Chapter II
The Status of Muslim Women in South Asia

2.1 Introduction

It has been widely weighed down the ages that Islam denies dignity, right, and status to women. The very mention of Muslim women brings to the minds of many a vision of veiled women who are confined in four walls of house, illiterate, deprived, and ignorant. The best source of information on the status of women in Islam is the Qur'an. Muslim woman's fundamental rights are enshrined in the Qur'an. Men and women are equal in Islam and there is no question of one being inferior to the other.

"Believers, men and women, are protectors, one of another: they enjoin what is just and forbid what is evil." (Suraht Al Imran, 3 “110”).

This Qur'anic verse also sets forth that men and women are equally responsible for reforming and revamping society through social, political, educational, economic mediums, and they are to perform this job in an atmosphere of security and protection towards each other. Women in Islam is, perhaps, one of the most intriguing, controversial and fascinating topic of the contemporary world. Women is intriguing because of the existence of the separate world and feminine mystique in many of the Muslim societies, not necessarily Islamic but due to the influence of pre-Islamic traditions (Sultana Afroz).

It is controversial because of the existence of complexities. And complexities exists due to: (a) to lack of understanding of Islam, i.e. the Holy Qur’an and

1 The Qur'an is universally accepted by Muslims as the word of Allah, or "God," dictated verbatim to Prophet Muhammad (P) through Angel Gabriel.
Hadith, which are the teaching of Prophet Muhammad (P) the presence of pre-Islamic traditions in Muslim countries (c) the impact of colonialism on Muslim societies and the reaction of men towards their women, and (d) the installation and perpetuation of monarchical and despotic rulers by the Western imperial powers in Muslim countries.

Muslim women is also seen as a fascinating because Islam is the first religion to have granted women broad social, political and economic rights, education and training rights and work opportunity rights (Sultana Afroz, 2000). There is no evidence from the Qur'an to prevent women from management of the state. The Holy Qur'an has laid the framework for the laws protecting the rights of women (Sultana Afroz, 2000). Surahh² Nisa (Women) largely deals with women’s rights.

2.2 Position of Women before the Advent of Islam

Islam was born in the Arabia Peninsula, now Saudi Arabia, in the seventh century AD. The pre-Islamic era dates back to more than 1400 years ago. Prior to Islam, the condition of women in general was dismal being viewed as the embodiment of sin, misfortune, disgrace and shame, having no rights or position in society (Haifaa A. Jawed, 1998:1). In the Arabian peninsula, which is the birthplace of Islam, women during the days of ignorance were in subjugation either to their kinsmen or their husbands and were considered a chattel to possessed, to be bought, to be sold or to be inherited. In the days of ignorance there was no fixed institution of marriage and women had no rights with regards to their marriage and divorce (Fatima Mernissi, 1985:67).

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² Qur’an is divided into 114 units, each called a surah. The Qur’an is the highest authority for information on Islam. Sunnah refers to the words, actions and confirmations (consent) of Prophet Muhammad (P) in matters pertaining to the meaning and practice of Islam. Another common term that some authorities consider to be equivalent to Sunnah is hadith (plural ahadith), which literally means "sayings." The letter (P) is an abbreviation of "peace be upon him," a form of respect used by Muslims whenever the name of any prophet is mentioned.
Women were treated as sex objects with no legal, social, economic and political rights. Women in pre-Islamic Arabia were not allowed the holding, or in the uncontrolled disposal of their possessions (Brabara Freyer Stowasser, 1983:14-19). In short, women had no respect at all for their dignity and no value for their life.

2.3 Women in Islam

With the advent of Islam, the status of women was fundamentally changed and the rights and position of women came to be clearly defined in the various chapters of the Holy Qur'an. Both men and women were henceforth to be regarded as equal in humanity. The Qur'an provides a framework for laws dealing with women in areas of education, property, work, marriage, divorce, and family rights but emphasizing the primary goal of the maintenance of social justice. Surahh Nisa opens with the verse saying:

"O mankind! Reverence Your Guardian- Lord, who created you from a single Person, created, of like nature, his mate, and from them twain scattered (like seeds) countless men and women ;-) Reverence God, through whom Ye demand your mutual (rights), and the wombs (that bore you) : for God ever watches over you”(Surah Nisa, 4:1).

Men are repeatedly reminded in the Qur'an that women are of the same human status as themselves. "Ye (Proceed) one from another” (Surahh, The Family of Imam, 3:195, Surahh, Women, 4:25). The Prophet in his teachings emphasized the inherent importance of women in humanity by saying “Women are the twin halves of men” (Sultana Afroz, 2000). The application of the Divine Revelation by Prophet brought about a change in the mindset of both men and women and created a new relationship between them based on respect and mutual
understanding. Respect for women went hand-in-hand with taking care of them, because of natural biological constitution of the women (S.A.A. Mawdudi, 1976:154-155).

Since women constituted half of the society, Islam opened the doors of opportunities to women allowing them to develop their natural abilities in order to attain the highest ranks of progress materially, intellectually and spiritually. Islam granted women the legal right to enter into contracts, to run business, and to possess property independently from her husband or any kin men. In other word, women in Islam had the legal right to participate effectively in the development of society. Within the context of human development, Islam has granted women broad social, political and economic rights, education and training rights and work opportunity rights. Islam has provided firm legal safeguards for the protection of these rights (S.A.A. Mawdudi, 1976:150-155). According to the Divine Dictates, a Muslim woman is entitled to the following, although abuses of women’s rights prevail in Muslim societies:

2.3.1 Right to Education

Both the Qur’an and the Sunnah advocate the right of women and men equally to seek knowledge. Knowledge and education are integral part of Islamic religion. The Qur’an commands all Muslims to exert effort in pursuit of knowledge irrespective of their sex. There is no priesthood in Islam and in order to understand the Message, it is therefore incumbent on every Muslim to acquire knowledge. “God, increase me in knowledge” (Surah Taha, 20:114).

2.3.2 Right to Work

“For men is a portion of what they earn, and for women is a portion of what the earn. Ask God for His Grace. God has knowledge of all things” (Surah Nisa,
Islam does not forbid women to work and have a job outside the home so long as her external work does not interfere with her home obligations nor lower her dignity. On the contrary, Islam granted women the right to hold job and to be involved actively in trade and commerce. The Prophet encouraged women, including his wives and daughters, to engage themselves in gainful work (P.S. Ali, 1975: 30).

2.3.3 Right to Equality

Equality is a prominent political ideal for present world. The French Revolution (1789) was fought for 'liberty, equality, fraternity'. Liberty and equality, taken together, describe the conditions of human emancipation. Aristotle discovered that 'inequality' was a cause of rebellion in many a state. It is recognized the division of society into two broad groups on the basis of gender: men and women who act as dominant and dependent groups respectively. J.J. Rousseau, in his Discourse on the Origin of Inequality (1755), drew an important distinction between the two types of inequality found in social life: natural inequality and conventional inequality. R.H. Tawney, in his classic work Equality (1938), has observed that equality aims at widening the base of social benefits in case these benefits are bended by a small and minority impoverishing the rest of the community.

The Qur'an gives men and women equal rights over each other, these rights being balanced by equal duties. The Qur'an says: "And women shall have rights similar to the right against them, according to what is equitable." (Surah, Baqara-118).

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3 Natural or Physical inequality, as a statement of fact, consists in the differences of age, health, bodily strength and qualities of mind and soul. Conventional inequality, on the other hand, consists in the different privileges that some men enjoy to the exclusion of others, such as inequalities of wealth, prestige and power.
Thus the relation of women to men is not or disparity but of pure, clean, and cooperation in the path of virtue. Women have equal rights with men before the Shari'ah, and the Qur'an proclaims that they are equal with men in the sight of God. In the Holy Qur'an, God says: "I suffer not the work of any one among you, whether male or female, to be lost. One is from the other" (Qur'an 3:195). The Arabs thought that women were a separate and inferior race. The Qur'an reminds them that they are all one race, one preceding from the other, the man from the woman and woman from the man.

2.3.4 Right to Freedom of Expression

Expression of feelings, opinions, and ideas distinguishes human beings. Freedom of expression to which every man and women is entitled as a basic right in Islam. This is hardly the freedom of expression is promised to women in the modern world. However Islam granted the freedom of expression to women more than a thousand year back. Women used this freedom in the time of the Prophet (P) and his companions, proves this. Women participated in discussions with the Prophet. This is an instance of freedom of expression be traced. It was the Prophet's wife Lady Ayesha who gave Qur'anic lectures and instructions even to men from behind the curtain of her chamber in the Prophet's mosque.

In general the status of women in Muslim countries is lower than in non-Muslim countries. In countries with a Muslim minority, Muslim women also tend to have lower status than the other women in those countries. The teachings of the Prophet Muhammad led to the institutionalizing of paternalistic attitudes toward women.

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Footnote:

4 The Prophet himself sought the advice of women. A special mention here must be made of Lady Umme Waraqa bin Abdullah whom the Prophet often consulted in various matters even ha slave-woman could question him. Once a slave woman separated from her husband who adored her blindly. When the prophet advised her to return to her husband, she asked, "O Prophet! Do you order me? He replied that he was not ordering her but only making a recommendation. She promptly replied, if this is a recommendation, I do not wish to go to him."
Muhammad assigned women the roles of mother and wife and assigned men the roles of protector and providers. As a result, Muslim women tend to be restricted to the home and isolated from the outside world, especially in rural areas. The status of women in Muslim countries could be improved by expanding educational opportunities for women, by adopting and enforcing more equitable marriage, divorce and inheritance laws, by ensuring that women have the right and the opportunity to control their own fertility, and by promoting communication between urban women and isolated rural women.

2.3.5 The Right to Inheritance

Islam decreed a right of which woman was deprived both before Islam and after it (even as late as this century), the right of independent ownership. According to Islamic Law, woman's right to her money, real estate, or other properties is fully acknowledged. This right undergoes no change whether she is single or married. She retains her full rights to buy, sell, mortgage or lease any or all her properties. It is nowhere suggested in the Law that a woman is a minor simply because she is a female. It is also noteworthy that such right applies to her properties before marriage as well as to whatever she acquires thereafter.

However, there is no decree in Islam which forbids woman from seeking employment whenever there is a necessity for it, especially in positions which fit her nature and in which society needs her most. "Unto men (of the family) belongs a share of that which Parents and near family members leave, and unto women a share of that which parents and near family members leave, whether it be a little or much - a determinate share" (Surah Nisa, 4:7).

Her share is completely hers and no one can make any claim on it, including her father and her husband. Her share in most cases is one-half the man's share, with
no implication that she is worth half a man! It would seem grossly inconsistent after the overwhelming evidence of woman's equitable treatment in Islam, which was discussed in the preceding pages, to make such an inference. This variation in inheritance rights is only consistent with the variations in financial responsibilities of man and woman according to the Islamic Law. Man in Islam is fully responsible for the maintenance of his wife, his children, and in some cases of his needy relatives, especially the females. This responsibility is neither waived nor reduced because of his wife's wealth or because of her access to any personal income gained from work, rent, profit, or any other legal means.

Woman, on the other hand, is far more secure financially and is far less burdened with any claims on her possessions. Her possessions before marriage do not transfer to her husband and she even keeps her maiden name. She has no obligation to spend on her family out of such properties or out of her income after marriage. She is entitled to the "Mahr" which she takes from her husband at the time of marriage. If she is divorced, she may get alimony from her ex-husband. An examination of the inheritance law within the overall framework of the Islamic Law reveals not only justice but also an abundance of compassion for woman. Islam gives economic rights to women. After attaining maturity, women in Islam become entitled to undisputed economic rights. They become qualified to own, expend or invest their property before marriage. Islam gives liberty women to demand and decide the amount of the Mahr (in Islamic marriage) is a contact made in public, it is sealed by the payment of dower by her husband to her called Mahr. Fixing, taking or leaving any amount of Mahr she desires from her husband is her exclusive right. Muslim women inherit their share from the estate of her husband, father, brother and son for Qur'an clearly says: "From what is left by

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parents and those nearest related there is a share for men and a share for women, whether the property be small or large- a determinate share” (Nisa-7).

2.3.6 The Political Rights

The history of the Islamic civilization will surely find a clear evidence of woman's equality with man in what we call today "political rights". This includes the right of election as well as the nomination to political offices. It also includes woman's right to participate in public affairs.

There is sufficient historical evidence of participation by Muslim women in the choice of rulers, in public issues, in lawmaking, in an administrative position, in scholarship and teaching, and even in the battlefield. Such involvement in social and political affairs was conducted without the participants' losing sight of the complementary priorities of both genders and without violating Islamic guidelines of modesty and virtue.

Women, in Islam, can involve herself in political activity. The prophet’s wife Lady Ayesha had contributed to the country’s administration through her wise counsel and communication and interpretation of Islamic laws. It was a woman (lady Ayesha again) who gave her approval along with others for the appointment of the Prophet’s companion Ali as the Calipha, a matter of vote. Islam encourages women to be active politically and involved in decision-making. In early Islam, women led delegations, medicated and granted refuge and protection. Both Ayesha and Umma Salama, the wives of the Prophet played important roles in the political affairs of their time, even advising the Prophet. Raziyat-ud-din was

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6 To oppose this on the grounds that Muslim women are "ignorant and unmindful" overlooks the fact that the great majority of men in Muslim countries are also "ignorant and unmindful." Yet this is not a reason to deprive them of their political rights.

nominated by his father Iltutmish to be the ruler of India in 1236. Razia proved to be a great monarch: wise, just, generous, a benefactor to her realm, a dispenser of equity, the protector of her people, and leader of her armies (Sultana Afros, 2000:114-115).

Western women (i.e. in the USA and Canada and Great Britain) had still not achieved the right to vote or obtain the ownership of property even up to World War I. Women had acquired the right to vote somewhat earlier in New Zealand, (1893) and they had attained this right in Australia in 1902. However women in France did not acquire that right until 1944 and then Italy and Japan in 1946 and Mexico in 1953. The women's rights movement broadened its scope during the 20th century in most western countries and now, today, some of the rights which are currently sought by the various feminist groups throughout the world are: the right to serve on juries; the right to retain earnings and property after marriage; the right to retain citizenship after marriage to an alien; and the right to equal pay and equal job opportunity. In the late 1960s, the women's liberation movement was established and it became quite incidentally, the right of vote was given to women by the modern nation like Sweden in 1985 while Switzerland gave this right in 1971.

2.4 Feminism in Islam
Feminism as a Western movement originated in England during 18th Century and had as one of its main goals the eradication of legal disabilities imposed upon women by English Common Law. Since the history and heritage of Muslim peoples have been radically different from that of Western Europe and America, the feminism which would appeal to Muslim women and to the society generally must be correspondingly different. Those legal rights which Western women sought in reform of English common law were already granted to Muslim women
in the 7th century. Such a struggle therefore holds little interest for the Muslim woman. In other words, if feminism is to succeed in an Islamic environment, it must be an indigenous form of feminism, rather than one conceived and nurtured in an alien environment with different problems and different solutions and goals (Wadud-Mohsin, Amina, 1992).

The Egyptian-Canadian Islamist, Jamal Badawi, exemplifies the change in attitudes towards and perceptions of women among Islamists. In Badawi’s 1995 book, *Gender Equality in Islam*, he exchanges the concept of gender equality with the concept of gender equity which in his view is more Islamic. Equity is used here to mean justice and overall equality in the totality of rights and responsibilities of both genders and allows for the possibility. It should be added that from an Islamic perspective, the roles of men and women are complementary and co-operatives rather than competitive (Badawi, 1995:47).

Islam is an ideology which influences much more than the ritual life of a people. It is equally affective of their social, political, economic, psychological, and aesthetic life customarily associated in our minds with religion. The historical truth is that the Prophet of Islam is the greatest feminist the world has ever known. From the lowest degradation, he uplifted women to a position beyond which they can only go in theory. The Arabs of his day held woman in supreme contempt, ill-treated and defrauded them habitually, and even hated them. For we read in the Holy Qur'an:

"Ye who believe! It is not allowed you to be heirs of women against their will, not to hinder them from marrying, that you may take from them a part of that which

8 The American Islamic feminist and Muslim scholar, Amina Wadud-Muuhsin, who is a covert to Islam, has investigated various historical and contemporary Islamic scholars’ interpretations of the Qur’an and hadith (Wadud- Mohsin, Amina, 1992)
you have given them, unless they have been guilty of evident lewdness. But deal kindly with them, for if ye hate them it may happen that ye have a thing wherein Allah hath placed much good." (Qur'an 4:19).

A Muslim female is equally entitled to education, for the pursuit of knowledge has been rendered compulsory for every Muslim man and woman by the Prophet (P). The rules for married life in Islam are clear and in harmony with upright human nature. In consideration of the physiological and psychological make-up of man and woman, both have equal rights and claims on one another, except for one responsibility, that of leadership. This is a matter which is natural in any collective life and which is consistent with the nature of man.

The Qur'an states: "And they (women) have rights similar to those (of men) over them, and men are a degree above them." (Qur'an 2:228).

The Muslim feminist, Fatima Mernissi, has dealt at length with the issue of female leadership. Secular Muslim feminists focus on the top of the political ladder and thus promote female leadership, whereas Islamist women seek empowerment on the lower pace of the ladder so that many women can be politically activated.

Jamal Badawi's book, Gender Equality in Islam, also deal with female leadership. Badawi further rejects the argument used by many Islamic scholars that as women are not allowed to lead prayers in mixed gatherings, this means that they are not allowed to lead the state as well. Badawi argues that prayer is a purely religious act whereas leading the state is a religiously based political act (Badawi 1995: 40).

Moroccan feminist, in her book Women and Islam 1993, on the first page Mernissi asks the question: 'Can a woman be a leader of Muslims? Mernissi have made the leadership question a major issue in the battle for female empowerment in the Muslim world.
2.5 Muslim Women in South Asia

The diverse situations of women in South Asia South Asia is an area of the world containing remarkable ethnic, linguistic, religious, geographical, and political diversity. Recent literature on women in South Asia has analyzed the manner in which class, religion, caste, ethnicity, and colonial political and economic structures have influenced the condition of women. There have also been efforts to understand how South Asian women themselves view their options and positions (R. Kumar 1994; Forbes 1996).

2.5.1 Spread of Islam into South Asia, C.E. 1000-1700

Many Indian scholars claim that the major impact of Islamic culture on Indian women came from the imposition of purdah\(^1\) or veiling. This view maintains that Muslim women were veiled and that Hindu men began to veil their wives first as protection from possible dishonor by Muslim men and then as a form of social prestige. There is, however, growing evidence that elite Indian women were confined to inner apartments in palace complexes as early as the Gupta period. Such physical seclusion seems to be related to growing legal restrictions (for example, the Laws of Manu); to an emphasis on the importance of female chastity for the maintenance of family honor; and to the prestige resulting from the withdrawal of women from economically productive, public activities (Vasantasena in "Little Clay Cart"). With the arrival of Turkish Muslim conquerors in the late twelfth century, the physical seclusion of Hindu women intensified. Peasant women moved around in the public sphere from economic necessity and probably covered their heads or faces with the ends of their saris or a separate piece of cloth when they passed a stranger (Barbara N. Ramusack, 1984).

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\(^1\) Purdah is a Persian word used widely in India; its usage is not restricted to Muslim communities. *Purdah* here means the concealment of women and the separation of women's and men's worlds.
Whatever the origins of the adoption of purdah and physical seclusion in South Asia, the rules of its observance were significantly different between Hindus and Muslims. In Hindu households physical distance was practiced toward certain related males, especially fathers-in-law and older brothers-in-law; toward non-related males, and toward older females (Varsha Joshi 1995). Among Muslims physical seclusion was practiced primarily toward non-related males.

Hanna Papanek (1973), Doranne Jacobson (1976), and Sylvia Vatuk (1982) have explored the function of purdah in contemporary India. In the absence of historical research on the practice of purdah in the earlier centuries, we must extrapolate backward from their conclusions and from modern literary sources. Purdah means "veil" but also refers to the physical seclusion of women in a particular section of a dwelling, either the harim (Arabic) or the zenana (Persian).

In Western literature on women in the Middle East and South Asia that portrayed women as the exotic, these two terms conjured up images of women who are sexually exploited by their husbands or overlords. Current research establishes the harim or zenana as a women's abode where various activities take place: sexual relationships, reproduction of the family, socialization of children and daughters-in-law, and management of the household. There is very limited scholarship on lesbian relationships within the zenana (Thadani 1996), but Ismat Chughtai (b. 1915) wrote a short story, "The Quilt," during the 1940s that depicts a lesbian relationship between a woman in the zenana and her maidservant, as seen through the eyes of a child.

Despite the practice of purdah among Muslims, the Turkish Muslims who established the Sultanate at Delhi in 1206, which was continued by various dynasties until 1526, illustrated the manner in which tribal social customs mediated religious precepts. Within ruling Turkish Muslim families, women sometimes
acquired a literary education, were physically active, and frequently influenced political events (Barbara N. Ramusack, 1984).

2.5.2 Muslim Women in Politics

Shah Turkan, the wife of Iltutmish (ruled C.E. 1210-1236), who had risen from slave to sultan, promoted the fortunes of her incompetent daughter Razia declared his successor. She ruled from 1236 to 1240. She was murdered in a fight with rebellious nobility who challenged the authority of any Delhi sultan who attempted to exert authority over these rapacious supporters.

In 1526 Babur established the great Mughal dynasty that gradually extended Muslim political power over much of India. Women continued to play key roles in imperial politics. His mother and her relatives frequently advised and monetarily assisted Babur during the twenty years he spent wandering in Central Asia before he settled in India. Gulbadan, one of Babur's daughters, has left a sympathetic account, entitled *Humayunama* (1902), of the reigns of her father and his less decisive son, Humayun, which includes an insightful portrayal of the rivalries and friendships among the imperial women (Gulbadan Begam 1902: Godden 1981).

The most powerful and controversial Mughal woman was Nur Jahan (1577-1645), a thirty-four-year-old Persian widow who married the emperor Jahangir and was an active participant in imperial tigershoots and hunting expeditions (Findly 1993). She managed to have her father and brother appointed to key political offices, thereby strengthening the Persian element at the Mughal court, and served her husband as an important conduit of requests. Many of her enemies and later scholars have portrayed Nur Jahan as the strong-willed manipulator of Jahangir.
Chakravarti and Roy have argued that women who ruled in their own right, such as Razia, or acted on behalf of their husbands, such as Nur Jahan, receive negative treatment because they seem to threaten the established order. Women who have preserved power for their sons, however, are deemed praiseworthy (Chakravarti and Roy 1988b: WS-7). But Mughal imperial women played a variety of roles. Mumtaz Mahal (ca. 1593-1631), the wife of Shah Jahan, was the woman for whom the Taj Mahal was built when she died after the birth of her fourteenth child. Not only was she much loved by her husband, she was also knowledgeable about major policies and keeper of the imperial seal, which authenticated imperial decrees. Her daughters were also active in imperial politics. Jahanara Begam (ca. 1613-ca. 1683), the eldest, was in charge of her siblings after her mother's death, supervised the imperial household, and became a political confidante of her father and her brother, Dara Shikoh. Interested in literature and music, Jahanara also shared a commitment to Sufism with Dara. When their brother Aurangzeb triumphed in a bloody war of succession in 1658, Jahanara chose to accompany her father, Shah Jahan, into his prison in the Red Fort in Agra, where he had a room with a view of the Taj Mahal. After her father's death in 1666, Jahanara was permitted to move to her own house outside of the fort and remained one of the few people able to speak frankly to Aurangzeb (Misra 1967; Pal 1989; Richards 1993).

Some elite Hindu women had political roles both within and outside the Mughal Empire. As in many cultures, foreign conquerors used marriage to consolidate political power. Akbar sought to reaffirm his alliance with Rajput opponents by marrying a daughter from the princely house of Amber-Jaipur (Talbot 1995).

2.5.2 Women and Religious Practice

By the arrival of the Muslims, Hindu women were excluded from education and participation in the Sanskritic tradition of Hinduism. However, they
increasingly found emotional sustenance in *bhakti*, or devotional Hinduism. Krishna, an incarnation of Vishnu, first enunciated the essence of *bhakti*, the approach to god through pure love, in the *Bhagavad Gita*. *Bhakti* saints, frequently from lower castes, propagated this message through vernacular poetry from the third century onward in south India and from the tenth century in north India. They attracted wide audiences among dispossessed groups such as *sudras*, untouchables, and women; extraordinary individuals among these followers became *bhakti* poets and saints themselves (Manushi 1989; Ramanujan 1982).

The Muslim counterpart in India of the *bhakti* movement was Sufism, a mystical movement that preached the need for direct union with God. Although the existence of female Sufi *shaikhs* who led Sufi orders in South Asia is uncertain, there were female Sufi saints whose spiritual perfection was manifested in extraordinary events (Rizvi 1978). Calling their path of proclaiming a passionate love for God as one beyond the Qur'an, Sufi *shaikhs* served as spiritual and psychological advisers to their devotees, and women found an emotional and religious refuge in their advice. In the context of Bijapur, a Muslim kingdom in the Deccan, Richard Eaton (1974, 1978) has described Sufism as the folk religion of Islam. It reflected the dualism of Islam, with men going to the mosques while women went to the *dargahs* or tombs of Sufi *shaikhs*, where they made votive offerings of flowers or food. Sufi *shaikhs* also taught the basic doctrines of Islam, and their call for love of God through vernacular poetry, which included lullabies and work songs, at times contained sentiments similar to those in the poems of the *bhakti saints* (Eaton 1974).

Although some historians have viewed the establishment of Islam in India as an unmitigated disaster for women because of the increasing prevalence of purdah, the period from 1000 to 1700 still witnessed diverse conditions for women. Hindu women had access to the *bhakti* tradition, which softened the strictures of socially
circumscribed roles and even allowed some to evade them altogether. Eaton's work on Sufism indicates that the boundaries between Hindu and Muslim cultures remained permeable for many women. In the political sphere, women at the Sultanate and especially the Mughal courts participated in the imperial decision-making process as mothers, wives, sisters, and daughters (Tirmizi 1979).

2.6 Muslim Women in Colonial South Asia

South Asian nations share certain predominant features: centralized governments; socio-economic inequalities based on class, gender and caste; and nationalistic divisive claims on grounds of ethnicity, language and religion. India and Sri Lanka have remained democracies for the past 50 years, while Bangladesh and Pakistan have been swinging between democracy, militarism and autocracy. Nepal has passed from democracy to absolute monarchy and back to democracy.

In a region of rich diversity a mosaic of cultural heritage challenged by the problems of poverty, illiteracy, health, gender imbalance and religious fundamentalism. South Asian Muslim women have borne the greatest burden of poverty, deprivation, illiteracy and morbidity. They have also been the major victims of violence. The early twentieth century witnessed a rise of women’s movement which campaigned for furthering female education, raising the age of marriage for women, and the removal of purdah. The position of Muslim women before independence did not differ significantly from that of women belonging to other communities.

Differences emerged from caste, class and region, rather than religion. Purdah was a common feature of all communities, but varied across regions and communities. Elite Muslim women used the argument against customary practice and non-implementation of women’s Islamic rights to denounce customs like purdah.
The Begum of Bhopal, one of the pioneers of women’s education, refuted the view that the practice had religious sanction. In 1929, while presiding over the session of the All India Women’s Conference, she publicly removed her veil. A resolution against purdah was passed at the same meeting (A.R. Caton 1995:78).

In 1930, the Muslim Educational Conference observed that the practice of purdah was decreasing, attributing the decline to economic reasons; and personalities like the Nizam of Hyderabad and Mohammed Ali Jinnah took public positions against purdah. Meanwhile, in her address to the All India Women’s Conference, the Maharani of Travancore acknowledged the advantages of divorce and inheritance rights for Muslim women but felt that their realization was impeded by the practice of purdah (Shahnawaz, Begum J.:1971).

The early twentieth century also witnessed the establishment of ‘purdah clubs’ across India (Shahnawaz, Begum J., 1971: 84). Forums for Muslim women provided a space for sharing issues of common concern which had previously been impossible due to women’s confinement at home. Atiya Begum established a Muslim women’s conference at Aligarh in 1905. The All India Muslim Ladies Conference, claiming to represent the interests of all Muslim women, was established in Lahore in 1907. The latter session was in Lahore in 1917 attracted 400 Muslim women participants from across the country. The Anjuman-e-Khwateen-Deccan (women’s association) was formed in 1919. At the meetings, resolutions were regularly passed in favor of women’s education, and against polygamy and the veil. Although, the leadership of women’s movement was restricted to elite families11.

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11 The leadership of the Muslim women’s movement, as with the movement in other communities, tended to become identified with particular families; in Bombay, for example, their activities were closely connected with the activities of the women from the Chinoy, Rahimtoola and Tyabji families, in Punjab, with those of Mohammed Shafi and Abul Qadir and in United provinces with those of Begum Shahnawaz.
It was possible for Muslim women to share their experiences with women from other classes and to transmit ideas to wider audiences. The link between a rising women’s movement, the proximity of several of its leaders to the Indian political leadership and the recognition of the importance of women’s issues by the national leadership, contributed towards strengthening the women’s movement as a whole. The movement’s success in bringing about social and legal reform facilitated the struggle for the enfranchisement of Indian women. By 1921, women had won the right to be elected to central and state legislatures, although women’s status as voters depended upon their husband’s property. Under the Government of India Act, 1935, 6,600,000 women were eligible to vote for a total of nine seats out of a total of 250 in the Central Assembly, and six seats out of a total of 150 in the State Provincial Assembly. The All India Women’s Conference demanded the scrapping of all such discriminatory barriers and pressed for the universal adult franchise for women. With the re-emergence of the Muslim League during the 1930s, the All India Muslim Ladies Conference faded away. In 1932, the League passed a resolution in favor of women’s suffrage, representation and social equality. This was, as a scholar notes, ‘not a sea-change in its attitudes towards women’, but more in keeping with the League’s political priorities (and appeal for the ‘women’s vote’). It established women’s branches all over the country and its success in the 1946 elections was partly due to Muslim women who voted for the party (A. Jalal, 1991:84).

The All India Women’s Conference session in Lucknow, 1932, passed a resolution favoring (particularly Muslim) girls’ education. Resolutions were also passed against communal electorates for women, untouchability and the prevalence of unilateral (i.e. Muslim men’s) right to divorce; and on communal unity (Lateef, 1990: 89). In the 1946 elections, Begum Shahnawaz and Begum Shaista Ikramullah
were elected to the Central Constituent Assembly. By 1947, both of these women who had been an integral and vocal part of the Indian women’s movement were associated with the Muslim League. Neither the League nor the demand for Pakistan focused on women’s rights issues, although the numerous women who supported and voted for the League, and by extension Pakistan, ‘believed that women would receive a fair share in the new society which they were helping to bring into existence’ (Shaheed, 1998:4-5).

The national movement against British colonial rule in undivided India, spearheaded by Mahatma Gandhi, was instrumental in bringing women in large numbers into the public space. Gandhi played a crucial role in creating a favourable atmosphere for women’s participation in the freedom struggle by insisting that the struggle for women’s equality was an integral part of the movement of Swaraj. Gandhi’s appeal brought significant numbers of women into the public arena during the 1919 non-cooperation movement (Barbara N. Ramusack, 1984:60). Three causes were very dear to Gandhi’s heart. The first was Hindu-Muslim unity, the second, the fight against untouchability, and the third, the raising of the social status of women in the country. He once summed up his aims as follows:

“I shall work for an India in which the poorest shall feel that it is their country, in whose making they have an effective voice, an India in which there shall be no high class and low class of people, an India in which all communities shall live in perfect harmony..... There can be no room in such an India for the curse of untouchability..... Women will enjoy the same rights as men...This is the India of my dreams”.

Gandhi, therefore, created a political space for women within the patriarchal system, projecting the concept of women’s role being complementary to men's,
and embodying virtues of sacrifice and suffering (Mies 1980).

Gandhi, however, was very conscious of the power that women could have in a struggle based on the concept of non-cooperation. He stressed the importance of their participation in political and social matters, and exhorted them to join the nationalist struggle. Gandhi, therefore, played a vital role in attempting to feminise the nationalist movement in India. In the process, the values and views that he espoused influenced and shaped the women’s movement in the early phase of independence of the other nations of the region.

Women of India participated in demonstrations such as the all-night dharnas of 1930 against foreign cloth, and in selling 'the salt of freedom' during the salt satyagraha. These campaigns succeeded in breaking the myth of segregation. They also articulated liberal sentiments like suffrage rights. To advocate women’s equality and their right to participate in nationalist politics, the All India Women’s Conference (AIWC) was formed in 1927 through an amalgamation of various regional women’s groups. It also spearheaded constitutional reforms and other provisions for women. Consisting of reformist, revivalist and radical streams, the AIWC played a critical role during the freedom struggle, and helped women systematically articulate their political rights in public forums.

Women achieved the franchise in all provinces by 1930. The Government of India Act of 1935 extended the franchise among women but through terms that most Indian women’s organizations found unacceptable. For example, in an effort to get around the fact that married Indian women owned property, the British offered the vote to the wives of certain classes of male property owners. This practice followed the pattern of gradual extension of the franchise to women pursed in great Britain, but Indian women wanted universal franchise and not partial steps
based on a women’s relationship to a man (Forbes, 1979, Southard 1993). In the 1936-37 elections women won 56 out of approximately, 1,500 seats in the provincial legislatures. Only one woman an legislator became a minister: Vijayalakshmi Pandit, a sister of Jawaharlal Nehru, was selected as the Minister of Local Government and Public Health in the United Provinces (Pandit, 1979). Three women become deputy speakers and two parliamentary secretaries (Forbes, 1996).

2.7 Muslim Women in Independent Bangladesh

Bangladesh was created in 1947 as East Pakistan, Bangladesh achieved its independence from Pakistan in 1971. Although patriarchal institutions such as patriliny and patrilocality are firmly rooted in Bangladesh, Bengali culture, which has some ties to Southeast Asian cultures as well as the Bengali Hindu culture of India, has attenuated the legal position of Islamic institutions and injunctions in Bangladesh. Furthermore, Sheikh Mujib, the popularly acclaimed liberator, first president, and later prime minister of Bangladesh, was firmly committed to secularism. Naila Kabeer has argued that "secular states allow more negotiable frameworks for the politics of gender than imaginable in states where legitimacy is ultimately derived from religious texts which codify the principle of gender inequality" (Kabeer 1991: 44).

So while many aspects of women’s lives such as marriage, divorce, and inheritance are decided according to religious law, women were declared equal to men under the constitution of 1972. Purdah or gender segregation remains an ideal, but public veiling is less pervasive than in Pakistan. Poorer women who must work maintain evidence of the ideal in their shyness and their efforts to avoid contact with unrelated males (Chowdhury 1994).
Women in Bangladesh have participated ever more in social and political movements. The country’s leading female poet, Begum Sufia Kamal\textsuperscript{12} was the conscience and leader of civil society, protesting against autocratic military rule and demanding a secular and democratic polity. During the 1950s and 1960s, several women’s voluntary neighborhood associations emerged promoting literacy and skill training for women. In 1969, the country’s largest women’s organization, the Mahila Parishad, was established to advocate for release of political prisoners. The Mahila Parishad is now a multi-faceted organization for women’s rights with more than 100,000 members throughout Bangladesh (Encyclopedia of Women and Islamic Cultures: Family, Law and Politics Cultures, 2005: 52).

Following the birth of Bangladesh in 1971, thousand of non-governmental organizations went to villages to mobilize million of rural women to access education, health care, credit, and employment. Many NGOs emphasize women’s issues (Jahan 1995). In the four decades since independence, gender issues have certainly entered the mainstream discourse.

Beginning with issues of “Women in Development” (WID), women’s rights activists have expanded the feminist discourse to include sexuality, violence, human rights and political participation. The Women in Development or WID programs tended to be narrowly constructed and to benefit rich peasant women whose families’ profited or middle-class women who were employed as administrators, or to focus on population control. But the government found itself in a dilemma as some aid providers, apparently those from the Middle East such as Saudi Arabia, sought a more Islamic orientation, with a reaffirmation of separate spheres, less public participation by women in development schemes, and an end to population control measures that allegedly led to sexual chaos.

\textsuperscript{12} Begum Sufia Kamal was the main leader of the Language Movement that generated a new awakening and active participation of men and women in Bangladesh.
Despite some signs of optimism, the situation of Bangladeshi women remains vulnerable (Abdullah and Zeidenstein 1982). Their subordinate position is reflected in life expectancy, which in 1981 was 49 years for women and 53 for men. The maternal mortality rate is one of the highest in the world, being responsible for 27 percent of deaths among females from 10 to 49 years (Rozario 1998). At the same time, some elite women are visible in professions dealing with women, such as education and medicine (Jahan and Papanek 1979; Feldman and McCarthy 1984) and women have legal and political rights to vote and hold office. Many political parties have women's organizations; the most active is the Mahila Parishad of the Communist party. The latter has agitated for the rights of women factory workers and bank employees, campaigned against violence toward women and the growing demand for dowry, and opposed the nomination of women to reserved seats since this provision gives the ruling party (who makes the nominations) a strengthened voting bloc.

In this ambiguous situation, some non-governmental organizations (NGOs) have begun to organize during the 1980s among lower-class rural and urban women. Focusing on gender rather than class or legal issues, the NGOs seek to organize women into collectives, to make women aware that they are oppressed as women and not only because of their class position, and to empower them to take actions themselves to improve their situation. Thus they differ from WID programs, which target immediate needs and concentrate on improving material conditions without addressing gender and ideological issues (Kabeer 1988, 1991).

Women's increasing participation in civil society organizations is accompanied by increasing participation in politics. At the time of independence, there were no women directly elected by the citizens to the national parliament. The 1973
Constitution provided for 300 general and 15 reserved women's seats to be elected by the general members of the parliament. Similarly a 30 per cent quota for women was reserved in local councils, again indirectly elected. In the early 1980s, the two major mainstream political parties of the country chose two female leaders, Shiekh Hasina (The Awami League) and Khaleda Zia (Bangladesh Nationalist Party) as party president. While Hasina and Khaleda owe their leadership position primarily to dynastic connections (Jahan, 1987).

2.8 Women in Independent India

In the contrast to Bangladesh and Pakistan the Muslims in India had the disadvantages of being a minority community. Muslim women were doubly disadvantaged lacking national or visionary leadership, the voices and experiences of Muslim women are represented by male Muslims claiming to represent the entire community (Encyclopedia of Women and Islamic Cultures: Family, Law and Politics, 2005: 55).

Independence brought a significant improvement in the legal status of Indian women, but initially it also produced unprecedented disruption in the lives of Hindu, Sikh, and Muslim women who migrated to and from the new states of India and Pakistan. Independent India’s Constitution redefined the relationship between the state and its citizens. The notion of the individual as citizen with fundamental rights, including the right to universal adult suffrage, was a break with past authoritarian structures. The secular discourse of a multilayered past and a common future for all Indians in the wake of partition’s bitterness evoked a powerful appeal. Yet, for most uneducated, economically deprived Muslim communities it was difficult, even painful, to identify with a secular Indian identity while their religious identity was still suspect; while they remained targets of communal violence; when it meant learning Hindi instead of Urdu; or when Hindu right-wing discourse posited
Muslims as major impediments to national integration, casting thinly veiled aspersions on Muslim cultural identity.\footnote{Soon after independence, Sardar Patel declared, 'I want to tell them frankly that mere declaration of loyalty to [the] Indian union will not help them at this critical juncture. They must give proof of their declaration'. Shakir, M., \textit{Politics of Muslim Minorities}, Delhi, 1980, p. 137; cited in Jalal, 'Exploding communalism', p. 96.}

Furthermore, Muslim women faced the additional disadvantage of being women within a minority community. Like most Indian women, Muslim women were yet to benefit from the gains of the women's movement made at the turn of the century. Practices like polygamy and seclusion of women were common to both Hindu and Muslim women; so was the lack of education and economic independence. Muslim women joined other Indian women in the struggle for access to economic resources, education and employment. The impetus of the women's movement lay somewhat diffused in the aftermath of partition. Its communal solidarity was commendable, yet the transition was particularly difficult for Muslim women.

The political opportunism of the latter, combined with the failure of state programmes to alleviate women's socio-economic status, left the majority of Muslim women economically and educationally impoverished. The restricted agendas of organizations like Jamiat-e-ulema-e-Hind, which focus on the retention of Muslim personal law; the Jamaat-e-Islami, wishing to preserve the \textit{Shari'a}; together with the revivalist and missionary activities of the Tablighi Jamaat, which propagates a particularly rigid and puritanical Islamic doctrine, do not offer any hope of initiating debate within Muslim communities or of taking up problems with central government (Lateef, 1998).

The 1950 constitution granted women the right to vote and included an equal rights provision that banned discrimination on the basis of sex. But it did not inaugurate a
uniform civil code. Jawaharlal Nehru had promised reforms in the personal laws for Hindu women but encountered strong opposition from Orthodox Hindu groups (N. Banerjee 1998). It took him until 1954 and 1955 to secure a series of legislative acts, known collectively as the Hindu Marriage Code, which most importantly prohibited polygamy and established divorce by mutual consent.

Many women activists were disappointed, however, by the decision to allow Muslims to follow their personal law in an effort to reconcile the 10 percent Muslim minority that stayed within India after the creation of Pakistan (N. Desai and Krishnaraj 1987; L. Sarkar 1976).

Muslim women in India remained under Qur'anic injunctions, which permitted a man to have four wives as long as all were treated equally. There is much controversy over the security afforded to women in marriage and for inheritance by Qur'anic law and the four schools of Muslim law (Agnes 1996; Bhaty 1976; Carroll 1979, 1982a, 1982b).

Some Muslim reformers in India have argued for a uniform civil code. They cite Muslim states in the Middle East that have them and claim such codes afford protection to women who are relatively uneducated and without the support of sympathetic male kin. Orthodox Muslim groups, reaffirming the validity of Qur'anic injunctions, have been strengthened by the growing support for Muslim fundamentalism which emerged in the late 1970s.

The case of Shah Bano, a Muslim woman who sued for support from her former husband under the Indian Penal Code, brought these issues to public attention. In 1985 she received a positive verdict from a Hindu judge, but his action raised a widespread protest from orthodox Muslim political and religious leaders. After
some initial hesitation, Rajiv Gandhi supported a bill, named, ironically, the Muslim Women’s (Protection of Rights on Divorce) Act, which essentially prevents Muslim women from utilizing the Indian Penal Code to redress a marital issue. Divorced Muslim women are to rely upon their natal families or the Muslim community for support, not their former husbands (Pathak and Ranjan 1989).

The 1990s, however, saw the emergence of Muslim Intelligentsia Forum that questioned the authority of Muslim political and religious leaders. The National Commission for Women held a series of public hearings on Muslim women to highlight the economic problems faced by them. Several Muslim women also started to discuss specific reforms in Muslim personal laws. These efforts symbolize Muslim’s determination to challenges existing Shari’a laws and renegotiate ideas on women’s rights (Encyclopedia of Women and Islamic Cultures: Family, Law and Politics, 2005:55).

2.9 Women in Independent Pakistan

Created in 1947 with the specific goal of becoming an Islamic republic, Pakistan provides a legal and social setting for women in which they are subject to Qur’anic law as it has been modified by legislation (Willmer 1996). The creation of Pakistan impelled many middle class women to become involved in charity and volunteer organizations. The All Pakistan Women Association established branches all over the country. The All Pakistan Women’s Association (APWA) promoted the passage of the Muslim Family Laws Ordinance (MFLO) of 1961 in an effort to restrict polygamy and to equalize the opportunity of women to divorce. The elite members of the APWA, however, could have little impact on the implementation of such modernist legislation.

In the early 1970s in Pakistan the popularly elected government of Zulfikar Ali Bhutto (1971) supported women’s advancement by appointing women to high level
government positions and by establishing a National Commission on the Status of Women. Several women's organizations such as Aurat and Shirkat-Gah, emerged during this period (Encyclopedia of Women and Islamic Cultures: Family, Law and Politics, 2005: 53).

However, the military regime of General Zia-ul-Haq (1977-88) which overthrew Bhutto in 1977 imposed a dressed code in offices and schools, introduced Islamic punishments through the Hudood Ordinance (1979), and established shari’a courts. Women's organizations protested against these restrictions. During the 1970s and 1980s the government of General Zia ul-Huq attempted to bring the civil law into closer congruence with Islamic law. In 1973 the Council of Islamic Ideology was formed to ensure that civil laws, including the MFLO, were interpreted in accordance with Islamic principles, and its rulings do not always favor women. It has eight to ten members, but only one must be a woman. Women's groups, especially the Women's Action Forum, and professional associations, particularly those of lawyers, have protested against efforts to reduce the scope of the MFLO (Alavi 1988).

In 1981, the Women's Action Forum (WAF) was formed with branches in all four major cities of Pakistan. WAF was the first organization to publicly protest against the actions of military regime. In the 1980s and 1990s several NGOs and women organizations emerged, some with grassroots connections. Women (Asma Jahangir, Hina Zilani) assumed leadership of mainstream human rights organizations. They succeeded in making violence against women, like honor killing, major issues in human rights discourse nationally and internationally (Encyclopedia of Women and Islamic Culture: Family, Law and Politics, 2005: 53).

After the return of a democratically elected government, Benazir Bhutto, who first became prime minister in 1988 and was ousted in August 1990 on charges of
mismanagement and corruption, is the most famous woman in Pakistani politics. Her participation is similar to that of women in India and Bangladesh who enter politics through relationships with prominent males (Bhutto 1988).

Bhutto reflects the ambiguous position of even elite women and the imperatives of political power in contemporary Pakistan (Zakaria 1990). In 2002, a system of women’s reserved seats (elected indirectly) has created a 21 per cent representation of women in the lower house and a 17 percent representation in the upper house of parliament (Encyclopedia of Women and Islamic Cultures: Family, Law and Politics, 2005: 53).

2.10 Conclusion

From the true Islamic perspective, a woman is an individual worthy of dignity and respect, an independent human being, a social person, a legal person, a responsible agent, a free citizen and a talented person, blessed like a male person with heart, soul and intellect, has a fundamental equal right to exercise her abilities in all areas of development. Islam recognizes men and women’s equal rights.

Islam encourages women to be active politically and to be involved in decision-making. In early Islam women led delegations, mediated and granted refuge and protection. Ayesha, the Prophet’s wife during the Caliphate period, lodged complaints, criticized the policies of the rulers and led opposition groups. Razia was nominated by his father Iltutmish to be rulers of India in 1236. Razia proved to be a great monarch.

At present, in many countries, it is inconceivable for women to be head of the government, though it is not un-Islamic. Mrs. Benazir Bhutto had been the Prime Minister of Pakistan on two occasions. Bangladesh had been led by women Prime
Ministers since 1991 with an intermission of two years between 2006 and 2007. Sheikh Hasina and Khaleda Zia have shared political power as the Prime Minister and the Opposition leader for the almost seventeen years.

There have been examples of Muslim female leadership in South Asian Countries such as in Bangladesh and Pakistan. However, in Arabic-speaking countries no women has yet been a leader of the state, although many Islamists remarked on the presence of women such as Jihan as-Sadat, the wife of Anwar as-Sadat in Egypt and Wasila Burqiba, the wife of Habib Burqiba in Tunis, who have strongly influenced their husband in their dealing with matters of state (Anne Sofie Roald, 2001: 184).