

Women's Prestige in Islam and Position in Domestic

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Abstract

In Islam women are enjoying all fundamental and basic human rights as equal to men. There is no discrimination between men and women in respect of basic human rights. Islam also ensures equality of women to men before Allah Almighty. She is similarly responsible for her bad deeds and similarly bound to do well. Islam recognizes all fundamental human rights of women in whole and declares plainly that women, as human being, are equal to men. The equality of women to men was granted in the background of pre-Islamic era when women were considered inferior to men. However, the Holy Qur'an addresses humankind, both men and women, in the same manner i.e. An-nas, Al-Insan, Al-Bashar and Al-Momin. All these terms are equally applicable to both women and men without having any distinction on the basis of sex. The Holy Qur'an has disclosed the origin of humankind and has addressed men and women as complementary components of a specie who together are capable of maintaining the survival of human race. Allah Almighty has created men and women equal in origin as human beings with no superiority or inferiority over each other. Indeed, superiority or greatness is an attainable phenomenon both for men and women. In Islam the one and only virtue that can raise men or women to high degrees of pride and dignity is the righteousness. This research article covers all aspect of women's status in Islam and position in the family.

Keywords: Women's, Status, Islam, Position, Family

Introduction:

Righteousness or piety is a quality of human life that can be achieved through good conduct, just and right deeds in human society. In Islam each human being, men and women, are accountable to Allah Almighty in his/her personal and individual capacity. Thus, Islam does not blame one individual (male or female) for the misdeeds of other, nor are women blamed for the misdeeds of men and vice versa. Islam from the very beginning removed the heavy burden and unjustified accusations about the status of women in Arab and non-Arab communities. It was a common belief in pre-Islamic eras, that women are cursed creatures and a major cause for all the misdeeds of men they commit in their daily lives. Thus, they regarded women as "man's devil" and blamed her for half of the omissions and sins committed by men including Adams fall from the Heaven. The Holy Quran repeatedly refers to both. Adams and

Eva while narrating the same story in the following words. “So he misled them with deception. Then when they tasted of the tree, that which was hidden from them of their sham (Private parts) became manifest to them and they began to cover themselves with the leaves of Paradise (in order to cover their shame). And their Lord called out to them (saying): Did I not forbid you that tree and tell you: Verily, Shaitan (Satan) is an open enemy unto you?”¹

Islam believes that Adam had equal responsibility in the lapse they both committed and the Holy Quran clarified the position of women in the following:

“Then the Shaitan (Satan) made them slip therefrom (the Paradise), and got them out from that in which they were”.²

It is nowhere mentioned in the Holy Qur’an that Eve misled Adam, on the contrary, Allah has said that Satan tempted both of them to err as mentioned in the following:

“Then Shaitan (Satan) whispered suggestions to them both in order to uncover that which was hidden from them of their private parts (before)”.³

At one point the Holy Qur’an, solely referred the mistake to Adam in the following:

Thus did Adam disobey his Lord, so he went astray”?⁴

The Holy Quran states that later on the Adam and Eve repented on their mistake and beg Allah’s pardon. Allah Almighty says in the Holy Quran:

“They said: "Our Lord! We have wronged ourselves. If you forgive us not, and bestow not upon us Your Mercy, we shall certainly be of the losers”.⁵

Allah accepted the repentances of Adam and Eve and clarified in the Holy Qur’an that no sons and daughters of Adam and Eve should be held accountable for the misdeed committed by their parents in Heaven. Thus, Islam set a comprehensive principle declaring that everyone shall bear the responsibility of his or her own misdeed to Allah, shall it occur. At another point the Holy Quran points to the same direction:

“That was a nation who has passed away. They shall receive the reward of what they earned, and you of what you earn. And you will not be asked of what they used to do”.⁶

It is promised in Islam that both men and women are entitled to eternal salvation upon performance of good deeds. To this effect Allah says in the Holy Qur’an:

“Whoever works righteousness -Whether male or female-While he (or she) is a true believer (of Islamic 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)”.⁷

In another verse the same concept has been explained in the following words:

“So their Lord accepted of them (their supplication and answered them), "Never will I allow to be lost the work of any of you, be he male or female. You are (members) one of another”.⁸

At another place the Holy Quran Says:

“And whoever does righteous, good deeds, male or female, and is a (true) believer [in the Oneness of Allah (Muslim)], such will enter Paradise and not the least injustice, even to the size of a Naqira (speak on the back of a date stone), will be done to them”.⁹

“The above stated verses defines that Islam has granted equal honor to women to hold fast faith in Allah, be righteous and on the basis of their good deeds they will be bestowed on such reward as entry into the paradise”.

Equality in Status

Islam has granted equal status to both men and women and has made no distinction between them on the basis of sex. The Islamic Sharia places equal value to the blood (life) of woman and men and have defined equal punishment for killer of both the gender. Allah has said:

“And whoever kills a believer intentionally; his recompense is Hell, to abide therein”.¹⁰

The word “believer” included women as well and the killers are subject to punishment both in this word and in the hereafter. Similarly, another verse says:

“An there is (a saving of) life for you in Al-Qisas (the law of Equality in punishment), O men of understanding, that you may become Al-Muttaqun”.¹¹

The above mentioned verses of the Holy Qur’an categorically defines that the punishment for intentional killing of a believer in Allah is very severe in the Islamic Sharia on the day of judgment because the killer has deprived a human being of his or her life. Similarly, the Holy Quran has equally addressed women in men in other matters.

“Verily, the Muslims (those who submit to Allah in Islam) men and women, The believers men and women (who believe in Islamic Monotheism), the men and the women who are obedient (to Allah), 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 Allah has ordered and in abstaining from all that Allah has forbidden), the men and the women who are humble (before their Lord-Allah), the men and the women who give Sadaqat (i.e. Zakat and alms), the men and the women who observe Saum (fast) (the obligatory fasting during the month of Ramadan, and the optional Nawafil fasting), the men and the women who guard their chastity (from illegal sexual acts) and the men and women who remember Allah much with their hearts and tongues, Allah has prepared for them forgiveness and a great reward (i.e. Paradise)”.¹²

Regardless of so many verses explaining gender equity, it is generally believed in Muslim societies that men are superior to women. The argument which they put forward in support of their views is that the Holy Qur’an Allah has said:

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them”.¹³

This verse was revealed to give Muslims guidance on how to make their household problems more regular. Islam views the family as the fundamental social unit, and as such, Allah has established equal rights and responsibilities for the husband and woman inside the family. The phrase "men have a degree over them" only refers to the two men's marital relationship and emphasizes men's need to provide for their families. Since Islam views women as equal human beings, it does not seek to give men the right to oppress, restrict, or otherwise mistreat them. Islam views a husband and wife as a source of comfort, security, ease, and covering for one another. Article 25 of Constitution of Pakistan ensures all citizens are equal before law and are entitled to equal protection of law and there shall be no discrimination on the basis of sex. Nothing in this Article shall prevent the State from making any special provision for the protection of women.¹⁴

Equality in Punishments

Islam teaches that all people are equally answerable to Allah, who has established a single scale to judge people based on their good and evil conduct in society. Gender discrimination does not exist in the Islamic teachings; instead, human beings are subject to the same rewards and punishments for both good and evil deeds. If found guilty of violating in Islamic law, Islamic courts have the authority to sentence both sexes equally, the same set of penalties were used in the examples for homicide, theft, adultery, drinking alcohol, etc. Surah Al-Maidah, An-Nur-2, and other Ahadith of the Holy Prophet PBUH explain these punishments. In the same fashion the Holy Quran has asked the rulers to do justice between human beings without making any distinction between the two genders. Allah says:

“And when you judge between men, you judge with justice, Verily how excellent is the teaching, which He (Allah) gives you!”¹⁵

“As to the thief, male or female, cut off his or her hand as punishment by way of example from Allah for their crime”.¹⁶

In Islam the punishment for committing a robbery is the same for men and women: that is cutting off the hands.

“The woman and man guilty of fornication, flog each of them with one hundred stripes”.¹⁷

Once again the punishment for fornication is the same for both the man and woman guilty of this heinous deed.

Women’s Position in The Family

In Islam, women who are wives, mothers, sisters, or daughters are given special dignity. She enjoys a number of rights associated with being a mother. She has certain rights that her father and brother should grant her for her upbringing and welfare as a sister and daughter. As a

woman, she has certain rights that her husband must uphold. These rights include the provision of food, protection, and proper treatment, as well as Mahar (a consideration for the marriage contract, without which the Nikkah would not be legal).

As a Mother

Islam honors the mother higher than any other religion on earth. The mother who is cherished very much by Islam and given all these rights for a reason, she has to take care of her children, raise them well, implant virtues, and make them detest evil. She has to teach them to obey Allah, encourage them to defend what is truthful, and not dissuade them from fighting for the sake of Allah (one form of jihad) because of the motherly sentiments in her heart but to favor the correct way over sentiment. In fact References to parents have been made at least 15 times in the Holy Qur'an. Mother's right include, trust, respect, honor, good treatment, fairness, provision of food, cloth, shelter, special old age care and other daily necessities of life. There are numerous verses in the Holy Qur'an about the Rights of mother.

“And We have enjoined on man to be dutiful and kind to his parents. His mother bears him with hardship. And she brings him forth with hardship...”¹⁸

The Holy Quran says:

“And your Lord has decreed that you worship none but Him, and that you be dutiful to your parents”.¹⁹

In another verse Allah stresses:

“And We have enjoined on man (to be dutiful and good) to his parents. His mother bore him in weakness and hardship upon weakness”.²⁰

On the very subject Allah has stated in another verse:

“And We have enjoined on man to be dutiful and kind to his parents, His mother bears him with hardship, And she brings him forth with hardship, and the bearing of him, and the weaning of him is thirty months”.²¹

In other place in the Following verses:

“And we have enjoined on man (to be dutiful and good) to his parents. His mother bore him in weakness and hardship upon weakness and hardship, and his weaning is in two years-give thanks to Me and your parents,-unto Me is the final destination”.²²

In other verse in the Holy Quran:

“And We have enjoined on man to be dutiful and kind to his parents. His mother bears him with hardship and she brings him forth with hardship, and the bearing of him, and the weaning of him is thirty (30) months”.²³

In other place in the Holy Quran Allah Almighty said:

“And your Lord has decreed that you worship none but Him. And that you be dutiful to your parents. If one of them or both of them attain old age in your life, say not to them a word of disrespect, nor shout at them but address them in terms of honor. And lower unto them the

wing of submission and humility through mercy, and say: "My Lord! Bestow on them Your Mercy as they did bring me up when I was small".²⁴

Islam mandates treating parents well and with consideration, as well as paying close attention to their needs. They deserve a great deal of respect. It is necessary to accept their logical arguments and suggestions, as long as they do not contradict the teachings of Islam. Most importantly, their kids need to pray for them when they pass away.

To this effect Allah has said:

"And lower unto them the wing of submission and humility through mercy, and say: My Lord! Bestow on them Your Mercy as they did bring me up when I was young".²⁵

In the teachings of the Holy Prophet Muhammad PBUH, there is clear guidance to the rights of mothers. One day a man came to the Holy Prophet and asked:

Who has the highest right on me? The Prophet replied your mother

The person asked again and then? The Prophet again replied your mother!

He asked again and then? The Prophet again said your mother!

The person asked again and then? The Prophet said Your Father!

In another Hadith it is quoted from Hazrat Ayesha, wife of the Holy Prophet (PBUH) that one day she asked the Holy Prophet (PBUH):

Who has more rights on woman? The Prophet in reply said her husband!

She further asked who has more rights on a man. The Prophet said His Mother!

It is mentioned in Tibrani that one day a person came to the Holy Prophet (PBUH) and said:

I would like to go for Jihad! The Holy Prophet asked him whether his mother was alive. The person replied, yes. Then the Holy Prophet told him, Go and serve her! Paradise lies beneath the mother's feet!

The mother has the right to inherit her children according to the rules of inheritance in Islam.

As a Foster Mother

Islam has given similar rights to those Radai mothers (foster mothers), who breast-feed babies of other mothers. This means any mother who breast-feeds a baby, holds the same respect from the concerned child as his or her real mother. Allah has said:

"Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your brother's daughters, your sister's daughters, your foster mothers who suckled you".²⁶

On these grounds all the children of a woman born by her but breast-fed by another woman, become Radai (suckling) brothers and sisters. The husband of Radai mother also becomes Radai father of the concerned child. Islam goes so deep in this relation by milk or with Radai brothers and sisters that it has forbidden their inter-marriages, just like marriage between real brother and sister is forbidden. The guidance of Holy Prophet Muhammad (PBUH) has been

very keen in reference to the position of Radai mothers. In the Holy Quran the Allah Almighty reveals in the Holy Quran Chapter 4 Surah Al-Nisa “The foster and real (blood) relations are equally forbidden (Haram)”.²⁷

As a Sister

The Holy Prophet (PBUH) said that
“There is not one of you with three daughters or three sisters, or two daughters or two sisters, fearing Allah regarding them and treating them in the best manner, but that he will enter Paradise.”²⁸

In another Hadith the Holy Prophet (PBUH) said:
“There is no one from my Ummah who takes care of three daughters or three sisters, and is nice to them, except that they will be a veil (protection) for him from the Fire.”²⁹

And on another place the Holy Prophet (PBUH) said:
“Whoever has three daughters or sisters, or two daughters or two sisters, and lives along with them in a good manner, and has patience with them, and fears Allah with regard to them will enter Paradise.”³⁰

Under Islam a brother is morally bond to give love and respect, treat politely and meet the social economical needs of her sister. After her father passed away brother is completely responsible for his sister in order to maintain her social status give protection to her in kind of her person, personality and property. Among the natural relations between human beings after the relationship of mother and son the relationship of brother and sister is regarded a sacred relation in this world having great love and affection attached to this bond naturally. This is such a beautiful and precious relation created by the nature no doubt “The blessing of Allah Almighty”, possesses distinguishing features such as love, generosity, self-sacrificing, forgiveness, tolerance, kindness, faithfulness, equity and equality together with warm welcomes without any greed or selfishness.

As a Wife

Islam says: Wife and husband are for mutual support, mutual comfort and mutual protection to each other. A wife has many rights over her husband. Generally, these rights are divided into two categories: One is the financial right like Nafaqa (daily needs) and secondly, basic human rights like equality, support, justice, and good treatment. Some of the verses of the Holy Quran and teachings of the Holy Prophet (PBUH) highlighting these rights are presented here.

In the Holy Quran, Allah has said:
“It is He Who has created you from a single person (Adam), and (then) He has created from him his wife [Hawwa’ (Eve)], in order that he might enjoy the pleasure of living with her”.³¹

In the above verse Allah has asserted that he created man and woman from one origin so they might live in peace and give comfort to each other. In another verse Allah says:

“And among His Signs is this that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy, verily in that are signs for a people who reflect”.³²

Similarly, in another verse Allah says:

“They are Libas [i.e. body- cover, or screen, or Sakan (i.e. you enjoy the pleasure of living with them-as in Verse 7:189) Tafsir At-Tabari] for you and you are the same for them”.³³

The above verse means that men and women have been declared a pair and inseparable. Islam has asked all of its followers to treat their wives in a decent manner and maintain sound ethics at home. Allah has said in the Holy Qur’an:

“Live with them honorably. If you dislike them, it may be that you dislike a thing through which Allah brings a great deal of good”.³⁴

Wives have many rights over their husbands and likewise husbands have many rights over their wives. Since this discussion deals mainly with women’s rights, therefore, the subject of husbands’ right is out of context. In this respect the following verse is a guiding principal for us in relation to women rights.

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them”.³⁵

This verse was revealed to provide guidance to Muslims in relation to regularize their family matters so that the husband and wife should fulfill their rights and obligation in an efficient manner. The word “men have a degree over them”, implies to the husband responsibility as bread winner for the family. It doesn’t aim to give men a license to control, confine and mistreat them as Islam considers them equal human beings. Similarly, Hazrat Aiysha Siddiqa (R.A) relates that the Holy Prophet Muhammad (PBUH) has said:

“The best among you are those who are good for their wives and among you I am good for my wives”.³⁶

At another point the Holy Prophet has said:

“Among the Muslims, a perfect one is that who has good manners and is kind to his family”.³⁷

Similarly, the Holy Prophet Muhammad (PBUH) has said:

“The best gift in the world is a faithful wife whose sight gives you joy and when you are away, she protects your honor, offspring and belongings”.

Aswad Bin Zaid has narrated from Hazrat Aisha that Muhammad (PBUH) helped his wives in the household chores until the time he would leave the house for prayer. Hazrat Abbas has said:

“I dress and decorate myself for my wife as my wife dress and decorate for me”.

Right of Maintenance (to Maher-Nafaqa)

In Islamic Shariah, Maher is a right of woman and it is the compulsion on every husband to provide it to his wife according to the Nikkah agreement. The Maher could be in the form of cash or kind that husband is obliged to pay to his wife upon marriage. Allah says in the Holy Qur'an:

“And give to the women (whom you marry) their Maher (obligatory bridal money given by the husband to his wife at the time of marriage) with good heart”.³⁸

Likewise Nafaqa includes provision of food, clothes, medical treatment, shelter and fulfilling other day-to-day needs of wife in life. The Nafaqa rights are valid till marriage is not terminated and as long as wife is alive. Allah says in the Holy Qur'an:

“The mothers should suckle their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling, but the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis”.³⁹

Muslim reveals that the Holy Prophet Muhammad (PBUH) has said:

“Have a fear of Allah in relation to the fulfillment of wives rights because they are honorable creatures of Allah. You are permitted to enjoy conjugal rights. But be aware that it is necessary for you to provide them with food, cloth and other necessities in the best way”.⁴⁰

Husband's duty to teach her essential knowledge of Islam:

A husband's duty is to teach his wife the essential knowledge of Islam, in particular matters pertaining to women. If he does not know himself, then he must buy her books and tapes that would teach her or let her go to study circles where she can acquire that knowledge. She cannot leave the house without his permission, but she can go to the Masjid (Mosque) without his permission. He has no right to stop her from that. Prophet (PBUH) said:

“Do not prevent the female servants of Allah from visiting the mosques of Allah, but they may go out (to the mosque) having not perfumed themselves”.⁴¹

As a Daughter

In Islam bringing up girls is strongly appreciated. Prophet Muhammad promised the one who brings up their girls properly that he would accompany him in paradise. There are several verses and sayings of the Holy Prophet (PBUH) in connection with the rights of daughters. Some of them are presented here as an example:

“He bestows female (offspring) upon whom He wills, and bestows male (offspring) upon whom He wills”.⁴²

The Holy Prophet has said in a Hadith: The summary is as under:

“Don't dislike daughters, no doubt they are (for parents) more caring and loving”.

Another Hadith recommends:

“Those are blessed women who give birth to daughter first”.

“Ibn Abbass R.A has narrated that the Holy Prophet has said, the one who has a daughter and if he does not kill her, insult her in any way, and does not favor sons over her, Allah has promised such persons Paradise”⁴³.

In another Hadith Hazrat Ans Bin Malik, quotes the Holy Prophet Muhammad (PBUH):

“He who up-brings two girls properly to the age of adolescence, that person will be with me side by side in the Heaven”.⁴⁴

In another Hadith the holy prophet says:

“He who has got three sisters or two daughters or two sisters and he educates them and gives them due their rights, he will be sent to heaven on the day of judgment”.⁴⁵

The daughter has the right to be financially supported by her father till she gets married (where she is financially supported by her husband). If the father dies then her financial support becomes the responsibility of her brother. She must receive love and best maintenance. Daughters have as much rights as the son in educational, physical and mental uplifting. Daughters have their share in the father's property, which is recognized and granted at every cost. Daughters have the right to choose her husband. The father is not allowed to oblige her to marry a certain person. If, by chance, a woman becomes a widow or is divorced, Islamic law reverts her back to the paternal home where she is supported financially (if widowed while if divorced she is financially supported by her ex-husband during her period of Iddat then by her father) and looked after with love and affection. Holy Prophet (PBUH) said,

"Should I not tell you what the best charity is? That you should show kindness to that daughter who (becoming a widow of having been divorced) has been returned to you, and who has no other maintainer or supporter."⁴⁶

Rasulullah (sallallahu ‘alayhi wa sallam) said: “Shall I not tell you [one of the] greatest forms of charity? [It is to provide for your] daughter who comes back to you [due to divorce or her husband passing away] and you are her sole source of provision.”⁴⁷

Polite Guardianship and Better Patronage

The mother is recognized as generally the fittest person to take care of the children, because of the instinctive love and tenderness she feels for them and her closer contact with them throughout pregnancy, nursing, and childhood. One of the key relevant hadith is that: According to Amr Ibn Shu'aib, a woman came to the Prophet (PBUH) and said: 'Truly my belly served as a container for my son here, and my breast served as a skin-bag for him (to drink out of) and my bosom served as a refuge for him; and now his father has divorced me, and he (also) desires to take him away from me.' The Prophet (PBUH) said:

'You have a better right to have him, as long as you do not marry again.'⁴⁸

The right of custody over her children An indication that Islam admits the importance of motherhood and cares for the rights of mothers and their feelings is that a divorced mother has greater rights and is worthier of looking after her children than the father.

ʿAbdallah ibn ʿAmr ibn Al-as transmitted that a woman asked, "O Messenger of Allah, this son of mine had my womb as a container, my breasts for drinking, my lap to contain him. His father has taken him from me." The Prophet, blessings and peace be upon him, said, "You have more right if you do not marry"⁴⁹.

Imam Al-Khatabi said in Landmarks of Traditions (Maalem As-Sunna): "Container" is the name of the place that contains a thing. This means that the mother is worthier as she and the father shared in the begetting of the child, then she was singled out for such things as nursing which the father had no share in. Therefore she deserves to be the first when it comes to disputes about the child. In Islam if the mother (who is the first choice for custody over minor children) remarries then her right of custody is thereafter passed on to her mother, children's maternal grandmother then to her mother-in-law then to the husband.⁵⁰ In recognition of an infant's need for female care, all the juristic schools give first preference to a mother's claim to physical custody of her young child provided that she satisfies all the requirements for a female custodian. Islam has ordained the appointment of a guardian for underage girl who is responsible for her patronage. This order is not limited to certain "Do's and Don'ts" but the guardian is required to use his/her rights and discretion to look after the inherited property and wealth of the girl, bring her up, and educate her till maturity. Parental disciplinary rights for female children include the right to enforce and administer punishment; however these rights do not entail using violence or harsh treatment against the children in that family. The main goals of parental discipline in the home are their children's education and behavioral development. In the event that both parents pass away, the children will be raised by a guardian from the next close relative until they are of legal age. The same relative is also accountable for overseeing their property at the same time.

Summary

Pakistan is the nation that was founded on the principles of Islam and for the purpose of granting all men and women the fundamental rights that they were denied prior to the division of the country. However, it is depressing to observe that in practice, women are not exercising the rights that are clearly defined for them. Although there are laws in the nation that support women, the majority of them are only found in the papers, and the male-dominated culture is not really interested in seeing them put into practice. Legal regulations and Qur'anic precepts are not adhered to in text or spirit; instead, people attempt to pervert them to suit their own ends. In order to educate women about their rights and provide them with the tools they need to make reasonable requests, it is necessary to periodically organize training sessions and awareness campaigns. As was previously said, women should have access to a variety of career choices in order for them to become independent. To empower the weaker members of society, the government must take proactive measures to enforce national legislative laws and the Convention on the Elimination of All Forms of Discrimination against Women, both in text and spirit. Simultaneously, the government bears the task of doing away with any illegal customs

that violate women's rights. The government ought to make it easier for women to get involved in mainstream politics. Empowering the marginalized members of society is the first step in building a robust and forward-thinking country.

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