran, Allah affirms being interrogated, "And when the girl [who was] buried alive is asked, for what sin she was killed"¹². Also, the Quran reminds us that those who think the birth of a female child is a disgrace or humiliation or who think

killing her evil is what they decide¹³ There is an authentic Hadith; the Prophet Muhammad (PBUH) said, "any man who raises two daughters with love and affection shall enter Paradise."¹⁴

So as a daughter, it's her right to be raised with the utmost deserving care and affection by her parents. She has the right to choose her life partner and demand the Mahr (bride gift) she desires.

(2) The Rights of wives in Islam.

Marriage is a sacred contract between not only the husband and the wife but also a contract between two families. Both bride and groom have equal rights to choose their spouses. Her father or guardian (uncle, grandfather, or brothers) can choose a better life partner for her. However, this does not allow him/them to force his/their choice on her against her wishes. If the marriage is done without her or against her wishes, that marriage will become void. The Quran mentions this aspect that the permission of the bride is compulsory for the wedding.¹⁵

Ibn' Abbas reported that a girl came to the Messenger of God, Muhammad (peace and blessings be upon him), and she said that her father had forced her to marry without her consent. The Messenger of God gave her a choice... (Between accepting the marriage or invalidating it). (Ibn Hambal 2469). In another hadith a girl came to the Prophet (PBUH) and complained that her father forced to marry her cousin to raise his status (In the eyes of the people). The Prophet (PBUH) gave her a choice (that it is her own decision to accept or reject this marriage and choose whomever she wishes to marry). She replied to Prophet (PBUH), I approve of what my father did, but I wanted women to know that fathers have no right to do that (forcing a marriage). (Ibn Majah 1874). Furthermore, Prophet (PBUH) said, "*Fear Allah in respect of women.*" Moreover, "*The best of you are they who behave best to their wives.*" And: "A Muslim must not hate his wife, and if he be displeased with one bad quality in her, let him be pleased with one that is good." And. "The more civil and kind a Muslim is to his wife, the more perfect in faith he is."¹⁶

Here are some of the wife's rights in Islam.

- ❖ The husband needs to assist his wife with household duties.
- ❖ The husband should commit to his wife unselfishly and with unwavering devotion.
- ❖ The husband should not be shy about complimenting his wife's qualities in front of her and other people.
- ❖ Every husband must give his wife food, clothing, and a secure place to live.
- ❖ According to Islamic law, a wife can use her own money without asking her husband for permission or even without informing him.
- ❖ The necessary materials for a wife's ornamentation and embellishment should be provided.
- ❖ The husband has no legal authority to forbid their wife from seeing their parents or other close family members or keep them at home without any reason.

So as a wife, it is her prerogative right to be treated to the best as an equal life partner.

(3) Rights of Mothers in Islam.

According to Islamic Sharia, mothers have more priority and very high positions than father and their wide range of rights. The rights of mothers are outlined in detail in Quran. Mothers are treated in Islam more respectfully and elegantly than other family members. Islam says that children must treat their mothers with more respect and affection at any stage of life. Allah says, "*And we have enjoined upon man [care] for his parents. His mother carried him, [increasing her] in weakness upon weakness, and his weaning is in two years. Be grateful to me and to your parents; to me is the [final] destination. (31:14)* In Surah Al Isra' Allah says, "*And your lord has decreed that you do not worship except Him, and to parents, good treatment. "Whether one of the both of them reach old age with you, say no to them "Uff," and do not repel them, but speak to them a noble word."* (17:23)

In one of the famous incident, a man came to the Prophet (PBUH) and asked:

"O Messenger of Allah, who is the person who has the greatest right on me with regards to kindness and attention?" He replied: "Your mother. "Then Who?" He replied: "Your Mother." Then Who?" He replied: "Your Mother." "Then Who?" He replied: "Your Father." (Sahih Muslim 6180, 6181) From this Hadith, we can understand the importance of the mother in Islam. The Prophet Muhammad (PBUH) said there is another authentic Hadith: "Paradise lies beneath the feet of your mother."¹⁷

In Islam being a mother is a dignified status as it's her right and authority to be treated with utmost love, care and compassion.

(4) Rights of the sisters in Islam.

Islam teaches love and affection between siblings. Quran says, "*The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakah and obey Allah and His Messenger. Those - Allah will have mercy upon them. Indeed, Allah is exalted in Might and Wise.*"¹⁸." And they should also encourage each other to forbid evil." It means that even if they believe men and women are not related, they should show social support for one another. So as a sister, it's her right to be provided social support by her brother.

4. Educational rights of women in Islam.

Allah reveals the first guide to the whole of humankind in the Quran; it was not about Salah or charity or fasting, but it was about "Iqra," which means to read, to Proclaim, to repeat. So the first guidance given by Allah in the Quran is "to read" in the Surah, Al Alaq. One's personality and intelligence could develop through education, and it fulfills both their spiritual and material needs in this life. Thus the Prophet (PBUH) made education compulsory irrespective of gender because of its significance for fostering a woman's personality and logic and influencing societal change and growth. Prophet Mohammed (PBUH) Said, "Earning knowledge is compulsory for every Muslim (male and female)."¹⁹ If we read Sahih Al Bukhari, we will know that Prophet Muhammad (PBUH) dedicated time to educating women and asked them to be educated. He also sent Sahabahs to educate, especially the women.

Islam gives more importance of being educated religiously and advancing in every aspect of education for better living. Muhammad (PBUH) says, "Search of knowledge though it be in China."²⁰ During that time, China was a developed education and technology country. From this point, we understood that Prophet Muhammad (PBUH) did not mean only to acquire religious knowledge but also excel in all branches of knowledge.

A Hadith says, "He who has a slave girl and teaches her good manners and improves her education and then manumits and marries her, will get a double reward; and any slave who observes God's, right and his master's right will get a double rewarded." During the Prophet Muhammad's (PBUH) lifetime, many Muslim women scholars exist in Arabia. Some prominent scholars are Aisha-bint-Abu Bakr; she has taught more than 88 scholars, and more than 2210 Hadith are narrated on her authority. Another example is Umm-e-Salma, considered the most intellectual and learned woman in Islam. Another example is Fatima-bint-Qais, who was considered a very knowledgeable woman.

Another example is Syeda-Nafisa, who taught many scholars, including Imam Shafi. Aisha-Bint-Sa'd-Ibn Abi-Waqas taught many scholars, including Imam Malik. In Islam, a woman's contribution to education is tremendous as it's her right and duty to earn good knowledge.

5. Legal rights of women in Islam.

The legal status of men and women is equal in Islam. According to the 'law of equality, known as "qisas," mentioned in Surah al- Baqrah, punishment is the same for both of them for the same crime. For example, a man who murders a woman will receive a sentence, and a woman who kills a man will also be sentenced to death. There is no distinction in punishments based on gender.

Quran says, "[As for] the thief, the male and the female, amputate their hands in recompense for what they committed as a deterrent [punishment] from Allah. And Allah is exalted in Might and Wise."²¹ Another Surah says about legal rights, "If a fornicator is proven will guilty, whether it's a man or woman, they should receive 100 lashes as punishment."²² And another verse in the same surah al Baqarah indicates, "Women have a right to be a witness."²³ Islam views it as a grievous offense when someone makes a claim about a woman's chastity and modesty without producing any evidence to support it. The Quran declares the legal right on her property that every woman has the right to engage in Commerce, enter into agreements and contracts, work for pay and possess and control her assets.

Another legal right is the right of inheritance. Islam gives women the right to inherit property. The Quran says, "*For men is a share of what the parents and close relatives leave, and for women is a share of what the parents and close relatives leave, be it little or much - an obligatory share.*"²⁴ From this verse, it is established that inheritance rules for men and women are the same. Further, it is clear that in addition to men,

women also have a fixed portion in the inheritance of their parent's property and the property of other close relatives, such as her husband's and her son's property.

In Islam, women had a right to divorce. If it is impossible to lead a peaceful and happy life, divorce is permissible in Islam. Still, it is also severely prohibited because it affects two individuals, their children, and other family members. The prophet Muhammad (PBUH) said, "With Allah, divorce is the most detestable of all lawful things."²⁵ 'Talaq' is when the husband rejects the wife; on the other hand, the wife has the option to end her marriage if she is dissatisfied by using the word 'Khula' for divorce. In a Khula, the wife must forgo her Mahr; in Talaq, the husband must pay her Mahr. During the divorce, the husband must give her Mahr if it is not paid. In the Qur'an, Allah orders husbands that if they die leaving behind their wives, they should keep provision for one year and not turn her out. *"And those who are taken in death among you and leave wives behind - for their wives is a bequest: maintenance for one year without turning [them] out. But if they leave [of their own accord], then there is no blame upon you for what they do with themselves in an acceptable way. And Allah is Exalted in Might and Wise"* .²⁶(2:240)

It clearly outlined how Islam protected the dignity of every woman legally. So as a woman, it's her right to be dignified and treated equally by the law.

6. Political rights of women in Islam.

In Islam, believing men and women are supporters of one another socially and politically. During the lifetime of Prophet Muhammad (PBUH), Muslim women engaged in state political affairs, such as making controversial promises, relocation, public discussions, and delivering guidance. Some of those who wish to undermine women's status in Islam argues that the loyalty promise made by women is primarily focused on the promise not to steal or commit adultery. They casually ignore the other promise conditions listed in the Qur'an. Allah says, *"O Prophet! When the believing women come to you, pledging to you that they will neither associate anything with Allah 'in worship', nor steal, nor fornicate, nor kill their children, nor falsely attribute 'illegitimate' children to their husbands, nor disobey you in what is right, then accept their pledge, and ask Allah to forgive them. Surely Allah is All-Forgiving, Most Merciful."* (60:12).

Islam allows women to participate in the framing of laws.. One of the historical events during the reign of Umar (RA), the second caliph of Islam, clear this statement. During a discussion regarding the 'Mahr' in the Masjid. Umar (RA) asked the women not to demand 'Mahr' in very high quantity from the men for marriage. At that time, a lady from the last row of the Masjid objected to this, and she referred 20th verse of the Surah An-Nisa, and she asked, "When Allah has not placed an upper limit on 'Mahr', why would "Umar" ask them to place an upper limit?" On hearing this, Umar (RA) agreed that he was wrong and the lady was right. So Umar (RA) immediately withdrew his statement. From the above event, it's clear that ordinary women questioned the breach of the constitution, and it was immediately acknowledged.²⁷

During the time of the Prophet (PBUH), women were a vital feature of Islamic society in Madinah. They participated with males in all facets of social life. Such well-known examples are Umar (RA) appointed al-Shifa' bint Abdullah of Makhdam and Samra' bint Nuhayk of the Asad clan as a Muhtasib or superintendent of market. Both of them are vested in executive and judicial duties. The women had a right to election and nomination to the political representative.

Women even took part in the battlefield. Women played a significant role in the military expedition during the lifetime of Prophet Muhammad (PBUH). In Islam, only men have to participate in *Jihad*. The women were exempted from Jihad. Prophet Muhammad (PBUH) permitted the women to participate in the battlefield, not as a warrior but to nurse the injured and supply their needy to the Muslim Fighters. However, if necessary, women may participate in the battle itself. Although there are many examples of this statement, one of the best-known histories is the victory of the great Safiya –bint-Abdul Muthalib, the paternal sister of Prophet Muhammad (PBUH).²⁸ She proved that the life of Muslim women is not limited to the home and that they can serve the religion and the community in a crisis. She was the first lady to kill a non-believer in the battle of Uhud. Another woman named Naibah –bint-Ka'b, an Ansari of Madinah, participated in the battles of Uhud, Khaybar, and Hunayn and joined in the treaty of Hudaibiyah. She also took part in the Battle of Yamamah during Abu Bakr's (RA) reign. Umar (RA) recalls that the Prophet (PBUH) says that in the Battle of Uhud, "whether I look the right or left, I saw her fighting in defense of me."²⁹ These are very few examples of women's participation in political affairs and military expeditions. Despite this, Islam has placed some safety measures on women. It is due to the fundamental differences between male and female biological and psychological creation. However, Islam enjoins women to lead a perfectly ideal life and perform social services in every tiny aspect of life without violating the limits of decency while fulfilling the first and foremost duties of housekeeping and child-rearing as they are the best when compared to men. Each one is entitled to duties according to their best of ability and responsibility, and whether men or women, everyone is different, so their responsibilities.

CONCLUSION

Islam guarantees and bestows several rights and duties to women, enhancing their position and dignity in society and providing them with qualitative justice. One of the goals of the Holy Quran's revelation was to bring people out of their ignorance and make them the best people in every aspect of life. It brings equality to Earth by addressing its social ills, one of which was dealing with the treatment of women. The rights given to women by the Quran and by Muhammad (PBUH) showcase a significant upliftment over the situation for women before Islam's arrival. Additionally, the Holy Quran gave males detailed guidelines on how to respect, care and protect women. Although many of the verses address women's rights as wives, daughters, and family members, the vast favorable impact that those verses bring to the community is demonstrated in the success of the Islamic era that soon ensued.

The significant damage done to Muslim women's status today is mainly due to the lack of understanding of the Quranic teachings and the ignorance of Muslim women of their rights prescribed in the Islamic scriptures. Islam, as a religion, tries to restore the dignity of women by giving many rights to them and uplifting their status of women. Though there are provisions in Islam for women's empowerment, their position remains backward. It is mainly due to their ignorance and lack of education that they are misled and deceived easily. Therefore, to make them aware, they must be educated precisely.

To get the right dignity back, as during the Islamic era, women must know what Allah had set for them and follow what Allah had given them. If one gets deceived due to ignorance, it's not Islam that degrades, but their deeds alone. Ignorance is not an excuse in any law. Islam sets rules and regulations to be followed, and if one wants to earn the exact rights of women in Islam, one must be followed for obeying our Creator only to lead us to a better life.

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