**WOMEN IN ISLAM**

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**PREFACE**

Ours is a period of tumult and change. Doubt, dissatisfaction with the status quo, yearning for revolution seem to symbolize the spirit of the age, Age-old institutions face the prospect of disintegration. Values that have inspired and led man in the past are being questioned, if not scorned. Everything seems to be in a state of flux.

There is nothing basically wrong in a mood of inquiry and re-examination. They have been mainsprings of progress in the past and could be so in the future. The situation changes if man loses balance and composure. If periods like these arouse man to evaluate and re-evaluate in the light of a higher criterion, they can open up new horizons and prove harbingers of future progress. But if they generate an overtly negative attitude, they lead to moral and cultural vandalism. Change as such begins to be prized and sought after. It is forgotten that change could be for the better or the worse. Even more important than change is the direction of change and our sense of right and wrong, of truth and falsehood, of justice and injustice and a commitment to prefer right, truth and justice on their antithesis. There is abundant evidence that we are amidst a period of revolutionary change; there is little evidence that change is in the direction of the right and truth and justice.

in a period like this, it is very important that focus of attention should be shifted from change per se to change for what. Minds should be riveted towards the ideals, values and principles which should go to make up man's vision of the future. The centre of concern should be made to move from minutive to the fundamentals, from means to the ends, from techniques to the ideals and ideologies. This is the challenge that besets modern man. This is the issue that attracts most attention of one who tries to look upon the predicament of man in modern society through the eye of a Muslim.

Islam is conscious of the material aspects of human life. It is not a religion of the spirit alone. Its uniqueness lies in treating the entire realm of human life as the real domain of religion. The problems of material life and the technological aspects of society are as much its concern as those of the purification of the soul and the integration of man with his Creator. It is opposed to every such concept of material or spiritual progress that tries to treat the problem in isolation of the other aspect. It adopts an integrative approach. It wants to avail of all the resources at the disposal of man to create a new world where man lives in peace with his Creator and with the entire creation, in short, in peace with himself. And this is what is missing in modern society.

The Family is one of the key institutions of human society. When man is not at peace with himself this state of affairs is reflected most in the realm of human relations, particularly in the family and the relations between the sexes. Any discussion on the crucial problems of our age and on the future of humanity is bound to cluster around relations between the sexes and the institutions of family and education.

The International Islamic Conference held in April, 1976, in London under the auspices of the Islamic Council of Europe and the King Abdul Aziz University focused on the theme of Islam and the Challenge of our Age. A special session (Session V, 8th April, 1976) was devoted to an examination of the Islamic scheme for relations between the sexes. Two European Muslim women spoke on the subject and received a standing ovation from the audience. The entire proceedings of the International Islamic Conference are being edited for publication. But in view of pressing demands from different quarters, these two papers and parts of discussion thereon are being published separately In the present booklet Woman in Islam.

The present writer is responsible for editing the manuscript. Translation of the verses from the Qur'an has been revised in the light of the work done in the Foundation. This booklet is also being produced in the Indonesian and Arabic languages. Dr. M. Natsir is supervising the Indonesian edition while Dr. Muhammad Sakr is looking after the Arabic version.

I am grateful to Brother Salem Azzam, Secretary General, Islamic Council of Europe, for inviting me to edit the proceed­ings and the Islamic Foundation to publish them on behalf of the Islamic Council of Europe. My thanks are also due to Mr. E. Fox for kindly reading the manuscript. Dr. M. M. Ahsan and Mr. Ashraf Abu Turab have also read the first draft and helped me by their comments. Mrs. K. Hollingworth's unstinted secre­tarial assistance is also gratefully acknowledged.

**The Islamic Foundation**  **Khurshid Ahmad**

**17th Jamadl al-Thanl, 1396 Director General**

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**Discussion**

The two lectures were followed by discussion which, however, was concentrated on issues arising out of the first lecture. A slightly edited version of the discussion is given below.

**Polyandry**

**Question: I would like to ask a question in relation to poly­gamy. If one concedes the arguments you have given in support of a man having more than one wife in certain circumstances, would the same arguments be extended to the situation of a woman in relation to her husband/husbands? To be more precise, if a woman becomes invalid and sexually incapacitated and because of that the husband is allowed to have a second wife, why the same should not hold good in respect of men. If a husband becomes invalid, would it be permitted for the wife to have a second husband?**

**B. Aisha Lemu:** The instances which I quoted were examples of human circumstances where there is a genuine problem and I mentioned that in the Western world the options are limited. That is, either you stay with it or you obtain divorce, you cannot bring the third alternative of another wife. Now the question of a woman having more than one husband raises a number of other problems. One of them is the question of inheritance. If a woman has more than one husband, there is no certainty of the paternity of the child, and I think this is something which will be very disturbing to men, not to be sure that a certain child is their own, that it might be the child of another husband. Another problem that one could foresee here is that for a woman to look after one husband is, generally speaking, considered to be quite enough trouble (laughter and applause) without bringing upon herself more than one. So there is no provision, as far as I am aware, under Islamic law for this to take place, but since this is a discussion, there may be some scholars here who can give more information than I have.

**Khurshid Ahmad:** May I add a word or two to what Sister Aisha has said. First let us understand the Islamic position. Islam allows polygamy in certain cases but it does not allow polyandry, that is a woman having more than one husband, in any case. This is the legal position. The question arises why is this so. Sister Aisha has made two points. Along with her subjective retort that one husband is more than enough, she has pointed to the complexities this would raise for establishing the paternity of the children, and secondly about the problems of Inheritance. I would like to invite you to a few other aspects.

First, sociologically speaking, the institution of a family in a patriarchal set-up can operate effectively in case of polygamy but it would simply disintegrate under polyandry. For argu­ments' sake, it is possible to have polyandrous families in a matriarchal set-up, but this would mean a change in the entire social matrix.

Secondly, from a sexo-sociological viewpoint, it is possible for a man to have sexual relations with all his wives, if he has more than one, and impregnate them. But if a wife has more than one husband, she can, even in that case, be impregnated only by one.

This should also be kept in view that once a woman is preg­nant she is not available for sexual relations for some of the time. In fact, one of the arguments advanced by some sex­ologists in favour of polygamy (See: Ludovici, Anthony M., Woman: A Vindication, Constable, London; and MacFarlane, J. E. Clare, The Case for Polygamy) is that as sexual relations are not possible with the wife during these periods, forced monogamy is unnatural. If the possibilities of a properly married second wife are denied, the dangers of illicit sex become very real. If this is the situation in a one-husband-one-wife equation, what would be the predicament in a many-husband-one-wife polygon?

Thirdly, even from the physio-sexological viewpoint this arrangement would be an anomaly. Of the many aspects let us just refer to one. If we examine the origin and not merely com­munication of venereal diseases, we find that they originate from a woman being sexually visited by more than one man. As long as there is a one-man one-woman relationship, venereal diseases would not originate. If a man has sexual contact with more than one woman but the woman with whom he is having this relationship is not in sexual relationship with any other man, venereal diseases would not originate. But if a woman has sexual relations with more than one man the possibilities of the origination of venereal diseases present themselves, It is the nature of things and a violation of this would disturb the entire scheme of life. Polygamy has a place in this scheme, polyandry has none.

Islam has forbidden polyandry not for any partiality towards man, but for the good of man and woman both and of the entire human society.

**Inheritance**

**Question: I wonder if you can hear me. This is a very personal problem. I have two daughters. Now when I die, because I have failed to produce a male issue, which is no fault of mine, my property after my death will be shared by my husband, by my two children and by my brothers and sisters In the absence of my parents. Now, if I would have produced one male child, or if one of my two daughters had been a boy, my property would not have been shared by my brothers and sisters. I think this is a punishment to my children. Why this punishment?**

**Aisha Lemu replies:** I feel this is a case where as I mentioned in the lecture, we have to realise that Islam is to be taken as a whole. We shouldn't take part of a certain law in isolation from the other parts of the law. As we mentioned, in Islam it is the responsibility of men to take care of the women in the society, so whether it is a wife or a daughter or a mother or any female relative to whom you are more nearly related, who has no other relative to turn to, male members of the family have the responsibility of looking after such girls or women. And the senior a male member is, the greater is his respon­sibility. So this is why we feel that the larger portion of the inheritance should go to the male, since they have the re­sponsibility for looking after the female. If this were taken in isolation and the women had equal responsibility for looking after themselves and depended on nobody but them­selves, one would say yes, this is unjust. But in the context of the Islamic legal system, where she is the responsibility of the menfolk, it strikes me that this is not an injustice. Perhaps some legal experts may like to add on what I have said.

**Khurshid Ahmad:** May I once again interject at this stage? The question relates to a very specific area of Islam, that is, its law of inheritance. The Islamic law of inheritance is in itself a very well balanced and inter-related whole, and one has to take it as a whole. Now taking the specific instance you have quoted, you are very correct that as far as the law goes, that in the case under discussion a part of the inheritance, that is belongings left on death would be shared by your brothers and sisters as well. Law always takes into view the general situation, not the remote exceptions. But the Islamic system does take care of even such exceptional situations. Girls in a situation you describe would not be thrown to the dogs. They would be protected in the family, and the family does not mean just father and mother. The family represents a much extended relationship. Your brothers, your sisters, your parents, all of them are part of that family, and in the absence of any one of the members, they will be looking after the affairs of your children. Now, you must not forget the Islamic principle of guardianship. For example, In the case you refer to, in your absence, there would be some other person who would act as the guardian for these girls from within the family, and that would be from these very near relations. That is why in inheritance shares go to all those near relatives who have to play a role in this frame­work of relationships, so that the whole of the family remains an integral unit and everyone remains conscious of his/her responsibilities. It is hoped that the share which your brothers or sisters, or, if your own parents are alive, they get is not merely used for their own benefit, but for the good of the entire unit, that is the family. The Islamic law emphasizes that these elders would be taking care of your children financially, morally, socially and otherwise. These children are the flesh of their flesh and the bones of their bones. They are morally and legally enjoined to support them. And that is why the system recog­nizes their share in the inheritance. And above all, Islam is not merely a set of laws—it is a moral code, a social arrange­ment and a system of support and guardianship. The family plays this role, whatever be the situation.

**Covering the Face**

**Question: According to the Qur'an, men and women have to lower their gaze when they have to go out in public. If the woman has to cover herself from top to toe, there would be no point in the man lowering his gaze. This would imply that women would keep their faces uncovered, hence the men have to lower their gaze and not chase them with their eyes. If the Qur'an is telling both men and women to lower their gaze in each others presence, the implication is that the woman is not veiled on her face, otherwise what is there to lower your eyes from? May I further suggest that during the Hajj (pilgrimage), it is specifically forbidden for a woman to cover her face with a veil?**

**Aisha Lemu:** I appreciate very much the point of our sister and I think you can see with your eyes where my own opinion lies in the matter. I accept both these points, and in my talk I merely mentioned that there is another opinion which exists which is held by some people, and they consider they have a basis for it If they wish to express it, then let them do so.

**Khurshid Ahmad:** Just to set the record straight, let me briefly state the other viewpoint. The assumption that if the Qur'an asks men and women to bring down their gaze and not to stare at each other, it implies that the face must be kept open, is imaginative, but does not carry us very far. If the Qur'an says that you do not approach the Salat (prayer) if you are intoxicated, that does not mean that intoxication is permitted when you are not praying. There are a number of ways in which you can see one another, even see temptingly, even if the body is covered. Bringing down the gaze represents an attitude and not merely an act. As such, it is not specifically related to seeing the other's face, but his or her whole being. Moreover the argument about covering the face is based upon certain inferences from the Qur'an, developed further in the hadith. It is a principle of Islam that the teachings of the Qur'an are to be understood in the light of the sayings of the Prophet. Both taken together do affirm that the women should, when they go out, cover their bodies properly, and the body includes the face. Only those parts of the body like hands and feet that reveal themselves in walking are allowed to remain so. We must concede that on this issue there are two viewpoints and both are derived from careful reflection on the original sources. Everyone is free to prefer any one of these on the basis of arguments, but should also respect the other viewpoint. The reference to the Hajj is not relevant. Injunctions about the Hajj represent a special case and it would be ill advised to generalise from that. In ihram men cannot cover their heads or in wuquf Muzdalifa, Maghrib prayer is not offered at its appointed time but is joined with Isha’, All these represent special cases and it would be hazardous to generalise them.