

Status of Women in Islam and Some Misconceptions

Dr. Razia Parveen

Associate Professor

Dept. of Arab Culture, N.S.N. P.G. College, Lucknow

Abstract

Women constitute half of the human population and when the man world is used in generic sense, it also includes woman. Human development remains unless it takes care of the rights of women as well. In Islam, a woman enjoys such a place of honour and dignity that is certain respects her status may be considered higher than of man. The prophet of Islam is reported to have said that "the most precious thing in the world is a virtuous woman". Aqba bin Amir States that the Prophet of Islam said "Do not hate girls. They are the comforter and much precious." Islam has laid down rules and laws regarding woman. Women were created as a companion to man, says the Holy Quran. And there are certain duties that have towards women and women have towards men. But due to the prevailing socio-culture norms and practices in the world particularly in Indian subcontinent sometimes the guarantee of Islam do not get translated in to tangible actions. There are some misconceptions prevailing in our subcontinent regarding women's status in Islam. Some time Muslim women themselves falsely knew that they are backward and oppressed by their religion. Some make great mistakes in presuming that all customs and practices of Muslim are connected to Islam. The main focus of this research is to pick out how status of women is safeguarded in Islam. This study concludes with an allusion that women are not subordinate of men and indicate an avenue to identify properly women is the light of Islam.

Keywords- *Ahadith, Sunnah, Sahih Bukhari, women's status, Gender Equality*

Introduction

The Status of men and women is equally emphasized in Islam for both men and women have come from the same essence and therefore both merits, demerits strengths and weaknesses. "Women are the twin halves of men" declared the Prophet of Islam. The Quran says "live with them (women) on a footing of kindness and equity and if ye take a dislike to them it may be that ye dislike a thing and Allah brings about through it a great deal of good."(4:19) The Prophet of Islam asked his followers to behave most humanely towards their

women. He is reported to have said, the perfect among the faithful is one where moral character is the best and the best among you are those who are kindest to your (wives) families (Tirmidhi). In another Hadith the Prophet is reported to have said "A Muslim must not hate his wife and if he is displeased with one bad quality in her, then let him be pleased with one that is good in her." (Muslim)

But currently in many Muslim communities women are not considered according to the right given them in Islam.

In many societies Muslims are practicing their own cultures and customs and women are being subject to cultural issues, patriarchal features of their society and also political oppression (sechzer, 2004). In India as Muslims are in good numbers Islam plays a significant role in the country. Although Quran and the tradition of the Prophet emphasis on gender equality and rights, dignity and status of women but somebody use it for exploiting and discriminating against women after tempering some verses of the text to dehumanize them (Khanum, 2008).

In Indian subcontinent many misconception prevailing regarding women's rights and status due to proper religious knowledge, misinterpretation of Quran and the tradition of the Prophet. The power to explain the religious rules is preserved by men in our Indian subcontinent as women are not so qualified is religious knowledge and for this reason patriarchal importance is reflected and sometimes it is politicized as the ulema (Religious scholars) are mostly men (Siddika & khatun. 2014). Due misconceptions and misinterpretation of Islamic rules women are being deprived of their rights, honor and status as given them in Islam and some times are being subject of oppression. To prevent domination of male, women's subordination and to ensure rights of women in Indian subcontinent as given in Islam by abolishing misconceptions about women's rights proper religious knowledge as well as awareness of women is essential.

Status of women prior to the advent of Islam

To understand the status of women in Islam, before the advent of Islam as conveyed by Prophet Mohammad women were most neglected, humiliated exploited and deprived in many ways. Female infants were buried alive because only sons were held in high esteem and were supposed to be the status, strength and glory to the family they were born in. Daughters were considered as burden and disgrace and heads of the family dropped in shame when a daughter was born. The holy Quran as presented a graphic depiction of a parent on the birth of his daughter. "When news is brought to one of them of the birth of a female child, his face darkens, and he is filled with inward grief, with shame does he hide himself from his people because of the bad news he has had? Shall he return it an (sufferance) contempt or bury it in the dust? Ah! What an evil (choice) they decide on? (The Quran-16:56-59) it was an evil choice to decide on. Either alternative to keep the poor girl as a thing of sufferance and contempt bringing disgrace to the family or to get rid of it by burying it alive was cruel and indefensible. The girl child and women were condemned as mean creatures and were deemed as the root cause of all evils and disgrace. The history of women before the advent of Islam has been a record of subjugation and oppression.

Dignity, Honour and Status of Women in Islam

Islam does not allow the domination of men over women rather it upholds the rights, dignity, honour and status of women by ensuring gender equality and also equality of rights for both male and female in every area of human life. She has right to

perform any profession or business and has authority to dispose her property as like as men. She is entitled for inheritance in different capacity like as mother, as wife, as sister and as daughter. She has full freedom to select her husband and also allowed to her dower and maintenance. As the command of Islam to the men is to treat with compassion and full respect to their wives, women are respectable and honorable in Islam (Mohammad, & Lehmann, 2011). A woman as mother has immense respect in Islam than any other person. The holy Quran in many verses commands Muslim to demonstrate respect to their mothers and serve them well even if they left Islam and are still remain as unbelievers. The Prophet states insistently that the rights of the mother are supreme (Doi, 1992). In Islam women are most respectable and honorable "if she is a wife, she is life partner, if she is as a mother, the paradise is under the feet of mother, if she is daughter it is blessing of Almighty Allah" (Soomro & Khuhro, 2018).

Inheritance

In pre Islamic era women were treated as property and they were not entitled to inheritance whether as mother or wife or daughter or sister. There was no specific system for cognates and agnates and always males could get preferences. Islam ensured the rights of inheritance of women many centuries ago than western countries (Sechzer, 2004). In case of right of inheritance of a woman as mother three situations may arise. She may be entitled either 1/6 (if the deceased person has a child or son's child how low so ever or two or more brothers or sisters) or 1/3 (if the deceased person do not have any child or

son's child or not more one brother and sister) or 1/3 of residue (if the deceased person have wife or husband and father) (4:11). As wife two situations may arise and she may be entitled either 1/4 (if the deceased person have child or son's child low so ever) or 1/8 (if the deceased person do not have any child or son's child) of the property of the deceased (4:12) As daughter, if only one daughter and no son her share is 1/2 and if two or more daughters and no son their share is 2/3 and if there is son daughter will be residue and each daughter will get half of son (4:11) besides this, parents could distribute property equally between a son and a daughter (Khanum, 2008). Islam is the only religion that does not deprive women from their right of inheritance rather ensured right of inheritance of women.

Marriage

Allah has created men and women as company for one another and so that they can procreate and live in peace and tranquility according to the commandments of almighty Allah and the directions of His Messenger. Allah says: "And among His sister is this that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your hearts. Undoubtedly in these are signs for those who reflect.

In case of marriage, Islam has given equal importance both bride groom and bride as for being a valid marriage any party may offer to the other party and it must be accepted by the other party (Rashid, 2004). Through valid marriage mutual right of inheritance are established and wife become entitled to her dower and maintenance. But

marries does not give power to the husband over the wife's person beyond the limit of law and right upon her goods and property (Hidayatullah & Hidayatullah, 1990). In marriage Islam women are at liberty to choose their life partner. Nobody can force her to choose her mate or to marry even one's father, mother, brother, sister or any paternal or maternal guardian. Marriage of major woman previously married without her consent is unanimously void and of a major virgin girl without her consent is unlawful (Faiz-ud-din, 2008). Islam showed full respect to the women and ensured rights, dignity and honour and equal status of men and women in case of marriage because for being a valid marriage acquiescence of the bride groom as well as bride in mandatory. In this regard no one is superior.

Dowry

In pre-Islamic period dowry was paid to the wife's father or other guardian. Islam changed this system and approved dower (Mahr) to be paid to the wife in case of regular marriage as respect to the wife and not as sell price. Islam has given importance for the payment of dower and also imposed duty on the husband to pay dower to the wife. The holy Quran states "Give women (wives) their dower with no strings attached. If they themselves (wives) give some of it back to you (waive it), then consume it (dower) with good cheers" (4:4) the Prophet said "pay dowry (mahr) to your wife even it is a ring made of iron" (Faiz-ud-din, 2008). In case of dower Islam has showed respect and given full authority to the wife as she can demand her dower at any time without any explanation and can waive full or any part of her dower as she like and

no one can interfere in this matter. In determine the amount of proper dower, the social position of the wife's family, financial condition of the husband, personal qualification of the bride and dower settled upon the female members of the family of the bride's father will be consider.

Under Islamic law, where there is a marriage there is a dower whatever may be the amount and it is bridal gift. According to the direction of the Prophet if anybody do not pay the dowry in the Day of Judgment he will be treated as adulterate.

Maintenance

Maintenance (nafaqa) is very significant issue in Muslim personal law. To afford maintenance is not only legally approved but also it is an act of devotion (ibadat). Muslim husband is legally bound to provide maintenance to his wife so long as she is truthful to him and observe his lawful orders whether she is poor or rich will not be considered. A wife can demand maintenance during her sickness in her husband's house and even if a man divorces his wife her bread and accommodation are attributed upon him during the period of iddat (remaining unmarried for a period of three months after dissolution of marriage) whether the divorce is of reversible or irreversible kind. The wife becomes entitle for maintenance immediately after valid marriage and husband cannot deny his liability of providing maintenance Islam does not impose liability upon the wife to bear the expenses of the family or to bear expenses of her husband on any condition rather ensured her right to get maintenance from her husband.

Divorce

In the Dark Age, when Islam does not emerge in Arab, only the husband had power of divorce. Husband could divorce his wife whenever he like without any legal or reasonable cause. He had also the power to revoke his divorce and divorce again as many times as he favored. The Prophet looked upon these evil customs of divorce with tremendous dissatisfaction and regarded their practice as considered to damage the foundation of society. The rectification of Prophet Mohammed marked a new departure in the history of Eastern legislation. He reserved unrestricted power of divorce by the husband but also given to the wife the right of obtaining the partition on rational grounds. Though divorce is allowed in Islam with some conditions it discourages dissolution of a marriage-tie, Islam has given to the women right regarding dissolution of marriage by:-

A. Delegated divorce (Talaque-e-tafweez)

- though the husband possesses primary the power of divorce wife also may exercise this right to dissolve her marriage if the husband delegated the power of dissolution of marriage to the wife. The power so delegated to the wife is irrevocable and it can be exercised even after the institution of a suit by the husband against her for restitution of conjugal rights.

B. Redemption (Khula) - It means a mutual agreement between husband and wife where both of them agree to break of their marriage in lieu of recompense paid by wife to her husband out of her property. If the relationship of a husband wife is not fine, the wife has the right to seek divorce

(Khula) by renouncing her claim to the dower (Rashid 2004)

C. Mutual release (Mubaraat) - when both the parties of a marriage feel aversion, they have liberty to release each other without any claim upon the other. In this form of divorce both of the parties to the marriage has right to offer and the other party has right to accept and when it is accepted marriage will be dissolved and it is an irrevocable divorce (Hidayatullah, 1990).

Misconceptions

Some people without proper religious Knowledge, to dominate the women, to deprive women from their rights as given in Islam and to establish Superiority of men over women practice these misconceptions as rule of Islam. But Islam does not support these misconceptions. Some misconceptions regarding women rights prevailing are

A. Islam deprived women in inheritance

In Islam, from the property of her parents a woman is entitled to get 1/2 of the share as compared to her brother but she has no financial liability towards the family. She is entitled to her dower, to get gifts during her marriage and she is not required to spend her income to bear the expenses of the family. Her all expenses are bear by father before marriage and by the husband after marriage (Orakzai, 2014). Beside these, she has right of inheritance in the property of her husband and also in the property of the children.

B. A Man can take four wives (Polygamy)

- Another misconception prevailing in our society regarding polygamy. In Islamic law maximum four wives might be taken by a

man at one time only when he possessed the strength of character to deal justly with them. The above rule on polygamy is conditional. The Holy Quran says, if you fear that you will not be able to deal justly with the orphans, marry women of your choice, two or three or four, but if you fear that you will not be able to deal justly with them, then any one (4:3). The verse specially refers to the justice to be done to orphans. It was revealed immediately after the Battle of Uhad when the Muslim community was left with many orphans and widows and some captives-of-war. The treatment was to be governed by principles of greatest humanity and equality. The logic to justify polygamy is that it prevents divorce of the sick older and barren wife and to refrains men from extra martial relationship and also remove social hypocrisy

C. Consent of bride is not important:-

Male dominated societies do not want to give equal importance of the consent of bride like bride groom in case of marriage. They think that consent of the father or guardian is final for the marriage of a girl but Islam does not support it. Islamic point of view for a valid marriage free consent of the bride and bride groom is required. Islam has given right of a women to choose her life partner.

D. Dowry System - Islam never supports dowry system. It has become such social practice in our society that sometimes marriage cannot imagine without dowry. Some greedy people established system in the society that wife have to bring wealth from her parents and sometimes they torture

physically and mentally and even sometimes causes death of the wife by torture for dowry.

E. Women have no right to divorce -

Though in Islam husband has absolute power to divorce but he may delegates this power to the wife. According to Islam both husband and wife can separate by mutual understanding. Besides these, she may demand separation by relinquishing all claims to the husband.

Conclusion

The main reason of prevailing misconception are firstly not Loving proper Knowledge regarding rules and regulations of Islam; secondly to dominate the women and to establish superiority of men over women: Thirdly to deprive the women from their legal rights as given then by Islam: fourthly illiteracy of women and lack of awareness among women are one of the main reasons of misconceptions regarding women rights in Islam: fifthly to neglect the women and to dishonor them and to discriminate them: as most of the religious interpreters are male. From the above discussions it is crystal clear that Islam is the complete and comprehensive code of life which covers all aspects of human life from cradle to grave.

References

1. Hidayatullah, M. & Hidayatullah, A. (1990). Principles of Mohammedan law (19th Ed.) Bombay: N. M. 2
2. Khanam, R. A. (2008). Feminism status of women and Islam, empowerment. 15, 67-68
3. Seehzer, J. A. (2004). Islam and women: where Tradition meets Modernity. History and

- interrelations of Islamic women's status. 263-272
4. Rashid, S. K. (2004) Muslim law (3rd Ed.). Lucknow: Easten Book Company
 5. Orakzai, S. B. (2014). The rights of women in Islam. 42-57
 6. Muzammil, M. Islamic approach to human development. 102-105
 7. Omri, S. J. (1990). Women in Islam Aligarh, Idara Tahqeeq-o-Tasneef Islami. pp 37-38
 8. Imran, M. (1994). Ideal women in Islam. Delhi: Markai Maktaba Islami
 9. Qidwai, M. A. (1980). Maqalat-e-Sirat, Lucknow: Majlis Tahqiqat, pp 136