

## The Status of a Muslim Woman in the Glorious Qur'an

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**Abstract:** Before the revelation of the Glorious Qur'an, women in pre-Islamic paganism were mostly denied of all rights. They were exposed to different kinds of atrocities and multiple hardships since the beginning of creation. They occupied a low and degraded status in most societies. They were customarily assigned the most despised and least important jobs and positions. In some cultures, women were degraded to the extent that men claimed that women were nothing but the epitome of evil. In a nutshell, prior to the revelation of the Glorious Book of Islam, women were deprived of the rights to education; bought and sold like any other commodity; deprived of the right of inheritance; and considered as minors with no rights to make any transactions or to possess wealth. They were generally subjected to the will of men throughout their lives. However, after the advent of Islam, the Glorious Qur'an emancipated women from all sorts of injustice and exploitation. This paper therefore, intends to discuss on how the Glorious Qur'an liberated women from all unfair bondages on the one hand, and also how it recognized their status similar to that of their male counterparts on the other.

**Keywords:** Glorious Qur'an, Muslim Woman, Glorious Book of Islam

### INTRODUCTION

It needs no emphasis to state that there have been innumerable calls all over the world by the critics of Islam and the distorted creeds for women's freedom, liberation and equal rights. Many slogans have been coined for the purpose of attacking and accusing Islam as the religion that degrade the status of women, hence the demand for their emancipation. It is however a great injustice to accuse Islam of wrongdoing and oppression to women when there are many statements of the revealed book of Allah, the Glorious *Qur'an*, and of the teachings of the Prophet (SAW) which negate and refute this false slander. Allah, the Exalted, says:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

*O mankind! We have created you from a male and a female, and made you into nations and tribes that you may know one another. Verily, the most honourable of you with Allâh is that (believer) who has At-Taqwâ [i.e. he is one of the Muttaqûn (the pious)]. Verily, Allâh is All-Knowing, Well-Acquainted (with all things).<sup>1</sup>*

Thus, this paper examines the special place women have in the Glorious *Qur'an* and seeks to address some of the many misconceptions and false propaganda labelled against Islam by those who are either ignorant of this religion or harbour a malicious intent to deliberately distort this religion. However, before going into details on what the Glorious Qur'an says about their status, a glimpse on their ill-treatment by some of the pagan societies are discussed below:

#### 1. Status of Women Before the Revelation of The Glorious Qur'an

Before the coming of Islam, women in many societies, have Indeed lived under oppression, cruelty and injustice, and have been denied basic rights of humanity. The following societies are mentioned here to serve as examples:

<sup>1</sup> *Al-Hujurat*, 49:13

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A Greek civilization has been regarded as the most glorious of all the ancient civilizations. In its early stages; woman was looked down upon morally as well as socially, and she had no legal rights. According to the Greek mythology, an imaginary woman called Pandora was the source of all human ills and misfortunes like the eve of the Jewish mythology... The Greeks regarded woman as a sub-human creature whose rank in society was in every way inferior to that of man, for whom alone was reserved honour and a place of pride.<sup>2</sup>

In the case of the Romans who were the next to achieve glory and greatness after the Greeks, a woman was looked upon as an inferior being that could not run her own affairs. That is to say, the social traditions of the Romans recognized man as the chief of the family unit, possessing full authority and power over the members of his family, so much so that he could take the life of his wife.<sup>3</sup> In other words, men were so powerful that they could sell, punish send to exile or even sentence their wives to death in certain cases when accused of specific crimes.<sup>4</sup>

From the opening decades of the 6<sup>th</sup> century, woman in India had lost her honour and respect in the society and so had the values attached to her chastity. They were treated generally as maids or slaves as if they had no will or desire of their own. They had to follow their husbands in all matters. It was not uncommon that the husband losing in a game became hostile with even his wife to the extent of offering her as payment for his loss to a gambling opponent. The honour of the family, especially in higher classes claiming a noble descent, demanded that the widow should burn herself alive by jumping onto the funeral pyre of her dead husband. This evil and cruel practice, continued until the end of the 17th century when this custom was outlawed in spite of the dismay it caused the Hindu religious leaders. In certain regions of India, women are offered to the priests as concubines, or as prostitutes to be exploited.<sup>5</sup>

In the European society however, at the beginning of the Middle Ages, it was argued... whether a woman had the soul of a human being or of a beast, or was she blest with a finite or infinite spirit. She could neither acquire nor inherit any property nor had the right to sell or transfer the same. Robert Briffault writes in the Making of Humanity:

*From the fifth to the tenth century Europe lay sunk in a night of barbarism which grew darker and darker. It was a barbarism for more awful and horrible than that of the primitive savage, for it was the decomposing body of what had once been great civilization.*<sup>6</sup>

Europeans continued to discriminate against women and deny them of their rights throughout the Middle-Ages. It is also astonishing to know that English laws turned a blind eye to the selling of one's wife! The gap between the sexes, men and women, continued to increase, so much so that women became fully under the control of men. Women were stripped completely of all their rights and whatever they owned. All that a woman owned belonged to her husband. For instance, until very recently women, according to the French law, were not considered capable of making their own financial decisions in their private ownership. Despite all amendments and modifications, which occurred in these French laws, yet these laws are affecting married French women. It is a form of civilized bondage. Additionally, a married woman loses her surname (family's name) as soon as she enters into a marriage contract. This means, a married woman shall carry the family name of her husband. This, of course, indicates that a married woman will only be a follower of her husband and she will even lose her personal identity.<sup>7</sup>

In traditional Jewish society, women were not more privileged than those earlier discussed. This is because In the Old Testament they were described as follows:

*I applied mine heart to know and to search, and to seek out wisdom, and the reason of things, and to know the wickedness of folly, even of foolishness and madness: And I find more bitter than death the woman, whose heart snares and nets, and her hands as bands...*<sup>8</sup>

If a Jewish woman got married, her guardianship was transferred from her father to her husband and she became as one of his assets such as his house, his slave, his maidservant or his money or wealth. The Old Testament says:

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<sup>2</sup> S. A. Maududi, *Purdah and the Status of woman in Islam*, Delhi, (nd) Markazi Maktaba Islami, p5

<sup>3</sup> Ibid, pp7-8

<sup>4</sup> [http://www.womeninislam.ws/en/status-of-women\\_chinese-greek-roman-societies.aspx#chinese](http://www.womeninislam.ws/en/status-of-women_chinese-greek-roman-societies.aspx#chinese), retrieved on 30/01/2020

<sup>5</sup> S. A. A. Nadwi, Muhammad Rasulullah, (tr) by M. Ahmad, Lucknow (India), Academy of Islamic Research and Publications, 1979, p26

<sup>6</sup> Ibid, p29

<sup>7</sup> [http://www.womeninislam.ws/en/status-of-women\\_christian-society.aspx](http://www.womeninislam.ws/en/status-of-women_christian-society.aspx), retrieved on 30/01/2020

<sup>8</sup> Ecclesiastes, 7:25-26

*And if a man sells his daughter to be a maidservant, she shall not go out as the menservants do. If she pleases not her master, who has betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he shall have no power, seeing he has dealt deceitfully with her. And if he had betrothed her unto his son, he shall deal with her after the manner of daughters. If he takes him another wife, her food, her raiment, and her duty of marriage, shall he not diminish. If he does not do these three unto her, then shall she go out free without money.<sup>9</sup>*

Similarly, in the Jewish teachings and laws, the female was deprived of her father's inheritance if the father had other male children. The Old Testament testifies:

*And thou shalt speak unto the children of Israel, 'If a man dies, and has no son, then ye shall cause his inheritance to pass unto his daughters'.<sup>10</sup>*

Furthermore, Jewish men used to separate themselves fully from a menstruating woman. They would not sleep with her in the same bed, or eat or drink with her until she became completely free from her menstruation.<sup>11</sup>

As for the Christian society, woman was considered the cause of "original sin" and the source of all calamities from which the entire world has encountered. In other words, they alleged that it was Eve (AS) who seduced Adam (AS) into eating from the forbidden tree, and they attributed these allegations and lies to Allah. For this very reason, the physical relationship between man and woman was traditionally considered as "filthy" or "dirty" even if it were legitimately done and performed within a valid marriage contract.<sup>12</sup>

It is also amazing to tell that English laws turned a blind eye to the selling of one's wife! The rift between the sexes, men and women, continued to rise, so much so that women became fully under the control of men. Women were stripped completely of all their rights and whatever they owned. All that a woman possessed belonged to her husband. For instance, until very recently women, according to the French law, were not considered capable of making their own financial decisions in their private possessions.<sup>13</sup>

In the pre-Islamic times, women suffered great injustices and were exposed to various kinds of disgrace prior to the Revelation of the Glorious Quran to Prophet Muhammad (SAW). They enjoyed no social status. They were deprived from possessing any property. On the contrary, they could be bartered away like other exchangeable goods or cattle. In other words, they were treated like material property to be disposed of at the whim of the male guardian. They were not entitled to inherit from their parents or husbands. Instead, they were inherited by the deceased heir. This is because Arabs of *Jahiliyyah* believed inheritance should only be granted to those who had martial abilities, like being able to ride a horse, fight, gain war booties and help protect the tribe and clan territory. Since women in the pre-Islamic period did not usually have these abilities, they were themselves inherited like any moveable commodity after the death of an indebted husband.

Jabir may Allah be pleased with him said: Ummu Kujjah came to the Messenger of Allah (SAW) and said:

يا رسول الله إن لي ابنتين قد ماتت أبوهما وليس لهما شيء، فأنزل الله تعالى: لِلرِّجَالِ نَصِيبٌ مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ

*O Messenger of Allah! I have two daughters whose father is dead and they have nothing (to inherit from his property). For that reason, Allah the Almighty revealed: "There is a share for men and a share for women from what is left by parents and those nearest related."<sup>14</sup>*

#### **In his commentary to the following verse:**

*"O ye who believe! Ye are forbidden to inherit women against their will".<sup>15</sup> Abdullahi Bin Abbas said:*

كَانُوا إِذَا مَاتَ الرَّجُلُ كَانَ أَوْلِيَاؤُهُ أَحَقُّ بِأَمْوَالِهِ، إِنْ شَاءَ بَعْضُهُمْ تَزْوِجَهَا، وَإِنْ شَاءُوا لَمْ يُزَوِّجُوا، فَهَمْ أَحَقُّ بِهَا مِنْ أَهْلِهَا

<sup>9</sup> Exodus, 21:7-11

<sup>10</sup> Numbers, 27:8

<sup>11</sup> [http://www.womeninislam.ws/en/status-of-women\\_jewish-society.aspx](http://www.womeninislam.ws/en/status-of-women_jewish-society.aspx), retrieved on 30/01/2020

<sup>12</sup> [http://www.womeninislam.ws/en/status-of-women\\_christian-society.aspx](http://www.womeninislam.ws/en/status-of-women_christian-society.aspx), retrieved on 30/01/2020

<sup>13</sup> Ibid

<sup>14</sup> Ibn Kathir, "Tafsir al-Qur'an al-Azim", Beirut, Lebanon, Dar al-Kutub al-Ilmiyyah, Vol. 2, 1<sup>st</sup> ed. 1419H, p192

<sup>15</sup> Al-Nisa', 4:19

*If a man died then, his heirs inherited his wife; they either marry her, or allow her marry someone else (and receive her dower), or disallow her from contracting any marriage. As such, they had more right over her than her parents.<sup>16</sup>*

Another cruel feature of the Arabian society was the attitude of the fathers who usually became very angry and humiliated with the birth of a female child into their family. Some considered it an evil omen. Allah, the Exalted, describes the father's reaction to the news of the birth of a daughter:

وَإِذَا بُشِّرَ أَحَدُهُمْ بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ . يَتَوَارَىٰ مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَ بِهِ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ أَلَا سَاءَ مَا يَحْكُمُونَ  
*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! With shame does he hide himself from his people, because of the bad news he had! Shall he retain it on (sufferance and) contempt, or bury it in the dust? Ah! What an evil (choice) they decide on?<sup>17</sup>*

There was also certain food reserved for men, which could not be taken by women. The Qur'an testifies:

وَقَالُوا مَا فِي بُطُونِ هَذِهِ الْأَنْعَامِ خَالِصَةٌ لِذُكُورِنَا وَمُحَرَّمٌ عَلَىٰ أُنثَانَا  
*And they say: "What is in the bellies of such and such cattle (milk or foetus) is for our males alone, and forbidden to our females (girls and women).<sup>18</sup>*

Similarly, a man could have, as many wives as he liked and could divorce at will. One of the pre-Islamic forms of divorce was *Zihar* (injurious dissimulation) in which a man said to his wife:

أَنْتِ عَلَيَّ كَظْهَرِ أُمِّي  
"you are to me as my mother's back"<sup>19</sup>.

By so doing he would completely neglect her and her children. A man could also dispose of his children if he lacked enough means to provide for their sustenance. Exploitation of women for sexual purposes was a common phenomenon among many other immoral acts in the period.<sup>20</sup>

The above was just a hint on the inhuman treatment of women by some of the pre-Islamic societies before the revelation of the Glorious Qur'an. Next is their status and special place after the revelation of the Glorious Qur'an.

## 2. STATUS AND SPECIAL POSITION OF WOMEN AFTER THE REVELATION OF THE QUR'AN

After the Revelation of the Glorious Qur'an, women have not only been given their due rights which were denied by all pre-Islamic societies, but also raised to an equitable status with men as analyzed below:

### 2.1. Clearing the misconception that it was Eve that seduced Adam (AS)

Since the beginning of creation, women were regarded as the source of all human ills and misfortunes. The critics of Islam and the distorted creeds claimed that it was Eve (AS) who seduced Adam (AS) into eating from the forbidden tree, and they attributed these allegations and lies to Allah. However, when the Glorious Qur'an was revealed, it cleared the misconception by clarifying that the Divine command was addressed to both Adam and Eve.

The Noble Book says:

وَيَا آدَمُ اسْكُنْ أَنْتَ وَزَوْجُكَ الْجَنَّةَ فَكُلَا مِنْ حَيْثُ شِئْتُمَا وَلَا تَقْرَبَا هَذِهِ الشَّجَرَةَ فَتَكُونَا مِنَ الظَّالِمِينَ (19) فَوَسَّسَ لَهُمَا الشَّيْطَانُ لِيُبْدِيَ لَهُمَا مَا وُورِيَ عَنْهُمَا مِنْ سَوَاتِمِهِمَا وَقَالَ مَا نَهَاكُمَا رَبُّكُمَا عَنْ هَذِهِ الشَّجَرَةِ إِلَّا أَنْ تَكُونَا مَلَكَتَيْنِ أَوْ تَكُونَا مِنَ الْخَالِدِينَ (20) وَقَاسَمَهُمَا إِنِّي لَكُمَا لَمِنَ النَّاصِحِينَ

*And O Adam! Dwell you and your wife in Paradise, and eat thereof as you both wish, but approach not this tree otherwise you both will be of the Zâlimûn (unjust and wrong doers). Then Shaitân (Satan) whispered suggestions to them both in order to uncover that which was hidden from them of their private parts (before); he said: "Your Lord did not forbid you this tree except that you should become angels or become of the immortals. And he [Shaitân (Satan)] swore by Allâh to them both (saying): "Verily, I am one of the sincere well-wishers for you both."<sup>21</sup>*

<sup>16</sup> Ibn Kathir, "Tafsir al-Qur'an al-Azim", op. cit. p209

<sup>17</sup> Al-Nahl, 16:58-59

<sup>18</sup> Al-An'am, 6:139

<sup>19</sup> Ibn Kathir, "Tafsir al-Qur'an al-Azim", op. cit. vol. 8, p67 H. Abd al-Ati, *The Family Structure in Islam*, Lagos, Nigeria, Islamic Publications Bureau, 1982, p238

<sup>20</sup> [http://www.womeninislam.ws/en/status-of-women\\_pre-islamic-societies.aspx](http://www.womeninislam.ws/en/status-of-women_pre-islamic-societies.aspx) retrieved on 30/01/2020

<sup>21</sup> Al-A'raf, 7:19-21

**Equally, both of them repented together and sought for Allah's forgiveness. The Glorious Qur'an testifies:**

قَالَا رَبَّنَا ظَلَمْنَا أَنفُسَنَا وَإِن لَّمْ تَغْفِرْ لَنَا وَتَرْحَمْنَا لَنَكُونَنَّ مِنَ الْخَاسِرِينَ

*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."<sup>22</sup>*

Hence, the Glorious Quran has refuted all false allegations and misconceptions that may arise concerning women and their purity.

**2.2. Protection of Their Affairs and Interests**

Perhaps the most important rights of women in the Glorious Qur'an are the protection of their interest, standing firm in their own businesses and looking after their affairs by their husbands.<sup>23</sup> Allah the Exalted says:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا آتَقُوا مِنْ أَمْوَالِهِمْ

*Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means.<sup>24</sup>*

**2.3. Equal Rights and Obligations**

In many occasions Islam treats women as equals to men. This is because both men and women are equal in terms of their humanity. Allah states in the Glorious Qur'an:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً

*O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Hawwa (Eve)), and from them both He created many men and women...<sup>25</sup>*

Similarly, the Glorious Qur'an reminds ceaselessly that Allah the Exalted, has created all things in pairs:

وَمِنْ كُلِّ شَيْءٍ خَلَقْنَا زَوْجَيْنِ لَعَلَّكُمْ تَذَكَّرُونَ

*And of everything We have created pairs, that you may remember (the Grace of Allâh).<sup>26</sup>*

**In another verse, Allah also states:**

أَيَحْسَبُ الْإِنْسَانُ أَنْ يُتْرَكَ سُدًى (36) أَلَمْ يَكُنْ نُطْفَةً مِنْ مَنِيٍّ يُعْمَى (37) ثُمَّ كَانَ عِلقَةً فَخَلَقَ فَهَسَوَى (38) فَجَعَلَ مِنْهُ الزَّوْجَيْنِ الذَّكَرَ وَالْأُنثَى (39) أَلَيْسَ ذَلِكَ بِقَادِرٍ عَلَى أَنْ يُخَيِّبَ الْمُتَوْتَى (40)

*Does man think that he will be left neglected without being punished or rewarded for the obligatory duties enjoined by his Lord (Allah) on him? Was he not a mixed male and female discharge of semen pouring forth? Then he became a clot; then (Allah) shaped and fashioned (him) in due proportion, and made him into two sexes, male and female. Is He not able to raise to life those who are dead?<sup>27</sup>*

In the above quoted verses, Allah proved that He created both male and female from one single source. There is no difference between the two genders in terms of qualifications in humankind, and each complements the other as the two sexes of the species. Islam has abolished and abrogated all the previous unjust laws that demoted women as inferior in quality and nature. Similarly, both men and women have equal religious duties and rituals. They are both required to have declaration of Faith (Shahaadah), offer Prayer (Salah), give the Obligatory Charity (Zakah), observe the Ramadan Fasting (Saum), and perform Pilgrimage (Hajj).

In some occasions, the requirements are a bit easier on women to alleviate their special cases of hardship. For instance, in consideration of her health and physical condition, menstruating women or a woman in the state of postnatal bleeding and recuperation are absolved from the duty of prayers and fasting. She is required to make up the days of fasting missed due to menses and postnatal bleeding, but not her prayers, as that would be too burdensome.

Regarding Rewards and Punishments, both genders are equal. They have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. The Glorious Qur'an testifies:

مَنْ عَمِلَ صَالِحًا مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيَاةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ

*Whoever works righteousness – whether male or female – while he (or she) is a true believer (of Islâmic 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).<sup>28</sup>*

<sup>22</sup> Al-A'raf, 7:23

<sup>23</sup> A. Y. Ali, *The Holy Qur'an Text, Translation and Commentary*, Beirut, Lebanon, Dar al-Arabiyyah, 1960, p190

<sup>24</sup> Al-Nisa', 4:34

<sup>25</sup> Al-Nisa', 4:1

<sup>26</sup> Al-Dhariyat, 5:49

<sup>27</sup> Al-Qiyamah, 75:36-40

<sup>28</sup> Al-Nahl, 16:97

**In another verse, the Glorious Qur'an says:**

إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْقَانِتِينَ وَالْقَانِتَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَاشِعِينَ وَالْخَاشِعَاتِ وَالْمُتَصَدِّقِينَ وَالْمُتَصَدِّقَاتِ وَالصَّانِمِينَ وَالصَّانِمَاتِ وَالْحَافِظِينَ فُرُوجَهُمْ وَالْحَافِظَاتِ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا وَالذَّاكِرَاتِ أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

Verily, the Muslims (those who submit to Allâh in Islâm) men and women, the believers men and women (who believe in Islâmic Monotheism), the men and the women who are obedient (to Allâh), the men and the women who are truthful (in their speech and deeds), the men and the women who are patient (in performing all the duties which Allâh has ordered and in abstaining from all that Allâh has forbidden), the men and the women who are humble (before their Lord – Allâh), the men and the women who give Sadaqât (i.e. Zakât and alms), the men and the women who observe Saum (fast) (the obligatory fasting during the month of Ramadân, and the optional Nawâfil fasting), the men and the women who guard their chastity (from illegal sexual acts) and the men and the women who remember Allâh much with their hearts and tongues – Allâh has prepared for them forgiveness and a great reward (i.e. Paradise).<sup>29</sup>

**In yet another verse, the Glorious Qur'an declares:**

لِلرِّجَالِ نَصِيبٌ مِّمَّا كَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا كَسَبْنَ

For men there is reward for what they have earned, (and likewise) for women there is reward for what they have earned.<sup>30</sup>

And for procreation, both the sexes are equally indispensable, each one having his/her particular function. The Glorious Qur'an proclaims:

وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ

Women Shall have rights (over their husbands) similar to the rights (their husbands shall have) against them, according to what is equitable.<sup>31</sup>

Islam states that men and women are totally equal in their humanity, and basic human responsibilities and rights; a concept that was radically new to the world compared to other civilizations at the time of the inception of the Islamic Message through the Prophet Muhammad (SAW), and remains so for many people of the globe until today. It should be noted however that nature has not willed a perfect equality among the two sexes, but a distribution of evocations and functions. For instance, it will not be possible for man to conceive a baby. Similarly, woman cannot exercise the natural attributes of men. She has a more delicate physical constitution affecting even the weight of her brain and bones, and she will have a taste more in conformity with the need of the conservation of this delicacy. More robust, man will have greater strength and therefore more endowed to engage in the more painful parts of life. To each will be according to his (or her) requirements, both natural and reasonable.<sup>32</sup> In other words, according to Islamic teachings, men and women have complimentary roles and obligations in society, which are commensurate with their natural physical, psychological and social inclinations and differences. The feminine qualities of women can only find fulfillment when they are taken into account in relation to men, just as the masculine qualities of men are not complete without the complimentary role of women in society. A great injustice is done by seeking to force upon them genderless equality where they are different and complement each other, or by forcing them to be unequal, and thus demeaning them, where they are truly equal.<sup>33</sup>

**2.4. Right to Earn Property**

Unlike the pre-Islamic period, the woman, according to the Islamic Law possesses a most absolute right over her property. If she has attained majority, she may dispose of it according to her will. A woman also has the same rights as man for acquiring property. She may inherit it, as Allah says:

لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَفْرُوضًا

There is a share for men and a share for women from what is left by parents and those nearest related, whether, the property be small or large – a legal share.<sup>34</sup>

<sup>29</sup> Al-Ahzab, 33:35

<sup>30</sup> Al-Nisa', 4:32

<sup>31</sup> Al-Baqarah, 2:228

<sup>32</sup> M. Hamidullah, *Introduction to Islam*, Lagos, Nigeria, Islamic Publications Bureau, 1981, p150

<sup>33</sup> <http://www.womeninislam.ws/en/foreword.aspx>

<sup>34</sup> Al-Nisa', 4:7

...and she may receive it in gift or donation, and earn it by her own work and toil as earlier mentioned (*Al-Nisa'*, 4:32), and all these remain hers and hers alone. She is absolute mistress of her property to enjoy it or to give it to whomsoever she likes as a gift, or to dispose of it, by sale or any other legal means, at her will.<sup>35</sup>

## 2.5. The Right to Inheritance:

A pre-Islamic Arab woman had no right to inherit from anybody, either her father or even husband as previously mentioned, but when Islam came, a Companion of the Prophet (SAW) called Aws Bin Thabit died, leaving behind a widow and four daughters at tender ages. According to Madinah customs, only male adults, capable of taking up arms in a war had the right to inheritance. and even a minor son had no right to the property of his deceased father. So, the cousins of Aws took possession of all that he had left, and the family became overnight completely destitute and deprived of the means of livelihood. For that reason, verses of the Glorious Qur'an were revealed promulgating the law of inheritance. Allah says:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ الْوَالِدَيْنِ فَلَهنَّ ثُلثًا مِمَّا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمُ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِنْ اللَّهِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

*Allâh commands you as regard your children's (inheritance): to the male, a portion equal to that of two females; if (there are) women (only daughters), two or more, their share is two-thirds of the inheritance; if only one (daughter), her share is a half. For parents, a sixth share of inheritance to each if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers or (sisters), the mother has a sixth. (The distribution in all cases is) after the payment of legacies he may have bequeathed or debt. You know not which of them, whether your parents or your children, are nearest to you in benefit; (these fixed shares) are ordained by Allâh. And Allâh is Ever All-Knower, All-Wise.<sup>36</sup>*

In this revelation, different female relatives have obtained the right to inheritance: wife, daughter, mother and sister in particular.<sup>37</sup> However, the right of women to inheritance requires some clarification. Some critics of Islam oppose Islam for giving the female half the share of the male. Such critics failed to consider the rights of a woman in their entirety. They are ignorant of the fact that laws are framed for normal cases of life and not for rare exceptions. We have already mentioned that a woman possesses her property separately, on which neither her father, nor her husband, nor any other relative exercises any right what so ever. In addition to that, she has the right to feeding, dressing, lodging, etc. from her father, husband, son, etc. The woman also obtains *Mahr* (dower) from her husband. This *Mahr* is a necessary element without which no marriage is valid. Thus, it will be seen that a woman has lesser material need to satisfy on her own account than a man, who has heavier obligations. In such conditions, it is easy to understand that a man has the right to a greater part of heritage than a woman.<sup>38</sup>

Similarly, when one compares how women groan under dehumanizing traditions and human rights abuse in some of the Nigerian societies today, one would be compelled to justify and appreciate the status of women under the Islamic law. In Ebony State for example, once a woman's husband dies, relatives of her dead husband intimidate, harass and deprive her from her late husband's property. Some are ejected from their matrimonial homes after being made to undergo dehumanizing rituals.<sup>39</sup>

The case of Ngozi Ogwudu, from Umu Ogudu Akpu Ngbo in Ohaukwu Local Government is a typical example here. Her husband, Samuel Ogwudu, died on May 26, 1994. After his death, his younger brother, Monday Ogwudu, seized all the couple's property and threw her out of her matrimonial home. He further filed a suit at the customary court Ishingbo, praying the court to dissolve posthumously the marriage contract between his late brother and Ngozi. His reasons for seeking the divorce was to enable him inherit his brother's property. He told the court that since his brother was dead, his wife had no other business staying on. He also asked the court to entrust in him the upkeep of the children.<sup>40</sup>

Another example is the case of Helen Ezeoke whose husband, Patrick, died on September, 9, 1999, leaving behind 5 vehicles, a building and many other properties. His brothers, John, James and Sunday barely waited for burial to

<sup>35</sup> M. Hamidullah, *Introduction to Islam*, op. cit. p155

<sup>36</sup> *An-Nisa'*, 4:11

<sup>37</sup> M. Hamidullah, *Introduction to Islam*, op. cit. p155

<sup>38</sup> *Ibid*, p156

<sup>39</sup> Tell Magazine, No 40, October 1, 2001, p15

<sup>40</sup> *Ibid*

be over before they quickly shared the vehicles among themselves and abandoned the widow and her children. John hurriedly roofed her husband's uncompleted building and threw her and her children out of the house.<sup>41</sup>

Contrary to how widows are inhumanly treated in some of the Nigerian traditional societies, the Qur'an in addition to inheritance, declares the following for the widow:

وَالَّذِينَ يَتَّقُونَ مِنكُم وَيَدْرُونَ أَرْوَاجًا وَصِيَّةً لِأَرْوَاجِهِمْ مَتَاعًا إِلَى الْحَوْلِ غَيْرَ إِخْرَاجٍ فَإِن خَرَجْنَ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ فِي أَنفُسِهِنَّ  
مِن مَّعْرُوفٍ وَاللَّهُ عَزِيزٌ حَكِيمٌ

*And those of you who die and leave behind wives should bequeath for their wives a year's maintenance and residence without turning them out, but if they (wives) leave, there is no sin on you for that which they do of themselves, provided it is honourable (e.g. lawful marriage). And Allâh is All-Mighty, All-Wise.*<sup>42</sup>

## 2.6. Prohibition of Female Infanticide

With the revelation of the Qur'an, the practice of burying female children alive as was common in the pre-Islamic period was totally prohibited. Daughters were to be as welcome as sons. The Glorious Qur'an says in respect to the rich who buried their daughters for the fear of poverty:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

*Kill not your children (as you used to bury the female children alive) for fear of want. We shall provide sustenance for them and for you. Verily the killing of them is a great sin.*<sup>43</sup>

As for those who killed their daughters because they (the fathers) were already poor, the Glorious Qur'an declares:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِنْ إِمْلَاقٍ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ

Kill not your children because of poverty" – We provide sustenance for you and for them.<sup>44</sup>

And as for the female children who were buried alive, Allah says:

وَإِذَا الْمَوْءُودَةُ سُئِلَتْ بِأَيِّ ذَنْبٍ قُتِلَتْ.

*When the female (infant), buried alive is questioned, for what sin she was killed.*<sup>45</sup>

The answer is that she will say:

قُتِلْتُ بِغَيْرِ ذَنْبٍ

*I was killed for no sin*<sup>46</sup>

## 2.6. Prohibition of ill- Treatment of Women

Women are like captives, so they should be treated well according to Hadith of the Prophet (SAW):

أَيُّهَا النَّاسُ إِن النِّسَاءَ عَوَانٌ فِي أَيْدِيكُمْ أَحَدْتُمُوهُنَّ بِأَمَانَةِ اللَّهِ، وَاسْتَحْلَلْتُمْ فُرُوجَهُنَّ بِكَلِمَةِ اللَّهِ

*O you people! Women are (just like) captives in your hands. You have obtained (married) them by the trust (amanah) from Allah; and they have become lawful for you (sexually) by the word (law) of Allah.*<sup>47</sup>

**They should therefore in no way be ill- treated. The Glorious Qur'an says:**

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَجِلُّ لَكُمْ أَنْ تَرثُوا النِّسَاءَ كَرَاهًا وَلَا تَعْضَلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُّبِينَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَجَعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

*O ye who believe! Ye are forbidden to inherit women against their will. Nor should ye treat them with harshness, that ye may take away part of the dower ye have given them except where they have been guilty of open lewdness. On the contrary live with them on footing of kindness and equity. if you take a dislike to them it may be that you dislike a thing and Allah brings about through it a great deal of good.*<sup>48</sup>

**Ill-treatment of women through Zihar, was also prohibited. The Glorious Qur'an says:**

<sup>41</sup> Ibid

<sup>42</sup> Al-Baqarah, 2:240

<sup>43</sup> Al-Isra' 17:31

<sup>44</sup> Al-An'am, 6:151

<sup>45</sup> Al-Takwir, 81:8-9

<sup>46</sup> Al-Baghawi Abu Muhammad, *Ma'alm al-Tanzil, (Tafsir al-Baghawi)* Darun Tayyibah, vol. 8, p348

<sup>47</sup> Al-[Manawi, Zayn al-Din, "AQL-Fath al-Samawi Bitakhrij Ahadith al-Qadhhi Al-Baydhawi, Dar al-Asimah, Al-Riyadh, vol. 2, p469

<sup>48</sup> Al-Nisa', 4:19

الَّذِينَ يُظَاهِرُونَ مِنْكُمْ مَنْ نَسَاهُمْ مَا هُنَّ أُمَّهَاتِهِمْ إِنْ أُمَّهَاتُهُمْ إِلَّا اللَّائِي وَلَدْتَهُمْ وَإِنَّهُمْ لَيَقُولُونَ مُنْكَرًا مِنَ الْقَوْلِ وَرُورًا وَإِنَّ اللَّهَ لَعَفُوفٌ غَفُورٌ  
 Those among you who make their wives unlawful to them by Zihâr they cannot be their mothers. None can be their mothers except those who gave them birth. And verily, they utter an ill word and a lie. And verily, Allâh is Oft-Pardoning, Oft-Forgiving.<sup>49</sup>

## 2.7. Some Women Highly Raised by the Glorious Qur'an

Many women were directly or indirectly mentioned by the Glorious Qur'an because of their piety, endurance, chastity, etc. Some of these women are:

### 2.7.1. Maryam, the Mother of Isa (AS)

The Glorious Qur'an says:

وَإِذْ قَالَتِ الْمَلَائِكَةُ يَا مَرْيَمُ إِنَّ اللَّهَ اصْطَفَاكِ وَطَهَّرَكِ وَاصْطَفَاكِ عَلَى نِسَاءِ الْعَالَمِينَ  
 And (remember) when the angels said: "O Maryam (Mary)! Verily, Allâh has chosen you, purified you (from polytheism and disbelief), and chosen you above the women of the 'Ālamîn (mankind and jinn) (of her lifetime).<sup>50</sup>

In another verse, the Qur'an says:

وَمَرْيَمَ ابْنَتَ عِمْرَانَ الَّتِي أَحْصَنَتْ فَرْجَهَا فَنَفَخْنَا فِيهِ مِنْ رُوحِنَا وَصَدَقَتْ بِكَلِمَاتِ رَبِّهَا وَكُنْتِ مِنَ الْغَائِبِينَ  
 And Maryam (Mary), the daughter of 'Imrân who guarded her chastity. And We breathed into (the sleeve of her shirt or her garment) through Our Rûh [i.e. Jibrâûl (Gabriel)], and she testified to the truth of the Words of her Lord [i.e. believed in the Words of Allâh: "Be!" – and he was; that is 'Īsâ (Jesus), son of Maryam (Mary) as a Messenger of Allâh], and (also believed in) His Scriptures, and she was of the Qanitûn (i.e. obedient to Allâh).<sup>51</sup>

In addition, a whole chapter is dedicated to her in the Glorious Qur'an. This chapter is *Surah Maryam* (chapter 19).

### 2.7.2. Asiyah the wife of Fir'aun (Pharaoh):

The Glorious Qur'an proclaims:

وَضَرَبَ اللَّهُ مَثَلًا لِلَّذِينَ آمَنُوا امْرَأَتَ فِرْعَوْنَ إِذْ قَالَتْ رَبِّ ابْنِ لِي عِنْدَكَ بَيْتًا فِي الْجَنَّةِ وَنَجِّنِي مِنَ الْقَوْمِ الظَّالِمِينَ  
 And Allâh has set forth an example for those who believe: the wife of Fir'aun (Pharaoh), when she said: "My Lord! Build for me a home with You in Paradise, and save me from Fir'aun (Pharaoh) and his work, and save me from the people who are Zâlimûn (polytheists, wrong doers and disbelievers in Allâh).<sup>52</sup>

### 2.7.3 Aishah, the wife of the Prophet (SAW)

Exonerating her from accusation of adultery against her, the Glorious Qur'an declares:

إِنَّ الَّذِينَ جَاءُوا بِالْإِفْكِ عُصْبَةٌ مِنْكُمْ لَا تحْسَبُوهُ شَرًّا لَكُمْ بَلْ هُوَ خَيْرٌ لَكُمْ لِكُلِّ امْرِئٍ مِنْهُمْ مَا اكْتَسَبَ مِنَ الْإِثْمِ وَالَّذِي تَوَلَّى كِبْرَهُ مِنْهُمْ لَهُ عَذَابٌ عَظِيمٌ  
 Verily, those who brought forth the slander (against 'Āishah [radhi-yAllâhu 'anhaa] the wife of the Prophet [sal-Allâhu 'alayhi wa sallam]) are a group among you. Consider it not a bad thing for you. Nay, it is good for you. To every man among them will be paid that which he had earned of the sin, and as for him among them who had the greater share therein, his will be a great torment.<sup>53</sup>

### 2.7.4 Status of the wives of the Prophet (SAW)

The status of the wives of the Prophet (SAW) has been expressed in the following verses:

يَا نِسَاءَ النَّبِيِّ لَسْتُنَّ كَأَحَدٍ مِنَ النِّسَاءِ إِنْ اتَّقَيْتُنَّ فَلَا تَحْضَعْنَ بِالْقَوْلِ فَيَطْمَعِ الَّذِي فِي قَلْبِهِ مَرَضٌ وَقَلْنَ قَوْلًا مَعْرُوفًا (32) وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى وَأَقِمْنَ الصَّلَاةَ وَآتِينَ الزَّكَاةَ وَأَطِعْنَ اللَّهَ وَرَسُولَهُ إِنَّمَا يُرِيدُ اللَّهُ لِيُذْهِبَ عَنْكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا (33)

O wives of the Prophet! You are not like any other women. If you keep your duty (to Allâh), then be not soft in speech, lest he in whose heart is a disease (of hypocrisy, or evil desire for adultery) should be moved with desire, but speak in an honourable manner. And stay in your houses, and do not display yourselves like that of the times of ignorance, and perform As-Salât (the prayers), and give Zakât

<sup>49</sup> Al-Mujadilah, 58:2

<sup>50</sup> Ali Imran, 3:42

<sup>51</sup> Al-Tahrim, 66:12

<sup>52</sup> Al-Tahrim, 66:11

<sup>53</sup> Al-Nur, 24:11

(obligatory charity) and obey Allâh and His Messenger [sal-Allâhu 'alayhi wa sallam]. Allâh wishes only to remove Ar-Rijs (evil deeds and sins) from you, O members of the family (of the Prophet), and to purify you with a thorough purification.<sup>54</sup>

### The Modern Challenges

Man's position in the family is that of a provider. In other words, he is in charge of the family and its protector, and is responsible for its conduct and affairs. He is prohibited from ill-treating his wife or denying her any of her rights. The question now here is; do men really provide women with their due rights as prescribed by the Glorious Qur'an? Actually, not all men take care of these responsibilities. Instead, they subject them to different kinds of domestic violence including physical and emotional abuse. The issue of divorce is also another area of great concern. According to Islamic family law, a divorcee is entitled to certain rights. These include the observance of *iddah*, inheritance, custody and maintenance of her children, etc. Unfortunately, many Muslim divorcees in Nigeria today do not enjoy the Islamic welfare package offered to them after the dissolution of their marriages. The women and their supporters therefore should fight to see that the prescribed rights of women are fully given to them by men. This is now the biggest challenge facing the Muslim women in this contemporary society.

## CONCLUSION

From the above, it becomes obvious that the Glorious Qur'an recognizes the position of a woman to be the same as that of a man by allowing her to enjoy equal rights and obligations. Therefore, it is indeed wrong for the critics of Islam to condemn the Glorious Qur'an for example, because of its permission of polygyny where Allah says:

فَاتَّخِذُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثَلَىٰ وَثَلَاثَ وَرَبَاعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَلِكَ أَدْنَىٰ أَلَّا تَعْدِلُوا

*Marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (slaves) that your right hands possess. That is nearer to prevent you from doing injustice.*<sup>55</sup>

### Or overall covering of the body where Allah says:

وَقُلْ لِلْمُؤْمِنَاتِ بَعْضُضُنَّ مِنَ ابْصَارِهِنَّ وَيَخْفَضُنَّ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَائِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَانُهُنَّ أَوْ التَّابِعِينَ غَيْرِ أُولِي الْإِرْبَةِ مِنَ الرِّجَالِ أَوِ الطِّفْلِ الَّذِينَ لَمْ يَظْهَرُوا عَلَىٰ عَوْرَاتِ النِّسَاءِ

*And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts) and not to show off their adornment except that which is apparent (like both eyes for necessity to see the way, or outer palms of hands or one eye or dress like veil, gloves, headcover, apron), and to draw their veils all over Juyubihinna (i.e. their bodies, faces, necks and bosoms) and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers, or their sons, or their husband's sons, or their brothers or their brother's sons, or their sister's sons, or their (Muslim) women (i.e. their sisters in Islâm), or the (female) slaves whom their right hands possess, or old male servants who lack vigour, or small children who have no sense of feminine sex.*<sup>56</sup>

### Or female getting half the share of male in inheritance as the Qur'an says:

*Allâh commands you as regard your children's (inheritance): to the male, a portion equal to that of two females;*<sup>57</sup>

### Or two women equivalent to one man in giving witness as the Qur'an says:

*And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her.*<sup>58</sup>

All these issues mentioned above, have their own reasons and wisdom. However, even if one fails to understand the reasons or wisdom behind these laws, one should recognize and appreciate how the Glorious Qur'an raised the status of women and emancipated them from all sorts of bondage. He should finally be thankful to Allah (SWT) through obeying all the laws contained in His Glorious Book without exception.

<sup>54</sup> Al-Ahdhab, 33:32-33

<sup>55</sup> Al-Nisa', 4:3

<sup>56</sup> Al-Nur, 24:31

<sup>57</sup> Al-Nisa', 4:12

<sup>58</sup> Al-Baqarah, 2:282

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