

حقوق وواجبات المرأة في الإسلام

The Rights and Duties of Women in Islam

By

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Introduction

The subject of the rights and duties of women in Islam has often been clouded by controversy, personal opinions and sheer ignorance. Although many scholars have dealt with this subject, there has remained a need to discuss wider aspects of the issue than are often tackled. Maulana Abdul Ghaffar Hasan, a scholar of *Hadith* and member of the Islamic Ideological Council in Pakistan, originally presented this topic to the Council as a short Urdu paper for discussion. Considering it to be a concise yet useful contribution to the field, I rendered it into English. I am very grateful to my daughter Khola Hasan who not only edited the English version but also contributed to it with her thoughts, thus adding to its substance beautifully.

I hope that this booklet will help to remove some of the misunderstandings, prejudiced opinions and falsehoods which circulate about the rights and duties of women in Islam.

The issue of Women in Islam has been the subject of all kinds of controversies, misunderstandings and especially misinformation. This work will discuss and explain this subject according to the precise teachings of the Qur'ân and the *Sunnah* (sayings, acts, i.e., the traditions) of Allâh's Messenger ﷺ.

To begin with, the most important aspect of the entire issue is the spiritual aspect. The Muslim accepts that the main purpose behind the creation of jinn and mankind was that they should worship Allâh, struggle against the forces of Satan and live their life according to Allâh's Commandments in order to achieve eternal bliss in Paradise.

Dr. Suhaib Hasan

Chapter 1

The Purpose of Creation of Men and Women

The Muslim accepts that the main purpose behind the creation of jinn and mankind was that they should worship Allâh, struggle against the forces of Satan and live their life according to Allâh's Commandments in order to achieve eternal bliss in Paradise.

﴿وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ﴾ [الذاريات: ٥٦]

“And I (Allâh) created not the jinn and men except they should worship Me (Alone).” (V. 51:56)

Also Allâh said:

﴿بَلِ اللَّهَ فَاعْبُدْ وَكُنْ مِنَ الشَّاكِرِينَ﴾ [الزمر: ٦٦]

“Nay! But worship Allâh, and be among the grateful.” (V. 39:66)

At another place He said:

﴿قُلْ إِنِّي أُمِرْتُ أَنْ أَعْبُدَ اللَّهَ مُخْلِصًا لَهُ الدِّينَ﴾ [الزمر: ١١]

“Say (O Muhammad ﷺ): ‘Verily, I am commanded to worship Allâh by obeying Him and doing religious deeds sincerely for His sake only.’” (V. 39:11)

Equality of Men and Women as regards Religious Obligations and Retribution

In this spiritual regard, Islam makes no distinction between men and women. Both have a soul, both were created for the same purpose in life, both have a duty to fulfill their religious obligations, both will be judged by the All-Mighty, and both will be rewarded or punished according to their individual

actions. Whenever the Qur’ân mentions those fortunate beings who will enter the Gardens of Bliss because of their piety and good deeds, it mentions men and women together.

﴿وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ وَلَا يُظْلَمُونَ نَقِيرًا﴾ [النساء: ١٢٤]

“And whoever does righteous good deeds, male or female, and is a (true) believer [in the Oneness of Allâh (Muslim)], such will enter Paradise and not the least injustice, even to the size of a *Naqîra* (speck on the back of a date stone), will be done to them.” (V. 4:124)

﴿مَنْ عَمِلَ صَالِحًا مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ﴾ [النحل: ٩٧]

“Whoever works righteousness — whether male or female — while he (or she) is a true believer (of Islâmic Monotheism) verily, to him We will give a good life (in this world with respect, contentment and lawful provision), and We shall pay them certainly a reward in proportion to the best of what they used to do (i.e., Paradise in the Hereafter).” (V.16:97)

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ﴾ [التوبة: ٧١]

“The believers, men and women, are *Auliya*’ (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) *Al-Ma’rûf* (i.e., Islâmic Monotheism and all that Islâm orders one to do), and forbid (people) from *Al-Munkar* (i.e., polytheism and disbelief of all kinds, and all that Islâm has forbidden); they offer their prayers perfectly (*Iqâmat-as-Salât*), and

give the *Zakât*, and obey Allâh and His Messenger. Allâh will have His Mercy on them. Surely, Allâh is All-Mighty, All-Wise.” (V.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﴾ [الأحزاب: ٣٥]

“Verily, the Muslims (those who submit to Allâh in Islâm) men and women, the believers men and women (who believe in Islâmic Monotheism), the men and the women who are obedient (to Allâh), the men and women who are truthful (in their speech and deeds), the men and the women who are patient (in performing all the duties which Allâh has ordered and in abstaining from all that Allâh has forbidden), the men and the women who are humble (before their Lord — Allâh), the men and the women who give *Sadaqât* (i.e., *Zakât* and alms), the men and the women who observe *Saum* (fast) (the obligatory fasting during the month of Ramadân, and the optional *Nawâfil* fasting), the men and the women who guard their chastity (from illegal sexual acts) and the men and the women who remember Allâh much with their hearts and tongues (while sitting, standing, lying, etc.); Allâh has prepared for them forgiveness and a great reward (i.e., Paradise).” (V. 33:35)

There can thus be no doubt that in the Hereafter, men and women will both be judged, each individual bearing the burden of its own acts, each soul will be punished for its transgressions and each will be rewarded for its obedience

to Allâh.

Biologically Men and Women are two different sexes but complementary to each other:

One may well ask that if there is such a complete and comprehensive spiritual equality between the two sexes, why is this identical treatment not found in other rights, duties and privileges. Muslims and especially non-Muslims question why men go out to work while women are encouraged to stay at home, why women have to wear the *Hijâb* (veil), why a brother receives a larger share of inheritance than his sister, why a man can be a ruler but a woman can not, etc., and they then conclude that Islam treats women as inferior beings. Laws can never be discussed without being explained first, so we must first consider the fundamental Islamic ethos that men and women are two different yet complementary sexes. It is an established medical fact that men and women have different biological compositions and temperaments. Allâh the All-Mighty created and knows this biological difference better than we do, and has thus assigned to men and women the roles that each excels in due to its nature. Neither gender is inferior or superior to the other; instead they complement each other like the two halves of a whole. In everyday life we see that society consists of many different kinds of people, all of whom play their particular roles to keep society intact. The farmer and the doctor make different contributions to the society, but both are equally important. Each excels in his own field, and each provides a service for the other. Similarly, men and women are different sexes and play vital roles in their own areas of excellence.

Worth of Women in Islam:

The Prophet's narrations speak of women with praise and

(iii) A woman is obliged to observe Islamic injunctions on *Satr* and *Hijâb*. Spending entire days and nights in parliament wearing *Hijâb* is difficult and uncomfortable, and the practical example of women parliamentarians in Muslim countries today is that they cannot obey the rules. The nature of the job is that it suits men only, and women who try to take on a man's work will inevitably find themselves out of their depth.

(iv) A woman cannot travel on a journey which lasts more than a day and night unless she is accompanied by a *Mahram* (a close male relative). Islam recognizes that society can be very dangerous, and so does its utmost to protect women. Members of parliament do not only attend daily sessions but are required to travel inland and abroad in order to better discharge their duties. It will be impractical for the Muslim woman to look constantly for a *Mahram*.

All this does not mean to say that women have no say in the government of their country. If a woman has the capability and knowledge which could benefit the state, she can advise the government without having to participate in its daily workings.

Chapter 5

Men and Women as mutually Complements

The Noble prize winner Dr. Alexis Carrel has described the biological differences between men and women in her book "*Man, the Unknown*." She concludes with the following analysis:

Woman differs profoundly from Man

The difference existing between man and woman do not come from the particular form of the sexual organs, the presence of the uterus, from gestation, or from the mode of education. They are of a more fundamental impregnation of the entire organism with specific chemical substances secreted by the ovary. Ignorance of these fundamental facts has led promoters of feminism to believe that both sexes should have the same education, the same powers and the same responsibilities. In reality woman differs profoundly from man. Every one of the cells of her body bears the mark of her sex. The same is true of her organs and, above all, of her nervous system. Physiological laws are as inexorable as those of the sidereal world. They cannot be replaced by human wishes. We are obliged to accept them just as they are. Women should develop their aptitudes in accordance with their own nature, without trying to imitate the males. Their part in the progress of civilization is higher than that of men. They should not abandon their specific functions.

[Dr. Alexis Carrel; *Man, the Unknown*; New York, 1949, p.91]

The major biological differences between men and women mean that the two sexes do not duplicate each other, each