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THE STATUS OF WOMEN IN ISLAM A Historical Perspective

Dr. Muhammad Nazeer Kaka Khel*

Scientific and technological advancements in the present century have resulted in profound social changes. Among these, the changes in family structure and most especially in women's status and role in Muslim society are conspicuous. Recognition of the inferior status of women during the long period of medieval Muslim history and down to the modern period raises serious questions: Does this represent the Islamic ideal? Is there an inherent conflict between the Islamic tradition and the demands of the modern age? In order to better understand the status and role of women in Islam, an attempt has been made in the following pages to examine the status of women in Muslim society from an historical and sociological perspective.

To begin with, in a primitive society threatened by poverty and starvation, female babies who did not have the same potential for individual strength and mobility as males, often represented a great burden. One manifestation of this attitude was the pre-Islamic practice of female infanticide in some of the Arab tribes. The Holy Qur'an refers to this in these words:

*"when news is brought to one of them of the (birth) of a female (child), his face darkens and he is filled with grief. With shame does he hide himself from his people because of the bad news he has had! Shall he retain it (on sufferance and contempt) or burry it in the dust? Ah! What an evil (choice) they decide on."*¹

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A cursory glance at the history of Arabia just before the advent of Islam would reveal that women, in pre-Islamic Arabia, were regarded as a liability to a tribe because they were inferior to men in qualities necessary in a society of nomads (these qualities included the ability to fight, attack animals, seize food etc.) Moreover, women spent much of their lives weakened by pregnancies or tied down with care of children. Beside this, they were often in danger of being carried off as wives or concubines of enemies which was a serious disgrace for their kin. Thus social conditions and the necessities of survival accounted for the low status of women in that society. Another factor contributing to women's low status in society was that in order to insure her virginal reputation and quality and therefore, her family members' honour, the elder male member of the family confined their girls to their homes thereby limiting their role in the society. Moreover, men's right of unlimited polygamy contingent solely upon the male's ability to capture or purchase women also contributed to the low status of women in that society. In short, women had no right to leave the man. She had no right to inherit. She was totally insecure and dependent upon the male members of the society. Such plight of women had existed throughout Byzantina, Persia, Syria and Arabia². Even the Hindu and Greek civilizations were no exception.

With the advent of Islam in the first quarter of the 7th century A.D. radical reforms were introduced by the holy Qur'an in order to improve the lot of women and strengthen the family in Muslim society. Islam brought woman at par with man in the enjoyment of fundamental rights. The Holy Qur'an declared:

“And for them (women) are rights similar to those (of men) against them³.”

The most important thing recognized by the Book of Allah for the woman is that she has a Psycho-moral and legal a personality of her own, a fact which is not recognized by any other religious or social system. The main areas where reforms were introduced by Islam for raising the status of woman were right to marriage, right to inheritance and right to divorce.

Islam forbade the pre-Islamic practices of temporary marriage and unrestricted polygamy. The number of wives was limited to four and that too was made conditional to equity, justice, and fair play. This restriction seems to represent a Qur’anic trend towards recommending monogamy, a form of marriage that was not feasible at that time. Social circumstances during this period, the widely accepted practice of polygamy and the existence of numerous widows and orphans left by men who had died in battles and were in need of protection through marriage, militated against the outlawing of polygamy. Thus the Qur’anic verse from which the authority of polygamy is derived must be understood in the context of problems resulting from the battle of Uhud (3 A.H/625 A.D). which had caused deaths of a substantial number of Muslim men:

“If you fear that you shall not be able to deal justly with the orphans, marry women of your choice, two, three or four. But if you fear that you shall not be able to deal justly (with them) then only one⁴.”

Most of the Muslim modernists hold the view that the above Qur’anic verse encourages monogamy by stressing the necessity for

equal treatment of each wife. Moreover, recognition of the difficulty if not impossibility of this task, is voiced in a subsequent verse:

“You are never able to be fair and just between women even if that were your ardent desire⁵.”

In order to strengthen women’s position further in marriage, the Qur’an affirmed her full legal capacity to contract marriage and receive the dower (Mahr). Only wife and not her father or other male relative of the girl as had been the practice in pre-Islamic times, was to receive the dower from her husband. The Holy Qur’an declared:

“And give the women (in marriage) their dower as a free gift⁶.”

Thus women became a legal partner to the marriage contract rather than an object for sale.

As stated earlier, women in pre-Islamic times were at the mercy of men. Men could part with them any time. Islam provided security to them. It discouraged divorce. Indeed, the Prophet is reported to have said that:

“.....of all the permitted things, divorce is the most abominable with God⁷.”

However, where divorce was the only alternative, the Qur’an sought to protect women and her rights. Thus men who are considering divorce of their wives are constantly commanded to “.....either take them back on equitable terms or part with them on equitable terms⁸.” In addition, in order to provide an opportunity for reconciliation, an important Qur’anic reform calls for a waiting period (Idda) of three months, giving the wife full maintenance⁹, during this period, before a

final divorce can take place. If a wife is pregnant, the waiting period (Idda) is extended until delivery of the child¹⁰.

A common abuse in pre-Islamic Arabian society occurred when a man divorced his wife in a fit of anger and then just as capriciously took her back. This practice existed for one of two reasons: to convince the wife to relinquish her dower in exchange for her final freedom or to prevent her from remarriage. To eliminate this injustice, the Qur'an commanded that a husband may divorce his wife but twice¹¹ and that regardless of his excuses, a third pronouncement of the divorce formula constituted an irrevocable divorce.

Apart from the above measures, the Qur'an provided another important security to women. It established the right of women to inherit. In pre-Islamic Arabia, as in many civilizations, inheritance passed only to mature male relatives upon whom the women were totally dependent for their survival. However, Islam placed more emphasis on women's rights. The Qur'an gives rights of inheritance to wives, daughters, sisters and grandmothers of the deceased, all of whom had previously no right of succession at all. Female heirs were awarded a share equivalent to half the amount given to their male counterparts, whose heavy maintenance responsibilities (specified in the Qur'an) justified their larger share.

The Qur'an declared women's religious equality with men both as regards their obligation to pray and lead virtuous lives and their equality of rewards and punishments at the final judgement. The Qur'an expressed their religious equality in this way:

“If any do deeds of righteousness...be they male or female and have faith, they will enter the Heaven, and not the least injustice will be done to them¹².”

Thus, in contrast to the established custom, the Holy Prophet allowed women to worship equally with men¹³. Women preachers, Scholars and saints were also given significant recognition. As Ignaz Goldziher points out, “There can but few books on the biographies of saints which fail to mention a number of women saints under every letter of the alphabet whose wonderful deed are no less marvelous than those of men dealt with in the same works¹⁴.”

Among the most renowned saints is the mystic Rabia Al-Adwiya (d.185/801) of Basra. She was sought as a spiritual guide by both men and women and was often cited by most sufi writers and biographers a foremost authority on spirituality¹⁵.

There were many women scholars who taught in the mosque-universities and whose learning earned them generous praise from male colleagues and a large following of students. One who ranked among them was one of the most notable scholars of her age, Shuhda bint al-Ibari, surnamed “That glory of women” who died in Baghdad in 574/1178. She studied with the leading scholars of her time and in turn attracted many students to her lectures. Among her achievements was her profound knowledge of religious science¹⁶. During the same period the famous woman scholar Zaynab bint Al-Shari (d.615/1219) earned many diplomas from top scholars of her generation including al-Zamakhshari. As a result of her reputation, many men, among them the noted Ibn Khallikan, earned a diploma as her student¹⁷.

The negative effect of veiling and seclusion, customs which had originally meant to give honour and distinction to Muslim women came with their hardening into what was thought to be religious precepts and their stringent application to women in all environments. Once this custom was given religious authority, it even led to the loss of women's right to publicly worship in the mosque. This ultimately led to a lack of their worship in private. Muhammad Al-Ghazali, an Egyptian scholar, says that "Ninety percent of our veiled women do not pray at all: nor do they know of the other duties of Islam any more than their names¹⁸." Women's lack of participation in the spiritual life of the mosques, which were also the centres of education and community life, forced them to lead a life of serious cultural deprivation as well as absolute economic dependence. As time passed on, it was taken for granted that women were unfit for public service or employment and therefore, they need not be educated. The narrowing of the scope of their mobility and duties relegated all women to the role of simple domestics, uneducated and dependent psychologically, economically and socially on their male folk.

Given the great difference between the opportunities and life experiences available to men and women, it is not surprising that woman who had lost many of their rights and responsibilities never even attempted to reclaim them. Now that once again history has repeated itself and women raised to the status of prime ministers in Muslim and non-Muslim states, it is time for the intelligentsia to consider as to what place, role and status should be given to women in the development of society.

End Notes

- ¹ Qur'an, XVI: 58 – 59.
- ² Lamia al-Faruqi, "Women's Rights and the Muslim Women" Islam and the Modern Age, vol: III, No: 2(May 1972), P. 79.
- ³ Qur'an, II: 228
- ⁴ Qur'an, IV: 3
- ⁵ Qur'an, IV: 129
- ⁶ Qur'an, IV: 4
- ⁷ Abu Dawud, Sunan, (Matba' Majidi, Kawnpur, 1346 A.H.) Vol: I, P.296
- ⁸ Qur'an, LXI: 2
- ⁹ Qur'an, LXV: 6
- ¹⁰ Qur'an, LXV: 4
- ¹¹ Qur'an, II: 229
- ¹² Qur'an, IV: 124
- ¹³ Gustave E.Von Grunebaum, Medieval Islam, University of Chicago Press, Chicago, 1946, P. 174.
- ¹⁴ Ignaz Godziher, Muslim Studies, Vol:II, (London, George Allen and Unwin, 1971), P. 274
- ¹⁵ Margaret Smith, Rabia Al-Adawiya, in Shorter Encyclopaedia of Islam, New York, 1965, PP. 462-63.
- ¹⁶ Nejla Izzedin, The Arab World, (Chicago: Henry Regnery Co. 1953) P. 300
- ¹⁷ Ibid, P. 367
- ¹⁸ Ibn Al-Athir, Al-Kamil, (Cairo, 1290), Vol: X, P.26.