

## **Analysis of Legal Rights of Women during Medieval Period**

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### **Abstract**

The position of women and the caste system in India of the past are related. In order to redefine the 'caste' one has to abuse the bodies of its women through marital relations and another Value social. As a result, when we find evidence of a growing body of power from the 11<sup>th</sup> century CE, we also find evidence of a gradual decline in the status of women in society. This point is well taken up by B.R Ambedkar, when he states in his article Castes in India (1916), "endogamy is the only character that is peculiar to caste". The practice of cremating a widow or a widower was common throughout India in the 11th century among the widows of emperors, nobles, and warriors. Other evidence such as Lekapaddhati - a collection of documents from Gujarat - also shows that women can be bought and sold as slaves, and that they are designed to do all kinds of work, including the worst and worst forms. They were also physically and sexually abused. On the other hand, women employed as professional dancers in royal courts and deva-dasi or temple courtesans appear to have been another major class of women.

**Keywords:** endogamy, conception, practices, independent, embroidery.

### **Introduction:**

Muslim women practiced *purdah* more rigidly than Hindu women. Sons were regarded lucky, while daughters were deemed unlucky. Our community had many widows due to early marriage.

Generally, Mughal women could not remarry. It was widespread among the wealthy. Divorce was uncommon among Hindus, but allowed for Muslim men and women. However, women had considerable power at home and some aided their husbands in their jobs. While women's status was poor throughout the Mughal Empire, there were many notable Hindu and Muslim women of note, like Rani Durgawati of Gondwana, Rani Karmawati, Mira Bai, Tarabai, and others. Nur Jahan, Mumtaz, Chand Bibi, Jahanara, Raushanara, Zeb-un-nisa, and others were prominent Muslim women during the Mughal era. Ancient conception of abortion and family planning.

**Islamic law:**

During the mediaeval period, women's rights were improved by giving them equal rights in marriage, divorce, and birth. It is now considered a nuptial gift held by the woman as part of her personal property. In Islamic law, marriage was seen as a contract, with the women's permission required. Until the contemporary period, married women's property, including land, was held in their own names and did not become the property of their husbands by marriage.

**Property Law:**

Studies on Muslim women's property rights, whether movable or immovable, typically begin with the Muslim law of inheritance, which is natural. In general, it is acknowledged that Islam allows women to inherit from male relatives, that Sharia (Muslim law) allows women to handle their own property, and that marriage does not impact men and women's independent property rights.. But other critics say women earn half of what a male member with an equal degree gets. This critique seems to focus on the norm that a daughter inherits a portion of the family property. Some authors paint a bleak image of Muslim women, as property of their father and brothers before marriage, and afterwards of their husbands. It has also been accepted that this condition of affairs might be at least partially ascribed to the impact of indigenous cultures of Muslim conquered countries beyond Hijaz. The incoming Muslims took with them their old rituals, beliefs, and customs. Social connections between conquerors and conquered sometimes lead to absorption of local and tribal practices without mass conversion. This explains the diversity of Muslim groups' social standards, religious rituals, and behavioral patterns. The Islamic inheritance rules and women's rights were also influenced by the conquered nations' customs, usages, and traditions.

### **Education Law:**

Despite religious orthodoxies, societal prejudice, and class/gender bias, Muslim women around the turn of the century emerged as self-aware people motivated to take a larger part in public affairs. All groups, including Muslims, embraced the issue of women's education. The issue was first mentioned in 1896 at the all-male Muslim Educational Congress, and Muslim women continued to advocate for women's education and political participation. In 1906, Sheikh Abdullah and Wahid Jahan Begum founded a ladies' school in Aligarh. It was formed in 1913 by the Begum of Bhopal and in Calcutta by the Purdahnashin Madarsa. Muslim women entered schools for the first time. 'At the Mohammedan co-educational institution in Madras, ladies were compelled to wear their *burqas* (veils), while at Aligarh male instructors sat behind a curtain,' recalls a researcher. The argument over Islam and women's rights dates back to its inception. Prophet Mohammed was born in Mecca in 570 CE, a time of diverse marriage, divorce, and matrilineal customs. When Islam initially established in seventh-century Arabia, it carried over concepts and customs from the previous Judeo-Christian culture. The veil, for example, pervaded nascent Muslim civilizations. This new Islamic regime reinforced women's servitude through matrilineal marriage regulations that endorsed female sexuality control. These laws overtly reinforced patriarchal control of women and female sexuality. Before physical isolation, the idea of female subordination to male authority, polygamy, and the unilateral (male) right to divorce.

### **Employment Law**

Women could enter into contracts, acquire and sell property, suit in court without a man's representation, engage in trade, endow trusts, etc., just like men. The Caliphate's work force was made up of men and women from many ethnic and religious origins. Women worked in the primary, secondary, and tertiary sectors (farmers, construction workers, dyers, spinners, etc). As investors, doctors, nurses, presidents of guilds, brokers, peddlers, lenders, scholars, etc. Muslim women also had a monopoly on various textile-related vocations including spinning, dyeing, and embroidery. Until the Industrial Revolution in the 18th and 19th centuries, female property rights and wage labor were rare in Europe.

### **Criminal law**

A female transgressor gets compensated half as much as a male transgressor. Adultery charges against women require four eyewitnesses, making prosecution difficult. Rape, on the other hand, is an assault accusation that does not require four eyewitnesses like adultery. However, numerous Muslim-majority nations have handled rape as adultery, requiring four eyewitnesses, causing worldwide controversy, less than half as valuable as a man's evidence. "Call in to testify from among your men two witnesses; but if there are not two men, then one man and two women of such as you approve as witnesses."

### **Divorce law**

A man can divorce his wife by saying "I divorce you," or "Talaq," three times in front of her. However, there is a three-month waiting period, and if the wife becomes pregnant during that time, her divorce will not be final until she has delivered. While women have always had the right to file for divorce under Islamic law, they must first establish their case in court, which might include cruelty, lack of provision, desertion, impotence, and other actionable causes. Women might divorce without any of those grounds by returning the mahr (dowry or bride-gift) provided to them by their husbands. If the husband files for divorce, the ex-wife is entitled to the rest or "delayed" share of that mahr.

### **Marriage law**

This is plainly stated in the Quran: "And if you're afraid of dealing fairly with the orphan females, marry two, three, or four. If you are afraid of becoming unjust, marry only one of your right hand's possessions. That you do not gravitate to wrong." According to the Standing Committee of Fatwa, the first wife's approval is not required before marrying another woman.

According to Ibn Qudamah (a Hanbali Muslim Scholar), "the father may give his minor, virgin daughter who has not reached the age of nine in marriage, and there is no difference of opinion concerning that, if he gives her in marriage to someone who is compatible.". That a parent may offer his minor daughter in marriage if he arranges for her to marry someone compatible, even if she refuses, said Ibn al-Mundhir.

"A previously married woman has greater right over herself than her guardian, and the permission of a virgin should be asked (regarding marriage), and her permission is her silence,"

the Prophet said "There should be no nikaah (marriage contract) except with a *wali* (guardian)," the Prophet declared. Muslim males can marry Jewish or Christian women, but not vice versa.

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