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THE STATUS OF WOMEN AND THEIR RIGHTS BASED
ON THE UNDERSTANDING OF SISTERS IN ISLAM;
AN ANALYSIS FROM AN ISLAMIC PERSPECTIVE¹

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Abstract

The paper aims to analyse the understanding of Sisters in Islam (SIS) on the status of women and their rights from an Islamic perspective. The qualitative approach notably a library research is used to obtain some statements in SIS' writings in order to further familiarise their perception and understanding towards this issue. Based on the findings, the study reveals that there are several misunderstandings and distortions made by SIS about the status of women and their rights as a result of the improper method of Qur'anic interpretation and lack of referring to the hadith. The using of logic without guidance from the Qur'an and Sunnah also leads to liberal interpretations beyond the limits. The findings of the study demonstrates the true understanding of this issue from an Islamic perspective to the society.

Keywords: Sisters In Islam, Status of women, Women's rights; Islamic perspective

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Introduction

Sisters In Islam (SIS) is a non-profit Malaysian organization that identifies itself as a group that advocates for justice matters related to women.² The group was established in 1987 under the Association of the Women Lawyers (AWL), where several women lawyers together with their acquaintances assembled to address problems which are related to the implementation of certain new Islamic Family Laws that were enforced in that year.³

In 1989, eight women represented the core of Sisters In Islam organization, namely Amina Wadud, Askiah Adam, Norani Othman, Rashidah Abdullah, Rose Ismail, Salbiah Ahmad, Sharifah Zuriah Aljeffri, and Zainah Anwar.⁴ In 1993, their organization was registered as a Non-Governmental Organization (NGO) under the name of SIS Forum (Malaysia) Berhad.⁵ The founding members of SIS aimed to prove that the suppression of women in Muslim societies is not attributed to the Islamic teachings, but rather to some misinterpretations of Islamic sources by men.⁶

Among the objectives of SIS, as stated by the group, are transforming the mentalities that classify women as inferiors to men, and advocating the framework of women's rights in Islam.⁷ Based on SIS's statements on the objectives of the group formation which are examining and understanding the status of women in Islam for a better attainment of women's rights, this study will analyse SIS's understanding on this issue. This study aims to benefit the Muslim

² Rashida Khanam, *Muslim Feminism and Feminist movement: South-East Asia* (Delhi: Global Vision Publishing House, 2002), 7.

³ Zainah Anwar and Shanon Shah Mohd Sidik, *Sisters in Islam, Empowering Voices for Change, Annual Review 2006*, ed. Rose Ismail (n.d.), 2-4.

⁴ *Ibid.*, 2

⁵ Ratna Osman (Executive Director, SIS Forum (Malaysia) Berhad, Petaling Jaya), in an interview with the writer, January 28, 2015.

⁶ Anna Spiegel, "Women's Organisations and Social Transformation in Malaysia: Between Social Work and Legal Reforms," in *Negotiating Development in Muslim Societies: Gendered Spaces and Translocal Connections*, ed. Gudrun Lachenmann, and Petra Dannecker (Lanham, MD/New York: Lexington Books, 2010), 71.

⁷ "Mission Statement and Objectives", *Sisters In Islam*, accessed November 17, 2014, www.sistersinislam.org.my/page.php?36.

society, as the findings will reveal the true understanding of women's status and rights from an Islamic point of view.

The Status of Women and Their Rights Based on the Understanding of SIS

According to Sisters In Islam, one of their objectives is to eliminate the discrimination against Muslim women under the name of Islam. SIS believes that the Qur'an has been misinterpreted by some men, who used the sacred texts to justify their discrimination against women. Thus, SIS claimed that their group intends to fight for gender equality from an Islamic perspective, basing their arguments and ideas on their own reinterpretation of the Qur'an.⁸

SIS states that its existence is based on promoting women's rights. Zainah Anwar, one of the founders of SIS, reports that SIS is an organization that fights for liberation, truth and justice in Islam. As Muslims, the members of the organization believe that they reserve the right to reclaim their religion, to redefine it, to participate and contribute to a revisited understanding of Islam.⁹ Their framework of women's rights in Islam is planned to take into account the experiences of women in nowadays life.¹⁰ Zainah says that the struggle for Muslim women's rights must be in line with the living conditions of women in Muslim societies, where lives are redefined by Islam.¹¹ She insists on the importance of taking into account the situations that women face in Muslim societies as part of their mission to fight for equality and justice for Muslim women.

SIS mentions that all Muslims are equal participants in every

⁸ Zainah Anwar and Shanon Shah Mohd Sidik, *Sisters in Islam* . . . , 2; Rebecca Foley, "Violence Against Women: the Challenges for Malaysian Women," in *Violence Against Women in Asian Societies*, ed. Lenore Manderson, and Linda Rae Bennett (London: Routledge, 2003), 136.

⁹ Zainah anwar, "When Silence is Not Golden" in *Contemporary Islam: Dynamic, not Static*, ed. Abdul Aziz Said, Mohammed Abu-Nimer, and Meena Sharify-Funk (Oxon and New York: Routledge, 2006), 107; Asgharali Engineer, *The Qur'an, Women, and Modern Society* (New Delhi: Sterling Publishers Pvt. Ltd., 2005), 6.

¹⁰ "Mission Statement and Objectives", . . .

¹¹ Riham Ashraf Bahi, "Networking for Power and Change: Muslim Women Activism and the Transformation of Muslim Public Sphere" (MA dissertation, Department of Political Science, Northeastern University, 2008), 158.

aspect of Islamic life regardless of their gender. Based on the Qur'anic verses (33:35–36, 9:71–72, 4:124, 3:195, 40:40, 16:97), they believe that both genders are assigned equal roles and responsibilities in their spiritual life and Islamic struggles.¹²

Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. (*Al-Nisā'* 4:34)

There are several statements made by SIS in explaining their opinion regarding issues related to the status of women and their rights. According to SIS, the verse 4:34 states that: “*Men are qawwamuna over women (on the basis) of what Allah has [faddala] preferred some of them over others and (on the basis) of what they spend of their property (for the support of women)...*” However, SIS mentions that the meaning of this verse has been misinterpreted as “*Men have authority over women*” and “*All men are superior to all women*”. SIS believes that this is an indication of an oppression of women under the claim that it is part of Islamic orders. SIS further points out that the oppression of Muslim women is due to the misinterpretation that women and men are not equal in Islam.¹³

According to SIS, verse 3:195 “*goes on to talk about women’s role alongside men in the Islamic struggle, including hijrah and jihad and the equal rewards that await both.*” SIS also mentions that verse 9:71 “*talks about women and men being each other’s ‘awliyya (protecting friends and guardians). And it also talks about the obligations of both women and men in Islam, such as enjoining what is just and forbidding what is evil and observing regular prayers, zakat and obedience to Allah swt and the Prophet saw.*”¹⁴

SIS concludes that men and women are created for the same purpose, namely to serve as caliphate. Therefore, they believe that “*since the equal status of women and men in spiritual matters is not*

¹² Sisters in Islam, *Q&A booklet: Are Men and Women Equal Before Allah, Sisters In Islam*, accessed February 13, 2015, 1-2, http://www.sistersinislam.org.my/files/downloads/are_men_and_women_equal_before_allah.pdf

¹³ *Ibid.*, 3-5.

¹⁴ *Ibid.*, 6-7.

only recognised but insisted upon in the Qur'an, what more the equal rights and obligations of women and men in temporal matters."¹⁵

Misunderstandings and Distortions by SIS; an Analysis from an Islamic Perspective

SIS claims that it intends to comprehend the status of women in Islam to attain women's rights as stipulated in Islam. Additionally, SIS stated that it aims to interpret the Qur'an from an alternative point of view—the woman's.¹⁶ However, some misunderstandings and distortions are found in several statements made by SIS regarding issues related to the status of women and their rights from an Islamic perspective.

In the research conducted by SIS, it is stated that the perception of women's inferiority to men has influenced the interpretations of the Qur'an. SIS blames those who made discriminatory interpretations as they failed to comprehend the purpose behind the verses. According to SIS, its "*research has shown that oppressive interpretations of the Qur'an are influenced mostly by cultural practices and values which regard women as inferior and subordinate to men*". Thus, SIS claims that they intend to comprehend the exact meaning of the Qur'an (Sisters In Islam, 2015: 1). Zainah states, "*We presented a methodology where a verse should be understood through the context of its revelation.*"¹⁷

In this issue, SIS should understand that there are no disputes over the fact that there are various purposes behind a particular verse, as the teachings of Islam are not designed for a specific purpose, however, for someone to determine a purpose of any verse, it is necessary that he ensures that the purpose does not contradict with the *shara'*.

Knowing the context of the verses' revelation (*asbāb al-nuzūl*) is essential in understanding the meaning of them, but there are many other principles that should be taken into consideration

¹⁵ Ibid., 3.

¹⁶ Ghada Osman, *A Journey in Islamic Thought: The Life of Fathi Osman* (London/New York: I.B. Tauris, 2011), 224.

¹⁷ "In Search of What Islam Really Says", *Sisters In Islam*, accessed January 13, 2015, <http://www.sistersinislam.org.my/news.php?item.774.6>.

towards obtaining the correct interpretations. Hence, being familiar with the context of the revelation is regarded as insufficient in extracting the actual meaning of the text.

The members of SIS also failed to identify the Muslim scholars whom they asserted to have made the aforementioned oppressive interpretations. The group doesn't have the right to publish a research based on no evidence, as this shortfall renders their accusations as baseless and invalid. It is true that the Islamic teachings do not oppress women. However, accusing Muslim scholars of making oppressive interpretations, misinterpreting the revelation of Allah, and being unable to comprehend the purpose behind the verses is absolutely unacceptable as these scholars are notably knowledgeable and experts in their field, and it is highly unlikely for them to unanimously agree on matters that are contrary to the true teachings of Islam. Furthermore, these scholars determined the general principles of Qur'anic interpretation (*tafsīr*) methods in order to avoid any possible misinterpretation. Hence, certain qualifications to interpret the text are required to be met, consequently, those who wish to interpret the al-Qur'an must apply proper methods of interpretation and fulfil the required qualifications.

The question here is: Does the Sisters In Islam organization follow the steps and methods deduced by the great Muslim scholars to ensure concluding a correct interpretation (*tafsīr*) of the Qur'an? It is important for the group to follow the steps and methods determined by the great Muslim scholars in reinterpreting the Qur'an. The interpretation (*tafsīr*) of each verse in the Qur'an must begin by the Qur'an itself, then comes the interpretation (*tafsīr*) of the Qur'an by the *Sunnah*, interpretation (*tafsīr*) of the Qur'an by the companions (*ṣaḥābah*), interpretation (*tafsīr*) of the Qur'an by *tābi'ūn*, and finally, the interpretation (*tafsīr*) of the Qur'an by opinion.

Accordingly, the Qur'anic interpretation (*tafsīr*) based on opinion (*tafsīr bi al-ra'y*) or knowledge (*tafsīr bi al-dirāyah*) is divided into two categories: praiseworthy interpretation (*tafsīr mamdūhah*) and blameworthy interpretation (*tafsīr madhmūmah*).¹⁸

¹⁸ Muḥammad Ḥussain Al-Zahabī, *Al-Tafsīr Wa al-Mufasssīrūn*, al-Juz' al-Awwal (Qāhirah: Maktabah Wahbah, 1995), 274.

It is permissible and acceptable for a commentator (*mufassir*) to interpret the Qur'an "based on his or her opinion, but absolutely committed to the comprehension of the stipulations and relies on the meanings of the Qur'an." This interpretation is categorised as a praiseworthy interpretation, and it is lawful for a commentator (*mufassir*) to interpret the Qur'an using this method.¹⁹ However, this does not indicate that the commentator (*mufassir*) will use his mere opinions, rather they will be in consonance with the rules of the Arabic language, by applying proper methods in understanding the passages of the Qur'an.²⁰

Conversely, an interpretation is considered blameworthy when one interprets the Qur'an based merely on his or her personal opinions without understanding the rules and regulations of both *Shari'ah* and Arabic language. Moreover, the interpretation of the Qur'an is categorised as blameworthy or false if someone concludes it without possessing the qualified knowledge for interpretation.²¹

Within the aspect of who is qualified to interpret the Qur'an and *Sunnah*, whether man or woman, the group should acknowledge that none of Muslim scholars claimed that women are prohibited from interpreting the Qur'an. Both men and women are allowed to engage themselves in the interpretation of the Qur'an as long as they are able to fulfil the qualifications as commentators (*mufassir*) and to follow the outlined methods. Hence, it is not a matter of whether a man or a woman is interpreting the text, rather it is the concern of whether they meet the qualifications or not.

According to Zainah, some male jurists and scholars have conquered the process of interpretation and codification of the laws. She states that this factor can lead to the idea that males and females are different and unequal.²²

¹⁹ Thameen Ushama, *Methodologies of the Qur'anic Exegesis* (Kuala Lumpur: A.S. Nordeen, 1995), 20-21.

²⁰ Safiyah Shams al-Din, *Al-Madkhal Ila Dirasat 'Ulum al-Qur'an* (Kuala Lumpur: International Islamic University Malaysia, 2006), 306.

²¹ *Ibid.*

²² Zainah Anwar, "What Islam, Whose Islam?: Sisters in Islam and the Struggle for Women's Rights," in *The Politics of Multiculturalism: Pluralism and Citizenship in Malaysia, Singapore, and Indonesia*, ed. Robert W. Hefner (Honolulu, USA: University of Hawaii Press, 2001), 230.

Zainah says,

... contemporary family laws, whether codified or uncodified, are not divine, but are based on centuries-old, human-made fiqh interpretations that were enacted into law by colonial powers and national governments. Since these interpretations and laws are human-made and concern relations between humans, they can change within the framework of Islamic principles and in accordance with the changing realities of time and place.²³

Based on the above statement, the group should know that the interpretations made by Muslim scholars are not only based on their rationality, but also on Islamic sources and supporting evidences. Although interpretation is done by a human or a commentator (*mufassir*), it doesn't mean that the law (*hukm*) comes from the commentator (*mufassir*) himself. This is the reason behind the significance of fulfilling certain qualifications and following the predetermined methods of *tafsir* in interpreting the Qur'anic verses, in order to ensure that the interpretation is based on the Qur'an and *Sunnah*, and not merely based on what is considered rational.

SIS attempts to interpret the Qur'an and *Sunnah* to be compatible with the changing realities of time and place or with accordance to the contemporary Muslim context and culture, are not justified, as the interpretations of the Qur'an and Hadith may be flexible and may consider the changing realities of time and place, but it is not a must to change them according to the contemporary context. In other words, they should not be fully interpreted with accordance to the contemporary context. Instead, the contemporary Muslim context and culture should be adapted in order to accord with teachings of Islam and not vice versa.

One is not allowed to interpret the Qur'an and Hadith based merely on his or her personal opinion, even if their intention is to adapt to the changing realities of time and place or with

²³ Zainah Anwar, "Introduction: Why Equality and Justice Now," in *Wanted: Equality and Justice in the Muslim Family*, ed. Zainah Anwar (Petaling Jaya: Musawah, an initiative of Sisters in Islam (SIS Forum Malaysia), 2009), 17.

contemporary context and culture. It is important to realize that in Islam, there are matters which are unchangeable (*thawābit*) and others which are changeable (*mutaghayyirāt*). Although some matters are changeable (*mutaghayyirāt*), this change must be in light of al-Qur'an and *Sunnah*. In the context of Islamic law, the laws that are subject to change are those laws that related to an interpretable (*ẓannī*) evidence (*dalīl*), not a definitive (*qatī'ī*) evidence (*dalīl*).

Regarding the issue of the status of women, SIS has to further comprehend the discussion, and avoid making pre-conclusive judgements. By using the words 'superior', 'excel,' 'favour', 'better,' or other similar words, Muslim scholars do not indicate that the status of men is superior to that of women, or that women are of a lesser value compared to men, rather, they convey the belief that women deserve a high level of men's care and protection. Thus, here lies the reason behind frequently mentioning the qualities of men and their role as women protectors. SIS should not make conclusions solely by extracting certain sentences or incomplete parts of a topic. Therefore, they must study and analyse the topic as a whole in order to understand it

The issue of priority and superiority between genders came from SIS' misunderstanding and it is important for them to get informed about the fact that Muslim scholars do not affirm the inequality between men and women as human beings, since the gender does not differentiate one's status to Allah (S.W.T). The distortions made by SIS in this issue should be corrected in order to avoid any confusion among Muslims.

Naturally, the husband is fit to be a guardian and a master of the household (Maulana Wahiduddin, 1995: 67-68). Referring to the verse 34, *Sūrah al-Nisā'*, Yusuf al-Qaradawy states:²⁴

There are two reasons for this, one has to do with a natural quality and the other relates to something acquired. First, Allah has provided the man with a quality of greater strength whereas he has equipped the woman with a lighter and usually more delicate

²⁴ Yusuf Al-Qaradawy, "The Status Of Women In Islam", accessed September 6, 2017, <http://www.iupui.edu/~msaiupui/qaradawistatus.html>

physique. Secondly, Allah has delegated the man to be the family provider. If the family collapses, he must bear the brunt of the collapse. This responsibility naturally entails deference and support.

According to Dr. Azizah, the word “*faddala*” means favour.²⁵ In this context, it refers to Allah (S.W.T) bestowing a greater responsibility upon men. As an example, they are responsible for providing sustenance to their family.

It cannot be denied that men and women are not equal in certain aspects, as both genders have their own unique qualities, and one gender cannot be envious of the other over those qualities.²⁶

And in no wise covet those things in which Allah Hath bestowed His gifts More freely on some of you than on others: To men is allotted what they earn, and to women what they earn: But ask Allah of His bounty. For Allah hath full knowledge of all things. (*Al-Nisā*’ 4: 32)

Although men are physically stronger than women, none of the Muslim scholars declared that this physical strength makes them superior. For this reason, it is futile to fight for equal rights and responsibilities between men and women, as each gender has its distinctive characteristics, based on which the rights and duties are bestowed upon men and women

The statement made by SIS which states that “since the equal status of women and men in spiritual matters is not only recognised but insisted upon in the Qur’an, what more the equal rights and obligations of women and men in temporal matters”²⁷ should be corrected, as it shows a distortion made by SIS regarding women’s rights.

Provided that men and women are not biologically or psychologically equal, the rights of their gender differ in certain

²⁵ Azizah Mohammad (Assoc. Prof. Dr.), Department of Islamic Family Laws, AIKOL, International Islamic University Malaysia, in an interview with the researcher, April 16, 2014.

²⁶ Maulana Wahiduddin Khan, *Woman in Islamic Shari’ah* (New Delhi: The Islamic Centre, 1995), 69.

²⁷ Sisters in Islam, Q&A booklet: Are Men and Women Equal . . . , 3.

aspects of life.²⁸ However, the occurring dissimilarity in specific areas of worldly affairs does not imply inequality in terms of their status as human beings.

Another aspect that should be mentioned is how SIS defines gender equality and justice. Is their definition of “equality and justice” based on the Qur’an and *Sunnah* or is it merely based on their human mind, according to their understanding of the West’s perspective? If the answer is the latter, SIS will never be able to grasp the actual meaning of the words “justice and equality”. In fact, they will drift further from the truth in their struggle towards gender equality and justice.

In the Arabic language, there are several terms used for justice. The most common is *‘adaālah* (Faruqi, 1982: 397) or *‘adl*.²⁹

Technically, *‘adl* may connote the following meanings: (i) To place things in their rightful places; (ii) to give people their rights and what they deserve; (iii) to be impartial in one’s judgments and decisions; (iv) to say the truth; (v) to be balanced in one’s views and judgements; (vi) to avoid biases and prejudice; (vii) and to avoid oppressing others.³⁰

Justice is not attained by providing the ability of both genders to demand and acquire equal rights. Unlike the beliefs of some Muslim feminists, who demand the right to become an Imam or *khatib* for Friday prayers, or to be appointed as the highest leader (*khalīfah*) since they believe that if men are able to hold these roles,

²⁸ B. Aisha Lemu, *The Ideal Muslim Wife* (Minna, Niger State: Islamic Education Trust, 1992), 2.

²⁹ Faruqi, *Law Dictionary*, 3rd ed. (Beirut: Libraitie Du Liben, 1982), 397. The term *‘adālah* or *‘adl* is an abstract noun derived from the verb *‘adala*, which means: first, to straighten or to sit straight, to amend or modify; second, to run away, depart or deflect from one (wrong) path to the other (right) one; third, to be equal or equivalent, to be equal or match, or to equalize; and fourth, to balance or counter-balance, to weigh, or to be in a state of equilibrium. (Ibn Manzur, n.d.: 457-458). Besides the word *‘adālah*, there are other words used for justice which includes: “*Qist, qasd, mizan, qistas, istiḡamah, wasat, nasib and hissah*.” The words “*jawr, zulm (wrongdoing), tughyan (tyranny), mayl (inclination) and inhiraf (deviation)*” are the antonyms of *‘adl* (Majid Khadduri, *The Islamic Conception of Justice* (Baltimore and London: The Hopkins University Press, 1984), 6).

³⁰ Munawar Haque et al., *Ethics and Fiqh for Everyday Life: An Islamic Perspective* (Kuala Lumpur: IIUM Press, International Islamic University Malaysia, 2010), 34.

women also should be given the same rights,³¹ we believe that men and women should not be given the same rights in all aspects and situations.

From the Islamic perspective, in order for justice to be served, specific rights must be given to those who are worthy of it. Justice does not indicate rights equality, rather justice is to place things in their rightful place by considering their suitability, ability, and *fiṭrah* to ensure that the appointed person has the ability to carry out the duty (Yūsuf al-Qaraḍawī, 1996: 162).³²

Based on this reason, Islam grants certain rights to men, such as the duties and rights of *naḥqah*, *jihād* and leading women. Assigning these tasks and rights to men is claimed by West Scholars to be a discrimination between the two genders, however these claims are merely based on their own perspectives concerning material wealth, position and status.³³

The duty of childbearing is given exclusively to women due to their biological, physiological, mental and emotional qualities which are unique to this gender. Moreover, qualities that are inherent among women such as devotion and patience are essential in raising children. Henceforth, when looking at this matter from this specific perspective, we realize that this task is an honour and not a discrimination. There is *ḥikmah* behind the variety of duties between men and women according to their special characteristics, thus cooperation between these two genders can help to establish balance and harmony within a family unit.³⁴

The Prophet said:

... A woman is a guardian over the household of her husband and his children and shall be questioned about them. (Narrated by Muslim, Kitāb al-Imārah, Bāb

³¹ Khalif Muammar and Adibah Muhtar, "Wacana Kesetaraan Gender: Islamis vs Feminis Muslim," (presentation, Seminar Permurnian Akidah 2009, Pejabat Mufti Wilayah Persekutuan, and Jabatan Agama Islam Wilayah Persekutuan, Masjid Wilayah Persekutuan Kuala Lumpur, August 20, 2009), 30.

³² Yūsuf al-Qaraḍawī, *Min Fiḥ al-Dawlah* (Al-Qāhirah: Dār al-Shurūq, 1996), 162.

³³ Khalif Muammar and Adibah Muhtar, "Wacana Kesetaraan Gender: . . . , 30.

³⁴ Ibid.

Fadhīlah al-Amīr al-‘Ādil wa ‘Uqūbati al-Jā’ir, number
of hadith 4724)

Appointing the man as a leader of the family, and the woman as the one who manages the household does not lower the woman’s position. The philosophy of leadership is not related to the position of men or women in society, instead, leadership is a responsibility that comes at a price. Consequently, the duties that are associated with it will be questioned in the hereafter. According to Sayyid Quṭb, leadership has a large significance in any family, organization or institution. It enables the family to develop and succeed in this life and the hereafter, thus, there is no power and responsibility without leadership.³⁵

According to Islam, the husband is responsible for ensuring that his family performs all the injunctions that Allah (S.W.T) has decreed, and avoids what is prohibited. Whereas the wife is responsible to obey her husband as long as his orders are not against what Allah (S.W.T) wills.³⁶ The leadership of men should be based on love and cooperation. The concept of leadership in Islam is inconsistent with Western perspective, as the latter separates power and morality in its definition of leadership.³⁷

It is important to mention that men and women are both humans, thus there is a possibility of equality between these two genders in some aspects. However, their dissimilarity in terms of their natural differences makes the equality between these two genders to be impossible in certain aspects. Hence, although they are different in particular aspects, they are complementary to one another.³⁸

³⁵ Sayyid Quṭb, *Fī Zilāl al-Qur’ān* (Al-Qāhirah: Dār al-Shurūq, 1997), 649-652.

³⁶ Abdur Rahman I. Doi, *Shari’ah: The Islamic Law* (Kuala Lumpur: A.S. Noordeen, 2002), 130; Abd al-Karīm Zaydān, *Uṣūl al-Da’wah* (Bayrūt: Mu’assasat al-Risālah, 2000), 126.

³⁷ Khalif Muammar and Adibah Muhtar, “Wacana Kesetaraan Gender: . . . , 32.

³⁸ Abdul-Rahman Al-Sheha, *Women in Islam & Refutation of Some Common Misconceptions*, trans. Abu Salman Deya ud-Deen Eberle, ed. Abu Ayoub Jeromē Boulter, and Abdurrahman Murad (Riyadh: Abdurrahmaan al-Sheha, n.d.), 28.

There are various examples that are given by Muslim scholars, based on the Qur'an and *Sunnah*, regarding the equality between men and women in Islam. Those examples are illustrated as follows:³⁹

- i. Both genders are equal as human beings. It is obvious that men and women are created from one single source, hence both genders are equal in terms of humanity and they complement one another.

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; (*Al-Nisā'* 4: 1)

- ii. Both sexes are obliged to perform equal religious duties and rituals. For example, performing prayers, giving *zakāh*, fasting and carrying out the hajj pilgrimage

The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practise regular charity, and obey Allah and His Messenger. (*Al-Tawbah* 9:71)

- iii. There is no difference in rewards for obedience, or punishment for disobedience between men and women in this world and the Hereafter.

Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions. (*Al-Nahl* 16: 97)

- iv. Both males and females have similar moral duties and are eligible to similar general rights in guarding chastity, integrity, personal honour and respect.
- v. Both sexes are allowed to be involved in financial dealings and property ownership. This indicates that women are also allowed to own, buy, sell and undertake any financial transaction.

³⁹ Ibid.

- vi. Islam urges men that in order to inculcate good character, they should treat women fairly, without oppression or persecution.

The most complete of the believers in faith, is the one with the best character among them. And the best of you are those who are best to your women. (Narrated by al-Tirmidhi, *Abwāb Kitāb al-Riḍā'*, *Bāb Ma Jā' fī Ḥaqq al-Mar'ah 'alā Zawjihā*, number of Hadith 1162, Hadith Hasan ṣaḥīḥ.)

- vii. Both genders have equal rights in obtaining education and cultivation of skills.

Seeking knowledge is an obligation upon every Muslim. (Narrated by Ibn Mājah, *Kitāb al-Suunnah*, *Bāb Fadhli al-'Ulamā' wa al-Ḥassi 'alā Ṭalabi al-'ilm*, number of Hadith 224)

- viii. Both sexes have an equal duty and responsibility to ensure the wellbeing of their society to the best of their capability. Thus, both should together carry out their tasks to enjoin good and forbid evil.

- ix. Both genders are required to pay *zakāh* (Obligatory Charity) according to the determined ratio. Besides that, they are also given rights to receive their fair determined share of wealth.

From what is left by 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. (*Al-Nisā* 4: 7)

These are among the examples which show that Islam treats women equally as men. Given that the previous teachings are brought by Muslim scholars, are the SIS's accusations, on the discriminatory interpretations of the scholars, valid?

SIS must refer to the Qur'an and *Sunnah* in understanding the concept of "equality and justice". Additionally, a reference must also be made to other sources of Islam, such as the writings of early great Muslim scholars. Henceforth, the understanding must not depend on

their own opinion, logic and judgment because the human mind's ability is restricted.

According to Dr. Azizah, the roles between men and women are divided based on their nature and not society's culture.⁴⁰

Every child is born on Islam, but his parents make him a Jew and a Christian, just as a beast is born whole. Do you find some among them (born) maimed? (Narrated by Abū Dawūd, *Kitāb al-Sunnah, Bāb fī Dharāriyy al-Mushrikīn*, number of hadith 4714, ṣaḥīḥ (al-Albānī))

According to Dr. Sofiyah, there are particular issues, explained in the al-Qur'an, which are beyond the capability of the human mind to conceive, such as matters related to *maḥram*. Meanwhile, there are also matters that the human mind can conceive, but this fact does not validate the comprehension of these issues to be practiced liberally without any limitations. The human mind must be guided by the Qur'anic and Hadith knowledge, and we must ensure that the explanation of those matters does not carry any contradiction with the sacred Islamic sources.⁴¹

Dr. Azizah states that it is the responsibility of the husband to provide sustenance as revealed in *Sūrah al-Nisā'* 4:34, while the women is given the responsibility to breastfeed her baby.⁴²

Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. (*Al-Baqārah*: 2: 233)

The husband is completely responsible for the sustenance and maintenance to feed the mother. To attain marital happiness, one must put in his or her sincere efforts to maintain a harmonious and successful marriage. It is not necessarily a duty or a responsibility, rather it is an act for the sake of Allah s.w.t.⁴³

⁴⁰ Azizah Mohammad (Assoc. Prof. Dr.), Department of Islamic Family Laws, AIKOL, International Islamic University Malaysia, in an interview with the researcher, April 16, 2014.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

After all, the husband is the leader of the family.⁴⁴ (Refer to *Sūrah Al-Nisā'* 4:34 and *Sūrah Al-Baqarāh* 2:228) The group must acknowledge that none of the Muslim scholars interpreted those verses as “women are inferior to men”. Conversely, this leadership of men over women does not indicate any kind of inequality or dictatorship, but it is identified as a responsibility.

If the husband is a leader, a wife should recognize his leadership because “*a ship with two captains will never reach its destination.*” Therefore, the wife has the responsibility of running the household and raising the children.⁴⁵ A wife running the household and a husband working outside are equally significant roles. Therefore, running the household cannot be considered inferior to working outside, as Islam honors both efforts. Hence, there is no evidence on the existence of superiority or inferiority among men and women in this matter.⁴⁶

There are people who believe that different actions should receive different rewards. However, they should understand that there are also different actions that obtain equal rewards in Islam. It was narrated by ‘Āishah (that she said),

“O Allah’s Apostle! We consider Jihad as the best deed. Should we not fight in Allah’s Cause?” He said, “The best Jihad (for women) is Hajj-Mabrur.” (Narrated by al-Bukhārī, *Kitāb al-Jihād, Bāb Fadli al-Jihādi wa al-Siyar*, number of hadith 2784)

Husbands and wives are parts of each another and this is a basic principle that determines their rights and duties.⁴⁷

They are clothing for you and you are clothing for them.
(*Al-Baqārah* 2:187)

Muslim scholars does not limit the mission of women to only be mothers. In other words, they mentioned that Muslim women can also involve in other fields. It is true that Muslim women and men

⁴⁴ B. Aisha Lemu, *The Ideal Muslim Wife . . .* , 16.

⁴⁵ Ibid., 17-19.

⁴⁶ Maulana Wahiduddin Khan, *Woman in Islamic Shari’ah . . .* , 59-60.

⁴⁷ Ibid., 124.

have equal responsibilities in certain aspects of life, for instance, the responsibility of enjoining right and forbidding evil. (Refer *Sūrah Al-Tawbah* 9:71). However, it is not true to say that Muslim women and men have the same responsibilities in all aspects of life because some roles are suitable only for one gender. Therefore, giving the same rights and obligations to women and men in all aspects of life will be unfair. Even though there are roles of men that women do not have, these differences are not seen as a form of discrimination. Men carry unique characteristics that are required for being leaders and sustaining the family, while women carry unique characteristics that are necessary for maintaining the house and educating the children.⁴⁸ As leaders, men are not considered to have a higher status over women in terms of human value, while as wives and mothers, women are not considered inferior to men.

The issue that is being raised through the statement made by SIS regarding “*men hav[ing] authority over women*” is a misunderstanding. This statement does not indicate that the man has the right to treat his wife as his private property, nor it does stipulate that he has absolute authority, depriving the wife from any right as a member of the family. Moreover, SIS cannot deny the significance of authority in any institution. From a small unit such as a family institution to a large unit such as a country, each institution, regardless of its size must have an authority or a leader. However, a leader is bound by rules and regulations, and does not have absolute authority.

The issue of “*men hav[ing] authority over women*” should be viewed from the benefits it carries to women. The role of leader in any family gives the husband an authority over his family members, including his wife, to ensure their wellbeing, provided that this authority is guided by the Qur’an and *Sunnah*, and is prohibited to be misused. Hence, again, this authority is not an indicator of a higher status, but of a greater responsibility that men will be held accountable for it, and will be questioned in the Hereafter. On the other hand, women’s task of bringing up children is essential and is

⁴⁸ Ibid., 125-129.

within their nature to be the carer of the family. Thus, society must not look down upon the role of the caregiver or the domestic wife.⁴⁹

Men and women are created by (Allah s.w.t.) to complete one another.⁵⁰ The woman's responsibilities of childbearing, breastfeeding and looking after her children are responsibilities that require mental, physical and psychological strength and endurance. Whereas the man is the sustainer and protector of the wife, to facilitate for her accomplishing her duties as a mother. Thus, both duties of men and women are equally important.

However, Muslim scholars never declared that childbearing is the only task that woman are permitted to do. In fact, there are many other tasks that women can partake in society as long as they do not contradict with the teachings of Islam. Among the examples of women's rights is seeking knowledge. If the husband is unable to provide a source of knowledge to his wife, he has no right to stop her from seeking it by herself. For instance, if a woman wishes to go to congregational prayers at a mosque, the husband has no right to stop her. Additionally, women are allowed to participate in other fields such as giving first aid and nursing services to the army.

Moreover, the Muslim scholars also stress on the rights of women as human beings, feminine beings, mothers, daughters, wives and as members of the society. An example of women feminine protection is giving her an exclusive right of wearing gold and pure silk. Additionally, women are protected and given sustenance by her guardian whether it is her father, husband, son or brother.

A man came to Allah's Apostle and said, "O Allah's Apostle! Who is more entitled to be treated with the best companionship by me?" The Prophet said, "Your mother." The man said, "Who is next?" The Prophet said, "Your mother." The man further said, "Who is next?" The Prophet said, "Your mother." The man asked for the fourth time, "Who is next?" The Prophet said, "Your father." (Narrated by Al-Bukhārī, *Kitāb al-Adab, Bab al-Birri wa al-Ṣilah*, number of hadith 5971)

⁴⁹ "Some Misconceptions about Women in Islam", *Islamhouse.com*, accessed February 14, 2015, <http://islamhouse.com/ar/articles/53056/>.

⁵⁰ B. Aisha Lemu, *The Ideal Muslim Wife* . . . , 21.

A daughter or a son is a gift from Allah without any discrimination. However, Islam teaches that raising daughters will be given a great reward by Allah.

Malik reported Allah's Messenger (S.A.W) as saying: He, who brought up two girls properly till they grew up, he and I would come (together) (very closely) on the Day of Resurrection, and he interlaced his fingers (for explaining the point of nearness between him and that person) (Narrated by Muslim, *Kitāb al-Birri wa al-Silati wa al-Adab, Bāb Istihbābi Mujālasti al-Ṣāliḥīn wa Mujānabati Qurānā' al-Sū'*, number of hadith 6695)

The woman also has rights as a wife, such as receiving dowry, sustenance, and being treated honorably.

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart (*Al-Nisā'* 4: 4)

And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable (*Al-Baqarah* 2:228]

... and live with them honorably (*Al-Nisā'* 4: 19).

Besides that, the woman also has rights as a member of the society, for instance, both men and women are responsible in enjoining right and forbidding evil.

Based on the above discussion, the explanation given by Muslim scholars with regards to the roles and rights of women in Islam is indeed satisfying. It highlights that the tasks of women are not only limited to being mothers, but it is broader than that. It further defies the accusation made by SIS that claims biasness of the interpretations of male Muslim scholars against women, and makes their accusations false and void. SIS does not have the right to conclude such judgments based on isolated cases, or in other words, they cannot make generalisations.

Conclusion

The study found that there are several misunderstandings and distortions made by SIS in their statements regarding the status of women and their rights from an Islamic perspective. Their misunderstandings and distortions are due to their improper methods of Qur'anic interpretation and lack of referring to the hadith. The liberal interpretations are the results of using logic without guidance from the Qur'an and Sunnah. There is also no disputes over the fact that there are various purposes behind some Qur'anic verses. The teachings of Islam are not forced into a mould for a specific purpose. However, the determination of the purpose of any Qur'anic verse must not oppose to the *shara'*.

From the Islamic perspective, in order for justice to be served, specific rights must be given to those who are worthy of it. The misunderstanding of the word "justice" will result in inappropriate solutions. Justice does not necessarily mean that every individual is given equal quantity of rights; rather justice is to place things in their rightful place by considering their suitability, ability, and *fiṭrah*. This is to ensure that the appointed has the ability to carry out the duty. The different roles and rights of men and women in specific areas of worldly affairs do not imply that they are unequal in terms of their status as human beings. There are rights that are given to men and women equally, on the other hand, there are also rights in certain aspects that are specific to one gender. It is not valid to say that justice can only be achieved if both genders are given equal rights in all aspects of life. Thus, it is very important to understand the meaning of justice as defined by the Qur'an and Sunnah.

In a nutshell, SIS have to apply proper methods of *tafsīr* in understanding the Qur'an in order to obtain the accurate meanings. Besides that, they must also refer to the Hadith in their discussion. If they aim to give any opinions, they must ensure that their human minds are guided by the Quran and Hadith. In brief, these steps should be taken in order to ensure that SIS's understandings are in line with Islamic teaching.

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