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# Islam and Women's Rights

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## Introduction

The story of woman's rights and her liberty is one of the live and attractive issues being discussed over the last few years in the Eastern circles. Islamic countries are also faced with this debate, and different societies have different views in this regard, positive and/or negative.

Occasionally the matter extends beyond the limits of a debate and quietly enters the field of action making some special appearances in the Islamic environment. This issue of freedom and equality of rights is occasionally extended to such lengths; rightly or wrongly, that it reaches sensational limits, sometimes to the extent of being dangerous and repulsive.

Naturally in these discussions or actions, the name of Islam is also dragged in and various interpretations of the Islamic viewpoint are made in this regard. Some say that Islam is totally opposed to any liberty or progress for women and declare that Islam regards woman as a lowly weakling totally captive in the hands of man, deprived of all rights and social privileges.

She, according to them, has no right to property or dignity, not even in the selection of her husband and determination of her own destiny. She is deprived of the blessing of letters and is required to stay, with her eyes and ears closed, in the corner of her house, detached from society, to obediently perform every whim of her husband. She is condemned to live the life of a miserable creature that has no wider role to play in the human society. The life envisaged for her is the mean life of a helpless captive condemned to live and die without rights and without dignity. This is one type of thinking in regard to Islam's view of women's rights.

There is another group of extremists who feel that they can stretch Islamic laws in accordance with their whims and fancies and make the sacred laws of Islam march in step with their own imagination at all cost. They feel that Islam has granted all sorts of rights and freedom to woman so as to permit her to

intervene in all social spheres along with men, working shoulder to shoulder with him.

At times she is pictured as being present on the battlefield and, sometimes, supposed to decorate the seat of a deputy or a minister. She may roll up her sleeves and work to launch missiles, hold the command of an army or sign a treaty of peace.

She is also, at times, required to dance in rhythm with men and twine her arms in the arms of any friend or stranger or appear in her bikini, bathing in public swimming pools or at the beaches. They are those who do not consider it wise, in view of social considerations, to formally negate the Islamic doctrines. They, therefore, try as far as possible, to explain and interpret Islamic laws so as to meet their objectives.

There is another group which, without the least reservation or hesitation, openly and clearly pursue their objectives. It is none of their business that the country is an Islamic state or its people followers of the teachings of Islam. Irrespective of all this, they move ahead in the direction of their whims and fancies and senseless imitation of others.

As to the question how this debate started, what its origin is, here are the clues.

## **Change in Woman's Legal Position in Europe**

A woman in the tribal and barbaric societies was considered a subhuman beast or a chattel used to fulfil sensual needs and required to perform menial and worthless jobs. She was a bonded labourer who lived only to be exploited by man in whatever manner he deemed fit. She did not live to enjoy life or exercise human rights and privileges.

Later, in semi-barbaric or half-civilized human societies, woman continued to be the subject of debate, and different opinions were expressed about her such as:

- Woman is the abominable creation of the devil;
- She does not have a human soul, hence no life in the Hereafter;
- Women's deeds are not acceptable to God;
- Being a means of satanic seduction, she should be physically tortured;
- Death, poison, fire and the serpent are lesser evils compared to her;
- Girls should be buried alive to wash away the scars of disgrace;
- Women are human beings, but were created to serve man.

These and other such views in regard to woman have been expressed by the ancient Romans, Arabs,

Frenchmen and Athenians.

Europe's civilized societies recognize woman as a human being but deprive her of many a human right. They even did not consider her to be a citizen of the state, nor granted her any personal rights. A girl was required to accept anyone selected by her guardians as her husband.

She was only the means of fulfilling the carnal desires of man and maintained for this purpose. She was used to work on farms and at home on the one hand, and, on the other, to satisfy man's sexual passions; beyond this she had no significant legal protection.

Before the advent of the Industrial Revolution, European families lived a simple and modest life; women helped in agriculture and household affairs. They occasionally kept themselves busy with some small handicrafts within the household.

However, the family and social life of a woman, along with her husband and children, was confined to the premises of her home, enriched by the environment of mutual love and affection. The Industrial Revolution brought into existence large industrial complexes and heavy industries. The need for large numbers of workers resulted in the break-up of the family.

Women and children had to leave the warm family atmosphere of their villages and were dragged into industrial cities and towns. Hard and tiring working conditions, break-up of families, unlawful mixing of women with men in the work premises, the pressure of sexual urges on both sides, the erosion of familial sentiments, the exploitation of unprotected and unsheltered women by the managers of industrial houses in order to satisfy their lusts, resulting in the spread of corruption, prepared the ground for a revolution.

The women felt that the burden of life had fallen on their shoulders and they had been deprived of all sentiments and privileges of a pleasant family life. They had lost their husbands, their children, their honour, their chastity and everything else.

They realized that although the war had devoured millions of men and youth, and the factory owners were in urgent need of women to keep the wheels of industries moving, yet they never attached any value to them and continued to oppress them.

Moreover, they were not even paid proper wages. Discrimination between men and women continued. The women were dragged into all types of corruption and moral pollution. The unsheltered and unprotected women, crushed under the pressure of such a life, were compelled to surrender to this forced life of indignity and sub-human existence.

They felt that they had lost everything: they had to turn the wheel, to carry the burden and yet keep their mouths shut. They had to tolerate oppression yet abstain from protests under its crushing weight, Apparently, they were working shoulder to shoulder with men, but, in fact, they were no more than the

oppressed beasts of burden fallen captive in the hands of a handful of profiteers. Every hour they had to surrender to all and sundry, suffering severe indignities for meagre wages.

The pressures caused by this atmosphere aroused their feelings and encouraged them to protest and strike resulting in their eventual arrests and killings.

Finally as a result of continued efforts, through speeches and writings, they found their way to the centres of authority and penetrated into the legislative assemblies. Slowly and gradually, they not only achieved the goal of equal pay for equal work, but also achieved equal rights with men with the right to participate in all spheres of activity. The question is, how far has this freedom and equality of rights in all spheres been to the benefit of men and women or how far has it been harmful to them? This is the subject of another debate to be discussed some other time.

## **Woman's "Liberation" Comes to Eastern Countries**

Europe with its industrial advancement achieved industrial hegemony over the world. This was followed with expanded activities in other fields as well. The European civilization with its big row and fanfare succeeded in snatching the leadership of the world and attracting the attention of the backward nations.

The nations of the East were so impressed by European developments that for them anything that the Europeans did was exemplary. Their food, their dress, their mode of thinking, their etiquette, their morals, laws, their system of public rights and everything else were regarded as flawless and to be diligently imitated. They felt that whatever the Europeans did and said must be accepted with folded hands and closed eyes.

They felt that they should lay down their determination, their individual respect, their moral and material wealth, their religion and national customs and traditions at the feet of these Europeans and in turn put the chains of slavery around their necks without any complaint.

Following this allurements mixed with moral and spiritual weakness, these lovers of the West turned their eyes towards it anxiously waiting to welcome whatever came from Europe. The tumult of woman's liberation and its practical off-shoots found their way to the Islamic countries, where they received a warm welcome as souvenirs from the West, forgetting that it was a creation of special circumstances and developments in the West that demanded such an outcome; whereas those conditions did not prevail in Islamic countries.

Islam, for the last so many centuries, had granted a dignified personality to woman, bestowing all human rights and privileges upon her, including some special rights in particular spheres. It will be discussed in detail as to how Islam did provide a special privileged position to the female sex and favoured her with a sublime position in accordance with her physical and spiritual structure.

It may be pointed out that the explosive conditions of industrial development, resulting in the break-up of

families, leading to the suffering and oppression of women, and calling for a revolution in Europe, did not exist in these countries. But it was only the urge for doing what others had done that obliged the people in Islamic countries to follow suit.

They thought that whatever came from Europe was a heavenly command to be followed. On the other hand, all this had a strong appeal based on sensual and carnal desires. All these factors put together brought a group into existence that started struggling for the so-called women's liberation. They gathered under this slogan and the result is what we see today.

## **The Relationship between Woman's Natural Structure and Her Rights**

Here, as we enter the main subject itself, we shall discuss the question of women's rights from the Islamic point of view, setting aside all fanaticism and keeping ourselves aloof from the pressures of the environment and the uproar of the supporters of 'civilization'. Let us first of all briefly consider men and women from the point of view of physical structure, biological and psychological make-up and see whether or not these two creatures have any difference from these

points of view. If they have, do these differences demand that each of them should have a particular limitation or special rights? Also, whether or not these legal differences in such special circumstances are incompatible or inconsistent with the human personality and social status of either of them?

The world is full of different objects and phenomena, each having its own peculiarities as different from the others. Each has its own limitations and special features that bring elegance and grace to them. There is variety amongst animals, the fauna and flora, and similarly between individuals of the same species.

Similarly, human beings are different and have particular characteristics. Whereas differences between species are deep, the differences amongst individuals are superficial. However two persons are not the same in all respects, so much so that even the fingerprints of two persons are sufficient to distinguish one from another, leave alone other aspects. One notices differences amongst people in their thoughts, capabilities, sentiments, mental and physical abilities, the intensity of instincts, outward appearance, height and weight and other internal and external factors.

The effect of these superficial differences is witnessed in the status and ranks these individuals obtain in society. Each according to his capabilities and circumstances shares the burden of the society: It is this variety that fulfils all the requirements of the society and perpetuates the movement of life.

In regard to men and women, there are some deeper observable differences that make the two sexes separate from each other and call for special duties and status for each of them. As far as the physiological structure is concerned, the male is on an average endowed with stronger nerves, physical structure,

greater weight, height, and brain quantity. This by itself indicates that he is made for hard and difficult jobs.'

The part of the brain that is related to emotions is more in a female, whereas the portion of the brain dealing with thought and deliberation is greater in a male. As against this one notes that a female's body is equipped with organs to carry a child and feed it with her milk. This is a special feature bestowed upon her, indicating that a child's training is her obligation.

Training a child needs strength and richness of feelings so that the child's growing and ever-changing demands are catered to. Undoubtedly, woman, with her special physical features meant to bring up children, has also been equipped by nature with the required emotions and strong feelings of love and affection for the child. This maintains the discipline and order in human life.

The very fact that the woman is endowed with great affection and tender sentiments as compared with a man goes to prove her special responsibilities towards human society and there is no need for any elaborate argument in this respect.

## **Role of Thought and Emotion**

Affection is a deep, tender sentiment that creates a sense of tolerance, courage and patience. It is soon provoked and makes a deep immediate effect. It is a sentiment that needs no deliberation or any long drawn out preliminaries. Its objective is quickly attained and no careful long term planning is needed. Affection, in other words, is deep interest and strong passion that is superficial and not deep rooted but at the same time elegant and glorious.

A child's cry or his smile soon provokes the loving heart of the mother and attracts her deep affection. It is with the mother's burning affection that children's continual demands are fulfilled. The lamentations and bitter sighs of a pale-faced patient and his bony frame can affect only a sensitive heart, which would provide it with untiring nursing care.

The scene of untiring and ceaseless efforts of a man in his struggle for a living, his perspiring forehead, his tired face and exhausted nerves invoke the sentiment of affection in a woman. It is out of this sentiment that she tries to make her house a well-managed refuge full of joy, so that the exhaustion caused to her husband due to his, struggle in life can be compensated for in the warmth and affectionate atmosphere of the family.

It is under the shadow of this affection and the freshness of this loving sentiment that man forgets his fatigue. It is the aesthetic sense of a woman and her flair for elegance that affects the dress of her husband and children and gives a look of charm and luxury to the home and makes it glow with life and the spirit to live.

As against this, the search for livelihood and struggle for life need far-sightedness and perseverance,

both of which require thoughtfulness.

Sentiment cannot tolerate to view objectives and goals from a far-off distance. It cannot rear into its heart a love which may ripen and bear fruit ten years later, which would at first appear like a fairy tale or myth for whose achievement it has to tolerate all kinds of hardships. It cannot traverse this long distance, overcome obstructions on its way and pave the path towards success.

The emotive spirit does not get along well with deceptive and colourful manifestations in the path of the search for a living. This strenuous and crooked path needs strength that, despite tender sentiments, is accompanied by a fiery doggedness that does not easily surrender, but exhibits a tolerance and coolness that supersedes sentiment and emotion. It is through such hardheartedness and connivance that a man has to run the race of reaching prosperity and achieving his objectives.

It is up to a man to maintain and protect his family in the tumult of life, whether it is by cutting wood in a jungle, or by operating huge industrial machines and installations, or participation in the battlefield or managing the affairs of the government and society.

All need hard work, far-sightedness and planning. This cannot be achieved by gentle sentiments, or emotional ethos or tender-heartedness. Every organization has its own peculiar interests. The administration of different aspects of life needs different qualities, sometimes thoughtfulness and at other times sympathy, sometimes finesse and feeling, and at other times, strength and serenity.

Since all the wheels of society must continuously move, the system of creation has equipped each man and woman with a particular type of constitution. Each is greatly valuable in its own place and useful and worthy in its own manifestations.

Despite this difference and variety in structure, the personality of neither is crushed. Instead each has a specified path to cover.

This was a description from the physiological and psychological points of views.

## Equal Rights of Men and Women and the Islamic Viewpoint

Islam considers men and women equal as far as the basic human rights are concerned. It not only recognizes a human personality for both, but also considers them equal in all rights and human privileges. The following verses of the Qur'an support this statement:

.. يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً

***“O, mankind, fear your Lord who created you from a single soul and from it created its mate, and from the pair of them scattered abroad many men and women ....” (4: 1)***

And:

... يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ﴿٤﴾ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقَاكُمْ

**“O mankind! We have created you male and female and appointed you races and tribes, that you may know one another. Surely the noblest among you in the sight of God is the most God fearing of you ....”(49: 13)**

أَنِّي لَا أُضِيعُ عَمَلَ عَامِلٍ مِنْكُمْ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ ﴿٤﴾ بَعْضُكُمْ مِنْ بَعْضٍ

**“I waste not the labour of any that labours among you, be you male or female –the one of you is from the other ....”(3: 195)**

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ﴿٤﴾ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ ﴿٤﴾ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ

**“And the believers the men and the women, are friends one of the other; they bid to honour and forbid dishonour; they perform the prayer, and pay the alms, and they obey God and His Messenger. Those upon them God will have mercy .... “(9: 71)**

إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْقَانِتِينَ وَالْقَانِتَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَاشِعِينَ وَالْخَاشِعَاتِ وَالْمُتَصَدِّقِينَ وَالْمُتَصَدِّقَاتِ وَالصَّائِمِينَ وَالصَّائِمَاتِ وَالْحَافِظِينَ فُرُوجَهُمْ وَالْحَافِظَاتِ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا وَالذَّاكِرَاتِ أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

**“Men and women who have surrendered (unto Allah), believing men and believing women, obedient men and obedient women, truthful men and truthful women, enduring men and enduring women, humble men and humble women, men and women who give in charity, men who fast and women who fast, men and women who guard their private parts, men and women who remember God much, for them God has prepared forgiveness and a mighty reward. “(33:35)**

﴿٤﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِنْ قَوْمٍ عَسَىٰ أَنْ يَكُونُوا خَيْرًا مِنْهُمْ وَلَا نِسَاءٌ مِنْ نِسَاءٍ عَسَىٰ أَنْ يَكُنَّ خَيْرًا مِنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ

**“O believers, let not any people scoff at another people who may 'be better than they; neither let women scoff at women who may be better than they. And find not fault with one another, neither revile one another by nicknames ....” (49: 11)**

... وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَىٰ وَهْنٍ وَفِصَالُهُ فِي عَامَيْنِ أَنِ اشْكُرْ لِي وَلِوَالِدَيْكَ

**“And We have charged man concerning his parents –his mother bore him in weakness upon weakness, and his weaning was in two years –be thankful to Me and to your parents ....”(31: 14)**

...هُنَّ لِيَاسٌ لَكُمْ وَأَنْتُمْ لِيَاسٌ لَهُنَّ ...

**“They (women) are a vestment for you, and you (men) are a vestment for them ....”(2: 187)**

لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ

**“To the men a share of what parents and kinsmen leave and to the women a share of what parents and kinsmen leave ....”(4:7)**

... لِلرِّجَالِ نَصِيبٌ مِّمَّا كَتَبْتُمْ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا كَتَبْتُمْ ...

**“To the men a share from what they have earned, and to the women a share from what they have earned .... (4:32)**

الرَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ ۚ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ  
الْآخِرِ ...

**“The fornicatress and the fornicator –scourge each one of them a hundred stripes, and in the matter of God's religion, let not tenderness for them seize you if you believe in God and the Last Day ....”(24:2)**

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَىٰ لَهُمْ ... وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ  
وَيَحْفَظْنَ فُرُوجَهُنَّ ...

**“Say to the believers, that they cast down their eyes and guard their private parts; that is purer for them ....And say to the believing women, that they cast down their eyes and guard their private parts ...”.(24:30–31)**

... وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ

***“And the thief, male and female: cut off the hands of both as a recompense for what they have earned and a punishment exemplary from God ....”(5:38)***

These Verses were quoted as examples only, for there are many more verses clearly mentioning both the men and women and specifying the directions in their regard. Apart from this, there are hundreds of verses that take the form of address, “O mankind!” or “O believers!” which cover both men and women.

The above-mentioned verses, in short, mean as follows: Both men and women are human beings, both are expected to follow Islam, be faithful and obedient believers. The good reward, paradise and God's grace are for both. Both have similar duties to perform; for instance, the ritual prayer, fasting, *Zakat*, to command to good and to prohibit from evil.

The criterion of their personal superiority is based on piety and guarding themselves against evil. Moral virtues such as tolerance, sublimity, truthfulness, help to the poor ....are desirable for both. Both are required to observe chastity and keep their looks cast down.

Moral vices, such as obscene acts, backbiting and mockery are not desirable for either of them. Both inherit property. The right to property and usage of property is granted to both men and women. The father and mother both deserve extreme respect.

Both men and women are responsible for their deeds, which shall not go un-reckoned. Both are equal in the eyes of the Law and are to be punished for crimes committed. Finally, if a woman is at some loss in a particular case from the legal point of view, at another place the Law compensates for this loss and effects a legal balance in her favour.

Other verses in the Qur'an independently mention woman's rights, occasionally ordaining men to preserve those limits. At times the attitude of the pre-Islamic culture in regard to women is criticized. For example, a verse condemns the practice of slaying girl-infants in the words:

وَإِذَا الْمَوْءُودَةُ سُئِلَتْ بِأَيِّ ذَنْبٍ قُتِلَتْ

***“And when the buried infant shall be asked for what sin she was slain. “(81:8-9)***

In addition to this, the Qur'an discusses well-known women of religious history and describes their lives to the extent that falls within the scope of its objective. Such women are twelve in number. Even one of the Surahs of the Qur'an is named Surat al-Nisa', which glorifies women.

In the above paragraphs, a general discussion regarding the respect shown by the Qur'an to the woman has been mentioned. A description has also been made of the equal rights of men and women. This prepares the grounds for a future debate.

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