The significance and importance of the study of the status of woman in society never diminishes, because with the marching of time, there occurs a change in the basic values of human relations. Among the issues, related to human relationship, the man-woman relationship and the status of woman in society are upper most, because the greatness or otherwise of a society depends on how woman is being treated in that society. Sometimes, she is called a ‘Goddess of Bounty’ while at other times, she is referred to as a ‘Diabolic creature without soul’. Every civilization, every culture has its contribution in ill-treating woman. The hypocrisy of calling woman a goddess as well as a witch, in one and the same breath, is also not wanting in the history of many civilizations. Even those civilizations, which are supposed to be the cradles for nurturing human values and human dignity, are also not lagging in ill-treating woman. The religions which boast of being the world’s oldest and greatest, also suffer the ignominy of respecting mothers and torturing wives, loving daughters and hating daughters-in-law. Therefore, it becomes necessary, on the part of the women, to unravel the masculine psychology that depicts woman in bright light at one moment and in deep dark at the next. Patriarchal oppressions rob woman of her subjectivity and turn her into a passive object, unable to act freely. The male dominant society further reduced woman to the position of an unpaid servant and also to a child bearing biological automation in the house-hold. Thus, woman became an ‘essential other’ in every civilization.

1. **WOMAN IN GREEK CIVILIZATION**

According to Greek Mythology, an imaginary woman Pandora was responsible for all the sufferings of humanity. Similarly, the Jews and Christians also consider Eve to be the main cause for man’s misfortune. Thus, all old civilizations have wrongly made woman a convenient peg in the wall to hang their hypocrisies and ill logic on. The
Greeks regarded woman as a 'Sub-human being', whose status in the society was in every way inferior to that of man. To make matters worse, the women of Greek nobility were forced to observe Pardah and the female apartments were separated from the rest of the house.

Gradually, the Greeks became overwhelmed by egotism and sexual perversions. With this deterioration in man's attitude, the corrupt female element gained prominence that has no parallel in history. Prostitution became rampant and this institution attracted philosophers, poets, historians, men of science and savants of arts. It might sound strange that the counsel of these women was sought on the issues like morality, state politics, aesthetics and so on. Lechery and pleasure-hunting was so rampant among the Greeks that they used to lock their legally wedded wives to visit the houses of prostitutes.

Plato calls women 'a second creation'. He says that those who were cowards and inadequate, were born as women in their second birth. Nevertheless, he is quick to add,

'A Good many women are better than a good may men at good many times'¹

However, there were great Greeks like Socrates who said 'Soul has no Sex'.

2. **WOMAN IN ROMAN CIVILIZATION**

When Romans emerged from the darkness on the bright horizons of history, man was recognized as the chief of the family. When democracy was at its Zenith, chastity of woman was highly valued and decorum in public life was strictly maintained. If a man kissed his wife in the presence of his daughter, it was considered derogatory to the moral fabric of the society and a vote of censure was passed against that man in the senate.

With the advancement of civilization, the Roman concept of the status of woman also underwent changes. Marriage was reduced to a civil contract. Woman was given full proprietary rights over inherited property. As a result, the Roman women became so rich that they lent money to their husbands on very high rate of interests. Divorce was so easy that it could be obtained on any flimsy ground. Seneca (04 BC to 65 AD), the famous Roman philosopher and writer, criticised his countrymen very severely for their licentiousness. Roman women used to take many husbands. Moulana Sayyid Abu Ala Moududi writes:

"St. Jerome (340 AD to 420 AD) makes mention of an infamous woman whose last husband was the twenty-third in succession and she was the twenty-second wife of the husband."\(^2\)

The Roman literature is also replete with themes which were contrary to the moral health of the society. All this happened at the cost of women's self respect.

3. **WOMAN IN CHRISTIANITY**:

In the beginning, Christianity strived to give a respectable life to woman. It put an end to immoral customs, prohibited immodesty towards women, made serious efforts at eradicating flesh trade and retrieved dancing girls. However, a point to be noted is, the Christian patriarchal concepts of woman and conjugal relationship were un-natural and opposed to human nature.

After the initial stage of feminine glory, many Christian saints are found despising woman as snake and scorpion. She is the,

"Origin of devil, the scorpion ever ready to sting."\(^3\)

Assertions, that woman is created from the body of man, are not wanting in Christianity.


'God created Adam and other animals as his companions. Adam did not find a help mate. So, Adam provided from his own body, out of which Eve was created. Therefore, the Old Testament declares: Women are an after though.'

Apart from individual saints and celebrities, even the institutions like churches and chanceries also play a big role in reducing woman to a humiliating position in Christianity. Churches declared that conjugal love is a 'dirty' affair. Woman was further weakened economically, because her right to inheritance was curtailed. Divorce was mostly prohibited and the woman was forced to live as her husband would like her to be. Though divorce was granted, such men and women were not allowed to remarry. In such cases, prostitution or suicide were the only two ways left to them. In some parts of Russia, even today, the father gently strikes his daughter with a whip in her marriage, saying that he is striking her for the last time and passes on that whip to the groom.

4. WOMAN IN JUDAISM:

Rabbinism teaches that to be a woman is a great degradation. Even today, a Jew, in his daily prayers says,

'Blessed thou art O Lord, Our God! King of the Universe! Who hath not made me a Woman.'

Moses, one of the greatest of the law-givers, could not enfranchise woman. According to Judaic history,

'Of the woman came the beginning of sin, and through her, we will die.'

Plurality of wives was not disallowed in this religion. The Jewish saints, most of them, had many wives. Divorce was so easy among them that a husband,

5. S.M.H. Kidwai. P-13
6. (Ibid) P-13
'Divorced his wife because she put a little more salt in the food.'

Marriage between Jews and non-Jews was prohibited.

Thus, it is seen that the Western religions and civilizations looked at woman as:

(i) a soulless creature,
(ii) her body is for man's enjoyment
(iii) a source of moral and material corruption, and
(iv) deserving the choicest abuses from man like 'devil', 'snake', 'scorpion', 'hell' and so on.

One need not be shocked at the appalling opinions held by the Wise men of the West regarding womanhood. Similarly, the East has also sinned against woman. One simple question to be asked at this point is, does man exclude his mother from the above curses?

5. **WOMAN IN BUDDHISM**

What the East has to say about woman can be seen here. It is unbelievable that the Buddha, who was so considerate about man and so much concerned about humanity, held such a low opinion about woman. Woman, according to the Buddha, was an obstacle in the way of man. 'Nirvana' or the eternal bliss is beyond women. The Buddha advised his disciple Anand,

'Don't see them, Anand, keep wide awake.'

In The Buddha's opinion, the accident of being born a woman must have been similar to what is to be born a Shudra to a Brahmin. He warned all his followers not to see woman in any form, not even her picture, because she might steal man's steadfastness. It is a sorry state of affair to see that no less a person than the Buddha, who waged a relentless war against dead rituals, did not raise his finger in defense of a living woman.

7. (Ibid) P-13
8. (Ibid) P-13
6. **WOMAN IN HINDUISM**

The Hindu attitude towards woman has much in common with that of the other religions. In the beginning, woman was much respected in Hinduism to the extent that she was deified as 'the goddess on earth'.

'Where Women are worshipped, gods take pleasure in (treading) that land' is the most popular quotation in Sanskrit. The women scholars like Gargi, Lopamudra, Maitreyi to name a few, have rendered great service in composing Vedic hymns. A.S. Altekar, in his exhaustive study on Hindu women, has described, how the Hindu woman was seen in her different roles as a friend, as a doctor of body and soul and so on,

रसिया द जापा (Wife is friend) and जस्म भासो सम्म किचित्त विचित्र (There is no physician like wife)

Then came Manu, the lawgiver, and the woman was pushed into dark dungeon. He denied woman the right to study the Vedas. She was considered a toiling animal.

There is a popular saying in the North India, 'drum, cattle, dog and woman should be always beaten' to keep them under our control. A sensible woman would not so much mind of her being recommended for beating like animals than making her sit in the same row as that of a dog. The culminating point of the silent suffering of the Hindu woman is the sati system. No other religion has meted out such a treatment to woman. She is called a deity and a devil in one and the same breath.

6. **WOMAN UNDER ISLAM**

Voltaire, the most obdurate opponent of Islam, to begin with, wrote after forty years of study of various religions in the world.


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Mohammad's religion was unquestionably superior to that of Jesus. He never descended to the blasphemies of Christians, nor said that one god was three or three gods were one. The single pillar of faith is the one god. Islam owes its being to its founder's decrees and manliness. Whereas Christians used the sword to force their religion on others. Oh Lord! If only all nations of Europe would make the Muslims their models.¹⁰

Voltaire seems to be very much enamoured of Islam's monotheism, but there is another aspect of Islam of which every thinking person should be legitimately proud; that is, the status of woman in Islam. Prophet Mohammad is, probably the first head of a religion, who gave guidance to mankind, in great details, as regards the treatment of women.

Islam establishes equality between man and woman in all the walks of life. There are many verses in The Quran, which speak about man-woman equality:

  'And Women shall have the rights, similar to the rights against them.'¹¹

  'To men is allotted what they earn. And to Women what they earn.'¹²

  'They (men) are like your garment to your and you (woman) are like their garment.'¹³

These and several other verses in The Quran, form a grand charter of equality and dignity of woman. The popular belief that man was created first and from his rib woman was created, thus stands dismissed. Man has no right to look down upon woman as an inferior creature, because both of them have been born of the same origin. Nowhere does The Quran, allow man to punish a woman severely or beat her, for whatever mistakes she commits. However, it would be un-realistic to say that woman is being pampered and she is not to be punished at all. It is ordered that if a woman behaves

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¹⁰ Lari and S.M.R. Musavi, Western Civilization Through Muslim Eyes, (New Delhi, 1977) P.58
¹¹ The Quran) 2-228
¹² (Ibid) 4-32
¹³ (Ibid) 2-187
contrary to the Quranic injunctions or the Hadith (the sayings and doings of the Prophet), if she disobeys her husband or leaks secrets of her husband, then she should be punished. If the offence is light, the husband should stop speaking to her and not to share bed with her till she regrets. When the offence is big, the husband can beat his wife with his hand but no marks of his beating should be seen on her body. Using whip or stick is strictly prohibited while punishing woman.

If the husband commits the same mistakes, wife can also stop speaking and sharing bed with him, but she cannot give corporal punishment. Doubtlessly, men and women are equal in the eyes of The Quran, but man being an active partner, is placed in an advantageous position,

'Of course, men are a degree above them (women).’\textsuperscript{14}

Earning a living is the duty of man, while woman’s duty is to keep the house.

'The woman is the ruler of the house of her husband and she is answerable to him for the conduct of her duties.'\textsuperscript{15}

In running the household, one should have control over the other, but the authority granted to man is not without a piece of advice.

'Treat your wives kindly and forget not magnanimity in your mutual dealings.’\textsuperscript{16}

'The Best amongst you are those who are good to their wives and kind to their people.’\textsuperscript{17}

This is sufficient to prove that The Quran, grants equality to man and woman and the Prophet practised it to set an example for his followers.

After having seen, in detail, the equality of treatment between man and woman, it is imperative to know the rights of women in Islam, regarding her Nikah (marriage), Talaq (divorce), Purdah (veil), inheritance, maintenance, custody of children in the event of divorce, economic and social rights and so on.

\textsuperscript{14} (Ibid) 2-228
\textsuperscript{15} Hadith "Al-Bukhari") P-191
\textsuperscript{16} (Ibid) P-191
\textsuperscript{17} (Ibid) P-186
NIKAH (Marriage):

‘Un-Nikaho min Sunnati’ (The contract of marriage is my tradition), declares the Prophet. Marriage, under Islam, is a social contract and not a sacrament. Before marriage, the boy and girl can see each other and give their consent for marriage. Without the consent of the partners, parents cannot act on their own. Unless the girl expresses her willingness, the marriage cannot be deemed as solemnized. According to one Hadith, Shahi-Bukhari, the Prophet himself dissolved the marriage of a girl Khansa Binte Khizm, when her father got her married against her will. Woman has every right to come out in the open and stipulate any condition from her side, provided her conditions do not violate “Hudud Allah” (the limits set by God). She has the right to seek divorce, if staying together with her husband becomes impossible or the husband fails to give equal treatment in the event of polygamy. A Muslim can marry only the woman of ‘Book’ like the Jew, the Christian and so on, but he cannot force conversion until she willingly accepts it. Widow marriage or re-marriage of woman does not carry stigma in Muslim society.

POLYGAMY AND ISLAM:

Schopenhauer writes,

‘There is no argument about polygamy. It must be taken de-facto existing everywhere and the only question is as to how it shall be regulated.’

Polygamy is in no sense an essential institution of Islam. On the contrary, The Quran, proclaims,

‘Fa Wahidatan (then marry only one).’

18. (Ibid) P-36
20. The Quran, 4-3
That is, if you cannot treat your wives equitably and if, your partial treatment breeds jealousy among other wives of yours, then marry only one. Imam Shafi and Imam Razi, the two great spiritual leaders of Islam quote a verse from The Qur'an, in support of monogamy,

'Zalika adna ala ta-ulu (there should not be many wives). 21

The previous verse, read along with this verse, gives the following reading: 'there should not be many wives, marry only one'.

In The Qur'an, there is an entire chapter 'Al-Nisa' means 'Woman', in which the conditions which make man eligible for the second marriage are mentioned. After many wars, inflicted upon the Muslims by the Arabian non-believers, there were widows, destitutes and slave girls everywhere in Arabia. At that juncture, the verse of polygamy was revealed to the Prophet. Otherwise, the affected women would have been thrown in the street. In such conditions, polygamy was permitted, with a note of warning, that man should treat his wives equally. If a rich Muslim takes four maidens for his wives, it is violation of the Quranic injunction. Muslim male can take his first wife as he desires, but subsequently, he should marry only widows, orphans and destitutes.

In normal course, it is not a matter of right for a Muslim to marry four wives, but when there is an extraordinary contingency of excessive number of war widows and destitutes, who have no other source of livelihood, such women can be taken into Nikah. Thus, polygamy is a social obligation than a religious compulsion and social needs determine its relevance. It has been found to be a check on concubinage and street immorality. According to the 1951 census in India, polygamy among the Muslims is only six percent and among Hindus, it is seven percent. Recently, when a bill against polygamy was introduced in the Parliament, all the Hindu Members of Parliament vainly opposed its passage tooth and nail.

21. (Ibid) 4-3
MEHR (Dower):

While entering into marriage contract, the bride is free to stipulate any amount of Mehr she likes. It exclusively belongs to her. The husband has no right over it. The Quran says,

‘And (if) you have given, one of them, a heap of gold, take nothing from it.’

The wife, on her own, may share some part or the whole of it, with her husband for any contingency. The second Culiph, Hazarat Umer, wanted to impose a ceiling on Mehr, but a woman challenged the Culiph, reciting the above verse from the Holy Book. She said ‘who are you to put a ceiling on it, when Allah has permitted.’ (Hadith Al Bukhari – P.107). Hazarat Umer withdrew his proposal with due apology to the woman.

TALAQ (Divorce):

Marriage being a civil contract in Islam, both the parties retain the right to dissolve marriage whenever the situation warrants. There are three types of divorces among Muslims. Khula, which wife seeks on the grounds of impotency or some incurable deadly disease of her husband. In that even, woman has to pay some compensation ‘fidya’ to her husband. In such cases, woman is not entitled for maintenance from her husband.

The second type of divorce is called 'Mubarat', wherein both the parties agree for mutual separation. In this case also, woman cannot claim compensation.

The third kind of divorce is called Talaq-e-ah (uttering the word ‘Talaq' three times) which is commonly practised by the Sunni-Hanafi Muslims in India. Woman has no appeal against it. Such a unilateral divorce is not only unjustifiable but also un-Islamic. When there is crisis in the married life of a couple, The Quran recommends arbitration,
'And, if you fear breach between the two, appoint one arbitrator from his people and an arbitrator from her people. If they both desire agreement, Allah will effect harmony between them.'

When The Quran takes such great care to resolve differences between the couple, then how does it allow unilateral utterances of the word 'Talaq' in one breath. Islam always upholds justice (adl). As an arbiter, one is warned to speak the truth alone, even if it goes against one's interest. The Quran, says,

'O Ye believers, be maintainers of justice, bearers of witness to Allah, even though it be against you or your parents or near relatives.'

Islam stands more resolutely behind the weak in the matters of justice. Nowhere in The Quran, nor in Sharia (book of law), this kind of triple Talaq in 'one breath', is either recommended or deliberated. If a man in a fit of anger, or in a drunken state, screams 'Talaq' thrice, could it be binding on the woman? When marriage is a social contract, both the parties have equal rights to adjudicate any issue relating to the contract. No partner can be denied natural justice. The Quran, in many places, warns,

'The curse of God falls upon those who repudiate their wives capriciously.'

In Muslim countries like Egypt, Turkey and Pakistan, there are Sharia-courts to decide such issues. They go to the root of an offence and decide such matters in the light of Quranic injunctions or Sharia and justice is done to the affected party. In such cases, life long maintenance is awarded, but this is not the real solution to the problem.

The Quran, which considers daughter the golden key to heaven for her father and mother, cannot hold such biased and injurious views like oral Talaq. Nowhere it can be found in The Quran. Then it could be an interpolation in the Hadith. The Islamic clergy did issue Fatwas (religious injunctions), time and again, on various issues. It is possible

23. (Ibid) 4-35
24. (Ibid) 4-135
25. (S.M.H. Kidwai) P-13
that a school of clergy must have issued the Fatwa of triple-oral Talaq favouring male supremacy. Asghar Ali Engineer, President, Islamic Study Centre, Bombay, writes,

'It is true in the collections of Hadith (Prophet's sayings and doings) one finds several such sayings which, from our modern perspective, appear to be rather degrading for woman. But, as pointed out above, most of them are contextual and out dated and many of them plainly forged to retain male supremacy under the influence of time. Such Ahadit (plural of Hadith) should no longer be considered binding today.'

In support of his argument, the author gives an example of Hazarat Umer, who refused to give a portion of Zakat (donations) which was given to the people, who had accepted Islam early. It was a kind of financial assistance to the new entrants, in the event of their social boycott by others. Hazarat Umer refused grant, saying that such an assistance was essential at the initial stage. As Islam had grown stronger during his days, Hazarat Umer took such a decision. Such steps should not be considered as going against the Hadith, as they are time honoured.

Another eminent Muslim theologian, Ibn Qayyim-al-Jauziya, in his celebrated work A'alam al-Muwawya, III volume, spends nearly sixty pages of his book to establish the point that the out dated Hadith may be deleted and there is nothing wrong in doing so. He comes out with a declaration,

'Tata ghayyarul ankam bita ghayyarul azman'
(with the change of time, injunctions also change).

This is a revolutionary suggestion and Islamic scholars, all over the world, should take note of it. The Quran is fair to woman but applications of the Hadith and other books on Islamic jurisprudence may be re-considered, wherever necessary, according to the changing times.

27. Ibn Qayyim-al-Jauziya, A'alam al-Muwawya, (III Volume) P-210
RIGHT TO MAINTENANCE:

The right to maintenance is of two types: Right to be maintained as wife and right to be maintained after divorce. According to The Quran, the husband is duty bound to maintain his legally wedded wife and children born to him. The Holy Book says,

‘Men are the protectors and maintainers of Women.’

It is important to note that mere Nikah (solemnisation) is not enough to claim maintenance. Consummation of marriage is the pre-condition to claim maintenance. If a wife refuses to stay with her husband, after Nikah, then she cannot claim maintenance. If a husband cannot keep his wife, due to impotency or any other disease, he must pay compensation to his wife. She can claim the same even if her husband is in jail or has gone mad.

If the husband is absconding, the wife can take loan for her livelihood and it is the responsibility of the husband to repay it. If the wife fears that there is danger to her life, when her husband is absconding, she can live with her husband’s parents or other relatives and the husband has to pay for her maintenance. The wife can also demand a separate house, if the husband affords, or a separate portion of the same house exclusively for her use. Very few Muslim women know these provisions in the Shariat (Islamic Law Book) and no man has ever bothered to tell her all this. If Muslim women are properly educated and if they come to know that The Quran has done them the greatest favours in all walks of life, then Muslim women will certainly prefer The Quran to any other book. The Quran offers better status to Muslim women than other religious books do to their women.

MAINTENANCE AFTER DIVORCE:

All Muslim Jurists, both Shias and Sunnis, agree that maintenance, after divorce, is payable for the period of ‘Iddat’ (three menstrual courses or three months), if the wife has entered the stage of menopause or till the birth of a child in the event of pregnancy.

28. The Quran. 4-34
There are two types of divorces: revocable (razi) and irrevocable (mugallaza). If a husband considers his wife barren and divorces her, and if the medical opinion vindicates the woman, then the husband can remarry his previous wife. In such cases, the wife is entitled to claim maintenance for the period she was away from her husband. In the case of irrevocable divorce, such provision is not there.

There are four prominent schools of Islamic Jurisprudence; Hanafi, Shafi, Hanbli and Malaki. These leaders also differ regarding the mode and quantum of money to be paid towards the maintenance after divorce. According to Imam Shafi, even in the case of irrevocable divorce, no maintenance be paid during the ‘Iddat’ period, but according to the Hanafi school (majority of Indian Muslims are Sunni-Hanafis), maintenance should be paid during this period.

If a Muslim woman is seeking separation, that is called ‘Khula’ or ‘Mubarat’ or divorce with mutual consent, no maintenance should be claimed or given to her.

**HIDNAT OR RIGHT TO CUSTODY OF CHILDREN:**

Though Islam follows a patriarchal social system, the mother’s right to custody of children are not denied. There is absolute unanimity among the jurists of Islam, regarding the issue of rearing children, in the event of divorce. They differ only over the quantum of period. According to Sunni-Hanafis, the male child should remain in the custody of its mother till seven or eight years and the female child can be with its mother till her puberty. The Shias differ to say that boy up to two years and girl up to seven years. Thus, in Islam, the right of the mother to look after her children up to a certain age, is absolute. After that period the children are free to choose whom they wish to remain with. During that period, their father has to pay maintenance allowance. The father is law-bound to pay even for a suckling child.

**RIGHT TO PROPERTY:**

No other religion or legal system has given woman the right to own property, wherein the male member has any say. Islam recognizes every individual’s right to property.
whether man, woman or child. In the case of children, their parents are the trustees and when children come of age, their property should be transferred to their names.

In Islam, woman has absolute right to property. She can earn money by her skills or by means of using her intellect. She can invest her money in any business she likes. She can inherit property both from her father and husband and after that, she is not answerable to any one regarding how she utilises it. She is free to carry on any trading activity separately or in partnership with a known man.

RIGHT TO EDUCATION:

‘Talabal ilmu farizatun ala kulle Mominina wal Mominath (seeking knowledge is a duty of every man-believer and woman-believer).’ 29

This proclamation from The Quran makes learning mandatory for both man and woman. The Book further says that God laid the foundation of this universe on two things. Ilm (knowledge) and Hikamah (science). Men and women are advised 756 times in the entire Quran to meditate upon this creation of God.

Women are free to obtain mundane knowledge along with religious knowledge. Parents should provide equal opportunities, to both sons and daughters, to get education. Girls and women used to get education in moral sciences from the Prophet. Bibi Ayesha, the Prophet’s wife, not only taught men and women, but also the illustrious companions of the Prophet used to meet Bibi Ayesha for consultations on religious matters.

Religious and cultural education is made compulsory for every Muslim child. On the fourth day of the fourth month of the fourth year of age, a Muslim child should begin learning. In Islam an hour spent in study, is equal to an hour spent in prayers. Only the sky is the limit for seeking knowledge.

29. The Quran, 4:328
The Hadith says,

'If a person has a slave girl, then educate her liberally and train here in the best manner you can.'

The Muslim house-holder is ordained to arrange for the education of even the maid servant or the slave girl along with his daughters.

PURDAH:

Purdah is a Persian word meaning 'Veil'. Much dust has been kicked about Purdah and its impact on Muslim society in general and Muslim woman in particular. Critics of Purdah system say that it secludes Muslim women not only physically but mentally also. The merits and demerits of the Purdah system will be discussed later, but one thing is certain that gross misunderstanding and ignorance about Purdah has made this issue worse. In a simple way, it can be said that Purdah means a veil, drawn on a woman's face to ward off the evil eye of man. The Quran says,

'(O, Prophet) tell the believing men to restrain their eyes and guard their shameful parts... Tell the believing women to restrain their eyes, guard their shameful parts and not to display their decoration.'

One fails to understand what is wrong with this injunction. According to Moulana Mawdudi, it is certainly not a noose around the neck of Muslim woman, as some of the British and American propagandists say. Purdah does not snatch away the freedom of movement of Muslim women, as these wise men think. A Purdah nashin (woman in Purdah) is free to go out of her house, to her place of work or to market, when there is none to buy the essentials. Purdah cannot be an obstacle to take a sick woman to a doctor or go to court to give witness and a woman can throw away her Purdah when it comes to saving the life of a person burning, drowning and being molested. Any man can touch her while she is rescuing a person in danger. Hadith also supports this,

'Ye, women folk, are permitted to go out of your house as per your requirement.'

30. Al-Bukhari, P-81
31. The Quran, 24.30-31
32. Al-Bukhari, P-49
Muslim woman is also permitted to go to Mosque to offer prayers. The Sharia Purdah, which is in vogue in Turkey, Egypt and Iran, should be encouraged in India also. It covers the body, except the face, and allows free movements. In these countries, women occupying high administrative positions, also move in Purdah. Therefore, the propaganda that Purdah makes woman prisoner, within the four walls, is mischievous. In fact, Purdah is one of the oldest domestic institutions. It was common among the Greeks and Romans. According to A.S. Altekar, people of the Ramayan period were also conversant with the veil. Rama tells Sita,

राम का उपरान्त रामराम : । 
राम विनाश हृदयोपासना पूजन।

(Dear, Parashuram is an elderly man, approach him, covering yourself in veil).33

According to a survey,

'37% of the Muslim women wear burqa to cover their faces, 28% do not cover faces, 34.7% wear dupatta to cover their heads and the number of sharia burqa is gradually increasing.'34

However, the life of respect and honour provided by the Purdah system was not continued beyond the period of Khulfa-e-Rashideen. The Umayyad and Abbasid Caliphs superseded, even suppressed, many rights of women, which provided them freedom. During the period of the Umayyad Caliph, Wahid II (744 AD) and Abbasid Caliphs of 9th century, the clergy took decisive steps to turn Purdah system into a rigorous social institution. Al-Mutawakkil (847-861 AD) and Qadir Billah (991-1030 AD), through their royal edicts, clamped seclusion on Muslim women. The freedom and life of honour and dignity that was granted by The Quran to Muslim woman, was taken away by these Caliphs and the clergy.


34. Talat Ara, Muslim Woman in Changing Perspective. (Commonwealth Publications, New Delhi, 1992) P-62
FAMILY PLANNING:

Islam does not allow family planning to meet the present day socio-political needs. However, pacing of child birth, in order to provide better health care, for the existing children and to allow the mother to maintain health is permitted. Raddul Mohtr, a book on Islamic jurisprudence, has set guidelines regarding the necessity of family planning. Woman is at the centre of the discussion. It is vehemently argued that woman’s services are required by every member of the family. She should have good health. As a precaution, she can delay the birth of a child till such time as she feels necessary. The book warns that the husband should not force children on her, if it is detrimental to her health. One more important thing to note is that it is the physician who takes decision regarding the pacing of a child, and not the husband.


Abortion is a total sin. Within the first four months, abortion may be done for valid reasons. If pregnancy poses threat to the life of the mother, abortion is permissible irrespective of the period of gestation. Islam always takes into account the human element before putting any restriction. So, it is not correct to say that birth control in Islam is irreversible.

MUSLIM WOMAN DURING THE PROPHET’S TIME:

The Quran speaks very high of woman. Even different Hadiths also hold woman in exalted position. Now, what exactly was the position of woman during the Prophet’s time? Whatever was preached of woman, was it practised or not? Whether there was any difference between saying and doing? For that purpose, the biographies and chronicles, written about the wives and daughters of the Prophet and his close followers, should be studied with care and without any prejudice.
The Prophet of Islam treated his wives and daughters very affectionately. He used to remind them that they were the role models for other Muslim women. At the time of his marriage, Hazarat Khudeja was a widow of forty and he was twenty-five. Hazarat Khudeja was the first to embrace Islam and since that day, she stood very firmly behind the Prophet, as the Quresh people of Mecca were after his life. She was a friend and guide of her husband. She was so kind to the neo-Muslims and others that she was called the 'Mother of the believers'.

She was not only an ideal wife of the Prophet, but also his conscience keeper. In the cave of Hira, when the Prophet received the first ‘Wahi’ (Commandment), he was shivering, profusely perspiring and convulsing. The wise woman suddenly understood that something good was going to happen to Islam. She took the Prophet to a Judaic theologian, Waraq. He told that Prophet Moses had to undergo similar experiences when he used to receive messages from God. The old man also cautioned the Prophet that a new religion was going to be sent through him and that the Prophet would be the savior of the mankind. Hazarat Khudeja was truly holding the rudder of the life-boat of the Prophet of Islam at that time.

Another wife of the Prophet was Hazarat Ayesha, the daughter of Hazarat Abubakar, the first Caliph of Islam. She was beautiful, intelligent and very courageous. On some occasion, Hazarat Ayesha led the delegation of the four wives of the Prophet and requested him to give little more food grains, as the quota of grains given to them was not sufficient. The Prophet expressed his inability to do so because his earnings were limited. Hazarat Ayesha stoutly quarreled with him saying that other women were getting help from the state treasury and themselves being the wives of the Supremo of the Islamic world, why could they not get help from the state? The Prophet suggested that the help was given to the wives of the poor and not to the wives of the Prophet. On many occasions, the Prophet used to spend his nights on two pieces of dates and a glass of cold water.

Bibi Ayesha was a leading Islamic jurisprudent. Qazis (judges) used to consult her on various issues concerning women. She was writing poems and had memorised the
ballads of other poets. She was a courageous general. She led a section of the Muslim army in the battle of 'Jamal' (battle of camels).

Bibi Umme Salma was another wife of the Prophet who commanded respect from the general public. She was the first woman to learn by heart the entire Quran and she alone contributed 378 sayings and doings of the Prophet, while compiling the book of Hadith. That is why, Marwan-bin-Hakim, the Governor of Medina, used to consult her on religious and state matters. Bibi Umme Salma was so fearless and straightforward that she reprimanded Caliph Umer for intervening in their domestic affairs.

Bibi Fatima, the Prophet's daughter, was an exemplary woman. She was the very embodiment of feminine grace, tolerance and compassion like her mother, Hazarat Khudeja. She was married to Hazarat Ali, the fourth Caliph of Islam. She was writing poems. After the death of her father, Bibi Fatima wrote an elegy which the people of Arabia were singing for long to refresh the memories of the Prophet. In the battle of 'Uhad', she was nursing the wounded soldiers. When the Prophet himself was wounded, Bibi Fatima stopped his bleeding with some locally available medicinal herbs.

The married life of Bibi Fatima is an example to emulate for other married girls. Working hard in her new house after marriage, she had wounds on her palms. She went to her father and showing her palms, requested the Prophet to provide a maid. The father expressed his inability and advised her to manage the household affairs herself. He also asked Hazarat Ali to help her in discharging the domestic duties.

One some other occasion, Hazarat Ali got angry with his wife, Bibi Fatima. The latter went to her father to complain. The Prophet advised his daughter saying that she was 'Sayyida', 'the leader of the women'. Therefore, her life must be an example for others to follow. He further added that the words and deeds of the husband might not always be to the liking of the wife or vice versa. In such cases, they need not complain to the third person. Both of them should think coolly, keeping their ego away and solutions are often nearby.
Apart from the women belonging to the family of the Prophet, there are several women coming from ordinary Arab families, who were fired with the zeal of Islam. During wartime, they fought like brave soldiers and during peace, they used to gather women and sing good qualities of their new religion.

Hazarat Umme Ammar was a lion hearted lady. In the battle of ‘Uhad’, she saw the Prophet surrounded by enemies on all sides. Like a lightening, she fell upon the enemies along with her son Abdulla. She lost her son but bravely said that unfortunately she had only one son. In the battle of ‘Yemen’, she was made the commander of the Muslim Army. After a fierce fight, she won the battle.

Arabs love their horses, respect their guests and sing their poetry proudly. Poets were highly respected in the society and every clan boasted of the number of poets it had. Hazarat Bibi Khansa was such a poetess of whom the entire country was proud. Every year ‘Poets’ Conference’ was held at Ukaz, near Mecca and the best poet or poetess was given the title ‘The Poet-laureate of Mecca’. Hazarat Khansa won this laurel, brushing aside famous poets like Zarire and Bashar. For her unique victory, she was called ‘Arsal Arab’, ‘Arabic Poetess par excellence’. Her collection of poems, ‘Diwan-e-Khansa’ is studied, even today, at various Indian Universities at the Post Graduate level in Arabic. Bibi Khansa’s poems have been translated into French, English, Spanish and other European languages.

Hazarat Asma-binte-Yezid, is one more brave woman, who received praise from the Prophet himself for her role in the battle ‘Yarmick’. Once, the Prophet was talking to his followers in the Masjid-e-Nabvi, after morning prayers. A woman came straight to him and started arguing that men move freely about, they offer namaz at mosques, go to Haj pilgrimage, take professions of their choice and most of all, they take part in holy wars, for which heaven is assured as a reward. On the other hand, we toil at our homes and do not get any reward in return. The Prophet was in a pensive mood for some time and then declared that whatever merit the husband earns by way of his right doings, his wife shall also get the half of it, provided she supports her husband in discharging his duties.
In Islam, Sainthood is not granted to woman. The concept of female Sainthood was rather alien to them. However, pious women like Saint Rabiya, Saint Zubeda, the wife of the great Haroon-al-Rashid, Caliph of Baghdad, did such wonderful service to Islam and through Islam to humanity, that the word ‘Saint’ falls short in its meaning, when applied to them.

One woman Saint, Fakrunnisa Shohada, used to deliver sermons to the Friday Congregation at the Grand Mosque of Baghdad. Such instances make Muslim women proud because around the same time, a Christian woman-saint Hypotia, was killed by a man-saint Cyril, because she tried to deliver sermon in a church.

Spain has a brilliant record of education and participation of Muslim women in other activities. The daughters of the Caliph Waldat of Cardova, Ayesha and Labena, were not only scholars but also were good orators and jurists. Labena, the youngest daughter, was not only good at mathematics and Islamic theology, but also helped her father in administration.

Muslim Joans-of-Arc are also many. All the leading families of Arabia, during the early years of Islam, trained their daughters in different vocations like teaching, nursing, warfare, writing poetry and so on. In the decisive battles of ‘Yermock’ and ‘Qadsia’, against Romans and Persians respectively, Muslim women played an important role, which forms a significant chapter in The Arab History. When the battle against Romans had reached the last stage and the strength of the Muslim army was sinking, one Muslim woman, Hazarat Asma-binte-Yezid fell upon the enemy, with her woman-battalion, with such a force that the Islamic army was victorious at the end.

Thus far, we have seen that the Prophet of Islam and the first four Caliphs treated women with respect. What The Quran has prescribed the same treatment was given given to them by the entire society. The society, which was burying the female infants was suddenly galvanized under the impact of the teachings of The Quran and Woman gained equal status with man.
In this way, the Muslim woman was better placed in life than most of her sisters in other religions. The Italians say, 'As horse, good or bad, requires spurs, so a woman, whether good or bad, requires thrashing'. On the other hand, Islam says, 'Respect the Womb (woman)'. The Italians also say that 'woman' is the devil incarnate, hence she should be thrown out. If all women were thrown out, where these 'sayers' and 'seers' would have been born from? A Chinese proverb says 'Listen to the counsel of your wife but act against it'. Islam advises not only to listen to woman but in certain issues like children's marriage, her opinion is mandatory. In no other patriarchal society woman gets such a fair treatment. Of course, she is not deified in Islam (another patriarchal trick), but is treated as a normal human being.

Muslim woman has the right to say 'no' to certain issues which no other woman has got. In the selection of her husband, she has the right to say 'no' to the choice of her parents, if their selection is not upto her liking. Without her consent, no marriage can be solemnized. She alone, among all her other sisters, has the right to seek divorce rom her husband if she cannot live with him. The Hindu woman got the right to divorce in 1930. She can also say 'no' to childbirth on health grounds.

As the Muslim woman has got the right to say 'no' to certain things, she has the exclusive right to say 'yes' to certain other things. She can inherit the ancestral property. No one can say 'no' to that. She can earn money through her physical or intellectual labour. What she earns is her property. Neither the husband nor the son has got the right to her property. She is free to work, earn money and invest it in the manner she likes. All these earnings cannot deter her from claiming her livelihood from her husband. This unprecedented economic freedom helped her to gain confidence in all walks of life. She also has right to education. The study of scriptures is not denied to her. On the contrary, she must begin her education on the fourth day of the fourth month of the fourth year of age.

A lot has been said or is being said about the Purdah. This is not an attempt in defence of the Purdah system but an effort to tell things as they are in reality. The Western scholars criticize Muslims because Pardah puses the Muslim woman not only in physical but also in psychological isolation. Muslim woman is compelled to stay within
the four walls of the house. Really speaking, this 'four-wall-phobia' of the Western world is ill founded. In Islam, Purdah was a status symbol in the beginning. Purdah does not force a woman to remain indoors only. Woman pilots of Pakistan, business executives of Turkey and Computer experts in Saudi Arabia, are all women in Purdah and all these countries mentioned here have Islamic governments. In Iran and Egypt, one finds a still brighter picture. Purdah, in Islam, is to avoid ‘Chashm-e-bud’ (wicked glances of lustful men), to escape from Public harassment and to gain a sense of security when out of home.

The myopic and selfish clergy developed Purdah as an institution to shut their women in, where as The Quran considers it as a status symbol. Purdah is not a stick to beat women with.

In the matters of ‘Talaq’ also, the Muslim woman is a victim of un-Islamic or anti-Islamic concepts of the half-baked, biased, adamant and obscurantist clergy. ‘Talaq-e-ah’, is certainly in violation of the Islamic spirit. The Quran does not appreciate it.

What is the way out of this cruel treatment meted out to woman? Recourse to Section 125 of the Indian Criminal Procedure Code (sudden divorce might compel a woman to adopt immortal ways of livelihood) is not advisable, as it might mean intervention into Muslim Personal Law. Instead, there should be Sharia courts as one finds in Pakistan and Turkey, but they should not be manned by the clergy, as is done in these two countries. Men of commonsense, judges, acting or retired, social activists of repute and some women representatives should also be there. They should be given sweeping powers to interpret the Muslim Law correctly and bypass the interpolations and spurious insertions in Islamic Jurisprudence. These ‘law-givers’ have played havoc with the conditions of women in every religion.

There is another argument which says that woman is weaker than man physically, psychologically and functionally. That is why she is inferior to man. In other words, there are three natural bases for the in-subordination of woman: natural, biological and psychological.
It is said that woman is biologically different from man. It is not a very impressive or intelligent statement, any way. Sociologists like Parson, Bowlby, Murdock and others think that woman, by nature, is programmed to produce children and nourish them. Secondly, the division of labour, according to sex, is not man's creation but nature's. So, man cannot be held responsible for woman's in-subordination, because it is not his creation.

The first argument, that woman is 'programmed to produce' children hence she is inferior to man, is illogical. There are other species also in the world who 'produce'. If all of them stop 'producing', could they be equal to their male? Is 'creation' a weakness in woman? It could, very well, be argued to the contrary that woman and woman alone produces another life. So her status in the society must be higher than that of man. In the matriarchal society, woman is superior to man for the very reason; producing another life. Therefore, it is not a universally acceptable principle that woman is lower to man in status, because of her productive quality.

This irrational gender discrimination is terribly harmful to the health of human society. That is why the author of the book 'The Second Sex' warns,

"For it is not in giving life but in risking life that man is raised above other animals. That is why superiority has been accorded in humanity not to the sex that brings forth but to that which kills."35

This sounds to be primitive thinking that one who kills is considered higher than the one who produces. Euripides Media has an answer to this problem,

"They say of us that we pass our lives safely at home, while the men go to battle. That shows their lack of judgment. I would sooner fight three battles than bear one child."36

The second argument, that the division of labour, to hold woman prisoner within the four walls, is not man made, is sheer hypocrisy. Here is an example,

36. (Ibid) P-98
'The Greeks intelligently distinguished the social duties in ancient times as Polis and Oikos. Polis means politics or affairs of the state and Oikos means domestic duties. The first category belonged to man and the second to slaves and wives.\(^{37}\)

According to the ‘Consent Theory’ of Rousseau,

‘Women have consented to willingly adopt to a subordinate role.’\(^{38}\)

It is nothing but a small lie of a big man. Willing slavery is rather an impossible phenomenon. Woman's ungrumbling toil, for the betterment of the family, should not be construed as her willing acceptance of salvery.

It is, now, the turn of the psychoanalysts like Sigmund Freud to explain the inferior position of woman, on the grounds of psycho-somatic aspects of her personality. According to Freud, the anatomical differences between the two sexes are responsible for the display. He also said that woman lacks phallus which man possesses.

It is very clear that this argument conveys patriarchal bias which is opposed to woman's status. If strong body decides superiority, then the beasts like elephants, rhino, tiger, lion should be superior to man in status. Negroes are strongly built. Why not the Americans or other white people recognize the superiority of black men and end the quarrel of centuries? Strong body being the source of superiority is a ‘Jungle Raj’ theory.

The second argument of Freud that woman does not enjoy phallus, the symbol of generative power, as does man, is not the complete truth. In Rigveda, woman is said to be the ‘field’ (kshetra) and man the farmer. The Quran also declares, ‘your wives are your farm’ (The Quran, 2-223). These analogies suggest that unless the farm is there, the farmer cannot produce anything. The Veda and the Quran hold woman as important as man in the process of procreation. However, the lawgivers like Manu and Wahid II of the Abbasid clan, disturbed this balance of equality. This could be testified in

\(^{37}\) Pandey Rekha, Subjugation and Liberation, (Mittal Publication, Delhi, 1989) P-08

\(^{38}\) (Ibid) P-08
the Sanskrit names given to son and daughter as शुभ्र and शुभ्रा respectively. शुभ्र means शुभ्र च शुभ्रा जनमजयं शुभ्र ् (one who saves his parents falling into hell). On the other hand शुभ्रा means, शुभ्रा च शुभ्रा निधित्रि... शुभ्रा च शुभ्रा जनमजयं शुभ्र ् (one who creates anxiety in the minds of her parents, ‘who will take her?’). In short, son is the protector and daughter is the destroyer of the family. How is this brand of logic?

Deification of woman is rank hypocrisy of man to hold woman in subjugation. On the one hand, our law-givers say श्रुः च श्रुः मनोहार नामयः (gods are pleased where women are worshipped) and in the next breath they say लड़की रक्षासीष्टतिः (woman does not deserve freedom).

Ms Rekha Pandey explains the functional approach of man which puts him above women.

“All components of a developed society have some functions to perform, sexual, reproductive, educational. These functions are mandatory. This binding of duties make woman inferior to man.”

The rationale behind this argument is, as slaves and servants cannot avoid their duties given by their master, woman also cannot avoid her work imposed by man. Thus, she offers herself, unwittingly, to the will of her master. This attitude makes her subordinate to man.

This is a disturbing truth in our society because woman and her work is taken for granted. What one does in one’s office or factory is work and what one does, day and night in the kitchen, is not work. Secondly, man’s work is value oriented. He gets financial returns for the work he does, but woman gets nothing. Man can skip his office but woman cannot escape from her kitchen. After six days of work, man has a paid holiday and woman never. If woman is duty-bound to her family, then the duty should not discredit her. Like slaves, woman has no legal obligation to perform her duties. It is her sense of sacrifice, for the sake of her family, that keeps her busy overtime and her sense of sacrifice has turned into a badge of slavery.

39. (Ibid) P.21
Marx and Engels have their own explanations. In order to do away with this disparity between man and woman, the latter must revolt. Karl Marx in his letter written to his friend Kugelman on 12th December, 1868 writes,

"Various social transformations were impossible without the ferment of women." 40

Engel says that it is the economic class-struggle that brought a subordinate position to woman.

In a hurry to establish superiority over each other, both men and women have put forth funny arguments. Men say, among women there are no Aristotles, Napoleons and so on. True, women have not produced Aristotles and Napoleons but men have also not produced Savitri, Jijabai, Bibi Fatima. That is why, wise men say, there is always a woman behind every successful man.

Women are not inferior to men in the matters of intelligence, as man declares in his fit of arrogance. They have proved, time and again, that they are equally intelligent, if not more. Madame Curie and her daughter Irene achieved distinction in physical sciences, Gerty T. Carl got the Noble Prize for medicine in 1947. Maria Geoppert – Mayer for Physics in 1963. Dorothy Hodgkin for Chemistry in 1964, and Selma Lagerlof in 1909, Grazia Deledda in 1926, Sigrid Undset in 1928, Pearl S. Buck in 1938 and Gabriela Mistrol in 1945 are among several others who won Nobel Prizes for literature. Women are intelligent. They only need exposure.

40. (Ibid) P.28

Savitri - The legendary heroine in Mahabharat who wins back her husband from the god of death.

Jijabai - Mother of Shivaji, the founder of the Maratha Kingdom.