

Summary of 7.16 "Position of Women in Islam-Social Aspect"

The previous program addressed a woman's position in Islam from a social point of view. We looked at a woman's position as a daughter, wife and mother. We also indicated that Islam forbade female infanticide and strongly condemned the feeling of grief when a baby girl is born. In addition we quoted a variety of the Prophet (PBUH) sayings which indicated that it is the duty of the father to treat his daughters well and to give them a proper upbringing and not to favor sons over them. The other related issue to the woman as a child (daughter) was the fact that education and learning is not regarded as a right but a duty which is incumbent on both Muslim males and females as the sayings of the Prophet indicated. There is no specific field that a girl should be restricted to even though it is best for her to do something that is more suitable for her nature and talent.

As a wife it was indicated that Prophet Muhammad (PBUH) indicated that one basic evidence of good belief is how well a person treats his wife. As a mother we indicated that the Quran places kindness to parents and particularly to mothers next to the worship of Allah. Prophet Muhammad emphasized in one of his famous sayings is that Paradise is under the feet of mothers.

As a wife, child or mother any female should be treated well whether she is one's relative or not. We quoted the saying of the Prophet where he said that women are like sisters or the halves of men.

We also discussed the dress code in Islam which is not put forth by any male. God requires that both males and females observe a certain dress code in order to preserve the moral fiber in society, which has nothing to do with the value or position of male or female.

Finally, we covered the question of women not being allowed to go out and we said that there is no evidence in Islamic law that shows that the woman should never leave her house. A woman can leave the house for learning, prayer and other purposes. We do have evidence that the focus of the woman should be on home making (not house keeping) but this doesn't mean that she is restricted from going out.

7.17□ Position of Women in Islam (Political Aspect I)

Host:□ Is it permissible for the women of the community to participate in the political life of the community or nation?

Jamal Badawi:

First of all, the term has to be clarified when we touch on the political aspect. In essence when

we talk about the political aspect we are talking about the public affairs of the community and the general issues that concern everybody in society maybe with special reference to government and administration. When we talk about Islam we are talking about deen not a religion. The term religion is restricted as it is associated with certain rights and rituals but deen has a much wider rang and touches upon everything whether it is moral, social, political or economic.

It is quite obvious from the Quran that maintaing a cohesive society and building a good society is the responsibility of both males and females. The Quran always speaks about cooperation about everything that is good and righteous and doesn't specify gender. The Quran introduces a unique concept of willayah that believing men and woman are awliaya'a which could be translated as friends, supporters and protectors of each other. This appears in (10:71) "The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practice regular charity, and obey Allah and His Messenger. On them will Allah pour His mercy: for Allah is Exalted in power, Wise." This shows clearly that it is not a matter of a marital or parental relationship but that of believing men and women who are supposed to cooperate together to establish the way of life ordained by God.

In one of the early programs in this series when we discussed social responsibility in Islam we indicated that one of the duties of the Muslim, male or female, is to enjoin the good and ordain the evil. Again the verses that talk about this in the Quran do not make any exclusions of females of fulfilling this duty in society. The Prophet (PBUH) says that whoever doesn't care about the affairs of Muslims is not one of them (applies to males and females). In Mulsim the Prophet said that "Aldeenul Nasiha" which means true way of life is sincerity in advise given to Muslims (whether they are in a public office or not). From all of these steps it appears that the duty of the muslim regardless of them being male or female is not to lock themselves out of what goes on in society but rather to participate in the affairs of society which also have to do with the political and public affairs.

Host: Is it permissible for a Muslim woman to express her views on social and legal issues?

Jamal Badawi:

The best models to refer to regarding this subject would be when Muslims were really true to their faith during the life time of Prophet Muhammad (PBUH) as well as the four rightly guided Caliphs that came after him. During the days of Prophet Muhammad (PBUH) there was a woman who came to him arguing or pleading with Prophet Muhammad about some issues she had with her husband. In the Quran in (58:1) a verse was revealed saying "Allah has indeed heard (and accepted) the statement of the woman who pleads with thee concerning her husband and carries her complaint (in prayer) to Allah. and Allah (always) hears the arguments between both sides among you: for Allah hears and sees (all things)." The point is that she expressed her views and did not know what to do until the revelation was revealed to Prophet Muhammad (PBUH) to resolve the issue she was worried about.

During the rule of the four guided Caliphs we find that this basic participation and expression of opinion was practiced. For example during the Caliph Uthman's time (third after the Prophet) we find that Aisha had so many reservations about some of his decisions and she used to criticize him and he never said anything about her gender and why she interfered in the policy. He used to get angry in some cases but he did not say that she had no right to express her opinions.

Even during the Caliphate of Ali (fourth after the Prophet) it is well known that Aisha strongly objected to his selection and even some of the very close companions of the Prophet sided with her and accepted her opinion. Again no one said "Who are you to object to the selection of the

Caliph.” It is however true that after that incident Aisha regretted the incident but she did not regret her right as a Muslim female to voice her opinion about public issues. She regretted her bad judgement in apposing his position as Caliph. As a devoted Muslim woman and a wife of the Prophet she would have never practiced this right had it been that a woman was not allowed the right to voice an opinion, as she would have been displeasing Allah and the Prophet after his death.

There were other incidents also that took place with other women. For example, once Uthman was sitting with Marwaan Ibnul Hakam and Marwaan was giving him political advice on important political decisions (he was an advisor of the Caliph). Othman’s wife was also there and objected to the advise given by the high ranking fellow. So Marwaan told her to keep quite and that it was not her business. The Caliph said “Let her speak her mind because she is more sincere in her advise to me than you.” This shows that he did not put her down but rather that he appreciated her advise and opinion. There are many other examples that are similar to this which show that Muslim women did participate in public affairs and practiced this right during the strongest period of slam.

It is true that the primary interest of a woman in Islam is to be a home maker, but this does not mean she should be deprived from expressing her opinion.

Host:□ What is Islam’s position regarding voting rights for women?

Jamal Badawi:

Again we can go back to the early model which followed closely Islam's presets. We find that they did not follow the exact format of voting that we have today (which is not to say that Islam is against this format as it is not the only format). Fourteen hundred years ago they used a method called bia'a which means an oath of allegiance. People would give their oath of allegiance so long as the ruler followed the rule of God. This makes bia'a a political activity.

We find that there is evidence in both the Quran and behavior of Prophet Muhammad which make it clear that women did actually engage in bia'a. This evidence is found in the Quran in (60:12) "O Prophet! When believing women come to thee to take the oath of fealty to thee, that they will not associate in worship any other thing whatever with Allah, that they will not steal, that 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 thee in any just matter,- then do thou receive their fealty, and pray to Allah for the forgiveness (of their sins): for Allah is Oft-Forgiving, Most Merciful." If bia'a is a political activity what could be more clear than the Quran mentioning it in respect to women. Second, it does not say that the Prophet has the choice to accept it from them but it is a command to the Prophet to accept their allegiance. In this sense we find that bia'a is the closest thing to our modern day elections.

In the Sunnah of the Prophet (PBUH) we find incidence where bia'a was taken from a joint group of men and women as in the bia'a of Aqaba. The bia'a that is found in the Quran in (60:12) was called the Oath of Allegiance of Women and at later times the Prophet accepted allegiance from men in the same way as the Oath of Allegiance of Women. If we compare this with the Suffrage of women to vote which was obtained in the West almost 1200 years after Islam established the right of women to participate. In Switzerland it was not till the 50s or 60s that women were given the right to vote.

Host: Some argue that this oath of allegiance was not related to a matter of politics but had more to do with the question of belief and moral behavior and that it was given by these women to the Prophet in his capacity as a prophet. How would this be addressed?

Jamal Badawi:

The allegiance was not only given to the Prophet as a prophet but it was also given to the head of the Muslim community who later became the head of an Islamic State. It is true that the verse in chapter 60 addresses issues of behavior and moral teachings. We have indicated that in the Muslim view moral, spiritual, social, political and economical are all inter related issues because Islam is not divided into compartments. When Islam deals with moral aspects with respect to property and sex it is related to a legal aspect which is related to criminal law in Islam. To make this separation is different from the overall approach of Islam towards life. An interesting point is that in the verse (60:1) in addition to it mentioning all the moral acts it says “and that they will not disobey thee in any just matter.” This is a catch all statement which means that any other command that you give as a leader of men and women they will accept you. This includes decisions of of political or military aspects.

Host: Can Muslim women be elected to offices of leadership or participate in the process of law making?

Jamal Badawi:

We have to go back to the format and the essence of this subject. It is true that the exact format of elections was different but this does not mean that the essence of selection and participation (which we call democracy, it is not exactly equivalent) is there. When we talk about the legal aspect we are talking about shurah which means mutual consultation. The way that mutual consultation was practiced was not like we have now with a formal building, parliament, where people are elected in a certain way with specific schedules etc. I am not saying this method is bad but it just did not suite the particular circumstances at the time. The essence of participation was there. The Caliph or ruler used to invite people to participate and give advise on issues. It was more of an informal process of consultation. We find that after the death of the Prophet (PBUH) a concept grew in the Muslim community which was known as ahlul hal walakd which means the people who have the right to tie and untie. This means to bring forth people who really have talent and ability to deal with political matters. In addition to this we find that during the life time of the companions of the Prophet many of the prominent women who had experience and knowledge were consulted (in their homes). We don't know of any resistance regarding the consultation of women.

The only restriction is that any participation of this nature should be within the proper Islamic framework and manners that Islam enjoins on males and females.

Host: Can you give us some specific examples of women providing input in legislation?

Jamal Badawi:

There is a very famous incident which took place during the reign of Omar (the second Caliph after the Prophet). He noted that some people were exaggerating the mahr (the marriage gift given by the husband to the wife). He went up to the mimbar (the place at the place of gathering where the leader gives speeches) and he said that the “I would like to forbid from paying any marriage gift that exceeds 400 dirhams and if anyone pays more than that I will take the rest and put it in the public treasury.” Upon his saying this a woman stood up in the back of the mosque and said “You have no right to say that.” He asked her “Why is that?” She said “Because if you go to the Quran it says (about the marriage gift) “if you give your wife to be a ton of gold then you can not take anything back from it” how can you then take it by way of oppression and injustice. If God permitted a rich husband to give his wife a ton of gold who are you to say something different from what Allah determined in His Book?”

If it is true like some think that a Muslim woman should not express or have a say in politics, they would have heard people throughout the mosque objecting to her. But not a single person objected. The ruler himself stood up and said “The woman is right and Omar is wrong! (in humility he added) Everybody is more knowledgeable than you Omar.” It is known that Omar was a very strong, devoted Muslim who tried to implement Islam in its purity and who would not have approached any problem with any hesitation or non-sense and whatever was right he enforced it and forbade whatever was wrong. If it was wrong for a woman to speak up in a matter of “high government decision” he would have objected to her speaking up. This situation shows that this situation was analogous to parliament nowadays.