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## The Status of Women Under Islamic Law and Under Modern Islamic Legislation

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NASIR, JAMAL J., THE STATUS OF WOMEN UNDER ISLAMIC LAW AND UNDER MODERN ISLAMIC LEGISLATION (2nd ed.); Graham & Trotman, London and Boston (1994); (\$58.00); ISBN 1-85966-084-3; 159 pp. (hardcover).

*The Status of Women Under Islamic Law* is a comprehensive review of how women are treated in Islamic tradition. Status is an appropriate word to use in the title, as there is little manifestation in the work that Islamic women have rights at all. *Status of Women* furnishes the reader with an academic view of how women are treated under the existing Islamic laws. It is divided into seven chapters detailing an Islamic woman's relationship to a woman's traditional role in Islamic society: Marriage, Dower, Maintenance, Dissolution of Marriage, the Iddat, Parentage and Fosterage and Custody. There are a variety of differing sects in Islam, and the author attempts to distinguish the differing sects in each of these areas. This review examines only a couple of the concepts introduced by this work.

From the first chapter, one realizes that men and women in Islamic society are not treated as equals; rather women are persons whose status is derived from the men in her life. Those male figures include, but are not limited to, her father and her husband. An Islamic marriage follows the traditional contract theory of marriage: an offer, an acceptance, and consideration (dower). There must also be marital equality, and no impediments to the marriage. Most Islamic sects perceive marital equality to be through lineage, freedom from defects, religious piety, and property.

One of the most interesting aspects of the creation of a marriage is the concept of polygyny. Mention an Islamic marriage and it conjures scenes from old movies of a single man with his harem of women. Nasir addresses the controversy which polygyny poses today, and remarks that the modern trend favors restricted polygyny (marriage to only four wives) or monogyny. The marriage contract itself provides that this man may only marry this woman. The man must be able to provide adequately for all of his wives, and a woman can sue in certain sects of Islam under a breach of contract theory if he takes another wife. Whether case law exists in this area would have been a fascinating issue to address.

*Status of Women* also examines the payment of dower by the husband to the wife, and the dower rights to which a woman's family is entitled. The author states, contrary to Western belief, that a dower is not required by modern Islamic laws, and has no effect on the contract of marriage. The book does provide a thorough discussion of how a dower works, and the legal problems which this concept poses to Islamic jurists.

Paternity and the parent-child relationship in an Islamic family is one of the more engaging chapters in the book. The issues which are addressed in this area complement, but sometimes contradict Western ideas of the familial relationship. Examples that are illustrated in these chapters include adoption, paternity, and responsibilities of each parent toward a child. Adoption is not recognized in many sects of Islam, and in

some sects an adoption of a child not biologically of the parent is prohibited outright. *Status of Women* contains a lengthy discussion of illegitimate children, and the rights and obligations of the parties. And it extensively addresses the effects of marital impediments on a child's paternity.

In conjunction with this, the author examines the concepts of fosterage and custody of the children. For example, a mother only has custody of her child until the child reaches a certain age, usually 7 for boys and 9 for girls, when the child no longer needs a mother's guidance. The chapter discusses the effects of divorce on these concepts, and the ability of the father to play a role in their young child's life.

As a whole, the work provides a cursory view of Islamic laws. It furnishes the reader with an introduction to a woman's role in Islamic society, however without any real case history and very little modern interpretations of those roles. The Islamic woman appears to be the very object now that she was hundreds of years ago, with little personal power independent of the men in her life. *Status of Women* provides a thorough, but somewhat distressing overview of Islamic women in their role as little more than chattels under these laws.

*Ann Wei*

**THE OCEANS AND ENVIRONMENTAL SECURITY: SHARED U.S. AND RUSSIAN PERSPECTIVES;** Edited by James M. Broadus and Raphael V. Vartanov; Island Press; Washington, DC (1994); ISBN 1-55963-236-4; 328 pp. (pbk).

The distinction, and indeed, utility of *The Oceans and Environmental Security* lies largely in its source of origin. This book marks the culmination of research composed between scholars from the Institute for World Economy and International Relations of the Russian Academy of Sciences, headed by Vartanov, and the Marine Policy Center of Woods Hole Oceanographic Institution in the United States, directed by Broadus.

The United States and Russia continue to function as the world's foremost maritime presences. Furthermore, it is possible that the two nations possess more scientific assets pertaining to the understanding of ocean processes than all other nations combined, so viewing oceanic environmental threats from a shared Russian-American perspective is appropriate. This book provides perhaps an unprecedented informational vantage point from which the reader may examine the scholastic thought of two nations who jointly possess commanding potential to chart the post-Cold War course for future oceanic activities and policies, but who nonetheless presently pose vexing concerns to oceanic security.

The term "environmental security" is used to connote "the reasonable assurance of protection against threats to national well-being or the common interests of the international community associated with envi-