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HIS114

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Week 4: Primary source assignment

17.3: Legal Opinions (Khayr al-Din Ramli)

1. In what situations do women have control over their own lives, and when do men act as proxies for them? For example, what different types of divorces or annulments are there?

- One situation where women have control over their own lives is that the woman's father has the authority (according to the daughter's consent) to annul his daughter and husband's marriage if the husband is deemed unfit to take care of himself as well as the daughter. The judge will take the side of the woman as she has more authority in this case. As for divorces, if the husband is constantly engaging in violent actions with his wife and threatens to divorce her until the wife is able to file a thrice divorce. This is deemed impossible for the husband as the law forbids him from doing this and this allows the wife to kill the husband if the thrice divorce is in effect.

2. What is the relationship between women's legal rights and men's property rights? Which is more important?

- The relationship between women's legal rights and men's property rights is that woman is to be taken care of properly such as paying for her expenses as well as providing warm clothing for the winter. According to God's commands, the husband is to either maintain her well being or release her with kindness. In this case, the husband is doing neither so the marriage can be annulled so that the woman can be with someone who can actually take care of her. I believe that the woman's legal rights are more important than men's property rights because women are human too, they deserve as much materials needed for comfort and survival as men do. It is at the best of their interest to provide women with suitable men who are wealthy and kind enough to handle their worries.