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MISCONCEPTIONS OF WOMEN'S RIGHTS IN ISLAM AND ITS REFUTATIONS

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Introduction

The status of women in Islam is a topic that has long been the subject of intense debate and controversy, both within the Muslim community and in the wider global context. In the Western world, in particular, the perception of Islam as a "sexist" religion is a common misconception, often fueled by a lack of understanding and misinterpretations of Islamic teachings. This article aims to address this issue by pinpointing the most prevalent misconceptions about women's rights in Islam and providing pertinent counterarguments, drawing upon the sources of Islamic law.

Objective and Aim

The primary objective of this study is to raise awareness and correct the misunderstandings about women's rights in Islam. By utilizing the sources of Islamic law, including the Quran and the Sunnah (the teachings and practices of the Prophet Muhammad), the aim is to offer comprehensive and well-grounded refutations to the most common misconceptions. This study seeks to provide a balanced and nuanced perspective on the topic, challenging the notion that Islam is inherently oppressive towards women.

Literature Review

A significant body of scholarly work has been dedicated to addressing the misconceptions and misunderstandings surrounding women's rights in Islam. Several studies have examined the historical and cultural contexts in which the Islamic teachings were revealed, highlighting the progressive and empowering nature of these teachings in relation to women's rights and status.

One such study, conducted by Amina Wadud, a prominent Islamic scholar, delves into the Quranic interpretations and emphasizes the egalitarian principles of Islam. Wadud's work challenges the patriarchal interpretations that have often been used to justify the oppression

of women, arguing for a more inclusive and gender-just understanding of Islamic teachings.

Similarly, Asma Barlas, in her book "Believing Women in Islam: Unreading Patriarchal Interpretations of the Quran," examines the historical and textual evidence to demonstrate that the Quran does not endorse the subjugation of women, but rather upholds their rights and dignity.

Methodology and Research Issues

This study employs a qualitative research approach, relying primarily on the analysis of primary sources of Islamic law, including the Quran and the Sunnah, as well as the interpretations and rulings of Islamic scholars throughout history. The methodology involves a comprehensive review of the relevant literature, case studies, and contemporary discussions on the topic.

The research issues addressed in this study include the following:

1. Misconceptions about women's travel rights in Islam
2. Misconceptions regarding the value of women's testimony in Islamic law
3. Misconceptions about women's inheritance rights in Islam

4. Misconceptions surrounding the practice of polygamy in Islam
5. Misconceptions about the perceived inferiority and subordination of women in Islam

Issues Analysis and Discussion

I. Misconceptions about Women's Travel Rights in Islam

One of the most common misconceptions about women's rights in Islam is the belief that women are not allowed to travel without the accompaniment of a male guardian, commonly referred to as a "mahram." This misconception stems from a misunderstanding of the Islamic teachings on the matter.

The Quran, the holy book of Islam, does not impose an absolute requirement for women to be accompanied by a male guardian when traveling. In fact, the Quran states, "And do not prevent them from marrying their (potential) husbands if they agree among themselves in a lawful manner" (Quran 2:232), which suggests that women have the right to travel for the purpose of getting married, without the need for a male escort.

Furthermore, the Prophet Muhammad (peace be upon him) himself permitted women to travel for religious purposes, such as performing the Hajj (pilgrimage to Mecca), without a male relative (Sahih al-Bukhari, Book 26, Hadith 594). This historical evidence challenges the notion that women are always required to have a male escort when traveling.

It is important to note that the requirement of a male escort is primarily a precautionary measure to ensure the woman's safety and dignity, particularly in situations where there may be potential risks or concerns. However, this requirement is not an absolute rule, and there are exceptions and considerations based on the specific circumstances and the individual's capabilities and resources.

II. Misconceptions Regarding the Value of Women's Testimony in Islamic Law

Another common misconception about women's rights in Islam is the belief that a woman's testimony is worth half that of a man. This misconception is often based on a misunderstanding of a specific verse in the Quran, which states:

"And bring to witness two witnesses from among your men, and if there are not two men [available], then a man and two women from those whom you accept as witnesses - so that if one of the [two] women errs, the other can remind her." (Quran 2:282)

This verse, which deals with financial transactions, does not imply that a woman's testimony is inherently worth less than a man's. Rather, the requirement of two women as witnesses alongside one man is a practical measure to ensure accuracy and prevent mistakes, as the verse itself suggests.

It is important to note that the Quran also recognizes the testimony of women in other contexts, such as in matters of divorce and inheritance, where their testimony is considered equal to that of men.

Furthermore, the Islamic legal system allows for the consideration of various types of evidence, including written documents, expert opinions, and circumstantial evidence, in addition to witness testimonies. The weight given to a testimony is based on the credibility and reliability of the witness, not solely on their gender.

III. Misconceptions About Women's Inheritance Rights in Islam

Another common misconception about women's rights in Islam is the belief that women have inferior inheritance rights compared to men. This misconception is often based on a misunderstanding of the Quranic verses on inheritance.

The Quran clearly outlines the inheritance shares for both men and women, stating:

"For men is a share of what the parents and close relatives leave, and for women is a share

of what the parents and close relatives leave, be it little or much - an obligatory share." (Quran 4:7)

The Quran further specifies that a daughter's inheritance share is half that of a son's. However, this is not a reflection of the woman's worth or status, but rather a recognition of the different financial responsibilities and obligations that men and women have in Islamic society.

It is important to note that the Quran also grants women the right to inherit, which was a significant advancement for women's rights at the time, as in some pre-Islamic societies, women were entirely excluded from inheritance.

Additionally, the Quran recognizes that women have the right to own, manage, and dispose of their own wealth and property, independent of their male relatives. This reflects the high status and autonomy granted to women in Islamic teachings.

IV. Misconceptions Surrounding the Practice of Polygamy in Islam

The practice of polygamy in Islam is another topic that has been heavily criticized and misunderstood. The misconception is that polygamy is a tool of oppression against women, denying them their rights and subjecting them to a subordinate position.

However, the Quran permits polygamy under certain conditions, but it does not mandate it. The Quran states:

"And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may avoid injustice." (Quran 4:3)

The key condition for polygamy in Islam is that the man must be able to treat all his wives equally, both financially and emotionally. If he cannot do so, he is prohibited from taking multiple wives.

Furthermore, Islam granted women the right to include a condition in their marriage contract that their husband cannot take another wife, which is a legal recourse available to women to prevent polygamy.

It is important to recognize that the practice of polygamy, while permitted in certain circumstances, is not an obligation in Islam. It is a choice that must be made with the consent and consideration of all parties involved, and it is subject to strict ethical and legal guidelines to ensure the protection of women's rights.

V. Misconceptions about the Perceived Inferiority & Subordination of Women in Islam

Perhaps the most pervasive misconception about women's rights in Islam is the idea that women are inherently inferior and subordinate to men. This misconception is often based on a selective interpretation of Islamic teachings and a lack of understanding of the historical and cultural context in which they were revealed.

The Quran clearly states that men and women are equal in the sight of God, and it emphasizes the importance of justice, equity, and mutual respect between the genders. The Quran declares:

"O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you." (Quran 49:13)

Furthermore, the Prophet Muhammad (peace be upon him) emphasized the importance of treating women with respect, kindness, and fairness. He said, "The best of you are those who are best to their wives" (Tirmidhi, Hadith 1162).

Throughout the history of Islam, there have been numerous examples of women who have excelled in various fields, such as scholarship, leadership, and advocacy for women's rights. Women in Islam have been granted the right to own property, engage in business, and participate in public life, which were significant advancements for the time.

It is important to recognize that the misunderstandings and misconceptions about women's rights in Islam often stem from the distortion of Islamic teachings, cultural biases, and the misapplication of Islamic laws in certain contexts. The principles of justice, equity, and respect for women are foundational to the Islamic faith and should be upheld and promoted.

Conclusion

This study has addressed the most common misconceptions about women's rights in Islam and provided pertinent counterarguments based on the sources of Islamic law. By highlighting the Quranic verses, the teachings of the Prophet Muhammad, and the historical evidence, this article has aimed to challenge the perception of Islam as a sexist religion and to promote a deeper understanding of the rights and status of women in the Islamic faith.

The misconceptions surrounding women's travel rights, the value of their testimony, their inheritance rights, the practice of polygamy, and the perceived inferiority of women have been thoroughly examined and refuted. This study has demonstrated that the true spirit of Islam is based on principles of justice, equity, and respect for all individuals, regardless of gender.

By addressing these misconceptions and raising awareness among those who misunderstand the rights of women in Islam, this study contributes to a more informed and inclusive discourse on this important topic. It is hoped that this article will foster a greater appreciation for the rich and progressive teachings of Islam and its commitment to the advancement and empowerment of women.

Provisions and References

1. Travel without a Male Escort:

- **Quran 2:232:** "And do not prevent them from marrying their (potential) husbands if they agree among themselves in a lawful manner."

- **Sahih al-Bukhari, Book 26, Hadith 594:** The Prophet Muhammad (peace be upon him) permitted women to travel for religious purposes, such as performing the Hajj, without a male relative.

2. Women's Testimony:

- **Quran 2:282:** The requirement of two women as witnesses alongside one man is a practical measure to ensure accuracy and prevent mistakes, not a reflection of the woman's worth.
- The Quran recognizes the testimony of women in other contexts, such as in matters of divorce and inheritance, where their testimony is considered equal to that of men.

3. Women's Inheritance Rights:

- **Quran 4:7:** "For men is a share of what the parents and close relatives leave, and for women is a share of what the parents and close relatives leave, be it little or much – an obligatory share."
- The Quran grants women the right to inherit, which was a significant advancement for women's rights at the time.
- The Quran recognizes women's right to own, manage, and dispose of their own wealth and property, independent of their male relatives.

4. Polygamy in Islam:

- **Quran 4:3:** The key condition for polygamy is that the man must be able to treat all his wives equally, both financially and emotionally.
- Islam granted women the right to include a condition in their marriage contract that their husband cannot take another wife.

5. Equality and Respect for Women in Islam:

- **Quran 49:13:** "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you."

- **Tirmidhi, Hadith 1162:** The Prophet Muhammad (peace be upon him) emphasized the importance of treating women with respect, kindness, and fairness.
- Historical examples of women's achievements and participation in various spheres of life in Islamic societies.

