

THE STATUS AND ROLE OF WOMEN IN ISLAM

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ABSTRACT

This paper revolves around the discussion of the status and role of women in Islam. There has been a notable misconception among many people, especially among the non-Muslims, that Islam is unjust towards women. Additionally, serious concern on the negative stereotyping of Muslim women and its consequences has been an issue to be reckoned with by all parties and this paper aims to put this issue in its correct perspective. Just what is the status and role of women in Islam as accorded in the al-Quran and hadith/sunnah? Are women and men equal in terms of their legal and civil rights in accordance with Islam? As compared to the times during pre-Islam, haven't women undergone positive transformation on the way the teachings of Islam have impacted them? Has the domination of men in every aspect of family and social life resulted in the rejection of women? This paper discusses these questions after researching the views of selected scholars and theologians on the above-mentioned issues and hence proves that in Islam the status and role of women are essential for a healthy civilization since women are the core of a family unit which is the nucleus of a society.

Key Words: status/role, misconception, legal and civil rights, positive transformation

Introduction

This paper revolves around the discussion on the status and role of women in Islam. In this era, Islam is being attacked from all angles and fronts. Among the popular issues that have been raised against Islam is the issue on the status and role of women in Islam. It is claimed that Islam has given no rights to women, that women are oppressed, that women are considered inferior to men. Worse, in some societies women were considered cursed and worthless.¹ In Babylonian society, if a man were to commit murder, his wife would be executed in his place. Greek society placed women lower than men, and prostitution was commonplace in every level of Greek and Roman society. The ancient Egyptians regarded women as representatives of the Devil while the Arabs had a history of burying their daughters alive. More horrific is the Hindu practice of burning the wife along with the dead husband. During the period of the *Jahiliyah* women came to be regarded as a peculiar creation between the man and the beast, whose only function was propagation of the human race and serving her master, man. And that was the reason why the birth of daughters was regarded as a calamity and a disgrace. Some people regarded it as imperative in view of their nobility and distinction to bury their daughters alive soon after birth. Besides being a source of disgrace, the Qur'an tells us that the consideration of economic difficulties too was responsible for the murder of their own progeny at the hands of the parents. Pointing to this aspect of their life the Qur'an ordered them to abstain from this cruel deed. Incidents relating to this particular portion of history amply borne out by the Qur'an are enough for our condemnation.

There has been a notable misconception among many people especially the non-Muslims that Islam is unjust towards women. Allegations that Islam has imprisoned women and stifled their development and talent has been rife. Additionally, serious concern on the negative stereotyping of Muslim women and its consequences has been an issue to be reckoned with by all parties so as to put this issue in its correct perspective. Just what is the status and role of women in Islam as accorded in the al-Qur'an and hadith/sunnah? Are women and men equal in terms of their legal and civil rights in accordance with Islam? As compared to the times during pre-Islam, hasn't women undergone positive transformation on the way the teachings of Islam has impacted them? Has the domination of men in every aspect of family and social life resulted in the rejection of women? This paper aims to discuss by researching the views of selected scholars and theologians on the above mentioned issues and hence prove that Islam has made it very clear that the status and role of women is essential for a healthy civilization since women are the centre for family and the family unit is the very nucleus and foundation of a society. As far as their role and status is concerned, Muslim women have no quarrel with men over the issue of the so-called equality, as propagated and instigated by the West, as they realize very well the issue on the gender-differences as stipulated in the al-Quran and hadith/sunnah.

Man and woman, as ordained in the Qur'an, are the two waves arising out of the same stream and where their humanity is concerned, any notions regarding their comparative shortcomings are of the nature of an evil whisper rather than a fact. Connectively, it is also evident that the idea behind the belief of woman being a sub-human creature or at least treated as such is totally wrong. Both of them were made from a single pair and it was from them that great multitudes of men and women were created. Woman is not a separate creation but belongs as much to the human race as does man. They come from the same source. How can there be any difference of origin between them?ⁱⁱ Rather each should pride in close proximity of the other and consider the position as something honorable. The patent fact is that there is no man on earth who is not indebted to a woman for his birth. What right has he then to ascribe all honor and glory to his own sex and regard the other sex as lowly and despicable? In the physical make-up of human beings, the feminine elements go with the male elements. Rather, the medical researchers have shown that the female elements dominate in his physical make-up. Just think how the woman when she carries the foetus about in her womb, then delivers it, brings it up, suckles it. Does man take part in any of these arduous selfless services? Our entity took shape in the mother's womb. It was there that we were nurtured with her life blood. And this woman, our benefactor, may

become a source of disgrace and shame to us? Whatever our attitude towards her, it was the woman who undertook our training and upbringing when we could neither walk or speak and tell others our needs or our troubles. It was she who taught us to walk, taught us speech and took care of us until the age of self-consciousness. And with all that, the woman became low and despicable?

Closer examination of the status and role assigned to women in the teaching of the Qur'an reveals the fact, in which women lead a life balanced between freedom and protection possibly more fitting to their needs than the competitive struggle the more "liberated" women are embarking on in the West. As we may be aware, there is no aspect of Islam more widely misunderstood than the status and role of its women. If we are truly concerned to discover the true status and role of women in Islam, the best source of information on this must be the source-book of Islam, namely the Qur'an, and the *Hadith* – the recorded sayings and actions of the Prophet Muhammad s.a.w. This article will attempt to look at some of these verses in the Qur'an and at sayings of the Prophet Muhammad s.a.w which relate to the status and role of women, and try to draw from them some conclusions as to what these mean, and should mean, in the practical expression of a woman's life. The Qur'an states categorically that men and women who practise the principles of Islam will receive equal reward for their efforts. In Islam, therefore, both men and women are credited with the capacity for learning and understanding and teaching, and one of the aims of acquiring knowledge is that of becoming more conscious of God.

Status and Role of Women in Islam

In the wake of voicesⁱⁱⁱ which chanted and invoked the freedom and equality^{iv} for women as part of the women's folk in the world over, Muslim women are also involved.^v Siti Zulaikha Mohd Nor^{vii} questioned whether participation in such efforts was due to their ignorance about their own position from the eyes of Islam^{viii} or because it appears to them that Muslim women have no excellent identity and the scope of their activities revolves just around the household only?^x Abdur-Rasul Abdul Hassan Al-Ghaffar,^{xi} in his book *Muslim Women and Modern Life*, recorded that the woman is one of the cornerstones of religion and Islamic civilization. In addition, women are the starting point of culture and civilization of mankind. According to him, the Arabs before Islam^{xii} had never admitted even of the lowest of the existential rights of women, as expressed by Umar bin Khattab, "By Allah, previously in the time before Islam we had never thought of the existence of women, until Allah sent down rights for them." Insults and suppression of women is not just limited among the Arabs before Islam, but it is a phenomenon that occurs around the world.^{xiii} According to Fazlur Rahman^{xiv}, women especially in Western countries, since the beginning of the industrial revolution, had vehemently voiced out their rights. He stressed that Islam had recognized the position of women since 1,400 years ago and offers women rights and certain privileges, which were never enjoyed by women from other faiths even in the era of modern industry today^{xv}.

At the time of the Dawn of Islam, women all over the world were degraded, dejected without any rights and were considered as non-entities. Since the beginning of the industrial revolution, they have been asserting their rights in the Western countries and have now been given certain political and economical rights. But Islam recognised women's position fourteen hundred years ago and granted them their due rights and privileges, which as I had mentioned earlier on, were not enjoyed by women of other faiths and societies even in this modern industrialised age^{xvi}.

Western civilization has given women the right to vote, equality in the workforce, education and many other good things. However, besides this, it cannot be denied that women in the West were also given freedom in the form of prostitution, free sex, escort agencies, massage parlors, lesbianism, illegal mistresses, nudity and shamelessness. At certain instances, the Western World has made women the cheapest commodity on earth. The question to be pondered here is whether women were really free and safe in the West?

According to Aisha Lemu^{xvii} in her article *Women in Islam*, no Islamic aspects were widely misunderstood than the status and role of women^{xviii}. According to her, if there is a real^{xix} concern to rummage the status and role of women in Islam, the best source of information is the al-Qur'an and hadith/sunnah^{xx}. Through a number of verses in the al-Qur'an and hadith/sunnah that deal with women, Aisha Lemu opines that some conclusions can be made about the meaning or what is meant in practical about women's lives. She suggested that, as an early attempt, corrections on the misinterpretation of the spiritual^{xxi} status of women be done, thus asserting that the al-Qur'an states that men and women who practice the principles of Islam will receive equal^{xxii} consideration for their efforts^{xxiii}. Each of the Five Pillars of Islam i.e. belief, prayer, fasting, zakat and haj, is equally important for women^{xxiv} as men and there were no differences^{xxv} in response to them. Aisha Lemu also stated that based on the al-Quran, women have equal status with men in terms of wisdom, knowledge and education.^{xxvi} As a result of the encouragement given to Muslim women to acquire education in any field who use their intellect, and thus exploit their academic and professional training for community benefit, it has produced many women who have become well-known religious scholars, writers, poets, doctors and teachers. Siti Zulaikha Mohd. Nor highlight examples of how, when Prophet Muhammad SAW was asked a question on who is responsible for educating a child, then the answer given by Prophet Muhammad s.a.w was that it is the mother and then stated his father. From this, it is clearly reflected that the mother is the educator of her children. Therefore, an educator must equip themselves with adequate knowledge, but priority must be given to knowledge that is regarded as *Fardhu Ain* and subsequently the *Fardhu Kifayah*. Hence, the education system in a country that recognizes the Islamic State must be able to direct women towards a field that could produce Muslim women who are really knowledgeable^{xxvii} and highly trained with skills.^{xxviii} If the community neglects in providing educational opportunities to women then this will be a setback to the community itself, because women who are not knowledgeable would certainly be unable to educate the next generation of good and valuable Muslims^{xxix}. Such action would also expose the Islamic community to a number of questionable social issues.^{xxx}

When women are associated with the household,^{xxxi} they cannot escape from the two tasks or ascribed role. Firstly, as a wife and secondly as a mother. The best place for a wife is at her home and thus, the task for the maintenance of which includes living

accommodation, clothing, food, medical service and maid service if needed, is borne on the shoulders of her husband. The husband is the protector and leader in a household. In this connection, it is necessary to include the views of the previous Menteri Besar of Kelantan, Allahyarham Nik Aziz Nik Mat, who mentioned on 16 March 1999 that the PAS government would conduct a study with a view to prohibit wives from working, as in his words, "it was unfair that they should be made to work, which was the responsibility of men." He said that women should take care of the children and family and those women who tried to seek equal status with men would have to bear the consequences themselves. Allahyarham Nik Aziz added that he had no intention of stopping women from work,^{xxxii} but that his primary concern was to find ways to ensure that children were not neglected while their mothers were at work. However, he questioned the need for women who worked "just for the fun of it" but were affecting the future of their children. "Islam teaches people to get married so that mothers can look after the children."^{xxxiii} In a subsequent interview, Allahyarham Nik Aziz Nik Mat said that his statement about the mother's role at home and in the workplace had been politicized. He said he made his earlier statement to emphasise the upbringing of children so that "they would not be associated with drug abuse, indulge in promiscuous sex and rape." He also said he was not questioning the right of widowed women or orphans to seek employment, but was aiming instead at the well-to-do mothers who "work for the sake of money and enjoyment."^{xxxiv xxxv} The previous Human Resources Minister, Lim Ah Lek, mentioned that it would be an offence under the law to disallow women to work, especially when they want to work, and it is their right to do so.^{xxxvi} Tun Dr. Mahathir Mohamad's wife, Tun Dr. Siti Hasmah Ali supported the fact that women ought to work and said "it would be a waste if women were not allowed to work. Women make up 50% of the population and there are women who are professional.^{xxxvii} On another note, the Malaysian Trade Union Congress Deputy President, Mohamed Shafie Mamat is also on record for stating that working wives had contributed to the family income, and the nation's progress^{xxxviii} would be stunted if women were not allowed to work.^{xxxix}

As regards the permission to practice limited polygamy^{xl}, ^{xli}there is no need^{xlii} for the creation of the addition to unmarried^{xliii} women in society. Islamic law, in both its Sunni and Shi'i branches, permits a man to marry up to four wives at the same time on condition that he treats his wives equally. ^{xliv} Reforms in the Islamic law of polygamy in Malaysia were mainly introduced under the Islamic Family Law (Federal Territory), Act 194 which required that an application for polygamy shall fulfill at least five conditions: the proposed marriage is "just and necessary"; the applicant has the financial means to support his existing and future dependents; the consent of the existing wife; the applicant's ability to accord equal treatment to his wives "as required by *Hukum Syara'*"; and that the proposed marriage does not cause "*darar syar'i*" (harm under the Syariah to the existing wife or wives. The law also stipulated that the proposed marriage does not directly or indirectly lower the standards of living of the existing wife and dependents.^{xlv}

Also, women are instructed in the al-Qur'an when appearing in public, to dress^{xlvi} moderately so as not to attract the attention/interest in men^{xlvii}. Aisha Lemu wrote that: "The Muslim way of life excludes the boy-friend girl-friend system, mixed parties, dancing between man and woman, taking alcohol or drugs, and other facets of the Western way of life which are well-known to provide the situations from which pre-marital and extra-marital sexual relations develop. Social entertainments in Islam are generally either within the family and close friends of the family, or among men and women in separate groups. Sex outside marriage is considered in Islamic law not only a sin but also as a crime which can be punished under the law in the same way as theft or murder. The punishment for it applies equally to man and woman and is severe and deterrent in its effect"^{xlviii}.

As mentioned earlier, duties in leading are on the men. This does not mean that women have no rights in relation to politics^{xlix}. Sharifah Hayati Syed Ismail wrote that before we embark on the discussion of women's participation in politics, clarifications ought to firstly be made about the form of their involvement in politics which led to differences in the law. She added further that there are two main forms of political participation in both the discussion by members of modern political science as well as by the jurists, on the involvement - directly and indirectly - in terms of modern political science, or as specified by the jurists in the division of jurisdiction into two jurisdictions namely, "territory of *khasasah*" and "territory of *Ammah*" for women^l. To leave the job of a leader to women is something that is too heavy a responsibility^{li}, because a leader will be judged before Allah SWT in relation to leadership. A woman cannot perform the duties of great leadership^{lii} as the ability for her to continue the task is limited by the natural weakness in women itself^{liii}. However, women's political participation is allowed in Islam and women can be elected to the representative council of the people^{liv}. This is not contrary to the Islamic principle, that "man is the leader of women^{lv}. This is because the number of women selected in the representative council is minimal. The majority are still dominated by men. As regards this issue, allow me to include the view of Allahyarham Nik Aziz Nik Mat, who was quoted to have said that PAS had adopted a ruling which disallowed its women members to stand as candidates in elections because it could not guarantee their safety and dignity. He added that the present political scenario was not conducive for women's candidacy. This ruling would also help to prevent women from coming into contact with men. Allahyarham Nik Aziz Nik Mat added that the ruling not to allow women candidates to stand in the elections was temporary and that the party would continue to nominate women senators. He said that PAS had "never prevented" its members from supporting women candidates in championing the cause of Islam. ^{lvi}

Islam does not forbid women to advise the head of state^{lvii}, ^{lviii}overseeing administration of the country or to enact laws based on the opinions of intellectuals^{lix}. In the political system of Islam, women can be ministers^{lx}, judges, or one of the delegates who oversees the general rule. In the context of today's democratic system, to give women the right to hold a ministerial position or representative of the people does not mean that women have absolute power and responsibility in all matters relating to the post. Responsibilities in the post are borne collectively by the other members of the cabinet, or by all officers in the ministry. Thus, women bear only part of the task, assisted by others^{lxi}. Overall, the responsibility of women in politics is simply to give the political consciousness of women on the shapes and political actions that exist in the country, as well as the right to speak. Sharifah Hayaati Syed Ismail^{lxii} also said that the legal scholars' debate about the scope of the powers that can be owned by women in politics are not intended to dispute the rights, capabilities and abilities of women in politics but to protect the women

themselves from the responsibilities which should not be loaded altogether on them. In addition, this was to ensure that women did not ignore their fundamental responsibilities as wives and mother i.e. her family. Thus, she argues that there is no discrimination in political rights for women as long as they comply with established political ethics in Islam.

The Islamic system has achieved the right balance of freedom and security sought by women and it is within the interests of the society as a whole^{lxiii}. Muslim women are also recognised as separate from her husband^{lxiv}. Thus, a Muslim woman can remain with her original name without using her husband's name. Women can own property^{lxv} and can also spend it in accordance with its own course, as long as it is not in contrary to Islamic principles. In addition to protection in the form of the responsibility of men towards women, there is this other protection that must be done by women themselves, such as the closure of women's *aurat* and the separation of women from men. Islam emphasizes such, purely for the interests of women themselves and also for the welfare of the whole Muslim community. Islam has confined women to their home but this does not mean women cannot leave their home at all. They can go out on specific goals. Even if there is no man who could provide for the women's maintenance, the women can search for her own maintenance^{lxvi}. All relevant references that give authority to this end stems directly from the al-Qur'an and hadith/sunnah, since it is significantly the most authentic resources in Islam. If at times and in certain places, these legal principles have been misinterpreted, denied or violated, the fault is not with legal principles, but human greed which sometimes drives to attempts to misinterpret, deny and invade on things which were disliked, and staying away from the truth.^{lxvii}

Conclusion

Islam is recorded in history as the supreme and unsurpassed defender of women. Before Islam, there was no comprehensive discussion on the status and role of women in any religious system, nor was this realised through any religious duty. It has been established thus far that Islam indeed gave women justice and rights as human beings equal to men but confined to the certain limitations that has been outlined in this paper. When Islam arrived more than 1,400 years ago, it taught that women and men were considered equal in the eyes of God. However, as mentioned earlier, it is important to note that even though the rights and responsibilities of a Muslim woman are considered equal to a Muslim man, they are not necessarily identical, for equality and sameness are two different things. This brings us to the concept of 'equity' in Islam. Equity is a better term than equality as equality is sometimes misunderstood to mean absolute equality in each and every detailed items of comparison, rather than overall equality. Equity in the Islamic context means justice and overall equality in total rights and responsibilities of both genders. It allows variations in specific items within the overall balance and equality. Therefore, Islam has taught that women and men are created with different characteristics, hence responsibility and rights and their status and role in society is therefore closely related to their biological and physiological differences. Hence, it is apparent from the passages of the al-Qur'an and hadith/sunnah, that Islam has raised the status and role of women by realizing and actualizing the status and role of Muslim women as a role model in accordance with specific responsibilities in their respective fields. Consequently, in current times they have earned an image and reputation emulated by women the world over. God has honored women by giving them value in relation to God, not in relation to men. But as Western feminism erases God from the scene, there is no standard left but men. As a result, the Western feminist is forced to find her value in relation to man. And in so doing, she has accepted a faulty assumption. She has accepted that man is the standard, and thus a woman can never be a full human being until she becomes just like a man. What she did not recognize was that God dignifies both men and women in their distinctiveness. God has honored women with something uniquely feminine, but most women are too busy trying to find their worth in reference to men, to value it or even notice it. Islam has indeed accorded women a position of honour, respect, safety and love. Therefore, Muslim women generally conduct the affairs of their life based on the guidance by Allah SWT through the al-Quran and hadith/sunnah. The various movements of the Muslim womenfolk for their "emancipation" in the Muslim world and "liberating" them are unnecessary and unfortunate to the extent these overflow the ambit of the Qur'an. In this paper conclusively, the author has endeavoured to project some realistic points concerning certain selected exemplary women' practical issues as a source for reference for future women. This is with the hope that Muslim women will continue to project themselves as a role-model for the rest of the women folk of the world over.

In reality, the Muslim women suffer because of the brute masculine chauvinism and the misinterpretation of the Islamic code by the self-installed Muslim hierarchy and papacy. Also, they suffer because of the foolish tendency and aspirations of the Muslim women themselves to imitate, imbibe and absorb the too loose culture, values and ways of the West. Islam does not allow man to usurp or restrict the rights and privileges of the woman as these are enshrined in the Qur'an. The Muslim man should, therefore, voluntarily give up such demeaning practices and restore to women what rightfully belongs to them. As mentioned earlier in the introduction, the abominable exploitation and maltreatment of women as mere chattel in bondage in the service of the so-called "superior" man since early times is well known and an indisputable fact of history. Islam renounces and denounces this outright. The Qur'an does not postulate or permit the superiority of man to woman though stating his being stronger. Despite this, man and woman have their own specific biological parameters. These only supplement each other for the basic requirements of procreation. Neither can claim nor assign to himself or herself any superiority on this or any other account. Man and woman stand on equal footing for the criterion of superiority which in Islam is "*Taqwa*" alone. Women can and should compete equally with men in any and every field. There is no bar or restraint on them to do so. There are however, obviously natural inherent constrictions specific to both. It would be foolhardiness to overlook such limitations in the unwise and too ambitious attempt to vie with each other for superiority for excellence on the grounds of gender alone. Islam enjoins strict discipline on women (and men too) for living a truly pious and chaste life in all manner in every situation and walk of life. Islam allows no compromise or laxity in this respect. Modesty, piety and chastity are the essential ingredients and hallmark for the Muslims.

The Islamic system has achieved the right balance of freedom and security that women seek and that it is in the interests of society as a whole. All the relevant quotations which provide the authority for this picture come directly from the Qur'an and *Hadith*, since these are obviously the most authentic sources. If at different times and in different places these principles and laws

have sometimes been distorted, ignored or flouted, it is not the principles and laws which are at fault, but man's selfishness which sometimes leads him to distort, ignore and flout that which he has no liking for, and to turn aside from the truth. Fortunately no one has changed or can change the words of the Holy Qur'an. The regulations for the protection of women which were revealed in the 7th century can still be verified in the 20th century. These laws and social regulations regarding the status and role of women contain certain fundamental truths which will benefit whoever applies them. The present time of widespread rethinking of the status and role of women is perhaps the appropriate time to look with fresh eyes at the Islamic point of view.

Endnotes

i See Mohd. Asri Zainul Abidin, *Islam in Malaysia: Perceptions & Facts*, Matahari Books, Petaling Jaya, 2012. p156.

ii See Mufti Zafeeruddin Miftahi, *Modesty and Chastity in Islam*, S. Abdul Majeed & Co., Kuala Lumpur, 1997. p19.

iii Mir Zohair Husain explained that many non-Muslims think that Islam is unjust towards women. This misconception is based on an inaccurate practice of Islam by some Muslims. Negative stereotypes about Muslim women as uneducated, oppressed, abused, without rights and opportunities, according to Mir Zohair Husain, was derived from poverty. See Mir Zohair Husain, *Global Islamic Politics*, University of South Alabama, Longman, U.S., 2003. p21.

iv Sulaiman Nordeen mentioned that there are several factors that led to women's liberation movement drawing support from various parties, including men. According to him, it cannot be denied that this movement has won the rights for European women much better than their condition 150 years earlier. Many Christian women have made hard sacrifices to gain such rights. However, without divine guidance, the movement has been used by extremists to undermine society. Sulaiman Nordeen quoted a German women's liberation movement leader, Greer (1971) that: "*The liberation of women, if they managed to destroy a systematic patriarchy (nizam abawiy) family, this would destroy an 'authoritarian' nation' and when this can be destroyed, then socialism (Marxism) will exist.*" According to Sulaiman Nordeen, "women's liberation" has the understanding of extremism and can shake the peace and stability of families, and women's honour themselves. The problem of women's liberation was not born out of Islamic culture. They had arisen due to religious problems of the Church of Europe which was unjust and oppressive in their treatment of women. The arguments of socialism were originally to oppose the religion of the European Church. But the funny thing is, according to Sulaiman Nordeen, the allegations initially leveled against the injustices and abuses that have been sponsored by the religion of European Churches has been instead posted on the teachings of Islam and its *ulama'*. They failed to see whether consciously or not the significant difference between the teachings of the Church and the teachings of Islam and they failed to ensure the difference between the history of the church and the history of Islam. When the supporters of the socialist and orientalist proclaimed absolute women's liberation, indirectly they also intended to ultimately eliminate the teaching of Islam because as they viewed it, all religions are equal and distorted as a consequence of feudalism and chauvinism, and to them religion impeded progress. Sulaiman Nordeen stressed that the allegations might be true if it is directed to other religions, but Muslims want progress and hence demonstrate ways in which an improvement could be obtained and maintained properly, based on divine justice and they oppose tyranny and oppression. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, Dewan Bahasa dan Pustaka (DBP), Kuala Lumpur. p130-131.

v Sulaiman Nordeen also explained that Islam has given justice to men and women according to their natural disposition. Women and men were created with different characteristics, hence, their responsibility and rights and their position in society is closely related to the difference in this end. However, Islam gave women rights as human beings equal to men. Ibid.116

vi Resurrection of the Islamic movement has stimulated new interest in women's relationships, Islam and the country between the religious and political role of the state, and the state's role in expressing and implementing such relationships, particularly in the question of rights for women. See the article Denis Kandiyoti, "Women, Islam and State", in Joel Beinin and Joe Stork (ed.), *Political Islam: Essays from Middle East Report*, IB Tauris & Co. Ltd., New York, 1997. p185.

vii View Comments from Siti Zulaikha Mohd. Nor, *Position and Role of Women in Islam*, The Islamic Youth Force of Malaysia (ABIM), Kuala Lumpur, 1982, p. 1. Islam has placed women in a place that can guarantee the value of femininity and also put them in an important arena of life. Ibid. p3.

See also Mir Zohair Husain, *Global Islamic Politics*, p21-25, which explains the same thing that is apparent from the passages of the Qur'an and the hadith / sunnah, that Islam has in fact raised the status of women and that the traditions of a culture of male chauvinism in patriarchal societies had restricted women.

viii The role of women and families is essential for a healthy civilization because a woman is the center for family and family is the foundation of society. Thus, Muslims are very concerned about women and families. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p115.

ix Allah SWT says, "O people! Fear your Lord who created you from a single person (Adam), and from (Adam) the spouse (wife - Eve), and the breeding of both male and female offspring of many ..." (*Al-Quran, Surah al-Nisa '4:1*). This is a declaration of honor and human rights for all people regardless of male and female, status or race in the same position, because they come from the same source. Ibid. p116.

See also the detailed explanations on this in the article of Dr. Samar Fatima, "Nature and Effects of the Islamic Attitude to Women", in *Islamic Studies*, Vol.xxi, No. 1, 1982, p107. Among other things, Dr. Samar Fatima highlighted how the Qur'an had corrected the perspective on the original sin that is associated with women in the religions of Jews and Christians that women are evil creatures as women are responsible for the offenses committed by Adam. Dr. Samar Fatima explained that according to Islamic concepts, both Adam and Eve were actually deceived by Satan. She added that "in fact, this was the point where Islam outweighed the other religions in many women in that it accorded women many concessions plus a status of dignity which none of the preceding religions had ever granted to them".

See also the view of Prof. Dato' Dr. Haron Din who explained that Islam had corrected a misapprehension by some people from the old religion, who still held to this day that: because the sins committed by women (*Hawa*), all men had to bear the sins. In fact, there is the assumption that women are creatures who like to create mischief and all man had to bear it, but that's really not so. See Assoc. Dato' Dr. Haron Din in *Man and Islam*, Hizbi Pte. Ltd., Shah Alam, 1999.325.

x According to Dr. Yusuf Al-Qaradhawi, secular people are very good at playing women's issues. They tried to accuse Islam with false allegations on the issue. Among the allegations is that Islam had imprisoned women and stifle the development of their potential and talent. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (ptjmh), *Fiqh Nationalism*.253.

xi See Abdur-Rasul Abdul Hassan al-Ghaffur in *Muslim Women and Modern Life*, Reader Hidayah, Jakarta, 1993. 28-29.

xii Also see Sulaiman Nordeen's view that deals with the position of women before Islam existed in Arabia, where women were treated as slaves and property and also considered to have characteristics inferior to men. Sulaiman Nordeen pointed out that Islam gave women their status and responsibilities from the start since 1,400 years ago. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*.118.

xiii According to Dr. Samar Fatima, in all of the civilized world, including the pre-Islamic Arab world, patriarchal system is significant. According to this system, men dominate every aspect of family and social life which resulted in the rejection of women. See Dr. Samar Fatima's article, 'Nature and Effects of the Islamic Attitude to Women' in *Islamic Studies*. p105.

xiv See Fazlur Rahman in *Islam, Ideology and The Way of Life*, National Library Pte. Ltd, Singapore, 1980. p391

xv Dr. Fatima Samar also said that Muslims appear to have saved women and put them back in a respectable position. Changes drastically in favour of women in all spheres of life were introduced by Islam. The changes implemented by Muslims through Prophet Muhammad SAW with long-term effects, has resulted in significant progress in the status of women. See Dr. Samar Fatima's article, 'Nature and Effects of the Islamic Attitude to Women'. p105.

xvi See Fazlur Rahman in *Islam, Ideology and The Way of Life*. p391.

xvii View Aisha Lemu's article, "Women in Islam" in Altaf Gauhar (ptyg), *The Challenge of Islam*. Islamic Council of Europe, London, 1978. p248.

xviii Also see the view of Siti Zulaikha Mohd. Nor, *Position and Role of Women in Islam*, p2-3 for detailed explanations on the status of Muslim women. She outlined three things: first, women as creatures of Allah on earth has the same status as men in the sight of God, just different from each other is their piety (*al-Hujurat; v. 13*); both women and men are perceived as a complementary pair for each other (intercomplementary) in order to perform the duties of the Khalifah of Allah on this earth. Both parties have a duty to maintain the type of man (procreation), dividing responsibilities and meet each other's needs (*Surah al-Baqarah, verse 187, "Women are clothes for men and people (men) are their garments"*), and thirdly, women as a trust, each trustee must be treated with care and those in charge of the trust is fully responsible to perform their duties. A daughter entrusted by Allah to her father, while his wife was entrusted to her husband (*Hadith narrated by Muslim*). Men are perceived as protectors of women because they have the strength, etc. special privileges (*Surah an-Nisa ', verse 228*).

^{xix} Sulaiman Nordeen explained that all areas of activity are included within the ritual, the economic, political, societal-health, etc. Thus, the rights of women and men are the same in accordance with specific responsibilities in their respective fields. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p119.

^{xx} History has recorded the extent of women's participation in community development at the time of Prophet Muhammad SAW. In introducing the word *tawhid*, Khadijah is among the earliest to heed the call, thus helping Prophet Muhammad SAW in his struggles whether in spiritual or material.

In addition, the other wives of the Prophet Muhammad SAW. had also participated in their role in efforts to uphold Islam. For example, Aisha has become the main reference because she is among the many to follow and collect the sunnah of Prophet Muhammad SAW. Even Prophet Muhammad SAW himself had explained that some of the matters pertaining to religion shall be referred to Aisha.

Wife of the Prophet Muhammad SAW, Hafsa bint Umar is the person responsible for collecting and maintaining *mashaf* (Quran) which has been written. This is a great trust committed by Hafsa for the benefit of the whole Muslim Ummah.

Normal women had also similarly contributed their energy. Starting from the Battle of Uhud, women joined the men on the battlefield. For instance, Umm Sulaym, Rabi 'binti Muaadh and Umm Raqida joined battle with the task of treating the wounded, as well as providing food and drinks. Umm Attiya had the responsibility to provide food for her companions in seven battle. Umm Amarah is a woman who had also played a part with Prophet Muhammad SAW in the Aqabah and Bai'atu-Ridwan Agreement.

There are also women and mothers who burn the fighting spirit at that moment. For example, Asma binti Abu Bakr had managed to instill patriotism-warriorship within her son Abdallah bin Al-Zubair. In a fierce clash between Abdallah and Muawiyah, Asma appears to have inspired him till his death. When Prophet Muhammad SAW told Abu Bakr about permission to emigrate, Asma was directed by her father to provide food and other needs when they were at Cave Thaur.

Khansa, a poetess who is hard to beat at that time was a steel-hearted mother. Mother's affection for her son could be tested by death or separation, but for Khansa, death, which claimed her sons, one by one is still viewed as a victory. While on that day she had lost her loved sons, but she was still confident that despite their death, there would appear other Islamic fighters who will defend the sovereignty of Islam.

History also never forgets the daughter of Prophet Muhammad SAW, Fatima, as a wife who maintained her marriage and executed the duties as mother of Hasan and Husain, two young prince in heaven.

Sakinah bint Husayn, at the time of her life was as if a vast ocean of knowledge. Many scholars and others members of literature had come to gather knowledge from her.

Qatru'n-Nada, the wife of al-Mu'tadid was calculated as among the wise women, especially in matters of law and Islamic law. See the explanation on the women as above in Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*. p23-26.

^{xxi} In fact, one of the most famous mystics in Islam, Al-Adawiyyah Rabi'at, was a woman. View Aisha Lemu article, "Women in Islam", p251.

^{xxii} From the point of legal and civil rights, both women and men are equal in terms of how they were treated and imposed on them the same legal penalties for moral or legal offenses. In civil life, women have the same life, with the same rights and obligations as men. However, women enjoy benefits and certain exceptions due to their biological and physiological functions. They are exempted from certain religious duties, including prayers and fasting during menstruation and during pregnancy. Also, they are fully exempted from the compulsory congregational prayers on Friday and are also exempted from all financial liabilities. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*. p397-398.

^{xxiii} View Aisha Lemu's article, "Women in Islam". p250.

^{xxiv} Siti Zulaikha Mohd. Nor stated that women as a servant of Allah SWT has a duty towards God. To prove her existence as a servant then she also has the right to perform the five pillars and all sorts of 'worship' but in some cases there are differences between men and women. View Siti Zulaikha Mohd Nor's comments in the *Position and Role of Women in Islam*. p6.

^{xxv} Islam recognizes women as equal and full partners to men in their matrimonial relations. The man is the father and the woman is the mother of the household and the role of both are equally important in this life. Both enjoy the same rights and undergo the same responsibilities. See Fazlur Rahman in *Islam, Ideology and The Way Of Life*. p391.

^{xxvi} View Aisha Lemu's article, "Women in Islam", p251. In Islam, according to Aisha Lemu, both men and women are endowed with the ability to learn, understand and teach, and one aim of gaining knowledge is to become more aware of God. Muslims consider that the more an individual, male or female, learn about creation / invention and appreciate the performance / operation, the more the men and women become aware of the Creator, the authority who has made and defended His creation.

Aisha Lemu also highlighted the example of one of the most famous women in Islamic history, Aisha, the wife of Prophet Muhammad, who is primarily remembered for her quality of wisdom and her unusual memory power. Based on these qualities, she was considered one of the most reliable sources of hadith. Prophet Muhammad SAW was reported as advising Muslims that they can trust Aisha for half of their religious guide.

Similarly, examples of Nafisah, the descendant of Ali, who was a great authority on hadith, to the extent that Imam Al-Shafi'i was sitting in her neighborhood of al-Fustat, when he was at the top of his popularity.

Another example is Shaikha Shuhda, who delivered public lectures in one of the main mosque in Baghdad to a large audience about literature, rhetoric and poetry. Ibid. p252.

^{xxvii} Fazlur Rahman stressed that the rights of women are the same as men in the search for knowledge and education. According to him, knowledge in Islam is not divided into religious and secular knowledge, hence it is the duty of every Muslim men and women to obtain any useful knowledge and who was able to leverage them and enrich the culture and human civilization with its application to life. Fazlur Rahman also stated that the obligation is balanced against both women and men, as they are equally responsible for the behavior and their actions on the day of determination. However, Fazlur Rahman explained that in the selection of either type of knowledge whether technical or professional, it varies from women to men as women had to adjust to the types of knowledge based on factors such as physiological, biological, psychological as well as practical needs and functions. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*. p396-397.

Also see the view of Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. 119-120 of the same. According to him, the concept of equality between women and man in Islam, does not ignore the existing differences when viewed from the aspect of sex that makes women more suitable for certain jobs. Qur'an views men and women as a pair, complementing each other.

^{xxviii} View comments from Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*. p6-7.

^{xxix} Dr. Yusuf Al-Qaradhawi explained that in the past, some scholars have prohibited women from going to schools or universities. He said that it would only cause damage. In fact, according to him, some of them even said, "*Women can only learn to read, not write! Because they will know how to write using a pen to write letters of love and of a similar type.*" This understanding, according to Dr. Yusuf Al-Qaradhawi, can easily be defeated by another understanding of the opinion that learning acquired by women is not something bad. In fact it can benefit and bring goodness to human beings. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*. p256.

^{xxx} View comments from Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*. p8.

^{xxxi} The home is like a country where a woman has full executive powers even if the husband has the right on "over-head supervision and control" and sometimes women ruled as Queen and her husband as a guest to her. See the view of Syed Hussein Nasr in *ibid*. p4.

Sulaiman Nordeen is clear that for pious women, her house is like a connection to the mosque. They keep it clean, conduct obligatory and supererogatory prayers, bring up children and use their free time for activities that benefit the world and the hereafter. According to him, by the will of Allah SWT, home will be a peaceful place, where the *sakinah* was revealed, a place protected from slander and places so as to gather spiritual and physical strength for her family. Sulaiman Nordeen, inserted the sayings of Prophet Muhammad SAW "*that when a woman seeking to please her husband manage her household work to the satisfaction of her husband, she is rewarded the same as men in her work as it was done in the name of Allah SWT.*" See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p123.

xxxiii See Mohammad Hashim Kamali, *Islamic Law in Malaysia Issues and Developments*, p220. Tuan Guru Nik Aziz Nik Mat was also PAS's spiritual leader at this material time.

xxxiv "Debate over Nik Aziz's view on working women," *The Star*, Kuala Lumpur, March 27, 1999, p20. Utusan Malaysia (daily) carried a commentary saying that "Malaysian women were shocked by the statement." It said the achievement of several leading women in business and government did not come overnight but after "fighting male prejudice." It went on to say that PAS was unrealistic when it "presented its narrow opinion" to the people of Malaysia.

xxxv Representatives of the seven women's organisations of Malaysia at this material time, also wrote in a commentary that "Nik Aziz Nik Mat's retrogressive comments on women, work and the family are causing much concern to us in the women's movement." This is in view especially of the fact that "there is nothing in the Qur'an or in the hadith/sunnah which prevents women from working outside the home. In fact the Qur'an extols the leadership of Bilqis, the Queen of Sheba for her capacity to fulfill the requirements of the office, for her political skills, her leadership qualities and her independent judgment. If a woman is qualified and the one best suited to a task, there is no Qur'anic injunction that prohibits her from any undertaking because of her sex. The hadith literature also records many instances of women leaders, scholars and women who fully participated in public life.

The women groups' representatives added that for most Malaysian families both parents have to work in order to provide a decent standard of living for the family. Malaysians live in a society that encourages women to work and excel academically. This challenges the widespread beliefs of the patriarchal society that men are inherently superior to women. Women are high achievers and have much to contribute to the development of the *ummah*.

xxxvi Lim Ah Lek said this after attending the weekly cabinet meeting on March 17, 1999.

xxxvii "PAS Proposal Draws Scorn," *The Star*, Kuala Lumpur, March 1, 1999. p 14.

xxxviii In 1997, the Malaysian Government proposed to amend the Employment Act to encourage women to come out and work as the country was facing a labour shortage and did not want to be overly dependent on foreign workers.

xxxix "PAS Proposal Draws Scorn," *The Star*, Kuala Lumpur, March 18, 1999. p 14.

xl Islam does not impose polygamy as a universal practice. Prophet Muhammad SAW himself is a monogamist for most of his domestic life, ie, from the age of 25 when he married Khadijah until he was 50 years old when Khadijah died. Thus, Aisha Lemu insists that one must assume that monogamy is the norm and polygamy is the exception. According to her, even though polygamy has been misused at certain times and certain places, polygamy, in some cases have a valuable function. See more details on this in the article Aisha Lemu, "*Women in Islam*". p264-266.

Also see Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*.¹²⁴ Sulaiman said that Islam recognizes the principle of a polygamous marriage because it has a societal reason. Islam is *al-Din al-Fitr*, it is not against human nature but instead ensures that there is proper control and adjustment. Islam gives the system and rules for all human needs so as to protect the safety of humanity itself. Sulaiman also said that polygamy is an exception and not the usual thing because there are among men those who could not resist their desires. Islam requires that polygamy protect women and also as a way out for extraordinary men.

xli Islam requires that every husband be fair to and interacts well with his wife. In fact, the manifestation of faith of a husband is also measured by his attitude towards his wife. In this case, polygamy does not mean it is an unjust attitude of the husband against his wife and it is not an affront to Muslim women. Polygamy is a good solution for personal or community problems entirely. View comments from Siti Zulaikha Nohd. Nor, *Position and Role of Women in Islam*. p6.

Also see Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*.¹²⁵⁻¹²⁶, in which he outlined the five wisdom of polygamy: first, international research shows that the number of women exceeds the number of men in peacetime; second, in times of war, the number of women certainly outnumber men. Increasing number of women in most Western countries has given rise to moral problems, which if not resolved quickly will cause the spread of prostitution. Polygamy can

eradicate prostitution; third, a woman may experience physical illness or pain barren (or body) or mental illness. So polygamy is allowed to avoid the disadvantages caused by the things mentioned. Polygamy would eliminate the reasons for divorce; fourth, before the advent of Islam, the Arabs practiced polygamy, and fifthly, polygamy can produce a healthy marriage. In fact, it can eliminate the number of women who were attacked by a disease common in women of the West and East.

^{xlii} Islam permits polygamy, but provided that the husband do justice to their wives, the apparent social justice in mind, the provision of maintenance, accommodation, good hospitality and discharging the duties of husband and wife. What is important is that Islam allows polygamy if it is safe from cruelty. Allah SWT says, "*but if you fear that you will not do justice, then (marry) only one ...*" This verse, if observed carefully, asks that it is enough with one wife only if the 'fear' is there of committing cruelty. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p128.

^{xliii} Marriage is a sacred institution and is based on the free consent of both men and women. Women can reject men who they dislike. Parents can suggest and select the pairs of life for their sons and daughters, but the final decision in this matter lies with the sons and daughters. Also, just as how they have the right to terminate the marriage, they also have the same right to end their marriages which did not succeed. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*, p.393. Also see the explanation on the same case in Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p121.

^{xliv} The Qur'an rules: "Marry women of your choice, two, three or four, but if you fear that you will not be able to deal justly, then only one." (*Surah al-Nisa', 4:3*). The Qur'an also provides that "you shall not be able to be fair and just however much you wish to do so" (*Surah al-Nisa, 4: 129*).

^{xlv} Section 23, Islamic Family law (Federal Territories) Act 1984.

^{xlvi} In terms of clothing, Aisha Lemu states that a Muslim woman can wear whatever she likes in front of her husband and family or among friends of women. But when she comes out, or when men other than her husband or close family are present, they are expected to wear clothing that covers all parts of their body, and that which does not expose her body shape. Aisha Lemu added that if a Muslim woman to go out, they are required to wear clothing that covered from head to toe and not expose her body shape. According to some scholars, only hands and face should be uncovered, while according to some other scholars, the face should be covered. View Aisha Lemu's article, "*Women in Islam*". p262-263

^{xlvii} Sulaiman Nordeen stated that the problem on the covering of the parts of the body has become the material allegations of Western Orientalists. Indeed, the Qur'an seeks to protect the character and dignity of women, as desires are more dangerous than other dangers because it could lead to greediness, crime, rape, murder and mental illness both to the men and women.

Allah SWT says, "*Say to the believing women that they cast down their sight (from looking at the forbidden), and guard their honour, and they should not display their ornaments except what appears thereof...*" (*Qur'an, Sura Al-Nur 24:31*). In this verse Allah SWT says that women believers ought to hold sight of the things that increase the desires and cover themselves in accordance with the Islamic syariat. Sulaiman Nordeen explained that Islam does not only provide the perfect freedom to women but seeks to preserve the independence of Islam by certain rules so that good results can be obtained and that freedom is not abused, in order to protect the security of human offspring, or noble and dignified descendants. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p123-124.

^{xlviii} View Aisha Lemu's article, "*Women in Islam*", p.. 261. Aisha Lemu also states that notwithstanding how commonly men blame women for the actions that they allow for themselves, according to the Qur'an and the teachings of Islam, God requires a high level of moral behavior of man as God willed women. God has imposed the same legal penalties for men and women in violation of moral law. Aisha Lemu insists that there are no dual standards in its application on both men and women. Ibid. p262.

^{xlix} In relation to women's leadership of men outside the context of the household, Dr. Yusuf Al-Qaradhawi explained that there is no text that forbids it. Prohibited by religion is the general dominance of women over men. He quotes the hadith content narrated by al-Bukhari from Abu Bakrah a Traceable, namely: "*Unable to people who will submit their business to a woman.*" Dr. Yusuf Al-Qaradhawi explained that the word 'their business' in the hadith was of a general leadership of the entire business of the nation. He stated that as for the other non-leadership of a general nature, it is desirable that if women have the opportunity to lead such pronouncements (*fatwa*) and opinions of *ijtihad*, narrated hadith, teaching, administration, etc. He said the consensus of scholars state that women can do these things. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*. p258.

¹ In this context, although there are various definitions and perceptions of contradiction in both terms, but Sharifah Hayati Syed Ismail concluded '*khassah region*' to the jurisdiction and task areas specific for women to do and that which can be

implemented because of the close nature of the task with the feminine instinct. Whereas '*Ammah region*' is a general jurisdiction and task areas which requires a wide range of work that involves decision making at a high level. She quotes the views of Abd. Al-Muhammad al-Jabari Muta'al that this jurisdiction involves decision making at a high level. This jurisdiction is not allowed by most scholars. Among them is the position of Caliph, or other similar terms. In the context of understanding the involvement of women in modern terms directly and indirectly, Sharifah Hayaati Syed Ismail took the term '*Ammah region*' to explain the direct involvement of women in the political process as voters, to become members of any party, political advisors, leading political parties, formulating national policies and determine the pattern of government or other tasks that involve high-level decision making. Meanwhile '*Khassah region*' is also used by Sharifah Hayati Syed Ismail to refer to indirect involvement of women where women only entered small political areas such as helping in political affairs as an administrator, involved in the affairs of the clerical, political critics, politics analysts, listen to political speeches, etc., and also referring to the political power of women associated with them such as office politics as the head of women's movement, women's affairs minister, etc.. See Sharifah Hayaati Syed Ismail, "*Women in Political Leadership From the Perspectives Siyasa*

^{li} At the time of the Prophet Muhammad SAW himself, though women do not lead, but they are the first to give allegiance or *bay'ah* by stating the truth of his prophet hood, i.e. the Prophet's wife Khadijah bint Khuwailid. This is not a small issue but is very significant to the development of his preaching and leadership. *Bay'ah* here has a larger meaning from the legitimacy term in modern political science knowledge because it means obedience to the *aqidah* as well as to the leadership. Ibid. p110.

^{lii} Sharifah Hayaati Syed Ismail quoted the opinion of Al-Qadir Audah that for a post in '*Ammah region*, scholars have agreed that women are not allowed to be the ruler or a common term used today is the head of state. This is because the weight of responsibility of a caliphate covers the duties as a successor of the leadership of Prophet Muhammad SAW in upholding Islam in the implementation of politics and administration of the country based on the guidance of the Syara'. Owing to this heavy responsibility, the consensus of scholars unanimously agreed to put a condition that the appointment of heads of state are from among men. The strength of this argument is supported by the texts of the Qur'an: "*These men are the protectors of women*". Sharifah Hayaati Syed Ismail quoted Ibn Kathir and al-Tabari that the verse shows the advantage of men compared to women in terms of leadership just as the apostolic and prophetic responsibilities ascribed to them. The view of al-Qurtubi was also quoted to interpret the line "*for men to women with a degree*", where al-Qurtubi interprets the verse as the advantages and privileges of men in terms of physical strength, intelligence and firmness which is the pillar of strength in administrative affairs. Ibid. p113-114.

^{liii} View comments from Sharifah Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*. p8-9.

^{liiv} Dr. Yusuf Al-Qaradhawi highlighted that among the doubts raised by those who oppose the nomination of women in the consultation council with the reason that the level of the position of a council member was higher than the government or the head of state himself, as she had a right to question and monitor the head of state's wisdom on matters. These people are questioning if we forbid women to become head of state, but at the same time, why do we allow them to assume greater authority by other means.

Hence the above, Dr. Yusuf Al-Qaradhawi clarified the meaning of membership in the consultation council that the task of representation in a modern democratic system is divided into two types, oversight and legal setting. Supervision or in the form of practical calculation refers to a concept of Islam, *Amar Makruf Nahi Mungkar* or advice in the name of religion which is the duty of the leaders and people. According to him, *Amar Makruf and Nahi Munkar* is what is required of all Muslims, whether male or female, in line with the word of God in *Surah At-Touba 9:71*).

While the role of prescribing laws are interpreted by some people with excessive interpretation so much that they consider the position of the representation council as more important than the ruling council itself. They explain that it is the representative council which generate and decide on the state's legal concepts and set it up, therefore, such an important position cannot be staffed by women. Dr. Yusuf Al-Qaradhawi explained that this was surely not as serious as what is implied, as to determine the law and the legal basis is essentially God and human beings only deduce the law on matters that are not determined by the text or the general concept plan referred to by the injunction. In other words, according to Dr. Yusuf Al-Qaradhawi, our task as human beings is just do *ijtihad* to draw conclusions of law, schedule problems, and adapt it to life. Dr. Yusuf Al-Qaradhawi explained that Islamic law is also an opportunity for men and women to equally exercise the *ijtihad*. Nowhere in the syariat *Ijtihad* placed by scholars, that a *mujtahid* must be men and women cannot interpret Islam. See Dr. Yusuf Al-Qaradhawi in *Arsil Ibrahim* (trans), *Fiqh Nationalism*. p259.

^{lv} Sulaiman Nordeen explained that men and women may have an edge with each other in specific areas, but in public affairs, men have a slight advantage but not absolutely. This is in line with the word of God, "... in the meantime the men

(husband and wife) have a degree above women (his wife) ..." (Qur'an, Surah al-Baqarah 2:228). Advantages include men than women in family and political fields. This advantage is consistent with the responsibilities and duties of men more than women. This advantage is not an edge in *insniyah* rights or properties. Allah SWT has divided their responsibilities according to the natural need of the *fitrah* which Allah SWT created. Husband must support his family with the natural *fitrah* needs created by Allah SWT. The wife has been entrusted with the responsibility of administering the affairs of her home and her children. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p121.

lvi Allahyarham Nik Aziz Nik Mat's statements were not well received and invoked negative responses from the government leaders and media commentators. The Prime Minister then, Tun Dr. Mahathir Mohamad, said that women had their roles and responsibilities "but we cannot separate them and tell them to stay at home. Who are the people selling vegetables at the Kota Bharu market? He said this in his speech at a meeting with Barisan Nasional component party members in Alor Setar on 21st March 1990.

lvii Women have the right to criticize all the faults committed by the government and other community members. For example, the attitude of Caliph Umar al-Khattab who attempted to determine the dowry rates for women not more than 40 Auqiyah was challenged by a woman who produced evidence from the Qur'an that such action is contrary to the true principles. View comments from Siti Zulaikha Mohd Nor in the *Position and Role of Women in Islam*. p8-9.

lviii Islam rejects women's leadership at the Heads of State or in fields involving *hadd* punishment. This does not mean that Muslim women are not given a direct place in the country's leadership. Ibid. p34.

lix In fact there are women who are given by God, talent to lead over men like the story of Queen Sabak who possessed wisdom and a strong consideration in her interaction with Prophet Solomon. The Qur'an describes this not as entertainment but to convey to us that among women there are a number of personalities who have intelligence governing the affairs of state. View Mohd. Rumaizuddin Ghazali, *Islamic Political Science*. p91.

lx Sharifah Hayaati Syed Ismail, however, stated that for the ministerial posts, the scholars have different views. Some do not allow if it involves the job that is similar to the caliph on policy-making or final decisions affecting the whole people. Meanwhile, there were some who allowed on the grounds that there is no clear evidence to show that. In the current context where women are more advanced, skilled and knowledgeable to make good decisions, hence it is not an obstacle for them to be appointed as ministers. What more if the position does not mean that one can formulate policies or make decisions with their own thoughts, since all the political and administrative matters are carried out collectively. See Sharifah Hayaati Syed Ismail's article, "Women in Political Leadership from Siyasaah Syar'iyah Perspective". p120.

lxi View Mohd. Rumaizuddin Ghazali, *Islamic Political Science*. p92.

lxii See Sharifah Hayaati Syed Ismail's article, "Women in Political Leadership From Siyasaah Syar'iyah Perspective". p120.

lxiii In this context, Prof. Dato' Dr. Haron Din, reminded that should understood that the western and half of the eastern countries put women in certain specific occupational areas, particularly in commercial buildings, shops, makeup and clothing, at the embassy, consular offices, in warehouses, newspapers, radio and television, advertising companies, banks, etc with ulterior motives, that is to popularize business using cheap gender instincts. This fact is equal to half of the attitude of newspapers or magazines which upload pictures of beautiful women or pictures of the sexual character to popularize their newspapers and magazine. Prof. Dato' Dr. Haron Din pointed out that the struggle of the western people and some of the others to make a mental revolution and liberate Muslim women is not much based on pure and genuine humanitarian motives, but there are plenty of unhealthy urges to degrade the standard of the women themselves. Thus, it is necessary to be examined into and recognized by all parties to achieve the right balance of freedom and security sought by women within the interests of society as a whole. See Prof. Dato' Dr. Haron Din, *Man and Islam*. p329.

lxiv See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present* '. p121.

lxv Islam recognizes the right of women to inherit, earn money and have their own wealth, whether unmarried or married. Women can buy, sell, mortgage or rent any or all of her belongings. Women could inherit property, including land and her estate from their parents, brothers and their husbands. Women keep their property acquired before marriage and have no legal obligation to spend her wealth for the family. Women also may invest freely in whatever way she likes. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*, p396. Also See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*. p121.

lxvi View comments from Siti Zulaikha Mohd. Nor, *Position and Role of Women in Islam*, p.9-10. See also Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p. 122 to explain that if women choose to work to help her family earn a living, it is not prohibited provided that honor and honesty is reserved. Every society requires female workers to work on jobs more suited to them than men. Islam, according to Sulaiman Nordeen, does not prevent all of that and demanded that they be given a reasonable wage. Wages received by women is her own. The problem of women competing with men to find work and claim the same wage and opportunity has not arisen in Islam. Women who work should be given wages commensurate with the job.

lxvii View Aisha Lemu's article, "*Women in Islam*".267. Aisha Lemu says it is fortunate that no one had altered or changed words in the Qur'an. Regulations to protect women who have been exposed to the 7th century can still be confirmed in the 20th century. Laws and social rules on women contain some fundamental truths that will benefit those who apply it. Rethinking nowadays which has been widely circulated on the role and rights of women, according to Aisha Lemu, is probably the best time to view this from the Islamic point of view. View Aisha Lemu's article, "*Women in Islam*". p267.

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