

Q. Women Rights in Islam compared to the Women Rights in the West

I) INTRODUCTION

Before the advent of Islam, women were treated as sub-par individuals that had no say in the dealings in the society. They were considered as mere objects that were supposed to be owned like property. But as Islam paved its way through these societies, it gave way to the foreign concept of women rights. Islam, introduced a revolutionary framework for women's rights that significantly elevated their status compared to the prevailing norms of that time. Islam provided women with the right to education, it provided women platform that paved their way towards independent ownership of property, guaranteed their inheritance rights, and provided them with the equal access to legal recourse. These rights established women as independent, dignified, and capable individuals with distinct standing in the society. This essay will delve into several rights that are granted to women according to the Quran and Sunnah and then compare those rights with the rights given to

II) RIGHTS OF WOMEN IN ISLAM

a) The foundational right to education

Education is the cornerstone of Islam, and its obligation extends equally to both men and women. The first revelation approves of this fact, as Allah say in the Holy Quran:

"Read! In the name of your Lord who created"
(Quran, 96:1)

The importance of education has also been exemplified by the Holy Prophet as he said:

"Seeking knowledge is an obligation upon every Muslim"
(Hadith)

Example:

One of the most prominent examples of how Islam has placed its importance on the education of women as well is Hazrat Aisha (RA), the wife of Holy Prophet. Hazrat Aisha (RA) was renowned for her vast knowledge of Quran, hadith, and Islamic Jurisprudence. Despite her gender, many muslim seeked knowledge from her.

(b) Independent ownership of property and Wealth

Islam grants women the full right to manage, own, and dispose of their property and wealth independently without interference of anyone. Allah says in the Holy Quran:

“To men is allotted what they earn,
and to women what they earn.”

(Quran, 4:32)

Allah has placed significant importance in financial autonomy for both men and women.

Example:

Hazrat Khadijah (RA) is a historic example in this regard as she was a successful business woman who managed her own caravan. She is considered to be an inspiration for many women in the modern times, especially for women in leadership roles.

(c) Guaranteed Inheritance Rights

In many societies before Islam, women were excluded from inheritance or were themselves inherited as property. Islam

changed that as Allah says:

“For men is a share of what the parents and close relatives leave, and for women is a share of what parents and close relatives leave.”

(Surah An-Nisa)

Allah meticulously outline the shares in this surah. Furthermore, verses such as (4:11) and (4:12) specify the exact portions or proportion women inherit as daughter, wives, or mothers.

(d) Active Participation in Workforce and Economy

Islam encourages both men and women to be active participants in society. For that to unfold the teachings of Quran and Sunnah motivates men and women to participate in lawful and ethical activities.

Example:

Hazrat Khadija (RA) managed a large scale caravan that travelled from Syria and Yemen. The caravan included silk, spices, and fine cloth. Al-Shifa bint Abdullah is another example of how women were encouraged to partake in the workforce. Al-Shifa bint Abdullah was

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appointed by Hazrat Umer (RA) to oversee market affairs in medina.

(e) Equal Access to Legal Recourse

Women in Islam were allowed to file lawsuits, present their cases in court, and provide testimony. The Quran emphasizes on justice and fairness repeatedly.

“O believers! Stand firm for justice as witnesses for Allah even if it is against yourselves, your parents, or close relatives.”

(Quran, 4:135)

Women used to directly approach the Holy Prophet to seek justice, resolve disputes, or clarify legal matters, and he addressed their concern fairly.

(f) Maintaining Personal Identity

A significant aspect of women's dignity in Islam is her right to maintain her own name and identity after marriage.

There is no religious requirement either in the Quran or Sunnah that encourages women to change their surname to her husband's. She is allowed to retain her identity by emphasizing that marriage is an union of two distinct individuals, and not the absorption of one individual.

into the other.

(g) Autonomy in Marriage: Consent and Dissolution

In Islam consent plays a fundamental role even in marriage. Nikkah is considered invalid if the women has been forced or coerced into it.

Holy Prophet^{*} said:

“A previously married women has more right to her person than her guardian; and a virgin's father must ask ^{consent} her for her (marriage).”

(Hadith)

Islam also provide mechanisms to seek dissolution of their marriage if it becomes untenable. Islam gives this right to women in the form of khula.

Example:

The Holy Prophet sanctioned this right to a women named Jamilah. She came to the Prophet^{*}, complaining about her husband. The Prophet^{*} advised her to return the garden (her mehr) in exchange for divorce.

(h) Protection from domestic Violence

Islam places a significant importance on domestic violence as well. According

to the Holy Quran:

"Live with them in kindness, even if you dislike them"
(Quran, 4:19)

There is no place for violence in Islam especially domestic violence.

III) RIGHTS OF WOMEN IN THE WEST COMPARED TO ISLAM

a) Education

Western women gained widespread education, especially public education in the 19th century. Institution like the Swiss Universities open their doors for women in 1870. Islam encouraged women for education in the first revelation (96:1) back in the 7th century.

b) Property Rights

Historically in the West, married women would lose control of their property upon marriage. The control was transferred to their husbands. It was not until the 19th century, women ownership was restored. The legal reform of the Britian's Women Property Act (1870-1882) paved the way for such a right. In Surah An-Nisa, Allah grants these rights to women.

c) Legal Identity

In the West, women were not given a legal identity till the 19th century. After the 19th century, women were allowed and given a legal identity, enabling them to sign contracts and own property.

In Islam, this right was given as through revelations.

d) Martial Consent & Divorce

The divorce laws in the west historically required the consent of both parties, but these laws have evolved over time that allowed women to initiate separation. Women in Islam were given this autonomy in the name of 'Khula'.

e) Right to Work

In the West, the women gained the right to work in the late 19th century and early 20th century. It became possible for women in the West to own businesses and professionally represent equally.

In Islam, the example of Hazrat Khadija (RA) shows how Islam promoted women to work and empower themselves.

IV) CONCLUSION

Even though, the West and Islam are based on the similar page and principles

When it comes to providing women with rights, Islam provided those rights 12 centuries before the West. The reason behind this is that Islamic rights were rooted in the revelation of Allah, which helped institutionalise these rights early on. Whereas, western rights emerged gradually through socio-political reforms. This shows that Quran is the answer for everything and Islam is a complete code of life. Following the teachings of Quran and Sunnah would not only make an individual mindful of the rights of every being in the world but also a human rights activist, fighting for the rights of everyone.