



Woman in Development and Politics

Quranic foundations of maternal rights with a social approach based on clause 2 of Article 21 of the Constitution

Moslem Taheri Kal Koshvandi¹  | Atefeh Andarza² 

1. Corresponding Author, Assistant Professor, Department of Shia Studies, Faculty of Theology, Farabi Campus, University of Tehran, Qom, Iran. E-mail: muslimtaheri@ut.ac.ir
2. PhD Student, Department of Shia Studies, Faculty of Theology Farabi Campus, University of Tehran, Qom, Iran. E-mail: andarza.a313@ut.ac.ir

Article Info	ABSTRACT
<p>Article type: Research Article</p> <p>Article history: Received: 7 November 2023 Received in revised form: 8 April 2024 Accepted: 6 May 2024 Published online: 5 July 2024</p> <p>Keywords: <i>Judicial rights,</i> <i>Maternal social rights,</i> <i>Occupational rights,</i> <i>Quranic foundations.</i></p>	<p>Introduction Previous societies, according to historical research, did not assign women significant roles. Conversely, the advent of Islam resulted in the elevation of women to a prominent status and the granting of numerous rights to women, particularly mothers (Farzand Vahi 1393 Sh, 127-28). Cultural and structural advancements in the West have had a profound impact on the beliefs and actions of individuals throughout the last few centuries. With the proliferation of feminist movements in the Western hemisphere, these transformations began to influence Eastern nations as well, resulting in a deterioration of the intrinsic worth and social standing accorded to mothers and women.</p> <p>Achieving acquired values is contingent upon the fulfillment of the responsibilities and roles assigned to each gender, according to the Islamic worldview. Motherhood is one such role that corresponds with the true nature of women. Maternity encompasses a multitude of responsibilities aimed at safeguarding the welfare of offspring, such as facilitating childbirth and providing guidance throughout their diverse developmental phases. Mothers provide care, encouragement, interaction, instruction, and play for their offspring (Alasvand 1392 Sh, 2:121).</p> <p>The designation of motherhood encompasses two facets: the process of attaining motherhood itself, and the obligation to provide care and instruction for offspring. It is imperative, from a societal standpoint, to establish a nurturing atmosphere and offer assistance that addresses these facets of maternity. The rights of mothers are highly regarded in Islam, as indicated by several verses in the Quran that highlight this (e.g., al-Ahqaf, 15; Luqman, 14; al-Baqara, 233; al-Nisa', 33-34; al-Talaq, 6-7).</p> <p>In accordance with religious principles, the Islamic Republic of Iran's Constitution includes articles that support and emphasize the rights of mothers. Despite previous research on family and women's rights, the significance of the status of mothers, in light of the difficulties they face by virtue of their inherent characteristics and the regrettable disregard for their rights in certain instances, which contradicts our idealized religious society, has inspired me to investigate the Quranic foundation and evidence for the rights of mothers, as outlined in Clause 2, Article 21 of the Constitution of the Islamic Republic of Iran. This clause underscores the obligation of the government to protect the rights of women in accordance with Islamic principles, which includes assisting mothers in matters pertaining to child custody and pregnancy.</p> <p>Upon scrutinizing Clause 2 of Article 21 of the Constitution, it becomes evident that it is in accordance with the teachings of the Quran concerning the rights of mothers. The societal perspective on maternal rights acknowledges that the realization of these rights necessitates the combined endeavors of the entire community. Complementing the Constitution with Quranic principles enables societies to formulate all-encompassing approaches in their efforts to safeguard maternal rights. Policy measures such as maternity leave and accessible child care, advocacy for gender equality in employment prospects, and educational initiatives that emphasize parental competencies could be among these approaches. Furthermore, to provide additional support for maternal rights, measures such as alimony, child custody regulations, inheritance laws, occupational and judicial benefits, and mitigations can be implemented.</p> <p>Ensuring the safeguarding and maintenance of these rights for all women is imperative for the formation of an equitable and cohesive society. Furthermore, proactive measures ought to be taken to establish a connection between theoretical concepts and practical implementation by means of political interventions and awareness campaigns that seek to foster a setting that is favorable to the welfare of mothers. The aim of this study is to analyze the Quranic foundation for maternal rights, determine the societal and familial rights of mothers (within the family unit being the smallest social unit), and investigate the Quranic</p>

support for Clause 2 of Article 21 of the Constitution of the Islamic Republic of Iran, which addresses these rights specifically.

Methodology

This study utilizes a descriptive-analytic approach to investigate the social implications of the Quranic underpinnings of maternal rights, with a specific emphasis on Clause 2 of Article 21 of the Islamic Republic of Iran's Constitution. The research :

- a. Gathering relevant sources related to the topic;
- b. Studying and taking note of the main ideas presented in the sources;
- c. Analyzing the collected data and information;

By following these steps, the research aims to provide a comprehensive understanding of the Quranic basis for maternal rights and their social implications.

Results

The Quran, being the principal religious text for adherents of Islam, provides an all-encompassing structure for advocating maternal rights in accordance with Islamic principles. It offers counsel on a multitude of life matters, encompassing the rights and obligations that pertain to mothers.

It is indisputable that Islam affords women the liberty to participate in economic endeavors and gainful employment. As with males, women are explicitly permitted to work in the Quran. Conversely, employment rights and the rights of employed mothers during pregnancy and lactation frequently come into conflict. Given the pressures of the contemporary era, one could contend that safeguarding employed mothers during these periods constitutes an essential maternal privilege. According to one interpretation of the Quranic verse "Consort with them [i.e., women] in an honorable manner," it is permissible to grant employed women the requisite rights and benefits while pregnant or breastfeeding. Ensuring the diligent enforcement of these rights is of the utmost importance for the government in order to conduct women with dignity and respect.

Mothers possess judicial rights in addition to social rights. According to Article 142 of the Charter of Women's Rights and Responsibilities in the Islamic Republic of Iran, women who commit offenses while pregnant, breastfeeding, or ill are eligible for a reduction in sentence or amnesty in exchange for expressing remorse. Although the Quran does furnish overarching principles and directives for judicial decisions, it does not comprise any explicit legal provisions. As a result, we base our legal decisions on principles recognized by Shiite jurists and derived from religious texts, the traditions of the Prophet's Household, and the consensus of rational agents.

Conclusion

Clause 2 of Article 21 of the Constitution is consistent with Quranic principles concerning maternal rights, according to an analysis of the provision. The societal perspective on maternal rights acknowledges that the realization of these rights necessitates the combined endeavors of the entire community. The statement recognizes the significance of governmental efforts in devising policies and agendas that provide assistance to mothers, guaranteeing their access to familial, occupational, and legal rights so that they may fulfill their responsibilities with efficacy. Complementing the Constitution with Quranic principles enables societies to formulate all-encompassing approaches in their efforts to safeguard maternal rights. Policies such as maternity leave, affordable child care services, the promotion of gender equality in employment opportunities, and the provision of educational programs for childrearing skills may be among these strategies.

Given the teachings of the Quran, it is critical that the legislative body accord maternal rights due regard and support. This support ought to surpass the solitary implementation of legislation and encompass efficacious enforcement mechanisms as well. When a woman perceives a lack of protection for her rights, unfulfilled needs, and compromised security, she may find it difficult to carry out her obligations.

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