

PAST PAPERS SOLUTIONIslamic Studies

(CSS-2022)

Question:-

Explain the concept of Human Rights in Islamic thought in specification of "Status of Women in Islam."

ANSWER:-"Status of Women in Islam"

(I)

INTRODUCTION

Islam is a complete code of life, which provides guidance to its followers regarding all aspects of life. It not only includes beliefs, modes of worship and religious rituals but also take into account other aspects of human life.

It is a complete guide for its people in their both private and public affairs.

Similarly, it has established human rights in the form of basic fundamental rights and social rights and duties.

These rights are declared in Quran and Sunnah. Besides, Islam gives an unprecedented spiritual, social, individual, political, economic and cultural status to women. The status and rights of women in Islam are quite similar, and they are entitled to equal rights as that of men.

(II) CONCEPT OF HUMAN RIGHTS IN ISLAMIC THOUGHT

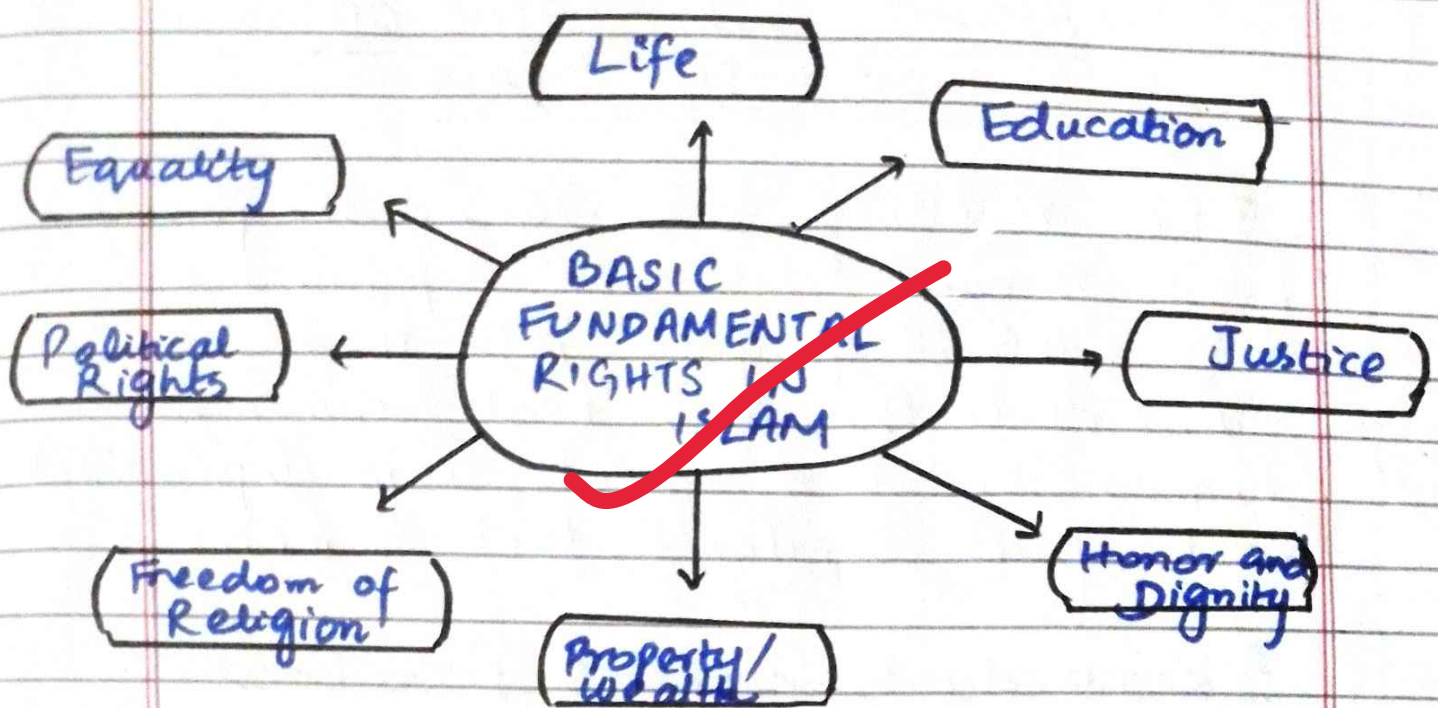
Human rights in Islam are declared in Quran and Sunnah. They are divine and god-gifted that were granted within a period of 23 years, without any sacrifice or struggle. Rights given by a state can be suspended according to its will. However, the rights given in Quran and Sunnah once given, cannot be taken back. They are not subject to the will or favor of authorities and are inviolable and inalienable.

"Types of Human Rights in Islam"

(i) Basic Fundamental Rights:-

Basic fundamental rights are the rights to which everyone is entitled to by the virtue of being human.

These are the rights humans obtain by birth. Following are some basic fundamental rights given in Islam:-



(ii) Social Rights and Duties:-

Social rights and duties are called "Huqooq-ul-Ibad" in Islam. These are mutual rights in which one's right is another person's duty. It is the responsibility of society to give social rights to people and assign duties also. Islam declares the following social rights and duties:-

- Rights and duties of spouses
- Rights and duties of parents
- Rights and duties of children
- Rights and duties of neighbors
- Rights and duties of relatives
- Rights and duties of friends
- Rights of ill people
- Rights and duties of slaves
- Rights and duties of laborers
- Rights and duties of prisoners of war and many more.

(ii)
RIGHTS and STATUS OF
WOMEN IN ISLAM

Islam not only acknowledged the personhood of women but also safeguarded their rights, keeping in view their vulnerabilities. Islam holds women in high regard and grants them unprecedented rights similar to that of men.

(i)
Acknowledged Complete Personhood of Women:-

Eleven centuries before the publication of "Vindication of the Rights of Women" by Mary Wollstonecraft, Islam had acknowledged and accepted the personhood of women.

"He created you from a single being; and then from the same kind

Try to add the Arabic of quranic ayats

(Surah Az-Zumar)

(ii)
Rights of Women as a Child:-

Before the advent of Islam, the Barbaric practice of female infanticide was very common in some tribes of Arab. However, Islam forbade this practice and advised people not to dislike or hate daughters.

"And when the female (infant) buried alive is questioned - for what crime she was killed..."

(Al-Quran)

(iii)

Rights as a Mother:-

Islam has granted a high status to mothers. They must be loved, respected and taken care of at all costs. A man came to the Prophet (PBUH) and asked, "O Messenger of Allah! Who among the people am I most doubtful to?" Holy Prophet (PBUH) said, "Your mother." The man asked, "Then who else?" Prophet said, "Your mother." The man again asked, "Then who else?" Only then the Prophet (PBUH) said, "Your father."

Also, Hazrat Muhammad (SAW) said,
"Paradise at the feet of mothers."
(Hadith)

(iv)

Rights as a wife:-

Islam has given rights to women as wives, which must be fulfilled by her husband as long as their marriage exists or the wife is alive. She has right to be treated with love, care and respect. Husband must provide her with good clothes, food, shelter, medical treatment and take care of all her financial needs (Nafqa). In case the man marries more than one woman, he should maintain justice and balance among them.

"But if you fear that you shall not be able to deal justly (with them), then only one ..."

(Al-Quran)

(v) Right to Education:-

Islam makes it compulsory for both men and women to acquire education. In the State of Madinah, one day was fixed by Prophet (PBUH) for education of women. Every small village or town had its elementary school for little girls and children.

"Seeking Knowledge is obligatory for every Muslim."
(Al-Quran)

(vi) Religious Rights of Women:-

Islam has given all the religious liberty to women to perform all worships and observe religious practices and rituals freely. She can perform pilgrimage in the company of a "Mehram."

"A woman must not travel alone without a Mehram.

No man may enter the house of a woman unless there is a Mehram with her."

A man stood up and said (Hadith) that his wife is going on Hajj, while he wants to participate in the battle. Prophet (PBUH) said, "Go with her."

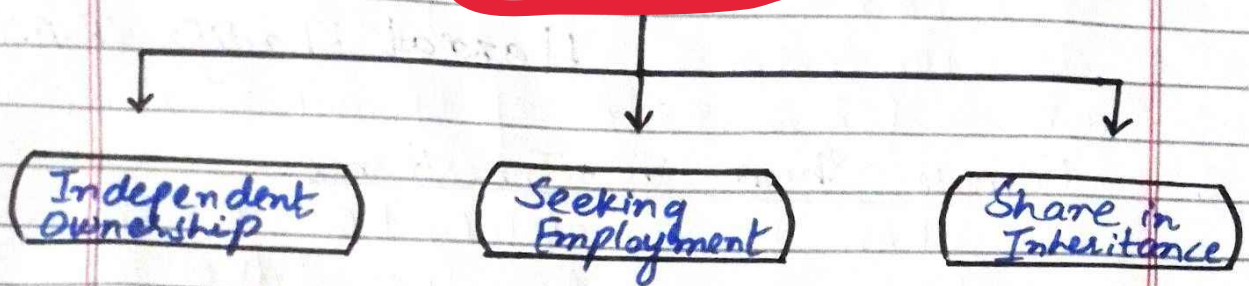
Use specific and self explanatory headings

(vii) Political Rights of Women:-

Women are given the right to participate in public affairs, elections and seek representation of people. For instance, there were women in the Shura of Hazrat

Umar (R.A.), who were consulted for the selection of third Caliph, Hazrat Usman (R.A.)

(viii) Economic Rights of Women:-



Muhammad Qutb, in his book "Islam: The Misunderstood Religion", explains economic standing of women in Islam:

"Legal systems of 'Civilized Europe' till very recently did not give any of financial rights to women. They were given, only indirectly through men (father, husband, guardian)."

Britain passed the Married Women Property Rights Act in 1882. However, Islam gives an independent economic status to women, without the need for any mediator/trustee. For that, women did not have to engage in any struggle.

A. Independent Ownership of Wealth, Resources and Property:-

Women have the right to hold, buy, sell, lease or mortgage her property without the need of her husband as a trustee. She is independent in this right.

B. Seeking Employment :-

Apart from play their roles as wives and mothers in society, women can benefit from their exceptional talents in any field and seek employment. She can also earn independently just as men do. For instance, Hazrat Khadija (R.A.) was a famous trader of Quraish.

C. Female Share in Inheritance :-

Her share is completely hers, No one can claim it, including her father, husband. In Islam, share of female in inheritance is half than that of male. However, this difference is only due to financial responsibilities of men. He has to fulfill finances of his parents, wives, children and relatives. Women are far less financially burdened than men in that case. In addition, she also gets the amount of Mahr.

"Unto men belongs a share of that which parents and relatives leave, and unto women belongs a share of that which parents and relatives leave, whether it be a little or much -

a determinate share."

(Al-Quran)

(ix)

Equal Respect and Honor :-

Islam gives the message to protect the dignity and honor of humans, particularly women. It forbids defaming

Leave a
line
space
between
headings
for
neatness

them through accusations. Every person maintain, Secure and sustain identity of women as member of society

"Indeed! We have dignified the children of Adam."
(Al-Isra)

(X)

Equal Access to Justice:-

Justice is one of the main themes of Quran. According to Islam, women should have equal access to justice and legal systems. The judicial system of Islamic state should dispense justice to women without any discrimination.

"O you who believed, be persistently standing firm for Allah, witnesses in justice and do not let the hatred of people prevent you from being just."
(Al-Maidah)

(Xi)

Right to Participate in Decision-making:-

It is essential for the women to express their views in regard to matters of home and community. Men should consult them in domestic and financial matters. Their opinion must be valued and taken into consideration.

"And consult them in the matter"

(Aal-Imran)

(xii)

Right to Select Spouse on her own Volition:-

Women have the right to accept and reject proposals according to their own choice. Islam also gives women the right to propose someone she likes to marry. She cannot be forced into marrying someone without consent.

Hazrat Muhammad (S.A.W) asked Hazrat Fatima (R.A.) about her will to marry Hazrat Ali (R.A.)

"A woman without a husband (divorced or widow) must not be married until she is consulted and a virgin must not be married until her permission is sought"

(Hadith)

(xiii)

Right to Mahr / Marriage Gift as Inalienable Property:-

Mahr is a gift or amount of money that is mandatory for the husband to give to his wife as a token of respect in exchange for their union.

It is decided according to Nikkah agreement. The concept of Mahr is neither an actual nor symbolic price for the woman but rather a gift symbolizing love and affection.

"Give women their bridal-due in good heart, but if they willingly remit any part

of it, consume it in good faith."

(Al-Nisa)

(xiv)

Right to Divorce / Khula:-

Islam gave the women right to end an unsuccessful marriage according to her will. This right is given in clear and unequivocal terms.

"And when you divorce your women and they reach their prescribed time, then retain them in good fellowship or set them free with liberality."

(Al-Baqarah)

(xv)

Special Relaxations to Women in Religious Obligations:-

Although in religious obligations like prayer, fasting, poor-due, pilgrimage, women are not different than men. However, Islam is considerate and flexible enough to give relaxations to women, keeping in view the physiological and psychological changes associated with natural female functions. For instance, in conditions of menstrual periods, pregnancy and forty days after child birth, she is exempted from prayers or fasting. She can make up for the missed days later on.

Good attempt!!

CONCLUSION

Therefore, Islam gives unprecedented rights to humans in the form of basic fundamental rights and social rights and duties. In particular, women are given high status and they are held in high regard. It has given rights to women as child, wife, mother and a member of society. In fact, Islam provides rights to men and women better rights than all other religions. Acknowledging the personhood of women, Islam not only grants them basic fundamental rights (life, education, healthcare, property, etc.) but also provides political, economic, social and cultural rights. Moreover, Islam, as a flexible religion, gives relaxations to women in following religious obligations, keeping in view their vulnerabilities.