

Examining the Financial Rights of Men and Women in the Light of Dynamic Jurisprudence

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Abstract

Many rights and duties have been existed before Islam, and the legislator has confirmed them. Financial rights of men and women are also among the things that have been approved by the legislator, and the certain limits have been determined and decrees have been issued for each of them. Since rulings are subject to interest and corruption, and these matters are also assigned to topics; Therefore, the temporal and spatial conditions and lifestyles are affected to their changes and create the possibility of changes in rulings. Some of the financial rights of men and women that have been examined in this article are included: the topics of blood price, dowry, alimony and permission in financial possessions. In this research, an attempt is made to investigate the Shari'a rulings related to the financial rights of men and women with a descriptive-analytical method. That the financial rights of men and women are religious or subject to temporary variables, that the effect of time and place on women's financial rights and that the financial rights of men and women in Islam are compatible with the expediency of women today, in a way that is more compatible with justice and causes more protection for women's rights be made with the results obtained from this research, it is possible to consider rulings on the equal enjoyment of financial rights for women; Including equality in the price of blood on the soul and organs, having alimony commensurate with the dignity of women considering the progress of today's life, not paying excess dowry in divorce's khol`a and also not requiring permission in financial seizures considering the financial independence that women have at the present time.

Keywords: financial rights of men and women, alimony, dowry, blood price, dynamic jurisprudence

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