

# Women & Women Rights

## Introduction

The different tasks assigned to men and women are on the basis of biological/ physiological grounds and it is not a question of capability nor is it to reflect women's status and value vs. men.

Equality of the status of men and women before the Almighty and the absence of discrimination on gender grounds is evident in the holy Qur'an:

[And whoever does good deeds, whether male or female, and he or she is a believer – they shall enter the garden, and they shall not be wronged by one iota] 4:124

[Whoever does good whether male or female, and is a believer, We will most certainly make them live a happy life, and We will most certainly give them their reward for the best of what they did] 16:97

[And whoever does good deed, whether male or female, and is a believer, these shall enter the garden, in which they shall be given sustenance without measure] 40:40

The criterion is nothing but the individual's piety; regardless of gender color race or background:

[O mankind! We created you from a male and female and made you into nations and tribes, that you may know each other, verily the most honored of you in the sight of Allah is the most righteous of you] 50:13.

For pragmatic purposes they have been allotted different roles, responsibilities and duties, as it is stated in the holy Qur'an:

[Men are the maintainers over women because Allah has given some of them more (authority) than the other, and because they spend out of their property; the good women are therefore harmonious [with Allah's rule], guarding in secret what Allah has guarded...] 4:34

And

[Allah (thus) directs you as regards your Children's (Inheritance): to the male, a portion equal to that of two females ... These are settled portions ordained by Allah; and Allah is All-knowing, All-wise.] 4:11

Women are not responsible for any living expenses and maintenance even if rich, or have their own income, while the husbands are.

When she gives birth, a woman is not obliged – from the religious point of view – to breastfeed the infant. It is the responsibility of the father to find a woman to breastfeed the child if the biological mother unwilling to do so, as given in 2:233. Editors.

- ❖ The rights of women over men are similar to those of men over women.
- ❖ Pretense and misconceptions have altered the truth and reality about this world. When we look at the issue of women, for example, we see that the slogans that are raised for the causes of women's rights are nothing but empty rhetoric and misconceptions. Emancipation of women is a beautiful notion, but at the heart of the matter when you examine the reality of women's lives under the shadow of this notion today, you will find that this has brought about restriction and humiliation for her, and not freedom as they claim.
- ❖ Life is a blend of intellect and passion. Life is neither entirely based on intellect, nor purely on passion. If intellect were to be removed from life, there would be chaos with no order in it. Intellect is the one that regulates passion.
- ❖ The example of woman and man in life is like that of passion and intellect. This does not mean that a woman is all passion with no intellect, and that man is all intellect with no passion. Rather, it is meant that woman is an entity in which the effect of passion outweighs, contrary to man, largely, who is an entity in which the effect of intellect overcomes the passion.

- ❖ Woman is the example of passion in life; the matters that require passion should [in general] be delegated to the woman, whereas man is the example of intellect, and thus issues that require determination and assertiveness should [in general] be delegated to man.<sup>1</sup>
- ❖ If we were to place women in the heavy industries factories and place men at homes to see to the house duties, both scenarios would cause paralysis to life. And the evidence for that is what we can find in the Western life-style. Where did these problems come from, while human beings are the same human beings, man is the same man, and woman is the same woman? The answer: This is because the role and duties of the woman is taken from her and given to man, and the role and duties of man is taken from him and given to woman. That caused paralysis in the family life, and therefore problems; men began to feel increasingly alienated from their wives, and women began increasingly feeling alienated from their husbands, and the divorce rate began to increase day after day.
- ❖ Science progresses mankind to space, but his problems lead him to divorce, collapse of the family, and the coming apart of its constituents, and marital problems. Why? Because both the man and woman relinquished some of their duties and took up the role and duties of the other, even though one is not competent for them – and success in life is based on the two parties' competence in their respective duties.

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<sup>1</sup> Every case has its exceptions, and thus men should not be excluded from all the matters that require passion nor should women be excluded from all the issues that require intellect and determination.

- ❖ They have risen woman on one aspect and have lowered her on another, and thus problems were created.
- ❖ Islam has made woman's expenses as part of man's duties, irrespective of her being daughter, wife, or mother; even the makeup items come under this category, let alone accommodation, food, clothing, medicine, recreation, and the like; including the shroud required for the deceased, if the wife dies, as well as the grave and burial costs. All of these are man's responsibility even if the wife is rich and the husband poor; but within his ability or with consideration to his financial standing.
- ❖ Were it not for Islam's leniency towards woman, it would have been necessary to make all the bequest go to the man.
- ❖ If we were to abandon our intellect, as well as the teachings of Islam, it would seem logical that only man inherits the bequest. Why should we give woman part of the inheritance when man is responsible for all her expenses? However, Islam does not overlook the fact that woman may need something but would be considerate and not ask the man, and Islam does not want woman to be in this position, and thus made her a share of the bequest. This is in addition to the fact that in giving her a share of the bequest is a kind of "feel good" factor and a "condolence", given that she is grieved by the death of her relative. With this, does Islam's ruling about woman's share of inheritance still constitute denying her her right, or undermining her dignity? This issue, clearly and simply, goes hand in hand with Islam's relevant fiscal rulings, taking into account woman's passion, given that Islam takes passion into account.
- ❖ Woman is more passionate than man, and this passionate nature may propel her to make a hasty decision on the issue of divorce, for example,

but may come to regret it after cooling down. On the contrary, man's nature does not, normally, make him erupt quickly, and when he makes a decision he normally does not do so under the influence of passion. Thus if Islam had placed the divorce decision [primarily] in woman's hands, it would have been contrary to wisdom and her natural creation.<sup>1</sup>

- ❖ The wisdom of placing divorce in man's hands is to reduce the divorce rate, support the bonds of love between the couple, and help with the continuation of the married life.
- ❖ Islam does not ignore woman's dignity and choice even in the case of divorce; Islam has given her the choice and will before marriage, and the freedom that she would not marry except with the condition that she has power of attorney on her husband's behalf in divorce. In this way she will have the right of divorce just as the husband. In its general policy, along with that, Islam encourages marriage, and declares to woman: I place before you the path of a happy life, even with the right of divorce in the husband's hand, but at the same time, and in order for you not to feel any pressure or coercion, I will not force you onto anything, and you have the choice to lay down this precondition before marriage.
- ❖ Islam has obligated hijab for women; in order to lessen the vices, and to strengthen the bond between the husband and wife – the family would attain tranquility, and settle in happy and carefree environment, charged with love, affection, and harmony.

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<sup>1</sup> This is not to deprive a woman from her right to divorce. She has the right and option in a number of circumstances, for example:

- i. If the husband fails to fulfil his duties and responsibilities towards her.
- ii. If she no longer can live with the husband because of some issues then she can ask to be divorced by the *khul'* type of divorce.

Furthermore, she has the option to reserve the right to divorce at the outset of the marriage.

- ❖ Islam does not prohibit any skill, knowledge, or career for woman; rather on occasions it has obligated knowledge and work, and on occasions it has recommended others. However, Islam had prohibited her from immorality, indecency and going out without hijab. Islam has also prohibited her from engaging in acts which contravene her chastity and dignity.
- ❖ Islam is the most merciful religion history has ever known or experienced. In the case of woman, Islam considers that the family life will not be complete except through toil and hard work outside the home, and solace and endeavor inside. It has divided the task between the couple in order to strengthen the bond of love and cooperation between them. Islam assigned the outdoor to man, and the indoor to woman. The fact that Islam has assigned woman to reside and work at home, it is because woman is better suited to manage the family home – especially so when it comes to upbringing and educating the children – for she is the best for the children's upbringing, and their physical, mental and emotional growth.
- ❖ Islam considers that if woman takes up man's tasks outside the house, then man must take up woman's housework, and this will result in the wastage of competence and abilities of both; woman's passionate quality and ability, and man's practical and physical abilities. They will both be working, but with their roles swapped. If this happens, the result would be unsatisfactory. For this reason Islam favored and recommended the home work for woman, and external hard work for man.<sup>1</sup>

- ❖ Islam is particularly eager about society's health and happiness; and thus considers the mixing of the two sexes inadmissible; irrespective of that being in swimming pools, or schools, cinemas, factories, clubs and societies and suchlike. Islam considers that mixing causes corruption, and society must be protected against. Except if mixing takes place with complete observance of hijab, covering, chastity and modesty.
- ❖ The husband's duty is to meet all the wife's expenses, and satisfy her bodily instinct – as per Sharia. The wife's duty is to obey the husband when leaving the house, and for intimacy. As for the housework, the wife is not obliged to do it; it is only recommended for her to do that, as a means to preserve cooperation and affection between them. Islam has made marriage conditional on her consent, and placed divorce, for social interests, in the husband's hand – unless at the time of marriage a precondition is made that it is in her hand too.
- ❖ Woman is not respected in the manmade law, past and present, in the world today; there is no system that respects the woman like she is respected in Islam.
- ❖ From the economic viewpoint, Islam has guaranteed woman's financial affairs in all cycles of her life; if she is a daughter, her expenses are met by her parents, if she is a wife, her expenses are met by her husband, and if she is a mother her expenses are met by her offspring.

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<sup>1</sup> Of course there are exceptions and are acceptable; for example if man is more comfortable/feels more suited to housework or if woman is more comfortable/suited to having a paid job, for whatever reason, then that is acceptable and permitted. Needless to say problems may raise if there is no mutual agreement between them.

- ❖ The comprehensive social welfare and economic provision that Islam has mandated for woman facilitates great degree of comfort and sense of dignity and happiness, which is unheard of in any of the manmade laws past and present.
- ❖ There is no economic honoring and social respect greater than that presented to woman by Islam.
- ❖ On numerous occasions Islam stressed on and made recommendations about woman in particular and her interests and welfare, even though the rights of the husband and wife are reciprocal between them. Islam has [specifically] ordered the husbands to live with their wives on a footing of kindness and equity, whereas the holy Qur'an does not [directly] order the wives to treat their husbands kindly despite it being obligatory for them too.
- ❖ Islam holds woman in an exalted station and a lofty rank, such that the Commander of the Faithful, Imam Ali, peace be upon him, stated that the: "woman is a flower." It is imperative therefore that the Islamic society regards her as such, and deals with her on this basis in all aspects of life. This term from *amir al-mo'mineen*, peace be upon him, about woman is a precise and a beautiful term, reflecting woman's creation and akin to her physical, psychological, and passionate nature.
- ❖ Woman enjoys a prominent station vis-à-vis the Islamic ruler, and the extent of this status can be appreciated from the biography and policy of Allah's Messenger and the Commander of the Faithful, peace be upon them and their holy family, during the time of their reign.

- ❖ Let's examine how was the Prophet's treatment of that disbelieving woman, Soffanah bint Hatam al-Tai, who was taken captive along with the other disbelievers, who had come to fight and kill the prophet, peace be upon him and his holy family. He respected her and honored her, gave her whatever she needed and sent her back to her tribe in the company of those she trusted most.
- ❖ The Islamic ruler, during the reign of Allah's Messenger and the Commander of the Faithful, peace be upon them and their holy family, respected woman and honored her in such a way that has not been seen elsewhere in the history of the world, neither past nor present.
- ❖ Islam honored woman, highly cherished her, elevated her status, and allowed her to practice all the roles suitable to her, fitting and becoming to her honor, and appropriate to her nature as a female. Two things are exempt from this; one is that which does not fit her nature, for she is a "flower", and the other for her to be taken as a cheap commodity used for corruption and indecency.