

Gender Equality and Women's Rights in Islamic Text (Qur'an and Hadith)

Tajamul Ahmad Sheikh*

ABSTRACT

In today's world Islam is viewed as misogynist religion and it is incorrectly alleged that Islam is not giving equal rights to women. It is also said that Islam is oppressive towards women. The Muslim woman is being viewed as outdated or old fashioned by the world particularly by the West. But the question raised here is that is Islam really tyrannical towards women? This paper will examine the gender equality and women's rights in the framework of Islam. The paper covers Islamic texts, talks about gender equality and women's rights in the main source of Islam: Qur'anic verses and Prophet's saying (Hadith/ Sunnah), in addition to the opinion of scholars.

Keywords: *Gender Equality, Women's rights, Quran, Hadith.*

Introduction

There is notion in some circles that Islam, if practised in any social order, executes the inferiority of women or gender discrimination. Indeed this idea is so prevalent throughout west that the concept of women in Islam sounds likes contradiction, as if to say, you can't have both Islam and women in the same society. The Muslim woman is being viewed as outdated or old fashioned by the world particularly by the west. In the west, there is a generally held view that all Muslim women are exploited and oppressed because of their religion¹. But the question raised here is that, is Islam really tyrannical towards women? Or is it different interpretations or analysis of Islam by male scholars which are sometimes discriminatory or bias against Muslim women? Or else is it mere allegation by the world against Islam?

Asma Lamrabet in her book *Women in the Qur'an: An Emancipatory Reading* (translated from the French by Myriam Francois-Cerrah), clears this question

* Research Scholar, Shah-i Hamadan Institute of Islamic Studies, Faculty of Social Science, Kashmir University in Srinagar, India. (E-mail: shtajamul1920@gmail.com).

with zeal and zests by asserting that Islam has given equal rights to women like men. These are some biased interpretations of Qur'an by classic male scholars, strengthened by patriarchal practices which have justified these inequalities. She refuted these allegations that Islam is tyrant towards women by saying that these are mere allegations of Islamophobes or west who want to tarnish the image of Islam for their vested interests².

Most of the Muslim communities in the world are not close to Islam and they are justifying many retrograde customs and traditions in the name of Islam. So if anyone wants to judge women's rights and gender equality in Islam he should see the authentic sources (i.e. Qur'an and Hadith) and not what Muslims and Muslim societies do.

It is frequently argued that veil (*hijab*) of Muslim women is a sign of oppression and male domination³. While Muslim women are veiled by their own preference to find value, purpose, and identity in religious practice and the study by a well-known scholar indicates that Muslim women themselves consider traditional veiled dress as a reminder of life that obeys the orders of the Qur'an and conforms to Muslim beliefs and values⁴.

Muslim scholars agree that Islam is the complete system of life. Akbar S. Ahmed states "Islam is a comprehensive way of life, that it includes spiritual, social, political and economic aspects"⁵. Muslim and even some of non-Muslim scholars agree that Islam gave women the right to inherit property. It gave her the right to own and manage it individually and independently. It gave her right to work and wages, right to choice of spouse, right to seek dissolution of her marriage and remarry, if she wished. It gave her right to education and to participation in economic, social and political activity⁶. Islam possesses a kind of vibrancy that opens the way for both gender's advancement and empowerment. Islam has better conceptualized the gender equality, given the enormous diversity of the men and women, in the roles they play as well as in characteristics such as age, social status, and their knowledge and skills. Paul Findley, a U.S. Congressman, who studied Islamic history, wrote that "Islam may be the single most liberating influence on the status of women in recorded history"⁷. In this research paper, gender equality and women's rights will be discussed within the actual teachings of Islam i.e., with direct reference from two of its primary sources—the Qur'an (recited Divine revelation) and Hadith (sayings, doings and tacit approvals of Prophet Muhammad, SAW) and also from Muslim scholars viewpoints.

1. Gender Equality and Women's Rights in Islamic Texts (Qur'an and Hadith)

In order to answer the question of gender equality or women's rights (whether Islam regards women equal to man as a human being, or regards her inferior to him) an attempt is made to focus on Qur'anic verses and Prophet's sayings (Hadith) that talk about the equality of gender and issues of women's rights.

1.1 Qur'anic Texts (Verses)

Gender equality is not a new concept, although secular societies have given the impression that the phrase has just been invented little less than a century ago. Even though the contemporary negative depiction, Islam has advocated the concept of gender equality while ago, even emphasizing it in sacred text– the Holy Qur'an. The concept of gender equality in Islam is stressed by the un-superiority of either sex over the other. Establishing this fact, the Noble Qur'an says:

O mankind! Fear your Lord, Who (initiated your creation from a single soul, then from it created its mate, and from these two spread (the creation of) countless men and women. So, fear Allah for Whose sake you solicit needs from one another. And (become God fearing) towards your own kith and kin (as well). Allah is indeed ever Watchful over you.⁸

This verse of the Quran indicates that there is no superiority for one sex over the other. On his authority from Ibn 'Abbas both genders are created from the single soul, with the same human and spiritual nature. Ibn 'Abbas stated that Allah (God) has created mankind out of one living entity, and out of it created its mate, and out of the two spread abroad a multitude of men and women. Islam elevates the demeaned status of women and grants them rights equal to those of men. The equality of women in Islam is evident by the unparalleled human rights given to them under a monotheistic religion as defined in the Quran. The wording of aforementioned Qur'anic verse indicated that the primary Islamic text does not specify one specific sex over the other which is a proof of gender non-bias and equality.

Islamic texts never mean women have to remain prisoners in the house, in fact Islam permits them to go out and participate equally with men i.e. both believing

men and believing women are recommended by Allah to support one another socially, politically and religiously. On these basic social, religious and political responsibilities, Allah establishes equality in the Holy Qur'an by maintaining:

"The believers, men and women, are "Awliya," (helpers, supporters, friends, protectors) of one another, they enjoin (on the people) Al-Ma`ruf (i.e. Islamic Monotheism and all that Islam orders one to do);and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden); they offer their prayers perfectly (Iqamat-as-Salat), and give the Zakat and obey Allah and His Messenger. Allah will have mercy on them"⁹.

This verse of Surat Tawbah depicts that both men and women have the same responsibilities and obligations and also in this same verse Allah has declared that He will have mercy on those who will perform these responsibilities be they male or female.

The Qur'an in unequivocal terms recognises woman as an independent human being acknowledged as equally essential for the survival of humanity as man. She is equal to man in bearing personal and common responsibilities and in receiving rewards for her deeds. She is acknowledged as an independent personality, in possession of human qualities and worthy of spiritual aspirations. Her human nature is neither inferior to nor deviant from that of man. The Noble Quran states:

Then their Lord accorded approval to their supplication (and said :) 'Certainly, I do not waste the wages of any labourer, whether man or woman; you all are from one another. So those who have emigrated (for the cause of Allah) and have been driven out of their dwellings (for Him alone) and have been offended in My way and fought for My sake and were slain, I shall verily erase their sins from their record of works, and admit them to the Gardens beneath which rivers flow. This is the reward from Allah, and (even) better reward (than this) lies with Allah alone¹⁰.

In Islam spiritually both men and women are equal. It is duty of all men and women to seek the pleasure of Allah and get Jannah. Allah in His noble Quran says, "*And whoso doeth good works, whether of male or female, and he (or she) is a believer, such will enter paradise and they will not be wronged the dint in a date-stone*"¹¹. This Qur'anic verse clearly indicates that both men and women

will be judged according to their deeds. And they cannot be judged according to their deeds unless they both have the same freedom of choices.

Islam allows a man to have more than one wife at a time, which commonly called polygamy. But to correctly interpret the verse of the Qur'an referring to polygamy, one must bear in mind the context of the time, which was very favourable to this custom, and its profound custom anchoring in the Bedouin Arab culture. The verse referring to polygamy, an ancestral pre-Islamic custom, which Islam did not introduce but, rather, that it sought to reduce the legitimacy of it, is a typical example of the underlying philosophy of gradual change promoted by the Qur'an. The Qur'an sought to respect the social order in place, which was very permissive with relation to marital and extra-marital relations, while erecting a new approach to the marital union conditioned by very strict principles. Limiting the number to four women in the framework of a respectful marriage and especially, to imperatively condition this permission on the absolutely equal treatment between the wives: this was a first dissuasive stage which allowed the avoidance of brutal social ruptures and in particular the refusal to bend to it. What emerges from this verse is a certain inclination towards prohibition. In the Quran Allah says:

“If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice”¹².

These restrictive modalities sought in principle to discourage all those who perceived, in the depths of their soul and conscience, the central intention of this verse, namely the strict respect for fairness and justice. This verse clearly stipulates that monogamy is the exemplary manifestation of just marriage.

What's more, the context of the revelation of this verse, after the war of Uhud, is intimately linked to the oppression of orphan women whom the Qur'an sought first and foremost to protect from an abusive relationships. A temporary solution for a given context where the protection of orphans and widows was primordial. This exceptional permission had to be abrogated by conjectural changes since the primary objective of this verse was to preserve justice and it is undeniable that marrying several women, outside of the specific circumstances of the time, was to take the risk of falling into injustice and of infringing the Divine prescriptions

which are intransigent towards injustice. Another verse of al-Qur'an in fact confirms this human incapacity towards absolute equity between spouses:

And it will not be within your power to treat your wives with equal fairness, however much you may desire it [...] ¹³.

It is clear that through the wording of this verse, the Qur'an stipulates that polygamy leads to injustice and this, regardless of the husband's degree of probity. This is one of the examples of the Divine pedagogy which seeks to establish its objectives gradually but all the while making compromises and dealing with human reality. Reading in this fashion, one understands that the Qur'an sought to relegate this custom which, in itself, can only be a source of injustices, by promoting monogamous unions as the ideal to aspire for all Muslims faithful to Islamic ethics and concerned with respecting Divine injunctions.

The Qur'an has indeed insisted an obligation on men to provide for women's needs— whether they be rich or poor and take care of them as follows:

“Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means ¹⁴.

Ibn Abbas says, this responsibility which Allah has incumbent upon men should not be understood as a means of subordinating women who would be thus maintained and of seeing in this distinction a discrimination towards women. These words of this Qur'anic verse clearly depicts that Qur'an offers women an additional security in this difficult world. To give men a sense of responsibility because women might find themselves unable to manage the economic needs of the family due to pregnancy or other personal reasons, is in fact a favour conceded to women. Azizah al-Hibri says that, in the current legal language, the Qur'an displays *positive discrimination* towards women!

Woman enjoys certain privileges of which man is deprived because of different biological makeup and in certain place there exists some inherent preferences of men over women. Woman, as already mentioned, is entitled to complete provision and total maintenance by his man (father, husband, brother, etc). A woman does not have to work or share with her man the family expenses.

Amongst the clearest examples of Islam's honouring women is the great status of the mother. Islam commands kindness, respect and obedience to parents and specifically emphasizes and gives preference to the mother. At the outset Islam considers kindness to parents next to the worship of God, as the mention of servitude to parents follows immediately after servitude to God. Allah says in Qur'an:

Your Lord has decreed that you worship none but Him and that you be kind to parents. Whether one or both of them attain old age in your life, say not to them a word of contempt, nor repel them, but address them in terms of honour. And out of kindness, lower to them the wing of humility and say, 'My Lord! Bestow on them Your Mercy even as they cherished me in childhood'.¹⁵

After mentioning about the obedience to parents, the Qur'an then specifically emphasise the good treatment of mothers and highlights the great struggles the mother goes through for her child:

And we have enjoined upon man (to be good) to his parents: In travail upon travail did his mother bear him and his weaning was over two years...¹⁶

We have enjoined on man kindness to his parents: in pain did his mother bear him, and in pain did she give him birth. The carrying of the (child) to his weaning is (a period of) thirty months¹⁷.

The Qur'an does allocate a woman, whether she is wife or mother, a sister or daughter, half the portion of that of her brother in her father's property. However, this verse too has to be treated as contextual rather than normative. Women in pre-Islamic society had no right to inherit father's property. A woman came to the Prophet and complained that when her husband died, since she only had a daughter her brother in law seized all her husband's property, arguing that Arabs do not give any share to daughters in inheritance. It was on this occasion that the verse on inheritance was revealed and the Qur'an created inheritance rights for sisters half that of their brothers. Therefore, the Qur'an created an inheritance right when there was none. Allah says in Holy Qur'an:

Allah (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two-thirds of the inheritance; if only one, her share is a half. ¹⁸

Moreover, this verse, like the others, has to be understood in context of the circumstances existing then. A woman in those days was not an active economic agent; the Qur'an attempted to improve the situation through gradual change. Additionally, the Qur'an tried to compensate her in other ways. Firstly, she was given the right to demand *mehr* from her fiancé and unlike the pre-Islamic period, she was entitled to keep the *mehr* amount or property and not her father. No marriage was valid without *mehr* being paid to her and Qur'an said she could demand even a heap of gold. Thus, *mehr* tended to be a very substantial amount. Moreover, the Qur'an makes it obligatory for husband to maintain his wife even if she has the means to maintain herself and has substantial property or income. Interestingly, the *Ulama* defined maintenance during Aurangzeb's time (included in *Fatawa Alamgiri*) as serving her cooked food (there not being any obligation on the woman to cook the food), stitched clothes, an independent house to live in and if husband cannot afford an independent house, an independent room with separate access as well as other necessities for her health and beauty. Hence, when the verses are seen in totality, even if the sister's share was half of that of her brother's, the man ended up accumulating lesser money on account of the many benefits given to the woman.

1.2 The Prophet's *Aḥādīth* (Sayings)

A woman in Islam has same rights in a marriage contract as the man. Marriage in Islam, as is well-known, is a contract; and has sanctity. Woman has a full right to accept or annul the marriage contract. It is a primarily a contract of civil nature; without consent from both the parties, the marriage cannot be solemnised. Thus, a father has no right to give consent to his daughter's marriage without her specific approval. Women consent is precondition to the validity of the marriage contract according to Prophet's sayings. He (SAW) said, "A widow cannot marry unless she gives her consent, nor the virgin until she is asked permission. They asked, O Messenger of Allah, how can she give her permission? He (SAW) said, by her silence"¹⁹. In the other Hadith, on the authority of Ibn `Abbas, a virgin girl came to the Messenger of Allah and mentioned her father got her married while she was unwilling. The Prophet (SAW) gave her the choice between accepting the marriage or having the marriage annulled, the girl said: O Messenger of Allah, I like him very much. I don't like any other person. I won't be the wife of anybody else. But, because my father gave me in marriage without taking my consent, I intentionally came over to have a talk with you. I wanted you to say what you

have said. I wanted all the women to know that the fathers no longer had a right to decide as they pleased and give their daughters in marriage to whomsoever they liked”²⁰. From these Traditions (Ahadith), we learn that father cannot have sole right to decide marriage of his daughter and it is a necessity to have her approval.

In Islam woman is entitled to freedom of expression as much as man does. Woman opinions are taken into consideration and are not be disregarded just because she happens to belong to the female sex. It is instructed in the Quran (in many Suras) that woman cannot only express her opinion freely but also she can argue and participate in serious discussions with the Prophet himself. In fact, it is very common to find books describing Muslim women as a pearl, a gem in a jeweller box or a flower which requires protecting, defending, saving from an eternal external enemy. She can even be locked away, imprisoned; it is always for her own good, always to protect her. But the Qur’an has never spoken of women as flowers or jewels which need protecting!

The Qur’anic vision of women is total opposition to this infantilising image propagated by a pseudo culture. In Islam, women are first and foremost free human beings, gifted with sense, intelligence and reason. The example of Khawlah, this woman for whom Surah al-*Mujadilah* was revealed, can itself counter these aberrations. In denouncing an oppressive practice for women, she used her right to freedom of expression and Divine revelation anticipated a veritable social reform in her favour. What is more, Khawlah, a woman with a very strong personality and who surely emerged reinforced by this Surah revealed specifically for her, felt confident enough to lecture someone like Umar ibn al-Khattab, years later, when he was himself leader of the believers!

What is reported in the traditional works of exegesis such as that of al-Qurtubi which refers to a veritable ‘exhortation to good’ was preached by the same Khawlah when she encountered the emir accompanied by a cortege of important men and publicly addressed him: ‘Oh ‘Umar, we called you ‘Umayr (nickname of ‘Umar) and then we called your Umar and today we refer to you using your title of Amir of the believers. So precisely because of this, you must always live in fear of God...’ ‘Umar ibn al-Khattab, in fact, listened to her attentively and at length until she was finished. This whole incident reveals the extent of respect for the rights of women to freedom of expression during the time of Prophet (SAAS) and his companions. There were many other occasions when Muslim women

expressed their viewpoint on legislative matters of public interest and stood in opposition to the leaders of state. A well-known story depicts a woman reasoning with `Umar (may Allah be pleased with him) in the mosque over the issue of the amount of bridal money paid to the bride. It also illustrates how `Umar (the third caliph), being convinced of her argument, reversed his opinion to that of hers in public. His comment on this was "everybody's knowledge is better than mine". [Tafsir Ibn Kathir 1/468]. In this early Islamic history women are not only express their opinions and participated in various aspects of their society's public sphere, but women had the right to be elected to political offices. For instance, `Umar appointed a woman, Al-Shifa bint Abdullah as the market-place superintendent.

Regarding education, the first guidance revealed by Allah to all human kind "It was Iqra", "It was to read". Prophet (SAW) said, "It is obligatory on every Muslim to acquire knowledge"²¹. The Prophet (SAW) specially told the parents to educate their children specially their daughters. It is duty of husband to give education to his wife especially religious education. The Prophet Mohammed's Hadith is clearly stating that the pursuit of knowledge is incumbent on every Muslim male and female. Concerning knowledge and education in the Quran in Surat Az-Zumar (The Troops or Throngs) verse number 9 Allah says:

Say: Are those equal, those who know and those who do not know? It is those who are endued with understanding that receive admonition²².

The Quran and Hadith both obligate Muslim men and women to acquire knowledge and education. In Islam, it is obligatory upon every Muslim, whether man or woman, to seek at least the basic education in religion. In another Hadith, the Messenger of Allah said: "If anyone travels on a road in search of knowledge, Allah will cause him to travel on one of the roads of Paradise"²³. The Messenger also said: "The angels will lower their wings in their great pleasure with one who seeks knowledge, the inhabitants of the heavens and the Earth and the fish in the deep waters will ask forgiveness for the learned man"²⁴.

There is no text in the Quran or in the Hadith that states women should be confined to the home and the domestic sphere alone. It is only some biased people with meagre understanding of Islam and are guided by personal interests propagate that Islam has forced the woman to be imprisoned at home and not to go out except to the grave! Historical evidences shows that Muslim women used

to participate in military expeditions bringing water to the thirsty combatants, treating the wounded and carrying them to safety, and sometimes engaging in active warfare. It is recounted on the authority of Al Rubayyi' bint Muaawith of the Ansar who said, "We went to the battle with Allah's Messenger (blessings and peace be upon him) offering water to the men and doing them service and returning those killed and wounded to Medina"²⁵.

The Hadith emphasize on treatment of women with respect, justice and kindness. Abu Hurira narrated that the Messenger of Allah said "I commend you to be kind to women"²⁶. Aisha (RA) was asked about the manners of the Prophet (SAW) in his home? She replied: He was helping in doing the family duties (cooking, cleaning, washing, and so on) and when he hears the call of prayers he goes out. Thus, showing that no degradation attached to performing domestic duties.

Regarding the honour of mother Abu Hurira (RA) narrated that a man came to the Prophet Mohammad (SAW) asking: "O Messenger of Allah, who among the people is the most worthy of my good company and kindness? The Prophet (SAW) said, "Your mother". The man said then who else: The Prophet (SAW) said, "Your mother". The man asked, then who else? The Prophet (SAW) again replied, "Your mother". Then who else, only then did the Prophet (SAW) said, "Your Father"²⁷. In another hadith, the Prophet (SAW) said, "Paradise is at the feet of mothers"²⁸.

Islam has given women the rights to work, to own property and to have wealth. It also encouraged women to participate in political, economic and social spheres. In Islam there is no restriction and prohibitions towards women to seek knowledge and to run business. For example, Khadija, the Prophet's first wife was one of the most important merchants of that time, and the Prophet himself was one of her employees.

Islam ardently abhors all forms of violence— domestic, physical, verbal, emotional, economic, religious and sexual against women. In one of the traditions Prophet Muhammad (SAAS) said: "The most perfect of believers in belief is the best of them in character or behaviour, and the best of you are those who are best to their wives"²⁹. The history of Islam indicates clearly that women have received the true honor and respect they deserve, not just in theory but in actual practice.

The Prophet treated the woman with dignity and often consulted His wives in various matters and even followed their advices.

Conclusion

With regard to the rights of man and woman, this research paper proves that true interpretation of Islam is in line with the development of women and the promotion of gender equality and women's rights.

- The Qur'an and hadith depict woman's rights and equality as per the nature of her role in the society. She is given the right to education, right to participation in economic, social and political activity. In the marriage matter Muslim women have full rights, the marriage will not be valid unless and until the woman's consent is verified.
- Islam's mandate of equal rights between women and men as per their role in society necessitates that all forms of violence against women be eradicated, for so long as women suffer abuses, women cannot achieve their full growth as free and equal members of society. Women need to know their Islam-given rights so as to differentiate between what is culture or tradition and what are Islamic texts, if they wish to succeed and empower.

End Notes and References

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