

# The Treatment of Women in Islam

*A discussion based on the writings of Maulana Muhammad Ali*

The treatment of women in various Muslim societies today should not be taken as necessarily reflecting the teachings of Islam. For example, the dangerous and oppressive practice of so-called female circumcision among Muslims in Somalia is a tribal custom that has nothing to do with the religion of Islam, and in fact is easily shown to be against Islamic teachings. In certain societies Muslim men have prevented women from leaving the house or from earning a legitimate income, and have held that this is in accordance with Islam. Non-Muslims, observing such practices, have often been misled into believing that they are part of Islam, which is not so. In Muslim societies, many beliefs and practices exist that have nothing to do with Islam, and have simply been handed down from the past.

## **Spiritual equality of women and men**

Non-Muslims sometimes used to think that, in Islam, it was taught that women had no souls, but Muslims themselves have never believed this. The notion that women have no souls is contrary to the teachings of Islam.

Maulana Muhammad Ali writes: “No other religious book and no other reformer has done one tenth of what the Holy Qur’an or the Holy Prophet Muhammad has done to raise the position of women. Read the Qur’an and you find good and righteous women being given the same position as good and righteous men. Both sexes are spoken of in the same terms.” (Maulana Muhammad Ali, *The Holy Qur’an: Arabic Text, English Translation and Commentary*, Introduction, Section 6)

The highest favour of God to human beings is divine revelation, and women are mentioned in the Holy Qur’an among those to whom God has spoken:

“And We revealed to Moses’ mother, saying, Breast-feed him, and then, when you feel that he is in danger, put him out on the river and do not be afraid or worried, because We will bring him back to you and make him one of the Message-Bearers.” (Holy Qur’an, 28:7)

“When We revealed to your mother what was revealed.” (Holy Qur’an, 20:38)

“And the angels said, O Mary, God has chosen you and purified you and has chosen you above all the women in the world.” (Holy Qur’an, 3:41)

The Holy Qur’an speaks of Mary and Abraham in the same way: “And mention Abraham in the book” (Holy Qur’an, 19:41); “And mention Mary in the book” (Holy Qur’an, 19:16). Maulana Muhammad Ali comments: “No other religious book has given such a high spiritual position to woman.”

The equality of men and women as spiritual beings is explicitly mentioned in the Holy Qur’an:

“I will not waste the work of a worker among you, whether male or female, the one of you being from the other [i.e., you being alike and interdependent].” (Holy Qur’an, 3:194)

“And whoever does good deeds, whether male or female, and is a believer, such shall enter the state of Paradise and will not be dealt with unjustly in any respect.” (Holy Qur’an, 4:124)

There is one verse in the Holy Qur’an that specially emphasizes the equality of men and women before God by saying exactly the same things about women that it says about men several times over, and concludes by saying: “God has prepared for them forgiveness and a mighty reward.” (Holy Qur’an, 33:35)

### **Islam recognises women’s property rights**

According to the Holy Qur’an, a woman can inherit, earn and dispose of property:

“Men shall have the benefit of what they earn and women shall have the benefit of what they earn.” (Holy Qur’an, 4:32)

“Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave.” (Holy Qur’an, 4:7)

Maulana Muhammad Ali points out that “Women in Arabia had no rights of property; nay, she herself was part of the inheritance, and was taken possession of along with other property. She had no right to the property of her deceased husband or father. The Qur’an took her from this low position and raised her to a position of perfect freedom as regards her property rights and her right to inheritance, a position which, among other nations, she has only partly attained and that after centuries of hard struggle.” (*Translation and Commentary*, Introduction, Section 6)

### **Polygamy**

The practice among a very few Muslim men in certain countries and at certain social levels of ‘collecting’ wives is, in fact, against Islam. It is normal in Islam for one man to be married to one woman. On the other hand, permission was originally given to Muslim men in Arabia to have up to four wives, and this was for special reasons, more for the benefit of the women than for the benefit of the men.

In the time of the Holy Prophet Muhammad, the Arabs did not give widows and orphans a share in the property left behind by the husband or father. They also did not like to marry widows if that meant looking after the widow’s children. This is the reason why the Holy Qur’an allowed Muslim men to marry up to four wives:

“And if you fear that you cannot act equitably towards orphans, marry such women as seem good to you, two and three and four; but if you fear that you will not do justice between them, then marry only one, or keep to those [wives] that you already have: that is more proper, that you may not deviate from the right course.” (Holy Qur’an, 4:3)

This prescription was particularly necessary, because the early Muslims lost many men in the battles against their persecutors, and so there were many widows and orphans.

Maulana Muhammad Ali writes:

“It should, therefore, be clearly understood that monogamy is the rule in Islam and polygamy is allowed only as a remedial measure, and that, not for the sake of the man, but for the sake of the widow and her children.” (*Translation and Commentary*, Introduction, Section 6)

The marriages of the Holy Prophet Muhammad himself should be seen in a similar light. Contrary to the false ideas of opponents of Islam, and contrary to the baseless stories told by one unreliable early historian whose motives are open to question, the Holy Prophet Muhammad was not at all motivated by lust and, in addition, he always treated women with the utmost respect. Maulana Muhammad Ali writes:

“The Life of the Prophet may be divided into four periods so far as his domestic life is concerned. Up to twenty-five, he led a celibate life; from twenty-five to fifty-four years, he lived in a married state with one wife; from fifty-four to sixty he contracted several marriages; and, lastly, from sixty till his death he did not contract any new marriage.” (*Muhammad the Prophet*, Chapter 12, ‘The Prophet’s Marriages’)

“By disposition he had no inclination for war, yet circumstances arose which dragged him into the field of battle, and he then displayed the wisdom of a general and the bravery of a soldier. So, by disposition he was not inclined to polygamy, living a celibate life of unexampled purity up to twenty-five years and a married life of a monogamous husband up to fifty-four, but when duty called him to take more women under his shelter, he answered the call of duty. It may be added in conclusion that the verse limiting the number of wives to four when a necessity for polygamy arose was in all probability revealed after the Holy Prophet had contracted those marriages, but he was expressly permitted to retain under his shelter all the women whom he had married, and he did not contract any marriage after the revelation of that verse.” (*Muhammad the Prophet*, Chapter 12, ‘The Prophet’s Marriages’)

It may be added that the Holy Prophet Muhammad was in the habit of helping at home with the housework in addition to receiving guests and attending to his duties in public.

### **Women in public according to Islam**

Forcing women to cover their faces and preventing them from going outside the home are practices that are not in accordance with Islam.

“As regards the seclusion of women, the Qur’an never prohibited women from going out of their homes for their needs. In the time of the Prophet, women went regularly to mosques, and said their prayers along with men, standing in a separate row. They also joined their husbands in the labour of the field; they even went with the army to the field of battle, and looked after the wounded, removing them from the field, if necessary, and helped fighting-men in many other ways. They could even fight the enemy in an emergency. No occupation was prohibited to them, and they could do any work they chose.” (*Muhammad the Prophet*, Chapter 12, ‘The Prophet’s Marriages’)

Two verses in the Holy Qur’an call for men and women to control the way they present themselves to each other and react to each other’s presence, so as to foster modesty and self-restraint:

“Say to the believing men that they should restrain their gaze and preserve their modesty: that is purer for them; Allah is aware of whatever they do. And say to the believing women that

they should restrain their gaze and preserve their modesty and not display their adornments except what is (normally) seen of them. And let them draw their head-coverings over their bosoms.” (Holy Qur’an, 24:30–31)

There is no requirement here for women to cover their faces. Regarding the head-covering, Muhammad Asad notes (*The Message of the Qur’an*, Dar Al-Andalus, Gibraltar, 1980) that it was worn by women in Arabia before Islam, except that the way the head-covering was worn, combined with the design of women’s tunics, left the breasts exposed. The point of verse 31, then, is not the mention of the head-coverings, which were a customary part of women’s dress, but that the breasts should be concealed.

### **Concubinage and temporary marriage not permitted**

The teachings of Islam do not allow the practice of concubinage. The practice of ‘temporary marriage’, which occurs among some Muslims, is also not permitted.

Maulana Muhammad Ali writes:

“I do not find any verse in the Holy Qur’an or any instance in the Prophet’s life, sanctioning what is called *concubinage*. On more occasions than one, when the establishment of conjugal relations with slave-girls [i.e., female prisoners of war] is mentioned, their taking in marriage is clearly laid down as a condition as in v. 3, v. 24, and this verse [i.e., verses 3, 24 and 25 of chapter 4 of the Holy Qur’an].” (*Translation and Commentary*, note on 4:25)

The practice of temporary marriage existed in Arabia before Islam, but the Holy Prophet Muhammad is reported to have disallowed it. The practice is not in agreement with the spirit of Islamic marriage, which assumes a level of commitment that is not compatible with temporary marriages or marriages of convenience.

### **A woman’s consent required before marriage**

An ‘arranged marriage’ is not necessarily a forced marriage. It is against Islam to force a woman to marry a man against her wishes. Again, although it is customary among some Muslims for the parents to arrange their children’s marriages, even this is not a requirement of Islam. At all events, consent to marriage is required from both prospective partners.

### **Divorce**

Maulana Muhammad Ali writes:

“Though marriage, according to Islam, is only a civil contract, yet the rights and responsibilities consequent upon it are of such importance to the welfare of humanity, that a high degree of sanctity is attached to it. But in spite of the sacredness of the character of the marriage tie, Islam recognizes the necessity, in exceptional circumstances, of keeping the way open for its dissolution ... Islam effected several reforms in divorce. It restricted the husband’s right to divorce while recognizing the wife’s right to it.” (*The Religion of Islam*, Part 3, Chapter 6, ‘Marriage’)

“Both from the Qur’an and the Traditions it appears that, though divorce was permitted, yet the right could be exercised only under exceptional circumstances. The Prophet is reported to

have said: ‘Never did Allah allow anything more hateful to him than divorce’ ...” (*The Religion of Islam*, Part 3, Chapter 6, ‘Marriage’)

“The impression that a Muslim husband may put away his wife at a mere caprice, is a grave distortion of the Islamic institution of divorce.” (*The Religion of Islam*, Part 3, Chapter 6, ‘Marriage’)

Hadith, or the collected oral traditions concerning the sayings and deeds of the Holy Prophet Muhammad, make it clear that a wife had the right to ask for a divorce from her husband on the same grounds on which a husband could ask to divorce his wife.

There are various measures in the Holy Qur’an and Hadith designed to delay and discourage divorce with a view to seeing if the marriage can be made to work, but also with the additional purpose of protecting the woman. For example, a divorce must be followed by a waiting period equivalent to three menstrual cycles before it becomes irrevocable. This period of waiting existed among the Arabs before Islam, except that then, a woman had no right to divorce, and the husband could declare himself divorced, then revoke his decision as many times as he chose during the waiting period. Islam reformed this abusive practice by giving women the right to divorce and by limiting the husband’s intention to declare a revocable divorce to two occasions only, after which any intention to divorce on the husband’s part had to be final. The Holy Prophet condemned the practice whereby men used to declare divorce three times in quick succession in order to get round the obstacle of the waiting period. Another reason for the waiting period is to see whether the woman has become pregnant before making the divorce irrevocable. As well as giving an opportunity to reconsider things in the event of pregnancy, this also avoids the situation where a divorced woman remarries without knowing that she is pregnant (in which case there would be doubt about the paternity of the first child born to any divorced woman who remarries sufficiently soon after a divorce without a waiting period).

A man may not remarry his former wife once the divorce has become final, unless she has married again and that marriage, too, has failed. The reason behind this is simple: “When a man and a woman have found by two experiments that they cannot live together as husband and wife, it is absurd on their part to think of remarriage again ...” (*The Religion of Islam*, Part 3, Chapter 6, ‘Marriage’), while in the case of a divorced woman whose subsequent marriage has also failed, and who marries her previous husband again, “... the parties to the marriage have probably learned a lesson, through another marital union, to the effect that they should behave better towards each other” (*The Religion of Islam*, Part 3, Chapter 6, ‘Marriage’).

### **Dowry on marriage**

Islam prescribes that a man must bestow a dowry on his wife at the time her marries her. This is intended to acknowledge the status of the wife as an independent owner of property, and to make financial provision for her in the event of a divorce. The practice of paying a woman’s parents for the right to marry her has no place in the teachings of Islam.

### **Menstruation**

There are various superstitions among Muslims about menstruation that are not part of the true teachings of Islam. Menstruation is not treated in the Holy Qur’an and Traditions as if it

were a kind of supernatural curse. Instead, it is treated as a natural occurrence that causes discomfort and inconvenience. For the sake of propriety and cleanliness and in order to avoid adding to any discomfort or inconvenience that women might experience as a result of menstruation, Islam establishes just a few basic, practical rules: during menstruation, women are to refrain from the five daily prayers and from going round the Sacred Shrine when on pilgrimage at Mecca, and they are exempted from fasting during Ramadan; marital relations are discontinued during menstruation until its end has been marked by the same complete washing of the body that is required for the five daily prayers to be resumed. The Holy Prophet himself indicated more than once that menstruation is not some kind of supernatural defilement that can be passed on by contact.

### **Conduct of husbands and wives**

“Special emphasis has been laid in Islam on the mutual rights and responsibilities of husbands and wives. The position of the wife in the family was, according to the Prophet, that of a ruler [Bukhari (Bukhari’s Collection of Hadith or Oral Traditions), 67:91], and in a number of traditions the Prophet has emphasized the rights of women. The husband was required to provide for the maintenance of the wife and for her lodging according to his means [Holy Qur’an, 4:34; 65:7; 4:19]. The wife was bound to keep company with her husband, to preserve the husband’s property from loss or waste and to refrain from doing anything which should disturb the peace of the family [Bukhari, 67:87]. Stress was laid on kindly and good treatment of the wife. ‘Keep them in good fellowship’ [Holy Qur’an, 2:229], ‘Treat them kindly’ [Holy Qur’an, 4:19] is the oft-recurring advice, so much so that kindness was recommended even if a man disliked his wife [Holy Qur’an, 4:19]. Good treatment towards the wife was a criterion of good morals: ‘The most excellent of you is he who is best in the treatment of his wife’ [*Al-Mishkat al-Masabih* (a collection of Hadith), 13:11-ii].” (*The Religion of Islam*, Part 3, Chapter 13, ‘Ethics’)

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