

**ASSESSMENT OF THE PRACTICE OF ISLAMIC WOMEN RIGHTS AND  
ITS IMPACT AMONG MUSLIMS IN KATSINA STATE**

**BY**

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**FEBRUARY, 2018**

## **DECLARATION**

I declare that this dissertation entitled "ASSESSMENT OF THE PRACTICE OF ISLAMIC WOMEN RIGHTS AND ITS IMPACT AMONG MUSLIMS IN KATSINA State" has been performed by me in the Department of Arts and Social Science Education. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this dissertation was previously presented for another degree or diploma in this or any other institution.

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\_\_\_\_\_  
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\_\_\_\_\_  
Date

## **CERTIFICATION**

This dissertation entitled "ASSESSMENT OF THE PRACTICE OF ISLAMIC WOMEN RIGHTS AND ITS IMPACT AMONG MUSLIMS IN KATSINA STATE" by Idris Babban-mutum SALE meets the regulations governing the award of the degree of M.Ed. Islamic Studies of the Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

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## **DEDICATION**

This dissertation is dedicated to my late mother, Fatima (Laraba Babba) who has not lived to see me climb this ladder. May Allah forgive her shortcomings and grant her *Jannatul Firdaus*.

## **ACKNOWLEDGEMENTS**

Praise be to Allah the Most High, who spared my life and gave me the wisdom and inspiration to successfully undergo this programme. This dissertation would have never been what it is today without the guidance, patience, advice, support, suggestions, time, assistance, criticism and encouragement of the team of my supervisors. They are no one in this regard but the humble and gentle Dr. Abubakar Sani Birnin Kudu and Dr. Abdullahi Dalhatu. Sirs, I am forever indebted to you. May Allah bestow you with all that you seek to achieve on earth and *Jannatul Firdaus* in the Hereafter.

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## **ABSTRACT**

Women's rights and how they are being practiced among different societies and civilisations remain among the topical issues in today's world. This study made an examination of the practice of Islamic women rights and how it impacted on people in Katsina state. The key variables addressed by the study were the applicability of marital rights, economic rights and educational rights of women in the study area vis-à-vis their impacts on the people's development. The research questions, objectives and hypotheses were stated in this line. In terms of scope, the research covered Katsina state, a state with 34 local governments. However, only six local governments were selected for the purpose of the study. These were Daura, Baure, Batsari, Katsina, Faskari and Funtua. The period of study covered was 2006 to 2015. The research design adopted was an amalgam of survey and historical research methods. Data were generated from both primary and secondary sources. The primary data were gathered through the instruments of questionnaire and interview while the secondary data included relevant textbooks and other published materials. The population of the study were three (3), key informants (religious leaders and traditional rulers), women (married/widowed/divorced) and heads of households. In terms of sample, 210 units were selected from the key informants' sample with 35 units representing each local government. For the women sample, 360 individuals were selected with 60 units representing each local government while for the heads of households, 180 were selected with 30 units representing each local government. Data were largely presented in tables and hypotheses were tested using Pearson Chi-square.

The study found among other things that most husbands/men met their family obligations and also facilitated education of their wives. There was also fair access to both Islamic and Western education by girls/women; and that the prevailing practice of women favoured economic empowerment, educational development and enhanced the protection of women marital rights in the study area. It was recommended that men should be encouraged by both the religious and traditional leaders to continue and consolidate their efforts of meeting their family obligations; be more just and fair in treating wives; continue the habit of protecting privacy, dignity and honour of women; and government should intervene more in the educational development of the area among other things.



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# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 Background to the Study**

In the name of Allah, the most Gracious, the most Merciful. May peace and blessing of Allah (SWT) be upon the Messenger of Allah (S.A.W) his family and all his companions. In modern times, the issues relating to gender inequality are getting more concern as they become themes of discussion in many public gathering, media and ceremonies.

Women all over the world suffer from, and are faced with many peculiar and complex problems. Many of these problems revolve around their rights within their different societies. This situation is largely as a result of and exacerbated by, the existence of several discriminatory practices against them. These problems manifest in very different forms in various societies with extensive implication and it is very prevalent in the Nigerian society.

The value of the teachings of Islam regarding women become obvious when one compares the situations of women in different societies at the time of the rise of Islam, women before Islam were regarded as inferior to men, no religion allowed them equality, no religion gave them a share of inheritance in the property of their parents or husbands. A woman was looked upon as an evil and an unwanted burden, a source of disgrace and humiliation to the family. Women were universally treated as chattels.

Their own consent in anything was considered immaterial. In fact, they were never viewed as a party to their marriage. They could be brought at the time of leisure and discarded most capriciously. They had no independent status, could own no property, were given no right of inheritance.

In Arabia particularly, immediately before Islam, women were considered to be a sign of disgrace and shame to the family. When female child was born to an Arab, it was an occasion of grief and gloom for him. This was how Arab women were considered before Islam.

Allah (SWT) says:

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ( ٥٨ )  
يَتَوَارَىٰ مِنَ الْقَوْمِ مِن سُوءِ مَا بُشِّرَ بِهِ ۚ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ  
أَلَا سَاءَ مَا يَحْكُمُونَ ( ٥٩ )

"when news is brought to one of them of (the birth of a female child) his face darkens, and he is filled with Inward grief! With shame does he hide himself from his people, because of the news he has had! Shall he return it on (sufferance and contempt) or bury it in the dust? Ah! What an evil (choice) they decide on? ( an-Nahl, 16:58-59 ).

During the jahiliyyah period a woman would dig a pit when delivery period was due and would go and deliver near it. If it were a female child she would simply bury it alive, but if it was a male child she would return home with it (Al-Qurtubi, 1993:18/172).

Islam recognized womens' position over fourteen hundred years ago and granted them their due right and privileges which are not yet enjoyed by women in other faiths and societies even in this modern industrialized age.

Furthermore, Islam made woman rights equal to that of a man except in some few areas. It is in consideration of the role of each in life that man is obliged to give his wife dower/sadaq, maintenance, allocation of time, separate quarters, education, medication, right of self-redemption, giving gift after divorce, burial expenses, etc, while maintaining one's mother, sister and the likes depends on time of their need, while a woman is not obliged to shoulder any of the above mentioned responsibilities. In the issue of inheritance, Islam gives woman what all other systems now and the past failed to give her, and obliges the father to bear all his daughter's responsibilities, when she marries, all her responsibilities transfers to her husband, and at the absence of her husband, then her son, in the absence of the son or his incapability, then her relative from male side comes in.

However, in the absence of all mentioned above, then Islamic Public treasury (Baital-mal) bears it. Katsina state is one of the core areas of northern states of Nigeria whose inhabitants are predominantly Muslims. It is one of the areas covered by the jihad of Danfodio that cleansed and separated Islam from un-islamic cultures and traditions of the people in the area.

At the advent of Shehu Usman's jihad, hemet women in a deplorable condition. A condition full of ignorance and a condition which deprived women of

their rights thereby dehumanizing their human nature. They were in situation where by they did not know their rights as a result of mixing tradition with pure teachings of Islam. This condition of women in the pre-jihad hausa land was just like the Jahiliyyah period before Islam. It was then that, the Shehu started declaring an open and vigorous campaign for the rights of women as ordained by the pure teachings of Islam.

In view of this, this research attempts to critically assess the practice of the Islamic rights of women and its impact among the Muslims of katsina state, Nigeria.

## **1.2 Statement of the Problem**

Women's right is one of the contentious issues in today's world that receives attention of various scholars, researchers and institutions at national and international levels. In fact, prior to the emerging calls for women rights advocated by the Modern Western civilisation, there existed a reform that conferred on women a lot of rights that were hitherto being denied of. This took place over 1,400 years ago and was pioneered by the Noble Prophet Muhammad (S.A.W) who reorganised and restructured the barbaric practices of the *Jahiliyyah* period into the most humane state in the present world.

In the *Jahiliyya* period, women faced several discriminatory practices. They were treated as chattels that had neither independent status nor right to own properties. In fact, they have no right to inheritance. They were in addition, treated as slaves who were subjected to highly inhumane treatment. This was

the prevailing trend in virtually all societies in that period although the practice differed among tribes, faiths, clans and regions.

However, in most Nigerian cultures, women are regarded as inferior to men. The girls in most cases not properly educated compared to boys. Some parents also keep their daughters out of school due to misinterpretation of the tenets of religion. In widowhood, women face a combination of abuses within the family, by being forced to observe burial and other rituals and discriminatory legal provisions. This was the practice of the early 19<sup>th</sup> century when a Jihad was waged by Shaykh Uthman Danfodio against practices that Islam prohibits. Thus, before the Jihad of Danfodio, women were in a deplorable condition, a condition full of ignorance that deprived them of their rights thereby dehumanizing their human nature. They were in a situation where by they did not know their rights as a result of mixing Hausa cultural traditions with the pure teachings of Islam.

Katsina state is one of the core areas of Northern states of Nigeria situated in the present North West geo political zone of the country bordering Kaduna, Kano, Jigawa and Zamfara States and the Republic of Niger whose inhabitants are predominantly Muslims. It is one of the areas covered by the Jihad of Danfodio that cleansed and separated Islam from Un-islamic cultures and traditions of the people in the area. This clearly indicates that it is one of the areas in which women's rights in the areas of marriage, education, inheritance and other economic undertakings among others were guaranteed and protected by Islam due to full acceptance of the tenets of Islam in the area. In fact, in the



early 20<sup>th</sup> Century, the area was recognised among the portions of Nigeria governed in accordance with Islamic (*Shariah*) Law in all facets of human endeavour. By implication, this development indicates that, rights of women in all its ramifications as stipulated by Islam would be clearly adhered to in practice in the area.

There is no doubt; the inhabitants of the state (Katsina) have evidently manifested the recognition of Islamic tenets in their daily lives as seen in various aspects of their endeavours. Fundamental to the practice of Islamic human rights in the polity are the issues dealing with marital rights in all its facets; economic rights; and educational rights ranging from Islamic to western education among the women. But, the key issue that often arises is that, what has been the prevailing practice of Islamic women rights in this area and how does that impacted on people in the state? This is what this research addressed.

### **1.3 Objectives of the study**

The main objective of this study was to examine the practice of Islamic women rights and how it impacted on people in Katsina State. In achieving this, the following objectives were set up:

- i. To examine the state of practice of Islamic rights of women in Katsina state.
- ii. To determine the extent to which the prevailing state of practice of Islamic women rights impacted on the marital life of people in Katsina state.

- iii. To evaluate the extent to which the prevailing state of practice of Islamic women rights impacted on the economic status of people in Katsina state.
- iv. To examine the extent to which the prevailing state of practice of Islamic women rights impacted on the educational status of people in Katsina state.

#### **1.4. Research Questions**

In achieving the research objectives raised above, the following research questions are raised

- i. What has been the state of practice of rights of women in Katsina state?
- ii. To what extent has the prevailing state of practice of women rights impacted on the marital life of people in Katsina state?
- iii. To what extent has the prevailing state of practice of women rights impacted on the economic status of people in Katsina state?
- iv. To what extent has the prevailing state of practice of women rights impacted on the educational status of people in Katsina state?

#### **1.5. Statement of Hypotheses**

For the purpose of this research, three (3) null hypotheses were formulated as follows:

- i. H<sub>0</sub> There is no significant relationship between the prevailing state of practice of women rights and the marital life of people in Katsina state.
- ii. H<sub>0</sub> There is no significant relationship between the prevailing state of practice of women rights and the economic status of people in Katsina state.
- iii. H<sub>0</sub> There is no significant relationship between the prevailing state of practice of women rights and the educational status of people in Katsina state.

### **1.6 Significance of the Study**

This research work would be of immense benefits to the society in the following ways.

First of all, it would cover a gap of knowledge that exists in respect of Islamic right of women and its impact on peoples' life in Katsina state which previous researchers have not covered.

The study would also help in clarifying the claim that Islam is against the right of women or that it deprives them of those rights.

It would also help in improving harmonious living, love, tolerance and support of one another among the Muslims.

It would also bring to light the educational and economic benefits of knowing the rights of women and how it will impact positively in the improvement of the status of women in the area of study.

It would however, help students in the course of their studies and research in giving them a clear and conceptual analysis on women right, its origin and impact on the life of people.

It is also clear and impeccable source of reference and guidance by researchers in their investigation upon the relevant case study.

Another significance is that Muslim women would be familiar with their duties and rights and learn how their behavior should be according to Islamic law.

The research would also benefit the inhabitants of the state by revealing the salient issues characterising rights of women in the state so as to know the areas that need improvement. At the same time, government can use the outcome of the research in designing policies and programmes that have to do with the women rights and how they could be best protected and promoted in the state.

### **1.7 Scope and Delimitation of the Study**

This research assessed the practice of Islamic women rights and its impact on people in Katsina state. The state was selected because of the fact that it is among the Nigerian states that have less mixture of Muslims with non-muslims with over 90% of the inhabitants being Muslims. However, among the 34 local governments in the state six were selected for the purpose of the study. These were Daura, Baure from the Katsina North Senatorial Zone; Batsari and Katsina from Katsina Central Senatorial Zone and Faskari and Funtua from

Katsina West Senatorial Zone. This was to ensure adequate representation of the state. In terms of substance, the researcher is aware of the fact that there are many issues surrounding women rights, but the study covered only issues revolving around marital and post- marital rights, economic rights and education rights. The period of study covered 2006 to 2015, a ten year period that was considered adequate for examining the issue under investigation. It is also a period that has been considered to have coincided with more spread of pure Islamic teachings in the area due to increase in religious awareness and enlightenment.

A study of this nature is bound to have some limitations. One of the main limitations of this research was the difficulty in generating data especially the data generated from the rural people who were dispersed in towns and villages across the study area, particularly the women whose access by the researcher was difficult. In addition, due to the literacy level of some of them, it was difficult for them to fill the questionnaire administered to them.

Other limitations of the study are those that have perennially troubled researchers in this part of the world. They include inadequate financial resources to the researcher. Thus, this study should be read and considered within the confines of its scope and limitations.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 INTRODUCTION**

In this chapter, the researcher seeks to review the concept of human rights to women, Islamic perspective on women rights to marriage, divorce, education and inheritance, and finally the historical development of Katsina state which this research is restricted to.

#### **2.1 Brief on Katsina State**

Katsina state was created on Wednesday the 23<sup>rd</sup> of September, 1987 out of the former Kaduna State during General Ibrahim Babangida military regime. It has a land area of 23,561 square kilometers and is made up of 34 Local Government Areas. It also comprises a population of about 5.8 million people (according to the 2006 census figures). The capital of the state is Katsina City. The state is inhabited predominately by the Hausa/Fulani ethnic group, majority of who are Muslims. The state is located at below 13<sup>th</sup> latitude/7.61/4E longitude. The vegetation is mostly Sahel grassland with dense guinea savannah to the south.

The economic activities of majority of the people predominately comprise agrarian undertakings, income sources and employments (over75%) (Adam, 2008). However there is also a sizeable public sector employment of about

18,000 workers. The agrarian undertakings consist of the farming of maize, guinea corn, millet, Groundnut, cotton, wheat, potatoes, sunflower, soya beans and vegetables, as well as livestock production (i.e. cattle, sheep, goats, chicken, and guinea fowl). Other economic activities conducted to a relatively lower extent and in compliment to farming include commerce in primary commodities, consumer goods, contracting, forwarding and factoring, entrepreneurship in emerging small and medium industries, crafts (wood, calabash carvings, dyeing, leather works), metal works and mining.

The infrastructure in the state consists of extensively tarred roads coverage and pipe borne water, as well as electricity provided in all the major towns, cities and local government capitals. Now villages are being connected with the national grid too.

Incidentally, the major development challenges facing the state are desertification, unemployment poverty, illiteracy, weak economic growth and a poor industrial base.

However, before the coming of Islam in the area, worship of idols, sun, caves, spirits and cults were the principal practices in the society. Just like in other parts of Hausa states, the two dominant empires (Daura and Katsina) in the state embraced Islam. According to another version, it was introduced in the area in the 11<sup>th</sup> century, through the Wangarawa scholars who settled in Gobir, Azben and Katsina before arriving Kano. Also, Islam became well established in Katsina during the reign of Muhammadu Korau(1348-1398 CE) (Lawal, 2009:2).

## **2.2 THE CONCEPT OF RIGHT**

Standard Encyclopedia of Philosophy (2009) as cited by Adam (2012:2) defined right as the legal, social or ethical principles of freedom or entitlement, that is, rights are fundamental normative rules about what is allowed of people or owed to people according to some legal system, social conventional or ethical theory.

Microsoft(R) Encarta(R) (2008) as cited by Adam (2012:3) defined right as a justified claim or entitlement, or the freedom to do something or somebody's interest in a property.

In his view on rights, Ibrahim (1998:44) relate to those reservations and privileges granted to individuals which should be honoured by others and should not be encroached upon by anyone.

So, from the above definitions, it is to be observed that right is the freedom, immunities and benefits that all human beings should be able to claim or to get.

### **2.2.1 Right in western perspective**

Brohi (1978:179) views right in western perspective as "Anthropocentric" in the sense that man is regarded as constituting the measure of everything, since he is the starting point of all thinking and action. It is the rights granted by the kings or the legislative assemblies which can be withdrawn in the same manner in which they are conferred (Maududi, 1976:15).



Furthermore, Hassan, (2010:100) mentions that, the nature of right in western perspective is offered as either the will theory or the interest theory. In the will theory (something referred to as the choice t

heory) rights bearers can choose either to demand from others compliancne with certain duties or choose to waive those duties. This theory is criticised for those incapable of choice (the mentally handicapped, children and future people) are unable to possess rights, while the interest theory is criticised for someone may have interest in the performance of a duty but may not have a right.

### **2.2.2 Right in Islamic Perspective**

According to Maududi (1976:15) rights in Islam are conferred by Allah (S.W.T), no legislative assembly in the world, or any government on earth has the right or authority to make any amendment or change in the right conferred by Allah (S.W.T). No one has the right to abrogate them or withdraw them.

Similalry, Brohi (1978:179) viewed that, right from Islamic perspective is "theocentric" that is to be determined by Allah. Here the absolute is paramount and man exist only to serve his creator who secures his aspirations.

One of the great concerns of Islam is the promotion of the rights of man and how to administer them. Islam has laid down certain ethical values that help in checking the tendency of man to abuse the rights of others. Allah (S.W.T) has made it very clear in the following Qur'anic verses.

**وَقَضَىٰ رَبُّكَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ وَبِالْوَالِدَيْنِ إِحْسَانًا إِمَّا  
 يَبُلُغَنَّ عِنْدَكَ الْكِبَرَ أَحَدُهُمَا أَوْ كِلَاهُمَا فَلَا تَقُلْ لَهُمَا آفٌ وَلَا  
 تَنْهَرْهُمَا وَقُلْ لَهُمَا قَوْلًا كَرِيمًا (23) وَأَخْفِضْ لَهُمَا جَنَاحَ الذُّلِّ مِنَ  
 الرَّحْمَةِ وَقُلْ رَبِّ ارْحَمْهُمَا كَمَا رَبَّيْتَانِي صَغِيرًا (24) رَبُّكُمْ أَعْلَمُ  
 بِمَا فِي نُفُوسِكُمْ إِنْ تَكُونُوا صَالِحِينَ فَإِنَّهُ كَانَ لِلْأَوَّابِينَ غَفُورًا  
 (25) وَأَتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ وَلَا تَبْذُرْ  
 تَبْذِيرًا (26) سورة الإسراء**

*“And your lord had decreed to you that: You shall worship none but him, and you shall be kind to your parents. If one or both of them live to their old age in your life time; You shall not say to them any word of contempt nor repel them and you shall address them in kind words. You shall lower to them your wings of humility and pray: O Lord! Bestow on them your blessing just as they cherished me when I was a little child. Your lord knows best what is in your hearts. If you do good deeds, certainly He is most forgiving to those who turn to Him in repentance. and give to the kinsman his right and to the poor and to the wayfarer; but spend no wastefully (Qur’an 17:23-26)*

Hussain (2001) classified human rights under Islamic perspective into two:

1. The basic human rights laid down by Islamic law which is inherent in all human beings, and
2. The right which Islam accorded certain categories of people because of their peculiar situations. For instances, women, children, orphans etc.

The rights discussed in this work therefore fall within the purview of women right.

## **2.3 THE CONCEPT OF HUMAN RIGHTS TO WOMEN**

The focus of discussion in this work is to explain the concept of human right to women, women from the view point of different civilizations and religions, women in contemporary Nigeria and lastly women from the view point of Islam.

### **2.3.1 HUMAN RIGHTS TO WOMEN**

Human rights documents repeatedly emphasize that all people, including women and members of minority ethnic and religious groups have equal human rights and should be able to enjoy them without discrimination. The right to freedom from discrimination figures prominently in the universal declaration and subsequent treaties. The civil and political covenants, for example commit participating states to respect and protect their people rights without distinction of any kind, such as race, colour, sex, language, etc. (Nickel, 2002: 10) .

Oxford Dictionary (2005) defined woman right as the rights, that promote a position of social and legal equality of men to women, they are the rights claimed for the woman, equal to those of men, as regards to suffrage that right to vote, as regards to property etc. (Naik, 2008). Freedom and entitlement of women of human rights without discrimination or violation (Anaeme, 2012:1). Hosken (1991:1-10) opines women's rights as the rights and entitlement claim for women and girls of many societies worldwide. In some places, these rights are institutionalized or supported by law, local custom and behaviour, where as in others, they may be ignored or suppressed (Anaeme, 2012:1).

Issues commonly associated with notions of Woman's right include, though are not limited to, the right to bodily integrity and autonomy, to vote (suffrage), to hold public office, to work for fair wages or equal pay, to own property, to pursue education, to serve in the military or be conscripted, to enter into legal contracts, and to have marital or parental rights (Lockwood, 2006).

Lewis (2014:3) classified women's right into the following categories:

- Economic Rights: This includes right to own and dispose of property, right to inherit property in her own name and control it, right to job, trades and profession e.t.c.
- Civic Right: This includes legal contract right, marriage, divorce and parental right, right to child custody, etc.
- Social and cultural right: This includes right to education safety from sexual mistreatment, roles in religious institutions etc.
- Political Right: This includes right to vote, running for and serving in political office etc.

### **2.3.2 WOMEN FROM THE VIEW POINT OF DIFFERENT CIVILIZATIONS AND RELIGIONS**

In many civilizations and religions, both in the past and present, women were treated as maids as they have no will or desire of their own. In Roman civilization, the woman was continually under the tutelage and guardianship of her husband, she was incapable of doing or acting to anything according to her own individual taste(Sayers, 1971:118).

However, In China, the crippled practice of foot binding was intended to make women totter on their pointed, slender feet in a seductive manner. It was finally outlawed only about a hundred years ago (Sayers, 1971:119).

Schmidt (2001:98-99) stated that a respectable woman in ancient Greece was not allowed to leave the house unless she was accompanied by a trustworthy male escort. A wife was not permitted to eat or interact with male guests in her husband home. Men kept their wives under lock and key, and women had the social status of a slave. Girls were not allowed to go to school, and when they grew up, they were not allowed to speak in public.

Zimbabwean society in Africa believes that a female has no right of even acquiring property, not to talk of getting inheritance, she has no any right before marriage, when she is married and after her marriage (Juwairiyya, 1992:34). According to Gurin (2010:14), among Athens, women were not better off than either the Indians or Romans. Her consent in marriage was not generally thought to be necessary and she was obliged to submit to wishes of her parents and receive from them her husband who was to be her lord even though he was a stranger to her.

According to Encyclopedia Britanica, (1968:624), the right of married women to own property in Britain was not recognized until the late 19<sup>th</sup> century, by a series of acts starting with the married womens property act in 1870, amended in 1882 and 1887, married women achieved the right to own property and to enter into contract on a par with spinsters, widows and divorcees.

Encyclopedia Americana (1969:108) stated in English common law "all real property when a wife held at the time of a marriage became a possession of her husband. He was entitled to the rent from the land and any profit which might be made from operating the estate during the joint life of the spouse.

Encyclopedia Britanica (1902:2942), stated that, mosaic (Jewish) law, to betroth wife to one self meant simply to acquire possession of her by payment of the purchase money, the betrothed is a girl for whom the purchase money, had been paid, from the legal point of view, the consent of the girl was necessary for the validation of her marriage.

However, in the Bible, there are several references to women in this uncomplimentary light. According to Ecclesiastes, (7:26-28), it is said that,

*"I find more bitter than death the woman who is a snare,"  
whose heart is a trap and whose hands are chain. The man  
who please God will escape her but the sinner she will  
ensnare.*

In another verse, of the Bible, it stated that,

*"No wickedness comes anywhere near the weakness of a  
woman...., sin begins with a woman and thanks to her we  
all must die" (Ecclesiastes, 25:19, 24).*

The African father of the church, Tertullion (160-225CE) called women as the devil's gateway. His reasoning is on the story of the fact in Genesis:

"You are the Devil's gateway.... You destroyed so easily God's image, man on account of your desert even the son of God had to die" (Warner, 1976:58).

Doctor of the church and Bishop of Hippo St. Augustine (354-450 CE) skillfully weaved the story of the fall with the theology of the original sin. The

main casualty of his theory was the position of woman in Christian society. He elevated the hatred of women and sex to level unsurpassed before. To him women's inferiority to men was so obvious (Ranke, 1990:55).

In Arabia, prior to Islam as mentioned in Adam (2012:91) one could take any number of wives he wanted and divorce at will. No inheritance was given to women. In short the pagan Arabs never held women in high esteem she was subjected to so much humiliation and was even transferred as an object of inheritance from father to his son, and had no legal rights to the social and political life. In that time, women were considered to be the sign of disgrace and shame to the family.

From the foregoing, it could be deduced that, the condition of women before Islam was miserable throughout the world. No religion or civilisation allowed them equality with men. No religion/civilisation gave them a share in the properties of their parents or husbands. Women were looked upon as evil and an unwanted burden, a source of disgrace and humiliation to the family. Women were universally treated as chattels. Their own consent in anything was considered immaterial. In fact, they were never viewed as a party to their marriage. They could be brought at the time of leisure and discarded most capriciously; they had no independent status, could own no property, and were given no right of inheritance.

### **2.2.3 WOMEN IN CONTEMPORARY NIGERIA**

Women's and men's activities in most of Nigerian traditional societies were rather complementary, although it does not necessarily imply equality between the sexes dependence on religious beliefs, ethnic group, geographical setting and social class. However, it seems more appropriate to say that the male was traditionally accorded more value and prestige (Gafai 2010: 95).

According to Ransome – Kuti (1961:67-72), A woman more often than not derived her social status from her two major roles, that of a wife and of a mother. As a mother the woman was the primary custodian of the cherished values of her society. This she does by devoting her energies to life-preserving activities of procreation which meant having as many children as possible, while such woman enjoys higher social status and a sense of fulfillment by the birth of male children.

Ransome-Kuti (1961:78), further added that, in some cultures in Nigeria, the number of wives and children a man had was an indication of his success in life, while children were considered his primary assurance of support in old age. Men show off their wealth by the number of children and wives they have. Husbands regarded their wives as perpetual and life-long slaves. According to Achibe, (1987) among some tribes in Nigeria, a woman who has three boys in quick succession is honoured by her husband by slaughtering a goat to celebrate the feast. On the contrary, the birth of female children in succession leads to anxiety and sometimes a shame for the mother. Not only will the woman lose



prestige formally accorded her by her marital status, another woman could be brought to carry from where she failed.

Gafai (2010:95) stated that, all enduring marriages ultimately end with the death of either the husband or the wife or both. The disorganizing and traumatic experience which accompanies the death of husbands, tends to be greater on women than men when they lost their marriage partners. The severity of these trials vary from state to state in Nigeria. The women are subjected to a variety of arduous and degrading rites that violate some of their human rights and erode their self esteem. Bolaji and Babatunde (2002:8) noted that, in the south Eastern Nigeria, one of such was the custom of inhuman mourning, such as wailing loudly for several days before or after the interment of their husbands. Widows whose wailings loudly were adjudged as inadequate were accused of being responsible for the death of their husbands.

Bolaji also maintained that, after wailing, followed the moment of confinement/seclusion either in the husband's house or in the special huts for various periods of time. During this period, widows experience several degradations and depressions. Several practices were introduced to make widows uncomfortable and unattractive. Hair from different parts of their bodies were scrapped and burnt, some wear mourning clothes which were never washed nor changed. They were denied basic comforts such as bath and their normal habits were restricted (Bolaji and Babatunde, 2008).

In the south west, Gafai (2010: 96) noted that, when the husband dies, the widow goes into confinement for seven days. During this period, she is not allowed to go out, even to the toilet or take her bath. On the seventh day, her head is shaved to sever the bond between her and the dead husband.

Widowhood rights in Bini Land of South-South are in two ways as mentioned by Bolaji and Babatunde (2002:8) first the widow is confined to a room outside the family house for seven days. Immediately after the interment of the deceased husband, she is dressed in black with her hair left unkept and, she is not allowed to take her bath, as well as sleeping. Secondly, at the end of the seventh day, widows smear herself and her clothing with charcoal and remains so for three months.

According to Gurin (2010:17) under the various Nigerians Customary Laws, if the husband dies, then the marriage is not in fact broken, but is regarded as part of the estate of her deceased husband and could be inherited by another male member of the husband's family. Usually the eldest son of the husband, if he is adult or the deceased brother of the deceased. While in northern part of Nigeria where Muslims are the majority, widowhood rights are generally what Islam instructs, but with some cultural leaning (Bolaji and Babatunde, 2002:35).

In the Hausa community as described by Yahaya (2003:15) there are non-Muslims called Maguzawa, whom to them, distribution of estate of deceased

person should only be given to males not females. While, in the Igbo system of inheritance, a widow do not inherit the property of her deceased husband.

Obbo (2005:22) observed that since the advent of colonialism in Africa women have always been exposed to varying forms of discrimination due to the simple fact of their femaleness, which ought to have been understood on the basis of its mutual usefulness. However, the colonial hegemonic philosophy, dependent political ideology and identifiable socio-economic exigencies are seen as the factors aiding the prevailing discriminations between men and women in our society (Adeniran, 2006:45).

#### **2.3.4 WOMEN FROM THE VIEWPOINT OF ISLAM**

Islam's view in regard to women can be examined from the following different angles:

- i. An overall view of women
- ii. Islam's view with regards to woman as a mother
- iii. Islamic view with regard to woman as a daughter
- iv. Islam's views on woman as a spouse

##### **i. Islam's Overall View on Women**

There are many verses of the Glorious Qur'an and a number of traditions from the Prophet (SAW) that can be traced in this regard.

According to Afzahr Rahman, (1980:391), at the time of the dawn of Islam, women all over the world were degraded, subjugated and without any rights and were considered as non entities. Since the beginning of industrial

revolution, they have been asserting their rights in the western countries and have now been given certain political and economic rights. But Islam recognized women's position fourteen hundred years ago and granted them their due rights and privileges, which are not yet enjoyed by women in other faiths and societies even in this modern industrialized age.

Islam spelt out clearly that there is no discrimination between men and women through the universal message of humanity, in the Qur'an. Allah (SWT) says:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ  
مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً

*"O mankind reverence your guardian Lord who created you from single person, created of like nature, his mate and from them twain scattered (like seeds) countless men and women (an-Nisa; 4:1)"*

Ahmad (1977:126) who pondered about this verse states:

*"it is believed that there is no text, old or new that deal with humanity of the women from all aspects in such amazing brevity, eloquence, depth and originality as the divine decree"*

The Glorious Qur'an provides clear evidence that a woman is completely equated with a man in the sight of Allah (SWT) in terms of rights and responsibilities. Added to that, in regard and punishment, Allah (SWT) did not discriminate man and woman, instead they are generalized He says:

وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ  
الْجَنَّةَ وَلَا يُظَلَّمُونَ نَقِيرًا ( ١٢٤ )

*"if any do deeds of righteousness, be they male or female and have faith, they will enter heaven, and not least injustice will be done to them" (an-Nisa; 4:124).*

In another verse of the Glorious Qur'an, Allah (SWT) says:

فَأَسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَمَلٍ مِّنْكُمْ مِّن ذَكَرٍ أَوْ أُنثَىٰ  
بَعْضُكُمْ مِّن بَعْضٍ

*"so their lord accepted their prayer: that I will not waste the work of a worker among you, whether male or female, the one of you being from the other..." (Al-imran, 3:194)*

Herein also, as in other cases, He addresses man and woman equally and promises for a good reward to both of them, irrespective of their sex, for their good and virtuous deeds.

In another verse:

..... إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَٰئِكَ كَانَ عَنْهُ مَسْئُولًا ( ٣٦ )

*"surely the hearing and the sight and the heart, all of these, shall be questioned about that" (Q17:36).*

Allah holds the possessor of this organ of distinction and identification of being a man or woman. Undoubtedly the responsibility is based on one's capacity. The above verse does not make any distinction in the capabilities of man and woman, hence no distinctions.

From the above quotation, we found that women in Islam are viewed on the same measure on which men are viewed; as full human beings that have the ultimate goal of living a life of trial after which they may qualify to the attainment of eternal bliss. As such they have rights and responsibilities equal to that of man

except in some exceptional cases where their nature gives them relief from some social functions.

## ii. Islam's Views with Regards to woman as a Mother

The Qur'an in several other places put special emphasis on the mother's great role in giving birth and nursing:

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ إِحْسَانًا حَمَلَتْهُ أُمُّهُ كُرْهًا وَوَضَعَتْهُ كُرْهًا وَحَمَلُهُ  
ط ٥ وَفِصْلُهُ ثَلَاثُونَ شَهْرًا

*And we have enjoined on man (to be dutiful and kind) to his parents. His mother bears him with hardship and she brings him with hardship, and the bearing of him, and the weaning is thirty (30) months (Q 46:15)*

The very special place of mothers in Islam has been eloquently described by Muhammad (SAW).

جاء رجل إلى رسول الله صلى الله عليه و سلم , فقال : من  
أحق الناس بحسن صحابي ؟ قال : أمك , قال : ثم من ؟ قال :  
ثم أمك , قال : ثم من ؟ قال : ثم أمك , قال : ثم من ؟ قال : ثم  
أبوك . (رواه البخاري, 5971)

*A man asked the Prophet: Whom should I honor most? The prophet replied: 'Your Mother' And who comes next? Asked the man. The prophet replied; " your mother" and who comes next? Asked the man. The prophet replied; your mother, and who comes next? Asked the man. The prophet replied your father (Transmitted by Bukhari, 5971).*

As to be good to her, it means treating her well, respecting her humbling oneself in front of her, obeying her without disobeying Allah, seeking her

satisfaction and pleasure in all matters, even in a Jihad. If it is optional, he must have her permission, for being good to her in a type of Jihad.

A man came to the Prophet (SAW) and said "O Messenger of Allah, I want fight and I want your advice". He asked him, "have you a mother?" the man said, "Yes". He said, "Do not leave her because paradise is under her feet" (Ibn Majah 1/278).

According to Armstrong (1986:8) among the few precepts of Islam which Muslim still faithfully observe to the present day is the considerate treatment of mothers. The honor that Muslim Mothers receive from their sons and daughters is exemplary. The intensely warm relations between Muslim mothers and their children and the deep respect with which Muslim men approach their mothers usually amaze westerners.

### **iii. Islamic Views with Regards to woman as a Daughter**

During the pre-Islamic period, a woman would dig a pit when her delivery period was due and would go and deliver near it. If it was a female child she would simply bury it alive, but if it was a male child she would return home with it (Al-Qurtubi, 1993:18/172).

In that context, the Qur'an says: denouncing and derogating them.

وَإِذَا الْمَوْءُودَةُ سُئِلَتْ ( ٨ ) بِأَيِّ ذَنْبٍ قُتِلَتْ ( ٩ )

*"And when the female (infant) buried alive (as the pagan Arabs used to do) shall be questioned. For what sin was she killed?" (Q 81: 8-9)*

The Qur'an describes the condition of fathers when daughters are born:

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ( ٥٨ )  
يَتَوَارَىٰ مِنَ الْقَوْمِ مِن سُوءِ مَا بُشِّرَ بِهِ ۚ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ  
أَلَّا سَاءَ مَا يَحْكُمُونَ ( ٥٩ )

*And when the news of (the birth of) a female (child) is brought to any of them, his face becomes dark, and he is filled with inward grief; He hides himself from the people because of the evil of that where of he has been informed. Shall he keep her with dishonor or bury her in the earth? Certainly, evil is their decision (Q 16: 58-59).*

When Islam came, it decreed a daughter-like a son, and she considered as was a gift from Allah, to be granted to whomever Allah wishes of His servants. In Qur'an Allah (SWT) says:

لِلَّهِ مُلْكُ السَّمَاوَاتِ وَالْأَرْضِ ۖ يَخْلُقُ مَا يَشَاءُ ۚ يَهَبُ لِمَن يَشَاءُ إِنثًا وَيَهَبُ لِمَن يَشَاءُ الذُّكُورَ ( ٤٩ ) أَوْ يُزَوِّجُهُمْ ذُكْرَانًا وَإِنثًا ۗ وَيَجْعَلُ مَن يَشَاءُ عَاقِمًا ۗ إِنَّهُ عَلِيمٌ  
قَدِيرٌ ( ٥٠ )

*To Allah belongs the kingdom of the heavens and the earth. He creates what He wills, He bestows female (offspring) upon whom He will, and bestows male (offspring) upon whom He will or He bestows both males and females, and he renders barren when He wills. Verily, He is the All-Knower and is able to do all things (Q 42: 49-50).*

The Qur'an led an uncompromising campaign against those cruel people who kill children whether male or female. Allah (SWT) says in the Qur'an

قَدْ خَسِرَ الَّذِينَ قَتَلُوا أَوْلَادَهُمْ سَفَهًا بِغَيْرِ عِلْمٍ -الأنعام: ١٤٠

*"Indeed lost are those who have killed their children, from folly, without knowledge" (Q 6: 140).*

And also He says:



وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا ( الإسراء: ٣١ )

*And kill not your Children for fear of poverty. We provide for them and for you. Surely, the killing of them is a great sin (Q 17: 31)*

The prophet of Islam (SAW) made paradise the recompense of every father who conducts himself well with his daughters, has patience in raising them, provides their moral education, and observes Allah's Command concerning them:

عن ابن عباس رضي الله عنه , قال: رسول الله صلى الله عليه و سلم , ما من مسلم له إبتنان فيحسن إليهما ما صحبنا أو صحبهما إلا أدخلناه الجنة ,  
( رواه البخاري و ابن ماجه )

Ibn Abbas transmitted that the prophet (SAW) said:

*A Muslim who has two daughters whom he treats well when they accompany him or when he accompanies them is admitted to paradise. (Bukhari in Adab Al-Mufrad 77) and (Ibn Majjah, 3670).*

Islam does not only frowns at killing of female infants but enjoined respect and kindness to women and giving them good home training and education. In this regard, a great reward awaits the one who follows the Divine Injunction (Muhammad, 2015;6).

#### **iv. Islam's Views on Spouse**

As regards the woman as wife, the saying of the prophet (S.A.W) is well known; where the prophet said:

أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا ، أَحْسَنُهُمْ خُلُقًا ، وَخَيْرُهُمْ حَيَارُهُمْ  
لِنِسَائِهِمْ. (رواه الترمذي)

“The most perfect of the behaviours are those that are the best in character and behaviour and those that are best to their family and their wives” (Al-Tirmidhi, 278).

In his view about this (Al-sheha, (2000) said, husband must be kind, tentative, sharing and caring to his spouse. He must deal with her with honesty, decency, patience and care, and must take into consideration her very human nature; women like to be loved tenderly and be well taken care of. This must be expressed with words and actions. Allah (S.W.T) stated in the Glorious Qur’an:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا تَعْضُلُوهُنَّ  
لِتَذْهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُّبِينَةٍ وَعَاشِرُوهُنَّ  
بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا  
كَثِيرًا (النساء. 19)

*O you who believe! You are forbidden to inherit women against their will, and you should not treat them with harshness, that you may take away part of the dower you have given them, except where they have been guilty of illegal sexual intercourse. And live with them honourably. if you dislike them. It may be that you dislike a thing and Allah brings through it a great deal of good (Q5:19).*

This verse mentions that, in Islam even if you do not like your wife you should treat her kindly and with equity. So that, husband must demonstrate his

affection, love, appreciation, caring, consideration and genuine keenness to his spouse.

## **2.4 ISLAMIC PERSPECTIVES ON WOMEN RIGHTS TO MARRIAGE**

Everyone as well as everything is guided by laws. Laws are necessary in order to attain maximum civilization, they exist in different places, such as homes, Mosques, and marriage. In Islam laws come from the Almighty Allah in the form of Glorious book (Qur'an). The book covers every aspect of one's life including marital life.

### **2.4.1 MARRIAGE IN ISLAMIC PERSPECTIVES**

In his view on Islamic marriage, Muhammad, (2015: 7 - 8) described it as the contract that permits sexual enjoyment between spouses according to Shari'a. In Gurin (2010:17), marriage is the contract for the legalization of sexual intercourse and procreation of children. It is also a contract by which the husband and the wife can legally enjoy themselves (al – jaza'iri, 2009:602).

According to Ullah (1999:19), marriage is an institution which has been legalized for manifold objectives, such as preservation of the species, the fixing of descent, restraining men from debauchery, the encouragement of chastity, promotion of love and union between the husband and wife and mutual help in earning livelihood.

Marriage is permissible according to Allah's words, Allah (SWT) says;

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ  
مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ( ٢١ ) الروم: ٢١

*And among His signs is this, that He created for you mates from among yourselves, that you may dwell (live) in tranquillity with them, and He has put love and mercy between your hearts. Undoubtedly in there are signs for those who reflect (Q. 30:21).*

The Qur'an further says:

وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ بَنِينَ  
وَحَفَدَةً وَرَزَقَكُمْ مِنَ الطَّيِّبَاتِ النحل: ٧٢

*And Allah has made for you, your mate of your own nature and made for you, out of them sons and daughters, and grand children, and provides for you sustenance and best (Q. 16:72).*

A part from the book of Allah, there are many Traditions of the Prophet (S.A.W) which further explain Islamic institutions of marriage. The prophet (S.A.W) advised the youth to get married where he said:

يا معشر الشباب : من استطاع منكم الباءة فليتزوج فإنه أغض للبصر  
وأحصن للفرج

*"O you youngmen, whoever is able to marry, should marry, for that will help him to lower his gaze and guard his modesty" (Bukhari, 5066).*

According to Doi (2007:120) celibacy is expressly forbidden in Islam as the Prophet (S.A.W) said:

لا رهبانية في الإسلام (رواه أحمد بن حنبل)

"There is no mockery in Islam" .

Celibacy in reality is a violation of human nature. This is the reason why Islam does not permit celibacy or monasticism as a way of life.

Considering the above scholar's views, Qur'anic verses and Traditions of the Prophet (S.A.W), the researcher realizes that marriage in Islam is a legal agreement of reciprocal commitment and cohesion, of performance between a man and woman. Its goal is to achieve guarded chastity, virtuousness, and to increase the population of the community by instituting a family under the custodianship of the husband. And also celibacy is not considered a virtue, or taken as means to getting closer to Allah as is done in the other religions.

Al-Jaza'iri (2009:602) argues that there are four pillars that guarantee the validity of marriage contract. They are as follows:

- i. the Formula (Sigha)
- ii. the marriage guardian (wali)
- iii. the dowry (Mahr)
- iv. the witnesses.

#### **2.4.2 RIGHTS OF WOMEN IN MARRIAGE**

Spouse have certain obligations and rights which may conveniently be referred to as the obligations upon the wife to her husband, and the obligations upon the husband to his wife and mutual obligations and rights of the two spouse. The focus of discussion in this work is to examine the obligations upon the husband to his wife, such as dowry, maintenance, allocation of time among the co-wives, self-redemption (Khul'u), education inheritance, etc.

### 2.4.2.1 WOMEN RIGHTS TO DOWRY (SADAQ)

It is one of the fundamental rights of the wife on her husband to give her dowry (sadaq). Dowry according to al – Jaza'iri (2009:606) is the property or ornaments given to the bride in order to enjoy it (Gurin 2010:87) described it as a sum of money or property promised by the husband to be paid or delivered to the wife in consideration of the marriage.

In his view, Muhammad (2015:72) defined dowry as the gift of lawful property by the husband or his representative to the wife in the name of marriage, the property being corporeal or usufruct. Doi (2007:158) added that, the dowry (sadaq) becomes her exclusive property.

The payment of dowry is obligatory on the basis of Qur'anic verses. One of which is the Qur'an, 4:4, Allah the most High says:

وَأْتُوا النِّسَاءَ صَدَقَاتِهِنَّ نِحْلَةً ۗ **النساء: ٤**

*"And give the women (on marriage) their dower as a free gift" (Q; 4:4).*

عن أنس ان رسول الله صلى الله عليه وسلم رأى  
على عبد الرحمن بن عوف أثر صفرة فقال ما هذا فقال  
**اني تزوجت امرأة على وزن نواة من ذهب فقال بارك الله**  
**لك أولم ولو بشاة"**

*Narrated by Anas bin Malik (R.A), he said:*

*Abdurahman bin Auf came to the messenger of Allah (S.A.W), and there were traces of yellow (perfume) on him. The Messenger of Allah (S.A.W) asked him about it, and he told him that he had just married a woman of the Ansaar.*

*On gold equal to the weight of one date of stone. The Messenger of Allah (S.A.W) said "Give a Waleemah (wedding feast) even if only with one sheep" (reported by Bukhari, 4756).*

So the, above Qur'anic verses, and Ahadith of the Prophet (S.A.W) as well as the views of the scholars confirmed that dowry (sadaq) is a pre – requisite for a Islamic marriage and is to be paid by husband to his wife.

#### **2.4.2.2 WOMEN RIGHTS TO MAINTENANCE**

Islam made it obligatory on every husband to provide maintenance to his wife whether she is poor or rich, and even if he is poor (Muhammad, 2015:75).

According to Gurin (2010:145) maintenance in a life of Muslim refers to those necessities incumbent upon a husband to his wife or wives which will render her/their marital life be easy, happy and successful. Maintenance is the right of one's wife and children to get food, clothing and residence, some other essential services and medicine, even if the wife happens to be rich lady (Doi, 2007).

Muhammad (2015:81) viewed the following as the kinds of maintenance, a wife is entitled to from her husband subject to juristic opinions.

- i. Feeding
  - ii. Clothing
  - iii. Lodging
  - iv. Medical treatment
- 
- i. Feeding the Wife

Feeding of wife in whatever form which is lawful is accepted as kind of maintenance. The husband must provide feeding, food and its ingredients to his wife for her sustenance whether he is rich or poor. He is to do that in accordance with his means and ability on equitable terms (Zaidan, 1997: Vol 7, 191 - 193).

#### ii. Clothing the Wife

Clothing a wife is part of her right to maintenance and it depends on the ability and means of the husband and the status of the wife but she is usually entitled to be given a complete set of dress at least twice in a year (Zaidan, 1997:195).

#### iii. Accommodating the Wife

Islamic law provides that a husband shall provide accommodation to his wife. The residence may be in a general or common compound, but what is essential is that, the wife must have exclusive control over the privacy of her own residence (Muhammad, 2015: 86).

#### iv. The Right to Medication

According to some scholars, it is obligatory for the husband to take care of the wife medical bills, but others hold the view that, it is not an obligatory right (Muhammad, 2015:91)

It is to be observed that from the above views of the scholars, the wife's maintenance entails her incontestable right to food, drink, clothing, general care and suitable accommodation, even if she is wealthy.



The wife's right to maintenance derives its authority from the Qur'an and Sunnah of the Prophet (S.A.W). According to the Qur'an, Allah (SWT) in chapter 2 verse 233 says:

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ البقرة: ٢٣٣

*"But the father of the child shall bear the cost of their food and clothing on equitable terms" (Q 2:233)*

This verse according to Muhammad (2015: 76) refers to the husband as the father of the child and is made responsible for the maintenance of both the child and his mother on equitable terms.

Under the Sunnah, it was reported that, a companion (R.A) came to the prophet (S.A.W) and asked what are the rights of a woman over her husband? The prophet (S.A.W) replied:

أن يطعمها إذا طعم ، ويكسوها إذا اكتسى ، ولا يضرب  
الوجه ، ولا يقبح ، ولا يهجر إلا في البيت

*"Let him feed her whenever he feeds and cloth her whenever he clothes himself and never shall he abandon her except in the room nor shall he beat her face or disgrace her (Abu – Dawud, 2143).*

It is to be observed that, from the above verse and Hadith, a husband has the duty to provide maintenance to his wife.

### 2.4.2.3 RIGHT OF AL – QASMAH (ALLOCATION OF TIME AMONG THE CO – WIVES)

If a man has more than one wife, he is required to do justice between them in terms of physical things (housing, clothing, food etc) and nights spent with each, Allah (S.W.T) says:

وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ فَلَا تَمِيلُوا كُلَّ الْمَيْلِ فَتَذَرُوهَا كَالْمُعَلَّقَةِ وَإِنْ تُصْلِحُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا ( ١٢٩ )

*And you will not be able to effect justice between the women no matter how hard you try. So do not incline (toward some) completely such that you leave (another) as if suspended. And if you reform and fear Allah. Surely Allah is ever forgoing, merciful (Q, 4:129).*

This verse indicates that there are forms of justice which are required, and there are forms of justice which are beyond human ability.

According to Adam (2012:34) forms of justice which are required are feeding, housing, clothing and the like, as well as night spent with her. Those beyond human ability are feelings of the heart and things like that.

.In Islam, a Muslim has been permitted to marry more than one wife, but not exceeding the limit of four at the same time. The Glorious Qur'an says: -

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَىٰ وَثُلَاثَ وَرُبْعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ۚ النِّسَاءُ: ٣

*And if you have reason to fear that you might not act equitably towards orphans, then marry from among other women such as are lawful to you, two or three, or four, but if you have reason to fear that you might not be able to treat them with equal fairness, then only one or from among those whom your right hand possesses..... (Q. 4:3).*

The above verse shows clearly that the plurality in marriage is a permissible act in Islam. That is one man, to marry two, three or four wives (polygamy).

Muhammad (2015:83) stated that, all Muslim jurists unanimously agree that the allocation of night's to be spent by the husband with his wives, on an equal basis, is the right of each of the co – wives. Some jurists hold that any husband who does not conform to this allocation is not fit to give evidence and is not fit to lead the prayer.

According to al – Jaza'iri (2009:616) to equally allot nights for the newly wife, if her husband has other wives is among her fundamental rights.

In this regard, the scholars rely upon the following verses and tradition of the Prophet (S.A.W) the Qur'an says:

فَلَا تَمِيلُوا كُلَّ الْمَيْلِ فَتَذَرُوهَا كَالْمُعَلَّقَةِ **النساء: ١٢٩**

*"... But turn not away (from wife) altogether, so as to leave her (as it were) hanging...." (Q4:129)*

This prohibition is absolute because Allah (S.W.T) says:

وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ **النساء: ١٩**

*"And dwell with them (women) on equitable term" (Q. 4:19)*

In the Hadith narrated on the authority of Abu Huraira (R.A), The prophet (S.A.W) said:

من كانت له امرأتان يميلُ إلى إحداهما على الأخرى جاء يوم القيامة  
يَجْرُ أَحَدُ شَقِيه ساقطاً أو مائل

“Whoever has two wives and favours one over the other, shall be raised up on the Day of judgement dragging half of his body” (Abu Dawud, 2133).

So that, from these Qur’anic verses and hadith Islam made equitable allocation among the co – wives one of the fundamental rights of women, and one of the obligatory duties of the husbands.

#### **2.4.2.4 WOMEN RIGHT TO SELF – REDEMPTION (AL – KHUL’U)**

It is one of the rights of a wife who feels that she does not want to continue the marital relationship with her husband to seek Khul’u.

Zaidan (1997: Vol 7:144) defined Khul’u as the seeking freedom from the marital relationship by the wife from her husband with certain words and consideration. Doi (2007:192) stated that, as Islam provides for a husband to divorce his wife, the wife can also ask for divorce if sufficient ground exists for it.

If a wife dislikes her husband because of his bad manners, physical constitution, bad behavior or the likes, and she fears to neglect her marital duties, she is entitled to resort to Khul’u and pay a monetary compensation (al – Munoufi, 2011:211).

It is to be observed from the above views of scholars that, it is permissible for a wife to seek divorce from her husband if she fears that she cannot give him his due rights, or she fears that he may deprive her rights.

This right of self – freedom is in accordance with Qur’an Allah says:

أُطْلِقَ مَرَّتَيْنِ فَإِمْسَاكُ بِمَعْرُوفٍ أَوْ تَسْرِيحُ بِإِحْسَانٍ ۖ وَلَا يَجِلُّ  
 لَكُمْ أَنْ تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ  
 اللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ  
 ۗ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا ۚ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَٰئِكَ هُمُ  
 الظَّالِمُونَ ( ٢٢٩ ) البقرة: ٢٢٩

*"A divorce may be (revoked) twice where the marriage must either be resumed in fairness or dissolved in good manner. And it is not lawful for you to take back anything of what you have ever given to your wives unless both (partners) have cause to fear that they may not be able to keep within the bounds set by God hence, if you have cause to fear that the two may not be able to keep within the bounds set by God, there shall be no sins upon either of them what the wife may give up (to her husband) in order to free herself. These are the bounds set by God, do not, thus, transgress them, for they who transgress the bounds set by God' if it they, they who are evildoers: (Q 2:229).*

The proof of the legality of Khul'I as to the Sunnah, is the Hadith reported by ibn Abbas (R.A) who said:

جاءت امرأة ثابت بن قيس بن شماس إلى رسول الله ﷺ عليه وسلم  
 فقالت يا رسول الله إني ما أعتب عليه في خلق ولا  
 دين ولكن أكره الكفر في الإسلام فقال رسول الله ﷺ عليه

وسلم { أتردين عليه حديقته قالت نعم فقال رسول الله { صلى الله عليه وسلم { اقبل الحديقة وطلقها تطليقة

*"The wife of Thabit Ibn Qais (Habiba Bint Sahl) came to the prophet (S.A.W) and said "O Allah's messenger! I don't find fault with Qais, neither in his manners nor religiousness, but in fact, I detest ingratitude to Islam", the prophet (S.A.W) said "would you like to give him back his garden?" she replied in the affirmative. There upon the prophet said to her husband, "Accept the garden and grant her divorce" (Bukhari, 5272).*

It becomes clear from these Qur'anic verse and Hadith that Khul'I is permissible by Islam and a wife can seek for freedom from her husband.

#### **2.4.2.5 WOMEN RIGHT TO SEXUAL ENJOYMENT**

To enjoy the private parts of a man is one of the rights of the wife on the husband, that is, he should have intercourse with her even once every four months (al – Jaza'iri, 2009:616).

In this regard Allah (S.W.T) says:

لِّلَّذِينَ يُؤَلِّونَ مِن نِّسَائِهِمْ تَرَبُّصُ أَرْبَعَةِ أَشْهُرٍ ۖ فَإِن فَاءُوا فَإِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ

( ٢٢٦ ) البقرة: ٢٢٦

*"For those who take an oath for abstention from their wives, a waiting for four months is ordained, if then they return, Allah is oft – forgiving, most merciful" (Q. 2:226).*

Zaidan (1997: Vol 7: 239) cited the Hadith narrated by al – Bukhari and Muslim, that the prophet (S.A.W) said to Abdullah Bn Amr:

يا عبد الله ! ألم أخبر أنك تصوم النهار و تقوم الليل ؟  
فلا تفعل فإنك إذا فعلت ذلك هجمت عينك و تفهت  
نفسك فصم و أفطر و قم و نم فإن لجسدك عليك حقا و إن  
لعينيك عليك حقا و إن لزوجك عليك حقا

*Oh Abdullah! Have I not learnt that you fast every day and you pray all nights?" Abdullah said, of course O prophet of Allah. He (the prophet) said "do not do that, fast and break the fast and pray and sleep for your body has right over you; your eyes have right over you and your wife has right over you.*

It is to be observed from the above Qur'anic verse and the hadith, as well as the views of scholars that in Islam, a wife has the right to sexual intercourse with her husband, which is the one among her marital fundamental rights.

#### **2.4.2.6 LIVING WITH WIFE/WIVES IN KINDNESS**

Islam orders that woman should be kindly treated and greatly respected

Allah (S.W.T) says:

وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ  
خَيْرًا كَثِيرًا ( ١٩ ) النساء: ١٩

*"And live with them in kindness. For if you dislike them. Perhaps you dislike a thing and Allah makes therein much good" (Q. 4:19).*

In the Hadith, the prophet (S.AW) said: -

أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا ، أَحْسَنُهُمْ خُلُقًا ، وَخَيْرُهُمْ خِيَارُهُمْ لِنِسَائِهِمْ.

“The believers who have perfect faith are those with the best character, and the best among you are those who treat their wives the best” (Al – Tirmidi, 2612).

This means that, showing good character, kindness, gentleness in word and deed and putting up with the occasional faults and negligence are among the marital rights of women in Islam.

#### **2.4.2.7 Right to Privacy**

It is actually the right of both spouses that the other should not discuss their private moments with anyone else. In this regard, Allah’s Apostle was reported a saying:

إن من أشر الناس عند الله منزلة يوم القيامة الرجل يفضي إلى امرأته، وتفضي إليه، ثم ينشر سرها.

*Narrated abu said al-khudri (R.A) who said, the Apostle of Allah (S.A.W) said: "the worst of people in position before Allah on the day of judgement is the man who has intercourse with his wife, and she with him, and then spreads her secrets" (Muslim, 1437).*



In this regard, Al-Sheha (2000) mentioned that, all their secrets must be kept and preserved. None of their shortcomings should be disclosed to anyone. No private affairs of the women should be made public or shared as a conversation item even to friends. None of the practices a husband does privately with his spouse should be disclosed openly or secretly with his spouse should be disclosed openly or secretly to anyone, regardless of how close he might be.

It is observed from the above that, all wife's secrets must be kept and preserved, and talking about events and occurrences of love making and copulation to others is a major sin in Islam.

#### **2.4.2.8. Right to Defend her Honour.**

A husband should be Jealous with regard to his wife's honour and standing. He should defend her whenever she is slandered or spoken ill of behind her back.

According to Abdul-Haq (nd: 121) a man should be jealous of his wife in such a manner that he would not allow her to intermingle with men or to go out in an immodest dress or to go out anytime she wishes without any company or any restriction. He authorised his view for the prophet (S.A.W) said in a Hadith reported by Bukhari and others that:

ثلاثة قد حرم الله عليهم الجنة: مدمن الخمر و العاق و  
الديوث الذي يقر في أهله الخبث. عن ابن عمر  
( صحيح البخاري )

*“Allah has forbidden the paradise for three men: one who is not jealous of his wife and established indecorous behaviour in her, one who is disobedient to his parents and a person who is an addicted to alcohol” (Bukhari, 3062)..*

Furthermore, Muhammad (2015) stated that, it is part of the significant aspects of marital life to be jealous of one another. But the jealousy should not be such that may cause suspicion and which may bring the marriage to an end.

#### **2.4.2.9 Right to Choose Husbands**

One of the marital rights accorded to women by Islam is the right to choose the person a woman or a girl intends to relate to as her husband. The prophet (S.A.W) said.

لا تنكح الأيم حتى تستأمر ، ولا تنكح البكر حتى  
تستأذن . قالوا : يا رسول الله : وكيف إذن؟ قال : أن تسكت

*“A widow is not be married off until she orders that, and a virgin girl is not to be married off until her permission is sought” they said, O messenger of Allah, how is her permission given? He said: "her silence (Bukhari, 5136).*

In his comment on this Hadith, As-sabiq (1987: Vol 2:121) view that; "it is obligatory on the Wali (here father or guardian) to take the opinion of the lady, and know her consent before contracting the marriage. This is because marriage is living together forever, and a company between man and woman, harmony and love may not last, if her consent is not sought. Thus, Shari'ah prohibits forcing a woman virgin or divorcee, to a marriage and forcing her to whom she has no desire in, and contracting marriage on her before seeking her consent is not valid. And she has the right to seek its annulment, in order to stop the handling of the dictatorial guardian who contracts the marriage on her.

From the above tradition and views of Muslim scholars, it is observed that in Islam women have the right to choose their husbands, and forced marriage for whatever reason is illegal under Islamic law.

#### **2.4.2.10 Right to Burial Expenses**

There are different opinions among the Muslim scholars in regard to the women right to burial expenses. Ibnul-Abideen (1386, Vol, 2:520) holds that, the scholars are divided into three groups.

The first group holds that, the husband is not bound to undertake the responsibility, whether he is rich or poor. They argue that the only relationship that binds the two is that of marriage, and that itself is severed by death.

The second view is that, the wife has an absolute right to have her funeral expenses undertaken by her husband regardless of the financial status of either of the two. They argue that the marriage tie is still in existence. This is

why Islam gave him right to bath her and inherit her. This is the opinion of Hanafi Jurists.

The third view advanced by the Shafi'i is in support of the Hanafi view is that if the husband is rich he bears the expenses, but if he is poor the burial expenses shall be taken from the gross estate of the wife before distributions or Muslim treasury, if she left nothing.

According to al-Qurdabi (1993:, Vol, 3: 106) as to the analogy of the Maliki and Hanbali Jurists she may be likened with the recalcitrant wife, this is not a proper similitude. Where the wife dies the reason of her being unavailable to the husband is not her own doing but an intervening act of Allah.

It is to be observed from the above views of Muslim scholars that, majority of the scholars view that women have the right to burial expenses, while some of them reject the right.

## **2.5 ISLAMIC PERSPECTIVE ON WOMEN RIGHT TO DIVORCE**

Divorce means the legal ending of a marriage contract (al – Munaufi, 2011:195). It is to nullify the contract of marriage with clear words, like "you are divorced" or with indirect suggestion accompanied with an intention like" Go to your family". (al – Jaza'iri, 2009:628).

From the above definitions, we can understand divorce as any method or formula used by the husband which conveys to the wife an indication that the marriage relationship is ended.

### 2.5.1 DIVORCE: ISLAMIC PERSPECTIVE

Divorce is the most hated permissible thing in the sight of Allah, as Prophet Muhammad (S.A.W) said:

أبغض الحلال إلى الله الطلاق

*"The most hateful permissible thing in the sight of Allah is Divorce" (weak hadith, Abu Dawud, Hadith 1863).*

It is allowable, if it is for removing harm from any of the couple, according to the saying of Allah, the Exalted be He:

الطَّلَاقُ مَرَّتَانِ ۖ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَانٍ ۗ الْبِفْرَةِ: ٢٢٩

*"A Divorce is only permissible twice: after that, parties should either hold together on equitable terms, or separate with kindness" (Q. 2:229).*

And His saying:

يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ ۚ الطَّلَاقُ: ١

*"O prophet! When you do divorce women, divorce them as their prescribed periods" (Q. 65:1).*

It is to be observed that, divorce is allowable if there is no way to let any of the couple become free of harm except divorce.

Moreover, it is forbidden in Islam if, it will cause harm to any to the couple and will not achieve a benefit equal to it (al – Jaza'iri, 2009:628).

In this regard, the Prophet (S.A.W) has said:

أيما امرأة سألت زوجها الطلاق من غير

## بأس فحرام عليها رائحة الجنة

“A woman who shall ask her husband to divorce her, for no reason, the fragrance of the paradise will be forbidden to her” (Abu Dawud:2226).

According to al – Munaufi, (2011:198), divorce becomes recommendable in the following cases.

- i. When the couple or one of them fear to neglect matrimonial duties.
- ii. When the wife is neglectful in discharging her marital duties at the time when her husband cares about and treats her nicely.
- iii. When she tends to be a little chaste (un-chaste behaviour)
- iv. When she is uncooperative.
- v. When she is weary of her husbands living despite his strenuous efforts in increasing and improving it.

So the divorce in Islam is a mechanism of discipline and compassion, a necessary and sensible corollary of the freedom given to men and women to choose their marital partners.

### **2.5.2 RIGHTS OF WOMEN AFTER DIVORCE**

Wives have certain rights which may conveniently be referred to as the obligations upon the husband which have been discussed already. The focus of discussion here is her rights after divorce, such as maintenance during Iddah, custody of the children and remarriage.

### 2.5.2.1 MAINTENANCE IN THE WAITING PERIOD

In Islam, there is a consensus among Muslim jurists, that maintenance and housing are required for revocable divorced women (al – Munoufi, 2011:2510).

Along with this right, Abdul’ati (1977:246) stated that, the man the repudiator, is fully responsible for her feeding, clothing, and if necessary, service, just as if the marriage were still completely intact, by which time she will probably have adjusted to the new changes in her life.

According to al – Munoufi (2011:251), the irrevocably divorced woman has no right to maintenance or accomodation. As the prophet (S.A.W) said to a woman who was divorced three times. “You have no right to alimony or housing”.

In this regard Allah (S.W.T) says.

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ البقرة: ٢٣٣

*"But father of the child shall bear the cost of their food and clothing on equitable terms"*(Q. 2:233).

In his comment on the above verse, Muhammad (2015:76) said, the verse is on divorced wife, yet Shariah is vesting her and her child right to maintenance by the husband.

It is to be observed from the above, that maintenance during waiting period is one of the fundamental rights of a divorced woman in Islam.

### **2.5.2.2 WOMEN RIGHT TO CUSTODY OF CHILDREN**

In Islam, young children remain in the custody of their mothers, unless the mother is otherwise unfit. (Abdul'ati, 1977:246).

According to al – Jaza'iri (2009:654), if there is separation between a child's parents because of divorce or death, the right of nursing should move to the mother unless she gets married. It is reported that, a woman came to the Messenger of Allah (S.A.W) complaining of preventing her from nursing her child, and he said to her "you are worthier to nurse your child unless you get married".

In his view, Doi (2007:214) said, a mother is entitled to the custody of a male child until seven years of age, and a female child until she reaches the age of puberty. While she nurses the young children and cares for the rest, it is the father's responsibility to bear the full cost of their care and equitably compensate the mother there to. (Abdul'ati, 1977:2467).

It is to be observed from the above that, Islam gave the right of custody of the children to the mother unless she gets married, and the father has the responsibility of the maintenance of the children.

### **2.5.2.3 WOMEN RIGHT TO RE – MARRY AFTER DIVORCE**

According to Abdul'ati (1977:247 - 248), freedom to re marry is one of the consequences of divorce in Islam, and divorced parties are offered every possible opportunity to remarry one another if they intend peace and desire harmony.

In suratul Baqarah verse 232, Allah (S.W.T) says:

وَإِذَا طَلَّقْتُمُ النِّسَاءَ فَبَلَغْنَ أَجَلَهُنَّ فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكِحْنَ الْبُقَرَةَ: ٢٣٢



*"When you divorce women and they fulfill their term do not prevent them from marrying". (Q. 2:232).*

Re – marriage of widows is also encouraged in Islam, as Allah (S.W.T) says in the Glorious Qur'an:

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ  
أَشْهُرٍ وَعَشْرًا ط فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ  
فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ( ٢٣٤ )

البقرة: ٢٣٤

*"If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days. When they have fulfilled their term, there is no blame on you if they dispose of themselves in a just and reasonable manner. And God is well acquainted with what you do" (Q. 2:234).*

It is to be observed in the above ayah that Islam sympathizes with the plight of women and encourages them to remarry after divorce or after becoming a widow.

#### **2.5.2.4 Right to present gift to the wife after divorce (Mut'atut-talaq)**

Mut'atut-talaq as defined by Muhammad (2015:94) is a present or gift of reasonable amount of money or property that Shari'ah seeks husbands to give to their divorced wives. This gift should be given to the divorcees by their husbands with the exception of the divorcee who willingly sought the divorce from her husband.

According to Ibn Rushd (1983) there is a difference of opinion over the obligation or otherwise of this gift. The Zahiri jurists hold that, the gift is obligatory upon all husbands for every divorce. While the Maliki on the other hand holds that; it is recommendable.

In this regard the almighty Allah says in the Glorious Qur'an.

لَا جُنَاحَ عَلَيْكُمْ إِن طَلَّقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ  
تَفَرَّضُوا لَهُنَّ فَرِيضَةً وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدَرُهُ وَعَلَى الْمُقْتِرِ  
قَدَرُهُ مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ (البقرة)

*"There is no sin on you, if you divorce women while yet you have not touched (had sexual relation with) them no appointed to them their mahr (dower). But bestow on them (a suitable gift), the rich according to his means and the poor according to his means, a gift of reasonable amount is a duty on the doers of good". (Q2:236).*

It seems that the cogent view on this issue according to Muhammad (2015:95) is that, where people divorce their wives according to the Shari'ah provisions, the gift to the divorcee is recommendable but people who divorce their wives against the provisions of the Shariah, the gift of the divorced wives is supposed to be binding on the husband.

#### **2.5.2.5 Divorced Wife's Right to Inheritance**

In Islam as mentioned by Zaidan (1997, Vol. 4;252) the existence of a marriage is the basis for succession between the spouses. Thus, where the marital tie is severed, the general rule is that there shall be no succession

between the spouses. But if a divorce is not total and the divorce is revocable, the spouses are entitled to inheritance as the marriage is deemed to still be in existence until the iddah period expires. (Muhammad, 2015:96).

For example the different types of divorced women who qualify or deserve inheritance, Fauzan (ND:33) and Ibn Rushd (1983, Vol, 2:62) mentioned three group of women.

1. The women on whom revocable divorce has been effected, this type of divorcee is entitled to inherit whether the husband is in good health or illness when he divorced her. She is still deemed to be his wife during the period of the Iddah and she shall get at that other non divorced wives shall get out of the inheritance.
2. The women on whom major irrevocable divorce has been affected during the husband's state of good health. This type of divorcee shall not inherit according to the unanimous view of the Muslim scholars.
3. The woman who has been divorced irrevocably during the husbands death-illness, but whose intention to bar the wife from his estate is obvious. The inheritance of this woman is a subject of differences of opinion among the jurists.

It is to be observed that, divorced wife have the right to inheritance during her Iddah, if the divorce is revocable.

## 2.6 Islamic Perspective on Women Right to Education

Education as defined by Bidmos (2003:22) means the preparation of man. The word preparation presupposes targeting an assignment and aiming at a goal. In other words, when man gets prepared, the purpose of his preparation is to perform a task or carryout an assignment which by extension must lead to the attainment of a goal.

Bidmas added that, the rationale for education revolves around the purpose of creation which means it is an assignment divinely decided for man. He said the assignment is to serve Allah, his preparative (education) must take cognizance of both the service and the one to be served – Allah.

### 2.6.1 Education from Islamic Perspective

Islam puts much emphasis on education and its indispensable role in religious and social development. This is demonstrated in the five verses of the Glorious Qur'an that was first revealed to the prophet (S.A.W) in the cave of Hira where he was first commanded to read before anything else Allah (S.W.T) says:

اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ (1) خَلَقَ الْإِنْسَانَ مِنْ عَلَقٍ (2)  
اقْرَأْ وَرَبُّكَ الْأَكْرَمُ (3) الَّذِي عَلَّمَ بِالْقَلَمِ (4) عَلَّمَ الْإِنْسَانَ مَا لَمْ  
يَعْلَمْ (5) سورة العلق

“Proclaim (or read!) in the name of thy lord and cherisher, who created-created man, out of a leech-like clot: proclaim! And the lord is most bountiful, He who taught (the use of) the pen, taught man that which he knew not”. (Suratul-Alaq, 96:1-5).

Meanwhile, pursuing knowledge is a duty that every Muslim is to fulfil. Islam exhorted us to seek knowledge and learn. In this regard, Allah (S.W.T) says:

**شَهِدَ اللَّهُ أَنَّهُ لَا إِلَهَ إِلَّا هُوَ وَالْمَلَائِكَةُ وَأُولُو الْعِلْمِ قَائِمًا  
بِالْقِسْطِ لَا إِلَهَ إِلَّا هُوَ الْعَزِيزُ الْحَكِيمُ (آل عمران 18)**

“Allah witness that there is not deity except him, and (so do)the angles and those of knowledge (that he is) maintaining (creation) in justice. There is no deity except Him, the exalted in might, the wise” (Q3:18).

Furthermore, Allah (S.W.T) directs all Muslims that before any task can be accomplished, those involved should have knowledge of the programme which would assists them to accomplish their aims.

Allah (S.W.T) mentions that knowledgeable people are among those who attest to Allah’s oneness and omnipotence. He says in Glorious Qur’an:

**إِنَّمَا يَخْشَى اللَّهَ مِنْ عِبَادِهِ الْعُلَمَاءُ إِنَّ اللَّهَ عَزِيزٌ غَفُورٌ (فاطر 28)**

*“Only those fear Allah, from among His servants who have knowledge”,  
(Q35:280.*

It is observed from the above Quranic verses and Ahadith that, Islam encourages Muslims to seek for knowledge on their religious and worldly affairs in order to carry out their religious obligations, as well as enabling them to contribute to the development of the society.

## 2.6.2 WOMEN RIGHT TO EDUCATION

Islam has made it a duty on every Muslim male and female to gain knowledge, which is considered to be a superior act of worship in Islam. Preventing a Muslim woman from gaining an education is therefore an un-Islamic act.

According to the saying of the Prophet (S.A.W) it is obligatory on every Muslim, male or female, to acquire knowledge. In a Hadith, the Prophet (S.A.W) says: "seeking knowledge is a duty on every Muslim (Ibn Majah, 224).

Imagine, 1400 years ago, when the women were ill-treated and were only used as property, Islam asked the women to be educated.

( يَا أَيُّهَا الَّذِينَ ءَامَنُوا قُوا أَنفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ  
وَالْحِجَارَةُ عَلَيْهَا مَلَائِكَةٌ غِلَاظٌ شِدَادٌ لَا يَعْصُونَ اللَّهَ مَا أَمَرَهُمْ  
وَيَفْعَلُونَ مَا يُؤْمَرُونَ ( ٦ ) التحريم: ٦

*"O you who believe! Ward off from yourselves and your families a fire (Hell) whose fuel is men and stones over which are (appointed) angels stem (and) sever, who disobey not (from executing) the command, they receive from Allah, but do that which they are commanded". (Q:66:6)*

Muhammad, (2015:90) said "The families here refer to a wife or wives, children and slaves".

According to Zaidan, (1997: Vol 18:115-7) when this verse was revealed, caliph Umar (R.A) said, the prophet (S.A.W) was asked that: we know how to protect ourselves from the fire but how do we protect our families? "The prophet (S.A.W) said: "forbid them from whatever Allah has forbidden you and enjoin them with which Allah has enjoined you".

So that, it is to be observed from the above that, it is one of the fundamental rights of a woman in Islam to teach her about her religion or to get someone to teach her or permit her to attend a school.

However, concerning knowledge of worldly affairs Al – Istanbuly (1985:265) opined that, knowledge of certain disciplines such as medicine, child education, home economics etc., is almost compulsory if there is no women specialist in those fields. It is even compulsory on husbands to allow their wives for such knowledge where the wives are capable.

## **2.7 ISLAMIC PERSPECTIVE ON WOMEN RIGHT TO INHERITANCE**

When a person dies, his property and also his obligations are transferred to others who inherits him. There are many systems of inheritance in the world. Some systems gives the major share of inheritance to the eldest son. Some systems exclude all females, other systems depend entirely on dead person leaving a will, the division of this property is left entirely to his wishes or fancies.

Inheritance according to al – Munaufi (2011:12) means a prescribed and definite share that certain eligible recipients (legal heirs) are entitled to receive.

The focus of discussion in this work, is the views of Islam on the females right to inheritance.

### **2.7.1 INHERITANCE IN ISLAMIC PERSPECTIVE**

Islam recognizes four main charges on the estate of a deceased Muslim, these charges as mentioned by Khan (2005:25) are: funeral expenses, Debts,

legacies and distribution of the remaining estate amongst the heirs according to the Shari'ah.

The author of al – Sirajiyya as cited also by Khan, (2005:25) has summed up these charges and their priorities in the following words.

*There belong to the property of a deceased person four successive duties, first, his funeral expenses. Next, the discharge of his just debts from the whole of his remain effects; then, the payment of his legacies out of a third of what remains after his debts are paid; and lastly, the distribution of the residue among his successors, according to the divine book, to the traditions and to the assent of the learned..*

So that, it is to be observed Islamically, after the death of a person, there are three obligations which need to be settled before distributing the estate among the heirs, they are; payment of funeral expenses and debts, and execution of his/her will.

Inheritance is an obligatory practice among Muslims according to the noble Qur'an and Sunnah. Allah, the exalted says:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ  
وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا ( ٧ ) النساء: ٧

*"From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large, a determinate share (Q4:7)*

Additionally, the Messenger of Allah (S.W.A) says:

ألحقوا الفرائض بأهلها فما بقي فلأولى رجل ذكر "



*"Give the prescribed shares to their worthy heirs and give what remains to the worthy male heir (i.e an agnate)". (Bukhari, 6732).*

This verse and Hadith establish a general rule for both men and women, and also a new norm that was not known before, that is granting women the right to inheritance.

According to at-Tabari in Jami'ul – Bayan, women were not given any shares of inheritance in the Arab community of Jahiliyyah, what is more women were inherited like property when their husbands died. Only the men who could use weapons and could defend the country had the right to inherit. The property of the man who died was divided among his male relatives that could fight". (Tabari, 1968, Vol 2:194).

Islam saved women and children from being deprived of inheritance, it gives them social and legal rights together with men. The following Hadith confirmed this.

جاءت امرأة سعد بن الربيع الي رسول الله صلى الله عليه وسلم فقالت: يا رسول الله هاتان ابنتا سعد بن الربيع، قتل ابوهما معك في يوم أحد شهيدا، وان عمهما اخذ مالهما فلم يدع لهما مالا، ولا ينكحان الا ولهما مال. قال: "يقضي الله في ذلك" فنزلت آية الميراث.

*The wife of Sa'ad ibn Rabi', who was martyred at the battle of Uhud, went to the presence of the Messenger of Allah together with her two daughters, she said". O messenger of Allah! These are the daughters of Sa'ad, their father was martyred at Uhud. Their uncles inherited his property and they did not leave anything to the girls. However, these girls cannot marry without any property". The Messenger of Allah (S.A.W) listened to the complaint of the woman and said", Allah will send his decree regarding the issue" there*

*upon the verse of inheritance was sent down. (Abu Dawud, hadith 891)*

It may be noted that, Islam recognizes this right in conditions when the contemporary Arab society and even other nations in those days did not grant inheritance to women nor did they have the right to property.

According to al – Jaza’iri (2009:656 – 657). None shall have the right to inherit another in Islam, unless there is one of the following reasons.

- i. Blood Relationship: An inheritor should be one of the deceased ancestors, or successors or relatives.
- ii. Marriage: There should be a legal contract of marriage even if there is no normal relationships or sexual intercourse between the parties.
- iii. Al – wala: A slave’s loyalty to his master after being emancipated.

## 2.7.2 SHARES OF WOMEN UNDER THE ISLAMIC LEGAL SYSTEM

The shares of women under the Islamic legal system as described by Isma'il (1997: Vol 3: 150 - 163) are as follows:

1. Daughter, and her share may be  $\frac{1}{2}$  ,  $\frac{2}{3}$  or R
2. Son's daughter and her share may be  $\frac{1}{2}$  ,  $\frac{2}{3}$  ,  $\frac{1}{6}$  or R
3. Mother and her share may be  $\frac{1}{6}$  ,  $\frac{1}{3}$  or  $\frac{1}{3}$  of R
4. Mother's mother and her share will be  $\frac{1}{6}$
5. Father's mother and her share will be  $\frac{1}{6}$
6. Full sister and her share may be  $\frac{1}{2}$  ,  $\frac{2}{3}$  or R
7. Consanguine sister and her share may be  $\frac{1}{2}$  ,  $\frac{2}{3}$  ,  $\frac{1}{6}$  , R or R
8. Uterine sister and her share may be  $\frac{1}{6}$  or  $\frac{1}{3}$
9. Wife and her share may be  $\frac{1}{4}$  or  $\frac{1}{8}$
10. Mistress who is an agnate, she may take the remaining of the property or a whole if alone.

Those are the stipulated shares of women under Islamic legal system, and now let us take them one after the other.

### i. Daughter Of The Deceased Person

The daughter of the deceased person shares are:

- i.  $\frac{1}{2}$  if alone
- ii.  $\frac{2}{3}$  if they are two or more, they can also take the remainder of the whole property as agnate, in what is called agnate in another's right.

In this regard the Glorious Qur'an says:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ فَإِنْ كُنَّ نِسَاءً  
فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ النساء: ١١

١١

*Allah directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: If there are only daughter, two or more, their share is two – thirds of the inheritance; if there is only one (daughter), her share is a half... (Q. 4:11)*

## ii. Son's Daughter

According to Doi (2007:303), daughter of the son will inherit in the absence of the proper son. Her share under Islam is  $\frac{1}{2}$  , if alone,  $\frac{2}{3}$  if they are two or more  $\frac{1}{6}$  if excluded by the daughter or remainder of the property as an agnate in another's right.

## iii. Mother

The share of the mother of the deceased is prescribed in the following Qur'anic verse:

وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ  
يَكُن لَهُ وَلَدٌ وَوَرِثَهُ آبَاؤُهُ فَلِأُمَّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمَّهِ  
السُّدُسُ النساء: ١١

“For parents there is one – sixth share of the inheritance to each, if the deceased has left children, if there are no children, and the parents are the only heirs, the mother gets a third; if the deceased left brothers (or sisters) the mother gets a sixth” (Q. 4:11).

From the above verse, her share is  $\frac{1}{6}$  if the deceased has issue or brothers,  $\frac{1}{3}$  if there is no issue and he has no brothers or  $\frac{1}{3}$  of the remainder.

iv. Mother's Mother

Mother's mother of the deceased share under Islamic legal system as stated by Isma'il (1997 Vol. 3:162) is  $\frac{1}{3}$

v. Father's Mother

Father's mother of the deceased share in Islam is  $\frac{1}{6}$ , she bears the same case with mother's mother.

vi. Full Sister

The share of full sister in Islam is prescribed in the following Qur'anic verse:

يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ إِنَّ أُمَّرؤًا هَلَكَ لَيْسَ  
لَهُ وَلَدٌ وَوَلَهُ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا  
وَلَدٌ فَإِنْ كَانَتَا أُثْنَتَيْنِ فَلَهُمَا الثُّلُثَانِ مِمَّا تَرَكَ وَإِنْ كَانُوا إِخْوَةً  
رِجَالًا وَنِسَاءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ يُبَيِّنُ اللَّهُ لَكُمْ أَن  
تَضِلُّوا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ (النساء: ١٧٦)

*They request from you a (legal) ruling. Say, "Allah gives you a ruling concerning one having neither descendants nor ascendants (as heirs). "If a man dies, leaving no child but (only) a sister, she will have half of what he left. And he inherits from her if she (dies and) has no child. But if there are two sisters (or more), they will have two – thirds of what he left. If there are both brothers and sisters, the male will have the share of two females. Allah makes clear to you (His law), lest you go astray. And Allah is knowing of all things. (Q. 4:176)*

From the above Qur'anic verse, full sister's share may be  $\frac{1}{2}$  if alone,  $\frac{2}{3}$  if they are two or more, or the remainder as agnate through what is called in another's right or with another's right.

#### vii. Consanguine Sister

According to Isma'il (1997:157), her case is like the full sister, if there is no full sister, her share may be  $\frac{1}{2}$  if alone,  $\frac{2}{3}$  if they are two or more, the remainder as agnate through what is called in another's right or with another's right and  $\frac{1}{6}$  if she is with full sister to complete two – third.

#### viii. Uterine Sister

The share of uterine sister in Islamic legal system is prescribed in the following Qur'anic verse.

وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ النساء: ١٢

*"If the man or woman whose inheritance is in question, has left neither ascendants nor descendants, but has left a (uterine) brother or a sister each one of the two gets the sixth, but if more than two they share in a third". (Q. 4:12).*

From the above verse, share of uterine sister is  $\frac{1}{3}$  if they are many or  $\frac{1}{6}$  if she is alone.

ix. Wife Of The Deceased

The share of wife of the deceased in Islamic legal system is  $\frac{1}{4}$  if the deceased has no issue, how law so ever,  $\frac{1}{8}$  if there is an issue either of his own or the child of his son. In this regards the Qur'an says:

وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ  
الْثَّمْنُ مِمَّا تَرَكَتُمْ النساء: ١٢

"Their (your wives) share is a fourth, if you leave no child, but if you leave a child, they get an eighth" (Q. 4:12).

x. Mistress of emancipated slave

According al – Jaza'iri (2009:658) if the emancipated died and had none to inherit him, his mistress shall inherit him according to the saying of the Messenger of Allah (S.A.W).

الولاء لمن اعتق

"Loyalty is to whom emancipated". (Muslim 1504)

So that, no specific share that is allotted to her in Islamic legal system, she takes the remaining of the property as agnate or the whole if alone.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

In this section, various issues related to the methodological processes of the research are discussed. Issues discussed include the design of the research, sources and methods of data collection; population and sample size of the study, techniques of sampling as well as method of data analysis. These are discussed below:

#### **3.2 Research Design**

Research design is the systematic process involving series of specific guidelines for specific data capture. It is a coherent data gathering process through which questions relating to data needed, its location, its interpretation and how it is sourced are answered in this study. This research adopts a survey and historical research methods. This method focuses on population or the universe in which data collected from the said population are used for intensive study and analysis. A sample from a subset of population or universe is carefully selected to represent the characteristic of the population. This provides the opportunity to generalize the findings of the study for the whole population or universe. The research design for this study involved both documentary and survey methods. The documentary method provides information already documented in the Qur'an, *Sunnah* and *Ijma* of Scholars on the issues of women



rights from the perspectives of Islam while the survey method involves generating first-hand information on the practice of women rights in the study area and its impact on the people through survey instruments of questionnaire and interview.

### **3.2 Sources and Methods of Data Collection**

Data collection refers to the process through which empirical data are collected or obtained using different methods, some qualitative, others quantitative. For the purpose of this study however, data were generated from both primary and secondary sources.

#### **3.2.1 Primary Source**

For the purpose of this research, primary data were used. For the purpose of this study, primary data refers to the first hand data collected by the researcher from the field. These data were gathered through the instruments of questionnaire and interview.

**1. Questionnaire:** questionnaire is an instrument of data collection in which respondents are asked to respond to the research questions in a written form and it can take closed or open ended questions. The questionnaire for this research comprised both open ended and close ended questions for easy coding, tabulation and subsequent analysis. However, the questionnaire developed by the research in gathering data was divided into three sets. The first set was administered to key informants (religious leaders and traditional rulers) in the selected local government areas. The second was administered to the women

(married/widowed/divorced) while the third was administered to the heads of households in the local governments selected. The questionnaire method was used because of its reliability in providing required information. Apart from this, it is also economical as it permits wider coverage at a minimum cost.

## **2. Interview**

This research also used a semi structured interview. This is because it avoids the rigidity of highly structured schedules which sacrificed depth for standardization; at the same time, avoiding the weakness of standardization by the unstructured interview. Hence, the semi-structured interview used in this study combined the benefits of both standardization and depth. In this research, face-to-face interview was conducted to some of the key informants, women and the heads of households in the local governments chosen.

Just as in questionnaire design, interview schedules were designed for each category of interviewee to ensure easy facilitation of the interview. The method was equally used because of its importance in complementing questionnaire method and it provides supplementary information on the respondents and the situations, which may not necessarily be generated using questionnaire alone. In addition, it clarifies some of the responses given in the Questionnaire and verifies some of the answers given in the questionnaire which appeared doubtful on the basis of data collected and on-the-spot assessment carried out.

### **3.2.2 Secondary Data**

This refers to the source of data that deals with the information, which have already been generated and stored, in texts and files. The information obtained from primary may either be published or unpublished. The secondary data explored included: the Glorious Qur'an., several books on Fiqh and Sunnah, and other published materials, unpublished research materials, Websites and other related materials.

### **3.3 Population and Sample Size**

The population of this study were (3) derived from the six local governments selected (Daura, Baure, Batsari Katsina, Faskari and Funtua). These were key informants (religious leaders and traditional rulers), women (married/widowed/divorced) and heads of households. The first population (key informants) consisted of religious leaders such as *Imams* and traditional rulers such as ward and village heads. These informants were selected because they are key stakeholders when it comes to settling and clarifying issues dealing with marital affairs, divorce and other rights in the society. Thus, they were found worthy in addressing the issues under study. Their number in the local governments selected was unknown. The second population (women) comprised of married, divorced and widowed women in the study area. This population was selected because of its importance in the research. In fact, it is at the heart of the research as the issues under study are basically dealing with women rights. The number was unknown as there was no proper register for them. The third

population (heads of households) was selected because they were also party to issues surrounding women rights particularly marital rights, educational and economic rights as they are the leaders of the households. Their number was 180.

In terms of sample, 210 units were selected from the key informants' sample with 35 units representing each local government. For the women sample, 360 individuals were selected with 60 units representing each local government while for the heads of households, 180 were selected with 30 units representing each local government.

### **3.4 Sampling Techniques**

For the purpose of this research, Stratified random sampling and Accidental sampling methods were applied. In Stratified random sampling population is divided into mutually exclusive groups and random samples are drawn from each group. In this case, it was applied to the key informants' population. It was divided into three strata (religious leaders and traditional rulers). From each stratum, individuals were randomly selected. Accidental sampling was administered to the populations of women and heads of households. This method was adopted due to the fact that the population was unregistered. As such instruments were administered by chance/availability.

### **3. Method of Data Analysis**

In this study, both the qualitative and the quantitative methods of data analysis were employed. Two types of analyses were carried out on the data

collected. These included: descriptive statistics analysis using frequency tables and simple percentages in analysing and interpreting the data collected. Inferential statistical tool of analysis of Pearson Chi-square was used using SPSS computer package.

#### Chi-Square ( $X^2$ ) Distribution

The Chi-Square ( $X^2$ ) belongs to the non-parametric test and it is used to measure discrepancies between the observed and the expected frequencies. Thus, it was found suitable for this study.

The following formula will be adopted for the calculation.

$$(X^2) = \sum \frac{(O-E)^2}{E}$$

Where O = The observed frequency of any value.

E = The expected frequency of any value.

The  $X^2$  value obtained from the formula is compared with the value of  $X^2$  table for a given significance level and number of degree of freedom.

To get the value of i.e. degree of freedom

$$V = (\text{rows} - 1) (\text{columns} - 1)$$

Where rows and columns are from the original table of actual or observed frequency. In order to calculate the expected frequencies the following formula will be used:

$$E = \frac{\sum R x \sum C}{\sum G}$$

Where E = Expected frequencies

$\sum R$  = Rows total

$\sum C$  = Columns total

$\sum G$  = Grand total

#### Decision Rule in Using $X^2$ Distribution

The decision rule in using the  $X^2$  distribution for testing hypothesis is as follows:

Accept the null hypothesis ( $H_0$ ) if  $X^2$  calculated value is less than  $X^2$  tabulated value and reject the alternative hypothesis ( $H_1$ ). However, if  $X^2$  calculated value is greater than  $X^2$  tabulated value then reject the null hypothesis ( $H_0$ ) and accept the alternative hypothesis ( $H_1$ ).

## **CHAPTER FOUR**

### **DATA PRESENTATION AND ANALYSIS**

#### **4.1 Introduction**

This chapter presents analyses and interprets the primary and secondary data generated in the course of the research. The chapter is organized into four sections. The first section introduces the chapter and the details of the questionnaire administration. Section two discusses the background information of respondents including their demographic variables. The third section is a detailed analysis of the data relating to the research questions raised in the first chapter of this research. Section four discusses and interprets the test of hypotheses for the study while the last section contains summary of the major findings arrived at in the course of the research.

However, it was earlier stated that the study utilizes both primary and secondary data with questionnaire and interview as tools for generating the primary data while the secondary data generated from the Glorious Qur'an and other publications relating to the issue under study. In analyzing the data presented in section three of this chapter, Pearson chi-square was applied in testing the related hypotheses.

##### **4.1.1 Rate of Questionnaire Returns**

As stated in the third chapter of this research, three questionnaire sets were administered to the respondents; the first was key informants (religious leaders and traditional rulers); women (married/widowed/divorced) population was the

second and the third was heads of households in the study area. The number of questionnaires administered to these samples were 210, 360 and 180 respectively. This however corresponds to the sample size of the study.

In terms of questionnaire returns, a total of 170 questionnaires were duly completed and returned from the key informants (religious leaders and traditional rulers) and 322 from the women (married/widowed/divorced) sample while 157 units were retrieved from the heads of households' sample. The table below shows the summary:

**Table 4.1: Rate of Questionnaire Returns**

<b>Category</b>	<b>Questionnaire Administered</b>	<b>Questionnaire Returned</b>	<b>Percentage of Return</b>
Key Informants	210	170	81.0
Women	360	322	89.4
Heads of Households	180	157	87.2
<b>Total</b>	<b>750</b>	<b>649</b>	<b>86.5</b>

**Source:** Researcher's Survey, 2016

From the table above, a total of 170 questionnaires were returned from the key informants' sample size which represents 81.0% of the entire questionnaires administered to them. For the women's sample, a total of 322 representing 89.4% of the questionnaires administered were retrieved while 157 representing 87.2% were retrieved from the heads of households' sample. The breakdown of the entire responses generated as indicated in the table also shows that the entire responses from the three samples stood at 86.5%. Therefore, the percentages of returns from the three samples are considered adequate or reasonable enough for comprehensive analysis and generalization.



## 4.2 Background Information of Respondents

This section discusses the demographic variables of the respondents from three categories of the respondents. The issues discussed are presented in subsequent parts of the section:

### 4.2.1 Respondents Classification by Age

It is important to ascertain the age categories of the respondents from the key informants, women and heads of households. This will enable us to determine the age brackets and maturity levels of individuals that responded to the questions raised in the course of the research. The responses generated on age issues are presented in table 4.2 below.

**Table 4.2: Respondents Classification by Age**

Age range	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Less Than 21 Years	18	10.6	63	19.6	20	12.7
21 – 30 years	42	24.7	79	24.5	43	27.5
31 – 40 years	56	32.9	74	23.0	50	31.8
41 – 50 years	30	17.6	50	15.5	30	19.1
51 – 60 years	20	11.8	27	8.4	9	5.7
61 year above	4	2.3	29	9.0	5	3.2
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

From the data presented on the table above, we can see that, 10.6%, 19.6% and 12.7% of the respondents from key informants, women and heads of

households respectively were individuals whose ages were 21 and below. Those whose ages range between 21 and 30 years constituted 24.7% of the key informants and 24.5% of the women as well as 27.5% of the heads of households. However, those whose ages were between 31 and 40 constituted about 32.9% of the respondents from the category of key informant and 23.0% of the women. 31.8% of the heads of households had similar age bracket. The respondents whose ages range from 41 to 50 from the key informants, women and heads of households stood at 17.6%, 15.5% and 19.1% respectively. Also, 11.8%, 8.4% and 5.7% of the respondents in the camps of key informants, women and heads of households respectively fall within the age bracket of 51 to 60 years.

The remaining 2.4% of the responses from the key informants were generated from elderly people that were above 60 years. The same age bracket applied to 9.0% of the women and 3.2% of the heads of households. What the data here show is that most of the responses generated were from individuals of over 30 years from both key informants and heads of households. But, from the women category, most of the respondents came from individuals of over 20 years. This indicates that the respondents are matured enough to respond to our questions.

#### 4.2.2 Educational Attainments of the Respondents

Respondents were further required to indicate their highest educational attainments. This will enable us to determine the literacy levels of the respondents. The responses generated from this are tabulated below:

**Table 4.3: Educational Attainments of the Respondents**

Qualification	Key Informants	Percent age %	Women	Percent age %	Heads of Households	Percentage %
Postgraduate	6	3.5	6	1.9	9	5.7
Degree/HND	27	15.9	25	7.8	24	15.3
NCE/AND/OND	52	30.6	84	26.1	41	26.1
WAEC/GCE/NE CO/SSCE	64	37.6	135	41.9	53	33.8
Primary Certificate	13	7.6	22	6.8	28	17.8
No Western Education	8	4.7	50	15.5	2	1.3
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

From the table above, we shall see that 3.5% of the key informants' respondents were individuals that have postgraduate qualifications. Those with similar qualifications from the women stood at 1.9% and 5.7% from the heads of households. First degree or HND consisted of 15.9%, 7.8% and 15.3% of the responses from the key informants, women and heads of households respectively. However, NCE/AND/OND holders were about 30.6% of the key informants, 26.1% of women and 26.1% of heads of households. Respondents

with O level as their requirements comprised of 37.6% of the key informants and 41.9% of the women as well as 33.8% of the household heads. However, 7.6%, 6.8% and 17.8% of the respondents from the key informants, women and heads of households respectively possessed primary certificate as their highest educational attainment.

The remaining 4.7% of the key informants and 15.5% of the women as well as 1.3% of the households' heads have no formal education. Thus, from the responses above, it is clear that majority of the respondents from all the categories have some form of formal education or the other although the highest attainment by the majority was O level qualification.

#### **4.2.3 Respondents' Marital Status**

We also seek to determine the marital status of our respondents from both the three categories of respondents. This will enable us to ascertain the marital composition of the respondents. The responses generated are presented in the table 4.4 below.

**Table 4.4 Respondents' Marital Status**

<b>Status</b>	<b>Key Informants</b>	<b>Percentage %</b>	<b>Women</b>	<b>Percent age %</b>	<b>Heads of Households</b>	<b>Percentage %</b>
Single	8	4.7	71	22.0	2	1.3
Married	142	83.5	143	44.4	143	91.1
Divorced	8	4.7	61	19.0	3	1.9
Widowed	12	7.1	47	14.6	9	5.7
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

From the table above, we can clearly see that 4.7% of our key informants respondents were singles while as high as 83.5% were married people. The divorced stood at 4.7% while the remaining 7.1% were widowed. Regarding the women, 22.0% were single, 44.4% were married, and 19.0% were divorcees by status while the remaining 14.6% were widows. But, for the heads of households, only 1.3% were singles while as high as 91.1% were married. The divorcees and widows stood at 1.9% and 5.7% respectively. This therefore indicates that majority of the respondents were married.

#### 4.2.4 Number of People in Household

Respondents were also required to indicate the number of people in their respective households. This will facilitate our understanding of the respondents' experiences with household and family issues. The responses generated are tabulated below:

**Table 4.5: Number of People in the Household**

Number of People	Key Informants	Percent age %	Women	Percent age %	Heads of Households	Percentage %
1-5	31	18.2	70	21.7	20	12.7
6-10	42	24.7	102	31.7	43	27.4
11-15	38	22.4	100	31.1	41	26.1
16-20	33	19.4	30	9.3	37	23.6
Above 20	26	15.3	20	6.2	16	10.2
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

From the table above, we shall see that 18.2% of the key informants numbered between 1 and 5 in the household while those that were between 6 and 10 in number in their household stood at 24.7%. However, 22.4% of them have their number ranging from 11 to 15 in the household. While 19.4% and 15.3% have members of the households between 16 and 20 and above 20 respectively. Regarding the women, 21.7% have their households number between 1 and 5 while 31.7% were numbered 6-10 and 31.1% numbering 11-15. Those whose households' number stood at 16-20 and above 20 constituted of 9.3% and 6.2% respectively. In respect of heads of households, 12.7% were 1-5 in their household, 27.4% numbering 6-10, and 26.1% numbering 11-15 as well as 23.6% numbering 16-20. The remaining 10.2% were having over 20 individuals as their household members. This indicates that all categories of respondents have reasonable number of people in their households. This also convinced us that they have experience of family livings.

#### **4.2.5 Occupation of the Respondents**

We further seek to ascertain from our respondents, the occupations they belonged to. The responses generated from this are tabulated below.

**Table 4.6: Occupation of the Respondents**

Occupation	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Farming	82	48.2	24	7.5	60	38.2
Trading	21	12.4	43	13.3	31	19.7
Student	12	7.1	69	21.4	21	13.4
House Wife	0	0.0	102	31.7	0	0.0
Civil Service	42	24.7	64	19.9	38	24.2
Others	13	7.6	20	6.2	7	4.5
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

From the table above, we can see that, 48.2% of our respondents from key informants category were farmers while 7.5% and 38.2% of the respondents from women and heads of households respectively were having similar occupation. Those that engaged in trading activities stood at 12.4%, 13.3% and 19.7% of the key informants, women and households heads respectively. Students among the key informants were 7.1% while women and households heads were 21.4% and 13.4% respectively. None of the respondents from the key informants and households heads were housewives. But, 31.7% of the women belonged to the group. Civil servants among the key informants were 24.7% and 19.9% of the women as well as 24.7% of the heads of households. The remaining 7.6% of the key informants were of other occupations. The same

apply to 6.2% of the women and 4.5% of the households heads. The trend of the responses shows that the respondents cut across different occupations.

### 4.3 Data Analysis

The thrust of this research is examining the practice of women rights and its impact on Muslims in Katsina state. In relation to this, various issues were raised and data were generated to facilitate our discussion. The information generated are discussed below:

#### 4.3.1 Level of Knowledge on What Constitutes Women Rights in Islam

We seek to determine from the respondents on their levels of knowledge regarding the concept of women rights in Islam. The responses generated are tabulated below:

**Table 4.7 Responses on Level of Knowledge on What Constitutes Women Rights in Islam**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Very High	22	12.9	42	13.0	20	12.7
High	59	34.7	120	37.3	55	35.0
Undecided	18	10.6	38	11.8	21	13.4
Low	42	24.7	83	25.8	40	25.5
Very Low	29	17.1	39	12.1	21	13.4
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above depicts the respondents' views regarding the level of their awareness or knowledge on what constitutes women rights in Islam. From



the table, it is clear that 12.9% of the key informants rated their level of knowledge as very high. Those with similar view from the women stood at 13.0% and 12.7% of the heads of households respectively. Those that rated the level as high stood at 34.7% of key informants and 37.3% of women as well as 35.0% of households heads. Those that remained undecided from the key informants, women and heads of households stood at 10.6%, 11.8% and 13.4% respectively. However, 24.7% of the key informants and 25.8% of the women as well as 25.5% of the heads of households rated the level as low while the remaining 17.1%, 12.1% and 13.4% of the key informants, women and heads of households rated their levels of knowledge as very low. Thus, from the responses it is clear that the significant number of people have knowledge on what constitutes women rights in Islam.

#### **4.3.2 Awareness of Inherent Weaknesses of Women Compared to Men**

It is a fact that women are weaker than men. Islam recognises their weaknesses compared to men and they should be managed in consideration of such weaknesses. It is against this that respondents from the key informants, women and households heads were asked on whether they agreed that men are fully aware of the inherent weaknesses of women compared to men. The responses generated are tabulated below:

**Table 4.8 Responses on Awareness of Inherent Weaknesses of Women Compared to Men**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	37	21.8	79	24.5	40	25.5
Agree	43	25.3	81	25.1	51	32.5
Undecided	25	14.7	53	16.5	21	13.4
Disagree	32	18.8	73	22.7	39	24.8
Strongly Disagree	33	19.4	36	11.2	6	3.8
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above summarises respondents' views regarding their agreement on the assertion that men are fully aware of the inherent weaknesses of women compared to men. From the table, it is clear that 21.8% of the key informants strongly agreed that men are aware of the weaknesses of women. 24.5% of women and 25.5% of households heads held the same view. Also 25.3%, 25.1% and 32.5% of the key informants, women and households heads respectively showed their agreement on the assertion. Those that remained undecided from the key informants, women and heads of households stood at 14.7%, 16.5% and 13.4% respectively. However, 18.8.% of the key informants

and 22.7% of the women as well as 24.8% of the heads of households disagreed with the assertion. Those that strongly disagreed with the assertion stood at 19.4% of the key informants and 11.2% of the women as well as 3.8% of the households heads. This shows that a significant number of men are fully aware that women are inherently weak compared to men.

### 4.3.3 Choice of Husbands by Women

Regarding the issue of making a choice of marital partner by women, we sought from the respondents to express their levels of agreement on the assertion that women are given chance to choose their husbands in the area under study. The responses generated are tabulated as follows:

**Table 4.9 Responses on Choice of Husbands by Women**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	30	17.6	58	18.0	30	19.1
Agree	75	44.1	102	31.7	72	45.9
Undecided	4	2.4	62	19.2	23	14.6
Disagree	36	21.2	92	28.6	30	19.1
Strongly Disagree	25	14.7	8	2.5	2	1.3
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows respondents' views on the assertion that women are given chance or freedom to select their husbands in the study area. The responses shows that 17.6% of the key informants strongly agreed with the assertion. 18.0% and 19.1% of the women and households heads share similar

view. However, 44.1%, 31.7% and 45.9% of the key informants, women and households heads respectively expressed their agreement on the assertion. Those that remained undecided from the key informants, women and heads of households stood at 2.4%, 19.2% and 14.6% respectively. However, 21.2.% of the key informants and 28.6% of the women as well as 19.1% of the heads of households disagreed with such assertion. Those that strongly disagreed with the assertion stood at 14.7% of the key informants and 2.5% of the women as well as 1.3% of the households heads. The result here clearly indicated that women are often given chance to make selection of their marital partner (husband) in the study area.

#### **4.3.4 Fulfilment of Family Obligations by Husbands**

In an ideal Islamic life, it is the responsibility of the husband to provide feeding, shelter, clothing, medication and sexual needs to his wife/wives. This is a duty of the husband. In respect to this, respondents were asked to indicate whether husbands fulfil such obligations in the study area. The responses generated are tabulated as follows:

**Table 4.10 Responses on Fulfilment of Family Obligations by Husbands**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	23	13.5	50	15.5	25	15.9
Agree	74	43.5	103	31.9	53	33.7
Undecided	12	7.1	72	22.4	32	20.4
Disagree	51	30.0	91	28.3	42	26.8
Strongly Disagree	10	5.9	6	1.9	5	3.2
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above expresses the views of respondents as to whether they agree that husbands meet up their obligation to their wives. The responses indicates that 13.5% of the key informants have the feeling that they strongly agreed that men meet their obligations regarding their wives while those that have similar view from the women stood at 15.5% and 15.9% of households heads. Those that expressed their agreement on this issue from key informants were 43.5% and 31.9% of women as well as 33.7% of households' heads. Those that remained undecided from the key informants, women and heads of households stood at 7.1%, 22.4% and 20.4% respectively. However, those that disagreed from the key informants stood at 30.0% and 28.3% of the women as well as 26.8.% of the heads of households.. Those that strongly disagree with the assertion stood at 5.9% of the key informants and 1.9% of the women as well as 3.2% of the households heads. It can be deduced here that, although not very often, husbands actually meet their family obligations.

#### 4.3.5 Fairness and Justice in Treating Wives

It is also expected that, any individual with more than one wife has to be just and fair in treating his wives. To ascertain the extent of this practice, respondents were required to respond as to whether they agree that men with more than one wife treat them with justice and fairness. The responses are presented below:

**Table 4.11 Responses on Fairness and Justice in Treating Wives**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	15	8.8	43	13.4	38	24.2
Agree	72	42.4	88	27.3	41	26.1
Undecided	16	9.4	78	24.2	37	23.6
Disagree	50	29.4	79	24.5	20	12.7
Strongly Disagree	17	10.0	34	10.6	21	13.4
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents regarding the practice of justice and fairness in handling wives by men. The responses indicate that, 8.8% of the respondents from the key informants strongly agreed with the assertion that men treat their wives with fairness and justice. Those with similar view from the women and households heads stood at 13.4% and 24.2% respectively. Those in

agreement with the assertion from the key informants, women and households heads were 42.4%, 27.3% and 26.1% respectively. Those that remained undecided from the key informants, women and heads of households stood at 9.4%, 24.2% and 23.6% respectively. However, those that disagreed from the key informants stood at 29.4% and 24.5% of the women as well as 12.7% of the heads of households. Those that strongly disagree with the assertion stood at 10.0% of the key informants and 10.6% of the women as well as 13.4% of the households heads. What these responses show is that, to some extent, men are treating their wives with justice and fairness in the study area although there are elements of injustices and unfairness as expressed by some of the respondents.

#### **4.3.6 Privacy Protection of Women by Husbands/Family**

Protection of privacy is one of the key virtues of peaceful marital life and is one of the attitudes expected to be exhibited by husband and wife as well as other family members. It is against this backdrop that we required our respondents to express their feelings as regard to the protection of privacy by husbands/family. The responses gathered are presented below:

**Table 4.12 Responses on Privacy Protection of Women by Husbands/Family**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	40	23.5	83	25.8	40	25.5
Agree	49	28.8	97	30.1	50	31.8
Undecided	37	21.8	42	13.0	10	6.4
Disagree	28	16.5	53	16.5	34	21.7
Strongly Disagree	16	9.4	47	14.6	23	14.6
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents on the expressions that husbands/family protect the privacy of their wives/spouses. It is clear from the table that 23.5% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 25.8% and 25.5% respectively. Those in agreement with the assertion from the key informants, women and households heads were 28.8%, 30.1% and 31.8% respectively. Those that remained undecided from the key informants, women and heads of households stood at 21.8%, 13.0% and 6.4% respectively. However, those that disagreed from the key informants stood at 16.5% and 16.5% of the women as well as 21.7% of the heads of households.. Those that strongly disagree with the assertion stood at 9.4% of the key informants and 14.6% of the women as well as 14.6% of the households heads.



This clearly shows that there is existence of protection of privacy of women by husbands in the study area.

#### **4.3.7 Dignity/Honour Protection of Women by Husbands/Family**

The dignity/honour of every woman needs to be preserved, protected and enhanced. It is in this line that we sought our respondents to express their views as to whether the dignity/honour of women are protected by men/husbands in the area under study. The table below contains the responses:

**Table 4.13 Responses on Dignity/Honour Protection of Women by Husbands/Family**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	23	13.5	80	24.8	40	25.5
Agree	75	44.1	11	31.4	51	32.5
Undecided	27	15.9	32	9.9	15	9.5
Disagree	34	20.0	73	22.7	32	20.4
Strongly Disagree	11	6.5	36	11.2	19	12.1
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents regarding the rate at which dignity/honour of women are protected by their husband or families. The trend shows that 13.5% of the respondents from the key informants have the feeling that they strongly agreed with the assertion that women's honour/dignity were being protected by husbands/family. Similar views were expressed by 24.8% of women and 25.5% of households' heads. Those that agreed with the assertion from the key informants, women and households heads were 44.1%, 31.4% and 32.5% respectively. However, those whose views were undecided from the key

informants, women and heads of households stood at 15.9%, 9.9% and 9.5% respectively. However, those that disagreed from the key informants stood at 20.0% and 22.7% of the women as well as 20.4% of the heads of households.. Those that strongly disagreed with the assertion stood at 6.5% of the key informants and 11.2% of the women as well as 12.1% of the households heads. It can be inferred from the responses above that the dignity and honour of women are actually protected by /husbands/family in the study area.

#### **4.3.8 Taking care of Deceased Women Burial Expenses by Husbands**

Respondents were however asked to respond as to whether they agreed that burial expenses of deceased women were being taken care of by the husbands. The table below contains the responses generated:

**Table 4.14 Responses on Taking care of Deceased Women Burial Expenses by Husbands**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	53	31.2	103	32.0	52	33.1
Agree	56	32.9	94	29.2	43	27.4
Undecided	21	5.9	52	16.1	31	19.7
Disagree	31	18.2	45	14.0	26	16.6
Strongly Disagree	20	11.8	28	8.7	5	3.2
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The responses above show that 31.2% of the key informants strongly upheld the view that burial expenses of married women that died were being taken care of

by their husbands. 32.0% of the women held similar view and those from the category of households heads were 33.1%. Those in agreement with the assertion from the key informants, women and households heads were 32.9%, 29.2% and 27.4% respectively. Those that remained undecided from the key informants, women and heads of households stood at 5.9%, 16.1% and 19.7% respectively. However, those that disagreed from the key informants stood at 18.2% and 14.0% of the women as well as 16.6% of the heads of households. Those that strongly disagree with the assertion stood at 11.8% of the key informants and 8.7% of the women as well as 3.2% of the households heads. This shows clearly that burial expenses of deceased women are being taken care of by the husbands.

#### **4.3.9 Accessibility to Dowry by Women**

Dowry is expected to be the sole right and property of women that should be given to them during marriage rites. Without dowry, marriage can never be complete. In this regard, respondents were asked as to whether the entitlements of women in respect of dowries are actually accessed by them. The table below contains the responses:

**Table 4.15 Responses on Accessibility to Dowry by Women**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	60	35.3	73	22.7	22	14.0
Agree	52	30.6	112	34.8	60	38.2
Undecided	13	7.6	20	6.2	8	5.1
Disagree	29	17.1	74	23.0	45	28.7
Strongly Disagree	16	9.4	43	13.3	22	14.0
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The views of the respondents on the assertion that women are given full access to their dowries are presented in the table above. It is very obvious from the table that 35.3% of the respondents from key informants and 22.7% of those from women group as well as 14.0% of the households heads respondents strongly agreed with the assertion that women have full access to their dowries. Those that agreed with the expression stood at 30.6%, 34.8% and 38.2% of key informants, women and households heads respectively. 7.6% of the key informants and 6.2% of the women as well as 5.1% of the households heads were undecided in their views. Those that disagreed from the key informants stood at 17.1%. Those that shared similar feelings from the women and households heads were 23.0% and 28.7% respectively. The remaining 9.4%, 13.3% and 14.0% of the key informants, women and households heads were strongly disagreeing with such assertion. Thus, majority of the respondents have either agreed or strongly agreed with the assertion indicating that women are given access to their dowries.

#### **4.3.10 Maintenance of Divorced Women before *Iddah* Completion**

It is however a recommended Islamic practice that whenever a woman is divorced one or two times, her waiting period (*Iddah*) should be observed in her

matrimonial home up to completion of such period. In addition, her routine maintenance in terms of food, medication and other basic needs should be provided by the husband that divorced her. In line with this, respondents were asked to indicate whether they agreed that such maintenance practice are actually observed by men. The responses generated are tabulated below:

**Table 4.16 Responses on Maintenance of Divorced Women before Iddah Completion**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	12	7.1	29	9.0	10	6.4
Agree	32	18.8	67	20.8	32	20.4
Undecided	29	17.1	43	13.3	25	15.9
Disagree	73	42.9	102	31.7	53	33.7
Strongly Disagree	24	14.1	81	25.2	37	23.6
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents on the assertion that maintenance of divorcees were done by husbands. The responses show that 7.1% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 9.0% and 6.4% respectively. Those in agreement with the assertion from the key informants, women and households heads were 18.8%, 20.8% and 20.4% respectively. Those that remained undecided from the key informants, women and heads of households stood at 17.1%, 13.3% and 15.9%

respectively. However, those that disagreed from the key informants stood at 42.9% and 31.7% of the women as well as 33.7% of the heads of households.. Those that strongly disagree with the assertion stood at 14.1% of the key informants and 25.2% of the women as well as 23.6% of the households heads. This shows that women are rarely or are not often taken care of or maintained by their husbands before completion of *iddah* after divorce.

#### 4.3.11 Custody of Children after Divorce

Respondents were also asked to indicate as to who keeps custody of children after divorce. The table below contains the responses:

**Table 4.17 Responses on Custody of Children after Divorce**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Husband	93	54.8	187	58.1	95	60.5
Wife	64	37.6	103	32.0	40	25.5
Undecided	13	7.6	32	9.9	22	14.0
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows that 54.8% of the respondents from the key informants argued that husband take custody while 58.1% of the women held same view. Those from the households heads were 60.5% however, 37.6%, 32.0% and 25.5% from key informants, women and households heads respectively argued that wife take custody of the children after divorce. Those that remained undecided from the key informants, women and heads of

households stood at 7.6%, 9.9% and 14.0% respectively. This shows that, largely, husbands take care of the children custody after divorce.

#### 4.3.12 Facilitation of Education for Wives by husbands

It is an expected duty of husbands to educate their wives. In fact, it is one of their key responsibilities. Against this backdrop, we required our respondents to indicate as to whether men are fulfilling this important marital duty. The table below contains the responses:

**Table 4.18 Responses on Facilitation of Education for Wives by Men**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	28	16.5	43	13.4	15	9.5
Agree	64	37.6	132	41.0	90	57.3
Undecided	27	15.9	14	4.3	5	3.2
Disagree	39	22.9	100	31.1	42	26.8
Strongly Disagree	12	7.1	33	10.2	5	3.2
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above contains views on the expression that men facilitate education of their wives. The trend shows that 16.5% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 13.4% and 9.5% respectively. Those in agreement with the assertion from the key informants, women and households heads were 37.6%, 41.0% and 57.3% respectively. Those that remained

undecided from the key informants, women and heads of households stood at 15.9%, 4.3% and 3.2% respectively. However, those that disagreed from the key informants stood at 22.9% and 31.1% of the women as well as 26.8% of the heads of households.. Those that strongly disagreed with the assertion stood at 7.1% of the key informants and 10.2% of the women as well as 3.2% of the households heads. This shows that husbands actually facilitated the education of their wives.

#### **4.3.13 Fair Access to Islamic Education by Girls/Women**

In a bid to ascertain whether girls/women are given fair access to Islamic Education, we required our respondents to explain their views regarding such issue. The table below summarises the responses:

**Table 4.19 Fair Access to Islamic Education by Girls/Women**

<b>Option</b>	<b>Key Informants</b>	<b>Percentage %</b>	<b>Women</b>	<b>Percentage %</b>	<b>Heads of Households</b>	<b>Percentage %</b>
Strongly Agree	32	18.8	68	21.1	30	19.1
Agree	71	41.8	122	37.9	58	37.0
Undecided	3	1.8	19	5.9	12	7.6
Disagree	41	24.1	64	19.9	32	20.4
Strongly Disagree	23	13.5	49	15.2	25	15.9
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents on the expressions that girls/women are given fair access to Islamic education. What was generated



show that 18.8% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 21.1% and 19.1% respectively. Those in agreement with the assertion from the key informants, women and households heads were 41.8%, 37.9% and 37.0% respectively. Those that remained undecided from the key informants, women and heads of households stood at 1.8%, 5.9% and 7.6% respectively. However, those that disagreed from the key informants stood at 24.1% and 19.9% of the women as well as 20.4% of the heads of households. Those that strongly disagree with the assertion stood at 13.5% of the key informants and 15.2% of the women as well as 15.9% of the households heads. This indicates that, there is fair access to Islamic education by women/girls in the study area.

#### **4.3.14 Fair Access to Western Education by Girls/Women**

Apart of the Islamic education (basic), families are also expected to educate their children including girls and women on Western Education in order to meet the prevailing trend in societal living. Against this, we asked our respondents to state as to whether they agreed that girls/women are given fair access to western education. The information generated are tabulated below:

**Table 4.20 Responses on Fair Access to Western Education by Girls/Women**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agreed	10	5.9	58	18.0	25	15.9
Agree	73	42.9	102	31.7	53	33.8
Undecided	12	7.1	23	7.1	8	5.1
Disagree	61	35.9	94	29.2	56	35.7
Strongly Disagree	14	8.2	45	14.0	15	9.5
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows the views of respondents on the assertion that girls/women are given fair access to Western Education. The responses regarding this clearly indicates that 5.9% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 18.0% and 15.9% respectively. Those in agreement with the assertion from the key informants, women and households heads were 42.9%, 31.7% and 33.8% respectively. Those that remained undecided from the key informants, women and heads of households stood at 7.1%, 7.1% and 5.1% respectively. However, those that disagreed from the key informants stood at 35.9% and 29.2% of the women as well as 35.7% of the heads of households. Those that strongly disagreed with the assertion stood at 8.2% of the key informants and 14.0% of the women as well as 9.5%

of the households heads. From this, we can deduce that girls/women are fairly given access to western education in the study area.

#### 4.3.15 Receiving due Share by of inheritance Women

Allah (SWT) has clearly stated how the inheritance should be shared to the entitled heirs of the deceased. In ascertaining whether women receive their due allocations from such wealth as allocated to them by Allah (SWT), we asked them to express their views regarding receiving due shares by women in the study area as contained in the table below:

**Table 4.21 Responses on Receiving of due Share of inheritance by Women**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	40	23.5	60	18.6	30	19.1
Agree	49	28.8	115	35.7	47	29.9
Undecided	29	17.1	55	17.1	21	13.4
Disagree	32	18.8	90	28.0	40	25.5
Strongly Disagree	20	11.8	2	0.6	19	12.1
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

Responses on the assertion that women are given their due share from the inheritance wealth as summarised above indicated that 23.5% of the respondents from the key informants strongly agreed with the expression that women are given due share. Same view applies to 18.6% of women and 19.1%

of households heads. Those in agreement with the assertion from the key informants, women and households heads were 28.8%, 35.7% and 29.9% respectively. Those that remained undecided from the key informants, women and heads of households stood at 17.1%, 17.1% and 13.4% respectively. However, those that disagreed from the key informants stood at 18.8% and 28.0% of the women as well as 25.5% of the heads of households. Those that strongly disagree with the assertion stood at 11.8% of the key informants and 0.6% of the women as well as 12.1% of the households heads. This indicates that there is reception of due share by women from the wealth of inheritance.

#### **4.3.16 free utilization of Share Received from Inheritance Wealth by Women**

In a bid to ascertain whether women are allowed to utilize wealth acquired through inheritance, we asked our respondents to state their feelings regarding the issue. The responses are tabulated below:

**Table 4.22 Responses on Utilization of Share Received from Inheritance Wealth by Women**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	25	14.7	44	13.7	18	11.5
Agree	67	39.4	108	33.5	58	36.9
Undecided	27	15.9	30	9.3	12	7.6
Disagree	48	28.2	91	28.3	40	25.5
Strongly Disagree	3	1.8	49	15.2	29	18.5
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents on the expressions that Women are allowed to utilise the wealth acquired through inheritance. It is clear from the table that 14.7% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 13.7% and 11.5% respectively. Those in agreement with the assertion from the key informants, women and households heads were 39.4%, 33.5% and 36.9% respectively. Those that remained undecided from the key informants, women and heads of households stood at 15.9%, 9.3% and 7.6% respectively. However, those that disagreed from the key informants stood at 28.2% and 28.3% of the women as well as 25.5% of the heads of households.. Those that strongly disagree with the assertion stood at 1.8% of the key informants and 15.2% of the women as well as 18.5% of the households heads. This shows that women are given chance or in other words, are allowed to make use of the resources generated through inheritance in the study area.

#### **4.3.17 Women's Access to Income Generation Activities**

Women in the society are also allowed to carry out legal income generating activities to boost their families' economic status. In determining the extent to which women are given access to income generating activities, we asked the respondents to express their views in such respect. The table below contains the responses:

**Table 4.23 Responses on Women’s Access to Income Generation Activities**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Strongly Agree	23	13.5	44	13.7	22	14.0
Agree	65	38.2	110	34.2	53	33.8
Undecided	10	5.9	24	7.5	11	7.0
Disagree	62	36.5	89	27.5	41	26.1
Strongly Disagree	10	5.9	55	17.1	30	19.1
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher’s Survey, 2016

The table above shows views of respondents on the expressions that women are allowed access to income generation activities in the study area. It is glaring from the table that 13.5% of the respondents from the key informants strongly agreed with the expression while those with similar views from women and households heads were 13.7% and 14.0% respectively. Those in agreement with the assertion from the key informants, women and households heads were 38.2%, 34.2% and 33.8% respectively. Those that remained undecided from the key informants, women and heads of households stood at 5.9%, 7.5% and 7.0% respectively. However, those that disagreed from the key informants stood at 36.5% and 27.5% of the women as well as 26.1% of the heads of households.. Those that strongly disagreed with the assertion stood at 5.9% of the key informants and 17.1% of the women as well as 19.1% of the households heads.

From this, we can be able to deduce that women are allowed to carry out income generation activities in the study area.

#### **4.3.18 Compliance Level of the Prevailing Women Rights to Provisions of Islam**

However, to ascertain whether the prevailing women rights in the study area comply with the provisions of Islam, we asked our respondents to state their views on the issue. The responses are contained in the table below:

**Table 4.24 Responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Very High	40	23.5	39	12.1	20	12.7
High	59	34.7	129	40.1	61	38.9
Undecided	12	7.1	53	16.4	30	19.1
Low	47	27.6	84	26.1	32	20.4
Very Low	12	7.1	17	5.3	14	8.9
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above contains views of the respondents on the perceived level of compliance of the prevailing women rights with the provisions of Islam in the study area. The information shows that 23.5% of the respondents from the key informants rated the level as very high while those with similar views from women and households heads were 12.1% and 12.7% respectively. Those that rated it as high from the key informants, women and households heads were 34.7%, 40.1% and 38.9% respectively. Those that remained undecided from the

key informants, women and heads of households stood at 7.1%, 16.4% and 19.1% respectively. However, those that rated the level as low from the key informants stood at 27.6% and 26.1% of the women as well as 20.4% of the heads of households. Those that rated it as very low stood at 7.1% of the key informants and 5.3% of the women as well as 8.9% of the households heads. From this we can deduce that the extent of compliance of the prevailing practice of women rights with the provision of Islam was quite appreciable and satisfactory.

#### **4.3.19 Extent to Which Prevailing Practice of Women Rights empowers Women Economically**

We also, asked our respondents as to whether the prevailing practice of women rights in the study area facilitates economic empowerment of women.

The table below contains the responses:

**Table 4.25 Responses on Extent to Which Prevailing Practice of Women Rights empower Women Economically**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Very High	10	5.9	24	7.4	19	12.1
High	82	48.2	160	49.7	81	51.6
Undecided	24	14.1	21	6.5	8	5.1
Low	37	21.8	63	19.6	30	19.1
Very Low	17	10.0	54	16.8	19	12.1
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows the views of respondents on the level of facilitating economic empowerment by the prevailing women rights in the study area. From



the table, those that rated it as very high from the key informants stood at 5.9% while those with similar views from women and households heads were 7.4% and 12.1% respectively. Those that rated it as high from the key informants, women and households heads were 48.2%, 49.7% and 51.6% respectively. Those that remained undecided from the key informants, women and heads of households stood at 14.1%, 6.5% and 5.1% respectively. However, those that rated it as low from the key informants stood at 21.8% and 19.6% of the women as well as 19.1% of the heads of households. Those that rated it as very low stood at 10.0% of the key informants and 16.8% of the women as well as 12.1% of the households heads. This clear shows that the prevailing practice of women rights favours economic empowerment of women in the study area.

#### **4.3.20 Extent to Which Prevailing Practice of Women Rights Promotes Educational Development**

Respondents were further asked on whether the prevailing practice of women rights Promotes educational development in the study area. The table below contains the responses:

**Table 4.26 Responses Extent to Which Prevailing Practice of Women Rights Promotes Educational Development**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Very High	50	29.4	100	31.1	48	30.6
High	42	24.7	84	26.1	44	28.0
Undecided	4	2.4	35	10.9	16	10.2
Low	40	23.5	80	24.8	40	25.5
Very Low	34	20.0	23	7.1	9	5.7
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher's Survey, 2016

The table above shows views of respondents on the rate at which the prevailing practice of women rights Promotes educational development in the study area. From the table, those that rated the level as very high from the key informants stood at 29.4% while those with similar views from women and households heads were 31.1% and 30.6% respectively. Those that rated it as high from the key informants, women and households heads were 24.7%, 26.1% and 28.0% respectively. Those that remained undecided from the key informants, women and heads of households stood at 2.4%, 10.9% and 10.2% respectively. However, those that rated it as low from the key informants stood at 23.5% and 24.8% of the women as well as 25.5% of the heads of households. Those that rated it as very low stood at 20.0% of the key informants and 7.1% of the women as well as 5.7% of the households heads. This evidently convinced us that the prevailing practice of women rights Promotes educational development in the study area.

#### 4.3.21 Extent to Which Prevailing Practice of Women Rights Facilitated and protected Women’s Marital Rights

In a bid to ascertain the views of respondents regarding the marital rights, we asked the respondents to state their views regarding the extent to which the prevailing practice of women right facilitated and protected their marital rights.

The table below summarises the responses:

**Table 4.27 Responses on Extent to Which Prevailing Practice of Women Rights Facilitated and protected Women’s Marital Rights**

Option	Key Informants	Percentage %	Women	Percentage %	Heads of Households	Percentage %
Very High	52	30.6	111	34.5	60	38.2
High	43	25.3	92	28.6	41	26.1
Undecided	14	8.2	2	0.6	3	1.9
Low	40	23.5	74	23.0	32	20.4
Very Low	21	12.4	43	13.3	21	13.4
<b>Total</b>	<b>170</b>	<b>100</b>	<b>322</b>	<b>100</b>	<b>157</b>	<b>100</b>

**Source:** Researcher’s Survey, 2016

The table above contains views of the respondents on the extent to which the prevailing practice of women rights facilitated and protected women’s marital rights in the study area. The information shows that 30.6% of the respondents from the key informants rated the level as very high while those with similar views from women and households heads were 34.5% and 38.2% respectively. Those that rated it as high from the key informants, women and households

heads were 25.3%, 28.6% and 26.1% respectively. Those that remained undecided from the key informants, women and heads of households stood at 8.2%, 0.6% and 1.9% respectively. However, those that rated the level as low from the key informants stood at 23.5% and 23.0% of the women as well as 20.4% of the heads of households. Those that rated it as very low stood at 12.4% of the key informants and 13.3% of the women as well as 13.4% of the households heads. From this we can evidently deduce that the prevailing practice of women rights in the study area facilitated and protected women's marital rights.

#### **4.4: Interview Responses on the Practice of Islamic Women Rights and its Impact on people in Katsina State**

In this section of the work, we present and discuss the data generated through interview conducted to the respondents from the key informants, women and heads of households on the issues relating to this study. The presentation and discussion follow as:

##### **4.4.1 The Practice of Marital Rights of Women**

Similar views were generated from the respondents from the key informants women and households heads groups regarding the compliance of the prevailing practice of marital rights with the provisions of Islam.

One of the issues expressed by the respondents from virtually all the categories was the issue of maintenance. Most of the husbands were meeting the maintenance obligations of food, clothing and shelter as well as routine

maintenance such as health related issues. These obligations are of course vested on husbands by Islam and they have to be provided. These views however are in line with the questionnaire responses presented and discussed earlier regarding marital rights.

However, most of the respondents interviewed have the feeling that the issue of forced marriage has drastically reduced in the area as girls/women are given chance to make choice of their husbands/partners under the guidance of family. This practice reduced the cases of divorce in the area. In addition, these women were allowed or given chance to use access and use their dowries for their personal development.

The key area of concern expressed by majority of the respondents revolves on the issue of fairness and justice in treating wives by the husbands with more than one wife. Most of the respondents argued that there were often cases of imbalances and injustice in treating wives as some were being favoured at the expense of others. But these cases were not many as they affected few households based on what was generated from the respondents. The practice directed from the original teachings of Islam.

Also, there were expressions on the issue of social relations between husbands and wives in terms of creating time for the family, being receptive and friendly and paying keen attention to the needs of the family. These expressions were gathered from the key informants, women and heads of households but more of these came from the women. It was gathered in this regard that,

husbands are now always having good times with their wives, being more accommodating, friendly, receptive and embracing. This practice is always encouraged by Islam and was found to have existed in the area based on the information generated.

Unlike some decades earlier, there was a revelation from the interview result that, continued maintenance after divorce and before completion of Iddah as well as giving fair access to children are being observed in recent years. Husbands were providing the daily needs for their divorced wives up to completion of their iddah. They were also being given access to their children. This has been seen as a good practice and is highly encouraged by the Islamic jurisprudence.

#### **4.4.2 Economic Rights of Women**

Women in Islam are also given rights to carry out several acceptable economic undertaking. In order to ascertain this practice in the study area made us to interview our respondents on the extent of such economic rights.

It was gathered in the course of interview that, women of today in the study area were being given access to their dowries. These dowries were used by them in carrying out some petty trader/businesses such as tailoring, baking and other retail businesses. This was the view of the interviewees from the three categories.

Issue of inheritance is another economic parameter of concern when it comes to the economic rights of women. Allah (S.W.T) has clearly spelt out how

resources of a deceased should be shared among the heirs. In relation to this, most of the respondents were of the view that, inheritance wealth is distributed based on the criteria stipulated by the Glorious Qur'an. The areas with varied views are the access and utilization of such wealth by women. It was gathered that women are largely given their shares and allowed to utilize for their social and economic pursuits, but usually under the guidance of husbands. But in some cases, some of the heads of households or relatives of a deceased husband impinge on this, though delay in allocation or release of shares or sometimes keeping such shares under their sole control thereby denying them access. But on a general consensus by all the interviews, it was found that women get their due share of inheritance which was in the past decades not being received.

However, it was also gathered that women of today in the study area participated in the economic activities as they could be found in markets and other organized private and public institutions. This increase in the participation of women in economic undertakings has contributed to the general societal development.

It was further gathered that women also receive donations, alms, charity and other gifts from wealthy individuals in order for them to facilitate and enhance their economic status in the society and of course support their husbands and families.

#### **4.4.3 Accessibility to Education by Girls/Women**

Access to education both Islamic and western by women/girls in the study area and in general Islamic communities is generally believed to be one of the key rights to be enjoyed by girls/women. In fact, no society surrounded by absolute ignorance could develop. Nevertheless, interviewees responded to this issue by expressing that women/girls of today in the study area enjoyed full access to both Islamic and western education. They were allowed to attend and participate in the Islamic schools. In fact, what was said by the key informants. In particular and of course, other respondents indicated that most of the pupils/students in the Islamic schools in the area are females compared to males. There is a remarkable progress in the area. Regarding the Western education, virtually, significant proportion of the female children were being enrolled in primary and secondary schools in the area. Although few of them attend the higher institutions of learning, we gathered that, high percentage of female populace acquired at least basic education in the study area.

The fundamental challenge raised by most of the respondents is that few parents in the area shun both Islamic and Western schools, they prefer to train their children in street hawking, a habit which adversely affected their upbringing and the general societal morality.

#### **4.4.4 Women Rights and Education and Economic Status of Women**

Interviewees were further asked to express their feelings regarding the impact which the prevailing women rights have on the educational and economic status of women in the study area.



What we generated from this task on the prevailing state of women rights and the status of women are summarized as follows

- i. Learning how to worship in accordance with Islamic teachings.
- ii. Understanding the rights and duties of wives, husbands and the people generally in the society.
- iii. Determining and separating culture with religion in the daily life.
- iv. Learning how to train children
- v. Facilitating cordial relations among family members.
- vi. Improvement in harmonious living, love, tolerance and support for one another.
- vii. Reduction in the rates of divorce, fornication and adultery and respect for one another.
- viii.Reduction of poverty and increase in economic capacity, self-reliance as well as increase in job opportunities.

#### **4.5 Test of Hypotheses**

Having presented, analyzed and interpreted the data generated, the test of the hypotheses that guided the study is carried out in this section and is done using Pearson Chi Square tool. These hypotheses and their verdicts are discussed below:

##### **4.5.1 Test of Hypothesis I**

The first hypothesis in this study states that:

H<sub>0</sub>: There is no significant relationship between the prevailing state of practice of women rights and the marital life of people in Katsina state.

The independent variable (x) in this hypothesis is “prevailing state of practice of women rights” while the dependent variable (Y) is the “marital life of people”. The level of significance for the study is 95% (0.05) and the degree of freedom (v) is sixteen (16).

However, the proxy for the independent variable is Compliance Level of the Prevailing Women Rights to Provisions of Islam while that of dependent variable is Extent to Which Prevailing Practice of Women Rights Facilitated and protected Women's Marital Rights.

The values of the independent and dependent variables in tables 4.28 and 4.29 respectively were cross-tabulated and hypothesis tested using Pearson Chi square. The result of the chi square test is presented in the table 4.30 below:

**Table 4.28: Responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	99	15.3	15.3	15.3
	High	249	38.4	38.4	53.6
	Undecided	95	14.6	14.6	68.3
	Low	163	25.1	25.1	93.4
	Very Low	43	6.6	6.6	100.0
	Total	649	100.0	100.0	

Source: Researcher's Survey, 2016

**Table 4.29 Responses on the Extent to Which Prevailing Practice of Women Rights Facilitated and protected Women’s Marital Rights**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	223	34.4	34.4	34.4
	High	176	27.1	27.1	61.5
	Undecided	19	2.9	2.9	64.4
	Low	146	22.5	22.5	86.9
	Very Low	85	13.1	13.1	100.0
	Total	649	100.0	100.0	

Source: Researcher’s Survey, 2016

**Table 4.30 Responses on Chi-Square Tests**

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1120.460(a)	16	.000
Likelihood Ratio	1128.592	16	.000
Linear-by-Linear Association	553.871	1	.000
N of Valid Cases	649		

a 4 cells (16.0%) have expected count less than 5. The minimum expected count is 1.26.

Source: Table 4.28 and Table 4.29

From the Chi-square output on the table above, our calculated  $\chi^2$  value is 1120.460 while the critical value at 16 degree of freedom and 0.05 level of significance is 26.296. The calculated  $\chi^2$  value is greater than the critical or table value. The decision rule guiding this is that, we reject null hypotheses ( $H_0$ ), if calculated value is greater than critical value and accept the alternate hypotheses ( $H_1$ ).

Hence, in this case, the null hypothesis ( $H_0$ ) which states that, “There is no significant relationship between the prevailing state of practice of women

rights and the marital life of people in Katsina state.” This means that there is a significant relationship between the prevailing state of practice of women rights and the marital life of people in Katsina state.

#### **4.5.2 Test of Hypothesis II**

The second hypothesis states that:

H<sub>0</sub> There is no significant relationship between the prevailing state of practice of women rights and the economic status of people in Katsina state.

Our independent variable here is “prevailing the state of practice of women rights” while the dependent variable is “economic status of people”. The proxy for the independent variables are the responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam while that of dependent variables are the responses on Extent to Which Prevailing Practice of Women Rights empowers Women economically.

The values of the independent and dependent variables in tables 4.31 and 4.32 respectively were cross-tabulated and hypothesis tested using Pearson Chi square. The result of the chi square test is presented in the table 4.33 below:

**Table 4.31 Responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	99	15.3	15.3	15.3
	High	249	38.4	38.4	53.6
	Undecided	95	14.6	14.6	68.3
	Low	163	25.1	25.1	93.4
	Very Low	43	6.6	6.6	100.0
	Total	649	100.0	100.0	

Source: Researcher's Survey, 2016

**Table 4.32 Responses on Extent to Which Prevailing Practice of Women Rights empowers Women Economically**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	63	9.7	9.7	9.7
	High	313	48.2	48.2	57.9
	Undecided	53	8.2	8.2	66.1
	Low	130	20.0	20.0	86.1
	Very Low	90	13.9	13.9	100.0
	Total	649	100.0	100.0	

Source: Researcher's Survey, 2016

**Table 4.33 Responses on Chi-Square Tests**

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1516.856(a)	16	.000
Likelihood Ratio	1280.088	16	.000
Linear-by-Linear Association	573.939	1	.000
N of Valid Cases	649		

a 2 cells (8.0%) have expected count less than 5. The minimum expected count is 3.51.

Source: Table 4.31 and Table 4.32

From the Chi-square output on the table above, our calculated  $\chi^2$  value is 1516.856 while the critical value at 16 degree of freedom and 0.05 level of significance is 26.296. The calculated  $\chi^2$  value is greater than the critical or table value. The decision rule guiding this is that, we reject null hypotheses ( $H_0$ ), if calculated value is greater than critical value and accept the alternate hypotheses ( $H_1$ )

Hence, in this case, the null hypothesis ( $H_0$ ) which states that, "There is no significant relationship between the prevailing state of practice of women rights and the economic status of people in Katsina state" is rejected. This means that there is a significant relationship between the prevailing state of practice of women rights and the economic status of people in Katsina state.

#### **4.5.3 Test of Hypothesis III**

The third hypothesis states that:

$H_0$  There is no significant relationship between the prevailing state of practice of women rights and the educational status of people in Katsina state.

Our independent variable here is "the prevailing state of practice of women rights" while the dependent variable is "educational status of people".. The proxy for the independent variable are the responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam while that of dependent

variable are the responses on Extent to Which Prevailing Practice of Women Rights Promotes Educational Development.

The values of the independent and dependent variables in tables 4.34 and 4.35 respectively were cross-tabulated and hypothesis tested using Pearson Chi square. The result of the chi square test is presented in the table 4.36 below:

**Table 4.34 Responses on Compliance Level of the Prevailing Women Rights to Provisions of Islam**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	99	15.3	15.3	15.3
	High	249	38.4	38.4	53.6
	Undecided	95	14.6	14.6	68.3
	Low	163	25.1	25.1	93.4
	Very Low	43	6.6	6.6	100.0
	Total	649	100.0	100.0	

Source: Researcher's Survey, 2016

**Table 4.35 Responses on Extent to Which Prevailing Practice of Women Rights Favours Educational Development**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	198	30.5	30.5	30.5
	High	170	26.2	26.2	56.7
	Undecided	56	8.6	8.6	65.3
	Low	159	24.5	24.5	89.8
	Very Low	66	10.2	10.2	100.0
	Total	649	100.0	100.0	

Source: Researcher's Survey, 2016

**Table 4.36 Responses on Chi-Square Tests**

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1509.199(a)	16	.000
Likelihood Ratio	1298.985	16	.000
Linear-by-Linear Association	575.811	1	.000
N of Valid Cases	649		

a 2 cells (8.0%) have expected count less than 5. The minimum expected count is 3.71.

Source: Table 4.34 and Table 4.35

From the Chi-square output on the table above, our calculated  $\chi^2$  value is 1509.199 while the critical value at 16 degree of freedom and 0.05 level of significance is 26.296. The calculated  $\chi^2$  value is greater than the critical or table value. The decision rule guiding this is that, we reject null hypotheses ( $H_0$ ), if calculated value is greater than critical value and accept the alternate hypotheses ( $H_1$ )

Hence, in this case, the null hypothesis ( $H_0$ ) which states that, "There is no significant relationship between the prevailing state of practice of women rights and the educational status of people in Katsina state" is rejected. This implies that there is a significant relationship between the prevailing state of practice of women rights and the educational status of people in Katsina state.

#### **4.6: Discussion on Major Findings**

Based on the data presented, analysed and the result thereof, the study made the following findings:



It was found that women in Katsina state have a stake in husband selection as they were often given chance to decide who becomes their marital partner.

It was also revealed that most husbands meet their family obligations in terms of feeding, clothing, shelter, sex and other needs including burial expenses of deceased wives.

It was also found that although to some extent, husbands with more than wife treat their wives with fairness and justice, there still existed cases of injustices and unfairness in the wives treatment by some husbands in Katsina state.

It was also revealed that there was high level of protection of privacy, dignity and honour of women by husbands/family in Katsina state.

Although women's needs were found to have been taken care of by the husbands, it was further revealed that such act of maintenance was very poor in relation to divorced-women before completion of their *Iddah* and they (women) rarely get custody of any child in Katsina state.

It was however revealed that husbands facilitated education of their wives and there was fair access to both Islamic and Western education by girls/women in Katsina state.

It was also found that women were given access to their dowries; receive their due shares from the inheritance wealth and to a greater extent

were allowed to make use of the resources generated through inheritance for their personal and economic pursuits in Katsina state.

It was further revealed that women in Katsina state were allowed to carry out income generation/economic activities.

It was however found that, there were satisfactory and appreciable levels of compliance of the prevailing practice of women rights with the provisions of Islam in Katsina state.

It was also found that the prevailing practice of women rights in Katsina state favoured economic empowerment, educational development and enhanced the protection of women marital rights.

The study has finally contributed to knowledge by empirically unravelling that Islam has emancipated women by vesting on them a lot of rights which contradicted the Western claim that women's right were encroached by Islamic tenets.

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSION AND RECOMMENDATION**

#### **5.1 Introduction**

This chapter of the study captures the summary of the study and the conclusion arrived at based on the study findings. It also contains recommendations offered by the study.

#### **5.2 Summary**

This study is basically an assessment of the practice of Islamic women rights and how such practice impacted on Muslims in Katsina state. The central question addressed by the study remains as: what has been the prevailing practice of Islamic women rights in this area and how does that impacted on people? The objectives of the study and hypotheses formulated revolved around issues of the prevailing practice of women rights and their relations to marital life, educational development and economic empowerment of women in the study area. The significance of the study is justified by the fact that it would cover a gap of knowledge that exists in respect of Islamic right of women and its impact on peoples' life in Katsina sate which previous researchers have not covered. It would also bring to light the educational and economic benefits of knowing the rights of women and how it will impact positively in the improvement of the status of women in the area of study.

In terms of scope, the research attempted to cover only Katsina state, one of the states with less mixture of Muslims with other faiths with over 90% of the

inhabitants being Muslims. However, among the 34 local governments in the area six were selected for the purpose of the study. These were Daura, Baure, Batsari, Katsina, Faskari and Funtua. In terms of substance, the research covered only issues revolving around marital and post-marital rights, economic rights and education rights. The period of study covered also 2006 to 2015, a ten year period that was considered adequate for examining the issue under investigation. In terms of literature, a critical review on the concept of human rights to women, Islamic perspective on women rights to marriage divorce, education and inheritance, and finally the historical development of Katsina state were critically reviewed with views from different scholars and authorities.

Methodologically, the research designs adopted were survey and historical research methods. For the purpose of this study however, data were generated from both primary and secondary sources. The primary data were gathered through the instruments of questionnaire and interview while the secondary data explored included: the Glorious Qur'an., several books on Fiqh and Sunnah, and other published materials, unpublished research materials, Websites and other related materials. The population of the study were three (3) derived from the six local governments selected (Daura, Baure, Batsari, Katsina, Faskari and Funtua). These were key informants (religious leaders and traditional rulers), women (married/widowed/divorced) and heads of households. In terms of sample, 200 units were selected from the key informants' sample with 50 units representing each local government. For the women sample, 360 individuals

were selected with 90 units representing each local government while for the heads of households, 180 were selected with 45 units representing each local government. Stratified random sampling and accidental sampling methods were applied and both the qualitative and the quantitative methods of data analysis were employed including descriptive statistics analysis using frequency tables and simple percentages in analysing and interpreting the data collected. Inferential statistical tool of analysis of Pearson Chi-square was used using SPSS computer package in testing the hypotheses.

The study found among others that women in Katsina state have a stake in husband selection; most husbands meet their family obligations; husbands facilitated education of their wives and there was fair access to both Islamic and Western education by girls/women; and that the prevailing practice of women rights favoured economic empowerment, educational development and enhanced the protection of women marital rights in the study area.

### **5.3 Conclusion**

The issue of Women's right remains a contemporary issue in virtually all societies around the globe. It receives high attention by array of scholars, researchers and institutions at national and international levels particularly in relation to the marital, economic and educational rights. The extent to which women genuinely observe their rights as stipulated by the Islam is a key determinant of harmonious and prosperous societal living.

However, it has been evidently established that the practice of women right in the Katsina state is such that portrayed clear freedom of women in deciding who to be their life partners. The research also showed full manifestation of meeting of family obligations in terms of feeding, clothing, shelter and other needs by husbands. In addition, facts have demonstrated that the prevailing practice of women rights in this area facilitated and enhanced protection of women; provided for their maintenance and empowerment; warranted participation in income generation activities and enhanced their educational development among others.

Therefore, it is concluded that continuous harmonious, prosperous, peaceful and progressive marital life and development in Katsina state would continue to be more positive and closer to Islamic teachings if the factors identified to have constituted marital women rights in the area are continuously enhanced and improved upon by the members of the society.

#### **5.4 Recommendations**

The following recommendations are offered based on the findings and conclusion of the study.

- i. Husbands should be encouraged by both the religious and traditional leaders to continue and consolidate their efforts of meeting their family obligations in respects of marital life such provisions of food, clothing, shelter and other basic needs.

- ii. There is need for advocacy and preaching, particularly by the Muslim scholars to all husband on the need to be fair and just in handling wives so as to have a harmonious life and avoid any family crisis that might come as result of poor justice and fairness in the family set up.
- iii. The habit of protecting privacy, dignity and honour of women by husbands/family should be maintained by all men and such practice should be encouraged by all stakeholders in order to have a more peaceful society.
- iv. Preaching, orientation and counselling should be consistently maintained particularly by the Muslim scholars on the need for men to accept that maintenance of women after divorce still remained the responsibility of husbands up to completion of Iddah.
- v. Government should also intervene more in the area of education, both Islamic and Western and make it compulsory on children and women as the case may be in order to maintain the accessibility to education. This would go a long way in improving the quality of marital life and harmonious living in the study area.
- vi. Since women are having access to their dowries(*sadaq*) and inheritance wealth, they should be constantly guided and assisted by men in deciding the economic undertaking they should engage in and how to make the best use of these resources for more profitable and

prosperous ventures. This would assist in enhancing and sustaining the economic development of the area.

- vii. There is also need for more encouragement of women to have at least one acceptable income generation activity that will support her and her family. This would assist in boosting the economy of the family and the entire area in general.



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## APPENDIX I

### **Questionnaire on the Assessment of the Practice of Islamic Women Rights and its Impact on Muslims in Katsina state for Traditional Rulers, Religious Leaders and Heads of Households**

Department of Education

Faculty of Education,

Ahmadu Bello University,

Zaria.

26<sup>th</sup> September, 2016.

Dear Respondent,

I am a Masters student in the Department of Education, Ahmadu Bello University, Zaria, undertaking a research on "**Assessment of the Practice of Islamic Women Rights and its Impact on Muslims in Katsina state**".

I will be grateful if you can fill the attached questionnaire form and I assure you that all information provided by you would be used purely for academic purpose and shall be treated with absolute confidentiality.

Thanks in anticipation of your cooperation.

Yours faithfully,

Signed.

Idris Babbanmutum SALE

## Section A

### Respondents Profile

1. **Gender of Respondent**

(a) Male [ ]

(b) Female [ ]

2. **Age of Respondent**

(a) Less than 21 years [ ]

(b) 21 – 30 years [ ]

(c) 31 – 40 years [ ]

(d) 41 – 50 years [ ]

(e) 51 – 60 years [ ]

(f) 61 years and above [ ]

3. **Level of Education**

(a) Postgraduate [ ]

(b) Degree/HND [ ]

(c) NCE/OND/AND [ ]

(d) WAEC/GCE/NECO/SSCE [ ]

(e) Primary Certificate [ ]

(f) No western Education [ ]

4. **Marital Status**

(a) Single [ ]

(b) Married [ ]

(c) Divorced [ ]

(d) Widowed [ ]

5. **Number of people in Household**

(a) 1 - 5 [ ]

(b) 6 -10 [ ]

(c) 11 -15 [ ]

(d) 16 - 20 [ ]

(e) Above 20 [ ]

6. **Occupation**

(a) Farming [ ]

(b) Trading [ ]

(c) Student [ ]

(d) Housewife [ ]

(e) Civil Service [ ]

(e) Others specify.....

**Section B**

**Practice of Women Rights and its Impact on people in Katsina state**

1. How would you rate your level of knowledge on what constitute women rights in Islam?

(a) Very High [ ]

(b) High [ ]

(c) Undecided [ ]



- (d) Low [ ]
- (e) Very Low [ ]
2. Do you agree that men are fully aware of the inherent weaknesses of women compared to men?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
3. Do you agree that women are given chance to make a choice of husband?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
4. Do you agree that men (husbands) fulfill their obligations on their wives in terms of feeding, shelter, accommodation, medication and sexual intercourse?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]

- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
5. Do you agree men with more than one or more wives treat their wives with fairness and justice?
- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
6. Do you agree that women privacy are protected by their by their husbands/family?
- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
7. Do you agree that the honour/dignity of women are well protected by their husbands/ family?
- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]

- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
8. In the event of death of married women, do you agree that the burial expenses are being taken care of by their husbands?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
9. Do you agree that women are given access to their dowry or in other words are not denied their dowry by their family?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
10. Do you agree that women received a continued maintenance by their husbands before completion of their *Iddah* after divorce?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]

- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
11. In the event of divorce, who usually keeps custody of the children?
- (a) The husband [ ]
- (b) The wife [ ]
- (c) Undecided [ ]
12. Do you agree that men provide and facilitate education for their wives?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
13. Do you agree that girls/women are given fair access to Islamic education by their parents/husbands?
- (a) Strongly Agreed [ ]
- (b) Agreed [ ]
- (c) Undecided [ ]
- (d) Disagreed [ ]
- (e) Strongly Disagreed [ ]
14. Do you agree that girls/women are allowed to access and acquire western education by their parents/husbands?

- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
15. Do you agree that women received their due share when it comes to issue of inheritance wealth distribution?
- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
16. Do you agree that women are allowed (given chance) to utilize what is given to them from the inheritance wealth distribution?
- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
17. Do you agree that women are given full access to economic (income generation) activities?

- (a) Strongly Agreed [    ]
- (b) Agreed [    ]
- (c) Undecided [    ]
- (d) Disagreed [    ]
- (e) Strongly Disagreed [    ]
18. How would you rate the level of compliance of the prevailing women rights with the provisions of Islam?
- (a) Very High [    ]
- (b) High [    ]
- (c) Undecided [    ]
- (d) Low [    ]
- (e) Very Low [    ]
19. How would you rate the extent to which the prevailing practice women rights empower women economically?
- (a) Very High [    ]
- (b) High [    ]
- (c) Undecided [    ]
- (d) Low [    ]
- (e) Very Low [    ]
20. How would you rate the extent to which the prevailing practice women rights favours educational development/advancement of women?

- (a) Very High [    ]
- (b) High [    ]
- (c) Undecided [    ]
- (d) Low [    ]
- (e) Very Low [    ]

21. How would you rate the extent to which the prevailing practice women rights facilitated and protected women marital rights?

- (a) Very High [    ]
- (b) High [    ]
- (c) Undecided [    ]
- (d) Low [    ]
- (e) Very Low [    ]

22. What challenges do you think serve affect the practice of women right in the study are ?-----  
 -----  
 -----

23. Suggest some possible solutions to the factors mentioned above:-----  
 -----  
 -----

## APPENDIX II

### **Interview Schedule on the Assessment of the Practice of Islamic Women Rights and its Impact on Muslims in Katsina state for Key Informants and Married Men**

#### **Section A**

##### **Personal Data**

1. Date of the interview-----
2. Place of Interview-----
3. Duration of the Interview-----
4. Gender of the Interviewee-----

#### **Section B**

##### **Practice of Women Rights and its Impact on Muslims in Katsina state**

1. Can you describe how the rights of women as provided by Islam are being practiced in respect of marital rights?
2. What is your view on the issue economic rights regarding women in your community?
3. What can you say about accessibility to education by girls/women in your community?
4. What can you say about the impact which the prevailing practice of women rights have on education and economic status of women in your community?



## APPENDIX III

### LIST OF INTERVIEWEES

S/NO	NAME	STATUS	ADDRESS	DATE
1.	Imam Umar Dayyabu	Chief Imam JIBWIS Mosque Baure	Baure Local Government	11/10/2016
2.	Alh. Habu Audu	Village Head, Husamawa	Baure Local Government	13/10/2016
3.	Khalifa Mal. Nazir	Chief Imam Baitul madina Mosque Daura	Daura Local government	16/10/2016
4.	Mall. Hassan Abubakar	A Muslim scholar at Batsari town,	Batsari local Government	17/10/2016
5.	Mal Nasir Muhammad R/godiya	Member, Faskari shariah court,	Faskari Local Government	18/10/2016
6.	Sheikh haris Isa Dikko	Chief Imam Modibbo Mosque, Katsina	Katsina Local Government	20/10/2016
7.	Mal. Usman Said	Imam Said college of Education Funtua	Funtua Local Government	21/10/2016
8.	Alh. Tukur Mu'azu	Ditricth Head of Batsari	Batsari local Government	17/10/2016