
Women and Islamic Law: Rights, Responsibilities and Legal Agency from Classical Jurisprudence to Contemporary Practice

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Abstract:

This article examines the position of women within Islamic law by analysing the relationship between Qur'anic principles, Prophetic traditions, classical Islamic jurisprudence and contemporary legal practice. The study focuses on women's legal personality, marriage, divorce, inheritance, property ownership, economic rights, testimony, access to justice and participation in public life. Using qualitative doctrinal and comparative legal analysis, the article examines selected classical juristic positions alongside contemporary legal developments in Muslim societies. Particular attention is given to the methodological relevance of *maqāṣid al-sharī'ah*, justice, public welfare and the principle of preventing harm in contemporary discussions of women's legal agency. The article further considers the distinction between rights recognised in Islamic legal sources and the extent to which such rights are realised in practice. It argues that a comprehensive understanding of women in Islamic law requires simultaneous attention to textual sources, jurisprudential diversity, historical context, state law and women's lived experiences. The study contributes to contemporary debates on Islamic law and gender by providing a framework for analysing women's legal status.