

Women's Position in Islam: Understanding Women Rights between the Islamic Doctrine and Real Life

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Dear Editor,

The assumption that a male is required under Islam to take care of a woman prevents the latter from entering the professional sphere and gives rise to the belief that Islam presupposes males' superiority over females. Such concept is often presented on the basis of interpretations of elements of Sharia, including the Holy verses of Quran. This concept, which makes women inferior to men, lacks validity since there is no specific revelation of intellectual or physical male superiority in Holy verses. According to a progressive Islamic scholar Amina Wadud Muhsin:

Islam bestows no natural superiority to men over women. As far as obligation of men towards women to provide for financial means is concerned, Islam promotes a relationship between men and women based on mutual harmony. It does not command them certain responsibilities, but reveals options which can rather result in mutual respect between the two.¹

Islam realises the difference between men and women with regard to their physiological and biological nature and function but it does not consider such differences as a form of degradation of women since it guarantees women the same freedom and capacity as men.² Almighty God has created men and women in a complementary relationship and their rights are protected in the same way in Islamic jurisprudence. Such equal protection provided under Islamic law is women's right to owning property. In Islam, women may own and sell property and participate in financial transactions without male consent.³

¹ Amina Wadud, *Qur'an and Woman* (Oxford University Press 1994) 30-35.

² Raj Bhala, *Understanding Islamic Law* (LexisNexis 2011) 45-52.

³ Mahmoud Shaker, *Islamic History* (The Islamic Office 1995) 8-11.

Quran supports such argument by saying (For men is a share of what they have earned, and for women is a share of what they have earned).⁴

The assumed concept of male superiority in Islam has been often challenged by keeping an impartial notion of the Quran in mind. The Quran does not support the premise that an adult male relative should take care of woman, nor does it impose a gender-based division of roles for men and women. Rather, in Islam, men and women are free to decide what suits them as a family system. Therefore, male superiority is simply derived from contestable interpretations scholars make of selected verses of the Quran, such as (Men are in charge of women).⁵ Yet these verses should be analysed as a whole, since its meaning could be explained in other parts of the Quran which clearly indicate the major impact that women could make within societies and the necessity of a family system where men protect and support women.⁶

However, some men in Muslim countries still neglect women rights to different degrees. As a result, women's role and occupational choices remain more limited compared to their male counterparts. At a time when the global economy has opened new occupational chances for individuals, the strict conservative ideologies, social customs and political instability in these Muslim countries are barring women from exploring career opportunities. Those Muslims mistakenly believe that women are inferior to men. They believe that women's involvement in economic and social activities could undermine their cultural values, and subsequently refuse to provide women with their rights that God promised them in Islam. For instance, Arab communities in rural areas of Egypt tend to deprive women of their rights due to a lack of awareness of human rights, which is in contrast to many developed countries, as well as to many Arab and Muslim countries.⁷ Such abuses include women being prevented from owning or inheriting property based on Egypt's customs and norms, such as prohibiting women from owning land without a male

⁴ (Quran: An-Nisa Verse No. 32).

⁵ (Quran: An-Nisa Verse No. 34).

⁶ Abdulmajeed Al-Najar, *In the Realistic Methods of the Islamic Sharia* (Dar Al-Garbe Al-Islamey 1992) 62-68.

⁷ The Global Initiative for Economic, Social and Cultural Rights, *Using CEDAW to Secure Women's Land and Property Rights: A Practical Guide* (2014) 23.

family member consent.⁸ Moreover, in Saudi Arabia, women's rights are restricted by the social customs and attitudes that have been incorporated within Saudi culture.⁹ A well-known feature of this kind, connected with Saudi's social attitudes, is the male guardianship system. In fact, Saudi women must have their male guardian's consent (a male member of their family) in order to start a business.¹⁰ In Afghanistan, women are barred from their basic rights due to strict conservative traditions. Some Afghan extremist calls for legitimising marital rape and preventing women from leaving their house without a male consent. Such abuses have led to a significant rise of suicide rates among Afghan women in 2012.¹¹

The widespread ignorance of the provisions of Sharia leads to women being systematically deprived of their rights. Within Arab communities, women are restricted by social thoughts rather than the legal norms. Males' superiority over females reflects cultural stereotypes in most Islamic societies, and do not reflect Islamic principles. God has honoured women and has guaranteed them the enjoyment of their rights on an equal status with men. Modern variables of the present day realities are acknowledged in Islam and they are suitable for the Islamic culture. Therefore, in order to reform the state of women's rights, Arab governments need to abolish the discriminatory policies and educate Arab men as regards women's rights, otherwise, women's oppression and the deprivation and violation of their rights will never change.

Is mise le meas,

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⁸ ibid 1-2.

⁹ Ali Al-Sultan, *The Law of Saudi Arabia: God's Law Modifying the Modern Era* (PHD Dissertation, University of Southern California 1987) 32-34.

¹⁰ ibid 34-35.

¹¹ Ahmad Al-Kubaisi, *Philosophy of the Family System in Islam* (Dar Al-Maktaba 1980) 31-37.