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CONTEMPORARY CHALLENGES OF MUSLIMS ON THE STATUS AND RIGHTS OF WOMEN IN ISLAM

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Abstract

The contemporary Muslim ummah is being bedeviled by a myriad of socio-cultural and intellectual problems. One of which is the attachment of taboo and stereo-type to the status and rights of women. The phenomenon can be said to be an offshoot of the Jahiliyyah era of our society and subsequently has rendered Islam into a subject of attack by the non-Muslims. Muslims with secular ideology add that the Sharia law thwarted the right of women and it should be revisited to reflect the equality of women with men in all fields in the modern trend of civilization. The paper dispels the misconceptions and deliberate condemnation of Islam on the status and rights of women. It argues that Islam is the only religion that grants women their proper status and rights. It traces the reforms of Islam which saved women from the oppression of Jahiliyyah Arabs and discusses the special roles women are made to fulfill for the sustenance and development of the society according to Islam. It concludes that Islam is not against the equality of men and women per se, but rejects any sort of campaign that advocates or preaches sameness of their nature and role in the society. Islam, therefore, should not be blamed for the ignorance of Muslims on the status and rights of women but the people. The study takes a general perception because; the form of subordination, discrimination, exploitation, relegation and degradation of women vary across culture, race, class and structure.

1. Introduction

Despite the fact that the Qur'an and Sunnah have clearly stated the rights and duties of Muslim men and women, the status and rights of women in Muslim societies have been clouded by controversial issues being advocated by the non-Muslims who are envious of the honour, nobility, status and protection which Islam grants to women. Such detractors have developed overtime a very sensational debate and controversial discourse regarding the position and role of women. Some aspects of their arguments and discussions reflect falsehood, misconception and mischief against the Sharia on the status and rights of women. They mischievously attribute some beliefs and practices pertaining to limitations and curtailment of women's freedom and rights in traditional Muslim societies to Islam, whereas those practices have no basis at all with the Sharia sources. Their stance seems malign to the development of the ummah. As if they are geared toward deliberate condemnation of Islam and the Sharia law on the status and rights of women in Islam.

For instance, while some consider women as inferior sex that deserves degrading treatment by men, others believe that women should be liberated to enjoy full rights in all things without exception. There are others with the view that women should be confined to their homes and stick to serving

the needs of their husbands and rearing the next generation alone ¹. Others are of the view that it is un-Islamic, unjust, and selfish and obligation above what she could bear, if a woman is charged with additional responsibility to work for earning in order to improve the economic status of her family in addition to her natural duties of bearing pregnancy, childbirth and breast feeding².

Instead of trying to liberate women from all forms of tyranny and oppression of the traditional laws and modern secular thoughts, women intellectuals embark on advocacy for total liberation and full freedom of women from all forms of religious restrictions and prohibitions. They advocate for equality of women with men in all fields of endeavor, irrespective of the natural differences between them and their male counterparts. This idea continues to expose women to injustice and exploitation by men, social chaos and confusion, sexual harassment and general degradation³.

Despite several efforts by Muslim scholars to clear the misconceptions, falsehood and prejudices, the attacks and condemnation of Islam on the status and rights of women continue to be a subject of controversy. Further agitation for emancipation of women from the Sharia, social taboo and traditional norms by the west necessitates this study.

The paper attempts to provide an in-depth treatment on the status of women in the *Jahiliyyah*, and traces the true stance of Islam on the status and rights of women. It also aims at clarifying the above misconceptions of the Sharia, and to correct wrong impressions created in the minds of some Muslims by the non-Muslims regarding the rights of women in Islam.

2. The Status and Rights of Women in the *Jahiliyyah* Period

The *Jahiliyyah* period was a period of ignorance, a period in which mankind was in a state of intermission of Prophethood. Women of the *Jahiliyyah* period generally lived in oppressed conditions of life. Their status and roles in the society were misconceived by the *Jahiliyyah* Arabs. They were forced to live under the real inclemency of men, who subjected them into hardship, miserable life and affront (Q16:58-59, Q81:8-9). They were virtually denied legal status and social standing⁴. Women were considered as inferior beings or worthless creatures. For instance, the *Jahiliyyah* Arabs did not value their wives as complete human beings that deserve respect and dignity as required by the Sharia. They were discriminated and degraded to subordinate position, and subjected to mere sex objects and chattels that had no right of possession. Their status was reduced to that of property that had no right to choose husbands of their choice. They were considered as chattels that could be bought at will or sold into marriage for a price to their guardians. They were barred to inherit but could be inherited⁵. Widowed and divorced women were not allowed to remarry⁶. Others were treated as mere household implements that could be possessed, shared and disposed at will without any consideration to their consent. Husbands could terminate the marriage at will, since they had no limitation as to the number of women to marry and the maximum number of divorce. In consequence, women could have connection of illicit sex with as many men as they liked⁷.

In fact, the birth of female child was an unwelcome event. They were considered as evil temptresses that concealed their evil on men and in their beauty. That was why the *Jahiliyyah* Arabs maltreated and buried their female children a live in fear of poverty to foreshadow, misfortune and bad luck (Q81:8-9, Q58:59). Others considered women as the cause of hardship and as the source of the expulsion of Adam (AS) from Paradise to the harsh life on earth⁸. They were also excluded from inheritance. Such aberrations altogether were the result of disbelief in the monotheistic religion of Islam⁹.

Unfortunately, contemporary women nowadays continue to suffer from many of the above forms of oppression, despite the presence of Islam and the Muslims. They are denied the right to education, the right to work on necessity, and even prevented from attending religious lectures and social gatherings. These altogether, brought about the need for a study on the status and right of women.

3. The Status and Right of Women in Islam

In Islam, the status and right of women are clearly defined in the noble Qur'an and Sunnah. Islam is the only religion that in actual fact raises the status of women. It neither attaches stigma to a woman, nor puts her in disgrace. It restores the dignity and rights of women as full responsible human beings and counterparts of men. While Islam recognizes the biological and psychological differences in the nature and areas of activities and functions between males and females, it also allows women to enjoy same capacity and freedom as men. The difference in sex between male and female is neither a credit nor a drawback. In other words, men and women are the most divinely honored (Q17:70) social beings on earth¹⁰, who are naturally created from the same source (Q49:13), with equal rights over each other (Q2:228), and as equal beings that complement and support each other in good deeds (Q9:71). That is why they are created in the utmost value and in the best mold (Q95:4). As such, there is no distinction between men and women as regards to their respective rights (Q3:195). The fact that Islam placed men as the head of the household does not mean women are inferior, but because the former supports and provides maintenance to the latter from their means (Q2:228). But the Sharia provides that women are important as men.

The advent of Islam in Arabia saved women from the different forms of oppression referred to earlier. Islam had ordered a stop to the oppression of women. It had veiled them from the shackles of gender oppression and subordination. Islam also had returned women's right by raising the proper status in mankind (Q49:13). Under Islam, women have regained their right of education and have received equal treatment with their male counterparts to the extent that the excellence of one over the other is on the basis of piety and good deeds (Q33:35). Women's position as partners of men has replaced their status as chattels in marriage, which saved the lives of women that suffered injustice and inequality, and also returned their proper status in mankind (Q4:19, Q16:97, Q33:73), through the condemnation of female infanticide as barbaric, inhuman and a grievous sin that will be questioned on the judgment day (Q81:8-9, Q4:19, Q16:58-59). Islam returned to women their right to *Mahr*-Marital gift (Q4:4), consent in marriage, inheritance (Q4:7, Q4:11, Q4:19), freedom of expression and right of divorce and ownership (Q3:195). To sum it all, Islam replaced the status of women with good (Q4:19), kind and just treatment. The noble Prophet (SAW) complemented the above in a Hadith where he is reported to have said:

Whosoever has a daughter and he does not bury her alive, does not insult her, and does not favor his son over her; Allah will admit him into paradise (Musnad of Ibn Hambal, Hadith N0.1957).

Whosoever supports two daughters to their maturity, he and I will come on the Day of Judgment as this (and he pointed with his two fingers held together). (Musnad of Ibn Hambal, Hadith N0.2104).

For the ummah to progress, it must ensure equal respect and right of humanity, honor (Q4:1) and moral virtues to both men and women. Islam enjoins that women should have an absolute right to life (Q6:151, Q5:32), the right to maintenance and kind treatment (Q4:19, Q2:231), the right to own property and dispose it at their will (Q4:29), the right to express their views, the right to justice and equality before the law (Q4:58), the right to choose a marital partner without duress or imposition, the right to express their opinion, and the right to pursue education that will enable them to impact

good training to their children and assist their husbands in decision making. They should be allowed to exercise their right to participate in religious learning and reform activities which are the bedrock of social change. Attending such training sessions will uplift the social, moral and spiritual status of women, and empower them to know their rights and duties enshrined in the Sharia. They should also have the right to work for earning and to pursue careers that fit their nature, if there is necessity for it. They should be treated equally as twin halves of men without distinction of race, color, language, social status or origin (Q49:13). They should be trained to render services which do not expose them to the vain desires of men¹¹. Women should also be allowed to inherit without change or modification of the variation (Q4:11, 32). They should be allowed to participate in the social activities, which will enable them to use their intellect, talent and ability. Also, their independent right to own and manage and dispose property as they wish should be respected.

These are the reasons why the Muslims believe that Islam is the only religion that in actual fact raises the status of women. It neither attaches stigma, nor puts a disgrace to being a woman. It restores the dignity and rights of women, and also recognizes the biological and psychological differences in the nature and areas of activities and functions between males and females. The difference in sex is neither a credit nor a drawback. But while observing their rights and freedom, women should also bear in mind the natural differences and to observe the rights within the confines of the Sharia because any attempt to emulate men in everything at all cost (Q4:34) can harm and prevent them from enjoying their full right of participation in social development.

4. Special Rights of Women in Islam

The noble Qur'an clearly states that Allah (SWT) has created men and women with difference and roles and certain responsibilities that are appropriate to the biological nature of each sex. He accorded to them similar rights and responsibilities that are not necessarily identical, but suitable roles and occupation that each sex excels in due to its biological and psychological nature and arrangement¹². In other words, there are things reserved for men alone and others for women alone (Q92:4). Each sex is granted natural and special rights and responsibilities that are expected to be respected by the other (Q3:36). The allotted difference between men and women's responsibilities is not a ground for superiority of one gender over the other¹³. Also, the definite partnership between them shall respect the difference in their roles, rights and certain responsibilities.

For instance, the position of women in Islam is attached with special status. They play a vital role in rearing and development of man which is being recognized with great importance to the development and sustenance of individual, family and the society generally. They are crucial members of the society that produce and train future generations. That is why women are blessed with the qualities of patience, love and understanding that are required to suit their jobs. As such, the difference in physical and emotional qualities does not disqualify them from being in the same source (Q7:189) and the same rights with men (Q2:228).

But despite the difference in their compositions and temperaments, men and women stand on equal footing before Allah (SWT) as complete human beings created for the same purpose with men (Q4:124, Q51:56). They are equal beings with men in the same sense (Q3:195) in terms of their duties and obligations (Q49:13, Q3:195, Q16:97), as pairs, mates, and as supporters of each other with men (Q42:11, Q16:72, Q9:71), but with different responsibilities in a family set-up. Each sex is granted special rights and responsibilities. There are things reserved for men alone and others for women alone (Q92:4). Each sex is important to the other and none is inferior or lower species to the other but helpers, supporters and protectors of one another (Q9:71). They provide service for the other to

the extent that the survival of the family and the society largely depends on how the two sexes complement each other.

5. Impediments to Rights and Duties of Women and their Remedies

The noble Qur'an honors women as complete human beings, as feminine beings, as daughters, as wives, as mothers and as full members of the society with equal and special rights¹⁴. They play a vital role in rearing, training and development of man, which determines the nature and quality of future leaders and future generations. That is why they are biologically created with additional gentility and caring ability to conceive, to deliver, to suckle the baby and to provide a healthy and stable environment for the children (Q20:117, Q30:21, Q16:72). Such a supreme role and devotion bestows on women immense honor and greater rights with regards to kindness and attention (Q31:14). As a complement, Allah (SWT) enriches men with physical strength to protect and provide maintenance to women (Q4:34). This may be the reason why the noble Prophet (SAW) said the best of you is the one who is kind to his wife, and that the most precious thing in the world is a virtuous woman¹⁵. As such, neglecting and maltreating their rights means enslaving the future.

Unfortunately, many Muslims remain ignorant of the proper status and rights of women in Islam. The ignorant people continue to adhere to customary laws that thwarted the status and rights of women. Such a blind following and deviation have become one of the major challenges of the contemporary ummah. The profound level of ignorance of the erroneous Muslims prevents them from understanding the roles women should play in the society. They erroneously hold the view that the participation of women in socio-economic activities is a break of cultural norms and values. That is why many Muslim women are not happy and successful with their husbands. They are subjected to the command of their husbands without question. As a result, such women suffer complete seclusion without exception, humiliation and exploitation to the maximum¹⁶. They are treated as chattels, property, commodity, inferior beings and mere sex objects that have no equal rights with men, and could be disposed of against their will. Other societies consider women as daughters of falsehood, weapons of the devil and enemies of peace¹⁷. Widowed women are considered as evil temptresses that hardly get married because they are seen as responsible for the death of their husbands according to customary laws of societies. Some Muslim husbands neglect the mother of their children for a new wife. Such women have to shoulder the whole responsibility of their children. More so, many Muslims prefer to marry their daughters off without recourse to the eligibility or otherwise of the proposed husband. In obedience to their parents, the affected brides have to relinquish their marital rights and endure the maltreatment of the imposed husbands.

In addition, the verdict of venal scholars promotes gender oppression. They preach that; women should go out of their houses only thrice in life: The day she was born, the day she moved to her husband's house, and the day she would be taken to her grave¹⁸. This has led to discrimination, practical limitation and subjugation of the rights of women. Some communities consider a woman as the architect of the original sin, therefore a burden. Other traditions devalue a woman's natural role to a mere sex object. Female children are forced to make extra contributions to the economy and welfare of the family. They are forced into marriage without their consent and against their will. Such daughters have no option but to submit to the wishes of their parents. Those who could not bear the situation seek divorce due to frequent feud and maltreatment. Very few forcefully married daughters prefer to endure the maltreatment for the safety and care of their children¹⁹.

As such, women's education is vital in solving all the above menace. Their equal right to education with men should be guaranteed. Islam never prevents women from acquiring religious and modern education, which inculcate positive values and attitudes that prepares women to become useful

members in the society, and enable them to participate in various fields of social development as doctors, nurses, teachers and other fields that suit them. Also, attending Masjid for worship and religious lectures, symposia, seminars, workshops and other beneficial programs or social gatherings, which will prepare them to fulfill their roles and responsibilities, provided they will act in accordance with the ethics of Islam. It will enable them to gain experience, new ideas, additional knowledge of their Creator and the purpose of creation (Q51:56), to be among the spiritually and morally blessed, to control their manners within the morals of Islam, to perform their role in the family effectively, and to correct their faith and improve in their creed, which will qualify them to be among the knowledgeable that truly fear Allah. All that is required of them is to appear modest in observing such rights. They should lower their gaze, guard their chastity, and their dress should not show their adornment except what is naturally visible and permissible. Observing Islamic practices will dispel the misconception on the status and rights of women in Islam.

The participation of women in social activities that are suitable to their nature and abilities will socially promote them to higher levels. Otherwise, leaving them in ignorance is a greater evil than their mixing with men at such religious gatherings²⁰. This is because, knowledge is superior to maintenance. Without knowledge, one cannot fulfill even the purpose of creation (Q51:56). All that is required of them is to abide by the ethics of the religion, where women are expected seat separately from men and to guard their chastity. These will sanction gender oppression and veil women from other social injustices being meted out against them²¹ and as independent members of Islamic society (Q49:13, Q2:228).

More so, the continuous domination of the ummah by the West has aggravated the decadence. They allege that Islam denied women their essential rights of humanity. And that the laws thwarted the right of women when it alienated them in some domains and treats them as inferior being to men. For example, the laws of Islam equated the witnesses and shares of two women to a man (Q2:282, Q4:11), and also rejects their testimony in major crimes and cases that require retaliation. They add that the Islamic culture of confining women at home is a waste that has harmful effects on economy of a nation. They argue that the west progressed because they employ women in the various fields, which increases their social experience, economy of family and guarantee the security of their children in case of divorce or death of the father²². Also that democracy without women is no democracy. And that the use of veil by women increases sexual drive and pressure in man, which leads to explosion in form of rape and other sex crimes²³.

The above allegations show a clear misconception of the wisdom of Sharia. It reveals the weakness of the West over revelation. They wish to transform women into cheap commodity and change their original roles and duties. For instance, the gender equality being advocated by the West has denied women their natural roles and expelled them from their position in the family. The Western conception of personal freedom paves way for women to appear half naked, commit illicit sex, procreate illegitimate children, and commit murder through abortion. They become victims of harassment, rape, seduction and other sex related crimes which leads to abandonment and poverty. The difference in inheritance is due to the difference in their duties and cost that each has to cope with by virtue of the Islamic teachings. The claim that Islam subjects women in veil is for their safety. The Hijab attracts respect to women. It conceals and safeguard their body from the biased looks of men (Q33:33), which protects them from external attacks of harassment and molestation (Q24:31).

Therefore, western advocacy of equality of sexes will only enslave, overstress and make women vulnerable to illicit sex in the name of earnings and personal freedom. In fact, even the West that allows the unnecessary roaming of women in the name of liberation has resulted into total disruption of the right of women. They preach for gender equality as an instrument of destruction of the Ummah, the advocacy which paves way for unlawful mixing of men and women that also leads to illicit sex in the name of human right. A lot of them indulged in immoral relationships.

6. Conclusion

Allah (SWT) created mankind into men and women as equal partners (Q49:13). He gave to each sex certain roles and responsibilities that requires no interference. This is because; men are not like women and vice versa (Q3:36). No one is allowed to claim the role and honor of another. For instance, the Sharia honors and attaches importance and special role to women, which take into cognizance their nature and ability. The women determine the nature and quality of future generations as home makers and main custodian of fundamental values of society. As such, the development of any society requires the cooperation and effective participation of women with piety and chastity²⁴. That is why the laws of Islam relieves them from those excesses of the Jahiliyyah which denied them humanity and equality with men (Q7:189). It restored the right of women to sustain the quality of future generation among others. It also equated them with men and gave women special attention to achieve their role. This is because, neglecting or maltreating women means enslaving the future, which ultimately produces weak society. As such, Islam is neither a sexist religion nor oppresses women but a divine religion that preserves men and women on the same footing with equal and special rights. It does not prohibit women from working outside their homes, provided that they have a definite need for it, which shall not affect her original role and primary duty to the family. Therefore, Islam is not against the equality of men and women, but it is against any advocacy that preaches identicalness of their rights. That is why the noble Prophet (SAW) cursed who ever attempts to resemble the opposite sex.

The non-compliance of Muslims with the Islamic principles regarding women's rights has paved way for the non muslims to challenge the perfection of the Sharia regarding gender equality. These were due to the non compliance to the Islamic ideals and adherence to exploitative cultures that violate, degrade, maltreat, neglect and even dehumanize the rights of women. The fact that Muslims abuses these laws should not be a ground to condemn Islam or the system but the people. Scholars should mobilize Muslims toward massive campaign for the liberation of women from abuse deviations and social injustice, and to get rid of the prejudices and customs that continue to impose traditional adaptation, innovations and marginal role on women. They should ensure stiff application of the Sharia laws to protect women from further act of subjection and cruelty of men. Such a corrective stand will enable them to utilize their rights in lawful framework and environment with sanity (Q9:71), and with due respect to the precepts of the Sharia (Q24:30,Q60:12). The realization will enable men to appreciate the personality, efficient services and social progress of women as citizens, unique model, and source of energy and talent in modern society.

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