

THE FACTUAL NOTION OF WOMAN RIGHTS IN ISLAM: A STUDY OF PAKISTANI SOCIETY

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Abstract

Islam considers both man and woman equal in practicing their deeds; even women, in many ways, are being treated in more respectable manner. However, like most of the under developed societies, in Pakistan women rights are usually maltreated by the dominating male majority of the society. Present study will try to answer that how in spite of religious barriers, a woman is often treated as a second class citizen of the society? How constitutional guarantees have often been overlooked? Above all how this culture may change in the light of Islamic injunctions? By using mainly qualitative method of research and with the help of both primary and secondary sources including Quran, Hadith, Constitution of Pakistan and other related books and journals etc, it is an attempt to analyze the status of Pakistani women in the light of Islam. With the spread of education and awareness, the practicing deeds are reflecting the desired values to some extent if not greater. Islam which provides an inspirational power to mold the public opinion have often been neglected to provide the women their due rights. In point of fact, negation of true Islamic injunctions along with constitution which reflects the same picture as Islam do is the main cause of misconceptions prevailing in Pakistani society.

Keywords: Islam, Pakistan, constitution, women, rights, society, Qur'an, Sunnah.

INTRODUCTION

Islam being a complete code of life provides an ample guidance to every sphere in order to achieve the desire end. Along religious virtues it paves the way for smooth functioning of the daily routine matters. So its followers do not need any other manuscript to deal with their worldly affairs. It is the miracle of Islam that it has upheld all human rights in such a just manner that no one can even claim that their rights have been violated. In the pre-Islamic era of ignorance, there was such a darkness of error and misguidance that human beings did not care about other's rights. But Islam clarified the rights of everyone so that no one would have the opportunity to make an excuse of ignorance or unawareness. At the same time, it commanded that the rights of each other should be respected and that the followers of Islam should avoid the exploitation of their rights and creates a society of peace and harmony. The first and greatest charter for the human rights in the world was presented by the Prophet (peace be upon Him) in the form of his farewell sermon in which the rights of all human beings are protected and determined. In current scenario, the issue of human rights has become a topic of discussion in every part of the world. The main reason for this debate is the attitude of human beings towards each other. Therefore, the question regarding human being is raised, as Molana Modudi says, If the law of nature has made one animal food for another animal, then it only encroaches on it to the extent of food. There is no beast that kills animals for no reason without food. This is the man who, without the guidance of Allah, began to oppress his own sex with the powers given to him. According to one estimate, since the arrival of man on this earth, not all animals have killed as many human beings as humans have killed only in World War II. This proves that man has no distinction between the basic rights of other human beings. Allah Almighty has guided man in this regard and has made him aware of human rights through the Prophets (Modudi, 1991).

In point of fact, man is a creature of collective consciousness and the first point of collectivity is the determination of rights and duties and their implementation without which no society, be it simple or in the form of a state, can be organized. The description of the human rights is very long. It includes the Parents rights, children rights, neighbor rights, relative rights etc., but specifically women rights is usually avoided in most of the Third World societies including Pakistan. There is usually a recurrence between religious and secular people on the issues related to women rights which deteriorate already worse condition of women in Pakistan. However, both of these groups use to blame each other for their extreme approach opposite of each other. Pakistani constitution although guarantees their basic rights yet lack of proper implementation is creating an environment of deprivation.

On the other hand, the moderate community of Pakistan misinterprets the women rights in Islam and tries every possible mean to prove their stance through various arguments that women's rights have been exploited in Islam

or they have been confined to the four walls of the house or given rights to some extent. It is a fact that women are an indispensable element of society which cannot be ignored but social and cultural reform depends on the status of women. Islam, which is a way of life and a complete guide to humanity, provides a details manifesto to deal with this fragment of society. However, before proceeding to the Islamic point of view, it is necessary to know about the status of women before Islam.

STATUS OF WOMEN IN PRE-ISLAMIC ERA

In Greek civilization, a mythological woman named Pandora was the main cause of all human sufferings, misfortune and evils in society. Women were used as sex and pleasure and considered them as inferior creature. Greeks had no sympathy for children and adults and did not care for the rights and respect of women. The most important fact is that Greece began its destruction by making the principle of unnatural gender equality the law of the land (Alvi, 2009). According to Lecky,

"There is no respect of wife in Greek civilization. Her whole life was spent in slavery. In her childhood she was inherited by her father, in her youth she is inherited by her husband and in widowhood by her children. In comparison, the rights of men were given more importance. She was legally permitted to divorce, but in practice she could not take advantage of it because her statement in court was against Greek honor and modesty. Plato, of course, claimed equality between men and women, but this teaching was merely verbal. Practical life remained unaffected. The purpose of marriage was to keep it purely political, that is, to produce powerful offspring who would serve the security of the country. And in Sparta's law there was a provision that young and weak husbands should give their young wives in marriage to a young man in order to increase the number of strong soldiers in the army." (Abadi, 1932).

Similarly, the status of women in Roman civilization was not different from Greek civilization. The man was the head of his family and has complete control on his family. When roman civilization reaches at its peak the man was even permitted to kill his wife. Nudity and promiscuity were common in roman society. To them, marriage became a mere legal contract which subject to the consent of both man and woman (Arif, 2009). Just like Greece and Rome, Iran is an ancient cultural center that spans a number of periods and stages even before and after Islam. The status of women in Iran is the same as in Greece and Rome. They do not care about her moral values. Even there is no respect of mother daughter wife and sister and woman was considered as the collective ownership of society (Alvi, 2009).

By looking into the Egyptian civilization, we see that they considered woman as the sign of devil. According to Judaism the woman is bitterer than death. The Jews believe that Hazrat Adam committed a sin at the instigation of his wife Hazrat Eve. They did not shy away from using women wherever and however they wanted for political gain. It was a common custom among the

ancient Jews to treat women as a means of trade and to use them ruthlessly for their own nefarious purposes, causing them to be humiliated all over the world. If two brothers live in the same place and one perishes childless, then the spouse of the late brother will not be wedded to an outsider, but her spouse's brother must give her the right to marry him so that the firstborn is to be numbered among the dead, so that his name may not be omitted from Israel (Qasmi, 2014).

The situation in Europe was also worse in this regard. Ignorance, superstition and oppression were rampant. It was believed that woman is the mother of sin and the root of evil. In Christian society, woman was a sex market where men traded them freely and sold them like cattle in the market. Religious education was legally forbidden for women even they were not allowed to read the Bible. Priest has been against marriage and all kinds of sexual relations. The universal success that Christians have achieved in the world has never been a Christian debate, nor can it be called a spiritual conquest in history. The Christian philosophy of morality, with its emphasis on gender virtue, inevitably sought to elevate the status of women, possessing morality, so to them women were a movement of Satan or evil. Christianity has done a lot to destroy true religious sentiments by badly affecting the world and increasing the number of biologically disabled people. Modern atheism, modern moral system and the current hatred of religion and the materialism of Europe are, in fact a strong reaction against medieval Christianity (Nadvi, 2000).

Similarly, the status of women in Hinduism is not different from the contemporary practices by the followers of Christianity and Judaism. According to Hinduism, lying is a personal characteristic of a woman. After that it is necessary for a woman to be under the control of her father in her childhood. In her youth she was subordinate to her husband and after becoming a widow she remained in the custody of her sons. According to Brahman, rivers, armed soldiers, clawed and horned animals, kings and women should not be trusted. Lying, acting without thinking, deception, stupidity, impurity and cruelty are the faults of a woman. Then the ritual of sati is a proof that a woman has no status. A woman has no right of khula and inheritance. Her relatives will take her property but she will not get any share. She should also be deprived of religious education. All this shows that women have no place in Hindu society. Buddha's position is very high among the religious leaders of India. He left his wife and children and settled in the forest. He also hated women and in this crime. The reality of woman is the reality of hatred. In all the pre-Islamic moral religions, the marital relations between men and women were barred for the development of morals and higher levels (Hadoti, 2001). In point of fact, women were not treated humanely by majority of people across the globe.

CURRENT STATUS OF WOMEN IN PAKISTAN

However, in spite of religious assurance the status of women in Pakistan cannot be called idyllic. Due to many factors including classes, regions, rural-urban divide, uneven socio-economic development and impacts of tribal, feudal and capitalist social formation women are not given their due rights. Although there have been attempts by the governments and enlighten group to elevate the status of women in our society but on average, situation is not sound in Pakistan. Women of current Pakistani society are facing various kinds of problems such as domestic violence, poverty, destitution, deprivation, incurable and expensive, forced marriage, dowry, Karo Kari, Vatta Sita, Vani and Sati, acid throwing and gang rape in contemporary Pakistani society (Gulzar, 2012). They have consistently complained of being isolated from mainstream society yet they are being frustrated by being insulted by the male-dominant setup. The women in urban areas have enough awareness of their basic rights as compared to rural women which encourage them to achieve their actual place in society. While the rural women totally subjugate in the man dominant social setup and cannot demand their basic needs. It is believe that if they are given a fair chance, they can play a more positive role in the development of all aspects of society.

Figures from different sources regarding the current situation of women in Pakistan reveals the worse condition of women in different areas of Pakistan especially in rural and backward areas. A large number of women die every year due to various health problems including mal nutrition etc. It is really unfortunate that most of them are usually unable to express their health issues even before their family members. Lack of education often results in different health and social issues. Mentally or physically sick woman treated by the so-called *Pirs* or *Atais* which may results in the forfeiture of health, economic or even uprightness.

Unfortunately, majority of the women is being treated as inferior community with no freedom in their career. Pakistan is ranked amongst the top three vilest states in the world in the Gender Equality Index, with Pakistan topping only Iraq and Yemen. The World Economic Forum has released its 2020 report on gender equality in which Pakistan is ranked 151st out of 153 countries in the world (WEF, 2020). According to a report, Pakistan ranks 150th in participation and provision of opportunities in the economy, 143rd in educational opportunities, 149th in the fight for health and survival, and 93rd in political power (Laghari, 2021). The status of women is most controversial topic in current scenario with special reference to Aurat-March. On March 8, 2018, on the occasion of international women's day, an Aurat March was organized for the first time in Pakistan which got both social and religious attention. Many concerns were raised due to this march regarding status and rights of women in Pakistan. However, like many other feminist movements this march was also failed and hence cannot achieve its any goal except leaving some negative impacts in this patriarchal setup but women are struggling for their status and identity to be recognized by the male

dominated society of Pakistan.

CONSTITUTIONAL GUARANTEE OF WOMEN RIGHTS IN PAKISTAN

The concept of women's rights in contemporary Pakistan is influenced by contradictory images. There are many questions to be answered i.e., what is the status of women's rights in Pakistan, who defines them and who is responsible for ensuring these rights? These questions are of great importance in order to analyze the present-day scenario. Although tension and concern over these questions have existed since the creation of Pakistan, but over the past few years, these differences have been seen as more tangible. In order to achieve political and social harmony within the community, the authorities have been working hard to establish an acceptable definition of women's rights. The existing constitution of Islamic Republic of Pakistan of 1973 guaranteed rights to its all citizens without any gender discrimination. The constitution stipulates that there will be no discrimination merely on the basis of gender (GOP, 1973).

The constitutional rights of women ensure the protection of marriage, family, mother and child, as well as their participation in all spheres of national life. In addition to this, there are so many other laws regarding women have been passed bit by bit in Pakistan, such as the Muslim Family Law Ordinance which was enacted in 1961 during Ayub Khan Era, is regarded as the first step in protecting women's rights (Noreen, 2013). Under Zia-ul-Haq, prejudiced laws were presented which bothered the balance amid men and women in the civilization. These laws negatively affected the position of females. He ordered to suspend all fundamental rights guaranteed in the constitution of 1973. Women's establishments remonstrated contrary to the Hudood Ordinance and wanted its cancelation (Mustafa & Cheema, 2008). Under Musharraf, laws were introduced to protect women's rights. It is considered as golden age in the context of legislation to empower women.

In 2006, Pakistani Parliament passed the famous Women Protection bill by revising the Hudood ordinance which allows the use of DNA and other scientific evidence in rape cases. The bill was severely criticized by religious scholars of Pakistan (The Gazette of Pakistan, December 2, 2006). Similarly, in 2010 Criminal law amendment Act 2010 on Sexual Harassment at workplace was passed by which the old rituals of Vani were considered as crime. Moreover, Punishments for Sati, marriage with Qur'an and acid throwing were also been prescribed (The Gazette of Pakistan, February 2, 2010). In 2012, the Senate unanimously passed the Domestic Violence Prevention and Protection Act. This act retorted to national policy for progress and empowerment of women (Senate of Pakistan, February 20, 2012). After 18th amendment in the constitution of Pakistan by getting greater provincial autonomy provinces passed so many other laws relating to women. National commission on the status of women Act 2012 was also a milestone in empowering women. Khyber Pakhtunkhwa, Punjab, Balochistan and Sindh

also passed their provincial commission acts on the status of women respectively. The governments also made various other plans to empower women in their province as much as possible. The problems are increasing in Pakistan mainly due to lack of practical implementation of these laws.

IDENTITY AND STATUS OF WOMEN IN ISLAM

After the revelation, Islam provided a respectable position to the women in society. Before the arrival of Islam they were treated inhumanly. The birth of a daughter was considered a great tragedy and most of the occasions, as per custom girls were buried alive. In the holy Qur'an, a verse has been revealed against the behavior of these nations that when they got the news of birth of a baby girl, their faces would be angry. The Holy Qur'an says, whomsoever any of them is inclined with the virtuous announcement of a female child, his face turns melancholy, as he overwhelms his anger. He fleeces himself from the society due to malevolent update he has received. Should he keep her in and the daughter who was concealed alive will be questioned for what crime she was murdered? (Al Takveer, 81:8).

During that time a man could marry as many as ten or twenty women and when he was died; his wife became the property of his heir just like his other property. In the pre-Islamic era, the Arabs would attack the tribes of their own country, pick up their young women and sell them at fairs. When the son inherited from the father, he also inherited the father's wife. Except for his real mother, he could have sex with other stepmothers. Before Islam, a woman was no more than a slave and she had no protection. Her life depended on the man's eyebrows. Her status was no more than wealth. There was property. The girls were buried alive as useless and a source of shame. Before Islam, women were like cattle. Some tribes used to auction girls in the open market. Qur'an says: O believers! It is not acceptable for you to get women in contradiction of their determination (Al Nisa, 4:19).

However, contrary to the practice, woman has been given the highest status in Islam and has been given more protection in Islamic society than in any other societies. It seems it is only religion in present from that presented the status of woman with great dignity and honor. There is no mean which deny the fact that the importance of woman in human life is the cornerstone of every nation and society. It is Islam which gave a woman the status of mother, daughter, wife and sister. Recognizing the status of women as a mother, Qur'an says, And your God has dictated that you adoration none but Him, and do right to your parents (Al Israa, 17:23). And bend down in front of them with sympathy and say: My God, has clemency on them as they have fetched me up from infantile (Al Israa, 17:24).

Say:

"Let me tell you what your God has prohibited you, that you should not assistant anybody with Him, and that you should do virtuous to your parents, and that you should not murder your offspring out of scarcity."

We will deliver for them, and do not go near the open and concealed

turns of wickedness, and do not murder unfairly any soul which Allah has prohibited to be murdered. (Allah) orders you so that you may comprehend (Al Anam, 6:151).

And We have ordered on human being compassion to his parents. (O addressee) If your parents are after you, then assistant with me somebody whose truth you do not know. So do not believe in them. You (all) have to return to me. Then I will tell you what you used to do (Al Ankboot, 29:8).

A man came to the convenience of the Holy Prophet (PBUH) and questioned, "Who is greatest worthy of my sympathy?" He said, "Your mother." The man asked, "Then who?" He said, "Your mother." He asked, "Then who?" He said, "Your mother." He questioned, "Then who?" He said, "Your father (Sahi Muslim, 4:1974)." After the mother, the treatment of daughter with mercy and compassion is proven by the Qur'an and Sunnah. Raising a daughter with love, compassion and responsibility is considered as a means of salvation. The Holy Prophet (PBUH) said,

"Whoever does not bury his daughter alive, nor does he despise her, nor does he put his son before her, then God will confess him to Heaven (Abu Daud, 354/5). Anyone who raises two or three daughters or two or three sisters until they become adults or die, he and I will be in Paradise as two fingers meet (Sahi Muslim, 6364)."

Before Islam, the atmospheres of the world saw these painful scenes in which a woman was severely humiliated, disgraced and disrespect. Islam gave her a respectable place in society as sister. The Holy Prophet (Peace Be upon Him) said,

"Whoever has three daughters or three sisters or two daughters or two sisters and he treat them kindly and fears Allah the Illustrious about them, then he will get Paradise (Sunan Tirmizi, 1916)."

As a wife, a woman has always been oppressed because that is the relationship in which a man has the opportunity to exercise his authority. In this capacity too, Islam has given a high status to women, recognizing their individual identity and stating their rights along with their duties. The clear texts of the Qur'an and Sunnah shows that women are not only responsible for their duties but also have certain rights which Islam protects and which it is the duty of men to fulfill. Islam has laid down the strictest constitutions and punishments for them. Therefore, the Qur'an has commanded, Do good and kindness to women, they are clothes for you and you are clothes for them (Al Baqra, 2:187). O you who believe! It is not legal for you to get females by force, nor to withhold them in order that you may take back from them what you have been given, unless they commit a manifest immorality, and Live well with women, if they don't like you, you may not like one thing but Allah has put a lot of good in it (An Nisa, 4:19).

Rights of Women in Islam

Islam is a religion of peace and harmony, its basic purpose is to establish a system based on the eternal principles of justice, peace and

fairness. In this system every person has due rights which the society may deny in one way or the other. As far as women rights are concerned, Islam, unlike other contemporary practices, ensures to be followed in its true spirit. The rights of women in Islam can be divided into four major categories; social, economic, political and legal rights.

Social Rights of Women in Islam

Islam eradicated all the ugly customs that were against the human dignity of women and gave them such rights that made them deserving of the respect in society with equal to men. Islam laid the foundation of a society where every individual is an active part of society. It gave women dignity, respect and their due rights. Social rights of women in Islam are discussed below:

Right to Live:

In the days of ignorance the female child has no right to live. Her guardian burry her alive. The Holy Qur'an severely criticized this act and declared that whoever turns away from her right, he will be definitely answerable to Allah on the day of Judgement. The Holy Prophet (Peace Be upon Him) said,

"Whoever has a daughter should not intomb her alive, nor should he treat her desperately, nor should he favor his son to her daughter. Then Allah will confess him to Heaven (Abu Daud, 354/5). Say: "Let me tell you what your God has prohibited you, that you should not assistant anyone with Him, and that you should do virtuous to your parents, and that you should not murder your children out of scarcity." We shall deliver for them, and do not submit the exposed and unseen turns of sin, and do not murder unfairly any soul which Allah has prohibited. (Allah orders you so that you may comprehend (Al Anam, 6:151)."

Right to Respect:

Prior to Islam, there was no concept of dignity and chastity of women. She was considered a mean of luxury and sexuality but Islam gave them highly respectable place and protection of their chastity in society, And tell the believers to bow down their look and watch their virginity and not to show their beautification excluding where it is open, and to place their headscarves on their chests, and not to show their embellishment but on their husbands or on their father or husband's father or on their sons or husband's sons or on their brothers or nephews or nieces or on their wives or on their slaves or on those servants who do not need a woman or on boys who have a wife, Do not know the things of the veil, and do not strike your feet on the ground so that their hidden jumbles may be identified, and O Muslims! Repent to God, all of you, so that you may be saved (Al Noor, 24:31).

Right to Marry:

Before Islam women were considered the property of men and they did not have the right to marry. Islam gives a woman the right to marry,

whether she is an orphan, a slave or a divorced, she cannot be denied by her right to marry. When you have separated your wives and they have completed their 'iddah, then do not stop them from wedding the mates they are proposing to you. Do not do such a thing, if you are believers in Allah and the Last Day. The best way for you is to refrain from it (Al Baqra, 2:232).

Polygamy in Islam:

Although Islam has given men the right to have more than one marriage in view of social and social wisdom, it has made it conditional on justice between wives, and in casemen cannot maintain justice between more than one wife, it is the same. And if you fear wrongdoing the orphan girls, then marry two or three or four of the women you like. If you horror that you will not be able to do impartiality, then wed one. This method is closer to avoiding injustice; no matter which slave is in your country (An Nisa, 4:3). It is now clear that Islam tends towards monogamy and in situations where Islam has allowed more than one marriage, it has made it conditional on inequality in all matters that are in the hands of men, such as food, dress and courtesy He should treat everyone with justice.

Right to Sponsorship:

The man has been made the breadwinner of the woman's needs, including her food, shelter, clothing, etc. And do not be proud of the virtue which Allah has bestowed on others. Males have a share in what they produce, and females have a share in what they earn. And ask Allah of His bounty. Indeed, Allah knows all things (An-Nisa, 4:37).

Right to Education:

Seeking knowledge is the basic right of every human being but before Islam, women were not allowed to get education. Islam made knowledge compulsory and unlocked its entries to both males and females and detached all the difficulties and boundaries in its track. Islam compensated distinct consideration to the education and training of girls and invigorated it. As the Prophet (PBUH) said, getting knowledge is mandatory for both man and woman (Ibn e Maja, 1:81). Islam discourses both men and women and has made it mandatory for everyone to devotion ethics and sharia, which is not conceivable without knowledge. Without knowledge, a lady cannot defend her rights or fulfill the responsibilities that Islam has imposed on her. Therefore, education of men as well as women is very important. Recite in the name of your Lord Who created. He created man from a clot of blood. Read and your Lord is the Most Generous, who taught him to write with the pen (Al Alaq, 96:1-3)

Economic Rights of Women in Islam

Islam gives women their economic rights thirteen hundred years before the Western world. When the revelation of Quran and the advent of Holy Prophet (PBUH), any adult women whether she wedded or single she

was permitted to concede or deny the assets without the consent of anyone else. In Islam female is economically extra protected. Before she is married, it is the responsibility of her father and brother and after wedding her husband or son to look after her fiscal facets. Islam gave women the right to inherit. In many religions the female is not allowed to inherit. She does not have any portion in the assets left behind by her family members.

There are many cases where non-Muslim objects on half share of females. They are maddening to say that Islam vanquishes the females. They cannot understand the wisdom of Allah. It is the man who stands the fiscal drain. If we read the Quran there are many verses regarding this, "It is incumbent upon you that when demise arrives one of you, if he left behind wealth, he must make a bequest to his parents and ancestors. This is the duty of those who guard (against evil) (Al Baqra, 2:180). And those of you who decease and leave wives overdue, they would bestow to their spouses a year of subsistence without going out of the house; then if they go out on their own, then there is no blame on you. Let the women obey the law in their favor, and Allah is Mighty, Wise (Al Maida, 5:106-108). Males have a portion in the treasure left by their parents and ancestors, and females have a portion in the wealth left by their parents and ancestors, whether it is more or less (An Nisa, 4:7).

Political Rights of Women in Islam

In Islam, the role of women is not confined to the family or society but women have also been given a role at the political level on the basis of merit. In the Holy Qur'an, both are given equal importance in determining responsibilities in Muslim society. Almighty Allah says, the believing men and the believing women are helpers of one another, enjoying what is correct and forbidding what is incorrect, and establish prayer and pay the poor-rate and submit Allah and His Apostle. These are they on whom Allah has clemency. Surely Allah is Mighty, Wise (Al Tooba, 9:71). In this verse, males and females are told to help each other:

The establishment of good and the end of evil in the social sphere

Iqamat-e-Salat in the religious realm

Establishment of Zakat system in the economic sphere

Build an ideal Islamic society in the political arena by obeying the commands of Allah and His Messenger.

Right to Vote:

Islam also grants females the right to express their views in political matters. The Holy Qur'an says,

"O Messenger, when believing females come to you to initiate allegiance and swear that they will not subordinate anything with God, will not bargain, will not obligate adultery, and will not murder their offspring. Your hands and feet will not fabricate a lie against you, and they will not disobey you in any known matter. So, take an oath of allegiance from

them and ask mercy of God for them. Surely, Allah is Oft-Forgiving, Utmost Kind (Al Mumtahina, 60:12)."

Right to representation in Legislature:

Similarly, Islam allows women to participate in legislation. According to a well-known tradition, Hazrat Umar (RA) was once discussing the issue of Haq Mahr with his Companions and Hazrat Umar (RA) wanted the limit of Haq Mahr to be fixed as it is difficult for young people to get married. A woman got up from there and recited the twentieth verse of Surah An-Nisa 'of the Holy Quran. And if you wish to exchange one woman for another, and you have given a lot of wealth to one, do not take back any of it (An Nisa, 4:20). The woman said that when the Qur'an allows that a woman can be given a pile of wealth in Haq Mahr. So how can Hazrat Umar (RA) set the limit? Upon hearing this, Hazrat Umar (RA) immediately retracted his opinion and said that Umar was wrong and this woman was right. This suggests that in Islam, even an ordinary woman has the right to speak out against the caliphate of time, and it is clear that Islam also gives women the right to participate in legislation.

Women as a Political Advisor:

Before Islam, women were not considered eligible for any social or political role. Islam gave dignity to women in social life. The Prophet (PBUH) taught counseling to women through his Sunnah. The character of Hazrat Khadija in the beginning is an excellent example in this regard. On the occasion of the peace treaty of Hudaibiyah, the Companions were dismayed by the apparent situation after the agreement with the infidels of Makkah. When the Prophet (PBUH) said

"Stand up, sacrifice and cut your hairs" (Muhammad, 2003).

None of the Companions stood up, so he came to Hazrat Umm e Salma (may Allah be pleased with her) and consulted with her. She asked, "Does the Holy Prophet (PBUH) want the Companions to offer sacrifices according to the command of the Messenger of Allah (PBUH)? Then he does not talk with anybody, just slaughtered his sacrificial animal and cut his hair. When the Companions saw him, they slaughtered his sacrificial animal and cut his hair. The Prophet's consultation with Hazrat Umm Salma on the occasion of the Hudaibiyah peace treaty explains the principle of consultation with the women. The Rightly Guided Caliphs also followed this teaching of the Prophet (PBUH). Hazrat Umar (may Allah be pleased with him) asked Hazrat Hafsa to determine the length of stay of those who have served in the military (Muhammad, 2003).

Right to Appointed on Administrative Posts:

In Muslim society, women not only had the right to membership in the beginning, but they also held administrative responsibilities. Hazrat Umar (RA) appointed Shifa bint Abdullah as the caretaker of the market. She was responsible for accountability court and market administration (Muhammad,

2003).

Right to take part in Diplomatic Affairs:

Islam's belief in the role of women in state affairs was such that Hazrat Uthman (RA) sent Hazrat Umm e Kulsoom (RA) bint e Ali on a diplomatic mission to the court of the Queen of Rome during his caliphate. In this way, he set an example of the appointment of women in diplomatic affairs (Muhammad, 2003).

Legal Rights of Women in Islam

The legal rights of women can be divided into three main categories:

The Right to be a legal person:

Islam recognizes the status of women as legal person. The Holy Qur'an says made it clear that there is no difference between men and women in case of the acknowledging them as legal personality by a verse that, And it is not fitting for a believing male or a believing female that when God and His Apostle enjoin a thing, they must be free in their affair; and whoever defies Allah and His Apostle, he really strays off into fault (Al Ahzaab, 33:34).

Equality in Reward and Punishment:

In the law of Islam both male and females are equal. Both deserve reward and punishment on the basis of their actions. If a man commits a crime, he will be punishable or if woman commits a crime, then definitely, she will be punishable. Same the case in the matters of reward and hence, no distinction will be made on the basis of gender. O you who believe! It is obligatory upon you to equate the slain with the permitted, the allowed for the allowed, the striver for the striver, and the female for the female. That is an ease and a mercy from your Lord. Whoever misbehaves after that, for him is a tender penalty (Al Baqra, 2:178). And cut off the hands of both men and women, whether they be thieves or losers (Al Maida, 5:38). The wicked woman and the wicked man, so strike each of them a hundred times, and you shall have no mercy on them in the affair of Allah. If you trust in Allah and the Day of Judgment, then revelry of Muslims should be appeared at the time of their rebuke (Al Noor, 24:2).

Right to Testimony:

Testimony is obligatory for both males and females and has been given the right to do so. The Holy Qur'an says: And do not hide the witness. Whoever hides it, his heart is really evil, and Allah distinguishes best what you do (Al Baqra, 2:283).

CONCLUSION

At the end, it is concluded that women are facing many problems in order to attain their due rights in Pakistan. In spite of clear legislation in year 2006 and 2016 titled as Women Protection Bills its implementation is not an easy task. A society where women are facing honor killing, Qazaf, or male

dominance in presenting their miseries an appropriate system is required. Islam a complete code of life provides a practical solution to these problems, however, when there is discussion on women's rights, it is propagated that Islam has oppressed women, deprived them from their basic rights by keeping them in chains of customs and traditions. But after a comprehensive analysis and study of Quran and Sunnah, it becomes clear that Islam had liberated women from oppression and abuse fifteen hundred years ago by removing difference between a man and a woman. Otherwise the religions and civilizations before Islam were not ready to accept a woman even as a human being.

In point of fact, the rights that Islam has given that status to women that have not been given by any anyone before. Islam has given women a unique position in every respect and has defined their rights. Woman has been given a highly respectable place in society as a mother, daughter, sister and wife. It has clearly defined their social, economic, political, legal and educational rights. The mother's lap is declared the child's first school which shows how important it is for a woman to be educated and polite. They have the right to earn a halal livelihood and to manage their property as they wish. In the case of marriage, although the guardian has the power to find and like the boy, but without the will and desire of the girl, they cannot be married anywhere and his consent is necessary. Islam establishes the criterion of those rights and duties for men and women which are essential to create a balance society. In fact, doubts and misunderstandings about the status or rights of women in Islam are mainly the result of lack of knowledge about the Islamic Philosophy of life. The case of Pakistani women is of no exception in this regard. If we follow the Islamic injunctions which recognizes the empirical differences among two genders, but never uses them as a measure of its success, declaring all forms of discrimination against women as injustice, Pakistani society would become a paradise on earth.



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