

Status of Muslim Women is Not Well Understood

by Shahina Siddiqui

ONE of the least understood aspects of Islam is the status of Muslim women and their role in society. It is widely believed in the West that Muslim women are oppressed, repressed, suppressed and depressed.

It is assumed that they have no rights and are treated as second-class citizens in Islam. This is further fuelled by sensational stories appearing in the media about honour killings, female circumcision, merciless flogging and the alleged treatment of women by the Taliban in Afghanistan.

The Islamic law (Shariah) is based on the divine source, the Koran and Hadith, the traditions of Prophet Mohammed. It is in the light of Shariah that we will examine the status of women and not dwell on the non-Islamic practices in some Muslim countries. At the outset, however, let us set the record straight. Female circumcision is not recommended, condoned or encouraged by Islam. It is a practice that predates Islam and is found in some African tribes, both Muslim and Christian.

The so-called honour killings (merely a fancy name for murder) have been found in Jordan and Pakistan. It is interesting to note that regimes of both countries are secular and refuse to treat this as a capital crime. This is in direct violation of Shariah. "Allah has ordained that if anyone slew a person, unless it be for murder or spreading mischief in the land, it would be as if he slew all of humanity. And if anyone saved a life it would be as if he saved all of humankind." (K 31:34). Furthermore, the Koran states: "Do not kill your children ... Surely killing them is a great sin" (K 17:13).

The case of the Nigerian court sentencing a girl to 100 lashes for fornication is clearly a miscarriage of justice. Shariah stipulates that if there is a slightest doubt, the punitive punishment (hudd) should not be carried out. In this case, the girl claimed rape, and under Islamic law the witness of a rape victim is enough to punish the perpetrator.

It is clear that the judge in this case made serious error and compromised some fundamental principles of Shariah. To take this one example as basis for Islam-bashing is unfair to say the least. Shariah, like any other body of law, needs to be understood in a comprehensive and contextual way rather than picking on bits and pieces.

The most important aspect to consider is that Islam accepts both men and women as equal in their creation and in their relationship to Allah. "O humankind, be careful of your duty to your Lord, Who created you from a single soul and from it created its make ... Be careful of your duty to Allah in Whom you claim your mutual rights" (K 4:1).

This verse clearly defines the origin of men and women as coming from a single soul, thereby rejecting any claims that men are greater or better than women or vice versa. In the history of Islam, the question of whether a woman has a soul or not, was never entertained as she was always considered a person under Shariah with the same human rights as men. "And for women are rights over men similar to those of men over women" (K 2:226).

In the spiritual realm, men and women have equal access to the Creator. They are both responsible and accountable for their beliefs and deeds. Every ritual of worship, either the five daily prayers or fasting, is incumbent on both men and women. They are both promised the same reward for good deeds and same punishment for bad. "Whosoever does right whether male or female and is a believer, Allah shall quicken with good life and Allah shall pay recompense in proportion to the best of what they do." (K 16:97).

Furthermore, the Koran holds both Adam and Eve (Hawa), responsible for their disobedience to Allah for partaking of the fruit from the forbidden tree. Islam does not portray Eve as temptress or all women as instrument of Satan. On the contrary, Islam calls women 'Muhsana' (fortress against Satan).

In the economic realm, Shariah treats woman as a completely independent entity. She can make any contract, bequest in her own name and is entitled to inherit as a mother, wife, daughter and sister. She can carry out trade or business independently and is not liable for her husband's debt.

She is not obliged to spend a penny on the family, and her husband has no rights on her money whether earned or inherited. If she chooses, out of her free will, to contribute towards the family or help her husband, this is considered charity on her part. The husband, on the other hand, is obliged to provide for her and the family. Muslim women also maintain their maiden name after marriage, further stressing their independent personality.

Muslim women and men must observe modesty in their interactions and avoid any situation that will compromise their morals and mar their reputation. It is therefore forbidden for Muslim men and women who are not related to each other to be alone together.

Islam does not allow dating but makes provisions for intentions of marriage to socialize with the presence of a chaperon. "And say to the believing women that they should lower their gaze and guard their modesty. Tell the believing men to lower their gaze and keep themselves from immodest actions and that is pure for them" (K 24:31, 31:30)

Premarital and extramarital sexual relations are forbidden and are a grave sin, punishment for which are harsh but subject to conditions of proof that are almost impossible to satisfy. For example, for fornication and adultery there must be four reliable eyewitnesses who can testify that they witnessed the actual act of intercourse.

This is one condition that has never been satisfied in the history of Islamic civilization when Shariah is formally applied. The rare occasions when punishment for adultery and fornication have been carried out have been as result of confessions made at four to six different occasions by sane people.

Islam treats adultery as a crime and wants the punishment to serve as a deterrent. The punishment also applies equally to both men and women. When it comes to punitive measures of Shariah there is no discrimination in their application. Islam considers fornication and adultery as an act that destroys the very basis of family, which leads to quarrels and murders, ruins reputations and spreads numerous diseases physical and spiritual. "Do not come near adultery for it is a shameful deed and an evil, opening the road to other evils," (K 17:32).

Muslim women are free to choose their partners and cannot be forced in to marriage against their will. "Do not prevent them from marrying their husbands when they agree between themselves in a lawful manner" (K 2:32). Shariah does not recognize marriage of a Muslim woman to a non-Muslim man and strictly forbids such a union unless the man freely converts to Islam. "And do not give your women in marriage to unbelievers until they believe: (K 2:221). The reasons for this are practical and wise. To expect a spouse who does not share one's faith or way of life to abide by these values is a recipe for conflict.

Muslim women have similar access to divorce as men, and are free to remarry if divorced or widowed. As a mother, Islam puts women in a revered position. Prophet Mohammed stated that "Paradise lies at the feet of the mother." When asked by his companions who they should serve to gain Allah's pleasure the Prophet replied three times "your mother."

Much is made of the way Muslim women dress that is seen by some as a symbol of oppression. I find this quite amusing since I did not adorn the 'hijab' till I came to Canada and had the opportunity to study Islam. By conforming to the Islamic dress code that requires the covering of the entire body in loose non-transparent clothing except the face and hands when in public. Muslim women make a statement that they are not sexual objects that can be exploited or accosted.

The whole idea of freedom is to have the right to make a choice, and by choosing Islam, I choose a certain ideology and way of life. By assuming that I do this under duress is condescending and presumptuous. It is essential that we acknowledge that there are Muslim women who do not wear the hijab. This in no way reflects on their sincerity of faith or religiosity, for only Allah knows what is in our hearts and Allah alone is the judge.

Shahina Siddiqui is executive director, Islamic Social Services Association, United States and Canada.

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