

Islam, Family & Women Elementary Course on Islam 2012

Introduction

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ
لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَنْفُسُكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ ﴿١٣﴾

O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise (each other). Verily the most honoured of you in the sight of God is (he who is) the most righteous of you. And God has full knowledge and is well acquainted (with all things).

Glorious Qur'an Ch. 49 V 13

Universal Declaration of Human Rights

Article 1 states: "All human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Article 2 continues: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Articles 3 through 21 specify civil and political rights. In these articles, rights set forth include the right to life, liberty, a fair trial, free speech, privacy, of personal security, and of movement, as well as freedom from slavery, torture, and arbitrary arrest.

Articles 22 through 27 provide for economic, social and cultural rights. These rights are specified as an indispensable aspect of an individual's life, being necessary for one's dignity and personal development, and include economic rights such as the right to social security, economic work-related rights, fair payment and leisure; social rights such as the right to an adequate standard of health, well-being and education; and cultural rights, such as the right to participate in cultural life.

Finally, Articles 28 through 30 establish a general framework to provide for the enjoyment of human rights: the recognition of the right to a social and international system that promotes human rights; a statement that humans have obligations to the community along with fundamental rights; and a reminder that no state or individual may utilize the Declaration to promote goals contrary to the mission or goals of the UN.

Composed of 53 member states, the Commission on Human Rights is the Charter-based body that most directly deals with the area of human rights. The Universal Declaration of Human Rights was drafted between January 1947 and December 1948.

Source: hrea.org

Rights of Women in History

In Athens, "woman's status had degenerated to that of slaves. Wives were secluded in their homes, had no education & few rights, and were considered by their husbands no better than chattels...."

In ancient Rome, a woman's legal position was one of complete subordination, first to the power of her father or brother and later to that of her husband, who held paternal power over his wife. In the eyes of the law, women were regarded as imbeciles."

Encyclopedia Britannica (1984) vol. 9 p. 909

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Women in Pre-Islamic era

Prior to the advent of Prophet Muhammad what was the status of women in his tribal societies of Arabia. One day, after Muhammad's declaration of his Prophethood, one of his Companions came to him and narrated what he had done with his little daughter:

O Messenger of God, I had a daughter. One day I told her mother to dress her as I was taking her to her uncle - the poor mother knew what this meant, but she could do nothing but obey and weep. My wife dressed the infant, who was rejoicing at the news of going to the uncle. I took her near a well, and told her to look down into the well.

While she was looking into the well, I kicked her into it. While she was rolling down, she was shouting 'Dad, Dad!' As he was recounting this, the Prophet, sobbed as if he had lost one of his nearest kinsfolk.

Darimi, *Sunan*, Muqaddima, 7-8

وَإِذَا الْمَوْءُودَةُ سُئِلَتْ ۝

When the female (infant), buried alive, is questioned -

بِأَيِّ ذَنْبٍ قُتِلَتْ ۝

For what crime she was killed;

Glorious Qur'an Ch. 81 V.8-9

Women in pre-Islamic period had no rights of any kind; even an announcement of birth of a girl child was considered inferior or degrading.

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ۝

When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief
Glorious Qur'an Ch.16 V.58

1. Women cannot choose or refuse in Marriage
2. Women had no inheritance of any kind
3. Women did not engage in commerce or trade
4. Women also were forbidden to remarry if a husband divorced them.
5. If a woman's deceased husband had adult sons from other marriages, the oldest son amongst them had the right to add the wife of his deceased father to his household; exactly as such a son inherits the wealth of his deceased father. This widow, the wife of the deceased, was unable to leave the house of her stepson unless she paid a ransom for her life and liberation.
6. Women were forbidden to eat certain food.

Rights granted to women by Islam

يَأْتِيهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَجِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا
وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ
اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا ۝

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O mankind! reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;- reverence God, through whom ye demand your mutual (rights), and (reverence) the wombs (That bore you): for God ever watches over you.

Glorious Qur'an Ch. 4 V. 1

Prophet Muhammad (S) said:

Verily, women are the twin halves of men.

Recorded in Abu Dawood, Tirmidhi & others

Religious Obligations

Equal religious duties and rituals are required from both women and men. Testimony of Faith (Shahaadah), Prayer (Salah), Obligatory Charity (Zakah), Fasting (Saum), and Pilgrimage (Hajj) are equally required of both genders.

Rewards and Punishments

Both males and females have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. As stated by God in the Glorious Qur'an:

مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ
حَيٰوةً طَيِّبَةً ۖ وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا
يَعْمَلُونَ ﴿١٧﴾

Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions.

Glorious Qur'an Ch. 16 Verse 97

Preservation of Honor and Nobility

Women have the same moral obligations and are entitled to the same general rights as men in guarding chastity, integrity and personal honor and respect, etc. No double standards are allowed. For instance, those who falsely accuse a chaste woman of adultery or fornication are publicly punished, just as if a man is slandered.

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَانِينَ جَلْدَةً
وَلَا يَقْبَلُوا لَهُمْ شَهَادَةٌ أَبَدًا وَأُولَٰئِكَ هُمُ الْفَاسِقُونَ ﴿٤﴾

And those who launch a charge against chaste women, and produce not four witnesses (to support their allegations), - flog them with eighty stripes; and reject their evidence ever after: for such men are wicked transgressors;-

Glorious Qur'an Ch. 24 V.4

Financial Dealings and Property Ownership

Women are equally qualified and allowed to engage in financial dealings and property ownership. According to Islamic law women can own, buy, sell and undertake any financial transaction without the need for guardianship, and without any restrictions or limitations - a situation unheard of in many societies until modern times.

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Education and Caring

Islam entitles women to the same rights as men in terms of education and cultivation. In a prophetic tradition, it is said:

Seeking knowledge is compulsory for each and every Muslim (i.e. both male and female).

Recorded in Ibn Majah & al-Baihaqi

Prophet Muhammad (S) said:

Whoever takes care of two girls until they reach puberty, he and I will come on the Day of Resurrection like this.” The Messenger of Allah (peace be upon him) then joined his fingers to illustrate this. **Recorded in Muslim**

About female slave girls, Prophet Muhammad (S) said:

Whoever has a female child with him (under his guardianship from slavery), and trains her in the best behavior, and teaches her well, and then frees and marries her, will have a double reward.

Recorded in Bukhari & Muslim

Moreover, Prophet Muhammad (S) concentrated throughout his teachings on giving more care and attention to females in general over the male. Females must be treated with kindness, respect, honor, dignity, integrity and their needs must be looked after. Prophet Muhammad (S) said:

Whom-so-ever has three daughters, or three sisters, or two daughters or two sisters, and is very kind and nice to them, and fears God in their treatment, will enter Paradise (as a result of his good actions for these females)

Recorded in Abu Dawood & Tirmitheo

Whom – so - ever has three daughters and exercises patience with them, feeds them, clothes them according to his own income, they will become like a barrier for him, to protect him from the torture of the Hellfire.

Recorded in Ahmad

Right to Receive Fair Share of Wealth

Men and women have set and determined rights to receive their fair share of wealth, just as they are obliged to give Zakah (Obligatory Charity) according to the set calculation.

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ
الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا ﴿٧﴾

From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large,-a determinate share

Glorious Qur'an Ch.4 V.7

Sir Hamilton, the well-known English thinker and philosopher stated in his book Islam and Arab Civilization,

The rules, regulations and verdicts concerning women in Islam are clear, frank and open. Islam capitalizes on the complete care that should be given to the protection of woman against anything that may harm her personally, or causes bad reputation or character.

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Concept of Polygamy

World major denominations did not denounce the practices of polygamy as a part & parcel of their belief system. And polygamy is not isolated to Islam. What Islam did was – place an upper limit.

In Hinduism

Polygamy was practiced in many sections of Hindu society in ancient times. In Ramayana, father of Ram, King Dasharath has three wives, but Ram has pledged himself just one wife. The Hindu god, Lord Krishna, the 9th incarnation of the Hindu god Vishnu had 16,108 wives at his kingdom in Dwarka. In the post-Vedic periods, polygamy declined in Hinduism, and is now considered immoral.

Although the Vedas and the Hindu religion itself do not outlaw polygamy, the terms under the Hindu Marriage Act has deemed polygamy to be illegal for Hindus, Jains, Buddhists, and Sikhs.

Source: V.Jayaram "Hinduwebsite.com"

In Buddhism

In Buddhism, marriage is not a sacrament. It is purely a secular affair and the monks do not participate in it, though in some sects priests and monks do marry (e.g. Japan). Hence it receives no religious sanction. Forms of marriage consequently vary from country to country.

Polyandry in Tibet as well was common traditionally, as was polygyny, and having several wives or husbands was never regarded as having sex with inappropriate partners. Tibet is home to the largest and most flourishing polyandrous community in the world today. Other forms of marriage are also present, like group marriage and monogamous marriage.

Sources: Accesstoinsight.org

Berzinarchives.com

Polygamy: a cross-cultural analysis, Miriam Koktvedgaard Zeitze, Published by Berg Publishers, 2008

In Judaism

Polygamy existed among the Israelites before the time of Moses, who continued the institution without imposing any limit on the number of marriages which a Hebrew husband might contract.

While there is no evidence of a polyandrous state in primitive Jewish society, polygamy seems to have been a well-established institution, dating from the most ancient times and extending to comparatively modern days.

**Source: Polygamy”, Executive Committee of the Editorial Board and Julius H. Greenstone
The Jewish Encyclopedia (www.jewishencyclopedia.com)**

In modern Israel, where a wife cannot bear children or is mentally ill, the rabbis give a husband the right to marry a second woman without divorcing his first wife. Polygamy was prohibited in Judaism by the rabbis, not God.

Source: Peggy Fletcher Stack, “Globally, Polygamy Is Commonplace,” The Salt Lake Tribune 20 Sep. 1998

In Christianity

According to Father Eugene Hillman, ‘Nowhere in the New Testament is there any explicit commandment that marriage should be monogamous or any explicit commandment forbidding polygamy.’

Source: Polygamy Reconsidered, p. 140

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The Church in Rome banned polygamy in order to conform to Greco-Roman culture that prescribed only one legal wife while tolerating concubinage and prostitution.

Ibid., p. 17

The Roman emperor, Valentinian I, in the fourth century, authorized Christians to take two wives. In the eighth century Charlemagne, holding power over both church and state, in his own person practiced polygamy, having six, or according to some authorities, nine wives. According to Joseph Ginat, the author of *Polygamous Families in Contemporary Society*, the Catholic Church frowned on the practice, but occasionally sanctioned second marriages for political leaders.

**Sources: Matilda Joslyn Gage, "Woman, Church And State," p. 398
Peggy Fletcher Stack, "Globally, Polygamy Is Commonplace," The Salt Lake Tribune 20 Sep. 1998**

In the United States, polygamy is illegal, but it exists unofficially, with an estimated 30,000 to 80,000 people living as polygamists in the West. Typically, these families are Mormon fundamentalists or Christian groups that maintain polygamy is a time-honored and scriptural practice.

**Source: Cheryl Wetzstein, "Traditionalists Fear Same-Sex Unions Legitimize Polygamy,"
The Washington Times 13 Dec. 2000**

Polygamy in Hong Kong

In Hong Kong, polygamy was banned in October 1971.

Some Hong Kong businessmen have concubines across the border in mainland China, but concubines do not have the legal or social status of wives and so this should not strictly be called "polygamy".

Kevin Murphy of The International Herald Tribune reports the cross-border polygyny phenomenon in Hong Kong in 1995.

**Sources: Hong Kong, article by Man-Lun Ng, M.D.; part of "The International Encyclopedia of Sexuality"
Volume I – IV 1997–2001, Edited by Robert T. Francoeur**

Graeme Lang, Josephine Smart (2002). "Migration and the "second wife" in South China: Toward cross-border polygamy".
The International Migration Review 36 (5): 546–569

Hong Kong Targets Its Two-Family Men, Kevin Murphy, International Herald Tribune, Tuesday, February 7, 1995

Rights & duties of husband & wife

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا
وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ
يَتَفَكَّرُونَ ﴿٢١﴾

And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.

Glorious Qur'an Ch. 30 V. 21

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Muslims view marriage as the foundation of society and family life. In a practical aspect, Islamic marriage is thus structured through legally-enforceable rights and duties of both parties. In an atmosphere of love and respect, these rights and duties provide a framework for the balance of family life and the fulfillment of both partners.

Prophet Muhammad (S) said:

“Those who are the best believers are those who have the best manners & the most kind to their families.”

Recorded in Tirmithi & others

“The best of you is the best to his family & I am the best of you to my family.”

Recorded in Tirmithi

General Rights

To be treated with honor, kindness, and patience.
To enjoy intimate relations with each other.
To have children, by God's will.
To keep one's legal and personal identity after marriage, retaining one's own family name, inheritance rights, property, <i>mahr</i> , etc.

General Duties

To be faithful to the marriage bond.
To strive to be attractive to one's spouse.
To assist and support one another, and to resolve disputes amicably.
The husband has the duty to provide all physical maintenance of the family (housing, clothing, food, medical care, etc.).

Family harmony & it's problem

Couples are bound to face difficulties and get frustrated with one another from time to time.

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا
تَمْضُوا لَهُنَّ لَتَذَهَبُوا بِبَعْضِ مَاءِ أَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ
مُبَيِّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ
تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ﴿١٩﴾

O you who have believed, it is not lawful for you to inherit women by compulsion. And do not make difficulties for them in order to take [back] part of what you gave them unless they commit a clear immorality. And live with them in kindness. For if you dislike them - perhaps you dislike a thing and Allah makes therein much good.

Glorious Qur'an Ch.4 V. 19

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Prophetic tradition

‘Only a man of noble character will honor women, and only a man of base intentions will dishonor them’

Recorded in Kanz al-Ummal

Shall I not tell you what the best object of your charity is? It is your own daughter who has returned to you as a widow, or a divorcee, and who has no one to earn for her except you.

Recorded Sunan Ibn Majah, Kitab al-Adab

Conclusion

We must remember what life had been like for women in the pre-Islamic period when female infanticide was the norm and when women had no rights at all. Like slaves, women were treated as an inferior species, who had no legal existence. In such a primitive world, **what Muhammad achieved for women was extraordinary.**

The very idea that a woman could be witness or could inherit anything at all in her own right was astonishing.

**Karen Armstrong, *Muhammad A Biography of The Prophet*,
Harper Collins Publisher, USA, 1992, p.191**