



Research Paper

## Women's Rights: A Comparison between Islam, other Civilizations and Communities

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**Abstract:** *Women's rights were totally denied in early civilizations and communities. It is evident from the historical reports that the women were considered as a non-living material in many civilizations and communities such as Sumer, Mesopotamia, Greek, Roman and Indus Valley. Thus, Islam provided women with high status and absolute rights to them while other communities enslaved them and denied their rights. But, there are many accusations against Islam where it is accused as a religion which doesn't provide absolute rights for women and a religion that encourages women slavery. The study is aimed at exposing the fact that Islam is a religion that gives women full rights, and provides clarity on the allegations that are being leveled against Islam in relation to contemporary feminism. The study, which is conducted in qualitative method, mainly focuses on secondary data. Studies already conducted in connection with this study, such as texts and journals, have been used as secondary data. In terms of outcomes from the research, it is clear that Islam was the first religion to introduce the world to absolute feminism in the face of civilizations where women's rights were completely deprived and slavery prevailed.*

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### I. INTRODUCTION

Human rights are the rights and freedoms for all regardless of race, color, religion, gender or age. When it comes to gender, it is obvious that the rights of women have been abused from the ancient period. Thus various discussions are being carried out regarding the spiritual, political, economic and social rights of women. However, violence and oppression against women is constantly increasing.

Therefore, after the 18th century there was a greater focus on women's rights in relation to human rights. Various programs were launched at national and international levels with the aim of ensuring their rights and freedoms. In this regard, it can be clearly observed that it is very honest from the point of view of Islam.

The birth of a female child was considered as a bad sign in Jahiliyyah, the period preceding the revelation of the Holy Quran. "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!" (Al-Quran: 16:58). "When the female (infant), buried alive, is questioned-" (Al-Quran: 81:8). In ancient India, it was customary for the wife to jump into the fire to burn her body after her husband's death and commit suicide which was called as "Sati" (Udan Kattai Aeruthal) (Kanthaiyya. N.S., 2003) (Mansoor, 2004). In the ancient Christian community women were considered as a reincarnation of Satan and the entrance of evil. Contacting and communicating with her was seen as a crime. It was also said that the reason of prophet Adam (AS) to be expelled from paradise was a woman and she was cursed for that reason. Women were used for work in the Jewish community. A woman's father was also given the right to sell her when he wanted to. At the same time, a woman had the rights in her father's property when he had no male brothers only (Mansoor, 2004).

Western feminist thought also argues that there is no gender difference between men and women and there should be equal rights in all matters. Islamic feminist thought, however, states that women's rights must be upheld and properly accessible according to the nature of women. Although there are no differences between men and women as human beings, their responsibilities and tasks are different from each other. It is obvious that their physical structure and characteristics influence these differences. It can be seen that despite the differences in their responsibilities and tasks between men and women, they are given rights when it comes to human rights. Islamic history has shown that these rights have been implemented not only in theoretical form but also in some subjects such as spiritual education, economics and politics.

There are many accusations for a long time that Islam is a religion which deprives women from their rights and enslaves them socially. Its principles and guidelines are very challenging for women's emancipation. These have had various negative effects on the way non-muslims view Islam. It has been argued from the facts

that Islam permits polygamy for men, the Qur'an speaks of men as administrators for women, and that Islam enslaves women by highlighting issues such as hijab and so on. But it is clear from Qur'an and the As-Sunnah that Islam has given equal status to both men and women in most matters. Islam has given equal status to men and women spiritually, economically and socially (Jamal A.Badawi). Also, Islam has provided women with some special and personal rights in terms of gender. Despite, the accusation that Islam is a religion that enslaves women seems to be continuing. "Women rights vary from country to country, religion to religion, race to race, and in Islam women are considered as slaves" (Pon Kulendran, 2018). Various studies have shown that today in many countries, there are some acts that are against Islamic principles and discrimination against women in the Muslim community (Abdullah M.M.A., & Jaseel M.I.M, 2021). Gender equality is important in areas where there are misconceptions about Islam among non-Muslims. Many people believe that women are being isolated in Islam and they are also considered as fools in Islam. They also believe that Muslim women have no role to play in educational field. They were also not given any opportunities in the field of political and social development (Anas M.S.M., 2014). That is why Islam exemplifies the status of women above all other civilizations by explaining the absolute rights that it has given to women. Thus, this study seeks to quell anti-Islamic criticism by exposing it.

## **II. OBJECTIVES**

To reveal that Islam is a religion that has given women absolute rights.

To provide clarity on the accusations put against Islam in relation to contemporary women's rights.

## **III. METHODOLOGY**

This is a qualitative research which has been done based on secondary data. Studies that have already been done on the subject, texts and journals have been used as secondary data. Similarly, the deprivation of women's rights in earlier civilizations and the rights granted to women by Islam have been compared on the basis of two different positions.

## **IV. LITERATURE REVIEW**

The position of the marital relationship between husband and wife, the rights of divorced women and men, the position of men and women regarding administration and witnessing, and the position of men and women on the gender gap have been clearly discussed in the book "Women, Family, And Gender In Islamic Law" by Judith E.Tucker (2008).

It is clearly mentioned in the research article "Gender Equity in Islam" by Jamal A.Badawi that the fundamental sources of spirituality, economics, rights and equality for men and women have been clearly mentioned in the Qur'an and the Sunnah. Similarly, some of the special rights granted to men, such as the position on polygamy and witnessing, and the justifications for not granting them to women are also highlighted in Quran and As-Sunnah.

The research article "Women's Economic Rights in Islam: A Literary Review" by Abdullah M.M.A., Jaseel M.I.M (2021) discusses about women's economic rights, including women's empowerment, women's economic advancement, women's involvement in economic activities, and gender diversity. In addition, systematic and factual information on the economic rights provided to women by Islam has been prioritized and analyzed. It also addresses the issue of economic rights of women in Islam.

M.C.Rasmin's & Hasanah Sehu Issadeen's (2015) article "Gender equality and equality in the Islamic perspective" has examined the topics like the status of women in Arabia before the advent of Islam, equality in worship, economic rights, rights to work, rights to education, the status of women testifying in Shari-a, polygamy in Islam, intimate life spouse, violent and Islamic view on marriage.

The article on "Women in Islam and their standing in the muslim society" by Dr. Abdul Othman Altwajiri (2009) has discussed about the status of women in earlier civilizations, Islamic characteristics for women, legal rights of women, civil and political rights of women, and the contribution of women to science field.

The study by Sonian D.Galloway (2014) on "The impact of Islam as a religion and muslim women on gender equality: A Phenomenological research study" explores the structure, life experiences of muslim women in countries where the majority of muslims live, their status in politics and the status of women in the home and their work, and the promotion of gender equality and the challenges faced by the feminists.

The article "Are the women's rights provided by Islam obsolete or modern?" by Dr.Zakir Naik (2008) talks about the spiritual rights, economic rights, social rights, educational rights, legal rights and political rights granted by Islam it clarifies that the rights granted by Islam to women are everlasting.

"Women in Islamic Law" by Abth Al Jabbar Muhammath Zaneer (2009) describes about women's testimony, the Qur'an's equality revolution, the statements by Dr.Thaha Jaafir Al Avvani on erroneous attitudes

of scholars, Dr. Abdul Hameed Aboo Sulaiman's views on the punishment for women and the Qur'an's judgments.

Therefore, the researches done on such topics help to design this research article in a systematic way. Though, there were only few articles which talk in detail about the status of women in ancient civilizations and societies and the status of women in Islam. Thus, this research has been conducted to fill this kind of research gap.

## **V. RESULTS AND DISCUSSION**

This section makes a comparative analysis of the status of women in ancient famous civilizations and the two main areas of women's status and rights in Islam.

### **5.1 The status of women in earlier civilizations and societies**

Civilizations that emerged in pre-Islamic times subjected women to great cruelty and refused to grant them their rights. For example, it is obvious from historical reports that the status of women was at an all-time low in civilizations like Sumer, Mesopotamia, Greek, Rome, India and China.

#### **5.1.1 Sumer**

In Sumer the punishment for stealing for a man was very soft and for a woman it was very cruel even though if she takes her husband's property. Her punishment for stealing from a house next door was to cut off her nose by the neighbor or to cut off her two ears by her husband (Hawkes, 1973). Similarly, when a woman leaves home without her husband's permission, and if another woman provides her with shelter, both of them were considered guilty and lost their ears (Hawkes, 1973).

#### **5.1.2 Mesopotamia**

The status of women was also seen to be worse in the civilization which is identified as one of the leading civilizations in the world. Among them rape and prostitution were considered ubiquitous. "Rape and prostitution were considered very simple among Mesopotamians. If a woman from their society was found guilty of miscarriage, she was not even allowed to be buried on the earth though she was alive or not after the miscarriage (Hawkes, 1973).

#### **5.1.3 Greek**

Although the Greeks were growing up in science, the status of women was not good there. Socrates stated that "woman is a theme that sows global chaos and destruction." The statement of Socrates was that "it can be cured even if a serpent bites, but it is impossible to destruct the cunning nature of women" (Condelle & Mehale, 1975).

In Greek society womanhood was viewed as a trivial matter. A woman's price varied according to her beauty, status and her social value was affected to the extent that she could barter in exchange for animals. There was a situation where a husband would chase his wife due to a minor disagreement (Haring, 1965).

#### **5.1.4 Rome**

Women were found to be the most socially backward people even in the Rome civilizations which introduced law to many nations of the world. A woman was found to have no value against Roman law and could not even be a plaintiff in any court (Haring, 1965). She was considered as an innocent person who should not use her self-consciousness to be right or wrong and who should be in the protection of another. All of her properties were found to be in the hands of her husband's authority from the day she married him. She cannot work for herself or save property for herself. She cannot testify for anyone. She could not buy, sell or make any deals.

According to Roman law, a woman is the only one who can live completely at the mercy of another throughout history. When she gets married she and her wealth go into the power of her husband. She was seen as a slave and a commodity bought by a husband for his needs. It was also clear from the records that a woman could not always be involved in social and public affairs. There was a rule that she could not be a witness, a supervisor, or a covenant maker (Mansoor, 2004).

#### **5.1.5 Indus Valley**

It can be observed from the literature that the status of women in the Indus Valley Civilization was found to be very bad compared to other civilizations. There was an ideology in Indian civilization stating not to trust an ocean, an army warrior, claws and horned beasts, a king and a woman. It was also conveyed that "a woman is more suitable if one wants to learn cheating, deception and intrigue." And there were some other ideologies which stated as following: "things like fire, water, a fool, a snake, a royal family and a woman can be the catalyst for one's destruction and it is good to be cautious about these things. Likewise, the status of the women was very nasty during this time.

In the Laws of Manu also known as The Manusmriti, it has been said that it is the women's nature to lie and before the Muslim's arrival to India, Hindu women were often naked and without any sense of shame, they were showing off their breasts (Basham, 1967). Moreover, an inhumane conspiracy was also practiced

among them at that time. When a dead husband is cremated, his living wife is also thrown into the burning fire. This is also referred as "Sati" (Mansoor, 2004). Women slavery has been a fundamental principle in early India. The Laws of Manu says that women need to be kept in a position of dependence by their guardians day and night. It was further stated that the law of inheritance was patriarchal and belonged to a lineage inherited by men except women.

The custom of "Sati" for widows was also found among the Indian people. It was believed that the wife, servant and horse that died with him would go with him to the next life. Thus, when someone died, his wife and servants were also burned or buried with him (Kanthaiyya N.C., 2003). The condition of women in many parts of India is still deplorable up to date. In most cases they are deprived of their rights and freedoms and continue to live a life of female slavery.

### **5.2 The status of women in ancient Christian communities**

Even in the Christian community, women were killed and buried along with their husbands. Earlier in Germany a widow was killed and buried with her husband (Kanthaiyya N.C., 2003). Women were portrayed as the worst creatures. Early Christian clergies St. Bernard, St. Antony, W. Cyprian, St. Jerome and St. Demascene have criticized women in the worst way. They also said that the woman should live for atonement forever because of the sin and burden she has brought here. St. Gregory Taunmaturgus has stated the following: "I was searching for a virgin male. But, I didn't get him. Maybe one in 1000 men can be a virgin. But women do not have that at all." Moreover, St. Gregory of Naziarium stated that, "The dragons are ferocious. The monkeys are cunning or tactical. But, a woman combines both these qualities (Rahman, 1980).

The Hindu scriptures state that, any woman who keeps her mind, speech and body subject to slavery will find fulfillment in both worlds and the house where she lives with her husband will be the same. Likewise, there were many derogatory comments about women in those communities.

### **5.3 Jahiliyyah Society**

Even before the advent of Islam in Arabia the condition of women was deplorable and there was a deadly custom of burying a girl alive after birth. Relatively, there was a massive difference in the social status of men and women. Other women were treated as slaves despite the fact that women of certain upper castes were found to have social status. They have not been given any help even on basic matters like marital status hereditary marriage. Jahiliyyah society was characterized by a patriarchal social structure at all stages of social life. At that time a man will accept a woman's responsibility if her father or husband dies. None of her permission will be obtained here. The man can stop her from getting married until she dies. He will also acquire the rights to enjoy her properties (Masahir.S.M.M., 2009). And women were often treated as slaves in the Jahiliyyah period. Sometimes they were exchanged for goods. Women have no rights under any circumstances. They were treated worse than objects (Anas. M.S.M., 2014). In Arabia women were treated between human beings and animal beings. They were taken as prisoner in many forms on the battlefield and treated as slaves and were tortured in many forms. It was also allowed to a man to marry many women and divorce them at any time. The right to divorce was granted only to men. The women who lost their husbands sat iddah for a year. They were dressed in very dirty clothes and locked in a small room (Anas. M.S.M., 2014). In the Jahiliyyah period, a woman was repeatedly married and divorced (Abdullah. M.A.M., Masahir. S.M.M, 2021). Also there was a situation that, when the guardian of a woman dies, she belongs to others. In this connection, Ibn Abbas (R.A) said the following: "When a man's father or his father's brother dies his their wife becomes fully entitled to him. Similarly, the custom of the son marrying the women who were married to his father was also prevalent at that time" (Abdullah. M.A.M., Masahir. S.M.M, 2021).

It is evident from the above examples that in many pre-Islamic civilizations and societies women were looked down upon. Islam transformed the status of women into those with social values by rescuing them from such a disgraceful condition by giving them their due rights and freedoms. Let us look at the rights that Islam has given them at different stages of life as follows.

### **6. Islam about Women's rights**

The position of Islam on women's rights, the status of women in Islam and the rights that Islam has given to women are examined mainly through two sections.

#### **6.1 The status of women in Islam**

Islam explains the extent to which women should be looked at every stage of their lives and what their status is. This has been explained as the following.

##### **6.1.1 As a mother**

Islam's guidelines regarding the status of motherhood make it clear that how much a woman is respected in Islam. Islam has given women the superiority of a mother over a father. Abu Huraira (R.A) reported as following: A man came to Allah's messenger prophet Muhammed (S.A) and said, "O Allah's messenger! Who is more entitled to be treated with the best companionship by me?" The prophet (S.A) said, "Your mother." The

man asked, "Who is next?" The prophet said, "Your mother." The man further asked, "Who is next?" The prophet (S.A) said, "Your mother". The man asked for the fourth time, "Who is next?" The prophet (S.A) said, "Your father." (Sahih Bukhari: 5971, Sahih Muslim: 6181)

Through this hadith, the mother is intended to be three times higher than the father in Islam.

It is also worth noting that in verse 23 of Surah Israh, the main point behind the monotheistic call to worship God is to behave well with one's parents.

"And your Lord has decreed that you worship none but him, and that you be kind to your parents. Whether one or both of them attain old age in the life, say not to them a word of contempt, nor repel them but address them, in terms of honour" (Surah Israh: 23). Therefore, Islam views women as three times higher than the men through the role of mother.

### **6.1.2 As a wife**

Woman is seen as one of the criteria for measuring a man's specialty and his superiority. A man who is good at his wife is considered as a noble man in Islam. So if his specialty is to prevail he must be seen as one who can love his wife a lot and fulfill his duties to her and allow her to enjoy the rights duly.

In this regard, the Prophet Muhammed (S.A) stated as follows: Fear Allah in the matter of women. The best of you are the best to your wife. A believing man should not hate his wife. If he dislikes one of her characteristics, he will be pleased with another. The one who treats his wife with love and gentleness is the most perfect in their faith in God (Sahih Muslim 3469, Tirmidhi 278).

In addition, the Prophet (S.A) when referring the value of a wife said, "The world is enjoyment and the best enjoyment in the world is a righteous wife" (Muslim 1467). Unlike previous societies, Islam has given women a sacred status that completely changes the status of the wife, claiming that a good wife is the best of all.

### **6.1.3 As a daughter**

Islam refers children as blessings and offers many excellent guidelines regarding female children. It positively refers the birth of female children as luck.

"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!" (Surah An-Nahl: 58).

While in other civilizations and societies, the birth of a girl child is considered an abomination and a great burden, Islam provided good news that the proper upbringing of a girl child in Islam will open the door to paradise for its parents.

"Whoever is tested with daughters in any way and treats them well, they will be their shield from Hellfire" (Muslim: 2629).

Islam brought the status of girls to be respected in the society in which they were buried by making them realize that a man's paradise is not only from his mother but also from his daughters.

## **6.2 Women's rights in Islam**

Islam has given freedom to all the human beings. It has granted them various rights to ensure their freedom. Thus observing the denial and concealment of women's rights in the ancient societies, Islam looks to provide them various rights through its guidelines in order to empower women with a focus on their value in society.

### **6.2.1 Equality that women receive in terms of creativity**

In earlier civilizations and societies, while woman did not have the status of a human being, Islam identified her as a lofty creature equal to a man. The fact that God created human society from a single soul and then transmitted them from a single male to female signifies that all human beings are created equally without distinction of gender.

Allah Says: "Oh mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that you may know each other (not that you may despise each other). Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)" (Al-Quran 49:13).

"Oh mankind! Fear your guardian Lord. Who created you from a single person, created, out of it, his mate, and from them twain scattered (like seeds) countless men and women;- fear Allah, through whom you demand your mutual (rights), and be heedful of the wombs (that bore you): for Allah ever watches over you" (Surah An-Nisa: 1).

There are many hadiths which confirm that all human beings should be treated equally as the creation of God. Both are equal in creation by realizing that all the human beings are from one soul. The above verses of the Qur'an make it clear that one is not inferior to the other.

### **6.2.2 The right to live the life**

The value of human life becomes meaningless when the right to life is denied or guaranteed. It can be seen that this right has been openly denied to women especially in the Jahiliyyah community. They looked down on women and considered the birth of a female child as a bad sign. Thus the worst habit of killing a child after birth

was spread among them. Observing this social atrocity against women, Islam vehemently opposed it. The following verses of the Qur'an are some examples for this.

“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!” (Al-Quran: 16:58).

“When the female (infant), buried alive, is questioned-” (Al-Quran: 81:8).

The above two verses of the Qur'an confirm that in the Jahiliyyah community they considered the birth of a girl child to be disgraceful and unfortunate and had the custom of burying the girl child alive. Islam changed this situation and considered the birth of a girl child as a good deed and considered it as a blessing and an honor.

In this verse we can see that the birth of a girl child is mentioned as good news. At the same time, the proper care and maintenance of two daughters or two sisters is mentioned as the key to the fulfillment for the resurrection day.

“Whoever takes good care of his three daughters or sisters under his responsibility, they will be a screen to protect him from hell.”

### **6.2.3 Right to Education**

Islam insists that women should be educated just like men (Jamal A.Badawi). It is also referred as the obligation of everyone in the community. In previous civilizations and societies, education belonged only to the upper classes men. But, Islam made education accessible for women as well. Thus, it can be observed that in the early days of Islam women made significant contributions to Islam. Islam has provided education that was denied to women in other societies. Islam has made education obligatory for both men and women. The Prophet Muhammed (S.A) said that it is the duty of every Muslim to seek education (Ibnu Maaja: 81).

Similarly, there are many Qur'anic verses and hadiths that speak about the search for knowledge, regardless of whether they are men or women. Though the verses and hadiths of the Quran which have come to acquire and disseminate knowledge are masculine verses, they are equivalent to women as well. Only those verses which are clearly mentioned to men will only be considered for men's (Masahir S.M.M., 2009). The best example of this is the following Qur'anic verse. “..... Are those equal, those who know and those who do not know?” it is those who are endued with understanding that receive admonition” (Az-Zumar: 09).

Once a woman came to the Prophet (S.A) and said that, there are always men around you so we cannot come close to you and ask any doubts that may arise in our religion. The Prophet immediately set aside a whole day in a week for them. Many Sahaba women like Ayesha (R.A), Hafsa (R.A), Ummu Maimuna (R.A), Ummu Darda (R.A), Umm Salma (R.A), and Ummu Habiba (R.A) can be mentioned as the female scholars who excelled in the Quran and the Prophetic arts.

At the same time, it can be observed from the practical life of the Prophet Muhammed (S.A) that Ayesha (R.A) has contributed to the field of Islamic education by proclaiming more and more verses of the Prophet Muhammed (S.A).

Imam Ibn Hajar Al Askalani has mentioned the names of more than 1500 female companions of the Prophet Muhammed (S.A) in his book “Al-Isafa”. Many of them are found to have mastered in the field of education such as hadith field and law. Prophet's (S.A) wives Ayesha (R.A), Hafsa (R.A), Ummu Salma (R.A), Zainab Binte Jahs (R.A) and Prophet Muhammed's daughter Fatima (R.A) are some of the examples of them.

### **6.2.4 The right to marriage**

Islam condemns forcing women to agree to it during marriage. Islam has given them the right to get their permission for marriage and the right to annul it if the marriage takes place without their consent. This is confirmed by the following hadith. The prophet (S.A) said, “A matron should not be given in marriage except after consulting her: and a virgin should not be given in marriage except after her permission.” The people asked, “O Allah's messenger! How can we know her permission?” He said, “Her silence indicates her permission”(Bukhari: 5136).

As well as for the women ending her marriage without her consent, the Prophet (S.A) mentioned the following incident which took place during his time. “My father gave me in marriage when I was a matron and I disliked that marriage. So I went to Allah's messenger (S.A) and he declared that marriage invalid” (Bukhari: 5138).

In earlier civilizations women were viewed as a commodity with no marital rights. In this case, Islam guaranteed the complete freedom of married life to women by giving them various matrimonial rights like the marriage should take place with the consent of the bride, her mahar can be decided by herself and it should be paid before the marriage, and the bride should be fully responsible for the food, clothing and accommodation in the form of “nabaka.”

### **6.2.5 The right to obtain a divorce**

As Islam has given women the right to marry, she has also given the legal right to obtain a final divorce when she faces with difficulties and in unavoidable circumstances. Just as "talaq" has become a means of divorce for men under Islamic Sharia law, women also have the right to divorce in terms of the law called "Kul-u" when she faces problems in her married life. In this way we can see that Islam forbids patriarchy from influencing the marital life.

### **6.2.6 Economic right**

The following rights show that Islam has affirmed the economic rights for women at various stages of their lives.

#### **6.2.6.1 The right of women to inherit property**

The women are given a role economically in each circumstance in her life. Islam has given her all the means to inherit property at all levels as a daughter, wife, sister and a mother (Jamal A.Badawi). "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" (Al-Quran 4:7). Similarly, Qur'anic verses such as (4: 12), (4: 11), (4: 176) confirm that women have a share in the inheritance.

When looking at the shares that women inherit in total, the woman receives more shares than the men. When examining in more detail the position of Islam regarding inheritance laws, in 7 cases the female has an equal share of the male, in 10 cases the female has a larger share than the men, and in 4 cases women get the greatest chance of inheriting all the shares alone (Masahir S.M.M., 2009).

So it can be seen that the aforementioned property sharing right properly upholds the rights of women and gives her a higher status than men.

#### **6.2.6.2 The right to do a job**

Islam also allows women to engage in business. Islam has provided honest guidance regarding the economic rights of women. "And in no wise cover those things in which Allah has bestowed his gifts more freely on some of you than on others: to men is allotted what they earn, and to women what they earn: but ask Allah has full knowledge of all things" (Al-Quran 4:32).

Through this verse it can be observed that Islam has given women the right to engage in business. This is further confirmed by the fact that the prophet Muhammed (S.A) allowed women to engage in business acts during his time.

#### **6.2.6.3 The rights on of their property**

Islam overthrew the denial of property to women, restrictions on their activity, and the monopoly of husbands on their property, which was prevalent among the people during the Jahiliyyah period (Masahir S.M.M., 2008). Islam has given men and women the right to keep their own possessions. The principle of Islam is that a man or a woman cannot be compelled to take what she wants from her property unless she wants it and gives it to another.

Islam also gives women a share in property left by a close relative. "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" (Al-Quran 4:7).

Similarly a woman can receive expenses from her respective men in all her stages. A daughter from her father, a wife from her husband, a sister for her brother and a mother from her son will receive the full expenses for herself (Masahir S.M.M., 2009).

#### **6.2.6.4 The rights on the husband's property**

In married life, Islam makes the husband responsible for the expenses of the family. Islam says that the daily expenses (nabaka) should be paid by the husband to his wife and his children even though she is wealthy (Masahir S.M.M., 2009). In such a situation, where a husband is not able to look after the expenses of his family, Islam has given the woman to head of the family and have given the right to receive the amount required for her family's needs without her husband's permission. In this way, Islam has changed the status of women where she has all the rights on her husband's properties. The following hadith illustrates this.

Abu Sufyan's wife Hinth binth uthba came to the prophet (S.A) as asked: "Oh, Allah's messenger, Abu Sufyan is more frugal in spending money to my family. Is it a crime if I take some from his property (without his permission) and spend it to my family? Prophet Muhammed (S.A) replied: "Take as much as the need for you and your child and it is not a crime" (Bukhari: 5072).

Similarly, Islam allows women to give a portion of their earnings to help men in case of need, considering their status" (Ibn Hibban: 4247).

#### **6.2.6.5 The right to receive Mahar**

In earlier civilizations women did not have the same rights or power that men had in relation to marriage. In particular communities, it created a marriage condition for women in social life by stipulating that the bridegroom should give the bride as much as she wished during the wedding. The marital rights introduced by Islam were seen as freeing women from such cruel acts they were experiencing.

“Also (prohibited are) women already married, except those whom your right hands possess: thus has Allah ordained (prohibitions) against you: except for these, all others are lawful, provided you seek (them in marriage) with gifts from your property,- desiring chastity, not fornication. Give them their dowry for the enjoyment you have of them as a duty; but if, after a dower is prescribed, you agree mutually (to vary it), there is no blame on you, and Allah is All-knowing All-wise” (Surah An-Nisa : 24).

“And give the women (on marriage) their dower as an obligation; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer” (Surah An-Nisa: 4).

Also, if the husband wants to divorce his wife, he is not allowed to get back the Mahar, no matter how much worth it is. It is her property and he can't get it back from her (Masahir S.M.M., 2009). Islam introduced this practice in order to preserve the rights of women to change the status in the previous societies where all the property of the wife goes to the husband after marriage.

#### **6.2.7 The rights to remarry**

Some civilizations had a very bad habit of burning the wife alive when the husband died which was referred as “Sati” (Kanthaiyya N.S., 2003). They didn't allow women to remarry and performed the worst rituals against women thinking that their lives are finished with their husbands. But Islam gives full permission for a woman to remarry after a certain period of time if her husband dies or they get divorced. This is confirmed by the following verse of the Qur'an.

“If any of you die and leave widows behind; they shall wait concerning themselves four months and ten days. When they fulfilled their term, there is no blame on you if they dispose of themselves in a just and reasonable manner. And Allah is well acquainted with what you do” (Surah Al-Baqarah: 234).

The above verse of the Qur'an makes it clear that they can remarry according to their wishes if they wish to remarry after the end of their Iddah period. The Qur'an also states the following regarding the remarriage of a divorced woman.

“When you divorce women, and they fulfill the term of their (Iddah), do not prevent them from marrying their (former) husbands, if they mutually agree on equitable terms. This instruction is for all amongst you, who believe in Allah and the last day. That is (the course making for) most virtue and purity amongst you. And Allah knows, and you know not” (Surah Al-Baqarah: 232).

#### **6.2.8 Political rights**

Islam as a natural religion has laid down clear guidelines regarding politics. However the duties and responsibilities of men and women differ when it comes to governance and political activities.

As ruling leadership, Islam has given priority to men over women, and has given women the right to participate in political affairs and to elect governors.

For example, during the first and second Aqaba agreements, women also made a treaty with the Prophet Muhammed (S.A) (Raheek Al-Makthoom: 1979). It can be seen that in a modern democracy the right to vote to elect a leader is synonymous. It also clarifies Islam's recognition of women's political involvement.

Similarly, two of the most important political events in Islamic history are the involvement of women during the Hijrah and the involvement of women in politics, such as the election of Asma (R.A) as one of the Prophet's and Abu Bakr's aides during the Hijrah to Madinah (Bukhari: 3905, Ahmath: 26957).

#### **6.2.9 Spiritual rights**

It is the spiritual senses that regulate a man. Only when a man's spiritual and worldly feelings are balanced does he become successful. It is everyone's need and duty to get this to the fullest. In the ancient Greek and Christian societies when women were denied their rights and cursed, Islam affirmed the rights of women as follows.

##### **6.2.9.1 Both are equal in the performance of duties and in receiving of reward**

“Whoever works righteousness, man or woman, and has faith, verily, to him will we give a life that is good and pure, and we will bestow on such their reward according to the best of their actions” (Al-Quran 16:97).

Nowhere in Islam has pointed out that rewards for good deeds available only to men. Nowhere does Islam say that men were created for heaven and women for hell, as stated in other civilizations. The above verse of the Qur'an confirms that those who obey the command of God, whether male or female, will surely receive their reward from God. Similarly, Islam treats men and women equally in paying for good deeds. The following verse of the Qur'an further clarifies that both are equal in receiving the reward. “And their Lord has accepted of them, and answered them: “Never will I suffer to be lost the work of any of you, be the male or female: .....A reward from Allah is the best of rewards” (Al-Quran 3:195).

“For muslim men and women, for believing 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 fast, for men and women who guard their chastity, and for men and women who engage much in Allah's remembrance- for them has Allah prepared forgiveness and great reward” (Al-Quran 33:35).

In the above verse, the Lord does not generally refer to Muslims, believers, truth-tellers, and owners, but distinguishes them as male and female, which clearly illustrates the right of women spiritually in Islam and their



status in the belief of God. Like the verses above the Lord mentions that a soul, whether it is male or female, will see good or bad response according to what it has done in the world. This particular verse clearly explains the ideology of Islam in which both men and women are treated equally, with no distinction in paying for their deeds.

Through the above verses it is possible to understand that Islam treats both men and women equally in both the fulfillment of religious duties and the reward for it.

#### **6.2.9.2 Privileges given to women considering their nature**

It is noteworthy that concessions have been made with the nature of women in mind when enforcing laws for Islamic obligations in the context of Islam regarding men and women. It highlights the justice of Islam and its uniqueness in terms of gender.

For example, it is obligatory for both men and women to worship. But in certain cases women are given the privilege of giving up their prayers. Exceptions are made from the five daily prayers and fasting, especially during the menstrual period of women and from the time of childbirth until the end of bleeding. At the same time, it offers women the privilege of breaking the fast during pregnancy and lactation. While Islam insists on doing the duties of God for the sake of God, Islam does not expect women to fulfill their duties to God with difficulty despite some of the inconveniences they face under compulsion.

The guidance of Islam is that both men and women should perform the religious duties of prayer, zakat, fasting and Hajj in general. But it is clear from the privileges that Islam has given to women in some of the above matters that Islam cares about women.

#### **6.2.10 The right to engage in public services**

Among the duties that Islam expects man to fulfill on earth is the important task of enriching the earth. This makes it clear that a Muslim must set up his life as one who benefits others. We can see that God refers to this in the Qur'an through the general usage of preventing good from evil. The Qur'an speaks of "those who do good deeds by faith" in about 80 places and promises the highest reward for them (Yoosuf Al-Karlaavi, 1995). In addition, the verses of the Qur'an in the following verses identify the pursuit of good for the community as a quality of faith.

"The believers, men and women, are protectors, one of another; they enjoin what is just, and forbid what is evil....." (At-Tauba: 71).

Preventing good and preventing evil is not the only duty of men. It also belongs to women. These Tahwa efforts, which are word, writing and critique, must be carried out by women as well (Masahir, S.M., 2008). It is known that in the time of the Prophet (S.A) women were seen during the war as those who could be involved in public works such as preparing food for soldiers, watering and treating the wounded. There are many benefits when women engaging in public service. Different types of special traits appear when women prevent the evil from taking advantage among them. Women will be more powerful in placing and explaining it when campaigning among women. The woman can have more impact on word, deed and behavior among. Women can shamelessly describe about separate and private areas. Individual human Tahwa can also be carried out among women (Masahir, S.M., 2008). That is why Islam has given women the right to engage in public service in accordance with their nature and to contribute to the maintenance of a balanced social order.

## **VI. CONCLUSION**

Criticism of Islam as a religion that enslaves women and denies them their rights and freedoms seems to be continuing. However, looking at the results of the guidelines given through the basic sources of the Islamic religion and their practical application, it is possible to establish through various evidence that Islam has affirmed all the rights of women. Throughout the history, in many civilizations, it has been common for women to be looked down upon and denied their rights. In this situation Islam changed it and strengthened the high social recognition for them not only through guidance but also in practice.

This can be seen in comparing the status of women in previous civilizations and in Islam societies after the arrival of prophet (S.A) and it clearly states the fact that Islam has given women rights in every sphere of social life.

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