

The Gender Equity In Islam And The Modern World

Halima Ibrahim Bature

Abstract: The paper investigates the Gender Equity in Islam and the Modern World. The misconceptions about equality between male and female and wrong information spread by the western world about the position of women in Islam. It tries to bring out relevant facts which show that despite the accusations, Islam gives a very significant position to women than any other religion. Women in the west are not better than animals in the zoo. They are nothing but medium for advertising commodities. They are used for attracting customers in commercial centres. It also discovered that even though the campaigns against gender equity by the western caused a great harm to Muslim women yet many Muslims believed that Islam is given women their right. And are protected honoured in Islam.

I. INTRODUCTION

All gender related issues are invariably emerging in the context of modernity and must be defined as modern problems, both in Muslim societies and elsewhere. As the range of response to such issues broadens, Islamic intellectual responses can also bring enriching insights and practical solutions to restructuring gender relations in a setting which while inspired by an Islamic epistemology is hardly confined to specifically 'Muslim' societies.

It is the Islamic perspective that gender; as it is constructed in contemporary scholarship cannot be separated from the project of modernity. Furthermore, the Islamic perspective sees the growing prominence of the gender question and its various formulations in the academy as reflecting a real and serious crisis in social relations and social organization which finds its echoes in the political and social expressions of our age. To truly come to terms with gender in Muslim societies, one must be prepared to access information about Muslim cultures and traditions against Islamic standards rather than those standard assumptions and theoretical practices which have been established in other traditions, especially in the West.

On another plane then, the discourse on gender in Muslim societies may be gauged against the standards and consequences of this encounter with the other. It should be noted that non-Muslims wishes to discover the nature of gender issues in Muslim society should be aware that these two planes of discourse on gender in Muslim societies are associated with two levels of goals: the concern with Islamic

sources as a guide to shaping gender relations in the future is found at the popular/majority and grass roots level and is currently filtering upward; the second approach which tends to incorporate Western notions of gender is cultivated at the elite/minority level and at best is echoed in official forums of public opinion and policy-making circles in a setting where there is a historical apathy between power and society given the authoritarian and unrepresentative nature of the regimes in power in most Muslim countries.

This is what frequently happens in the attempts to understand gender in Muslim societies by Western scholars. This confusion is hardly confined to the latter, as many an indigenous professional operates out of the same orbit of scholarship of which he is frequently less inclined to be critical and more disposed to accept its orthodoxies than his western colleague. As we indicate below however, the fault lies more frequently with the paradigm of inquiry and not with the individual scholar for all his subjectivities.

One of the most provocative and controversial topics in the modern times, at least for Westerners, is the status of women in Islam; especially with respect to Western ideas of gender equality. Muslim women really oppressed? In the study attempt a discussion on the gender role perceptions among the Muslim scholars and westerners view.

First a distinction must again be made between what Islam is, based on the discourses found in the Qur'an and Sunnah of the Prophet (saw), and what Muslims actually do based on cultural practices and societal created and accepted norms. Many Westerners look narrowly at what has been done in the name of Islam and what continues to be practiced with

respect to Muslim women and believe that this is what Islam truly advocates. Many examples include female infanticide, female genital mutilation, forced seclusion of women, forced marriages, sexual slavery, and forced/enforced veiling of women. The paper will trace the gender discrimination for the coming of Islam. After which it will look at the gender equity in Islam spiritually, economically, socially, politically or legally. It will also address the misconceptions of the West regarding gender issue in Islam. A comparative analysis will also be made on the so called gender equality of the West and that of Islam. Then a cross look at the Qur'anic, verses and Prophetic traditions will also be made.

GENDER DISCRIMINATION BEFORE THE COMING OF ISLAM

Women suffered great injustices in the pagan Arab society and were exposed to diverse kinds of humiliation prior to the mission of the Messenger of Allah (Peace be upon Him). 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. Arabs 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 pagan Arab society did not generally have these qualities, they were themselves inherited like any moveable commodity after the death of an indebted husband. If the deceased husband had adult sons from other marriages, the oldest son amongst them had the right to add her to his household, just as a son inherits other chattels of his deceased father. She was unable to leave the house of her stepson unless she paid a ransom. As a general practice, men had the freedom to acquire as many wives as they desired with no set limits. There was no system of law and justice that would forbid a man from committing any injustice towards his wives. Women had no right to choose, or even consent to being chosen as a partner for marriage; they were simply given away. Women were forbidden to remarry if a husband divorced them.

In the pre-Islamic era of Arabia, fathers commonly became extremely angry and disgraced with the birth of a female child into their family. Some considered it an evil omen. Allah, the Exalted, describes the father's reception of the news about the birth of a daughter: "(Q: 16:59) *When the news of (the birth of) a female is brought to any of them, his face becomes dark, and he is filled with inward grief! He hides himself from the people because of the evil (and shame) of that which he has been informed. Shall he keep her with dishonor, or bury her in the dirt? Certainly evil is their decision.*

Women were not even able to practice some of the most natural rights. For instance eating certain types of goods was allowed only for males. All, the Exalted, records this in the Glorious (Qur'an 6:139): "*And they say: What is in the bellies of such cattle (whether milk or fetus) is for the male alone, and forbidden from our females, however, if it was born dead, then all have shares therein.*"

The hatred of female babies prompted Arabs to bury them alive. Allah, the Exalted, states in the Glorious Qur'an with reference to the Day of Requit: and when the female buried alive shall be questioned: for what sin was she killed? Some

fathers used to bury their female child alive if the child was leprous, lame or with birth defect. Allah (The Almighty states in the Glorious Qur'an (17:31): "*And kill not your children for fear of poverty. We provide for them and you. Surely, the killing of them is a great sin*". The one honor afforded to women during the pre-Islamic era was the protection of her person, family and tribe, and the revenge against any who humiliated or dishonored her, but even this was more for male pride, dignity and tribal honor than a concern for the female gender.

This situation of women in the Arab society led Umar bin al-Khattab, the second Caliph of the Muslims (may Allah exalt their mention) to say, as reported by Muslim: "By Allah, we didn't use to think that women had anything until Allah revealed about them what He revealed in the Qur'an, and distributed to them what He distributed..."

II. GENDER EQUITY/EQUALITY IN THE WESTERN PERSPECTIVE

If we agree with the 'Women's rights in Islam', as portrayed by the Western media, you have no option, but to agree that the 'Women's rights in Islam' are outdated. The western talk of women's liberation is actually a disguised form of exploitation of her body, deprivation of her honour and degradation of her soul. The Western society which speaks of upgrading the status of women in Islam, have actually reduced her status to concubines, to mistresses, to society butterflies, which are mere tools in the hands of sex marketers and pleasure seekers, which are disguised behind the colorful screen of art and culture. Women in the West are not modern, are mere medium for advertising commodity to be sold out in the market.

In spite of their propaganda regarding gender equity in Islam, yet most of the West if not all could not produce female president, or UN secretary. In United States for instance very few females are fortunate to become ministers or secretaries. There are some countries in the West that discriminate between male and female wages in the public services. Is this the gender equality? The status of women in the West is just a little modification from the pre Islamic period. But since they have some hidden agendas to take away the female Muslims from the right way, they spend much to sponsors women to come out to the street to protest against gender discrimination or women's right. Many Muslim women are becoming activities. Few years back, Dr. Amina Wadud by name was sponsored to lead Jum'u'ah prayer in United States. But if their claim to protect women's right is true why for example Hillary Clinton answers Mrs. Clinton why not Mr. Hillary, why Michelle answers Mrs. Obama why not Mr. Michelle? These are just few examples.

This is a global agenda to remove Muslims away from the right way. Today these so call women's rights activists have the capacity, the wherewithal to call for the review of the religious books that they are gender biased and should be deseeded. This is very annoying. But the Glorious Qur'an has unequivocally state this: (Q: 4v89) "*They but wish that ye should reject Faith, as they do, and thus be on the same footing (as they): But take not friends from their ranks until*

they flee in the way of Allah (From what is forbidden). But if they turn renegades, seize them and slay them wherever ye find them; and (in any case) take no friends or helpers from their ranks;”

III. GENDER EQUITY/EQUALITY IN ISLAMIC PERSPECTIVE

Islam believes in equality between men and women. Equality does not mean identically: it means equity. Islam presents the roles of men and women as complimentary roles and not contradictory or conflicting roles; the roles of partners with a commons set of goals and objectives and not roles that conflict with each other with each of them having the objective of striving for supremacy. We shall in this heading discuss the rights of women in Islam under six major sub headings;

- ✓ Spiritual
- ✓ Economical
- ✓ Social
- ✓ Educational
- ✓ Legal
- ✓ Political

SPIRITUAL RIGHTS

The greatest misconception that Westerners have is that paradise in Islam is only for men and not for women. This can be easily disproved from the Qur’an.

- ✓ Surah Al-Nisa (Chapter 4) verse 124 (4:124) “If any do deeds of righteousness be they male or female and have faith, they will enter heaven, and not the least injustice will be done to them.
- ✓ Surah Al-Nahl (Chapter 16), verse 97 (16:97) “*Whoever performs good deeds whether male or female and is a believer, we shall surely make him live a good life and we will certainly reward them for the best of what they did*”.
- ✓ The Qur’an makes it clear that both men and women have the same spiritual nature; Surah Nisa (Chapter 4), verse 1 (4:1) “*Oh Human kind! Reverence your Guardian-Lord who created you from a single person and created of like nature his mate.*”
- ✓ In Surah Nahl (Chapter 16), verse 72 (16:72) “*And Allah has made for you mates (and companions)of your own nature. And has made for you from your mates sons and grandchildren*”.
- ✓ Human race has been created to be or to serve as the trustee dignified the human race consisting of both men and women. A. Surah Al-Isra (Chapter 17) verse 70 (17:70) “*We have honored the children of Adam and conferred on them special favour*” Here Allah has honored the children of Adam, both men and women.
- ✓ The spiritual and moral duties for men and women are essentially the same. In fact there are certain concessions given to women. Pregnant ladies and menstruating women need not fast during such days, but later compensate for the same. The reward and punishment of Allah is in no way connected with the gender. a. Surah Al-Imran (Chapter 3,) verse 195 (3:195) “*Never will I*

suffer to be lost the work of any of you be it male or female. Ye are members, one of another.”

- ✓ Surah Al-Ahzab (Chapter 33), verse (33:35) For Muslim men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who guard their chastity, and for men and women who engage much in Allah’s praise. For them has Allah prepared forgiveness and great reward?

ECONOMICAL RIGHT

- ✓ More than 1,300 years before the west gave economical rights to women; Islam recognized the rights of adult women. Any adult woman has the right to possess or to own or to dispose any of her own property in any way she feels fit irrespective of whether she is single or married. The first time that rights of married women was recognized in the West whereby she could own and dispose of property without the control, approval or consent of her husband was in 1870s in England under the ‘Married Women Property Act’. This Act was later amended in 1882 and 1887.

HOME MAKER

- ✓ Woman is considered as a Home maker in Islam and not a housewife because she is not married to a house. She can also work and is entitled to get equal pay if she does the same job as that of a male. There is no text in the Qur’an or the Sunnah which makes it unlawful for women to work or to do any lawful job or profession (provided it is within the modesty level and within the purview of the Shari’ah). If she is married she should take the permission of her husband.
- ✓ She cannot take up jobs which are based on exhibiting her beauty and body such as modeling, dancing, acting in films, etc.
- ✓ Many jobs which are forbidden for women are also forbidden for men, for example serving liquor, working in gambling dens, dealing in corruption and dishonest business, etc.
- ✓ A true Islamic Society should have some women as professionals such as women physicians (doctors), women nurses, women teachers, etc.
- ✓ Women have no financial obligations in Islam. It is the duty of the man in the family to look after the financial aspects of the family. Therefore under normal conditions, a woman need not to work and is not required to earn her livelihood or that of her family. However in certain genuine cases due to financial crisis in the family where both ends do not meet, she has the option to work with the permission of her husband even in such conditions no one can force her to work and if she takes up a job it is by exercising her own free will.
- ✓ As I mentioned earlier, the job should be within the limits of Islamic Shari’ah and within modesty levels. Besides the professional jobs I mentioned, they can work in industries and small scale factories which are so made

that they exclusively employ ladies or have separate sections for gents and ladies staff. She can also engage in business and when required, enter into transactions with gents through a Mehram such as her husband, son etc. the best example I can quote is that of Prophet Muhammad's (Pbuh) wife, nana Khadija (R) who was a very successful businesswoman. She transacted through her husband Prophate Muhammad (Pbuh). Women can work in their own houses by taking up tailoring, embroidery, pottery, basket-making, etc.

women have no financial Obligations

- ✓ Islamic law gives more Financial Security to women than the men.
 - A Muslim woman has the option of not working to earn her livelihood. The responsibility of maintaining her, falls on the shoulders of her father or brother if she is not married, and on her husband or son if she is married. It is also the duty of the relatives and the state to look after her. She is entitled to full support if she opts not to work. But at the same time she has the right to possess or to own or to dispose of any of her own property in any way she feels, without seeking anyone's consent whatsoever and irrespective of whether she is single or married.
 - During marriage, she is entitled to a marital gift (Meher) from the husband which is entirely hers and she does not have to give this gift to her husband which is entirely hers and she does not have to give this gift to her husband or father and she can do anything lawful with it. In Surah Nisa Chapter 4, Verse 4 (4:4) "Give the women (on marriage) their dower as a free gift". His marital gift (Meher) symbolizes, love, affection and commitment. Women do not have to give any dowry to men and men do not have any right to ask or demand dowry from women. The dower given by man to woman during marriage is known as Meher and is a compulsory requirement.
 - If a woman earns any income from investments or works or engages in business during her marital life, the income is entirely hers and she is not entitled to spend a single penny on the household. She can spend it in any legitimate manner as she may desire.
 - Regardless of the wealth or income of his wife, the responsibility of maintaining her lies on the husband even if he is poorer than her and this responsibility includes providing for her needs pertaining to food, clothing, lodging, boarding, medication, etc.
 - In case of divorce or widowhood there are certain financial guaranties for women like complete and full support during the waiting period and thereafter; if she is pregnant, then till childbirth. If she has any children she is entitled to child support.

SOCIAL RIGHTS

Socially, Islam gives women four different statuses:

- ✓ As a Daughter
- ✓ As a Wife
- ✓ As a Mother

- ✓ As a Sister

DAUGHTER

- ✓ Islam prohibits infanticide or killing of female infants. This is considered a serious crime of murder. Surah Al-Takvir Chapter 81, Verses 8 and 9 (81:89) "When the female (infant), buried alive, is questioned, for what crime she was killed. "(17:31), (6:15) In pre-Islamic Arabia killing of female infants was very common and very often the moment a female was born she was buried alive. Islam not only prohibits female infanticide, but it forbids all types of infanticide, irrespective of whether the infant is a male or female. It is mentioned in Surah Al-Anam chapter 6, Verse 151 (6:151). "Kill not your children on a plea of want. We provide sustenance for you and for them. Come not near shameful deeds, whether open or secret. Take not life which Allah has made sacred."
- ✓ In Islam the girl child is entitled to support, and upbringing and good treatment. According to an authentic Hadith related in Ahmed, Prophet Muhammad (Pbuh) said, "Anyone who brings up two daughters properly they will be very close to me on the day of Judgment." According to another Hadith however brings up to daughters properly and treats them kindly and justly shall enter paradise.
- ✓ There should be no partiality in bringing up of sons and daughters. Prophet Muhammad (Pbuh) always spoke about justice and kindness towards a child whether it be a daughter or a son. Once a person in the presence of Prophet Muhammad (Pbuh) kissed his son and put him on his lap and did not do the same for his daughter who was with him. The prophet (Pbuh) objected and told the man that he was being unjust and that he should have also kissed his daughter and placed her on the other lap. The Prophet (Pbuh) not only preached about equal justice to sons and daughters but also practiced it himself.

WIFE

- ✓ Islam does not consider "woman as an instrument of the devil" as considered by the Bible. But rather the Qur'an calls her "Mohsana" – a fortress against Satan, because a good woman by marrying a man helps him keep a straight path in life.
- ✓ Prophet Muhammad (Pbuh) declared that there is no Monasticism in Islam. He further ordained, "Oh you young men – whoever is able to marry should marry for this will help him to lower his gaze and guard his modesty" (Al-Bukhari). c. It is narrated by Anas that the messenger of Allah (Pbuh) said, "When a man marries he has completed one half of his religion"
- ✓ According to Islam marriage is a blessing and bounty on both men and women. In Surah Al-Rum Chapter 30, Verse 21 (30:21) "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)".

- ✓ In Surah Nisa Chapter 4, Verse 21 (4:21) The Qur'an refers to marriage as a "Misaq" that is a sacred covenant or agreement between husband and wife.
- ✓ In Surah Nisa Chapter 4, Verse 19 (4: 19) "Oh! You who believe, you are forbidden to inherit women against their will"
- ✓ Islamic law requires the consent of both the parties before marriage. In matters related to marriage a woman cannot be forced by anyone including her father. Parents can help and advise the daughter on marriage but cannot impose or force his will. There have been cases where Prophet Muhammad (Pbuh) had given the choice of continuing or invalidating certain marriages where the consent of the daughter was not taken (Ibn Hambal No.2469)
- ✓ Ibn Abbas reported that a girl came to the messenger of God, Prophet Muhammad (Pbuh) and she reported that her father had forced her to marry without her consent. The Messenger of God gave her the choice (between accepting the marriage or invalidating it Ibn Hanbal No.2469). In another version, the girl said: "*Actually I accept this marriage but I wanted to let women know that parents have no right (to force a husband on them)*" (Ibn-Maja, No.1873).
- ✓ In Islam, when a woman is married to a man it is not that she is married to a master so that she should be treated like a slave but she is married to her equal and should be treated like a partner with love and dignity. The Prophet (Pbuh) said the most perfect believers are those that are best in character and behavior and those that are best to their families (that is to their wives) (Ibn Hambal No.7396).
- ✓ The rights of husband and wife are equal in all respects except in the aspect of leadership in the family. In Surah Al-Baqarah Surah 2, Verse 228 (2: 228) "*And women shall have rights similar to the rights against them, according to what is equitable but men have a degree of advantage over them.*" Here a degree higher does not mean in superiority but refers to responsibility. The Qur'an has stated in Surah Al-Nisa Chapter 4, Verse 34 (4:34). "*Men are the protectors and maintainers of women because Allah has given one more (strength) than the other because they support them from their means.*" The Arabic word used is "qawwam" which many a time is mistaken for superiority but is actually derived from "Iqama" meaning to "stand up for" in the same fashion as Iqama is given before prayers that is "standing up for prayers." Therefore men are not one degree higher in superiority or dictatorship but one degree higher in standing up for responsibility.
- ✓ According to the commentary of Al Tabari the word "qawwam" means a degree higher in responsibility and service and not superiority. Therefore it is the duty of the man to see that he provides security and maintenance to women and this should be carried out with mutual consent.
- ✓ There is a system of divorce in Islam which is to be applied only in extreme cases where the problem between the husband and wife is so grave to be solved and the continuation of married life would be counterproductive.

Following are the ways of dissolution of marriage in Islam.

- ✓ By the unilateral will of the husband
- ✓ By the unilateral will of the wife (if the marriage contract so specifies).
- ✓ By the judgment of a Muslim judge (Kazi). After a reasonable complaint lodged by a wife against her husband on grounds such as ill treatment, lack of support, etc., or any other legitimate and satisfactory reason.
- ✓ d. Many westerners have the misconception that Polygamy is compulsory in Islam and that Islam ordains that all Muslim men should marry four wives. The true fact is that monogamy is what is preferred in Islam. The Holy Qur'an is the only religious book on the face of the earth which has the following phrase in its directives to men 'may only one'.

MOTHER

- ✓ In Islam, obedience, respect and love for parents is next to the worship of Allah. It is mentioned in several places in the Qur'an that one should be kind to ones parents. In Surah Al-Isra Chapter 17, Verse 23 and 24 (17:23-24) *Thy Lord hath decreed that ye worship none but Him. And that ye kind to parents. When one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in terms of honour (17:23). And out of kindness, lower to them the wing of humility, and say: "My Lord! Bestow on them Thy Mercy even as they cherished me in childhood" (17:24)* In Surah Al-Anam Chapter 6, Verse 151 b(6:151) "*Be good to your parents" etc.*
- ✓ According to several authentic Hadith including the one narrated in Ahmed and Ibn-e-Majah, 'paradise lies at the feet of the mother'. It does not mean literally, for example that if a mother walks on the road and steps on filth and dirt, it becomes paradise. It means if you respect your mother, obey her, love her and take good care of her, you will Insha Allah enter paradise.
- ✓ According to another Hadith narrated in Bukhari and Muslim by Abu Huraira, the Prophet was once asked who amongst all the people was the most worthy of his respect and compassion. The Prophet (PBUH) replied to our mother; the man wanted to know who should be next, the Prophet (PBUH) replied to our father this means that 75% of love and respect goes to the mother and 25% to the father; that the better 3/4th goes to the mother and the remaining 1/4th to the father; or to put it in another way the gold medal goes to the mother and the father gets a consolation prize.

SISTER

- ✓ In Surah Al-Taubah Chapter 9, Verse 71 (9:71) "The believing men and believing women are protectors, one of other". Here the Arabic word used is 'Auliya' which does not mean friend but supporters or helpers or protectors; this means that all behaving men and women are protectors of one another like brothers and sisters unless otherwise stated. The Prophet PBUH said women are

'Shakaat' of men. Shakaat has to meanings, sisters or halves. Therefore women are sisters of men or women are halves of men that are society is made of two halves, one half women and the other half men. 'I recommend to you to be kind to your women' Men and Women are overall equal.

EDUCATIONAL RIGHTS

The first guidance given to the mankind in the Qur'an was 'Iqra' i.e to read, recite or proclaim. Surah Iqra and Surah Alaq Chapter 96, Verse 1-5. 'Read!

Recite! Proclaim! In the name of thy Lord and Cherisher who created – created the human, out of a congealed clot of blood (a leach-like substance). Read and thy Lord is Most Bountiful. He who taught (the use of) the Pen – taught man that which he knew not (96: 1-5). The first instruction in the Qur'an was, not to pay or fast or to give Zakkat, but to read. These instructions were to both male and female. Islam gives a great deal of importance to education.

According to Prophet Muhammad (PBUH) 'It is obligatory for every Muslim, male and female, to acquire knowledge' (Al-Bayhaqi). The holy Prophet (PBUH) made it a point of duty to every father and mother to make sure that the daughters were not ignorant of the teachings of Islam. A woman has her right to religious education from her husband so that either her husband should teacher her or allow her to go elsewhere to acquire it. If this matter is taken before a judge, he must compel the husband to fulfill her demands in the same way that he would in worldly matters.

Several examples of Great Muslim Women Scholars can be given.

- ✓ Aisha Bent Abu Bakr
 - The first and foremost example is that of Aisha, the wife of the Prophet, who lived long after her husband's death and provided great guidance to the first Muslim Community, even to the renowned Sahabah and the Khalifah Rashidun. Her pupil, Urwah Ibn Azzubayr, testifies, I did not see a greater scholar than Aisha in the learning of the Qur'an, obligatory duties, lawful and unlawful matters, poetry and literature, Arab history and genealogy.
 - She had profound knowledge of medicine. Whenever foreign delegations came to the Prophet (PBUH) and discussed various remedies for illnesses, she used to remember them. She was so well versed in mathematic that important Sahabah used to consult her on the problems concerning 'Mirth' (inheritance) and the calculation of shares.
 - Aisha even guided Sahabah who sought nor advice on direent matter. They included the Khaif 'Umar' Abdullah Ibn Umar and Abu Hurairah. She was among the great huffaz (memorizers) of Ahadith. She narrated 2210 ahadith in all.
- ✓ Saffiyah, wife of the Prophet (PBUH) Safiyyah, the wife of the Prophet (PBUH), was alos very learned in Fiqh. Imam an nawawi says, 'She was the most intellectual among learned women'.

- ✓ Umm Salamah: Wife of the Prophet (PBUH) she too was a great scholar. The scholar, Ibn Hajar has given the names of at least 32 scholars who leant Ahadith from her.
- ✓ Fatimah Bint Qays: Fatimah bint Qays was also a scholarly lady in the early days of Islam. Her learning was so deep that she discussed a juristic point with Umar and Aisha for a long time and they could not change or challenge her views. Imam and Nawawi say, 'She was one of those who emigrated in the early days and possessed grat intellect and excellence.
- ✓ Umm Salim: Mother of Anas: Umma salim, the mother of the famous sahabi Anas, was herself a highly respected Sahabiyah. Hafiz ibn Hajar praises her. Saying 'Her laudable qualities are too many to mention and she was very famous. Imam an-Nawawi calls her 'An excellent scholar among the sabiyah'. The list of learned women of the early days of Islam shows that women were not kept illiterate and ignorant, but rather were fully encouraged to participate in the process of learning and scholarship. They also knew their rights and responsibilities very well. There were instances to show that some women even challenged great scholars of their times of they said something which was against the right granted to women by the Qur'an the Sunnah.
- ✓ Sayida nafisa: Granddaughter of Hussein She was a great scholar. A large number of pupils came to her from different palces to learn from her. Imam Shafii, founder of the Shafii School of Islamic law, was one of hter illustrious pupils. One of the ollustrious pupils of A'isha was Umrah bint Abdur Rahman who was described by Ahmad Ibn Hambal in the following words. An eminent theologian and a great scholar. She was the most learned of all pupils in the Ahadith of Aisha' Legal Rights Men and Women are treated equally in Islamic law.
- ✓ The Shari'ah protects the life and safety of both men and women
 - If any man murders a woman, 'Hadd' punishment of Qisas will be applied to him and he will be put to death as a punishment for his crime. Likewise a woman murdered will also be put to death. This law of equality is mentioned in Surah Baqarah Chapter 2, Verses 178 and 179 (2:178 – 179) In the days of the Prophet (PBUH) a Jew killed a girl by crushing her head. The messenger of Allah order him to be killed in the same way. The second Khalifs of Islam, Hazrat Umar (R), put to death a number of persons who were accomplices to the murder of a woman.
 - In the matter of Qisas there is no difference between a man and woman. In the matter of injuries to a woman's eyes, ears or any other kinds of wounds the Qisas operates in the same way as in the case of man. If a man kills a woman, he is to be killed. Similarly if a woman forgive the murderer of her husband by accepting 'Diyah' nobody is entitled to reject her decision. If the guardians of the murdered person differ in accepting diyah and forgiving the murderer, the other relatives are prevented from taking his life. It is immaterial if the person forgiving happens to be a man or a woman.

- In Surah Maidah Chapter 5, Verse 38 (5: 38) “As to the thief, male or female, cut off his or her hand as punishment by way of example from Allah for their crime. “In Islam the punishment for committing a robbery is the same for men and women: that is cutting off the hands.
- In Surah Noor Chapter 24, Verse 2 (24:2) “The woman and man guilty of fornication, flog each of them with 100 stripes.” Once again the punishment for fornication is the same for both the man and woman guilty of this heinous deed.
- In Islamic law woman is accepted as a witness. This right was given to a woman 1,400 years back by Islam at a time when most of the societies rejected the evidence of a woman. Even till as late as 1980s Jewish rabbi were debating whether to allow women as witnesses or not.
- In Surah Noor Chapter 24 Verse 4 (24:4) “And those who launch a charge against chaste women and produce not four witnesses to support the allegation, flog them with 80 stripes and reject their evidence ever after for such men are wicked transgressors.” Islam takes utmost care as regards chastity and modesty. For a minor crime two witnesses are sufficient. But if anyone accuses a woman as regards her chastity he should produce at least four witnesses to support the allegation. In most of the societies we find men abusing women in public and calling them obscene names such as prostitutes. In Islamic law, if a person accuses a woman and cannot produce four witnesses or after he produces four witnesses if any of them falters, all of them excluding the person who has produced the false charge will receive 80 lashes each.

POLITICAL RIGHTS

- ✓ Both men and women are allowed and should participate in public affairs in the interest of society. In Surah Al-Taubah Chapter 9 Verse 71 (9:71) “The believing men and women are protectors of one another.” They are protectors and supporters to each other not only in social affairs but also in public affairs.
- ✓ Women participated in law-making. Once Hazrat Umar was discussing about regulation of Mehr in the Mosque. They were considering putting restrictions on the Mehr as some people discouraged young Muslim men from getting married. A lady from the back-seat of the Mosque objected, giving Qur’anic reference. She said none has the right to introduce this. “When Allah has not put restrictions on the Mehr then who are you to put restrictions to it. “Hazrat Umar humbly replied objection will be called objection to the breaking of the law of the constitution as Qur’an is the constitution for the Muslims.
- ✓ If the need arises, women may participate in the battle field: Muslim women took part in battle fields. There is a whole chapter in Sahih Bukhari regarding participation of women in battle field. A. Many Muslim women helped in the battle field by providing water and giving first aid to the soldiers. B. During the battle of Uhud, a lady by the

name Nasiba was among the people who protected the Prophet (Pbuh) and while doing so she received several wounds and injuries for which the Prophet (Pbuh) appreciated and praised. Her.

GENDER EQUITY/EQUALITY, COMPARATIVE ANALYSIS

Where modern western man fell deeply into error, was in his blind acceptance of the concept of the equality of the sexes without giving due consideration of what equality – in its best sense – ought to mean, or what in practice it entails. According to modern thinking, giving equal status to women meant bringing them out of their homes and standing them face to face with men in all facets of life without any regard for the practical and moral problems which might ensue. Islam, on the other hand, defines separate roles, and, therefore, separate shares of work for men and women, since it is natural and realistic to do so. The other great error made by modern western thinkers was to assume that a role which was separate and different, and played out in other than traditionally masculine strongholds, was necessarily of trifling importance – in short, inferior. As such, the West concluded that in giving a separate role to woman Islam gives them an inferior position. Conversely, since it is held in the West (in theory) that women must be given a place in all masculine spheres it is also concluded that the West gives her a superior position.

So modern man imagines that his feminine counterpart has in actuality, been accorded a superior position. But lest us examine what, in fact, is the state of women’s affairs. In the societies of the West, which have attained a high level of material development, theory has yet to be put into practice, and men and women still live and work in their own very separate domains. The status of women is, in practice, almost the same as it was in ancient times, there still being mutually exclusive divisions into male and female spheres, with the corresponding attitudes still very much in evidence. It this were not so, what need would there be for “women’s lib?” Fourteen hundred years ago, Islam launched a much-needed “women’s lib” movement, whose purpose was to free women from artificial curbs, and to give them the position which any normal human being should have in society. (One instance, for example is to give them a share in family property). This movement raised their status without any sacrifice of femininity or traditional values, and without creating any perversion in society.

Having launched its movement under the guidance of revelation, its Islamic exponents were in no doubt as to what limits should be set to societal change. The west, however, in its preoccupation with modernity, plunged headlong into experimentation with the old order of values, sweeping away traditional moral “reason,” “empiricism,” “logic,” “liberalism,” and so on, but, in actual fact, the whole “liberation” movement has been swamped in a welter of emotion, creating a number of social problems.

The facts are quite the reverse. Islam has, in actual fact, raised the status of woman. If the truth were told, woman’s degradation has come about at the hands of two major civilizations, one ancient and polytheistic, the other modern and atheistic. The former has been culpable both in theory and

in practice, while the latter has been so in practice, despite its theorizing to the contrary.

Modern western civilization has hardly produced a better result in ostensibly exalting the status of women. It may have pronounced men and women equal in every respect and decreed that all work that can be done by a man can be done by a woman too: it may have encouraged women to come out of their homes and try to find a position equal to a man's in every department of life (hence the slogan, "Don't make coffee, make policy"); but, in practice, this concept of equality has done more to degrade women than any traditional view could have done.

REFERENCES

- [1] Abdulwahhab O. I. (2004) Practical Guides to Project Writing for Students in Polytechnics, Colleges, and Universities.
- [2] Ali A. Y. (1977) The Holy Qur'an: Text, Translation and Commentary, the American Trust Publication, Plain Field, IN 1977.
- [3] Jamal, A. B. Gender Equity in Islam: World Assembly of Muslim Youth Wamy, Studies On Islam.
- [4] Maulana Wahiduddin K. (1994) the Islamic Centre C-29 Nizamuddeen New Delhi
- [5] Mona A. (1991) Understanding Gender In Muslim Society (1) a Workshop Presented In Washington Dc
- [6] Othniel J. (2013) the Essentials of Research Methodology and Statistics In Education: Jigbik Polishers Ltd, No. 2 Lagos Street, Yelwan Tudu, Bauchi, and Bauchi State, Nigeria.
- [7] Priscilla Offenhauer (2005) Women in Islamic Society: A Selected Review Of Social Scientific Literature. Federal Research Division Library of Congress Washington Dc.
- [8] Zakir, N Women's Right in Islam, Modernizing or Outdated? (Www.Islamawareness.Net/Women/Naik_Women.Html)

IJIRAS