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Empowering Women's Rights and Social Justice: Qur'anic Solutions from Surah An-Nisa

Dr. Muhammad Waqar

Assistant Professor NUML, Karachi Campus

muhammadwaqar167@gmail.com

Dr. Noman Naeem

President Jamia Binoria Alamia, SITE Karachi

ABSTRACT

Women right in modern days are still one of the remains over the world, associate with political, economy, cultural, and religion. Although much has been achieved including the Universal Declaration of Human Rights (1948) and the Convention on the Elimination of All Forms of Discrimination Against Women (1979) when it comes to concrete measures, there are still persistent structural inequalities that do not allow women to participate freely and fully in all aspects of public and private life. In Muslim communities, discussions around gender justice tend to grapple with the points of tension and harmonization between the Quran, traditional Islamic law and present-day human rights norms. The Medina chapter Sūrat al-Nisā' (Chapter 4 of the Qur'ān) is particularly detailed in its ethical and legal commentary regarding issues of inheritance, marriage, divorce, guardianship, and protection from injustice, and often emphasizing the rights of women. In this article, matching the core principles of this surah with the present global condition in relation to underrepresentation and insufficient leadership during times of crisis, lack of basic human needs causing gendered poverty, workplace discrimination, domestic violence, reproductive equity and access to education, we perform a thematic analysis of Sūrat al-Nisā' in classical and contemporary tafsīr traditions. Integrating Qur'ānic commentary, gender justice theory and policy examples from Muslim majority countries, the article presents culturally-relevant, faith-aligned approaches to forward-looking women's rights advocacy. Such findings underline how Qur'ānic focus on justice (عدل), equity (قسط), and compassion in Sūrat al-Nisā' provides a paradigm for gender-inclusive legal and social reform today.

Keywords: Women's Rights; Gender Justice; Sūrat Al-Nisā'; Qur'ānic Exegesis; Islamic Law; Leadership; Equality.

Introduction

1. Introduction

The conversation about women rights is at the heart of human rights conversation in the area of social, political and economic, cultural aspect. Although much progress has been made in the twenty-first century towards this goal, thanks to international legal instruments including the Universal Declaration of Human Rights (UDHR) in 1948 and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979, the legal status of women remains a contention hot regain the last century of human tracks. However, UN Women (2023) estimates, the present speed will still take close to 300 years before full gender parity is attained in some of the critical indicators. Although access to higher education,

political office, and the workforce have expanded to a greater extent than ever before, the structural inequities have become more entrenched.

Indeed, the question of women rights is a double-edged sword that continuously depletes the hopes of Muslim nations by engrossing them between the ethical and legal injunctions of Qur'an and sunnah, the dominating hermeneutical traditions of Fiqh law and the ongoing developments of the global trainer's karate on women rights. Sūrat al-Nisā'—one of the longest chapters of the Qur'an, revealed in Medina—specifically serves as a cornerstone in Islamic views of women's rights. It progressively reformed the propensities of pre-Islamic Arab culture that subjugated women by taking away their right to inheritance and regarding them as property. It provides for women in: economic independence, marital entitlements, freedom from exploitation, all within a notion of justice and community obligation.

This study responds to the question: How can the verses of Sūrat al-Nisā' formulate a model that contributes towards the struggle with the contemporary socio-political challenges threatening women's rights? The research employs a thematic Qur'anic analysis grounded in traditional tafsīr (tafsīr bi'l-ma'thūr) and modern contextual readings (tafsīr bi'l-ra'y), qualitative policy analysis and case studies in Muslim-majority countries. This research seeks to link up the Qur'anic normative principles with the modern-day frameworks of rights, thereby bridging scriptural ethics with the politics of contemporary legal policy-making.

The importance of asking this question is that it could change the way the debate is framed within Muslim countries from one that is inherently un-Islamic to one that is unequivocally Islamic as well as relevant in the modern world. An approach as such can resist black-and-white narratives that either dismiss religious sources as incompatible with gender equity or else perpetuate patriarchal exegesis detached from Qur'an's overarching aims (maqāsid al-sharī'ah). It approaches the study from the belief that a normative vision reflected in the Qur'an, read collectively and in context, provides tools for addressing patriarchal gender-based inequities in a way that can be framed as part of faith-based and global human rights obligations.

2. Literature Review

A multitude of ideational and normative frameworks —often in epistemological opposition to one another —inform debate on women's rights in Muslim societies. At one extreme is the universal human rights movement, enshrined in international agreements like CEDAW and overseen by bodies like UN Women. On the other hand, the rich yet complex legacy of Islamic law (فقه) and Qur'anic exegesis (تفسير) that constitutes the primary normative horizon for many Muslim communities. Within this range, there is an increasingly prominent feminist and reformist scholarship that has attempted to connect scriptural ethics with current gender justice (Barlas 2002; Wadud 1999; Mir-Hosseini 2006).

2.1 Feminist Approaches to Islamic Studies

Over the last century, the contemporary Islamic feminist movement has helped all-important efforts to re-read the Qur'an with a gender justice perspective. Promoters like Amina Wadud (1999) have made the call of hermeneutic of tawhid (divine unity) that requires men and women to be equal as moral agents. The nature of Wadud's re-reading of Sūrat al-Nisā' is invaluable in helping shed this light, especially regarding Q 4:34, as it seeks to dismantle the patriarchal norms that render these interpretations and notions of male superiority as 'normal' and instead situate Q 4:34 within the sphere of economic power identity rather than

power dominance. In a similar vein, Asma Barlas (2002) has highlighted the egalitarian spirit of the Qur'ān against androcentric readings firmly based in post-Qur'ānic exegetical traditions instead of the text.

In this spirit Ziba Mir-Hosseini (2006) has taken a first step in arguing that Islamic law is historically contingent rather than ahistorical and therefore open to reinterpretation in view of shifting social realities. This is in line with the مقاصد الشريعة (objectives of Islamic law) approach advocated by Jasser Auda (2008) that sees values like justice (عدل), mercy (رحمه), and welfare (مصلحه) as precedence above the text and a modern-contextual understanding over literalist following of historical implementations.

2.2 Classical Tafsīr Perspectives

The classical exegetes provided verse by verse legal and moral commentary on Sūrat al-Nisā', and there was often nothing in their exegetical activity that was above the socio-cultural times in which the exegetes lived. In Jāmi' al-bayan, al-Ṭabarī (d. 310 AH) explains Q 4:1 ontologically, asserting that both sexes are equal because they are from one soul and any difference between them cannot be other than epistemic. On Q 4:34, though, he affirms the divinely instituted arrangement of male Qiṭamah (maintenance), based on their material support of families.

Ibn Kathīr (d. 774 AH) directly states inheritance is a God-given right for women (Q 4:7–12), but he too sees varied shares as in keeping with gender complementarity in provision (Ibn Kathīr 1999). Al-Qurṭubī (d. 671 AH) in al-Jāmi' li-Aḥkām al-Qur'ān adopts a legalistic approach of fusing Qur'ānic injunctions into the principles of fiqh and understood that with its requisite conditions on polygyny, Q 4:3 represents a protection against the exploitation and injustice of orphans and women.

Though these classical texts are the bedrock of the Islamic legal tradition, their interpretations cannot help but be informed by the patriarchal matrices of pre-modern social structure. Thus, requires a new inspection in conformity with the general narratives of the Qur'ān and the socio-economic situation today.

2.3 Contemporary Qur'ānic Hermeneutics

Scholars today have attempted to mitigate what appears to be contradiction between some verses of the Qur'ān and universal human rights. Updated by Abdullah Saeed (2006), who advocates a form of contextualism that relates Qur'ānic commands to the circumstances of their revelation, and demonstrates the general ethical principles they embody by re-inflecting those principles in the contemporary world. Mohammad Hashim Kamali (2008) adds the distinction between universal and particular/local applications, which may also apply here, especially in the case of modifying certain verses in Sūrat al-Nisā' that relate to gender.

2.4 Women in the International and Policy Literature

At the broader global policy level, we are continuously sighting reports from UN Women, the World Bank and Amnesty International about how gender gaps remain persistent around leadership, income, education and safety. According to World Bank (2023), if gender gaps close in employment, global GDP could increase by \$12 trillion by 2025. UN Women (2023) begs the question why if current rates in gender parity in political leadership continue, it will take another 130 years for completion.

Efforts at policy reform in Muslim-majority states are highly heterogeneous. The 2004 Moudawana reforms in Morocco fell short of family or inheritance equality, but nevertheless

did strengthen women's rights in marriage and divorce, and, to the chagrin of some factions there, Tunisia has long-sought progressive legislation on – family law, particularly concerning issues of inheritance equality. Notably, Pakistan reserved parliamentary seats for women, leading to better representation without significant policy impact (Critelli 2010).

2.5 Research Gap

Islamic feminist scholarship and reformist jurisprudence have yielded important insights but are also yet to comprehensively engage in scholarship that rigorously deploys the thematic matrix of Sūrat al-Nisā' within a unified analysis of contemporary challenges. More literature deal with individual verses or some isolated issues without linking them to a total, integrated policy model based on the maqāṣid related to Qur'ān. Hence, the present study attempts to bridge that gap by offering a verse-by-verse thematic analysis of Sūrat al-Nisā' while mapping each principle directly to contemporary socio-political challenges facing women.

3. Methodology

This is a qualitative, interpretive research design underpinned by Qur'ānic textual analysis, a review of classical and contemporary tafsīr, and comparative policy analysis. Our goal is to generate principled, faith-consistent responses to contemporary women's rights dilemmas based on the values found in Sūrat al-Nisā'.

3.1 Qur'ānic Textual Analysis

A thematic interpretation (tafsīr mawḍū'ī) of Sūrat al-Nisā' constitutes the main analytical framework, based broadly on verses that deal, directly or indirectly, with women's rights, gender relations, and social justice. The process involved:

- Selection of Relevant Verses — Verses like Q 4:1, 4:4, 4:7–12, 4:19–21, 4:34–35, 4:58–59, and 4:135 were chosen for their direct reference to the rights of women, or their basic legal and ethical foundation.
- Contextualizing Verses – Each verse was contextualized through its asbāb al-nuzūl (occasions of revelation), as reported in texts like al-Wāḥidī's *Asbāb al-nuzūl* and al-Suyūṭī's *Lubāb al-nuqūl*.
- Lexical Analysis – The meaning range of important terms such as قَوَامِهِ (Q 4:34), نِهْلَاهُ (Q 4:4), and مَعْرُوفٌ (Q 4:19) were found by studying classical lexicons (Ibn Manẓūr, *Lisān al-'Arab*).

The analysis attempted to be both true to the Qur'ānic text and respectful of its historical context and sought to articulate universal principles that can be applied in modern contexts.

3.2 Engagement with Classical and Contemporary Tafsīr

The study draws on **classical tafsīr** (*tafsīr bi'l-ma'thūr*)—including al-Ṭabarī's *Jāmi' al-bayān*, Ibn Kathīr's *Tafsīr al-Qur'ān al-'aẓīm*, and al-Qurṭubī's *al-Jāmi' li-aḥkām al-Qur'ān*—to understand the legal and theological interpretations historically associated with the selected verses. These works were chosen for their influence in shaping Sunni jurisprudential thought. In parallel, **contemporary tafsīr** (*tafsīr bi'l-ra'y*) and reformist scholarship—such as Ibn 'Āshūr's *al-Taḥrīr wa-l-tanwīr*, Amina Wadud's *Qur'an and Woman* (1999), and Asma Barlas's *Believing Women in Islam* (2002)—were analyzed to explore evolving interpretations that engage with gender justice discourses.

The dual engagement with classical and modern interpretations allowed for a critical comparative analysis, highlighting areas of continuity, reinterpretation, and potential reform.

3.3 Comparative Policy Analysis

In order to root Qur'ānic tenets to the present age, it uses comparative policy analysis of a few Muslims dominated states. We selected case studies that reflect diversity in terms of geography, legal systems, and different pathways of reform:

- Morocco – Revisions to the personal status law (Moudawana) (2004, amended 2019).
- Tunisia – Progressive inheritance debates, gender parity laws
- Pakistan – Reserved seats for women in parliament and Nakahama reform
- Indonesia – Providing institutional access for women to political leadership roles and religious councils.

The following case studies are empirical proof of policy translation of Qur'ānic values and principles, including success stories and works in progress.

3.4 Analytical Framework: Maqāṣid al-Sharī'ah

The study is based on the maqāṣid al-sharī'ah (higher objectives of Islamic law) namely of which has been presented by al-Shāṭibī and later on has been wider explored by modern scholars like Jasser Auda (2008). The protective focus of this framework is on:

- i. Religion (حفظ الدين)
- ii. Life (حفظ النفس)
- iii. Intellect (حفظ العقل)
- iv. Lineage (حفظ النسل)
- v. Property (حفظ المال)
- vi. Honor (حفظ العرض) — now becoming a separate goal in gender justice language

By reapplying the maqāṣid framework of those verses, we can maintain their congruence with the ethical imperatives of the Qur'ān, but recontextualize their application vis a vis contemporary socio-legal reality.

3.5 Limitations

The study acknowledges several limitations:

- Trans culturalist – The Qur'ān is a multi-meaning text that encourages multiple interpretations of the same text, and as such, reaching agreement regarding particular instances of application within a given culture can be very difficult.
- Contextual Variation – The applicability of this policy differs between the legal systems, cultures, and political contexts found in Muslim-majority societies.
- Data Constraints – International datasets provide helpful indicators but often are not able to account for culture/ nuance that might be local or unreported rights violations.

While stronger than these limitations, the methodological triangulation—as opposed to textual analysis, tafsīr traditions, and comparative policy evidence—of linking Qur'ānic principles to contemporary women's rights challenges has a firm grip.

4. Modern Challenges to Women's Rights

Though the past hundred years have improved advances for women rights we still face large gaps politically, economically and socially. According to UN Women (2024), it is quite unlikely that the world will achieve global gender equality before the next three hundred years at the current pace of progress. As such, these inequalities are experienced at multiple, mutually exacerbating levels that still prohibit the equal participation of women in the society.

4.1 Absence of female leadership

One of the most visible signs of gender inequality, in terms of access to decision-making positions, is remaining underrepresentation in the United Kingdom. Only 27.2 percent of parliamentary seats and 18.3 percent of ministerial positions are held by women worldwide (Inter-Parliamentary Union 2024). According to Catalyst 2024, the proportion of women in senior management worldwide is now up to 29 percent, but this figure drops steeply for executive leadership and board memberships in the corporate sector. Tunisia and the United Arab Emirates have more than 30 percent female parliamentarians, but at the other end of the scale there is less than 5 percent in Yemen and Qatar, averaging out to less than 10 percent of parliamentarians in Muslim majority countries.

These structural barriers extend from patriarchal norms that equate leadership with masculinity to institutional gatekeeping in political parties, corporate boards, and social networks (Paxton and Hughes 2021). When states are affected by conflict, the exclusion of women from peace negotiations further exacerbates instability, such as in Afghanistan following the Taliban takeover in 2021, which saw political participation for women drop to almost zero (Human Rights Watch 2023). The situation is even worse for women with intersectional factors such as disability, ethnicity and rural residence, which marginalize them from leadership pipelines.

Especially the economic costs of exclusion are high. The McKinsey Global Institute (2023) estimates that gender parity in leadership positions could contribute \$12 trillion to global GDP by 2030. In other words, in leadership inclusion there is not only rights matter but also socio-economic development.

4.2 Poverty and Economic Inequalities

In developing parts of the world, women are still at the highest risk of poverty. By 2023, an estimated 435 million women and girls remain in extreme poverty (World Bank 2023). Globally, women make an average of 23 per cent less than men, and the greater the weight of informal and agricultural sectors the wider the earnings gap. The volume of unpaid care work—2.6 times more frequently done by women than men—further shrinks their economic space (ILO 2023).

Women farmers in sub-Saharan Africa own significantly fewer farms, have less access to credit and agricultural inputs, and are less productive and earn less income (FAO 2024). Women, as a consequence, struggle to compete with men for the few jobs available (UN 2022). 88 countries still have laws prohibiting women from doing economic activities from opening their bank accounts to inheriting land and property (World Bank 2023). Many of these inequalities were amplified by the coronavirus (COVID-19) pandemic, which saw women lose jobs in greater numbers and be slower to re-enter the labor market.

4.3 Workplace Discrimination and Inequalities

This covers everything from discriminatory hiring practices to gender pay gap to sexual harassment to the glass ceiling. In OECD countries, the gender pay gap ranges from 16 to 22 per cent, with wider gaps in emerging economies (OECD 2024). Occupational segregation is still entrenched, with women largely represented in low-paid sectors like care work, education and hospitality, and men overrepresented in higher paid fields such as engineering and finance.

According to the ILO (2023), workplace sexual harassment is experienced by around 35 percent of women worldwide. Despite women making up 28 percent of the workforce in

technology sectors, they are subjected to algorithmic hiring biases and are often excluded from informal professional networks (UNESCO 2024). In countries with limited parental leave policies, maternity penalties—including demotion, non-renewal of contract, or slower career advancement—continues to be a prevalent issue.

4.4 Gender-Based Violence (GBV)

This being said, gender-based violence continues to be one of the most widespread human rights violations. According to WHO (2024), one in three women worldwide have been physically or sexually abused in their lifetime. These include domestic abuse, sexual assault, human trafficking, forced marriage, and harmful practices like female genital mutilation (FGM), which has impacted over 200 million women and girls worldwide.

Sexual violence — which is very often a weapon of war — occurs in armed conflict as revealed in Ukraine, Yemen and Sudan (UNHCR 2024). With women journalists experiencing online harassment in 73 percent of cases (UNESCO 2023), digital technology has brought about new modalities of violence. As of February 2024, nearly half of all countries are still missing domestic violence laws (UN Women 2024), revealing a substantial protection gap.

4.5 Reproductive Rights and Health Issues

Globally, reproductive rights remain contested. Internationally, when we think of prohibitive laws on abortion, we must also include restrictions on contraceptive access where in excess of 40 countries have such laws in place all the while their greater impact being on low-income women. Abortions were also made inaccessible for millions when the U.S. overturned *Roe v. Wade* in 2022, and only if the mother's life is at risk in most Islamic-majority nations.

Nearly half of married women in developing regions cannot make their own decisions about sexual and reproductive health, according to UNFPA (2024). In low-income countries, the maternal mortality rate is still 430 deaths per 100 000 live births, compared with 12 in high-income countries. Health problems germane to one sex — infertility, gynecological cancers, autoimmune diseases — continue to be under-studied, resulting in delays in diagnosis and treatment differences.

4.6 Barriers Attributing to Educational Disparities and Cultural Mismatch

Inequality in education is still a core issue. According to UNESCO (2024), 122 million girls are out of school globally. Though gaps in primary school enrollment have narrowed, disparities expand in secondary and post-secondary education, and in particular, women remain underrepresented in STEM education.

Cultural practices like early marriage are another important reason that girls drop out of school; approximately 12 million girls are married before age 18 each year (UNICEF 2024). However, in South Asia, strong preference for boys' education results in gendered gaps in investments. Even in conflict-affected regions, assaults on girls' colleges —as mounted in Afghanistan and Nigeria —have worsened schooling entrance.

5. Thematic Qur'ānic Analysis of Sūrat al-Nisā'

The Sūrat al-Nisā' (The Women) was revealed in Medina, contains 176 verses, and is one of the suras that legislate a great deal for social justice, family law, and community ethics. This is one of the most holistic Qur'ānic chapters facilitating women rights, describing inheritance, marriage, authorization, protection against tyranny, divorce, and much more on a societal level. In this part, we will look at some significant, historically and contextually enlightening, verses about gender justice from classical exegetical legacies up to modern studies.

Thus, in Q 4:1 we read the key verses that state both equality of origin and idea and a division of labor between the sexes: 1.

“O humanity! O mankind! Be afraid of your Lord, who created you from one soul; and created there from its mate; and dispersed from both of them many men and women. Fear Allah, through whom you ask one another for (your rights), and the wombs (that bore you). Indeed, Allah is Knowing of whatever you do.

Ta’wīl al-ru’yā: Classical tafsīr: Al-Ṭabarī on nafs wāḥidah as Adam, with Eve created from him, indicating the same origin of humankind Al-Qurṭubī emphasizes the ethical dimension of the verse to preserve the ties of kinship (قربه) and to avoid injustice (ظلم) against women, in particular – family.

Wadud (1999) for example applies modern hermeneutics to interpret this verse as indicative of ontological equality between the sexes and that there is no indication of hierarchy within this cosmic order. This highlights that the concept of sex egalitarianism in Qur’ān is inseparable from the ethical framework derived from the Qur’ān concerning “rights” (حقوق) and kinship (ارحم).

Contemporary issues: I found this bedrock equality principle challenges patriarchal arguments against women from leadership, education or decision-making.

Mahr as Property of Women- Economic Rights (Q 4:4)5.2

“Give women their dowries graciously. However, if they choose to miss some of it (out), then you are free to have it with a clean conscience.”

Traditional tafsīr: Al-Qurtubī: The reconciling point of the differing positions is that mahr is the property of the bride alone, and not of her guardian, as seen in this verse. Al-Qurtubī in his tafsīr narrates that coercion in returning the mahr is impermissible, and if one willingly forfeits it, it must be entirely without coercion.

Modern interpretation – This principle has been included in contemporary legal reforms in a number of countries (e.g., Morocco and Malaysia) that require mahr to be documented and made enforceable in court. Rwadud (1999) and Barlas (2002) characterize mahr as a type of economic security and empowerment for women, in accord with the political agenda of economic independence.

Importance: Protecting mahr rights protects women's economic empowerment and their autonomy in marriage dissolution situations.

5.3 Inheritance Rights (Q 4:7–12, 176)

“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—whether small or large—a determined share.” (Q 4:7)

The Classical tafsīr: Al-Ṭabarī sees this as a groundbreaking principle introduced in 7th-century Arabia, in which women had no inheritance. In the text they mentioned which contains the prescribed shares share of each one, Ibn Kathīr and al-Qurṭubī explain, “The shares differ between the male and female heirs. This difference is based on the financial responsibilities of men which, as Allah, the Exalted, has made clear, fall upon men.”

Contemporary explanation: The idea, according to reformist scholars, is fairness, not strict sameness. Recent attempts to reinterpret these verses, in the face of the economic reality of today in which women contribute to the financial support of the family (e.g. Tunisia's inheritance debates, 2018)

Qur'ān implementation + property ownership: Specifically implementing Qur'ānic laws of inheritance would naturally target poverty and wealth, particularly given that there is ample possibility for women to own and manage property as a separate economic unit.

5.4 Marriage, Consent and Protection against Coercion (Q 4: 19–21)

"O believers! And you cannot inherit women against their will and do not make difficulties for them so you may take part of what you have given them as dower ..."

Classical tafsīr: Ibn Kathīr says: this verse abrogates the pre-Islamic perversion of inheriting widows as property. Take note of man cannot marry legitimately not to mention divorce anyone against his will a-marital kindness (*'āshirūhunna bil-ma'rūf*) as mentioned in (Surah al-Baqarah 2:228) (Chapter 10:93) General guidelines (general guidance is prepared for those who depart) [broader guidance to behavior, sex as in other interests Muslims 1537 to Bogdan pp 106-7]

Contemporary reading: Modern readings emphasize consent as a non-negotiable factor in marriage, and a ban on emotional or financial abuse. In certain countries such as Pakistan and Indonesia, legal systems have included elements like verification of consent in their marriage contracts.

Policy relevance: because it avoids legal frameworks against forced marriage and domestic abuse, therefore, tie these insights between GBV and reproductive rights.

5.5 Complicated Nature of Polygyny (Q 4:3, Q 4:129)

"...take wives of your choosing, two, three or four. And if you fear that you will not be just, marry only one..." (Q 4:3)

And you will never be able to be just between wives, even if you should strive to do so... (Q 4:129)

Mafsūl al-ḥad: Al-Ṭabarī makes the statement that justice in this verse refers to both financial and emotional justice, 2023 Al-Qurṭubī states that the impossibility of complete justice found in Q 4:129 implicitly dissuades polygyny.

With the modern twist: In many Muslim-majority states, polygyny is limited (court permission or consent of the first wife is needed, e.g., Morocco, Tunisia.)

Justice: The justice condition can also be invoked to restrict harmful polygynous practices, especially in contexts where it exacerbates economic or emotional harm to women.

5.6 Qiṭamah and the Division of Labor in the Home (Q 4:34)

"Men are in charge of women by [right of] what Allah has made one of them over the other and what they spend of their wealth..." [Qur'an 4:34] Wehling-Walsh and colleagues (2015) highlight the importance of evidence-based practice in the field of counseling.

Analytical tafsīr: Ibn Kathīr and al-Qurṭubī see Qiṭamah as one of type of authority based on the task of providing and protection

Contemporary exegesis: In recent days, scholars such as Wadud (1999) and Abou El Fadl (2001) contend that Qiṭamah is a functional, and not a gendered concept, and can refer to women when they are the primary breadwinners.

Significance: Encourages gender-neutral understanding of family authority and challenges the need for men to rule their home or engage in intimate partner violence

5.7 Arbitration in Family Disputes (Q 4:35)

"...shall appoint an arbitrator from his family and an arbitrator from her family..." (Q 4:35)

Traditional tafsīr: Stresses conciliation and unbiased mediation before divorce.

How is it applied today: Model for limited family disputes and mediation services, implemented in most modern family courts, reducing adversarial litigation.

Relevance: It can be institutionalized in the form of WGs as a protective factor against GBV and family decomposing.

5.8 Leadership and Justice (Q 4:58-59; Q 4:135)

“...give trusts to whom they are due, and when you judge between people, judge with justice...” (Q 4:58)

Classical tafsīr: Al-Ṭabarī interprets “trusts” to cover any public office position and running of government.

Modern application: Used to argue for women should be in leadership positions based on merit and character.

What it is: Fights exclusion from leadership positions and supports gender-responsive governance policies.

5.9 Defense of the Oppressed (Q 4:75)

Injustice Introduction *“...why should you not fight in the cause of Allah for those oppressed among men, women, and children...”*

In classical tafsīr, Ibn Kathīr applies this in relation to the collective, particularly on our protection of the vulnerable.

Contemporary understanding: Widely understood to impose an obligation upon states to protect women from pervasive forms of violence and exploitation.

Output: Importance: Root anti-trafficking, anti-GBV, and humanitarian protection solutions in Qur’anic principles.

6. Application of Sūrat al-Nisā’ to Contemporary Challenges

Authors The thematic principles within Sūrat al-Nisā’ provide a normative framework translatable into policy & social reform to ameliorate contemporary gender inequities. This allows for (ethically anchored) contextual solutions to be drawn by matching each of the challenges identified in Section 4 to concrete Qur’anic injunctions.

6.1 Tackling the absence of women in top roles

Related Articles: Q 4:1; Q 4:58–59; Q 4:135

- Q 4:1 affirms that men and women are created equally, as does Q 4:124 and contradicting any notions of ontological hierarchy.
- Q 4:58–59 insists that responsibilities and trust are allocated to male over female only on the basis of merit — namely justice and competence, not gender.
- Q 4:135 enjoins all believers to act justly in a nonpartisan manner.

Policy applications:

- Appointment on the basis of merit – Legal structures in Muslim-majority countries must ensure the prohibition of gender discrimination in political, judicial, and corporate appointments.
- Interim gender quotas Examples: Pakistan (reserved parliamentary seats); Morocco (municipal quotas) These can help speed up representation while parity becomes the norm.

- Providing Leadership trainings and mentorship – Faith-based organizations can sponsor programs that equip women for leadership, using Qur'ānic leadership principles within curricula.

6.2 Combating Poverty and Economic Inequalities

Relevant verses: Q 4:4, Q 4:7–12, Q 4:32

- Q 4:4 protects mahr as a right of property of a woman.
- Q 4: 7–12 affirms a woman right to inheritance.
- Q 4:32 also discourages envy, as well as entitlement to the fruits of another's labour.

Policy applications:

- Strengthen inheritance rights – Create specialized probate courts to safeguard shares of women and punish coercion or deprivation.
- Financial education interventions almost all link back to the Qur'ānic principle of responsible stewardship or khilāfa and can help with the management of wealth by teaching how to take care of wealth.
- Microfinance and waqf-based funds Inspired by Q 4:4) and Q 4:7–12) The funds can offer start-up capital to women entrepreneurs.

6.3 Workplace discrimination and inequalities

Related Verses: Q 4:124 | Q 4:58

- Q 4:124 applies to both men and women and provides the same reward for righteous work.
- Equality in judgment is enshrined in Q 4:58 and has implications for hiring, promotion and pay equity.

Policy applications:

- Equal pay law—Require companies to disclose salary details and ban wage discrimination.
- Workplace Anti Sexual and Gender Based Harassment Mechanisms – Be Consistent with Qur'ānic Command to Be Fair and Not to Do Harm (لا ضرر ولا ضرار).
- Gender audits —Periodic assessments of recruiting, promotions and pay practices to ensure conformity with equity tenets.

6.4 Preventing Gender-Based Violence (GBV)

Related Verses: Q 4:19; Q 4:34–35; Q 4:75

- Stop using emotional abuse to make the people around you feel guilty, as per Q 4:19.
- Q 4:34–35 describes conflict resolution through arbitration, not force.
- Q 4:75 demands collective action to defend the wronged

Policy applications:

- Analysis of Q 4:34 – Unification among scholars that اضربوهن means “to separate from them” or that it resembles a last-resort symbolic measure, never as harm.
- Full domestic violence provisions – Providing for shelter, restraining orders, and services directed towards the needs of survivors.

- Mediation councils – As per the arbitration model of Q 4:35, with trained male and female mediators.

6.5 Strengthening Reproductive Rights and Health

Associated verses: Q 4:1, Q 4:3, Q 4:19

- Q 4:1 teaches equality and dignity as grounds for bodily autonomy
- Well Q 4:3 is about consent within marriage, an important principle underlying reproductive decision-making.
- Q 4:19 orders compassion and prohibits harm.

Policy applications:

- Law of Marital Consent – Ensure Women wield power of law herself over marriage and childbirth.
- Healthcare access for mothers — Position as a collective responsibility under ḥifẓ al-nafs (protection of life).
- Sexual health education – Integrate with Qur’ānic ethics of modesty and mutual responsibility.

6.6 Facing Educational Gaps and Cultural Walls

See also: Q 4:6, Q 4:124

- Q 4:6 requires building the capacity of orphans, which is a broader obligation to educate all members of our most vulnerable members of society.
- Q 4:124 promises the best from heaven for righteous deeds, regardless of gender, emphasizing equal opportunity.

Policy applications:

- For UBE – Rooted in Qur’ānic injunctions on skill development.
- Girl in STEM Scholarship — Help balance the scales in lucrative, high-demand fields.
- Community awareness programs—Using Qur’ānic narratives to respond to cultural biases against education of girls.

6.7 Maqāṣid al-Sharī‘ah in Policy

In each of these challenges, the maqāṣid framework reminds us that the Qur’ānic vision of gender justice aims at:

- Preservation of dignity (حفظ العرض)
- Protection of life (حفظ النفس)
- Preservation of wealth (حفظ المال)
- Encouraging the spirit of justice (عدل) and mercy (رحمه)

By embedding these objectives within the law-making and institutional practice, reforms achieve dual ends – ensuring religious legitimacy while also effecting social transformation.

7. Case Studies from Muslim-Majority Contexts

In this section, we showcase successful efforts of operationalizing principles of Sūrat al-Nisā’, i.e., justice as in protection from harm and due process; equitable distribution and allocation of material resources; the requirement of the exercise of munāsabāt (consent); and the need for communal ownership and social responsibility within communities, in the context of the selected Muslim majority jurisdictions. The cases are necessarily illustrative rather than

exhaustive, selected to reflect variation at the level of legal schools, constitutional arrangements, and pathways towards reform. In each vignette, I follow (a) the trigger for reform and legal form deployed, (b) which Qur'ānic value is most visibly animated, (c) the gains made through implementation, and (d) the continuing limitations.

7.1 Morocco — Family Law Reform and Institutionalizing Justice

Reform pathway. Morocco's landmark Personal Status Code reform—what is now largely referred to simply as the Moudawana (2004, with subsequent refinements)—reconfigured marital guardianship, imposed more stringent conditions on polygyny, codified women's rights to initiate divorce (khul' and judicial dissolution), and reinforced enforcement of child custody and maintenance. Also in 2011, some constitutional changes reaffirmed the principles of equality and also charged public authorities with the task of creating parity.

Qur'ānic anchor. The reform logic repeatedly referenced Sūrat al-Nisā's standards of equality and protection: justice in family settings (Q 4:3, 4:35), honorable treatment and non-coercion (Q 4:19), and the guardianship principle in engagement decisions (Q 4:58).

Gains. Ideologically this has translated, empirically, into more enforceable maintenance orders, enhanced documentary protections surrounding mahr and marital consent and broadened judicial discretion in the service of preventing pernicious effects, all of which are an institutional echo or (if one may put it this way) echo systems for the values of معروف (good custom) and رفع الضرر (removal of harm).

Constraints. Other gaps remain, such as unequal rural court access, social stigma against women seeking divorce or inheritance, and the need for stronger mediation programs with well-trained woman and man counselors. These challenges signify the work that remains to convert textual ideals into the fabric of everyday justice delivery.

7.2 Tunisia: Politics of Parity and the Future of Inheritance Gender Equality

Reform pathway. Tunisia has, gradually, advanced political constitutional and statutory parity measures and almost a full legislation on violence against women (2017). Since 2018, the subject raged in national debate over women needing equal inheritance on the grounds that, '[w]e no longer lives in a world where women are dependent on men to pay for their upkeep and support their children' (cited in The Statesman, 2019).

Qur'ānic anchor. Reform is framed in maqāṣid terms—welfare and justice (Q 4:58, 4:135)—but with the fine points of the inherited schema of Q 4:7–12 well known. Reformists regard policy instruments (such as optional contracts, wills, and social-security devices) realizable equity in places where family provisioning patterns have changed.

Gains. Political representation initiatives have changed normal in defining women in terms of politicians and local councils, bolstering the pipeline to executive positions—an increasingly institutionalized entrusting of qualification in public office (Q 4:58–59) (Q 3: 63). The violence law was in line with Q 4:19 and Q 4:75 with broader scope of protection orders and services for survivors.

Constraints. Contested politics of inheritance reform It confirms the tension between a specific text seeking to regulate to control the means of interpretation and change in the way societies wracked by inequality are changes? But, in addition, the implementation of these anti-violence measures starts with long-term budgetary commitments and capacity development at the provincial level.

Pakistan 7.3 Reserved Seats, Contractual Protections, and Provincial Experimentation

Reform pathway. Constitutional reserved seats for women in Pakistan are one of the mechanisms that have worked to enhance descriptive representation of women in national and provincial assemblies. Nakahama clauses (mahr, residence, and consent) have found increasing currency in family-law practice. Sex-specific mechanisms against domestic violence (for example, protection centers dedicated to women, electronic monitoring), and beefing up enforcement of maintenance and custody orders, have been introduced in provinces — especially Punjab.

Qur'ānic anchor. These instruments reflect the recognition in Q 4:4 regarding women's property rights in the form of mahr, the proscription of coercion and harsh treatment in Q 4:19, and the model of mediated dispute resolution in Q 4:35. Certain Terms/Types of Available Raw Data Reserved seats put into action the Qur'ānic ethical principle of putting public matters in the hands of those institutes can provide (Q 4:58) while restoring a historic under representation.

Gains. Reserved seats have brought women legislators into lawmaking, as bill sponsors in areas like family welfare, education and GBV; nikāḥ contracts and family courts have been standardized providing remedies in dissolution and maintenance matters with clarity.

Constraints. With party gatekeeping restricting the policy role of women; rural enforcement periodic on family-court orders; and domestic-abuse reporting still stunted by social stigma. Increased access for all women to legal aid, integrated shelter and healthcare services, and an expansive definition of gender-sensitive mediation would help bring practice in line with the Qur'ānic ideal of harm-preventing legal reform.

7.4 Indonesia: Women and Religion: The Role of Women as Religious Leaders and the Legal Protection of Women from Sexual Violence

Reform pathway. Indonesia provides an example of how women in religious civil society can move the policy needle. Indonesian Congress of Women Ulama (KUPI, 2017, 2022) have also published their fatwas against child marriage as well as sexual violence framing these practices as threats to ḥifẓ al-nafs (preservation of life) and to dignity. Advancing legislation collision helped pass the Law on Sexual Violence (2022) broadening definitions, holistic care providers for victims, and clarified investigation procedures.

Qur'ānic anchor. In this framing, jurisprudence emerges shaped by Q 4:1 (common origin and dignity of all humans), Q 4:19 (prohibition of compulsion and oppression), Q 4:75 (service and defense of the oppressed), and Q 4:35 (structured reconciliation, mediation, and arbitrage within the appropriate place).

Gains. The institutional validation of serious women scholarship lends credibility to faith-based anti-violence claims; codifying these protections formalizes protections that had been piecemeal. Thus, the transition from morality in Sūrat al-Nisā' to law and to right.

Constraints. For implementation: training of police and prosecutors and judges; outreach in rural areas to fight stigma; sustainable funding for shelters and psychosocial care. The next frontier will be pushing these through admin guidelines and budget lines.

7.5 Cross-case lessons: From principle to practice

- 1) Translate Qur'ānic principles into binding protocols Rights language achieves a traction of sorts when embodied in particular forms, timelines and sanctions (the judicial supervision of polygyny in Morocco; handling protocols of cases in Indonesia).

- 2) Pair representation with resources. To be substantive, descriptive representation (reserved seats and parity rules (Tunisia, Pakistan)) has to be complemented with opportunities to lead on these committees (staff support (Tunisia) and caucus coordination with other orgs (Tunisia, Pakistan)).
- 3) To secure private-law entitlements, you resort to contracts and registries. Lived economic security contingent on robust nikāḥ documentation, inheritance registries, and maintenance tracking turn Q 4:4 and Q 4:7–12 into retained paper.
- 4) Make mediation a public process, not create a new private level of justice. 4:35 (Q model) works when mediators are trained, survivor-safe and the process is w/in a system that can rise to enforceable court orders.
- 5) Support women in their religious leadership and public argumentation. How female scholarship can reclaim Qur'ānic ethics for a twenty-first century male harm, and give community legitimacy to reform is seen in Indonesia's KUPI.
- 6) Close the implementation gap. Final thoughts. However, rural access, budget constraints and social stigma are the bottlenecks realized across all four contexts which demand mobile courts, legal aid, public awareness campaigns and integrated service centers respectively.

These cases together illustrate the manners in which the normative architecture of *Sūrat al-Nisā'*—justice, protection from harm, consent, equitable principles of wealth, and communal responsibility—can be effectively operationalized through a combination of constitutional provisions, statutory law, administrative procedure, and community-based religious leadership. The most sustainable gains are achieved when legal reform is coupled with institutional capacity building and public-facing scholarship that resonates with the cultural context.

8. Critical Discussion and Objections

In contemporary discourses on women's rights, the introduction of *Sūrat al-Nisā'* faces inevitable theological, jurisprudential, and sociopolitical rebuttals. Such objections come from a variety of sources — traditionalist scholars concerned with alleged Western influence, reformist critics demanding more fundamental change, and secular legal practitioners worried about selective application of religious mandates. This part responds to these objections, offering interpretive principles and clarifying policy implications.

8.1 Objection: Fixed Text vs. Changing Context

Critique:

For instance, Qur'an legal rules — including, for example, shares of inheritance (Q 4: 7–12) and permission of polygamy (Q 4: 3) — are regarded by some as immutable commands of God that are binding on human beings irrespective of contemporary social arrangement. Viewed this way, modern readings threaten the legislative power of the Qur'ān.

Response:

The tradition itself acknowledges the principle of *'illah* (effective cause) and *maqāṣid al-sharī'ah* (higher objectives), to establish where a ruling needs to be applied. In this regard, for instance the classical jurist al-Shāṭibī (d. 790/1388) stressed that justice and welfare are the general objectives of the law. Juristic instruments such as *ijtihād* and *Istislah* (public interest) will direct changes in policies, especially if social conditions change in such a way that the *'illah* behind a ruling does not exist anymore. This is illustrated in the inheritance debate in

Tunisia in which proposals aimed to add legal tools (wills, social security) to address modern equitable requirements without abolishing Qur'ānic shares.

8.2 Objection: Reinterpretation of Q 4:34 (قوامه)

Critique:

Critics of gender-equal leadership roles refer to Q 4:34 “men are qawwāmūn over women” as a definitive text creating an eternal male supremacy over women in family and society.

Response:

Iranian hadith scholars earlier in the century had used classical exegesis to relate Qiwamah not to innate superiority but to monetary outlay and the burden of protective provision. Modern interpreters (Wadud 1999; Abou El Fadl 2001) claim that Qiwamah is functional and reciprocal; if a man has the role of provider, he assumes the Qiwamah role. But even if verse were to clearly reinforce patriarchal systems, the purpose of the verse is to maintain stability in the home through economic and moral responsibility not to provide rationalization for the systemic exclusion of women from leadership. This recognition fits with the principle of a merit-based allocation of positions of responsibility, as established in 4:58–59.

8.3 Objection: Cultural Authenticity and Western Feminism

Critique:

Additionally, some argue that the use of international human rights norms in Muslim-majority contexts is an uncritical importation of Western feminist paradigms, thereby undermining cultural and faith-based identity.

Response:

The Qur'an includes principles in accordance with international gender justice standards: dignity (Q 4:1), protection against coercion (Q 4:19), and equal reward for work (Q 4:124). Those textual values of the homeland are leading to some policies that are responding to injustices but remain anchored to the indigenous culture of such concepts. For example, the Moroccan Moudawana reforms had been inscribed and debated in the terms of maqāṣid discourse and classical uṣūl al-fiqh rather than being abstracted and imported mindlessly from outer models.

8.4 Objection: Fear of Social Destabilization

Critique:

Concern that rapid reforms in family law and gender roles can undermine social cohesion or erode the traditional family has occasionally been employed as an argument against change.

Response:

At the same time, the Qur'ānic model encourages justice and compassion (Adal and Rahmah) as prerequisites for stable families (Q 4:35). Case studies like Indonesia and Morocco indicate that reforms supporting consent, non-harm, and equal economic rights can strengthen family relationships by reducing violence and conflict. Rolling out — via pilot programs, incremental statutory changes, and local education — can help ameliorate the dangers of sudden social upheaval.

8.5 Objection: Selective Implementation of Qur'ānic Principles

Critique:

Some secular legal scholars point out that invoking *Sūrat al-Nisā'* for women's rights risks selective application — reformers might focus on verses that support equality while ignoring others that appear restrictive.

Response:

A holistic, thematic (*mawḍūʿī*) approach mitigates this risk by situating each verse within the Qurʾān's moral architecture and *maqāṣid*. For example, while Q 4:11–12 prescribe specific inheritance shares, Q 4:8 and Q 4:33 encourage voluntary bequests and equitable provision for relatives — allowing flexibility to address modern equity gaps. Similarly, Q 4:3's polygyny allowance is tempered by Q 4:129's acknowledgment of justice's practical limits, providing an ethical brake on unrestricted practice.

8.6 Objection: State Capacity and Enforcement Gaps**Critique:**

Even where gender-just laws are enacted, lack of enforcement limits their potential impact — a perennial problem with laws on domestic violence in Pakistan and with Tunisia's anti-violence laws.

Response:

In Q 4:58, for example, Qurʾānic injunctions—including not just render trusts to whom they are due, but also overseeing the performance of functionary carrying out justice—expand leadership obligations to governance in order to bring in effectiveness, including building enforcement capacity. Studies imply enforcement carries better when reforms are coupled with:

- Dedicated budget allocations
- Judicial and police units sensitive to gender
- Rural access to mobile court services
- Awareness campaigns to destigmatize and encourage reporting

8.7 Navigating the Middle Path: Between Literalism and Reformism

- Getting this balance right — finding a hermeneutics that takes both God and lived experience seriously, but still acknowledges the ultimate authority of the Qurʾān — is the challenge. This requires:
- Textual fidelity — avoiding arbitrary disregard of explicit verses.
- Contextual sensitivity — understanding the context of the landscape when first ruled in
- Ethical consistency—implementing reforms in a manner that increases justice, accountability, and wellbeing
- Translating moral imperatives into law and policy that can be implemented, or even into the fabric of enforceable institutions.

From this perspective, Sūrat al-Nisā' is not a fixed piece of legislation, but a responsive justice charter to be wielded at all times and in all places without losing its theological integrity.

9. Conclusion and Recommendations**9.1 Synthesis of Findings**

Sūrat al-Nisā' has provided a complete moral and legal system that can address these modern challenges to women's rights in Muslim-majority settings is the key finding of the current study. The thematic principles of the chapter — equal dignity of origin (Q 4:1), economic independence (Q 4:4; Q 4:7–12), collective mutuality of commitment (Q 4:19), limited non-consensual plurality (Q 4:3; Q 4:129), freedom from harm (Q 4:34–35), competence as the

standard of leadership (Q 4:58–59), and agency in the face of oppression (Q 4:75) — are deeply rich and widely applicable.

The six obstacles that were highlighted — the lack of women in leadership, poverty and economic inequalities, workplace discrimination, gender-based violence, restrictions on reproductive rights, and gendered disparities in education — are not just social issues but moral wrongs that the Qurʾān addresses either directly or indirectly. Establishing Relevant and Precise Context The application of Qurʾānic injunctions as guided by classical tafsīr with contemporary contextual hermeneutics demonstrates how these challenges can be addressed without sacrificing theological fidelity.

Finally, well-documented examples from Morocco, Tunisia, Pakistan, and Indonesia demonstrate that implementation of Quran-inspired reforms are most promising when undergirded by improved institutional capability, culturally-relevant advocacy, and legal narrowly-tailoredness. The case studies above also highlight the enduring requirement for enforcement, more media coverage, and ongoing political will.

9.2 Core Policy Recommendations

Based on the textual analysis, case studies, and critical discussions, the following recommendations are made to policymakers, religious scholars, and civil society actors:

Implement Qurʾānic Values in Statutes and Institutions

- Pass laws that are explicitly based on the explicit values of Qurʾānic verses such as Qurʾānic verse 4:58-59 for leadership equal gender- access, and Qurʾānic verse 4:19, coercion not to harm others.
- To make maqāṣid al-sharīʿah the principle of interpretation for drafting legislation so that justice and welfare lie at the heart of any law.
- Increase Enforcement and Justice Access
- Establish dedicated gender-sensitive judicial units and special gendered police teams to address GBV, workplace discrimination, and family law cases.
- Increase access in rural areas using mobile courts, digital filing systems, and community legal aid centers;

Promote Economic Empowerment

- Strengthening community inheritance rights for women through the courts (Q 4:7–12), especially inheritance.days.gov.gd through registry courts, land land.gd courts, etc.
- Build micro finance and entrepreneurial efforts funded by waqf, especially in high growth sector(s) vocational training.

Ethical safeguards for family law reform

- Require a judicial oversight for polygyny, to guarantee compliance with the justice condition of Q 4:3.
- Enhance Nakahama record-keeping and ensure mahr (Q 4:4) enforcement is legally binding and transparent.

Combating Gender-Based Violence with a Prevention and Protection Approach

- Subverting the of physical violence by re-interpreting Q 4:34 under the lens of harm-prevention

- Providing funding for shelters for survivors, psychosocial support, and hotlines in conjunction with community mediation (Q 4:35) leading to enforceable court remedies

Ensure Educational Parity

- Universal access to secondary education, with scholarships aimed particularly at girls pursuing education or training in STEM.
- Using Qur'ān to run public campaigns of education as capacity-building (Q 4:6) and equal spiritual reward (Q 4:124)
- Promoting Women's Religious Studies and Leadership
- Promote the inclusion of women scholars in fatwa councils and theological training programs which would allow them to express gender-just interpretations from within the tradition.

10. Conclusion

Qur'ān as a living charter for justice: The guiding policy of Sūrat al-Nisā' is not a relic of 7th-century Arabia it circles back to socially transformative interpretations — rooted in fidelity to its guiding principles and a robust awareness of what is modern as a reality. Prophet Muhammad ﷺ through his character towards women be it respectful, caring or legal, was a role model for all of us in our private as well as public life.

Such a Qur'ānic vision for gender justice takes courage to realize: of policymakers brave enough to legislate out of respect for common ground, of scholars bold enough to undertake contextual ijtihād, and of communities confident enough to embrace reforms that continue to honor the text in line with the moral imperatives of these days. By faithfully executing this blending of scripture and change, they can create societies where women, her dignity, her rights and that her contributions matter and are not merely an indulgence of modernity but rather embodiment of divine justice.

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