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Reproductive Health and Women Rights in the Light of Qur'an and Sunnah

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Abstract

This paper explores in the light of Quran and Sunnah the rights of women in regard to reproductive health and compares them with what this paper describes as patriarchal deformities of the same in many of the current Muslim societies. The study brings out the radicalizing effects of Islam on the gender relations of the pre-Islamic Arabia society where women were deprived of even the most fundamental rights like inheritance, body control, and marital consent. Both through the injunctions of Quran (e.g., 4:1, 4:7, 4:19) and through the Prophetic example of personages such as Khadijah and Aisha. Islam created a model of gender equity, with a focus on women and their rights to legal, financial and religious autonomy. But the application of cultural patriarchy and selective interpretations has blurred these principles of foundation thus resulting in systematic unequal reproductive right, such as limited healthcare opportunities and deprived of informed consent. The research uses Self-Congruity Theory (SCT) and *Maqasid al-Shariah* as the two theoretical perspectives through which these concerns can be examined. SCT examines the reproductive choices that Muslim women make in view of their spiritual identity whereas “*maqasid*” gives a foundation of rights dependent on justice “*adl*”, mercy “*rahma*”, and welfare “*maslahah*”. Findings indicate that the elaborate historical sources of classical Islamic jurisprudence have allowed the practice of contraception, “*azl*”, and conditional abortions, but such dispensations are common because they are not broadcast in the contemporary discourse. The study shows that there is an urgent necessity to reform the hermeneutics by making it inclusive and changing the policies aligned with the ethos of Islam in order to align the practices with it.

Keywords: Reproductive Rights, Women's Agency, Qur'an And Sunnah, Maqasid Al-Shariah, Self-Congruity Theory, Islamic Feminism, Patriarchy, Hermeneutical Reform, Bodily Autonomy, Gender Justice.

Introduction

The period of pre-Islamic Arabia referred to as the Jahiliyyah period was based on institutional gender injustice that made the female gender to be invisible both in legal, social and economic fronts. They did not get fundamental human rights like ownership of property and inheritance, and that they did not have control over their bodies. Women in most of these tribes were viewed as movable property and no one bothered to ask their opinion even in

marriage. The uniqueness of the phenomenon of “wa al-banat” (female infanticide) was explained by the fact that daughters were devaluated significantly due to the attitude of women as an addition to unnecessary and dishonorable (Al-Dabbagh, 2021). Furthermore, women's existence was confined to private domains; they were excluded from matters of public importance including decision-making and leadership. This exclusion was further buttressed with oral traditions and pre- Islamic poetry where women were often objectified or were altogether unmentioned in heroic discourses (Yasmin, 2021). The withholding of education and intellectual growth did not only disenfranchise women but also made them unable to influence the cultural and morality debate of their era. Patriarchy was not an exclusive condition in Arabia but widespread in Greco-Roman, Persian, and Hebrew where women were subordinated though customs like in the Arabian context where subordination of females was a practice that was enshrined in laws favoring honor and survival of the tribe's group in Arabian society. As Yasmin (2021) underlines, the pre-Islamic Arab women were systematically deafened in terms of both social expectations and legal acknowledgment, which made them non-agents both at the family and societal level. It was on this basis that the contrast that would later characterize the intervention of Islam as a moral and legal rectification emerged.

The introduction of Islam promised to be a ground-breaking shift in the way women were treated and viewed. The core of this transition was the Quranic statement on equality between men and women in the spiritual and existential sense: O humankind, fear your Lord who created you out of a single soul (Quran 4:1). This metaphysical statement became the precursor of a sequence of legal measures which in a way empowered women in manners unheard of, in the Arabian society. Women had now a right to inherit (Quran 4:7, 4:11), to hold independent financial property (Quran 4:32) and to have their consent heard in marriage (Quran 4:19). These were not just theoretical statements but legal prescriptions that transformed the socio-economic ground of the women. This is further depicted in the life of the Prophet Muhammad. He was married to mutually respectful and spiritually harmonious relationships like his wedding to one of the successful businesswomen known as Khadijah Bint e Khuwaylid who actually proposed to him and became his best-kept secret. Such women as “Aisha Bint e Abi Bakr” became great scholars and hadith transmitters, whose legal rulings were consulted both by men and women (Claudia & Dari, 2023). The Prophet also engaged women in politics and a military field by asking their opinion on multiple occasions such as during the Treaty of “Hudaybiyyah” and the Battle of “Uhud”, thus acknowledging their wisdom and agency (Rahim, 2023). Notably, elite women were not the only ones whose contributions were made to the religious sphere, ordinary women received access to religious education, mosque premises, and involvement in society. Not only was this degree of female participation tolerated but, argues Claudia and Dari (2023), it was actually encouraged in early Islam such that it became a radical tradition of inclusivity. The new developments represented a break in the tribal traditions of the past and a strong platform of gender equity based on godly justice (“adl”) and mercy (“rahmah”).

Despite the Qur'an's explicit affirmation of women's rights and the Prophetic model that reinforced egalitarian principles, many contemporary Muslim societies continue to struggle with institutionalized gender disparities. The contradictions do not always come about in the

texts per se, but rather in misunderstanding or misuse of Quranic verses and Hadith. Verse in Quran 4:34 that speak of qawwa'amun are often mistranslated as one sided authority over women, whereas the surrounding context makes it clear that this is a mutually dependent institution and a unilateral authority over the other gender. Symmetrically, the discourse on contraception, bodily autonomy and right to divorce, tends to be defined by patriarchal cultural biases, rather than legitimate jurisprudence. The flexibility that exists in places like Islamic schools of law like the allowance of contraception (azl) or abortion before ensoulment in some schools is often suppressed or not brought up in the public. This leads to serious consequences for women's reproductive rights, including restricted access to healthcare, lack of informed consent, and denial of legal recourse in matters of domestic abuse or marital breakdown. These consequences are against the maqasid al-shariah the objectives of the Islamic law that aim at reducing the harm, human well-being, and dignity. Hence, one of the vital issues of this work is to reveal the process of cultural perversions and patriarchal interpretations of the rights of women which preconditioned the loss of divine rights of women. This study seeks to change the current discourse of reproductive health in Islam to its original ethical imperative with references to the need of hermeneutical alteration based on textual integrity and contextual awareness.

Problem Statement

Gender-based injustice persists in most Muslim societies despite explicit Quranic requirements and Prophetic example of rights of women such as reproductive rights. Such differences are rather caused by the issue of cultural patriarchy and selective interpretations as opposed to the root Islamic texts. Isolation of women in the decision-making process of reproduction, deprivation of healthcare access, and distortion of legal verses have contributed to the decline of women autonomy and dignity, which is anti-maqasid al-shariah (goals of Islamic law). The paper aims at critically evaluating these problems and arguing that the religion should go back to the original ethical system of Islam.

Research Objectives

- To analyze Qur'anic and Sunnah-based principles regarding women's rights and reproductive health
- To explore how Islamic legal sources support bodily autonomy, informed consent, and reproductive agency
- To identify socio-cultural factors contributing to the misinterpretation of these rights
- To propose a hermeneutical framework rooted in justice and mercy for reforming gender discourse in Muslim societies

Research Questions

1. What rights related to reproductive health are granted to women in the Qur'an and Sunnah?
2. How did the Prophet Muhammad's practice affirm and institutionalize women's legal and bodily agency?

3. In what ways have contemporary interpretations diverged from the foundational Islamic principles on women's rights?
4. How can Islamic jurisprudence be reinterpreted to support women's reproductive autonomy in line with maqasid al-shariah?

Literature Review

The historical development of the position of women in the Arab world shows a sharp difference between pre-Islamic world and changes of Islam in the social and legal life. Before Islam, Arabian women were mostly left to the periphery of society where they had no right to inheritance, body, or right to a person (Al-Dabbagh, 2021). Such practices as wal al-banat (female infanticide) showed the great cultural contempt of female life where women were perceived as burdens that undermined familial reputation (Yasmin, 2021). In this regard, the arrival of Islam was the turning point. Quran came up with new reforms that were unprecedented and established the right of inheritance (Quran 4:7, 4:11), ownership of property (Quran 4:32) and right to consent in a marriage (Quran 4:19) by women. These legal guarantees reaffirmed women by defining them not as objects of male domination, but as moral and legal agents with independent agency. The recent works also stress that these reforms were not just ceremonial but having force of law representing an emancipatory agenda that questioned the well-established tribal practices (Ahmed, 2022; Alavi, 2023). The rupture was also supported by Islamic legal history: the female companions like Umm Salamah and Nusaybah bint Kaab took an active part in political and military decision-making, and this fact shows that Islam was adopted by people who understood and appreciated women agency (Rahim, 2023; Hidayatullah, 2022). In that way, the Quranic vision within its praxis of the Prophet Muhammad begun a comprehensive transformation of social roles, spiritual position, and legal rights of women that has been challenged by other deviations in history that undermined this claim.

On this fundamental shift, women also came out as jurists, business owners, teachers, and reporters of hadith during the early Islamic period and hence contributed to the making of religious knowledge. It is important to note that Aisha bint Abi Bakr was one of the wives of the Prophet, who eventually turned into a powerful source of authority when it comes to Islamic law (Clarke, 2021). Similarly, some of the figures such as Fatima al-Fihri founded schools that preconditioned formal Islamic studies (El-Hibri, 2022). All these instances point to the idea that the female scholarship was not an exception in the early Islamic ethos but rather an integral norm. New feminist exegeses criticise the view that women active parts were marginal or anecdotal. Instead, they reaffirm that the early Islamic history reflects a radical model of gender equity that the Muslim societies today have not been able to replicate based on institutionalization of patriarchal interpretations (Bano, 2021; Wadud, 2022). The relegation of women as regards religious power is therefore not that much of an Islamic orthodoxy as it has been more of a historical androcentric phenomenon. According to such scholars as Hidayatullah (2022) and Mir-Hosseini (2021), reclamation of female agency in Islamic legal epistemology is not the innovation of modernism but a means to revert to the more pluralistic and inclusive early Islam. This means that revisiting the history of early Islam as a participatory and dynamic paradigm of contemporary reform is the only way to

gain insight into this disjunction between the textual legacy of Islam and its practice in actual life.

Modern arguments about reproductive rights particularly contraception, abortion, and self-autonomy as a bodily sovereignty underscore the conflicting nature between the changing jurisprudence and a patriarchal system that is deepened in a rooted patriarchal system. Although the classical jurists did not only permit but even encourage the use of contraception, as well as abortion until 120 days, such exceptions that are found in some schools of thought are not always mentioned publicly, and such notions can be changed with more limited interpretations (Fadel, 2020; Ali, 2023). As an example, whereas ensoulment was considered at the age of 40 days in Maliki and Hanbali schools, other schools stretched it to 120 days, which gave more freedom regarding health risk and socioeconomic difficulty (Atshan & Ghannam, 2021). Nevertheless, more conservative positions have been codified in most of the modern legal systems in Muslim-majority nations, sometimes as a matter of politics or culture, as opposed to consensus in jurisprudence. The outcomes are refusal of reproductive care, the lack of informed consent, and penalizing politics, which impacts women disproportionately. According to feminist researchers, the Quranic method of justice (adl), compassion (rahmah), and collective well-being (maslahah) are the cornerstones of the ethical framework that encourages a wider interpretation of reproductive rights that take into account women autonomy and moral capacity (Abou-Bakr, 2021; Mir-Hosseini, 2021). The lack of congruency between these values found in the Quran and the explanations that exist is generally explained by the patriarchal lens of culture in which the scripture has been historically viewed. According to Barlas (2022), the suppression of the female voice in Islamic hermeneutics has facilitated the exclusive interpretation of the texts that favors the male authority to the divine ethics. Accordingly, modern attempts to restore the women reproductive rights into Islam are not secularization of religious law but are based on ethically consistent and textually accurate re-interpretation of the Quran and Sunnah.

Theoretical Framework

The work follows the Self-Congruity Theory (SCT) and Maqasid al-Shariah as two perspectives to use and redefine the reproductive rights of women in Islamic context. The theory of Self-Congruity was initially formulated in consumer psychology but it explains how people are attracted to become identified with a particular selection that fits their self-image and identity (Sirgy, 1986). The Islamic context attaches this theoretical perspective to the questions of how Muslim women come to understand their spiritual and legal identities concerning divine guidance. Where reproductive decisions like contraception, bodily autonomy or consent are compatible, according to the religious scripture, as well as with the self-concept of women as moral representatives in their own right, it will lead to a psychologically and ethically coherent connection between autonomy in the personal space and faith. Therefore, the SCT can be vital in revealing how the Islamic ethical aspects can assert women reproductive agency without contradiction. This disposition also enhances internal religious incentive (taqwa), where reproduction decisions are conscious decisions made by the women, not out of rebelliousness, but as a spiritually directed action that entails accountability in front of god.

This is supplemented by the framework of Maqasid al-Shariah, which is a classical Islamic jurisprudential instrument instrumental in highlighting the aims which are higher of the law: preservation of religion (din), life (nafs), intellect (aql), lineage (nasl), and property (mal): (Al-Ghazali, 12th century; Al-Shatibi, 14th century). In discourse of reproductive practice, maqasid provides values-based method of legal reasoning (ijtihad) that is neither literal nor strict in character. As an example, the maintenance of human life (nafs) may be justification to receiving maternal health care or safe abortion in medically necessary circumstances or contraception to provide wellbeing. In the same light, preservation of lineage (nasl) justify ethical parenting, marriage by consent, and family planning whereby the preservation of intellect ('aql) justifies the need of reproductive education and consent. Contemporary authors like Kamali (2021) and Auda (2020) consider that a maqasid-based jurisprudence re-centers the ethical end of Shariah human dignity, welfare, and justice as opposed to formal legalism. Maqasid is thus transformed into a potent normative instrument that approves not just the rights of women as Islamic-compatibles but rather as natural manifestations of the Islamic vision of juristic and ethical and moral discourse.

In combination, Self-Congruity Theory and Maqasid al-Shariah create a two-tiered theoretical framework of the proposed study that grounds the empirical research in each internal agency and external legal-moral systems. This mixed model deals with two dimensions that are critical;

- (1) What are the intra-communal processes of reproduction within the context of faith (self-congruity) between/among Muslim woman?
- (2) The structural support in the Islamic law of the operation of those identities and decisions by Islamic law as interpreted in its higher objectives.

This kind of framework also reacts to the existing patriarchal lies which skew the true meaning of Islam as limiting or silent on reproductive justice. The integration of classical jurisprudential procedural and psychological congruence frameworks takes the study to a hermeneutical approach that can bring harmony between the faith-based values and the rights discourse of the current context. It opens the door to a more participatory ijtihad that will use not only canonical texts but also the lived experience of women to transform Islamic law as a regulation to a moral empowerment. After all, this framework is aimed at renewing a Quranically-based, ethically ethical and socially responsive concept of reproductive health that affirms that in Islam, female rights over their bodies are not only permissible but is divinely guaranteed.

Findings and Discussion

The Qur'an presents a multidimensional framework for women's reproductive agency, rooted in spiritual equality, legal autonomy, and socio-economic empowerment. Key verses on inheritance (Qur'an 4:7, 4:11), marital consent (Qur'an 4:19), and bodily rights (Qur'an 17:31) affirm not only a woman's status as a legal person but also her moral agency in making decisions about her body and reproductive life. Within the Self-Congruity Theory (SCT) framework, these affirmations function as alignment points between a Muslim woman's self-perception as a believer and the divine expectations encoded in scripture. When

women perceive their reproductive decisions whether regarding marriage, childbirth, or contraception as congruent with their spiritual identity, they are empowered to act both conscientiously and autonomously. Scholars such as Al-Khateeb (2023) and El Fadl (2021) affirm that the Qur'anic vision is not one of silent obedience but active moral engagement, where women are encouraged to make informed choices within an ethical and divine framework. This interplay of scriptural authority and self-perceived piety provides a spiritually grounded rationale for reproductive rights, rejecting any reduction of female bodies to instruments of patriarchal reproduction.

The Sunnah of the Prophet Muhammad further reinforces this model of reproductive agency through his demonstrable commitment to consultation (*shura*), equity, and informed partnership. His reliance on women like Umm Salamah for strategic advice and his respectful, collaborative relationship with Khadijah and Aisha showcase an interpersonal ethic that foregrounds mutual consent, emotional intelligence, and intellectual engagement (Nadwi, 2020; Zaman, 2022). In reproductive matters, reports that the Prophet allowed *'azl* (coitus interruptus) with mutual agreement confirm the emphasis on shared sexual and reproductive decisions (Hassanein, 2023). These prophetic practices provide empirical support for the Qur'an's ethical framework and align directly with SCT's notion of identity congruence women acting in ways that reflect their values without contradiction to faith. Simultaneously, the Prophetic tradition embodies the maqasid al-shariah, particularly the preservation of life (*nafs*), intellect (*'aql*), and lineage (*nasl*), all of which are deeply intertwined with reproductive health. Thus, prophetic ethics not only validate women's decision-making but place it within the higher objectives of Islamic law, offering a cohesive model where faith, personal identity, and health autonomy reinforce rather than oppose each other.

However, despite this scriptural and prophetic foundation, dominant cultural and institutional interpretations have often distorted these rights, leading to harmful misapplications of key concepts. For instance, *qawwa'amun* in Qur'an 4:34 is frequently misused to endorse male dominance, even though it primarily refers to financial responsibility and moral stewardship (Rauf, 2021). Similarly, the permissibility of *'azl* and conditional abortion, once acknowledged by classical jurists, is increasingly framed as prohibited due to patriarchal interpretations that prioritize control over compassion (Karamat, 2022; Ebrahim, 2020). Here, SCT explains the dissonance Muslim women experience when their personal convictions clash with externally imposed norms. Such misalignments damage both spiritual wellbeing and social trust, reinforcing the need for religious spaces where women's self-congruent expressions of faith are recognized. The corrective lies in reactivating maqasid al-shariah as a normative guide. When legal rulings are assessed not only by precedent but by their ability to uphold justice (*'adl*) and prevent harm (*darar*), they move closer to the spirit of the law. This reorientation enables communities to view reproductive healthcare including family planning, maternal services, and even conditional abortion as *Islamically sanctioned* acts of mercy and justice, not transgressions.

It is therefore not a theological tension between the text and cultural practices, it is a sociopolitical one. Most of the restrictions that are placed on women relating to reproduction, locomotion and family life are culturally conditioned and not religiously required. According

to Al-Fassi (2023), patriarchal traditions have in most cases been used to apply the Islamic law onto the society to underpin the male dominance with suppression of interpretive plurality. In this vein, the maqasid integration offers a way of escaping undue legalism and bring back the ethical mission of Islam. Based on human good, this school of thought demands that laws should change with time and situation especially when lives of women and their humanity is concerned. The marginalization of the access to healthcare by women or omitting them the reproductive agency inherits both in the classical fiqh and the spirit of the Shariah. Shakir (2021) also points out that the problems such as domestic violence, marital rape, and a lack of consent should be discussed by deconstructing the cultural taboos that have taken over the theological discussion. The rediscovery of the maqasid and the discovery of the identity congruence of women with Islam introduces the possibility of reform both scripturally sound and social breakthrough.

In the end, the complementarity between Self-Congruity Theory and Maqasid al-Shariah supplies a strong theoretical framework of reinstating reproductive rights in the Islamic framework. Whereas SCT places the issue of reproductive choices in the sphere of self-spiritual alignment, maqasid provides the system of jurisprudence that supports those choices in the interest of the community good and divine justice. Combined, they give credence to the agency of women that is both an issue of personal religious belief and legal requirement. This merged model enables women not only to be the beneficiaries of the rights but also to be the co-interpreters of faith that can engage with the scripture with morality, historical consciousness, and inner integrity. By doing so, this framework sabotages the misleading dichotomy between piety and autonomy, showing that reproductive justice is not only reconcilable with Islam, but a very foundational part of its original moral imagination.

Conclusion and Recommendations

In the Quran and Sunnah, they present an uncompromising basis of encouraging protection and promotion of reproductive rights of women. In making the agreement of consent to marriage and rights of inheritance to holding the right to bodily autonomy and consultation with one another in intimate affairs, the Islamic text inscribed women as moral agents in their own right, not as dependent ones. These textual requirements are confirmed by the example of the Prophet Muhammad who lived, and it is clear that the model of gender justice is based on dignity, fairness, and empathy. This legacy has been diverted by misinterpretations of some verses which usually tend towards cultural patriarchy and not the faithful adherence to the doctrines, which has led to the development of sidelining the agency of women in reproductive choices in most Muslim communities. With an alignment of the current practices with the ethical ideal of Islam, there is a possible emergence of a more inclusive and justifiable legal framework of reproductive rights a legal framework that is based on divine mercy (rahmah), justice (adl), and public good (maslahah).

In order to attain such a vision, the ultimate scholarly, institutional and legal changes are required. Classical jurisprudence has to be revisited critically using elements of maqasid al-shariah and ijtihad so that rulings can be updated to suit the current realities without compromising the conventional Islamic ethical Muslim values. This will require not only a reengagement with textual sources but also the inclusion of women scholars, ethicists and

medical professionals in their interpretation and legislative processes. Institutional systems like fatwa councils, religious ministries, and judicial systems should be reorganized in order to allow gender diversity and the highlight of lived experiences of women in matters pertaining to reproduction and healthcare. Islamic legal Islam should be restructured to depict the pluralisms of Islamic jurisprudence and the acceptability of such practices as contraception and controlled abortion.

The focus of this transformative agenda is centered on education. Accurate and balanced messages on Islamic perception of gender, ethics and health need to be included into public awareness campaigns, madrasa curricula and university programs. The inclusive Ijtihad that involves both male and female scholars in all fields can be a vibrant process of addressing novel biomedical, legal, social issues particularly in reproductive justice. The enhancement of interpretive plurality and the encouragement of critical thinking that is grounded in tradition will contribute to the breaking of patriarchal monopolies on religious powers.

Lastly, the following policy recommendations will be made:

- (1) Integrating the Maqasids-driven ethical reviews into national reproductive health policies.
- (2) Setting up gender sensitive religious advisory boards.
- (3) Providing grants to women Islamic jurisprudence scholars.
- (4) The introduction of reproductive rights education in the community health and mosque setting.

These measures have the capacity to develop a comprehensive, religion-affirming system which would not only tolerate but defend the reproductive rights of women but advance them on the basis of the spirit of Islam.

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Verses Cited

Qur'an 4:1

Qur'an 4:7

Qur'an 4:11

Qur'an 4:19

Qur'an 4:32

Qur'an 4:34

Qur'an 17:31