

A Critical Study on the Status of Muslim Women in India

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Abstract - Unfortunately, recent events have painted a bleak picture for Muslim women in India. Muslim women are being singled out as 'easy targets' due to the increase of militant Hindu extremism. The present problem of hate apps being created by young and educated people propagating hatred and damaging the image of Muslim women reflects the bleak truth of their condition in India. Muslim Islamic dogma has further compounded their suffering by denying them basic human rights. They are victims of what Kimberle Crenshaw has termed "inter-sectionality" since they are discriminated against for being both Muslim and female.

Women's status is often seen to be a reflection of their relative access to and control over the family's and community's financial and social capital, such as food, money, property, and other forms of wealth. From the perspective of a Muslim woman, all of these variables seem blurry because of the many obstacles in the way. Comparing the status of Muslim women in India to that of Muslim women in Turkey, Iran, Saudi Arabia, and Afghanistan, this dissertation seeks to give a critical and theoretical examination of the role of women in Islam as espoused by the Quran and Hadith. It investigates the constitutionality of Personal law and the socioeconomic status of Muslim women in India. The article draws the conclusion that Muslim women, as a minority within a minority, are nonetheless compelled to lead a reclusive and subservient lifestyle. Muslim women are among the most economically impoverished, politically marginalized, and educationally excluded demographic in the nation, as detailed in the Sachar Committee Report. Despite the fact that the Supreme Court of India has ruled that secular law applies to Muslims in the case of Shah Bano, personal law continues to flout constitutional guarantees of nondiscrimination and equal treatment. The state and Islamic fundamentalists must come to their senses and work together to ensure that the many programs and regulations designed to empower Muslim women are really put into practice.

Keywords - Muslim Personal Law, Muslim Women, Uniform Civil Code, Minorities' rights, Muslim Women Empowerment.

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INTRODUCTION

The Quran and the traditions (Hadith) of Muhammad provide the pattern for a Muslim's behavior throughout his life, and together they form the basis of Islamic law. There are several schools and sub-schools that have developed due to the wide variety of ways in which these teachings and traditions have been interpreted. A close examination of the languages, habits, customs, regulations, and attitudes practiced by India's Muslim population reveals a rich tapestry of variation. While certain aspects of Muslim law have been codified, the vast

majority are still obeyed in their original, unrefined form. In Indian culture, Muslims play a significant role. They make up the bulk of the country's minorities. Muslims made up 13.4% of India's overall population in the 2011 census, the vast majority of whom lived in the states of Lakshadweep and Jammu & Kashmir. The emancipation of women is a topic of the moment in emerging nations like India. It is widely believed that the 'Invisible' function and 'Marginal' social status of women in the dynamics of Muslim society has contributed to the setback in the development of Muslim society. Women's empowerment percentages are especially precarious

among the biggest Muslim minority. The severe problem of Muslim women's lack of social prospects requires immediate action. It goes without saying that the globe has been hit by a wave of division and tensions, and that those who endorse communal ideas and divisive policies have been riding these waves to victory. The same holds true for India. Muslim women are a particularly visible subset of our community right now because they are facing the burden of the stresses that have weakened our society.

Muslim personal law sets separate legal and social requirements for men and women in several spheres of interaction. Muslim law does give women some say in marital decisions, which is a positive aspect. Since marriage is a legal contract, the bride has the right to negotiate the terms of the union and has final say over any decisions that affect her. She is eligible for dower or mahr. Polygamy and certain divorce laws, however, void any such guarantees. A Muslim man may have up to four wives. Some schools hold that a man's fifth marriage is not invalid but is only irregular and may be made legal with the proper paperwork. In actuality, a *kitabiyah* (a non-Muslim whose religion is founded on a book) man may marry a Muslim female, but the reverse is not true.

When it comes to filing for divorce, most of the decision-making authority rests with the spouse. The husband does not need a good reason to divorce his wife. A woman, on the other hand, must provide adequate reasons for filing for divorce. Furthermore, unlike men, women must observe the 'iddah' period during which they are forbidden to remarry immediately after a divorce.

If a woman wishes to remarry her ex-husband, she must first marry someone else, have sexual relations with them, and then divorce him, according to the No-Fault Divorce method. However, the guy is not subject to the same condition. In the event of an inheritance, the male partner would get twice as much as the female partner. In the event of the husband's death without issue, the wife would inherit one-fourth of his estate, whereas in the event of the couple's having children, she would get one-eighth.

When we consider women's rights through the lens of Muslim personal law, we arrive at a result that splits in two different directions. Sharia law can be read in two ways: the literal interpretation, which recognizes women as a separate legal entity with the same rights as men, and the orthodox and parochial interpretation, which is supported by the Taliban in Afghanistan at the present time and which forbids

women to receive an education or hold a paid job and requires them to wear the burqa at all times in public. In India, we may identify a medium ground that, when combined with the constitutional and statutory provisions, equitably advances the cause of Muslim women's equality. However, not every aspect of one's life can be governed by the law, and Muslim women do still face discrimination in certain settings. There is never a dull day when it comes to reports of abuse against Muslim women. The United Nations human rights commissioner, Zeid Ra'ad al-Husseini, has spoken out over the killing of an Iraqi lawyer who was advocating for women's rights in the country. Similarly, young British Muslim women who were victims of Islamic State's refusal to acknowledge their proper role within community spoke out against the group. Triple talaq and polygamy are practices that have become all too common among Muslims, despite the obvious negative consequences. It would be unfair to blame the Partition era for the systematic oppression of Muslim women. It has its origins in the distortion of Islam's founding texts and in the medieval Muslim government. Islam promotes diversity and group rights, which is in contradiction to the constitutions of contemporary democratic governments, which promote individual freedom and equality. The preservation of Muslim women's rights has been thrown into doubt by a number of circumstances, including religious oppression, Hindu right-wing chauvinism, and the political demands of both faiths (Hindu and Muslim). Contributing factors to the predicament of Muslim women include the denial of equal citizenship, the mischaracterization of Indian Muslims as anti-Indian or terrorists, the regulation of roles and behaviors by Sharia, the ineffectiveness of a standard civil code, and the preference for personal law over secular law.

In 2013, Egypt was ranked as the worst countries for advancing women's rights in a poll performed by the Thomas Reuter's foundation. With the exception of a select few nations, such as Jordan, Oman, Qatar, Turkey, Kuwait, etc. The living circumstances for Muslim women are appalling. This topic has been discussed in depth in the essay's third section. In addition to Egypt, it highlights the experiences of Muslim women in Afghanistan, Lebanon, and India. It is unfair for Muslims to have a monogamous wife when men may legally marry up to four different women. Dower, maintenance, divorce, and inheritance conflicts are all discussed in the article. Nothing is more important than national pride, thus it makes no sense to risk divisiveness in the sake of personal rights.

STATUS OF WOMEN IN ISLAM

Status of Women in Quran

Quran 4:34: Because "Allah hath made the one of them to excel the other," and because "men are in charge of women," the verse continues, "and because they spend of their property (for the support of women), so good women are the obedient, guarding in secret what Allah hath guarded," or something to that effect. If we only look at just one passage, we see that women are represented as submissive animals. They are seen as helpless since males hold all the reins of power. They are being portrayed as feeble. But it appears to go against what the Quran says in verse 74:32, which says, "Every soul will be (held) in pledge for its deeds."177 74:38

Prior to Prophet Muhammad's reforming efforts, the social climate in Arabia was anarchic and chaotic. A prophet's role in spreading the Word of God is sometimes compared to that of a beacon in the night. Men and women are created in the image of God, as stated in the Quran (74:38). However, there are major problems with a uniform interpretation of this passage in the Quran. The holy books say, "I must make eve bleed once a month, just as she bled this tree. Even though I made Eve smart, I have to make her dumb. In addition, it is strictly forbidden for women to worship in mosques. The devil approaches a woman subtly because she is the closest to God's face. Therefore, it is recommended that she not leave the home. The spiritual implications and societal view of women derived from Quranic passages are in conflict with one another. But if we take it at its holy word, we see that God created no distinctions between people.

Status of Women under Hadith

Hadith is the term used to describe accounts of the life of the Prophet Muhammad. However, there are a great many "Hadith" that aren't founded on the actual words and deeds of the Prophet. Few passages, however, highlight the prophet's words and actions toward women. The chapter al-nisa of the Quran addresses the place of women in Islamic culture. There is frequently a discrepancy in the evaluation of women's status. Hadith, however, makes it quite clear that women are second-class citizens. "Men are leaders for women," Al-nisa (4) says. "God has made some of them (men) excel other (women), and because they (men) spend from their own means."

Hawa (Eve) was supposedly fashioned from one of Adam's ribs, according to a hadith delivered by Abu

Al-shaykh and Abd-in humaid. Therefore, she has been depicted as being dependent on males.

COMPARATIVE ANALYSIS OF MUSLIM WOMEN'S STATUS WITH OTHER COUNTRIES

Egypt

Almost all nations in the Middle East, including the North African country of Egypt, have accepted strong international conventions like CEDAW, 1979. Contradiction persists, however, since Article 2 of Egypt's new constitution establishes Sharia as the country's primary legal code. Some Muslim nations raised concerns that implementing it would run counter to Sharia law. The effect was that Article 11 of the Egyptian constitution, which guaranteed women's freedom and equality, became meaningless. The fact that Egypt ranked worst in a study by the Thomas Reuter's Foundation on gender equality, female genital mutilation, domestic violence, sexual harassment, etc., shows that prejudice against women persists in the country. There is not a huge disparity in the status of Muslim women in India. Limiting women's rights based on a selective application of religious law is unacceptable. The constitution of Egypt forbids any foreign legislation that is incompatible with Sharia from interfering with Egyptian law.

Personal laws in India are seen as a separate system. It's a mistake to blame Allah for discrimination against women, but rather the patriarchal interpretation of Muslim law. Purdah was observed by ancient Egyptian women; they were forbidden from interacting with males outside of their immediate family. They were urged to have sons. Puberty-related school dropout rates have grown in recent decades as the "Purdah" system has become more rigorous. In 1956, Gamal Abdel Nasser introduced electoral changes that gave Egyptian women the right to vote and ensured their equal participation in government. The 1979 initiative to increase the number of female lawmakers was a watershed moment. Mubarak's downfall and the Arab Spring were believed to be propelled by widespread support for women's rights.

The legal marriage age in Egypt is 14, the age of puberty. In Egypt, only a Muslim has the authority to grant a divorce outside of the court system. Only via the judicial process (Faskh) are women able to divorce, and this might take anywhere from eight to ten years. The issue of triple talaq (irrevocable divorce) is very contentious in India. The right to

maintenance for Muslim women is temporarily revoked. A husband's sole responsibility under Sharia law is to pay the postponed portion of dower and maintenance (Nafaqa) while the Iddat is in effect. It goes against Section 125 of Criminal Procedure Code, 1973, which mandates continued support payments for low-income women even after divorce. Both in India and Egypt, the authoritarian and patriarchal interpretation of Sharia that uses fear to get women to follow Allah's law has to be eliminated.

Lebanon

In each Lebanese Muslim household, the father is the most important member of the family. Despite the fact that Lebanon is often regarded as the most literal of the Middle Eastern Muslim nations, women's roles in rural areas remain limited to those inside the home and the care of children. Once a French colony, Lebanon gained its independence in 1943. There is still a strong tradition of hereditary political posts. Women's groups and NGOs have taken up the problem of increasing women's political participation in response to the low numbers of women in elected office. The political power of women has grown in recent years, allowing them a greater say in national policymaking. Since India developed as a British colony, its political structure and socioeconomic circumstances are unique to the country. Lots of work is being done to ensure that women have the same opportunities as men to serve in parliament.

Muslim women in Lebanon have a status somewhat dissimilar to that of Indian women. In Lebanon, marriage is treated as a legal contract. Important Nikaah (in Lebanon) regulations -

- (a) If the wife's inability to have sexual relations with her husband for a year is the result of his wrongdoing, she is entitled to spousal support.
- (b) If a woman or man is judged to be mentally ill, the marriage might be ended.
- (c) The husband, his legal agent, or a judge may legally end the marriage by pronouncing a divorce.
- (d) A Muslim Lebanese girl who is a virgin cannot be married without her parents' permission.
- (e) A Muslim girl must marry inside the faith.

The rising number of cases of domestic abuse and family cruelty have also been seen as a call to action for women's rights activists in Lebanon.

Afghanistan

Most Muslim nations are controlled by a patriarchal system that makes progress toward gender equality difficult to achieve. One of the countries where Muslim women are treated the worst is Afghanistan. The birth of a female child is commonly blamed as the reason for a second marriage in Afghanistan, much as it is in certain orthodox and religious groups in India. Girls are often wed between the ages of 13 and 16, and even as early as 10 and 12. They have no say in who they marry; that decision rests solely with their parents or legal guardians. The right to divorce rests solely with the husband. Where women are not afforded the same respect and opportunities as males is in areas such as child custody, polygamy, etc. The right of girls to get free and equal access to primary school is being disregarded.

Here are a few key details that explain women's rights under Afghan law:

- (a) An Afghan guy may have many wives.
- (b) It is forbidden for women to marry a non-Muslim man, whereas the opposite is true for males.
- (c) Pre-marital sex is prohibited.
- (d) Divorce is only possible for women if their husbands sign off on it and they have witnesses to back it up in court.
- (e) It's typical practice for Afghan households to pay a dowry for their daughter's marriage.

During Karzai's rule, women's status in Afghanistan improved. One estimate from Amnesty International states that under the reign of the Taliban, 80% of marriages in Afghanistan were arranged by force. The economic and social situations of India and Afghanistan couldn't be more different. Women in Afghanistan were not granted access to the country's official education system until 1919. Muslim women in both India and Afghanistan are treated poorly, despite each country's unique characteristics.

LEGAL SAFEGUARDS FOR MUSLIM WOMEN

One of the first instances of actual judicial action in Muslim personal law concerns was in the 1985 case of Mohd. Ahmed Khan vs. Shah Bano Begum. The issue at hand was whether or not dower/Mehr qualified as an exemption to maintenance under Section 127(3) of the Criminal Procedure Code of 1973. In its deliberations, the honorable court dug further into Islamic principles and the teachings of the Quran, ultimately concluding that a man's

obligation to provide for his wife does not stop after the iddah is over.

Muslim women have the right to seek maintenance under Section 125 of the Cr.P.C.1973 since it has been deemed a secular law. It was decided that mehr is a gift given to the woman at the moment of marriage or at a predetermined period as a token of respect, but that it does not relieve the husband of his obligation to provide for his wife financially. As a result, a Muslim woman's entitlement to alimony after a divorce from her husband was upheld in this instance..

Considering how delicate the topic of interfering with personal laws is, it's not surprising that this subject has been politicized in the wake of the verdict. Protests occurred all around the nation as Muslims felt their privacy had been invaded. The Muslim Women (Protection of Rights on Divorce) Act of 1986 was passed to quell the growing dissatisfaction. The Act required the spouse to give "a sensible and reasonable maintenance and support" during the iddah. After the iddah time ends, the wife's family or relatives are responsible for her support. If they couldn't afford to keep her up, the Waqf Board would have to step in.

Unless the husband and wife jointly or separately apply to have their maintenance case regulated by Section 125 of the Criminal Procedure Code of 1973, the Act provides that the Act applies to a Muslim woman's maintenance case. Despite initial assumptions that the Act only compelled husbands to provide for their wives during the iddah time, the courts have made clear that this is not the case; rather, husbands must provide for their wives throughout the iddah period and afterwards, up to the point at which the woman remarries.

Another aspect of Muslim personal law that degraded women was called "triple talaq," which allowed a husband to divorce his wife by only saying "talaq" three times in one sitting without her agreement, and in any medium (verbal, written, or electronic). This was a cruel custom since it allowed husbands to unilaterally end a marriage for any reason, leaving their wives vulnerable. It made things much worse for them economically and socially, increasing their susceptibility.

The honorable court that came to their aid found this practice to be unlawful in the case of Shayara Bano v. Union of India. It was noted that many schools of Muslim law do not accept the triple talaq or talaq-e-biddat as a lawful form, and that many Muslim nations do not implement it either. Triple talaq was deemed

unlawful since it was determined to be unnecessary within Muslim law and to be at odds with the basic rights guaranteed by the Constitution of India. Therefore, at the present time, no Muslim husband may use the talaq-e-biddat on his wife. In reality, pronouncing triple talaq is now a punishable crime according to The Muslim Women (Protection of Right on Marriage) 2019. Muslim women's rights were once again vindicated in this instance.

In addition, as citizens of India, Muslim women have access to all of the other rights guaranteed to them in Part III of the Constitution, including the right to equality, freedoms, the prohibition of discrimination, the right to life and personal liberty, etc. There has been some discussion of changing the country's legal system by adopting a universal civil code that would eliminate gender discrimination in favor of males and provide legal parity for women.

The introduction of a unified civil code would do away with these inequalities and ensure everyone's rights were protected equally. However, in a country like India, where so many different religions are represented, discussions about religion may quickly become contentious. The reluctance to adopt UCC is understandable in light of this. However, our court has been highly progressive and has taken the initiative to secure equal rights for women wherever they have been denied. Our legislators have also contributed to this cause.

MUSLIM WOMEN IN INDIA

Muslim Personal Law: Black Letter Law

(a) Dower, Divorce and Maintenance -

Muslim marriage is a civil contract and dower acts as a consideration in it. It is actually more than that; it is "a symbol of respect towards wife".

Whether in the form of money or other assets, "Mahr or dower is a sum of money or other property which the wife is entitled to receive from the husband in consideration of the marriage." It's expected of husbands as a sign of love and devotion to their wives. The goal of dower is to ensure that a former wife does not end up destitute following a divorce.

The court in Abdul Kadir v. Salima addressed the husband's obligation to pay dower and the definition of dower. It was decided that the dower is the bride's "price" for living with the groom, and that the groom

does not "earn" the right to live with the bride until he pays the dowry.

There are two types of mahr: mahr-i-musamma (defined dowry) and mahr-i-nil (customary dowry). Specified dowry is further subdivided into Ma'ajjal, or immediate dowry, and Mu' wajjal, or postponed dowry. Specified dowry refers to a situation in which the amount of dowry was determined either before or after the marriage by a contract. Prompt dowry is due as soon as the woman requests it, whether or not the marriage has been consummated. Deferred dowry refers to mahr that is payable upon divorce or marriage. When the amount of dowry is not set in stone, it is done well.

The problem, though, is that it's not clear why women need to be singled out in the interest of financial stability. The tradition of giving Mahr to the bride at the moment of marriage is a sign of the low social status of Muslim women. Mahr was formerly paid to the groom's family as a bride price, but nowadays it goes directly to the bride. The goal is to ensure that women continue to rely on males, thereby solidifying the patriarchy of men.

Since a Muslim bride is always vulnerable to the threat of Talaq, the practice of Mahr has maintained its significance. It's possible to issue a judicial or extrajudicial talaq. According to the teachings of Mohammad, talaq-i-sunnat is legal. There are two further categories: Talaq i ahasan (the most permissible form) and Talaq i ahasan (the least permissible form). In addition to talaq ul-biddat, a husband also has the option of enforcing a divorce via ila and zihar.

In Islamic law, the practice of talaq - ul - biddat is considered very forbidden and wicked. A husband's unilateral and final divorce is unlawful. It goes against what Article 14 is supposed to accomplish. Important legal precedents supporting the aforementioned problem also cannot be disregarded. Personal law has been stymied by the indecision of legislators and the hostility of Muslim radicals. The practice of triple Talaq has been deemed illegal in several Muslim-majority nations. For the sake of Muslim women's rights, it is crucial that the constitutionality of triple talaq in India be established. The unjust law of talaq ul-biddat prevents divorced women from improving their lives with the little maintenance payment they get.

(b) Muta Marriage -

Marriage in Islam is a sacred union that incorporates more than just a legal agreement. In the Quran, "Nikaah" is defined as a societal need for the sake of procreation and the continuation of the human race. Arab tradition dates back to the time of Muta. Its definition is: "Enjoyment, pleasure and delight."

The intention of this marriage is symbolized by the fact that it is just temporary.

Muta's primary components are:

- (a) Spouses do not have equal rights to an inheritance.
- (b) Maintenance is not provided upon divorce.
- (c) Dowry is provided to wife.
- (d) Marriage can be extended with the consensus of both parties.

Legalized prostitution is a common perception of muta. This cultural norm has harmed many people, including naive women, children, orphans, and illegitimate offspring. It's being seen less as a place of learning and more as a way to sexually exploit women. The holy connection of marriage is not something that can be substituted for the sake of inheritance. Rather of continuing Muta, which prioritizes enjoyment by relieving individuals of their obligations in a relationship, people in modern, civilized societies are required to prioritize the wellbeing of both men and women.

(c) Polygamy -

Verse 3 of Sura 4 of Quran (about polygamy) -

"If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two or three or four, but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess, that will be more suitable, to prevent you from doing injustice. Many women, it is reported, were widowed and poor as a result of the Battle of Uhud. Prophet allowed for polygamy for the sake of these ladies. As things are, constitutional norms and natural justice concepts do not mesh well with polygamy. Having just Sharia as justification for maintaining polygamy is inadequate. Most contemporary Muslim countries, like Azerbaijan, Tunisia, Turkey, etc., have not acknowledged it. Polygamy is a patriarchal institution that treats women as property rather than as equals. Giving up this practice will be beneficial for Muslim women's rights.

SOCIO-ECONOMIC PROFILE OF MUSLIM WOMEN IN INDIA

Legal protections for women in Islam have not led to an improvement in their position. The colonial period is when this issue first began to take root. Although Hindus benefited much from British education and other aspects of modernisation, Muslims were slow to catch up. They refused to let go of their customs and values, seeing any new ideas as an assault on who they were as a people. Therefore, they stuck to their old values, which led to their social and economic decline. According to the Sachar Committee Report from 2005, Muslims' lack of progress in the social and economic spheres is a major factor in the subjugation of Muslim women. Social problems such as poverty, poor incomes, low literacy rate, and insufficient work opportunities have held them back. According to the research published under the title *The changing half: A study of Indian Muslims*, the prospects for women to adopt new values and conform to the changing milieu are hampered not just by religious factors but also by other structural and institutional paradigms like customs, traditions, moral systems, patriarchy, the misunderstanding of Islamic principles, a lack of self-initiative or inspiration, and a lack of support from male members.

India strives for universal education, yet few Muslim women can afford to finish their education. At the elementary level, the discrepancy between Muslim and non-Muslim females was small, but it widened as the girls progressed through their education. 59.5% of Muslim women in urban India are illiterate, according to a research by Minority Rights Group International titled *Muslim Women in India* (1999). This compares to 42.25% of Hindu women and 22.75% of Christian women. They are underrepresented in the workforce because of a lack of education. The vast majority of Muslim women who work do so in the unofficial economy. Women have no say in the household budget since they lack the same economic resources as their male counterparts. This effectively strips them of any say in the matter. This ultimately leads to diminished standing in society.

Population

The dramatic shift in Muslims' demographic profile in the United States is startling. In 1993, the Central Government issued a statement stating that Muslims made up 13% of the population. The 2001 census data was utilized by the Sachar Committee's analysis of the Muslim community. Out of a total population of 1029 million, 138 million are Muslims, according to

the report. There are 9 districts out of 593 where Muslims make up more than 75% of the population. Muslims have the highest sexual ratio of any religious group. According to the 2001 census, it is 982/1000 among Christians, compared to 927/1000 among Hindus. By the end of the 21st century, the Muslim population is predicted to rise to between 18% and 19%.

Education

According to data from India's National Sample Survey (NSS) 43rd Round (1987–1988), Muslims have the greatest illiteracy rates of any religious group in the country, with 76.1 percent in rural areas and 59.5 percent in urban areas, respectively. Former Prime Minister Man Mohan Singh appointed the Sachar Committee in 2005 to compile data about Muslims in India's economy, education, and social life. The Sachar Committee has released a report detailing the educational status of Muslim women.

- (a) Muslim girls have highest dropout.
- (b) Education attainment status of Muslims is approximately similar to SCs/STs.
- (c) The advantages of efforts to improve Muslim women's access to education have not been widely communicated despite widespread participation. The report claims that the number of Muslim students has increased by as much as 65 percent.
- (d) Muslims make up a very small percentage of graduate students.

Madarsas and Makhtabs are still important for Muslims today. It has been shown that Muslim women have the lowest levels of schooling. The only safe haven for their education now are the Madarsas and Makhtabs. Reforming formal education's bottlenecks is necessary to make higher education more accessible to economically marginalized groups. Better learning environments, particularly for those who cannot afford private schooling, need the upgrading of Madarsas and Makhtabs.

Health

Caste, religion, location, language, etc., remain pervasive characteristics that have been responsible for many defeats. Muslims suffer disproportionately from poor health and low income. Based on a number of studies and estimations, the Sachar committee found that Muslim vaccination rates were

low. The lack of clean water, sanitary facilities, and adequate housing also plays a role in the precarious health of the population. Rising urban populations, rising rates of unemployment and migration, and the proliferation of urban slums are all major contributors to deteriorating health. Muslim-majority communities are home to 16% of all villages without access to modern medical care. The health of women's reproductive systems is a major issue. Everyone has an inherent and inalienable right to physical and mental well-being.

Employment and Work Participation

The Sachar Committee found that among Muslim women, labor force participation is lowest. Sixty percent of them operate independently in small-scale industries like needlework and handicrafts.

They work mostly in the service and manufacturing industries. Muslim women who work in the industrial sector often make very little money and are subject to unfair working conditions. Muslim women may break free from deplorable working circumstances via education, and the state should make good on its promise to implement Article 43 of the constitution, which calls for just that.

REFORM OF MUSLIM LAW AND ARTICLE 25 OF INDIAN CONSTITUTION

Secularism does not mean an atheistic state, but rather one that treats all faiths with equal respect. The Indian Constitution, Article 25 -

"Every person and not only the citizens of India possess freedom of conscience and right to freely profess practice and propagate religion, subject to public order, health and morality."

Within legal bounds, individuals of different religious beliefs are allowed to proclaim their faith, spread the word, and behave in accordance with their religious tenets. However, in the context of this research, religious liberty does not imply protection for members of a certain group (such as Muslim women). In our nation, personal laws still govern issues like marriage, divorce, inheritance, etc. Changes to the legislation pertaining to individuals should not be considered as a violation of Article 25. Unlike topics like marriage, divorce, inheritance, etc., freedom of religion takes center stage in Later.

India is the biggest democracy in the world, and it is rapidly developing in many areas. The idea that personal laws may be dragged along on the heels of secular laws into the next century is absurd. The

basic rights and guiding principles cannot coexist with personal legislation. The election-related toughness of the central government had a negative impact on the judicial sensibilities and humanity of Shah Bano's judges. Religious law on marriage is out of step with modern society. Although change cannot be rushed, it is with Article 44 that a new age of equality for women will begin. The ideals of the Constitution are higher than any fatwa or rule.

CONCLUSION

To sum up, the situation for Muslim women is precarious. They remain imprisoned by religious dogma, which denies them opportunities for advancement in life and freedom from oppression. Additionally, Muslim women have become "easy targets" due to the politicized climate of our country, where extremist organizations have endangered the secular character of our society. They are discriminated against not just because of the faith to which they adhere but also because of the gender to which they belong.

Good news is that our court has been working hard to protect fundamental freedoms and ensure that the law is followed. This should serve as a wake-up call to our younger and more educated generation to prevent the disintegration of Indian society and preserve these principles. Many Muslim women today are challenging long-held stereotypes that have held them back and reclaiming their independence, autonomy, and worth. The tragedy is that these ladies mostly come from privileged backgrounds. Women should stop accepting their destiny quietly and instead speak up to raise awareness among their peers. The plight of Muslim women has to be mainstreamed within feminist groups. The spread of education and information seems to be the magic cure for the problems Muslim women face today. More than sixty years after gaining independence, the nation is still bound by prejudices based on ethnicity, religion, and caste. Despite the fact that the Constitution of India and other laws protect women in numerous ways, their vulnerability is acknowledged. Supporters of a Preamble We all deserve justice, equality, and freedom, but sadly, "laws inconsistent with the constitutional spirit" do not cover matters of the heart. The issue centers on the need to change personal laws. The Sachar Committee report rightly highlighted the fact that Muslim women are disproportionately affected by issues like poverty, illiteracy, and poor labor force participation throughout the nation. They're fighting for citizenship rights that have been consistently undermined by

individual law. It's high time they fought back against religious discrimination. Because of the triple talaq ruling, personal law in India is undergoing a dramatic transformation. In the end, it's up to Article-44 to serve as the pinnacle of constitutional spirit.

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