

The Role of Muslim Women in an Islamic Society

The Role of Muslim Women in an Islamic Society and the stand of the Muslim Brotherhood regarding Womens' rights to vote, be elected, occupy public and governmental posts, and work in general.

INTRODUCTION

The Status of Women as Defined by Islam

The woman is a mother and it is said that "Paradise lies under her feet" (reported by Al Tabarani). In an authentic hadith the Prophet (peace be upon him)(SAAS) was asked by a man: 'Who is the one most worthy of my care?'. The Prophet replied: 'Your mother'. The man asked: 'Then whom?'. He replied: 'Your mother'. The man further asked: 'Then whom?'. He replied: 'Your mother'. The man asked: 'Then whom?'. And in this fourth time the Prophet replied: 'Then your father.' This shows that Allah has placed the care of the mother as a primary responsibility of her sons.

Allah, exalted be He, says: {Your Lord has decreed that you worship none but Him and that you be kind to parents. When one or both of them attains old age in your life, say not to them a word of disrespect, nor repel them but address them in terms of honour.} (Surat Al-Isra' (17), ayah 23).

A woman is also a daughter and sister and like their male brothers, are born of the same lineage and from the same womb: {He bestows female (offspring) upon whom He wills, and bestows male (offspring) upon whom Him wills.} (Surat Al-Shura (42), ayah 49). The Prophet (SAAS) says: 'Women are the (equal) sisters of men'.

A woman is also a wife who is a source of comfort for her husband as he is to her: {And among His signs is this, that He created wives from among yourselves, that you may dwell in tranquillity with them, and He has put love and mercy between your (hearts)} (Surat Al-Rum (30), ayah 21). Allah also said: {They are like a garment to you and you are like a garment to them} (Surat Al-Baqara (2), ayah 187)

Women make up half of society and they are responsible for the nurturing, guidance and reformation of the subsequent generations of men and women. It is the female who imbues principles and faith into the souls of the nation.

Allah, exalted be He, created Adam from clay and Eve from Adam, and mankind came from both of them: {O 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;} (Surat Al-Nisa (4), ayah 1). {It is He Who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love).}(Surat Al-A'raf (7), ayah 189).

There is no direct or indirect text in the Islamic Law (Shari'a) that even remotely suggests that women are inherently evil or impure as found in some distorted creeds that attribute lies to God. In fact, the Prophet (SAAS) said in an authentic hadith that 'A believer is never impure'.

People are differentiated in Islam according to their faith, God-consciousness and good conduct. Allah, exalted be He, says: {O mankind! We created you from a single (pair) of male and female, and made you into nations and tribes, that you may know one another.

Verily, the most honourable of you in the sight of Allah is (he who is) the most God-fearing} (Surat Al-Hujurat (49), ayah 13). He also says: {And their Lord has accepted of them, and answered them: 'Never will I suffer to be lost the work of any of you, be he male or female: you are members, one of another',} (Surat Al-Imran (3), ayah 195).

{Whoever works righteousness, whether male or female, 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.} (Surat Al-Nahl (16), ayah 97).

There is nothing in the Quran or the Sunnah (Prophet's tradition) to support the allegations made by the distorted creeds that have attributed lies to Allah by claiming that it was Eve who seduced Adam into eating from the tree. The Quran categorically addresses the Divine command to both Adam and Eve: {O, Adam dwell you and your wife in the Garden, and eat thereof as you both wish: but approach not this tree, lest you become of the unjust. Then Satan whispered suggestions to them, in order to uncover that which was hidden from them (before); he said: 'Your Lord only forbade you this tree, lest you should become angels or such beings as live for ever.' And he (Satan) swore to them both, (saying) that he was their sincere advisor.} (Surat Al-Araf (7), ayah 19-21). Both repented together: {They said: 'Our Lord, we have wronged our own souls: If You forgive us not and bestow not upon us Your Mercy, we shall certainly be lost.'} (Surat Al-Araf (7), ayah 23). Also {Then did Satan make them slip from the (Garden), and get them out of the state (of felicity) in which they had been.} (Surat Al-Baqarah (2), ayah 36).

Thus, the Quran and the authentic traditions have refuted all false claims and superstitions that may arise concerning women and their purity.

A woman's responsibility in faith is exactly the same as that of a man. She is accountable for her belief in Allah and the Prophet (SAAS) even if her closest of kin, like her father, husband or brother disagrees with her in this. Allah, the All-Wise and All-Knowing gave an example of the infidels through two women and an example of the faithful also citing two women. {Allah sets forth an example for those who disbelieve, the wife of Noah and the wife of Lot: they were under two of our righteous servants but they both betrayed their (husbands by rejecting their doctrine), so they (Noah and Lot) benefited them (their wives) not against Allah, and it was said: 'Enter the Fire along with those who enter!' And Allah has set forth, as an example to those who believe the wife of Pharaoh: Behold she said: 'O My Lord! Build for me, in nearness to You, a mansion in the Garden, and save me from Pharaoh and his doings, and save me from those that do wrong'; And Mary the descendant of 'Imran, who guarded her chastity and We breathed into (her body) of Our Spirit; and she testified to the truth of the words of her Lord and of his Revelations, and was one of the devout (servants).} (Surat Al-Tahrim (66), ayah 10-12).

The Muslim woman, like the Muslim man is called upon to believe in Allah, the Day of Judgement, the Book, the Angels, and the Prophets, etc. She is also asked to perform prayers, pay out the Zakat duty, fast in the month of Ramadan and perform Pilgrimage to the Holy Places if she can do so. She must also call for the good and forbid evil in addition to being responsible for

the well-being of the Muslim community. {The believers, men and women, are guardians, one of another: they enjoin what is just, and forbid what is evil,} (Surat Tawbah (9), ayah 71); {O you who believe! When there come to you believing women refugees, examine them. Allah is more knowledgeable of their faith. If you find them to be believers, do not return them to the infidels} (Surat Al-Mumtahina (60), ayah 10). {O Prophet, when believing women come to you to give you the pledge that they will not associate anything in worship with Allah, that they will not steal, they will not commit adultery (or fornication), that they will not kill their children, that they will not utter slander intentionally forging falsehood, and that they will not disobey you in anything that is virtuous then accept their allegiance and ask Allah to forgive them,} (Surat Al-Mumtahina (60), ayah 12).

A woman also has to study the Islamic teachings for her own personal guidance the same as the male. She is responsible for conveying and communicating Islam. {Ask the knowledgeable people if you do not know.} (Surat Al-Anbia' (21), ayah 7) {of every troop of them, a party only should go forth, that they (who are left behind) may get instructions in (Islamic) religion, and that they may warn their people when they return to them, so that they may beware of evil.} (Surat Tawbah (9), ayah 122).

The hudood (punishments) that are prescribed in the Shari'a are the same for men and women; the female thief is punished the same as the male thief, the adulteress is punished like the adulterer, the female wine-drinker is punished like the male wine-drinker, and the female who wages war on Allah and the Prophet is punished like the male who does so.

In qisas (retribution), the woman's soul is equal to that of the man. The murderess is like the murderer and the murdered woman is like the murdered man. Qisas is exacted from a man if he kills a woman exactly and as equally as when he kills a man. Blood money rules do not discriminate between male and female.

It has been shown throughout the history of Islam that women took part in the First and Second Ba'yat al-Aqabah (pledges of allegiance). Furthermore, it was Khadija, the wife of the Prophet Mohamed (SAAS) who was the first to believe in, support and comfort our Prophet. It was Somayya who was among the first to be martyred upholding Islam. Al-Bukhari and Ahmed (reporters of the traditions of the Prophet Mohamed) cited Al-Rabiyya' the daughter of Mu'awadh as saying: 'We used to participate in the battles with the Prophet of Allah. We gave water to the fighters, served them, and returned the dead and wounded to Medina.'

Also Muslim, Ibn Majah and Ahmed (in their narrations) said that Umm Ateyya, the Ansari , said: 'I accompanied the Messenger of Allah (SAAS) seven times, guarding the camp, making the food, treating the wounded and caring for the sick'.

In his Sahih, Muslim reported Umm Sulaim, the wife of Abi Talha, as saying that she carried a dagger on the day of the battle, of Hunain. When the Prophet (SAAS) asked her about it she said, 'I carry it so that I can defend myself against the enemies.' The Messenger (SAAS) did not forbid this. Nusaibah, the daughter of Ka'b, fought in the wars of riddah (apostasy) at the time of the caliphate of Abu Bakr and she suffered many wounds caused by stabs and strikes.

A marriage is not valid in the Shari'ah of Allah without the approval, acceptance and consent of the woman and it is forbidden by the Shari'a that she be forced to marry someone that she does not accept.

The woman has full financial status that is no less than that of the man. She has the right, in the same way that a man does, to possess all types of wealth whether it be in the form of assets, real estate or cash. She has the right to use her wealth in any manner she wishes to as long as it is approved by the Shari'a. So she can buy, sell, trade, barter, provide grants and loans, incur loans, exchange assets etc. All these actions do not require the consent of any male whether this be her father, husband, or brother. In his sahih, Al-Bukhari titles one chapter: "A woman is permitted to free slaves and give gifts to someone other than her husband, unless she is mentally deranged." In this he reported that Umm al-Muminin, the wife of the Messenger of Allah (SAAS), Maimunah bint Al-Harith freed a girl born as her slave without asking for the Prophet's (SAAS) permission. When she mentioned this to him he said: 'If you had given her to your maternal uncle as a gift, your reward (with Allah) would have been greater.'

In one saying, the Messenger (SAAS) said that women are less (than men) in mind, deen and fortune, however he has explained this saying in a manner that is consistent with the texts cited concerning the rights, dignity and honour of women.

The lesser degree in deen does not mean a lesser degree of Iman (Belief) or that she is less human, in that she cannot rise to the highest ranks. This only means that Allah Himself has exempted her from certain forms of ritual worship at certain times, such as prayers and fasting during her ha'id (menstruation periods) and during her nifaas (bleeding time after delivery). The lesser fortune only means that in some cases of inheritance a woman's share is less than that of a man's. The Messenger (SAAS) did not generalise this to other rights or to anything indicating a lesser status. The lesser mind is concerning the status of a woman's testimony in certain matters like debts and sale contracts, and in hudood (punishments). It does not imply anything other than this and is not generalised to degrade women into being inferior to men.

Indeed, in this regard, it should be pointed out that there are certain matters which only accept the testimony of a woman and not that of a man. Furthermore, women are unanimously accepted as narrators of ahadith (the sayings of the Prophet Mohamed), and this means that their testimony in narrating ahadith is treated like that of a man. In addition to this a woman is responsible towards her duties to her faith and she has full independence in her right to possess, and in her right to make contracts. If she was supposed to have a lesser mind, the contracts and other dealings would have required the assistance of a male.

The Quran addresses everyone, men and women, equally: {The Muslim men and Muslim women, the believing men and believing women, the worshipping men and worshipping women, the truthful men and truthful women, the pious men and pious women, the alms-giving men and the alms-giving women, the fasting men and fasting women, the men who are chaste and the women who are chaste, the men who remember Allah much and the women who do likewise, Allah has prepared a forgiveness and a great reward for all.} (Surat Al-Ahzab (33), ayah 35). Allah also says: {It is not for a believing man or woman, when Allah and His messenger have decreed a matter, that they should have any option in

their decision.} (Surat Al-Ahzab (33), ayah 36) and {Say to the believers to lower off their gaze and be chaste for this is more pure for them and God knows what they do. Say to the believing women to lower off their gaze and be chaste.} (Surat Al-Nour (24), ayah 30).

As for the Qawwaamah (directing role) that men have over women as mentioned in Allah's saying {men are the protectors and maintainers of women} (Surat Al-Nisa' (4), ayah 34), this should not be understood as an absolute and general attitude in all things and for all men over all women. The above verse goes on to an explanation of the matter.

{For what Allah has favoured some of them over others and for the money they spend.} This determines that a directing role is confined to the family alone and to matters only concerning the husband and wife relationship. As was said earlier the husband has no such directing role over the financial assets of his wife. All her decisions concerning her own property are valid and the husband can not nullify any of them. None of these decisions require the husband's permission.

This Qawwaamah is merely a matter of leadership and directing in exchange for duties that should be performed. For it is the husband who pays the dowry in marriage, it is he who provides the house, its furniture, and all its needs and it is he who provides for the wife and children. He cannot force his wife to pay for any of these expenses even if she is wealthy. In most cases, the husband is older and it is the husband who is usually the breadwinner of the family and mixes more, with a wider range of people. Every type of group including the family must have a leader to guide it within the limits of what Allah has ordained for there can be no obedience for a human being in a matter involving disobedience to the Creator. It is the husband who is qualified for that leadership.

This role is not one of repression, hegemony, or tyranny but one of kindness, love and gentleness. It directs to the right path in wisdom and benevolence. It is fundamentally based on consultations, as the Quran speaks of the Muslims as {having their affairs in consultation among them.} (Surat Al-Shura (42), ayah 38); this being a general injunction. There is also a specific order in Quran for consultations in the affairs of marriage: {Should they (husband and wife) wish to separate from each other in agreement and upon consultation then they can do so blame lessly.} (Surat Al-Baqara (2), ayah 232). Similarly, in divorce: {And it is not lawful for you (men) to take back (from your wives) any of your gifts which you have given them, except when both parties fear that they would be unable to keep the limits ordained by Allah (e.g. to deal with each other on a fair basis). Then if you fear that they would not be able to keep the limits ordained by Allah, then there is no sin on either of them if she gives something for her freedom} (Surat Al-Baqara (2), ayah 229). Add to this Allah's saying: {Live with them (wives) in honourably (kindness). If you hate them, it may be that you hate a thing and Allah brings through it a great deal of Good.} (Surat Al-Nisa' (4), ayah 19). Other texts in the Shari'a indicate in a clear manner that marital life is based on comfort, gentleness and love and they categorically set out the meaning of Qawwaamah and its limits. Qawwaamah does not mean that women are lower or that they have less rights, Qawwaamah means, as Allah has indicated, that men are responsible for what they spend.

The general rule, therefore, is equality between men and women. The exceptions are from Allah, the All-Knowing and All-Aware because it is He who knows His creation best and the exceptions are in those specific characteristics that distinguish the female from the male. These differences

are due to the separate functions that have been accorded to the male and the female. It is because of these complimentary and necessary distinctions that a man becomes attracted to a woman and a woman becomes attracted to a man and a marriage can be a happy, constructive and a healthy one.

The woman's nature as the mother means that there are certain virtues which Allah has made specific to her such as the protection of her honour and the honour of her offspring. For example, religious texts ordained that the woman's body, except for the face and the hands, should be covered in front of all except those who are a mahram (those she is forbidden to marry). And that a woman should not sit in private with a man who is not mahram.

Furthermore, the female has a greater sense of modesty and sensitivity. Hence, though she should demand her rights and practise them accordingly, this practice should be such that her modesty, dignity, virtue and sanctity be preserved.

We must not forget that the woman has a noble and significant task entrusted to her by Allah Almighty, child-bearing and motherhood. A man cannot undertake this most noble of tasks, which is being denigrated today by some; furthermore the human race itself would disappear in the absence of this process. Moreover, it is the mother that suckles the baby with her milk, giving out of care, nurturing the child, the effects of which remain with him throughout his life. The woman is also the lord of the house and it is her task to care for the family and prepare the home as a place of comfort; her role is a huge responsibility and noble mission that must not be in any way neglected or underestimated.

These characteristics, duties and rights which have been allocated to women by Allah are in balance with the duties she has towards her husband and her children. These duties must be given precedence over other responsibilities and they are necessary for the stability of the family which is the basic cell of the society and the cause for its cohesion, strength, and efficiency. However, the husband has a right to permit his wife to work. This right is to be regulated by an agreement between the husband and the wife. Such rights should not be regulated by law and the authorities should not interfere with them except in some rare cases.

THE WOMAN'S RIGHT TO VOTE, BE ELECTED AND OCCUPY PUBLIC AND GOVERNMENTAL POSTS.

We hope that we have been able to shed some light on the status of the Muslim woman in an Islamic society concerning her rights and duties. We now deal with the issue of the woman's right to vote and be elected as a member to representative councils, or to assume public office or carry out professional work.

Firstly, women and the right of electing members of representative councils and similar bodies

We are of the view that there is nothing in Shari'a to prevent women from taking part in these matters. Allah says: {the men believers and the women believers are responsible for each other .

They enjoin the good and forbid the evil } (Surat al-Tawbah' (9), ayah 71) and Hissaying {Let there arise out of you a group of people inviting to all that is good and forbidding all Evil. And it is they who are the successful.} (Surat Al-Imran (3), ayah 104). This verse includes a command that gives women the right to enjoin the good and forbid the evil and part of this is the right to vote for the representative council in the elections. Some Muslim countries stipulate that it is the absolute right of women to vote in the elections because these countries wish to demonstrate their "democratic basis"; the Muslim women should not avoid this opportunity because their reluctance to vote can often weaken the position of the Islamic candidates.

Secondly, women's membership in representative councils and similar bodies

We are of the view that there is nothing in the Shari'a texts to prevent this either. The views we cited earlier concerning their right to vote applies to their right to be elected as well.

There are some views which are held by others which support the contrary, they say that:

1- Women lack the knowledge of practising public affairs. Hence, they can be easily misled. This argument is refuted by the fact that an ignorant woman is like an ignorant man. Not all women are ignorant and not all men are educated or experienced in public affairs. We are dealing with the basic right, not with the conditions that must be present in every candidate whether they be male or female. This is quite another issue. We call for the education and the enlightenment of both women and men, and the exertion of all possible efforts in this connection, this being an important objective and duty made binding by the Shari'a

2- It is argued that women undergo menstruation, child-bearing and labour -a fact which may hamper their performance in the council to which they are elected. But this can be refuted by saying that men also may be subject to misjudgement or illness which may impair their performance. Add to this, that membership in representative councils has certain conditions including a certain age range for the deputy of between thirty and forty years. In most cases, when a woman is around the age of forty, she will have completed her burdens of child-bearing, and would have attained to a phase of mental and psychological maturity, as well as emotional stability. It is unlikely that a person in the minimum age limit can gain a seat in the representative office because this requires long experience for many years in the exercise of public office. Statistics show that only a few members of representative bodies are in or near the minimum mandatory age. The majority are much older.

We are speaking about the right of standing for membership, we are not dealing with the qualifications necessary for conditions of membership for men and women. It is up to the voters to choose if they see that the female candidate is not in a condition or a state which enables her to perform her duties. It is supposed that they will not support her and that the body patronising her will be reluctant to go on doing so or to field her as candidate.

3- Immodesty and intermingling of the sexes are also cited as counter-arguments. We do not call for immodesty and free mixing of the sexes. For the woman is bound by the Shari'a to abide by the Islamic dress code whether she goes out to take part in elections or to attend the sessions of the council in which she is a member or for any other purpose. It is a duty to set aside election

centres for women, which are already in effect in most Islamic countries. Women should be allocated special places in the representative councils so that there will be no fear of crowding or intermingling.

4- Travelling abroad by a female member, without company of a mahram, is similarly cited in opposition but it can be countered by realising that it is not necessary for her to travel without the company of a mahram. She need not be in a situation without secure company nor in any situation which is not within the boundaries of the Shari'ah.

Thirdly, Women's holding of Public Office

The only public office which it is agreed upon that a woman cannot occupy is the presidency or head of state. As for judiciary office, the jurists have differed over women's holding of it. Some, like Al-Tabari and Ibn-Hazm, said this is permissible without any restrictions. The majority of jurists, however, have forbidden it completely. But there have been those who allowed it for certain types of legal matters and forbade it in others (like the Imam Abu Hanifa). As long as the matter is the subject of interpretation and consideration, it is possible to choose from these opinions in accordance with the fundamentals of the Shari'a and to achieve the interests of Muslims at large as governed by the Shari'a controls and also in accordance to the conditions and circumstances of society. As for other types of public office the woman can accept them as there is nothing in the Shari'a to prevent her from doing so. Also, there is to prevent her from working in what is permissible since the public office is a type of work that the Shari'a allowed women to undertake. Women can work in professions becoming doctors, teachers, nurses, or such fields which she or the society may need.

A GENERAL REMARK

We, The Muslim Brotherhood, wish to draw attention to the need of distinguishing between a person's having a right and the way, the conditions, and the appropriate circumstances for the use of that right. Thus, if today's societies have different social circumstances and traditions it is acceptable that the exercise of these rights should be gradually introduced in order for the society to adjust to these circumstances. More importantly, such an exercise should not lead to the violation of ethical rules laid down by the Shari'a and made binding by it.

We completely reject the way that western society has almost completely stripped women of their morality and chastity. These ideals are built upon a philosophy which is in contradiction to the Shari'ah and its morals and values. It is important in our Islamic Society, that the Islamic principles, morals and values are upheld with the fullest conviction, honour and austerity, in obedience to Allah, exalted be He.

And all praise is due to Allah, in the beginning and the end. May the blessings of Allah be upon His Messenger and his companions and his family.