



Mother's Rights as Human Rights in Islam

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Abstract

International human rights documents, in some cases such as maternity leave and maternity leave, specifically address mothers; but in general, the rights that are intended for all human beings or the rights that are intended specifically for women include mothers as a human being and at the same time as a woman; such as the right to health, life, housing, food and clothing, wages (remuneration), the controversial right to abortion and other cases. The point about these documents is that they are limited to purely material rights and have mentioned cases that can be specific to the mother's lifetime; whereas in the Islamic legal system, in addition to stipulating specific rights during the mother's lifetime, it is recognized that the mother has rights after her death, and the children are still obliged to fulfill the rights that the mother has even after her death. This difference is due to the difference in perspective and goals that these two systems have. We know that one of the names of God is Rabb, which means the Educator, and on the other hand, the purpose of the creation of man according to the Quran is nothing other than to worship God, and this worship is the way to develop human perfections in the individual.

Although the discussion of the right to feed a child places an obligation on the shoulders of the parents to provide nutrition; however, the manner in which this obligation is carried out is up to the parents themselves; that is, in fact, a distinction must be made between the principle of the obligation to feed the child and the manner in which this obligation is carried out. If it is possible to feed the child with something other than breast milk, the mother, while having the obligation to feed her child, has the right to refuse to give her milk, and only in one exceptional case, a limited obligation should be recognized for some mothers to give their milk; that is, when feeding the child with something other than breast milk is not possible, in which case the mother also has the right to demand payment from her husband, and in fact, this obligation simultaneously brings a privilege to mothers. In other cases where it was possible to feed the child to someone else, since feeding the child evokes the same concept of food (alimony), the cost of providing it was the father's, and this is also a privilege for mothers.

Keywords: Mother's rights, international human rights documents, Islamic legal system, Iranian legal system, children's duties, mother's status, Quran, tradition, Persian writers

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Introduction

One of God's concerns in the Holy Quran, the Holy Prophet (PBUH) and the Ahlul Bayt (AS) has been to introduce the importance of the position of the mother and the rights she has over her children. Cases such as We have honored the children of Adam, which naturally includes mothers, or narrations such as Paradise is under the feet of mothers, and the advice to compensate for the mother's efforts by seeking help from God, even though it will not be compensated, kindness to the mother, which has both a material meaning such as providing appropriate food, clothing and good housing, and a spiritual meaning such as asking for prayers for good and a good end for the mother; also respect for parents, which has been repeatedly mentioned in the book and the Sunnah, and poets such as Hafez Shirazi have also composed verses on this subject, which may indicate that in the society of Hafez's time, children did not respect their mothers and fathers as they should.

International human rights documents have addressed mothers in some cases such as special maternity leave and childbirth; But in general, the rights that are intended for all humans or the rights that are intended specifically for women include mothers as a human being and at the same time as a woman; such

as the right to health, life, housing, food and clothing, wages (the same as equal wages), the controversial right to abortion, and other cases. The point about these documents is that they are limited to purely material rights and have mentioned cases that can be specific to the mother's lifetime; whereas in the Islamic legal system, in addition to stipulating specific rights during the mother's lifetime, it is recognized that the mother has rights after her death, and the children are still obliged to fulfill the rights that the mother has even after her death. We know that Islam, and in fact religion, is a plan for human life that seeks to develop individual perfections and develop the characteristics of humanity in individuals, and in the words of the Lord, humans were created to serve and worship God Himself, which leads to the growth and development of the spiritual dimension of individuals. The life of individuals is not limited to worldly life; rather, Islam recognizes the life of individuals after death. By examining the rights that Islam has established for mothers, both during worldly life and after it, we can realize the fundamental difference in the perspective and purpose of the establishment of mothers' rights in Islam and international documents. God, as the Lord and in fact the educator, seeks to educate humans by fulfilling these rights that have been established, or more precisely, to feel the beauties that have been established as a right for the mother and as a duty for the child; beauties that revive the spirit of humanity in the individual.

In the following article, in its second part, we seek to state the status, value, and rights that mothers have in the sight of God (the verses of the Quran), the Holy Prophet (PBUH), and the Ahlul Bayt (AS), and to mention some points. Then, in the third part of the article, we will compare the human rights issues stipulated in international standards with Islamic standards and, in fact, examine the status of some of the issues mentioned in international documents that are relevant and effective with the rights of mothers in the Islamic legal system and in the legal system of our country (as an Islamic government). It is obvious that the possible differences and contradictions between them are due to the difference in goals in the attitude towards the rights of individuals, and these differences can be due to the shortcomings in the (one-dimensional) view and goals of international documents towards individuals. But before stating these matters, we will first look at some poems that Persian-speaking writers such as Ferdowsi, Saadi, Shahriar, Parvin Etesami, Iraj Mirza, Mehdi Soheili, etc. have written throughout history, in which they have addressed the status, position, and value of mothers and have tried to engage and make their audiences aware of them, thereby directly and indirectly providing the basis for the audience of their poems to appreciate the efforts of mothers and encouraging their audiences to strive to be grateful to mothers.

Question

- 1- How can the conflict between the Islamic legal system and international documents on the human rights of mothers be justified?
- 2- Considering the child's need for nutrition for growth, which gives rise to the right to nutrition, can the mother's duty to breastfeed her child be considered?

Hypothesis

1- In resolving the ambiguity, the goals pursued by these two systems and the difference between the fields of human rights and citizenship should be taken into account. One pursues only material dimensions and its means of cognition are limited to reason, experience, and sense, while the other, based on the philosophy of creation, which is nothing but worship, aims to establish rights and duties, develop servants, and educate and strengthen the characteristics of humanity in individuals. It also uses revelation as a means of cognition and explains rights more completely and truly.

2- No, in determining the scope of the obligation related to the right to child nutrition, a distinction must be made between fulfilling the principle of nutrition and the methods of fulfilling it, meaning that the parents' obligation to feed their child is established, but the method of implementing it, whether it is with breast milk, with nurse's milk, or with formula milk, is up to the parents to determine this.

Research method and data collection

The research method is descriptive and analytical, and the data collection was library and was carried out by referring to books, websites, legal documents, and laws.

1- The position of the mother in Persian literature:

Hakim Abul-Qasim Ferdowsi has given women and mothers a position such as raising children and loving their spouses; while also referring to the wisdom of mothers and respecting this wisdom.

In the Shahnameh, women guide men, some rely on the seat of politics and some fight in the battlefield. Women have an independent identity and the social identity of women and mothers is fully accepted. Throughout the Shahnameh, wisdom is praised; whether it is where Ferdowsi begins the Shahnameh with "In the name of God, life and wisdom" or where the Shahnameh ends with ((Whoever has intelligence, opinion and religion * after death, bless me)), wisdom is always praised.

The mothers in the Shahnameh are wise and have seen the world. Abtin's wife, Frank, entrusts her son Fereydoun to a farm for fear of Zakhak's wrath and makes him promise to raise him as his own son. When Fereydoun wants to rashly draw his sword against Zakhak, his mother advises him: He sees the world through the eyes of a young man who understands. He listens to his mother's advice and is patient until the right time.

Sohrab's mother, Tahmina, warns him against going on a campaign against Iran; but Sohrab does not listen to his wise mother's advice, and this stubbornness and arrogance prepare the ground for his death.

When Bahman dies, he gives the kingdom to his daughter Homay. This is a sign of the value and respect that the Iranians placed on the status and wisdom of women (or other female kings such as Pourandukht and Azramdokht, who are mentioned in the Shahnameh). Women such as Farangis, the mother of Kaykhusro, and Rudabeh, the wife of Zal, have also been praised for their wisdom.

In the story of One Thousand and One Nights, a woman named Shahrzad becomes the main heroine of the story and saves the lives of many women like herself from death with her stories every night.

In Golestan, Saadi values the dignity of the mother so much that he tells the story:

When, in the ignorance of my youth, I cried out to my mother. She sat down in a corner, heartbroken, and cried, saying: Have you forgotten that you are doing something big?

How well did Zali say to his son * When he saw him, he was a leopard and a camel

If you remembered your childhood * When you were poor in my arms

You did not oppress me on this day * When you were a lion and I am an old woman

Similarly, Saadi in the book of the Garden did not neglect to praise the status of the mother and lament the hurting hearts of mothers: A young man turned away from his mother's opinion * His aching heart turned to ashes

And in the last stanza, he points out how much he knows about the blessings of the mother and his gratitude and thanks for the existence of the mother and the efforts she has made: The wise, the grateful, the grateful * Sew the blessing to the nail of gratitude

And where the prestige, status, value, independence, personality and greatness of women and mothers have been ignored or forgotten, people like Forough Farrokhzad always attack those who belittle the personalities of women and mothers with their poems. Among the poems My Heart Burns for the Garden, Ring and Cookie Doll testify to this fact.

The Persian poetess Parvin Etesami also looks at the status and dignity of the mother in her poems and considers the greatness of men to be always indebted to the lap of selfless mothers. In the following verse, Parvin Etesami has attributed the positions that Luqman the Wise has achieved to his mother, which can be understood as the key role of the mother in raising a child: In the cradle of the mother, he slept until childhood * Then, in the school of wisdom, Luqman became a sage

On the other hand, Shahriar, in his Masnavi of the life of the mother, cleverly attributes the shamelessness and disrespect of some people to not seeing maternal love in their childhood: Most of those who have torn the curtain of shame * have not seen maternal love in childhood. Here, the meaning is that the cause of committing a crime is the reckless behavior resulting from not seeing maternal love, or more precisely, not being raised under the mother's hand, and in fact, Shahriar wanted to express the importance of the mother's role in raising a child. In another poem titled God, Mother, Father, he states in a verse that: The first school that lays the foundation for morality and manners is in the mother's own arms and in her

behavior and speech. The first place where every child begins to learn and educate is with the family, especially with the mother; and therefore, due to the importance of learning and educating humans, the role of the mother in educating children will be very important.

In the discussion of raising a child, Iraj Mirza also uses the word "learned" in his poem "Mother" in describing and praising the mother by using it a lot (such as learning how to walk, learning how to speak, etc.), to point out the mother's concern, which is always teaching the child the way of life, and in the end, he considers his existence to be from the mother's existence: So my existence is her existence * As long as I am and exist, I love her.

The contemporary poet Mehdi Soheili considers the mother's gaze to be superior and more valuable than the world's government:

"May the world's government grant me * It is not equal to the gaze of my mother".

Here, the meaning of the government is not its political meaning, but all the blessings of the world, such as wealth, health and well-being, social status and prestige, all of which are not worth as much as a mother's sweet gaze in the poet's eyes. On the other hand, Fereydoun Moshiri also considers the momentary pleasure of having a mother to be the most pleasurable of all pleasures in a poem of the same name, explaining that all the imaginable and unimaginable beauties and possessions of the world... You have bestowed upon us the most pleasant * The pleasure of a momentary pleasure of having a mother; to make the audience realize the appreciation of the existence of this blessing.

In fact, various Persian-speaking poets at different times throughout history have tried to engage the minds of their audiences and make them aware of the labors, status, and rights of mothers, so that perhaps, if they have not paid the necessary attention and care, they will become aware and appreciate this blessing, and as a result, they will try their best to be grateful and respect and fulfill their rights.

2- Mother's Rights in the Holy Quran and the Infallible Sunnah

1-2- Mother's Rights and Status in the Quran

Before discussing the discussion, it is necessary to briefly refer to the status of man in the Quran in general and then to the status and rights of the mother based on the verses of the Quran.

God has honored man and given him talents to excel and dominate the entire universe: ((We have honored the children of Adam, and We carried him on land and sea, and We have provided them with good provisions, and We have preferred him above many of Our creations)). Also, man is chosen by God: ((And his Lord chose him (Adam), and He blessed him and guided him)). ((Because your Lord said, "I am going to place a vicegerent on earth...")). Which refers to man being a vicegerent.

God has bestowed upon mankind two things, one is dignity and the other is superiority over many creatures. The meaning of honoring man is to grant him characteristics that are not found in others, and the meaning of excellence and superiority is to grant him characteristics that are shared by man in others; but man enjoys it in a complete way. And when it comes to granting special characteristics to humans, namely dignity, this necessitates the regulation of behavior and treatment in society and family with mothers in particular and women in general, in accordance with this dignity.

According to the Quran, man has a high value among God's creatures, such that the life of a human being is equal to the life of all humans, and the death of a human being is equal to the death of all humans; in fact, the importance of human life, especially mothers, has been clearly and distinctly stated by the Quran; ((If someone kills an innocent person, it is as if he has killed all mankind, and saving one person from death and giving him life is as if he has given life to all mankind.((

In the Quran, the rights of mothers and fathers are usually mentioned together. Here, we will mention the cases stated in the Quran about the rights of mothers, with the caveat that they also apply to fathers:

-Prayer and seeking forgiveness

One of the rights of parents is prayer; as it is recommended to recite this Quranic prayer for them: ((Our Lord, forgive me and my parents and have mercy on them as you did to your children and strengthen them with good deeds and forgive their sins)). ((... And say: My Lord, have mercy on them as you have brought

me up when I was a child)) Just as parents (especially) strive to raise their children out of compassion, benevolence, and kindness so that the child will be able to recognize the right path throughout his life in the future, in the same way, the child should ask God to treat his parents with kindness and to bestow his best good deeds on them and help them to follow the right path until the end of their lives. In the interpretation of the reading, while the child is obliged to open his mercy to his parents, he should also ask God to shower divine mercy on them in order to compensate for the efforts of the parents in raising them.

-Good behavior

One should not make parents, especially mothers, suffer in worldly matters, even if they are not Muslims. As stated in the Quran)) ((و صحبيهما في الدنيا ماروفا)) Treat them well in this world)) This is an absolute command and does not depend on being a Muslim or a believer. As the beginning of this verse, God says that one should not follow parents who try to make their children associate partners with God, but in the continuation of the verse, He says to treat them well. A reading below this verse, by mentioning that parents should be treated well until the end of their lives, even if they are polytheists, also refers to the discussion of peaceful coexistence with non-Muslims, without following their culture.

-Thanking parents

God says in the Quran: ((Thank you and your parents)) ((Thank you for me and your parents))

Parents are considered examples of God's blessings, and therefore we must thank God for granting us such a great blessing, namely parents. Of course, it is clear that the purpose of thanking and thanking parents is not only verbal gratitude; but also heartfelt and practical respect and standing up to fulfill their rights; in fact, fulfilling the duties assigned by the Quran to children in relation to parents and respecting their conditions and rights is also considered a kind of gratitude and appreciation to God; it is unparalleled, such as the case where a father regularly gives his child books as gifts, and the child, by reading them, expresses gratitude to the father, because this action of the child will indicate that he appreciates these gifts; The same can be true in the relationship between God and us, because with the blessing of life and longevity that God continuously grants to our parents, and we will continuously benefit from this blessing, this requires us to be grateful and appreciative of this divine blessing and gift, and to strive to fulfill the rights of our parents, who are our guardians and have endured great hardships for us.

-Observing politeness and humility and avoiding boasting

God says in the Quran: ((So do not say to them a word that will offend them, and do not harm them in the least, and speak to them with respect, and always extend to them the path of humility with complete kindness to parents)) Here it is clear that among the rights of the mother is that the child speaks to her with respect and avoids using expressions that will offend the mother, and its scope also includes saying "f"; the slightest bit of disrespect is not permitted, and this means the obligation to observe politeness and absolute and complete respect, which is due to the dignity that God has given to mothers in particular through their special status, and this goes beyond the dignity that has been mentioned in the Quran and given to humans; In other words, this verse can be understood as the special dignity and special position of the mother in the sight of God. In verse 24, the duty of the child to be humble towards his parents is also prescribed, and this humility must be out of love and affection, not superficial and artificial, or to take their property. This duty is not conditional on the parents being believers or not being oppressive. Of course, from the distant past to the present, there have been and are children who do not respect their parents, and the fact that we see God in the Quran, the Holy Prophet (PBUH), the Ahlul Bayt, and Persian writers addressing this issue is due to the society's affliction with this problem and the concern that these elders had about it; For example, Hafez Shirazi describes the lack of respect for parents in his era as follows:

What is this excitement that I see around the moon? * I see all the horizons full of sedition and evil.

The daughters are all fighting and arguing with their mothers. * I see the sons all hating their fathers.

-Kindness and kindness to parents.

Here we will mention two verses from the Quran that are about kindness to parents:

(And your Lord has decreed that you worship none but Him, and that you be kind to your parents.)

In verse 83 of Surah Al-Baqarah, Allah says: "And when We took a covenant from the Children of Israel, that you worship none but Allah, and be dutiful to your parents." In both verses, it is seen that doing good to parents comes immediately after the command to worship Allah, in order to make clear the importance of this act. Doing good is both in material matters, which includes providing the necessities needed by parents so that they can enjoy a respectable life commensurate with their dignity and status (such as food, clothing, and adequate housing) to carrying out the parents' orders without delay, and sometimes even before they ask for their needs to be met by their children. It can also be in spiritual and spiritual matters. And the letter b before the word "parents" means that this kindness and benevolence must be done personally by the child himself and be accompanied by manners and without favoritism. This verse indicates that this duty was also on the shoulders of the people of Israel and in fact it was not specific to the religion of Islam and earlier peoples also had such a duty; on the other hand, it can be understood that the right of kindness to the mother and father and the reciprocal duty of the child to fulfill this right is something that has existed since the beginning of the existence of parents on earth, that is, Adam and Eve, and we can trace the antiquity and deep roots of this right. It is as if such a right and duty have been institutionalized in the nature and conscience of man.

2-2- The rights and status of mothers in the Sunnah of the Prophet of Islam

))Sunnah literally means a good way of life. The Sunnah of the Prophet (peace be upon him and his family) refers to the words and conduct of the Prophet (peace be upon him and his family) that have been preserved in the form of his words and behavior. The personality, status and observance of the rights of mothers are well expressed in the Prophetic hadiths and the conduct of the Holy Prophet (peace be upon him and his family)). Here, we will first mention and examine some narrations from the Holy Prophet (peace be upon him and his family) and then, in the next section, we will examine the narrations of the pure Imams (peace be upon them).

))The Holy Prophet (peace and blessings of Allah be upon him and his family) said in explaining the status of the mother: Paradise is under the feet of mothers or under the feet of mothers is a garden of the gardens of Paradise. In this hadith, we can understand the value and position that a mother has in the sight of God; these two hadiths also indicate that without the mother's consent, one cannot attain Paradise and the blessings of Paradise. In fact, if someone wants to attain the highest levels of Paradise and the pleasure of Allah, he must respect his mother and serve her. ((.

Also, to understand the status, value and importance of motherhood, this statement of the Holy Prophet (PBUH) is worth mentioning and reflecting on: ((When a woman becomes pregnant, she is fasting, staying up all night, and striving in the way of God with her life and wealth throughout the entire period of pregnancy. When she gives birth, God rewards her so much that no one knows the limit of its greatness. When she breastfeeds her child, God gives her the reward of freeing a slave from the children of Ishmael for every suckling by the child. When the child's breastfeeding period is over, one of the noble angels hits her on the side and says, "Start your plan of actions again, because God has forgiven all your sins(".

In another narration, a man came to the Messenger of God and asked: O Messenger of God, which of my relatives should I do good to? The Messenger of God said to your mother. The man repeated the question a second time and each time he received the answer to your mother. For the fourth time, the Prophet said, "Be good to your father".

Or in another narration: "A man came to the Messenger of God and said, "O Messenger of God, there is no evil deed except that I have committed it; do I have a way to repent?" The Prophet said, "Are your parents alive?" He said, "My father is alive." He said, "Go and be good to him." The narrator said, "When the man was leaving, the Messenger of God said, "I wish his mother were alive." From this last part, it can be understood that in fact, being good to one's mother leads a person to fulfill his needs sooner and better, including being forgiven by God".

Also, when the Messenger of God was asked about gratitude to his mother, he said: "Oh, oh, that you could fulfill your mother's rights. Indeed, if you serve your mother as much as the sands of the desert and the grains of rain, and appreciate her and stand before her as a slave, all your services will not be as much as her labors when you were in her womb and she bore your burden." Here, we are talking about the fact that the child's great services to his mother are not as much as the labor that the mother endured while carrying

the child (when he was a fetus and in the womb), and in fact, it shows the importance of this act and the hardship that the mother endured. Indeed, how is it possible for a child who has not lost his human nature to be indifferent to his mother's livelihood (food, clothing, shelter, etc.) when he becomes an adult and provides for himself? Here, we are not talking about the mother being indigent and needy, which makes it obligatory to support the mother according to the ruling of jurisprudence and religious law. Rather, the issue is that, in the face of all the hardships and hardships that the mother has endured, the child should strive, in accordance with the ruling of humanity and in accordance with the (sound) reason, so that the mother has better nutrition and better clothing. If her own residence is better than her mother's, she should bring the mother to her and not leave her alone, so that she can reach the mother's health so that she can be grateful in action, and not just with words, for such a blessing that God has bestowed upon her.

Or in another narration of the Holy Prophet (PBUH), the loving look of a child towards his parents is worship.

Also, the Holy Prophet (PBUH) says in another place: ((Be good to your parents and you will be placed in Paradise, and if you are cruel and oppressive, you will be made to face the fire of Hell.))

Also, the Prophet said: ((Whoever visits the graves of his parents or one of them every Friday and recites Surah Yasin beside their graves, will receive forgiveness from Allah for every word he recites from this Surah.))

In another narration of the Holy Prophet (PBUH) it is stated: ((Whoever performs Hajj for the sake of his parents or pays their debts, Allah will raise him up with the righteous on the Day of Resurrection)). A person came to the Prophet of Islam (PBUH) and asked: ((What is the right of a father over his child?)) The Prophet said: ((He should not call him by his name, walk in front of him, sit in front of him, or cause him to be reviled)) (He should not do anything that would cause people to revile his father). Although the question was asked about the father; but the things that the Prophet said in his answer can also be applied to the mother.

))A man came to the Messenger of Allah (PBUH) and said: I am a cheerful and young man and I like jihad in the way of Allah; but I have a mother who does not like this. The Prophet said: Go back and be with your mother. By Allah, Who has chosen me as a Prophet with the right, one night of intimacy with her is better than your year-long jihad in the way of Allah.))

As mentioned earlier, all of these indicate the value and status of the mother in the sight of the Messenger of God (in Islam). When the command to do good deeds, be good-natured, try to appreciate the mother's efforts, and the like is given, actions such as providing food, clothing, and housing for the indigent and needy mother by her children can be understood from this with the help of reason, as was stated earlier. (Of course, the obligation of maintenance remains in place, which will be discussed in the third part of this text). On the other hand, when the mother enjoys such a status in the sight of God and the Messenger of God, even though the addressees of the commands are the children, it can be understood with the help of reason that husbands should also act on these commands and all the actions that fulfill these commands. (Regardless of the specific duties of husbands towards their wives, which will be discussed in the third part of the present text and where necessary)

3-2- The rights and status of the mother in the sayings of the infallible Imams (AS)

In this section, in order to explain the status and status of the mother, we will refer to a number of the sayings of the pure Imams (AS) as part of the Sunnah:

Imam Ali ibn al-Hussein (AS) says about the right of the mother and her greatness and status: ((Your mother's right is that you know that she has kept you in a place where no one keeps you, and has given you the fruit of her heart that no one gives to anyone, and has guarded and cared for you with all her being, from her ears and eyes, hands and feet, hair and skin, with joy and happiness, and she endures the hardships of sorrow, grief and worries, and is happy and joyful to feed you, and to remain hungry herself, to cover you while she is naked, to give you drink and to He remains thirsty, he is in the sun and casts shade over you, he provides you with peace and comfort by enduring hardship, and he allows you to enjoy the pleasure of sleep by accepting the pain of insomnia. His belly is the container for your existence, his skirt is your safe haven, and his chest is a spring to quench your thirst. His soul is sacrificed for you and he has accepted the

cold and heat of the day for your sake. So you should be grateful to him for all this love and effort, and you will never be able to do it unless your God helps you.

Also, Hazrat Sajjad in his Sahifa Sajjadiyah, in his prayer number 24, has addressed ((The great responsibility of a person towards his parents)); part of it is as follows: ((O Lord, reward them for raising me and give them a good reward for respecting me and preserve what they did for me in childhood)). In this prayer, Hazrat asks God: ((O Lord, make me love both of them, make their obedience sweeter to me than the pleasure of sleep in sleepy eyes. O Lord, lower my voice in their presence and make my behavior gentle in front of them. Make my heart kind to both of them)). Hazrat prays and asks God for forgiveness for his parents and asks for help so that he can fulfill the rights of his parents and not be among the people who are wronged by their parents.

Imam Sadiq (AS) says: ((If you love that Allah increases your life, make your parents happy)). ((If you love that Allah increases your life, make your parents happy)). Imam Sadiq (AS): ((Kindness to parents is a sign of the proper recognition of a servant of Allah. Because no act of worship brings a person to Allah's satisfaction sooner than respecting the sanctity of Muslim parents for the sake of Allah)). As mentioned earlier, we said that one of the examples of gratitude to Allah is gratitude for the blessing He has bestowed upon us, namely, parents, and this gratitude is realized through doing good and fulfilling the rights of parents. Therefore, this hadith also refers to the same thing, which is that kindness to parents is the result of the servant's correct recognition of Allah. This means that the person has been able to understand that fulfilling the rights of parents (of which doing good is one) is considered as gratitude to God (as gratitude to parents is also considered.)

Jabir narrated a tradition from Imam Sadiq (AS) that: ((I heard a man say to Imam Sadiq (AS): My parents are against the Shia religion. The Imam said: Treat them well, as you treat our Muslim friends well.))

Imam Baqir (AS) said: ((God has not permitted opposing them in three things: and treating parents well, whether they are good or bad)). In fact, it can be understood from this hadith that even if parents are bad people, even if they have wronged their children, this permission cannot be given to abandon fulfilling the rights of parents, including kindness to parents. In this regard, we can also mention the story of the murder of Mutawakkil Abbasi by his own son Muntasir Abbasi. Although Mutawakkil had been harassing the Shiites and had even ordered the destruction of the shrine of Imam Sayyid al-Shuhada (AS) and insulted Amir al-Mu'minin Ali (AS) in his assembly, when Imam Hadi (AS) was informed that Muntasir had killed Mutawakkil, the Imam expressed regret that a son would kill his father and also narrated a hadith from the Prophet that a son's life would be shortened if he killed his father.

In summary, it should be said that the contents mentioned in this section indicate the special position of parents, especially mothers, in the sight of God, the Prophet, and the Ahl al-Bayt, that goodness and kindness, and in fact, fulfilling their rights, are signs of individuals' gratitude to God and gratitude, and that fulfilling their rights is not dependent on being good, not being unjust, not being misguided; fulfilling rights such as being kind, meeting the material needs of parents, etc., is regardless of their personality, behavioral, and moral characteristics. Of course, when this discussion is discussed, it is obvious and rational to realize that the severity of the duty and action of children can be more severe than fulfilling the rights of believing and pious parents. It should also be stated that the rights of mothers are not necessarily conditional on their being alive, and some rights remain for them after their physical life, and children are still obliged to fulfill their rights after their death. For example, the right to be kind to a mother and the obligation to pay it back by children are established both during the life of mothers and at the time of their death. It is clear that during their lifetime, examples of kindness include material matters such as providing housing or renting a house for the mother, providing suitable clothing, good food and nutrition, paying off the mother's debt, and taking care of the mother's health (for example, taking her to the doctor, providing medicine, etc.), while at the time of death, other examples are required that have a spiritual (and not material) aspect, such as reciting the Quran for the mother, giving charity on behalf of the mother, paying the debts and loans of the deceased mother, praying for her after every prayer and seeking forgiveness, visiting the mother's grave, and repairing her gravestone if it is damaged. Although these matters may seem intangible to some, it should be known that the rights of the mother are not only those mentioned in international human rights documents and that they are only concerned with her body and during her life. According to the teachings of Islam, the mother also enjoys rights after her worldly life. All of these can be considered based on the

wisdom of God's growth, upbringing, and in fact, training and nurturing of servants (human beings). Indeed, why can't we consider this when one of God's names is Rabb and we know that the word "Murbih" is also derived from it and means "the one who nurtures and educates." In all our prayers, when we recite Surah Hamd, we ask God to help and guide us to the path of goodness and righteousness. More precisely, the program of religion, which seeks to grow and guide people, includes all its commands, including the duties assigned to children towards their parents, especially mothers, in order to strengthen their human qualities and find their true selves. The inner institution becomes clear and the end is good, and in fact, it should be viewed based on the philosophy of creation, which is the servitude of God.

3- Mother's rights in Islam in accordance with human rights standards:

Some believe that the revealing religion of Islam has granted men more rights than women, while by reviewing the religious and legal rulings of women and men, we find that not only is this statement not true, but in some cases the opposite is true, and the Islamic law has considered special protections to defend women's rights, including dowry and remarriage.

The rights that are considered for mothers in Islam are in some cases consistent with human rights and the 1966 United Nations Charter, some of which are examined below; but before that, it should be briefly mentioned that human rights are a set of innate and natural talents in beings or a set of gifts that humans enjoy according to their own talents. In fact, human rights are a set of rights and privileges that are given to a person by virtue of being human and regardless of his race, nationality, citizenship or gender, and include a wide range of civil, political, economic, social and cultural aspects that are addressed in general human rights documents and sometimes there are documents for a specific group of people (children, women, disabled people, etc.). ((Human rights are a set of privileges belonging to individuals in a society and stipulated in the established rules that individuals, by virtue of being human and in their relations with other members of society and with the ruling power, enjoy with the necessary guarantees and protections)). Therefore, the concept of mother's rights as human rights in Islam includes a set of rights and powers (a set of innate and natural talents) that have been given to mothers as human beings by God, and some benefits and powers have been recognized in Islam solely for the role of motherhood, and society and the family have been advised, recommended, and in some cases required to observe those specific rights of mothers, and sometimes in the laws of Islamic countries, guarantees for their implementation have been considered. In this section, we will examine these rights and at the same time mention international human rights documents in each of the following cases.

1- Right to Life:

The hadiths emphasize the preservation of the lives of parents, as children are forbidden from harming their parents. Killing them is considered the greatest blasphemy and ingratitude.

The right to life is considered a superior and fundamental value that has been addressed in numerous human rights documents. The first social law is to guarantee the means of life for all members of society. ((The right to survive and continue life is an innate and divine right. The first right of a human being is to survive and it is not permissible to violate it. From a legal point of view, a human being is not distinguished from an animal except by the rights that have been recognized for him, which is the first and foremost right to life. This right for a human being is the first condition for the existence and continuity of his body. Historically and philosophically, the right to human life precedes all other rights)).

Of course, the right to life is not simply in its narrow sense, that is, survival and non-violation of physical integrity with the intention of depriving life; It also includes issues such as the right to food, the right to clothing, the right to health and sanitation, the right to work, the right to housing, and the right to education, some of which will be examined in the following sections.

The right to life is respected in the Quran and international human rights documents. For example:

Verse 32 of Surah Al-Ma'idah considers killing someone unjustly as killing all mankind and considers keeping one alive as keeping all human beings alive; which indicates the importance of the right to life and life in the eyes of God Almighty.

Article 3 of the Universal Declaration of Human Rights: ((Everyone has the right to enjoy life, liberty and security of person.))

Article 6, paragraph 1 of the International Covenant on Civil and Political Rights: ((Everyone has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his right to life)). According to paragraphs 2 and 5 of the same article, on the one hand, the death penalty should be issued only for the most serious crimes, and on the other hand, the death penalty is prohibited for pregnant women, in order to guarantee and protect as fully as possible the right to life of humans, especially pregnant mothers. According to paragraph 4 of the same article, the possibility of requesting pardon or reduction of the death penalty for recognized individuals is quite obvious, which also includes mothers as human beings who are members of society.

Article 2 of the Islamic Declaration of Human Rights: A. Life is a divine gift and a right that is guaranteed to every human being, and it is obligatory on all individuals, communities and governments to protect this right and to resist any encroachment on it, and it is not permissible to kill anyone without religious permission.

B. The use of a means that leads to the destruction of the source of humanity in whole or in part is prohibited.

C. Protecting the continuation of human life as long as God wills is a religious duty.

According to Article 22 of the Constitution of the Islamic Republic of Iran, the life of individuals is immune from attack except in cases prescribed by law, which means the death sentence, which must be issued in a documented manner and in accordance with the applicable law that considers an act a crime and worthy of deprivation of life.

2. Abortion (deprivation of life)

In abortion, on the one hand, we have the right to life of the fetus, and on the other hand, the mother's right to control her own body and, as a result, her decision not to keep the fetus in her womb. Regarding abortion, the question must be answered: when does life begin? Because from the moment life begins, these two rights will compete with each other. The beginning of the right to life may be determined at several different times, including: fertilization, implantation of the fetus in the woman's womb, the beginning of fetal development, the date of fetal survival or birth; Therefore, this discussion can arise here: if the beginning of life in legal standards is determined at the moment of birth or, for example, a specific period of time in the womb, for example, at the 6th month of the fetus; can we recognize the right to abort the fetus before that? One answer could be that although according to verse 32 of Surah Al-Ma'idah, killing one person is considered as killing all humans, this depends on when we are faced with a living person (being) for the discussion of killing and likening this act to killing all humans to be relevant. Therefore, if the person (or being) is not alive, the issue will be in the negative sense of the term "negatively opposed to each other". Therefore, it seems that this right (abortion) can be recognized for the mother before the legal date of recognition of the child's life. However, if we believe that a new being is being formed from the time of fertilization, then the right to abort the fetus cannot be recognized for the mother; However, according to Islamic and legal standards in Iran, abortion, whether by the mother herself or by third parties, is prohibited and results in the payment of blood money and, under the conditions specified in the note to Article 306 of the Islamic Penal Code, can result in retribution. According to Articles 623 and 624 of the aforementioned law, individuals who cause abortions by administering medication, as well as physicians, midwives, or druggists who cause abortions with medical equipment and drugs, are subject to imprisonment in addition to the payment of blood money.

Article 718 of Islamic Penal Code: ((If a woman destroys her fetus, at any stage, intentionally, quasi-intentionally or by mistake, the blood money for the fetus shall be paid by the perpetrator or her sane person, as the case may be.

Note - If a fetus whose survival poses a life-threatening risk to the mother is aborted in order to save the mother's life, blood money shall not be established((.

All of these cases indicate the prohibition of abortion by the Iranian legislator (as an Islamic country) and abortion is permissible in terms of Sharia only in cases of treatment and saving the mother's life, as is also mentioned in verse 233 of Surah Al-Baqarah, where God says: No mother should suffer harm because of her child. Obviously, if the mother's life and death are endangered, there is a possibility of the fetus being

endangered and even dying. According to the Medical Abortion Law (2005): ((Medical abortion with a definitive diagnosis by three specialist doctors and a forensic medical confirmation that the fetus is sick due to retardation or congenital malformation, causing distress to the mother, or the mother's illness is accompanied by a threat to the mother's life, is permitted with the woman's consent before the onset of the fetus (four months), and the attending physician will not be punished or held liable((.

In international standards, according to paragraph 1 of Article 6 of the Covenant on Civil and Political Rights, every human being has the inherent right to life. This right must be protected by law. No one can be arbitrarily and arbitrarily deprived of the right to life. From this article, it can be understood that the right to life of the fetus should not be violated, and on the other hand, it can be understood that if abortion is to occur, the permitted cases must be legalized so that we do not witness the deprivation of the life of the fetus at the will of the mothers; And according to Article 12 of the Economic, Social and Cultural Covenant, states are obligated to establish the right of everyone (at least the fetus in which life has been breathed should be considered a living being) to the enjoyment of the highest attainable standard of health, and according to Sub-paragraph 1 of Paragraph 2 of the same article, states must strive to reduce the rate of stillbirths, which will not be possible except by protecting the right to life of the fetus (of course, the discussions of social security and maternal health during pregnancy and childbirth are addressed in Part 6 of this section). We also have Article 2 of the European Convention on Human Rights, which states in its first paragraph: "The right to life of all persons shall be protected by law; no one shall be arbitrarily deprived of his or her right to life." We also have Article 6, paragraph 1, of the Convention on the Rights of the Child, which states: "States Parties to the Convention shall recognize the inherent right of every child to life." It seems that through these criteria, it can be argued that the right to life of the fetus takes precedence over the mother's right to control her body and to abort the fetus, and that, except in special and exceptional cases, the mother should not be allowed to have an abortion.

A counterargument can also be put forward. What is mentioned in human rights documents is the right to life, and there is no right based on an absolute prohibition of the deprivation of life in the documents. What has been mentioned regarding the prohibition of execution, such as the First Additional Protocol to the Geneva Conventions, is only valid between the states party to the said protocol and is valid in relation to a specific type of deprivation of life, which is execution, and not other methods of deprivation of life, such as those prevailing in hostilities. According to this argument, the deprivation of the life of the fetus is not subject to the violation of any fundamental right, including life. Whether or not abortion is permitted or not should be determined under the rights of citizenship, depending on each society (morality and public health, fundamental values of society, public order), and if permitted, the limits and conditions of this can be expanded and contracted.

3- The right to food and clothing (alimony)

((The food and clothing of mothers are the responsibility of the father of the child in a proper manner))

((So men should provide maintenance for women from their property)).

According to the above verses, the maintenance of the mother is one of the rights that is the responsibility of the man. The provision of food and appropriate clothing, taking into account the family affairs of the woman, is the responsibility of the man; In fact, it includes all the common and rational needs of a woman. In the terminology of Islamic jurists, maintenance refers to providing for the necessary expenses of the wife, relatives, and maidservants, including food, clothing, housing, etc.

Article 1106 of the Civil Code acknowledges: In a permanent contract, the husband is responsible for the maintenance of the wife.

Article 1107 of the Civil Code also states about maintenance: Maintenance includes housing, clothing, food, and household furnishings that are normally appropriate to the woman's situation, and a servant if she is accustomed to having a servant or needs him due to illness or disability.

According to the Islamic legal system, ((The responsibility for providing for all the living expenses of the wife, including food, clothing, housing, etc., lies with the husband, and the wife is not responsible for providing for her own living expenses and those of her children, even if she has financial capacity)). According to Article 1109 of the Civil Code, the maintenance of a woman in a revocable divorce is the

responsibility of the man, and in the case of a revocable divorce, she is only entitled to maintenance when she is pregnant with her ex-husband and remains entitled to maintenance until the time of delivery; therefore, we see that a mother who is pregnant with her husband's child in the event of divorce (whether revocable or irrevocable), the legislator has recognized the right to maintenance for such a mother, and as a result, the man is obliged to pay all the common and reasonable needs of the woman during the separation until the time of delivery, including the right to food and clothing. Even according to Article 1110 of the Civil Code, during the days of the waiting period for death, the living expenses of the wife, upon request, are provided from the property of relatives who are responsible for paying the maintenance.

Regarding food and nutrition, we can refer to the Charter of Rights and Responsibilities of Women in the Islamic Republic of Iran approved by the Supreme Council of the Cultural Revolution. In paragraph 59, chapter one of part three of the aforementioned document, it is mentioned: ((The right to enjoy healthy nutrition, especially during pregnancy and breastfeeding, and the duty to care for the child and feed him properly, with priority given to the use of breast milk))

The last point in this topic is that under certain conditions, it becomes obligatory for children to provide alimony to needy parents, and this issue has been mentioned both in the Civil Code and in the treatise on rights of Imam Sajjad (AS)

It should be acknowledged that all of these matters are effective in ensuring and securing the mental and physical health of women, especially (pregnant) mothers.

4- The right to housing:

As mentioned earlier, the right to housing is one of the examples of the right to alimony, which we intend to examine further here. The man must provide his wife with a suitable residence. The basis for forming a family after marriage is having a suitable home for living together. According to law and custom, a woman is subordinate to her husband for residence and residence in a place or city, unless a specific place is specified in the terms of the marriage contract. Having a home is one of the basic human rights, and one of the duties of governments is to provide the necessary facilities to provide housing for their citizens.

Article 25 of the Universal Declaration of Human Rights states regarding the right to housing: ((Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care)).

Also, in paragraph 1 of Article 11 of the International Covenant on Economic, Social and Cultural Affairs: ((The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions)).

Article 31 of the Constitution of the Islamic Republic of Iran: ((Having housing commensurate with needs is the right of every Iranian individual and family)). According to Article 12 of Article 3 of the Constitution, one of the duties of the government is to eliminate any type of deprivation in the field of housing, and according to Article 43, paragraph 1 of the aforementioned law, one of the things on which the economy of the Islamic Republic of Iran is based is to provide basic needs, including housing, food, clothing, health, treatment, education, and facilities necessary for starting a family for everyone. In these articles that were mentioned, when we talk about standards related to the right to housing or the obligation to provide and provide housing, although the addressee is the general public, it also includes mothers, who include a specific and more limited range of this general public.

On the other hand, the privacy of housing must be protected from invasion. In fact, ((Housing is the basic framework of private life, the place of settlement, residence, and daily peace of family members, it must enjoy special protection and be immune from any invasion)). Article 17 of the Civil and Political Covenant also states that no one shall be subjected to unlawful or arbitrary interference with his family, privacy, home or correspondence; Article 12 of the Universal Declaration of Human Rights also states that no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence.

Article 18 of the Islamic Declaration of Human Rights also states in its last paragraph: ((The home is sacred in all circumstances and must not be entered without the permission of its occupants or illegally, and must not be destroyed or confiscated or its occupants displaced)).

Article 22 of the Constitution: ((The dignity, life, property, rights, home and occupation of individuals are immune from attack except in cases prescribed by law)).

The Holy Quran also addresses the issue of the safety of the home: "O you who have believed, do not enter a house other than your own unless you have permission from its owner. When you have been given permission to enter, greet the people of the house. This greeting is better for you, so that you may be mindful. And if you do not find anyone in the house, do not enter until you have been given permission. Then enter. If you are told to return, return. That is better for you. And Allah is Aware of what you do."

According to the custom in Iranian society, currently, one of the necessary conditions for marriage is to have a house. However, the number of tenants is also significant. Providing suitable housing for the mother and children is one of the duties of the man, and demanding housing for cohabitation is one of the rights of the mother; on the other hand, according to Article 1114 of the Civil Code, a woman is obliged to live in the house that her husband determines, unless the woman has been given the authority to determine the house. It is again recalled that women are mentioned in general and include mothers in particular. Considering this point, among the provisions that the legislator has included in the Civil Code to protect the honor and physical integrity of mothers in the housing issue is that although the husband determines the house, if there is a fear of physical, financial or honorable harm to mothers, they can choose another house. If this fear is brought before the court, mothers can not return to their husbands' houses until this fear is removed, and during this entire period, men are still obliged to pay alimony.

Of course, in the discussion of the right to housing, apart from the fact that it is the man's responsibility to provide a suitable place commensurate with the family's dignity and, of course, with regard to financial capacity; it should be noted that it is also the duty of the government and municipalities to provide the necessary facilities in a house, including heating and cooling facilities, sewage and garbage disposal systems, water pipes, electrical wiring, neighborhood security and home privacy, and other such matters. In this regard, mothers should be granted the right to enjoy the minimum necessary customary facilities, both inside the house and around it and its external privacy, as part of the community and a human person. In fact, the human right to housing for mothers in its implementation stage and the examples and requirements arising from it in different societies are placed under the right of citizenship, and its limits and boundaries will be different in different countries by legal mechanisms.

5. Right to wages (equivalent wages): From the perspective of Islamic law, a woman can demand equivalent wages from a man for work in the house, including housekeeping, cleaning and washing, cooking, and breastfeeding the child. However, in terms of custom, such a practice is not prevalent in Iranian society, and women's work in the house is unpaid and in return they have the right to maintenance, which is the responsibility of the man. Regarding breastfeeding, although a mother can demand wages from her husband for breastfeeding the child, or even according to Article 1176 of the Civil Code, a mother is not obliged to breastfeed her child if it is possible to feed the child with something other than breast milk; however, in practice, breastfeeding the child is based on maternal dowry and mothers do not demand anything for feeding the child with their own milk. In the case of feeding other than breast milk, a mother may have little or no milk and it may be necessary to hire a nanny or provide formula milk, and in this case, the father is responsible for providing it. The point here is that the right to feed the child, in turn, places an obligation on the parents to provide nutrition, but the manner in which this obligation is carried out can be at the discretion of the parents themselves, meaning that in fact, a distinction should be made between the principle of the obligation to feed the child and the manner in which this obligation is carried out, and these two issues should not be confused with each other. Therefore, if it is possible to feed the child with something other than breast milk, the mother, while having the obligation to provide nutrition to her child, has the right to refuse to give her milk, and only in an exceptional case should a limited obligation be granted to some mothers (an exceptional and limited obligation, not a general one) to give her milk. Of course, ultimately, the cost of feeding, which includes the same concept of food or maintenance for the children, is borne by the father of the family, and in this respect, a privilege should be granted to the mother of the family. Considering the aforementioned, it seems that it is possible to object to Article 59, Chapter One, Part Three of the Charter of Rights and Responsibilities of Women in the Islamic Republic of Iran, which was mentioned in the section related to food and clothing. The aforementioned document recognizes the priority of breastfeeding, while the obligation to breastfeed should be considered in specific and limited exceptional circumstances. In general, mothers are interested in taking care of household affairs, especially

breastfeeding their child, and for this reason they do not demand wages. Of course, there may be other reasons for not receiving a wage for housework; such as the mother (woman) considering it her duty, or the fear of being judged and blamed by people, especially by other mothers (women).

Of course, the issue of mothers working at home and not being employed outside the home is a controversial issue, as those opposed to working at home fail to understand the beauty of a mother's strategic role in managing the family and raising good children who are useful to society.

Some women's rights advocates argue that providing wages for housework is the solution to the problem of unfair work pressure and the exploitation that results from it. There are valid arguments against the above, which believe that the gender division of labor reflected in women's domestic responsibilities is not at all unfair. Rather, it is a means to maximize the efficiency of the household unit. Housework is endless and requires more organization than expertise.

In fact, some believe that providing wages for factories either frees women, and especially mothers, from having to work at home (in their minds, of course) and enables them to work outside the home, or if they are at home, they can earn a wage equivalent to the effort they have put in for their work at home. In Islam, however, determining wages and salaries for women's work is not based on the arguments mentioned by such groups, but solely on the basis of the inherent dignity and special status of mothers (women) and the intrinsic value of the work done at home by mothers (women)

6-The right to social security and health:

The purpose of the right to social security is to protect people in times of accident, illness, unemployment, disability, old age, childbirth and pregnancy. In the case of childbirth and pregnancy, mothers should be given the right to full-time leave for the required period and hourly leave to take care of their children. In fact, if working women are not able to take paid leave, this can force them to give up their right to become mothers despite their inner and free desire and consequently be deprived of the right to care for and raise their children. Taking leave for pregnant mothers or mothers with a newborn has a positive effect on the mental, psychological and physical health of mothers and, consequently, on the health of the newborn or fetus.

The Universal Declaration of Human Rights in its article 24 refers to the right to rest and to take paid leave; it also refers to the right to social protection and security in various situations such as unemployment, illness, and disability in articles 22 and 25, and specifically states that being a mother and having a child requires the use of special help and assistance.

According to the Islamic Declaration of Human Rights, the state and society are obliged to provide every human being with health and social security by establishing public centers as needed, according to available resources, and every individual, including mothers, has the right to take leave.

Also, according to Article 7 of the Economic, Social and Cultural Covenant, countries recognize the right of all their individuals to rest and paid leave, and especially mothers, according to Article 10, paragraph 2, must enjoy special protection for a reasonable period before and after childbirth. During that period, working mothers must enjoy paid leave or leave with adequate social security benefits. Articles 11 and 12 of the Convention on the Elimination of All Forms of Discrimination against Women also address the rights and protections that pregnant and postpartum women have at work and the duties of governments. For example, Sections A and B, Section 2 of Article 11 prohibits dismissal on the grounds of pregnancy or marriage, maternity leave, and the guarantee of maternity leave without loss of employment, seniority, or social benefits.

In the US legal system, there are laws related to maternity leave and the health of pregnant women, such as the Pregnant Workers Fairness Act (PWFA), the PUMP Act (PUMP), the Pregnancy Discrimination Act (PDA), the Family and Medical Leave Act (FMLA), and the Fair Labor Standards Act (FLSA). In the Family and Medical Leave Act, a woman who has given birth is entitled to 12 weeks of unpaid leave. The aforementioned laws refer to the right of working mothers (of course, not all jobs) to breastfeed their babies and the need for the employer to provide facilities, including allocating a suitable room for pumping milk into a bottle. In case of neglect, the individual can refer to the Equal Employment Opportunity Commission, and the Commission, after its assessments and correspondence with the relevant employer,

may file a lawsuit in the relevant state court, either directly or by providing a certificate to the person making the referral.

There are also some conventions of the International Labor Organization regarding the health of pregnant and postpartum women. Conventions 3, 183, 171, 158 and 156, for example, Convention 158 (1982), while declaring that the dismissal of a worker must be based on justified reasons, mentions some examples of unjustified dismissal, including dismissal due to absence during maternity leave, pregnancy, etc. Also, in Convention 183 (2000), which is called the Protection of Mothers, in Article 4 of the aforementioned document, mothers are entitled to 14 weeks of maternity leave. In Convention 171 (1990) concerning night work, a female worker who has taken maternity leave is prohibited from being demoted or deprived of promotion by the employer, in accordance with the third paragraph of Article 7.

In relation to Iran, in order to guarantee women's rights, according to Article 21, Paragraph 2 of the Constitution, the government is obliged to support mothers during pregnancy, and Article 29 of the aforementioned law also discusses the right to social security.

According to Article 76 of the Labor Law, the maternity and pregnancy leave of female workers is 90 days in total. For simultaneous childbirth, 14 days are added to the leave period, and this period will be considered part of her service record. According to Article 78 of the aforementioned law, in workshops, employers are obliged to give breastfeeding mothers half an hour of breastfeeding time after every three hours until the child is two years old, which of course will also be considered part of the mothers' working hours.

On the other hand, according to Article 3 of the Breastfeeding Promotion Law approved in 1995, maternity leave for mothers who breastfeed their children for up to three children was four months in the government and non-government sectors, which was increased to six months in the Law amending Article 3 of the Breastfeeding Promotion Law approved in 1997, and then, in Note 2 of the Single Article of the Law amending the Population and Family Regulation Laws approved in 1993, the maternity leave period was increased to nine months. All of these can be considered in line with ensuring the mental, emotional, and physical health of mothers and their children, although of course, the discussion of mothers' right to health covers a wider conceptual scope and is not limited to leave alone. According to Article 12 of the International Covenant on Economic, Social and Cultural Rights, everyone has the right to the enjoyment of the highest attainable standard of physical and mental health, including through improved health care, access to medical care, prevention and treatment of diseases and, in particular, access to essential health care to ensure the health of mothers, so as to reduce the rate of stillbirths; as previously mentioned in the discussion of maintenance, one of the items included in the concept of maintenance is the medical and health expenses that a man is required to provide for his wife (in other words, the mother of his children)

7- Different rights to blood money and inheritance:

((blood money is an equivalent for compensating for damage caused to the rights of an individual in society. Its purpose is to create a kind of just situation by returning to the previous situation. Its purpose is to repair and rectify the damage caused)).

((In Islamic law, the difference in blood money between men and women is measured in two dimensions: family and society, and the differences have a social philosophy so that balance in the wealth of men and women is always observed in the family and in society. The difference in blood money is not in terms of valuation, which means that the human value of women is considered half the value of men. Rather, in the case of blood money, the fundamental reason is that men's role in providing for the material and economic needs of society and family is greater than that of women. The burden of production, trade, and heavy industries, as well as providing for the maintenance of women and children, and the wife's dowry, is the responsibility of men.)) On the other hand, the blood money of a man is paid to the mother and children, which is double the amount received by the wife by the husband. Here, the purpose is to compensate for the loss of the breadwinner of the family, which goes to the mother, and from this perspective, she benefits more than the man, and this is an advantage that can be granted to mothers according to Islamic and Iranian laws. In fact, when their husbands lose their lives as a result of an accident, the payment of a financial amount under the name of blood money is the right of these women, who are often also considered the mothers of the deceased's children.

In the matter of inheritance, the right of the deceased mother and the deceased wife, according to Articles 906 onwards of the Civil Code, is different amounts, such as one-third, one-sixth, one-quarter, one-tenth, depending on different situations. In fact, among the rights recognized in our legal system is the right to inherit the deceased's property to their mother and wife, the amount of which is in accordance with Islamic standards. It is worth mentioning that at a time when the Arab Bedouin people buried their daughters alive and saw women as objects or animals and did not value them; the advent of Islam created a revolution and development in this regard and, in addition to elevating the status and value of mothers and women, it also recognized their financial rights such as inheritance and blood money. It is true that the extent of these rights for a mother or a woman is not the same as for a father, son, and of course, a daughter, and it varies according to different situations; but it should be noted that:

Of course, we must distinguish between equality and equity. Equality has a substantive aspect; but equality has a formal aspect. For example, if we were to grant equal and identical rights to a person with a mental or physical disability as to other healthy people in society, this would be more to the detriment of the disabled and would be contrary to the requirements of justice; therefore, in a society, apparent, contingent (voluntary and involuntary) differences, etc., should be taken into account in the status of rights so that the society does not deteriorate; just like when, in a hypothetical society, all employed people are given equal rights and benefits (formal equality) and the differences resulting from the importance of the position, talents and abilities, and different efforts of individuals are not taken into account. ((Therefore, Islam has not given men and women the same rights, duties, and punishments in all cases. It has considered some of the rights, duties, and punishments appropriate for men and some of them for women. As a result, in some cases, men and women are treated similarly, and in other cases, they are treated differently)).

((Given the obligation to provide for the wife and children, as well as her dowry to the man, economic justice requires that the man's share of the wealth of the society be twice the share of the woman. If we consider the total of men and women and the wealth that is passed down from one generation to another, we see that these wealth requires prudence and wisdom to preserve and multiply, and this is a heavy responsibility. At this stage, God has placed the heavy responsibility of preserving and multiplying two-thirds of it at the disposal of men and one-third at the disposal of women, which is itself an ease for them. However, in the stage of consuming and benefiting from wealth, women are often equal to men, and perhaps women's consumption is greater than men's. This is because, in addition to their usual consumption for luxury and adornment, they often have a greater need for wealth. The assumption is that all of the woman's maintenance, even the money for her luxury and the maintenance of the children, is the responsibility of the man. Unlike the maintenance of children and parents, the maintenance of the wife is part of his rights, which in the event of the man's default, he is forced to pay it.

Finally, it should be noted that the issue of equality and non-dissimilarity of the rights of men and women, considering the natural differences between them, is one of the issues raised in the Islamic tendency to defend women's rights.

8- The right to divorce and the right to custody:

The occurrence of the phenomenon of divorce, in addition to targeting the family center, can also, if it occurs repeatedly, cause tension in the social order of society. In any case, it is better to use divorce as a last resort in a tense and disharmonious cohabitation because the first effects of this phenomenon are on the children of divorce, who are emotionally and psychologically damaged and in the future, because they were not raised in an emotional and united family, they will request separation at the slightest adversity in life. On the other hand, it is often these mothers who suffer from separation, both psychologically and in terms of depression, and in terms of family, suffering from being away from their children, and in terms of social, they will face harassment from male relatives, neighbors, colleagues, etc., and they may face cynicism, mistreatment, and harsh language from their female relatives and neighbors, and as a result, they are deprived of a peaceful life.

((In the issue of the right to separation in Islam, it is not the case that a woman has no right at all in divorce. A woman can stipulate in the marriage contract that in special cases that concern her, she has the right to divorce herself through her husband's undismissed power of attorney, and the husband cannot prevent the divorce by accepting this condition. On the other hand, if the husband ignores the rights of his wife and the righteous judge is unable to force him to provide for her rights by reminding and forcing him, or if the

woman becomes embarrassed by being married to that man and requesting a divorce from her, the judge can force the man to divorce her. If the man refuses, the judge can divorce the woman.) Also, if the husband does not pay the wife's right to maintenance (and in the sense of being the mother of his wife's children) from the husband, the judge can force the husband to divorce her, and this ruling is true even if the husband is unable to pay the maintenance.

After separation, the issue that arises is whether the children should live with their father or mother. According to the former Article 1169 of the Civil Code, if the parents did not live together, the son would stay with the mother until the age of 2 and the daughter until the age of 7, and after that the father could take the child from the mother. Of course, with the amendment of this article by the parliament in 2003 and its final approval and approval in the interest of the system, the mother now has priority for custody of the children (both male and female) until the age of seven, and after that, custody is with the father unless the mother refuses it and a dispute arises, in which case the court determines who will have custody, taking into account the interests of the child, and this means that the mother still has the right to have custody and care for her children after the age of seven. On the other hand, in 1997, an amendment was made to Article 1173 of the Civil Code by the Parliament, based on which if the mother could prove the father's incompetence in terms of alcohol or drug addiction, gambling, moral corruption and prostitution, mental illness, repeated assault and abuse of the child, she could take custody of her child.

After the custody of the child is given to the mother, a noteworthy point that arises is the issue of guardianship, which, according to Islam and the Iranian Civil Code, is with the father and paternal grandfather, and according to Article 1183 of the aforementioned law, the guardian is considered the legal representative in all matters related to the property and financial rights of the children; as a result, for the mother who is in charge of the custody of the child (under 18 years of age), this can lead to problems such as opening a bank account, the inability to carry out financial transactions on behalf of and in favor of her children, the inability of the child to leave the country, or problems with insuring the children, and such cases, which sometimes require the consent of the child's guardian to resolve (for example, giving written consent and representation to the mother in that specific problem so that she can do that work for the child under her custody on behalf of the guardian and not originally). In this discussion, it does not make sense that a mother who has the authority to care for and raise a child and on the other hand has the authority to manage her own personal financial affairs and is actually considered an adult in her own financial affairs, but does not have the authority to manage the financial affairs of the child under her custody; yes, in a situation where a mother, due to reasons and events, loses her mental capacity to manage her personal financial affairs (in the term, she does not have the ability to support herself) and her lack of maturity is proven in court, in this case it would be reasonable to entrust the child's financial affairs to his guardian (father or paternal grandfather). Rather, even in this case, it should be examined whether the mother has the authority to care for the child or a new decision should be made for the child that is in his best interest. But otherwise, in this hypothetical case, entrusting the children to the mother without the right to make decisions and manage the child's financial affairs (originally intended), creates the possibility of disrupting the peace and mental and emotional well-being of the mother and her children, and it can be considered a social and cultural problem.

Conclusion

In the religion of Islam, motherhood has been considered an important value, and one of the concerns has been to introduce the great value and position of mothers throughout time through verses, narrations, and even literature through the writing of poetry by Persian writers. In one of his poems, Shahriar, while linking the reason for people's delinquency and indifference to the lack of love from their mothers, has wanted to express the importance of maternal love and raising children in the arms of their mothers, and Parvin Etesami, in one of her poems, has considered Luqman's mother to be the reason for his wisdom, and in fact, she has wanted to remind us of the key role of mothers in raising children. In Ferdowsi's Shahnameh, some mothers are praised for their wisdom and worldly knowledge, and they give their sons advice, such as Frank's advice to Fereydoun not to rush into fighting Zakhak and to be patient until the right time, or Tahmina's advice to Sohrab and to warn him against fighting Iran, which unfortunately Sohrab, by turning a blind eye and not listening to his mother's orders, ends up killing himself with his own experience. Saadi also laments the hurting and breaking of mothers' hearts in the Garden, and in his Golestan, he quotes a mother whose young son has cried out to her, saying that if you had not forgotten your childhood, when

you took refuge in my embrace (mehr), you would not have been rude to me today. Various Persian-speaking poets at different times have tried to remind the mother of her role and rights in most verses, such as obeying her command, who only wants the good of her children, and respecting and not being rude to her, in order to engage the minds of their audience and provide the basis for understanding the value of motherhood and, as a result, gratitude to her. In the verses where God commands to worship Him, in some of them He immediately commands to be kind to parents, which can be understood from the important position of parents in the sight of God. Of course, this command is not specific to Islam, and earlier nations such as the Children of Israel also promised to obey this command, citing verse 83 of Surah Al-Baqarah. Also, among the rights of mothers that children are obliged to fulfill, in accordance with the verses of the Quran, we can mention such things as good behavior, gratitude, prayer and seeking forgiveness, observing politeness and avoiding boasting. The latter, which means respecting parents, in addition to the Quran, is seen in the tradition of the Holy Prophet and the Ahl al-Bayt (AS) and even Persian writers such as Hafez Shirazi, which can indicate that society is suffering from the problem of disrespect and not observing politeness in the presence of parents. Regarding gratitude to the mother, this can be due to the child's correct understanding and knowledge of the Creator, which is in fact incomparable like a father who regularly gives his child books as gifts, and the child, in addition to verbal gratitude, thanks his father in practice by reading them and shows that he knows the value and appreciation of his father's gifts; Here too, the child should appreciate this gift, blessing and divine blessing that God has bestowed upon him, namely his parents, which God regularly and continuously provides the child with by allowing his parents to breathe and give life. Appreciation and gratitude for this blessing, in addition to verbally thanking the Creator and the parents for the efforts they have made, can also be expressed in practice by promptly responding to their requests, respecting and respecting them, providing food, clothing and suitable housing when the parents are insolvent and the child has the financial means to help them, paying the debts of the parents both during their lifetime and after their death, asking for prayers for their well-being and health, seeking forgiveness for them, visiting their graves and other such things. In fact, gratitude to parents on the one hand and the rights of parents on the other hand are not specific to their lifetime in this world, and some of these rights are also valid for mothers and fathers after their death. This is one of the differences between the Islamic legal system and the system of international human rights documents regarding mothers. This is because although these documents have stipulated some rights for all humans, which mothers also enjoy by virtue of being human, or some rights for women, which mothers also enjoy as women, and in a few cases, they have stipulated special rights for mothers during childbirth and pregnancy to rest and ensure their health, these documents focus solely on the worldly life of humans and mothers. Whereas in Islam, the rights granted to mothers have some worldly aspects, such as maintenance, and some aspects of life after death, such as visiting the grave and seeking forgiveness and reciting the Quran for the deceased mother, and some are valid in both aspects at the same time, such as paying the mother's debts both during life and at death. All these rights, considering that the religion of Islam is a plan for life and guidance for humans, and is also one of the names of the Lord of the Universe, which means the Educator, and also mentioning the fact that humans were created to worship God so that humans can grow and reach human perfection through this servitude, therefore, the rights that are mentioned for mothers, whether in the verses or in the narrations of the Infallibles (AS), must all be seen in the light of this point. The purpose of establishing these rights for mothers and, conversely, the obligation of children to fulfill them, while also telling about the position, status and dignity of mothers in the sight of God and the Infallibles (AS); is to grow and strengthen human perfections and to purify and clarify the insides of humans (children, mothers, fathers) and to reach the position of divine closeness. Of course, the discrepancies in the material rights dimension can also be attributed to the difference in the means of cognition between Western and Islamic human rights documents, which, in addition to reason, experience, and sense, revelation is also effective as another means in completing the knowledge and identification of more complete and true rights.

In the third part of this text, based on various international and domestic documents, some rights such as the right to housing, food and clothing, which can be referred to as the right to alimony, the right to health and social security, the right to equal pay, the right to divorce, etc. were mentioned. Among the rights that mothers can have when separating from their spouses is the right to custody of their children until they are 7 years old, and after that, in the event of the mother's objection and as a result of a dispute with the court's decision, they have the possibility of custody, considering the best interests of the child. The problem that arises is that even in this case, the child's guardianship remains with the father and his paternal

grandfather, and in accordance with Article 1183 of the Civil Code, the father is considered the legal representative in all matters related to the children's property and financial rights. While the mother has the authority to care for and raise the child, and given that the mother is considered an adult in her personal financial affairs and is able to manage her own financial issues, how can it be believed that the mother does not originally have the authority to manage the financial affairs of the child under her custody? In response to the fact that the right to feed the child includes the mother's obligation to provide her milk, we stated that a distinction should be made between the principle of the obligation to provide nutrition and the manner and manner of fulfilling this obligation and not to confuse the two. In fact, parents are obliged to provide nutrition to their child and they can do this with both breast milk and breast milk from a nurse or formula milk. This means that while the mother is obligated to provide nutrition to the child, the mother also has the right to refuse to provide her milk unless feeding with something other than breast milk is not possible, in which case she is obligated to provide her child with her own milk and of course she can demand payment from her husband for this work, which means a privilege for the mother in addition to the obligation that she has acquired exceptionally. Another advantage for mothers in the issue of feeding their children is that when feeding other than breast milk is possible, the cost of providing nutrition, which is the same as the concept of alimony, is the responsibility of the father of the family.

In the issue of abortion, on the one hand, a distinction must be made between human rights and citizenship, and on the other hand, it must be kept in mind that the right to life and the right to prohibit the deprivation of life are two different things, and the latter only applies to the death penalty in the First Additional Protocol to Geneva, which only applies to states party to the protocol, provided that no conditions are declared. Deprivation of life is possible in other ways, such as war conditions or self-defense, etc. Regarding the fetus's right to life and the mother's right to her physical integrity, and abortion, this issue in the field of citizenship rights in society can be considered in different mechanisms depending on fundamental values, morality and public health, public order and security, and customs and traditions of societies. There is no absolute prohibition against taking the life of a fetus, for example when the life and health of the mother are in serious and irreparable danger. Everything depends on the circumstances of the case and the underlying conditions prevailing in the society in question.

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