

Women's Legal and Social Rights: A Study of Surah An-Nisa

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Abstract—Surah An-Nisa, the fourth chapter of the Holy Qur'an, provides one of the most comprehensive frameworks for women's legal and social rights in Islamic law. Revealed during the early Madina period, the surah focuses on issues related to family relationships, inheritance, marriage, divorce, justice, and the protection of vulnerable groups, particularly women and orphans. This paper examines the legal and social rights granted to women in Surah An-Nisa, by analysing its historical context, Qur'anic principles, and contemporary relevance. The study argues that Surah An-Nisa, established transformative reforms for women's dignity, autonomy, and protection, many of which remain misunderstood or insufficiently implemented in modern Muslim societies.

Index Terms—Surah An-Nisa, Women's Rights, Islamic Law, Qur'an, Gender Justice

I. INTRODUCTION

Women's rights are a central issue discussed within the broader framework of social justice, law, and ethics across civilizations. In many pre-modern societies, women lacked legal identity, economic independence, and social protection. Islam emerged within this historical context and introduced a moral and legal system that redefined gender relations through divine guidance. Among the Qur'anic chapters, Surah An-Nisa occupies a unique position due to its wide range of discussions on women-related issues, family law, and social responsibility.

Rather than treating women as a marginal group, Surah An-Nisa places them at the centre of social reform. It establishes principles related to marriage, inheritance, guardianship, and justice, while emphasizing moral responsibility and compassion. This Surah does not merely respond to individual cases but constructs a coherent legal and ethical framework aimed at protecting women's dignity and rights.

This paper aims to examine women's legal and social rights through Surah An-Nisa, highlighting the Qur'anic vision of justice and balance. By analysing key verses and their implications, the study challenges prevalent misconceptions and underscores the relevance of Qur'anic teachings in contemporary debates on women's rights.

II. HISTORICAL CONTEXT OF SURAH AN-NISA:

Surah An-Nisa was revealed in Madinah, during a period of social restructuring and legal development within the new Muslim community. In the pre-Islamic period in Arabia, society was generally tribal and patriarchal, where women were often treated as property, denied the rights to inheritance, and were often forced into marriage. Widows and orphans were among the most affected groups due to continuous tribal conflicts and the absence of institutional support. The Qur'an responded to these conditions by introducing laws that focused on justice, responsibility, and good behaviour. Surah An-Nisa deals with matters like inheritance, marital relations, and social welfare, showing that it is an important legal chapter of the Qur'an. According to Rahman (1980), the Surah shows a change from old customs to a moral legal system based on divine guidance.

III. LEGAL RIGHTS OF WOMEN IN SURAH AN-NISA

3.1. Right to Inheritance: Surah An-Nisa brought an important change by giving women a clear and lawful right to inheritance. The Qur'an states:

“For men is a share in what their parents and close relatives leave, and for women there is a share in what their parents and close relatives leave, whatever it is

little or much, these are obligatory shares.” (Qur’an 4:7)

This verse ended the earlier practices that denied women the right to own property. Islamic inheritance laws recognize women as independent persons who are capable of owning, managing, and using their wealth. Scholars such as Esposito (2001) explain that the difference in inheritance shares is based on financial responsibilities, not on men being superior to women (Esposito,2001).

3.2. Marriage, Consent, and Mahr: Surah An-Nisa describes marriage as a legal and moral contract based on mutual rights and duties between a husband and wife. Marriage is not one-sided; both husband and wife have responsibilities to each other and are expected to fulfil their duties and respect each other’s rights.

A very important part of marriage is consent. Islam says that a woman must agree willingly to her marriage. This was a big change from pre-Islamic times when women were often married without their permission. By emphasizing consent, the Qur’an shows that women are active decision-makers in their own lives. Another key aspect is mahr (bridal gift). The Qur’an says:

“Give women their bridal gifts graciously.” (Qur’an 4:4)

Mahr is a gift given by the husband to the wife. It belongs only to her, and she can use it as she likes. Mahr provides women with financial security and shows respect for them.

According to scholars like Wadud (1999), explain the Qur’an’s rules on consent and mahr challenge old patriarchal customs and recognize women’s independence, dignity, and rights in marriage. Surah An-Nisa presents marriage as a relationship based on justice, respect, and women’s rights.

3.3. Prohibition of threat and Abuse: Surah An-Nisa strongly protects the rights of women by clearly forbidding force, exploitation, and abuse. The Qur’an states:

“O believers! It is not permissible for you to inherit women against their will.” (Qur’an 4:19)

This verse ended the old practice of forced marriages. In pre-Islamic Arabia, women especially widows and orphans, were treated like property and could be taken in marriage without their consent. By declaring this

practice unlawful, the Qur’an made consent a basic condition of marriage and gave women the legal and moral right to accept or refuse a marriage. The verse also forbids the exploitation and mistreatment of women, especially widows who were often unprotected after the death of their husbands. By banning coercion, the Qur’an recognizes women as independent individuals with control over their own lives.

Scholars such as Asma Barlas (2002) explain that this teaching is not only a legal rule but also a moral principle that affirms women’s dignity and decision-making power in Islamic law. It supports the broader aims of Surah An-Nisa, which include promoting justice, fairness, and care for weaker members of society.

In addition, Surah An-Nisa gives other rules to prevent abuse, such as:

- Protecting the property rights of orphans and warning against misuse of their wealth. (Qur’an 4:2),
- Requiring fair treatment of spouses and respect for their marital rights (Qur’an 4:19, 4:34),
- and Setting clear inheritance laws to ensure that women receive their rightful shares (Qur’an 4:7, 4:12).

Through these teachings, Surah An-Nisa presents a complete system that protects women from injustice, ensures their consent and safety, and supports their legal and social rights. It brought major reform to pre-Islamic Arabia by establishing justice and human dignity for women.

IV. SOCIAL RIGHTS OF WOMEN IN SURAH AN-NISA

4.1. Spiritual and Moral Equality: Surah An-Nisa clearly teaches that men and women are equal in spiritual and moral status. The Qur’an states:

“But those who do good, whether male or female, and have faith will enter Paradise and will not be wronged even as much as the speck on a date stone.” (Qur’an 4:124)

This verse shows that God judge’s people by their faith and good actions, not by their gender. Both men and women are equally responsible for their deeds and will be rewarded in the same way.

The verse also shows that women have the same moral responsibility and accountability as men. There is no

spiritual superiority of one gender over the other in Islam.

Scholar Fazlur Rahman (1980) explains that the Qur'an gives importance to good character and righteous behaviour, rather than biological differences. According to him, Surah An-Nisa clearly supports spiritual and moral equality between men and women.

4.2. Family Responsibility and Qiwwamah: The idea of qiwwamah in Surah An-Nisa is often misunderstood as male dominance. However, the Qur'an explains qiwwamah as a system of responsibility, not power or control. The Qur'an states:

"Men are caretakers of women, as men have been provisioned by Allah over women and tasked with supporting them financially." (Qur'an 4:34)

This verse shows that men's responsibility is based on financial support and protection of women. Men are required to provide for the family and take care of women's needs. It does not give men the right to control or dominate women.

Scholars agree that responsibility does not mean that men are better than women. Instead, it explains a role focused on care and financial responsibility within the family. Women keep their legal rights, property, and independence even after marriage.

According to scholars such as Esposito (2001), explains that men's authority in the family is based on their responsibility to provide financial support and maintenance, not because they are superior to women. Surah An-Nisa therefore presents family life as a system of shared responsibility, justice, and mutual respect, where both men and women contribute according to their roles while maintaining equality rather than inequality.

4.3. Right in Divorce and Separation: Surah An-Nisa accepts that marriages may not always remain peaceful. In such situations, Islam allows divorce and separation as a lawful solution when peace and harmony cannot be maintained. Islam does not force women to stay in marriages that are unhappy, unjust, or harmful to them. The Qur'an states:

"But if they choose to separate, Allah will enrich both of them from his bounties. And Allah is Ever-Bountiful, All-Wise." (Qur'an 4:130)

This verse shows that Islam does not forbid divorce. Divorce is allowed, but it must be done when married

life becomes unjust or unbearable. Women are not blamed for choosing separation under such situations. Surah An-Nisa also teaches that women should be treated kindly and fairly during divorce. Women have the right to their financial support, including mahr, and must not be harmed emotionally, socially, or economically. The Qur'an clearly forbids men from keeping women in marriage through force, pressure, or injustice.

Scholars explain that Islamic divorce laws are meant to protect women's dignity and security. According to scholars such as Amina Wadud (1999) states that although Islamic law generally requires women to seek an authority's intervention to initiate divorce, this does not mean men have absolute superiority. Men have a degree of authority, but it comes with responsibilities, and interpretations that suggest unconditional male control misrepresent the Qur'an's principles of fairness and equity.

V. CONTEMPORARY RELEVANCE AND MISINTERPRETATIONS

Many injustices faced by women in Muslim societies arise from cultural practices rather than Qur'anic teachings. Misinterpretation and lack of contextual understanding have led to the misuse of Surah An-Nisa. Asma Barlas (2002) argues that patriarchal readings often ignore the Qur'an's overarching commitment to justice and equality, emphasizing that the Qur'an promotes justice and equal spousal and marital rights. Studying Surah An-Nisa again with proper scholarly understanding and awareness of its context can help improve laws, strengthen women, and promote peace and harmony in modern society.

VI. CONCLUSION

Surah An-Nisa gives a clear and fair system for women's legal and social rights. It recognizes women as independent individuals with their own identity, dignity, and rights. The Surah confirms that women and men are equal in their spiritual status and responsibility before Allah. It also gives rules that protect women from injustice, abuse, and unfair treatment in family and society.

These teachings were very important at the time of revelation and are still important today. In the modern world, where issues of gender justice and equality

continue to exist, Surah An-Nisa offers clear guidance based on justice, kindness, and responsibility. The real problem does not lie in Islam or the Qur'an, but in the misunderstanding, wrong interpretation, and neglect of its teachings. If these teachings are understood and followed correctly, they can help protect women's respect, justice, rights and dignity in society.

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