

QURANIC EMPHASIS ON EQUALITY AND RIGHTS OF MUSLIM WOMEN

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Abstract

Islam must be considered as a paradigm that cannot be split and whose teaching cannot be analyzed in isolation. All the teachings and beliefs are written out in the Quran, which is a holy book of Islam. All the Muslims who follow Islam are required to abide by the text of the Quran, which accepted as the word of Allah. The verses in the Quran address the creation of humankind and the culmination of a series of divine messages. The holy Quran is a book of rules and guidelines for the mankind. The Quran clearly prohibits any kind of injustice, domestic violence, and oppression. Quran founded the relationship of husband, and wife as the garments of each other and remind men to treat women with kindness and love. There are several verses in the Quran that strictly prohibit those behaviors that represent emotional and psychological ill- treatment. Islam is also a religion whose messages grantees equality to all. Islam is an inherent root of gender equality which provides women a position of dignity and honor. The Holy Quran explains that a woman is not created for the purposed of man, in fact, it says that both are created for the mutual benefit of each other. The main objective of this paper is to explain the rights of women which are granted by the holy Quran.

Keywords:

Islam;
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women;
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Equality.

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Introduction

Islam has never been a religion that has suppressed women and their rights. Islam is the only religion which gave women true and due rights 1400 years ago when the world ignored and oppressed women. It is the religion which uplifts the status of women in the society and took her out of the whirlpool of oppression and tyranny. The religion has placed a strong form of respect and position. It grants women the status of equality with men along with several rights of women as an individual. These rights are granted to them not just because of mother, daughter, sister, and wives. It is because just like a cart cannot be driven without two wheels, similarly, without the colligation of both men and women society cannot exist or run. Islam is that religion which does not represent any favoritism towards men. Further, it is not a partial religion that shows partiality in the interest of men. It gives the status and priority to both men and women for the general welfare of the society, not genders. For the goodness and the general welfare of mankind and society, there must be an asymmetric balance between men and women. But the symmetrical balance differentiates when it comes to men and women's role and responsibilities not only for themselves and for each other but also to the society as a whole. But it does not mean that one gender surpasses the other. According to Islam, men and women are complementary to each other in essence. Both genders must be equal pace with one another, to recognizing the importance of one another unbiased contribution. Islam adamantly opposes tyranny and would not allow any form of superiority. It strongly opposes dictatorship, oppression, abuse or the infringement of rights.¹The holy Quran stated that there should be a love, kindness, and equity in the relationship of both husband and wife for the peaceful co-existence between them. The holy Quran states, that men and women were created from the same essence. The Quran also makes systematic reference to equity and equilibrium among the gender and dispose of all gender-based discrimination. It also makes no distinction whatsoever between the superiority and inferiority of men and women.²

There is no difference between men and women in Islam as far their relationship to God is concerned as both grant same reward and punishment for their good and evil conduct. The holy Quran states that-

And for women are rights over men

Similar to those of men over women.(2:226)

The Holy Quran, often uses the expression, 'believing men and women' while addressing the believers to emphasize the quality of men and women in regard to their respective duties, rights, virtues, and merits. It says:

*For Muslim men and women, for believing men and women,
For devout men and devout women, for true men and women,
For men and women who are patient and constant, for men
And women who are humble themselves, for men and women
Who charity, for men and women who fast, for men and women
Who guard their chastity, and for men and women who engage
Much in God's praise, for them, has God prepared forgiveness and
Greats reward. (33:35)³*

The holy Quran in the following verse asserted that women have a soul in exactly the way as men by repeatedly read the word men and women or believing men and women. It will further say that both will enter into paradise on the basis of their performance of moral and religious acts. The Quran does not show any favoritism and supporting men. According to the Holy Quran, both men and women are equal in the eye of God. No one is superior and no one is especially for God. Both of them have the same procedure or process for entering into the paradise. This verse clearly denied the belief of some Christian that women do not possess souls and will exist in the next life as sexless being.

Islam always talks the importance of equality, liberty, human dignity and respect to a human right. For Islam, every human being is the equal member of the family so that the right and responsibilities of a woman are equal to man but they are not necessarily identical to them. Islam declares that a woman is a full and equal partner of man for the facts of life and reproduction of humankind. Both man and woman are essential for the life and procreation of humankind. Her role is not less than his role. She is equally capable of bearing personal and common responsibilities. She is recognized as an independent personality in the act of having

qualities and worthy of spiritual aspirations. She is equal to man in pursuing education and to gain knowledge. Islam enjoined no distinction between man and woman in the seeking of knowledge upon Muslim. Islam furnished an equal right to a woman to earn and possesses everything independently like a man. Her life, her property, and her respect are as important and as precious as those like man. In a judicial manner, if she commits any offense, her punishment is no more or no less than that of man. Similarly, if she is harmed and injured, she gets due compensation equal to what a man would get in her position.⁴ According to Islam, there is no single verse in the Holy Quran that prompted and supported gender-based discrimination. But unfortunately in most of the societies especially Muslim society due to lack of authentic knowledge misused the concept of ‘gender’ which was actually the product of social conduct and stereotype societies which tend to accord woman a low status and put them in an advantageous position or less valuable human being. The holy Quran of Islam provides us a clear-cut evidence of a woman that woman is completely equated with man in the eye of God in the term of her rights and responsibilities. The glorious Quran granted woman several social, economic, political, legal, educational and spiritual rights. Following are the various rights which are granted woman by the Holy Quran.⁵

Right to Equality

The holy Quran regards both man and woman as an equal human being and granted them equal human rights. Islam establishes true equality for woman. Islam strongly denied the popular belief of Christian that Eve is created out of the rib of Adam. Islam says that both man and woman were created from the one soul. The glorious Quran stated that there is no difference in the creation of both sexes. Islam has considers women to the same rights as in chastity, integrity and personal honor and respect. It has also entitled women equally qualified financial dealings. Islam puts a woman in an equal position to that of man in terms of the responsibility of enjoining good and forbidding evil in society in general and in particular. Islam believes that woman are the great source of assistance for their husbands⁶ Right to equality has four logical characteristics which are crucial in Quranic perspective-

1. Equality in religious matters or spiritual rights
2. Equality in ethical obligations and rewards
3. Equality in education or the right to seek knowledge

4. Equality in the legal right

1. Equality in religious matters and spiritual rights.

In terms of religious obligations, both men and women are equal in the sight of Allah and have the same duty to worship and obey him such as daily prayers, fasting, poor due, pilgrimage etc. A Woman in the religious matters has given certain advantages in some cases. For example, during the menstrual cycle of a woman, they have been exempted from the five times daily prayers and from fasting. They have been also exempted for forty days after the delivery of the child. Islam considered women or exempted them from prayers in those days because of their problems, pain, and difficulties which they faced during those days. Women were also exempted from attending five daily prayers like men in Mosque or in Jumma because of the women's role as mother, wife and so on, a role which does not end in a specific time. But it does not mean that they are prohibited from attending prayers in Mosques. If they wish to attend the mosque for prayers no one has the right or authority to stop them from doing this. These exemptions are only for her relief or for lowering her burden to attend the Mosque during her busy schedule.⁷

2. Equality in ethical obligations and rewards.

Secondly, the Holy Quran shows the equality of man and woman by the same ethical obligation and reward for both. According to Islam, both sexes will enter into paradise on the basis of their own obligation. There will be no partiality and favoritism on gender. Both will receive punishment and reward on the basis of their good conduct and evil conduct. No one is responsible for anyone deeds. Both are separately responsible for the owns deeds.⁸

3. Equality in education or the right to seek education

Islam commands all Muslim to pursue knowledge regardless of sex. Right to an acquire education is the right of all Muslim i.e both man and woman. Islam shows the importance of knowledge for all people (male and female). Hadith literature of Islam clearly stated the equal rights of man and woman to pursue education. The prophet said that "seek education from cradle to the grave". According to him true definition of education will increase in gaining more and more knowledge in order to strengthen our faith and understanding of our purpose in this life.⁹ The messenger of Allah, the prophet, the prophet "sallallahu alayhiwasallam" said that it is the

compulsory duty of every mother and father that their daughters did not remain illiterate or ignore in acquiring education and knowledge because after their marriage they would have to play important roles as wives and as mother of children. If any reason, the parents have failed to give their daughters basic and necessary education it was the duty of their husband to teach their wives the basic principles so that they would lead their lives in a proper manner. If you see the Hadith of Islam, you can find many verses which repeatedly emphasize the acquirement of education and knowledge for every Muslim (male and female). For example, one Hadith says that *“seeking knowledge is a duty of every Muslim, Man, and Woman”*. Another Hadith declares, *“The father if educates his daughter well, will enter into paradise”*. Again another Hadith states, *“A mother is a school, if she is educated, then a whole people are educated”*. The early Islamic history also proved that from the beginning there were no restrictions and prohibition to seek knowledge. In fact, there were many women scholars who play very significant roles in the Islamic history. One of the examples is Ayisha, the prophet’s wife was one of the most famous Muslim scholars. She was very intelligent and had an exceptional memory. She was also considered the important sources of Islamic Hadith. Another famous woman was named Nafisa, related to the fourth Kalifa. She had a huge knowledge and an expert on the Hadith of the prophet. Imam Shafi-ai and many other scholars of the time would participate in her speech and learn from her. It revealed that women should not keep illiterate and ignorant but to have fully encouraged to participates in the process of learning. Education is mandatory, obligatory and essential for both men and women in Islam. This shows that for Islam how much education is important. And the most important is that there is no discrimination, partiality, and favoritism for education between sexes. Both are equally addressed in the holy scripture of the Quran in this regard. Hence, there is a complete equality on education in Islam. Further, nowhere it is written in the Holy Quran, that we should acquire knowledge only of religious scripture. We should seek the worldly education as well as.¹⁰

4. Equality of legal rights or economic rights

The fourth evidence of equality in the Quran is the legal rights. Quran promulgates full legal right to both men, and women. Islam acknowledged women’s right to her money, real estate, and other properties. In Islam, Woman is a legally independent personality with the full legal right to enjoy. She can buy, sell and earn a living. She can manage her own money and property. Nobody

has any rights to her property and her obligations are independent of those of her father, husband, son or brother. Such right which applies to her properties undergoes no change before her marriage as well as after her marriage. In Islam, the financial position of women is very strong and well secured. Before her marriage, it is the duty of her father and brother to fulfill her all financial need and after her marriage, it is the duty of her husband and son to look after her financially by lodging, clothing, boarding, and everything. She needs not to work for the fulfillment and necessities of her life. It is the obligation of man in the house to earn for the family to fulfill their needs. Islam puts the financial burden on men, not on women. But it does not mean that she cannot work and earn for her family. She has the right to seek employment in this regard. And if she wants to keep all her earning for herself only, she also has the right to do so because this is also included in her right and nobody can force her to give anything to anyone. And if the wife is very rich and earning enough for her living even then it is the duty of her husband to provide everything to her. There is no prohibition which restricts a woman from seeking employment in Islam. In fact, there is a necessity for it especially in those jobs which is fit for her nature. There are many such professions like nursing, teaching, doctors etc in which society need her most. Furthermore, there is no restriction for a woman to show their surpassing talent in any field. Thus, in Islam, the woman is more secure financially. She is free from the burden of earning to serve her family. She is an independent personality whose property and money only belong to her. She is not entitled to spend a single rupee on her family and nobody has any right to claims her possessions.¹¹

Political rights

In Islam, Woman has the political right too, which means that both man and woman are the supporter of one another not only socially but also politically. Women have the full right to enjoy political right which includes the right to vote, the right of election as well as a nomination, right to hold office to join political parties and the right to freedom of expression. She can also enjoy which is legislated in terms of nationality like forming charitable societies, women's committees and organizations by leading those organizations and working through them. In Islam, there is no provision which supported the physical restriction of a woman to the household. A Woman can take part in the enactment of law or rulemaking, execution of law and in the judiciary. They not only participate in the public affairs but also took part in the battlefield. History also proved that woman participated in lawmaking. For example, during the time of 'Umar' when Umar made a

certain proposal for a regulation regarding marriage, a woman who was present in the mosque stood up and said, “Umar, you can’t do that”. Umar did not scold that lady or said shut up for interfering as a woman. He, in fact, asked, “why”?. She pointed out the reasons for her argument on the basis of the Quran in front of everybody. And then, he stood up and said that woman is right and after that, he withdrew his proposal. The above-mentioned incident had proved that how in early days of Islam Woman’s advice was as much important as like man. Hence, Islam is a true religion in which women represent one of the two halves of humanity. Islam has acknowledged of the important political role of women like the right of election as well as the nomination, freedom of speech and expression, right to participate in public affairs, right to vote etc.¹²

Right to choose husband

Right to choose husband or right of consent to marriage is an important right of every woman. Islam has granted this right to women in respect of their marriage. A marriage is an alive long contract in which the girl guardian play a vital role in searching a suitable guy for her but no one has the right to force her to marry against her wishes for her own marriage. She is completely free to accept or reject the choice of her guardian. She even has the right to make her own choice. If she like someone and that guy is suitable for her, she has the right to tell her choice to her guardian for her marriage. There was an incident which also proved this right of women. One day, a woman named Khansa bint Khidam came to the prophet with a complaint: *“my father has forced me to marry my cousin in order to raise his own status”*. The prophet told her that if she disliked the choice of her father she was free to dissolve that marriage which was against her consent and can choose anyone whom she wished to marry. She replied, *“I accept my father choice”*. She then said that my only reason for coming here to let all women know that she has the freedom to choose her husband and nobody can force her to accept them their choice for her marriage. It is prohibited in Islam to marry women by force. The Woman is free to choose her life partner in Islam. The marriage of a girl without her consent is not permissible. No one has the right even if it is her father, brother, uncle, grandfather to force her to marry without her consent. Most of the Muslim women are unaware of about this right and few who knows does not forego the right because she does not want to reject or go against their parents who have her best interest at their heart and have more experience of life and people. But the Islam does not

favor those marriages which were made without the consent and permission of woman. It is because Islam wants a happy and successful marriage based on a feeling of as systematic understanding between the partners. There must be a common ground between in terms of physical looks habits, attitudes, aspirations and characteristics between them. There is a more possibility of divorce in those marriages which was made without the consent of each other or without the similarities between partners.¹³

Right of Mehr

Islam is the one and only religion in the world which granted “Dower” that is Mehr in the Islamic word to the bride not to the bridegroom at the time of marriage. Mehr is a mandatory payment in the form of money and possessions which a husband is required to pay to his wife at the time of marriage. Mehr is a right of every wife in Islam, which is the responsibility of the husband to pay her wife soon after the marriage, even if it is not mentioned in writing. Mehr is a gift that has been specified by Islamic teaching. Islamic marriage is not complete or valid until and unless a dowry has been approved. Mehr is one of the essential conditions for the valid marriage in Islam. It cannot be dropped or confiscated, even if the bride approves before the marriage is completed.¹⁴The amounts of Mehr have been not specifically fixed in Quran but it is presumed that Mehr has been agreed to be paid. And if in any marriage contract the amount of Mehr is fixed that means that it should be paid and man cannot delay it. There is no particular amount for the Mehr. It basically depends upon the mutual agreement of both the parties. There is also no maximum limit to Mehr. Mehr can be paid in the form of cash or credit based upon the agreement between the bride and bridegroom. If it is cash and the husband is in the position to pay it, he should pay it immediately to his wife before their commons living and the wife has the right to keep herself away from the sexual intercourse if the husband does not pay her Mehr. And if the Mehr is on credit and fixed for a time the woman does not demand it before that time. The Woman is the one and only owner of the property which she owns as Mehr, nobody has any right to it. She has a full authority and right to use her money whenever and wherever she wants. Nobody can claim or ask about her money whether it be her husband, father, mother, brother, father-in-law, mother-in-law or anyone. And if the husband decides to divorce her then also he may not allow to takes anything back of the Mehr which he has given to his wife.¹⁵

In the Quran, Mehr has been called 'sadaqah' because through Mehr man's relation to his wife become Halal. Muslim jurist 'Fuqaha' has said that after Nikah a woman is not Mubah (legal) unless her Mehr is paid to her by her husband.¹⁵ There are some guidelines for paying the Mehr. For example in those Nikah where Mehr is not specifically fixed and the husband want to give his wife Talaq before the Dukhul (physical relation), he is not liable to pay any Mehr to his wife nor liable to pay any Mehr if he dies before Dukhul. But if the Mehr is fixed at the time of the celebration of the Nikah but unfortunately if the husband pronounces Talaq before their Dukhul, the wife will get half of Mehr and if he dies prior to the Dukhul, the wife of the deceased husband entitled to get full Mehr.¹⁶ There are two reasons for the fixation of an excessive amount of Mehr by the ordinary people.¹⁷

1. It is believed that a girl whose Mehr is more is more valued and a girl whose Mehr is lesser is less valued.

2. Another belief is that a large amount of Mehr is a sort of protection from Talaq.

According to Islam, Mehr is a sort of gift which a husband should give to his wife as a symbol of love, respect, and faithfulness at the time of marriage. Islam has enforced Mehr to every husband with few considerations. Firstly, the husband should pay Mehr to his wife sincerely before Dukhul according to his financial condition. Secondly, no wife should demand an unconsolable amount of Mehr which is beyond the limit of her husband. Thirdly, the finale of marriage, whatever the Mehr has been fixed if it is a piece of land, a house or a sum of money becomes the property of wife only. And it can remain in the custody of husband only if the wife permits for this. Fourthly, Mehr is a sign of honor and in regard to woman's personality and independence nor a price to be paid for own her to a marriage relationship. This is a divine by the Quran to established woman's economic independence.¹⁸

Right of inheritance

The Right of inheritance is one of the important rights provided by Islam to women for financially strong and economically independent. In Islam, women have the right and share in inheritance which is prescribed and established especially by the Quran and in the Sunnah (the practice of Prophet Mohammad). According to Islamic teaching, those who refuse to give women their inheritance right shall be punished by the God. It is a sin if the father does not give his daughter inheritance right, and for also a brother who deprived their sister inheritance right.¹⁹

But who misunderstand the Islam and Quran claim that Islam does injustice to a woman by granting woman's half share of what man's get. It means granting male double share of that of the female of the same parent. In Islam, there are three types of shares for a Woman's inheritance-

- (a).An equal share as that of the man
- (b).An equal share to that of the man, or a little less
- ©.Half the share of a man

It means that, if the girls were more than two, they get two thirds and if the girl is only one, she gets half of the share.²⁰ The laws of inheritance in Islam are proportional according to the duties of spending and financial responsibilities on them. There are three sources of assets for the women in Islam- Inheritance, Mehr, and maintenance. No doubt that male receives double from their only source but they have to give Mehr to his wife and maintenance to wives and all others who are dependent on them. In Islam, a man has all the financial responsibilities of supporting his family, his wife, his children (when his brother dies), his parents (when they become old and have no income) etc. In addition, a Muslim husband has to give his wife a marriage gift named 'Mehr' without which a marriage becomes not legal. A Mehr is a mandatory payment which a husband is required to pay his wife at the time of marriage. This marriage gift of every Muslim woman is considered as their property and neither the husband nor his family members have any share in it. This is an important right of Muslim women which symbolizes an assurance of economic security from the husband toward his wife. On the other hand, the wife is not entitled to present any gift to her husband. Furthermore, a Muslim husband is under the obligation to maintain his wife and children. As per the rule of Islamic law, wife's property and earning are only belonged to her and for her use only. She has not obliged to spend even a single penny for her family. In fact, she is also the responsibility of her husband no matter how rich she might be. A husband has to fulfill all the need of his wife and children. She is not entitled to become the co-provider of her family unless she herself decides to do so. A Woman in Islam does not bear the responsibility and financial burden. She is free from all the responsibilities which men have. It is correct that women today are working, earning their living and helping their husband by equally expenses and equal economic assistance to their household. There is no objection in Islam for this. A woman can support her husband and her family if she wishes to do so. Islam freed her from all financial burdens. In other words, you may say that it gives the woman the

rights of only take not give. Islam secure woman financially and provided for, for e.g for the wife a husband is a provider, for mother it is the responsibility of her son, for daughter, it is the father and for sister, brother and so on. But by thinking all these, if we completely deprive female of the inheritance right, it would be unjust to her because she is also the heir of the family. And if she always gets an equal share to that of man, it would be unjust to man.²¹. Thus to prevent man and woman from injustice, Islam gives a larger portion of the inherited property to man to help him for carrying his all responsibilities and fulfill the need of his family.

The girl is considered in Islam to be an heir and in regard to her rights of Inheritance Islam is more kind to her than to him. In fact, according to Islamic law, women are favored more financially in comparison to men in the following ways²²-

- (i). All gift and property were given to a woman before her marriage is her own and no one has the right to claim it even after her marriage.
- (ii). At the time of her marriage, she is entitled to get a marriage gift (mehr) which is considered as her own property.
- (iii). If the wife is rich enough to fulfill her own needs and her household, even then, she is not required to spend a single penny for her and for her household because her full maintenance responsibility like her food, clothing, housing, medication are on her husband responsibility.
- (iv). All the income and earnings through working and investment by her are her own entirely.
- (v). The divorced woman has the right to get maintenance during her waiting period from her husband.

Thus, there are many reasons behind the half inheritance right of women in Islam but it does not mean that their status is half of that of man. Some people also claim that women's half inheritance in Islam indicates their inferiority. Woman share is one-half the man share is due to the variations in the financial responsibilities of man and woman.

Conclusion

The question of equality between men and women is meaningless in Islam. It just likes discussing the equality of two flowers like rose and jasmine. Both the flower has its own perfume, color, shape, beauty, and importance. Similarly, men and women are not the same but are complementary of each other. Women are not equal to men same as the men are equal to

women. Each of them has their own particular features, characteristics, and qualities. They are combining in such a way to enhance and emphasize the qualities of each other. Both of them cannot live without each other. Both of them are meaningless and useless without each other because each of them has their unbiased contribution to the life of each other. In the view of Islam, their role in the society is not competing but as complementary. Each of them has its own duties and functions based on his or her nature and contribution.

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