

INSIGHT



Women's Rights in Islam



By Egypt's Dar Al-Ifta

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Letter from the Editor



Everyone wants to save the Muslim woman. Some want to put the hijab on me and save me; some want to take the hijab off me and save me; some want to bomb us and save me. Just give me a break man!

Uzma Shakir



Dear Readers,

Welcome to the second issue of Insight magazine!

It is about time people stop stereotyping Muslim women and change the way they look at them. Portraying Muslim women as victims of their own religion is simply wrong and the idea that Islam oppresses women is Islamophobic. Although Islam is a shared factor that gives Muslim women a common identity, their experiences vary widely depending on their societies and cultures. Cultural norms and traditions play an enormous role in gender-based violence and gender inequality. Islam gave women rights 1400 years ago before any modern-day legal system did. It is crucial to understand that traditions and cultural norms do not necessarily align with Islam.

In this issue we will filter out the misconceptions about women's rights in Islam and breakdown Islamic law to make it easier for our readers to understand the rights Islam granted women. We realize that many of our women readers may relate to the issues addressed here and we want them to know that the women behind this piece of work can relate too. This issue is dedicated to all victims and survivors of gender-based violence. It is dedicated to our mothers, daughters and sisters. We see you. We hear you. We believe you.

Nada Hussein

Marriage of Minors



It is evident that our world has never been more developed than it is right now. We have been evolving nonstop since the beginning. This includes both small changes and more subtle, genetic changes to adapt to our environment. We have put so much effort to get where we are today. Despite how modern our society has become, certain old customs and traditions have been passed down through generations and are still practiced hundreds of years later. According to Science Direct, customs and traditions create our culture and define and guide appropriate and inappropriate attitudes and behaviours in our society (Hennessy, 2011). Old traditions are still practiced everywhere despite some of them being fundamentally against human rights and, in Muslim countries, against Islamic precepts.

There is no doubt that Islam's global expansion and presence have been marked by a strong commitment to human rights preservation. One of Prophet Muhammad's earliest missions was to eradicate the age old pre-Islamic Arab traditions that regarded girls as property and a source of humiliation to their families. Marriage of minors is one long-standing tradition that has been practiced for many years despite it being inhumane and immoral. As you keep reading, you'll find that marriage of minors is not limited to Muslim countries but is performed globally.

According to Pew Research Center, at least 117 nations allow minors to marry. Many countries legally mark the age of 18 as the end of childhood, but marriageable age does not necessarily correspond with that.



Most countries require that people who want to marry be adults (18 years or older) but many of the same nations have some kind of exemption to this requirement. For example, in Australia, if a person is 18, their spouse can (with judicial approval) be as young as 16 (Theodorou, 2016). And in many other countries, such as Uruguay, Jamaica, Iraq and, and some states in the US. children can marry with parental permission. In other countries, there are different age minimums for girls and boys, usually, the minimum for girls is lower than the boys. For example, in Bangladesh, women must be 18 and men must be 21 to marry. (Theodorou, 2016)

Fortunately, many countries have been working to change their policies on the marriage of minors in response to a recent increase in the number of underage girls marrying. For instance, in Egypt, laws have been changed to protect minors by stipulating that marriages under the age of 18 are not to be solemnized. Unfortunately, these marriages still take place even without solemnization in our societies in the shape of modern-day slavery. Several cases have recently presented themselves of young girls being put on display by their parents, so that, wealthy older men might pick and marry from them (often a temporary marriage). The parents of these girls are typically destitute and get compensated financially for this transaction. As a result, underage married girls have no martial rights to protect them. This is a dangerous and troubling phenomenon, betraying human rights and the Islamic concept of marriage.

Islam recognizes marriage as a sacred

institution, based on love, mercy, and mutual respect. These principles mentioned above are not prevalent in the marriage of minors which jeopardizes the dignity and humanity of these children. In Islam, this is not considered marriage, but rather clear sexual exploitation that must end.

Islamic jurists have long held that the values of love, mercy, and mutual respect between the spouses can be best be fulfilled through considerations of compatibility between spouses. Many of them have deemed compatibility not simply a preference but rather a core value of Sharia Law to be sought in all cases and a condition that validates a marriage. Extreme age gaps, according to Islamic jurists, is a significant indication of incompatibility. Parents that fail to consider such incompatibility are unreliable and untrustworthy. The jurists have also stipulated that the parents' or guardian's position in the matter is a requisite for their legal agency over the child's affairs. That being said, people who put their children in such a situation, cannot be considered legitimate caregivers looking after the well-being of a child. If they are unable to fulfill the least of their parental responsibility they forfeit their right to represent the child.

Islam has always sought to work in favor of the welfare of the vulnerable and the underprivileged. When it comes to minors, it is important to note that Sharia Law granted them full legal capacity over their financial assets. When a legal guardian is appointed, the guardian is only allowed to dispose of the minor's assets in ways that protect and advance the minor's welfare.

In a matter as serious as marriage, it is clear that the minor's wellbeing should be a top priority because one's honour is unquestionably more valuable than one's money.

One of the most basic principles of Sharia law is the prophetic command to neither inflict nor accept harm. This principle can also be found in other faiths, cultures, and traditions. A universal rule that applies to everyone, regardless of race, class, sex, gender, etc. we all should ensure to not inflict harm on others especially those who can neither cause nor repel harm. Marriage of minors does not only cause individual harm to young children but society as a whole. For instance, according to the UNICEF, child marriage is hurting the economy in India. Girls and boys married as children lack the necessary education, skills, and knowledge required to earn an income to lift their families out of poverty. Girls bear children at a very young age and have more throughout their lives, increasing the economic burden on households. (Child marriage , 2020).

Finally, child marriage is a global tradition that we must eradicate from its roots. It deprives innocent children of their right to live a normal childhood and prevents them from contributing to their country's social and economic growth. Marriage of minors is against Islamic precepts and human rights. Marriage of minors must be criminalized globally and countries should clearly define the age of marriage and protect children to save their dignity, childhood and humanity.

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Real Stories from Strong Women

Content Warning

The following article contains references to child marriages.

Mai

Survivor of Child Marriage

15 years old

(when she got married)



Mai's tragic story began when she got married before legal adulthood. Her health was fragile and it was obvious that she could not endure pregnancy and childbirth. Yet, in spite of this, she fell pregnant before she turned 16.

The pregnancy was difficult from the beginning. May had a small uterine cavity which meant there was not enough room for twins inside her womb. At 28 weeks of pregnancy, Mai started to hemorrhage and developed severe complications. Not only did May lose her babies but she lost her fertility as well as a result of an emergency hysterectomy.

After narrowly escaping death during childbirth, Mai resigned herself to a life without children. However, one good thing did happen. After seeing his daughter's brush with death and the pain of losing her babies, May's father swore not to repeat the same mistake with his other daughters and insisted that they continue their education. (E7kkyeg, 2021)

Umayma: Survivor of Child Marriage

15 years old (when she got married)



To solemnize a marriage where both or either party is under 18, some marriage notaries resort to a tactic to ensure the bride's right to have the contract notarized as soon as she reaches the legal age of marriage. This usually involves the notary taking a blank check signed by the bride's father and returning it after the marriage is notarized. However, in the case of Umayma, the ploy did not work.

When Umayma, who was almost 15 at the time, was told that she was to marry her cousin who is also her brother-in-law, she was over the moon. "I was very happy," she said. "I was going to wear a wedding dress, have a wedding ceremony, and live with my sister in the same house."

"Both my husband and I had no idea what building a marriage and home entailed," said Umayma, now 21. The marriage was nowhere as blissful as Umayma had imagined. Her husband who was 17 at the time they got married, often beat her.

The birth of their first daughter set them face to face with a dilemma. How were they going to issue a birth certificate without a marriage certificate? Another year passed and Umayma gave birth to their second daughter. However, this time they were not worried since it would only be another year before Umayma turned 18. They would soon be able to notarize the marriage certificate and issue birth certificates for both their daughters. Unfortunately, luck was not on Umayma's side as her husband was murdered and his younger brother arrested and sentenced to ten years in prison. The paperwork required for their marriage and birth of their daughters was never filed or notarized.

After searching for any loophole to issue birth certificates for her children, there was nothing for Umayma to do except register her own father as her daughters' father on the birth certificate.

The family hoped that Umayma would marry her husband's younger brother after he was released from prison and have him registered as her daughters' father. "If I were to turn back the clock, I would never agree to get married without a proper marriage certificate," Umayma said. She continued, "I would never repeat this mistake with my daughters." (E7kkyeg, 2021)

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Myth

vs

Fact

Myth

Islam favours men over women!

**Muslim women are oppressed!
We need to save them!**

Fact

In Islam, both genders are equal in regards to rights, duties, acts of worship reward and punishment. “Whoever does righteousness, whether male or female, while he/she is a believer, we will surely cause him/her to live a good life, and We will surely give them their reward [in the Hereafter] according to the best of what they used to do” (Qur’an 16:97).

Note: Muslim women do not need saving.



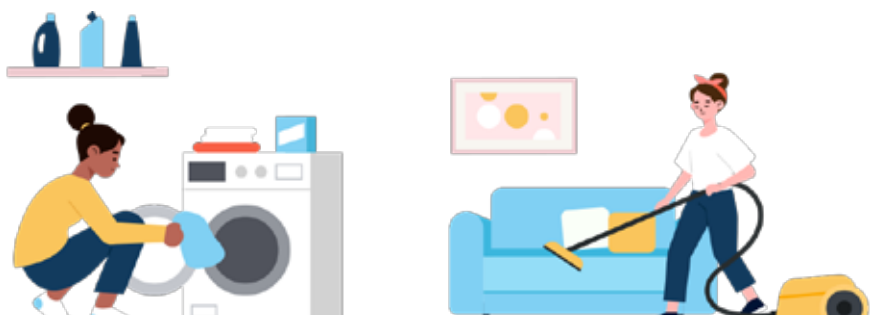
Myth

Her main job in life is to take care of housework and raise children, so they are not entitled to receive education.

Fact

In Islam, both genders are equally entitled to education. The Prophet (peace be upon him) taught us, “Seeking knowledge is an obligation on every Muslim [males and females].”

Families deny their girls the right to education based on erroneous social assumptions and thus the talents and potential given to them by God are wasted!



Myth

Women should not work or hold high positions because they're emotional.



Fact

According to Sharia law, Islam granted women the right to financial independence, earn money, own property, engage in legal contracts and manage all of her assets and financial affairs as she wishes. She is entitled to inherit and spend it how she likes.

The Prophet said: “Every person is entitled to his own property and none from among their parents, children and others has the right to dispose of it.” [Recorded by Al-Daraqutni]

Women are allowed to take part in public life and to go out for work. As long as she has a lawful job and is able to balance her work and personal life like everyone else.

“And in no wise covet those things in which God has bestowed his gifts more freely on some of you than on others: to men is allotted what they earn and to women what they earn but ask God of His bounty: for God has full knowledge of all things.” (Quran 4: 32).

Myth

A woman has no right to choose her spouse. Parents or a woman's guardian can do that on her behalf!

Fact

A Muslim woman has the right to choose her spouse like any other woman and must not be forced by her family or guardian to marry against her own will.

A woman is free to accept or reject or express her opinion regarding marriage proposals. At the time of Prophet Muhammad, a woman came to him and said, “My father has married me to my cousin to raise his social standing and I was forced into it.” The Prophet sent for the girl's father and then in his presence gave the girl the option of remaining married or nullifying the marriage. She responded, “O Messenger of Allah, I have accepted what my father did, but I wanted to show other women (that they could not be forced into a marriage).”

Myth

A wife has to adopt her husband's family name after marriage!

Fact

A Muslim woman keeps her own name after marriage. The Prophet (peace be upon him) used to call his wives by their own names. When he was asked about the person he loves the most, he replied: "Aisha"!

Islamic law forbids attributing a person to other than his father with any designation or word implying a genealogical affiliation although affiliation and identification in their general sense are not prohibited. In some places or situations, various forms of identification may become so prevalent that they are established as a custom. There is no harm in this provided it does not lead to lineage confusion that is rejected in Islamic law i.e. paternal attribution to other than a person's father by using a patronym or its equivalent

Myth

She made me hit her. She made me do it.

Fact

All kinds of abuse are completely prohibited in Islam and have no excuse for them. Sharia law states that everyone is responsible for their own actions and it is not acceptable to blame wrong behaviour on victims/survivors of that behaviour.

Islamic law advocates leniency in rectifying mistakes and the Prophet called for leniency in all matters, "Verily, gentleness never accompanies anything without enhancing it and is never removed from anything without tainting it" [Muslim].

Myth

Her clothes were too revealing! And that is why she got harassed/assaulted/raped.

Fact

In Islam, all forms of sexual harassment and abuse are prohibited. God commanded both men and women to abide by personal etiquette and lower their gaze to keep privacy.

Prophet Muhammed said: "It is better that a man be struck on his head with an iron needle than to touch a woman he is not allowed to" [Reported by al-Ruyani in his Musnad and by al-Tabarani in al-Mu'jam al-Kabeer].

Myth

Women have to do all the housework and raise the kids. Men are created for work outside home.

Fact

In Islam, house work and children are a shared responsibility between spouses. Women are not obligated to serve their husbands or do housework or do any kind of work at home if she does not want it.

‘Aisha, the wife of the Prophet, was asked, “What did the Prophet use to do in his house?” She replied, “He used to keep himself busy serving his family and when it was the time for prayer he would go for it.” (Bukhari)

Myth

She is too old to get married and have kids!

Fact

There is no prescribed age for marriage in Islam, for either men or women. Although both spouses should be physically and mentally old enough to get married and be able to consent to this marriage.

However, the Prophet (peace be upon him) has prescribed for us certain criteria for on which one has to choose.

Myth

FGM saves women for marriage

Fact

FGM is a tradition and has nothing to do with Islam. FGM is prohibited, regardless of whether it is performed in a hospital or a public or private health clinic.

Prophet Muhammed never subjected his daughters to FGM.

**Myth**

Menstruation is filthy! So, avoid women on their periods!

Fact

Women in menstruation time are not filthy in any way. God commanded to refrain from acts of worship to lift the hardship during this time when they are physically weak. Lady ‘Aisha, reported: The Prophet used to lean on my lap and recite Qur’an while I was in menses.

Myth

She did not marry! She cannot take care of a kid on her own.



Fact

Single women can sponsor a child according to the following religious regulations:

Islam prohibits adoption and deems all its consequences invalid as attested to by the words of God, "...nor does he make your adopted sons into real sons. These are only words from your mouths, while God speaks the truth and guides people to the right path. Name your adopted sons after their real fathers; this is more equitable in God's eyes—if you do not know who their real fathers are [they are your] 'brothers-in-religion' and protégés" (Qur'an 33:4-5).

God commanded that whoever sponsors an orphan child is not to attribute it to himself, but to its biological parents if they are known.

Islam prevents people from changing truths and preserves the rights of heirs from loss or reduction, protects against mingling between the sexes, and being in the private company of a non-mahram [persons to whom marriage is legitimate] such as that between the male adoptee and the maharem [persons to whom marriage is illegitimate] of his adoptive father as well as between a female adoptee and her adoptive father, his sons and male relatives.

Myth

It is husband's right to force his wife into having sexual intercourse regardless of her own physical or mental state!

(Marital Rape)

Fact

The concept of forcing in Islam is completely prohibited in all cases. Matrimonial life in Islam is essentially based on mercy, love and tranquility along paying extreme care and consideration for the feelings of both parties without boiling the relationship down to the mere fact of demanding rights. Prophet Muhammad taught us how to lead a successful matrimonial relationship through kindness, gentleness and care between spouses. This means that the husband should be caring and understanding to his wife's feelings and needs. The wife from her side has to show love to her husband and understand that intimate relationship with her husband increases their bond of love and care.

Myth

She can't be trusted for testimony or hold leading positions like ruling and judiciary because women lack reason "Nakesat 'akl w deen"!

Fact

Prophet Muhammed has explained this in the hadith itself by clarifying that it has nothing to do with women's status in Islam; rather, it refers to their physiological and biological nature like being liable to forgetfulness and refraining from prayers and fasting during menses. This attests to the fact that women are entitled to be assigned in leading positions like judiciary and they are equally allowed to take part in social and political work.

**Myth**

Hijab oppresses women

Fact

Hijab in Islam is not considered one of the characteristics that distinguish or oppress a woman; rather, it is a means to fulfilling God's command to cover her 'awrah (parts of the body that must remain concealed).

The obligation to cover the 'awrah is not limited to women only; rather, it is a general command that encompasses males and females. The difference here is not in the nature of the ruling but in the extent of the 'awarah of a man and a woman. The extent of the 'awarah in a woman's body is larger than that of a man. This is due to her physical nature and modesty.

Myth

Women have no right to seek divorce!

Fact

Just as God legislated marriage to establish a good family, God also gave the two spouses the right to seek divorce when marital life becomes impossible due to any valid legal reason. Although divorce is considered the most hated of lawful things in God's sight, it is a right that every spouse is entitled to as long as the legal conditions are observed.

Myth

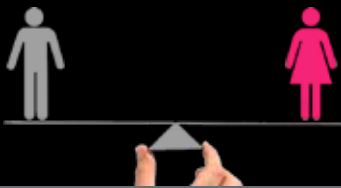
Parents favour sons over daughters!

Fact

In Islam, children, males and females, are regarded as blessing and a gift from God. Rather, girls enjoy special status in Islam. The Prophet (peace be upon him) said, "Whoever has three daughters and he accommodates them, show mercy toward them, and supports them, Paradise is definitely guaranteed for him."

Myth

Men enjoy a superior degree over women as being qawwamun!



Fact

Some men misinterpret the meaning of protection (Qawamah) and mistakenly think that it means to have absolute power and control over their women. However, Qawamah means that the man takes care of his dependents and provide them with material and emotional needs. So, Qawamah is a responsibility and not an honour conferred on men as they wrongly think! God says, "Men are the protectors and maintainers of women because Allah has given the one more (strength) than the other and because they support them from their means" (Quran 4: 34).

Myth

Women cannot travel alone. They must be in the company of a male relative.

Fact

There is no objection in Islamic law to a woman's travel outside her country alone. if her destination is safe, it is not a condition for her to take a mahram while traveling inside or outside her country.



Myth

Women should only guard their private parts "sharaf", otherwise, they should be killed!

Fact

Islam equally commands men and women to guard their private parts. which means that both genders share the responsibility and not only women. That is why committing adultery (zina) is equally punishable for both men and women.

Q&A



with

Dr. Khaled Omran

Dr. Khaled Omran, a distinguished scholar and mufti, answers our questions on some women's rights issues that are typically misunderstood by society.

Sexual Harassment

Q. How would you define sexual harassment?

A. Any word or action with sexual undertones that violates the body, privacy, or feelings of another or that causes them to feel uncomfortable, threatened, insecure, afraid, insulted, or disrespected, etc. falls under the definition of sexual harassment.

Q. Many people believe that the way women dress incites sexual harassment. How would you respond to that?

A. This is in clear violation of the Islamic creed that states that each person is held accountable for their actions and that it is wrong to hold another responsible for one's sins or mistakes.

Q. What is the ruling for sexual harassment, even if it was only verbal?

A. Sexual harassment is a major sin that comes under the words of God Almighty, "And those who harm believing men and believing women for [something] other than what they have earned, have certainly borne upon themselves a slander and manifest sin."





Domestic violence

Q. Is a man entitled to use violence against his wife in any way or for any reason?

A. The Prophet (peace and blessings be upon him) said that violence mars anything that is good. A marriage should be built on affection and mercy. God Almighty says, “And of his signs is that he created for you from yourselves mates that you may find tranquillity in them; and he placed between you, affection and mercy. Indeed, in that are signs for a people who give thought.”

Q. How can we interpret the Prophetic tradition that allows men to beat their wives lightly without causing them physical harm?

A. This was the known method of discipline in the past that was done lightly and it did not inflict any harm on the wives. In our present times, such methods are totally unacceptable.

Q. Is a woman who is a victim of domestic violence entitled to ask for divorce?

A. Violence causes harm which is one of the grounds for which divorce can be sought.

Q. What are the rights of a wife who is a victim of domestic violence?

A. Actually, there are several duties upon society as a whole towards domestic violence survivors/victims. It is necessary to employ all the possible social, psychological, and legal means to protect a wife from such harm. A wife may also employ all suitable means to prevent such harm.

Q. Is a husband entitled to force his wife to have sex with him?

A. Marriage in Islam is founded on love, mercy and affection. There is no doubt that any sexual act accomplished by force is forbidden in Islam and that consent plays a main role even between married couples. Prophet Muhammed forbade the use of violence and forcible compulsion of sexual intercourse with one's wife. He said: "None of you should flog his wife as he flogs a servant and then have intercourse with her."

In Islam, marital rape is also represented in the request of anal sex, intercourse during menstruation cycle and fasting hours of Ramadan. Additionally, a woman is entitled to deny herself in the following cases:

- ⊙ If he is violent with her.
- ⊙ If he has an infectious disease.
- ⊙ If he uses violence that causes her physical harm during sex.
- ⊙ If she is physically or mentally sick.

Islamic law has even established certain etiquettes that couples should follow prior to intercourse. God says in the Quran, "Your wives are as a tilth unto you; so, approach your tilth when or how you will, but do some good act for yourselves beforehand; and fear Allah. And know that they are to meet him (in the hereafter), and give (these) good tidings to those who believe."





Abortion

Q. What are the rulings associated with abortion? And what are the cases that allow abortion?

A. Abortion, which is the killing of a fetus after its formation in its mother's uterus, is prohibited in Islamic law. Abortion is tantamount to taking the life of another which God has forbidden except for a just cause.

The termination of pregnancy before the fetus has been formed is not considered abortion. After its formation though, it is impermissible to terminate the pregnancy except for an overwhelming necessity such as when a specialist physician certifies that the life of the mother is threatened.



Feminism

Q. What is the Islamic definition of feminism?

A. Regardless of the terminology, the preservation of women's rights is a duty upon all men and women. However, it is necessary to take into account the differences God has created between the genders in terms of duties, distinguishing characteristics, and Islamic legal status.

Q. Does Islam acknowledge feminism?

A. . In Islamic law both men and women are equal in terms of duties and rights. The protection of these rights and the fulfilment of these rights is a responsibility entrusted to everyone. God Almighty says, "O mankind, fear your Lord Who created you from one soul and created from it its mate and dispersed from both of them countless men and women. And fear God through Whom you demand your mutual (rights) and (reverence) the wombs, for God ever watches over you."

Q. Would you describe feminism as being new to Islam or has it always been an inherent part of it?

A. This concept is enshrined in Islamic law as a whole, not only in the Quran and Sunnah, but in the tradition of both contemporary classical scholars and jurists. There is no doubt that we need to take into account the temporal differences when applying the values and principles relating to this concept while remaining true to the primary texts of Islam.



Contraception

Q. Let us move on to another issue of concern to women. Would you say that it is permissible to use the different methods of contraception in Islam?

A. Birth control methods are among the medical achievements that God has made available for us so that we may fulfill our role as vicegerents on earth. There is no harm in using birth control. During the Prophet's lifetime, his companions used to practice coitus interruptus which he did not find blameworthy.

Q. To what extent is birth control permissible to control overpopulation? Who is responsible for the implementation of such policy?

A. This comes within the state's purview. Countries enact laws and strategies that best suit their demographics and culture. In the case of Egypt, overpopulation has reached a concerning level. We therefore encourage couples to have two children at most through all possible means.

Q. Is it permissible for a married couple to avoid pregnancy due to poverty?

A. It is permissible for a couple to mutually agree to plan according to their circumstances, in the interest of their children, and to have a better chance at improving their lives such as for instance providing them with a better education or better health care. This has absolutely nothing to do with divine decree, but relates to utilizing the means provided by God Almighty.

Q. Is a woman entitled to choose not to ever have children?

A. The decisions relating to marital life should never be unilateral, but should be mutual by both husband and wife. In addition to this, birth control is permissible but using irreversible methods of birth control is not.

Q. Can a woman prevent pregnancy if she is a victim of domestic violence?

A. Any decision relating to marital life should be mutually agreed upon by both spouses. Women who are victims of domestic abuse should receive the support and help of family and social networks so that she may not feel compelled to resort to such measures.





Inheritance

- Q.** Going on to our next topic, why do males inherit twice the share of a female?
- A.** A male does not inherit twice the share of a female simply because he is a male. This allegation advanced by many contemporary writers is erroneous and does not exist in the Islamic inheritance system. The distribution of inheritance is subject to several criteria which include the degree of kinship. It is true that there are cases where the male receives twice the share of a female but these are few and take into consideration the fact that males are responsible for females in their families.

Q. Are there cases where females receive equal shares or more than males?

A. Yes, there are many. For instance, when a man passes away and leaves behind 10 sons and a mother, the mother receives one-sixth of the estate and the sons share the rest. In this case, the mother of the deceased receives a bigger share than each of his sons. There are many other similar examples.

Q. What is the ruling of Islamic law regarding the prevention of females from receiving their legal inheritance?

A. This is a great sin that reaches the degree of being an enormity (a major sin). The rulings pertaining to inheritance fall under the limits set by God, the violation of which He warned against. He said in the following verses of the chapter of Al-Nisaa, "These are the limits [set by] God, and whoever obeys God and His Messenger will be admitted by Him to gardens [in Paradise] under which rivers flow, abiding eternally therein; and that is the great attainment. And whoever disobeys God and His Messenger and transgresses His limits - He will put him into the Fire to abide eternally therein, and he will have a humiliating punishment."



What **is** Hijab?





What is the definition of hijab in Islam?

Hijab is the discharge of a legal responsibility imposed by God Almighty upon women to cover certain parts of their bodies. It moreover refers to the general mode of dress required of a woman and, as such, it cannot be described as a religious symbol or an act of discrimination (against women).

What is the purpose of hijab?

Hijab is one of many other legal responsibilities women have to fulfill. When we are ordered to fulfill a legal responsibility imposed by God, we should not investigate the manner of its performance, its apparent wisdom, or reward. God Almighty does not impose anything upon us except that it is to our advantage of which only he is knowledgeable.

Hijab is not exclusive to Islam but is found in many different religions and cultures. It is a legal imposition devoid of any discriminatory intent.

What are the characteristics of the legal mode of dress for an adult discerning woman i.e., hijab?

Hijab requires a woman to wear clothes that cover all of her body except for her face and hands. Any clothes she wears should neither be transparent nor cling to the contours of her body.

What is the ruling of Islam regarding a woman who does not wear hijab?

Hijab is one of many legal responsibilities the fulfillment of which amounts to the obedience of God Almighty. These legal responsibilities are many. Some of them are related to appearances such as hijab, to the service of society and humanity at large such as zakat and charity, and others to the heart (the seat of intellectual and cognitive faculties). A woman who does not wear the hijab fails to fulfill that one particular legal responsibility--it does not mean that she is deficient in all aspects of her religion. Any legally accountable person, man or woman, should strive to observe the mandates of religion.



Is it right for a brother/husband to force his sister/wife to wear hijab?

It is not right for anyone to force another to perform any religious act or duty because every person is responsible for their own actions. The only thing a person is required to do is offer kind advice. It is totally unacceptable to force another into performing any action. God says, “Invite to the way of your Lord with wisdom and good instruction” (Qur’an 16: 125).



How can women who live in countries where Islamophobia exists function especially if they are subjected to hate crimes and do not feel safe?

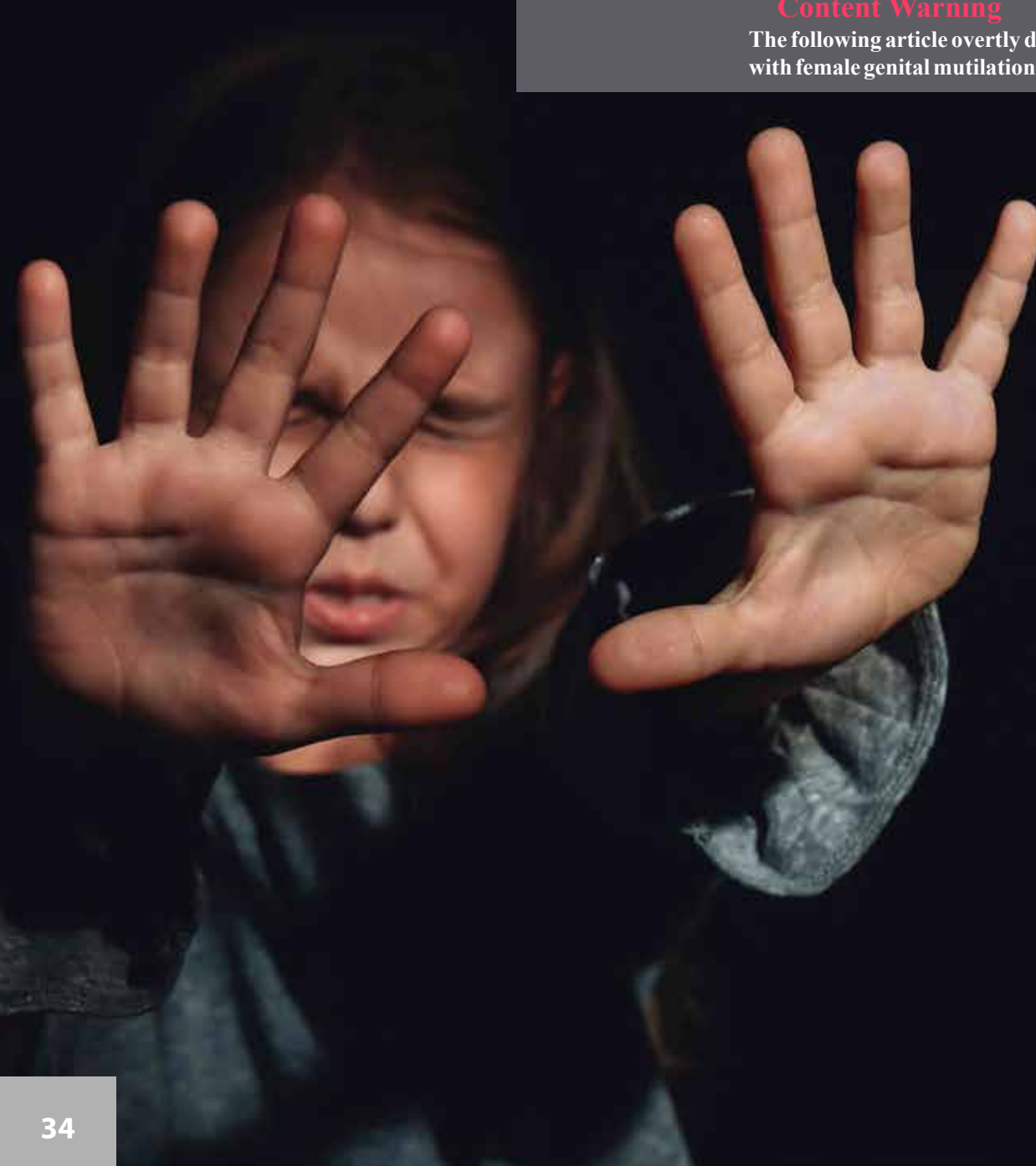
It is unanimous that any person has the freedom to wear any clothes they want. It is likewise unanimous that hate is a crime and that encroaching on the freedom of any person in any manner is immoral, unethical, and illegal. Any woman who experiences a hate crime is to pursue all legal and social means to renounce any restrictions on her freedom and any intimidation to her detriment. It becomes necessary for a woman to remove her hijab if she fears for her life or personal safety if there is absolutely no way of avoiding discrimination. However, she is only to remove as much of her hijab as is necessary.



Female Genital Mutilation

Content Warning

The following article overtly deal
with female genital mutilation.



Gender inequality is a problem that is deeply rooted in some social and cultural norms that are based on old traditions. One of the things we have to deal with in our modern society is female genital mutilation (FGM). That does not mean we have to tolerate it, FGM is a human rights violation and against Islamic precepts. It is important to know what is FGM and why it is still practiced, to understand why it needs to stop immediately. Female genital mutilation (FGM) or circumcision is the procedure of partial or total removal of the external female genitalia or the injury of female genital organs for non-medical reasons (UNFPA, 2019). The practice can cause short- and long-term health complications, both mental and physical. In some cases, FGM can also lead to death. According to UNFPA, when a girl is cut, she immediately faces the risk of hemorrhage, shock, serious injury, a range of infections and death, especially when hemorrhage or infection are severe. (UNFPA, 2019). It is important to note that FGM can never be safe and has no medical justification for it. About 1 in 5 girls who undergo FGM had the procedure performed by a trained medical professional. In some countries, the number is as high as 3 in 4 girls. According to UNFPA, medicalized FGM gives a false sense of security because even when the procedure is performed in a sterile environment and by a health care professional, there can be serious health consequences immediately and later in life. Medical professionals who engage in FGM are violating the fundamental medical mandate to “do no harm,” and are a threat to the efforts of abandoning the practice.

Sadly, the practice is widespread all across the world. Although it is primarily concentrated in 30 countries in Africa and the Middle East, FGM is also practiced in Asia and Latin America. The practice also continues to persist amongst immigrant populations living in Western Europe, North America, Australia, and New Zealand (Plan International, n.d.).

Many young girls and women have to go through FGM at some point in their lives and they have no choice in the matter. FGM is usually performed without their permission and most certainly against their will. It violates girls’ right to make important decisions about their reproductive health and well-being.

FGM happens for various reasons in different societies. Parents inherited many cultural and social misconceptions about the female body that drive them into gender inequality. It became an important part of their culture and identity, that it can be difficult for them to decide against having their daughters cut. Some parents do it to save the girl for marriage, or as a rite of passage, while others do it for the family’s honor. In many societies where FGM is practiced, parents who choose to reject it may face criticism or exclusion and their daughters may be considered ineligible for marriage. As a result, many parents feel compelled to participate in the practice.

A 2019 study by the United Nations Population Fund, estimated that 4.1 million girls are at risk of FGM. The number is projected to rise to 4.6 million girls by the year 2030 due to population growth unless

efforts to end FGM are intensified. If FGM continues at the current rates, an estimated 68 million girls will be cut between 2015 and 2030 in 25 countries (UNFPA, 2019).

Although FGM is practiced in many Muslim countries, the origin of FGM has nothing to do with Islam. FGM is a deeply rooted discriminatory cultural norm that is older than Islam. It was one of the first things Prophet Muhammed fought against. He never subjected his daughters to this practice. Thankfully now, FGM is internationally recognized as an extreme human rights violation of women and girls; right to life, right to physical integrity, and right to health.



According to research conducted in November 2006, by Islamic jurists, researchers, and activists from civil rights organizations at Egypt's Dar Al-Ifta International Conference on FGM, it was found that there is a discriminatory social and cultural norm that has no justification in the authoritative sources of Islam; the Qur'an and the practice of Prophet Muhammad. Islam recognizes the great physical and psychological harm done to girls and women who undergo FGM. Injuring oneself or another in any form is completely forbidden in Islamic law. Therefore, it becomes a religious obligation to state unequivocally that the practice of FGM is forbidden in Islam and is against all Islamic teachings. The conference concluded that all measures must be taken to put a halt to this crime. Taking active action on this front is crucial if we are to be true to Islamic values and human rights as a whole.

Islam is a religion based on knowledge, learning, and research. And that is exactly how we should tackle this sensitive issue internationally. True eradication of FGM



depends heavily on an international multi-sectoral approach that brings together law enforcement agencies, child protection professionals, international organizations, educators, physicians, religious institutions, government leaders, advocates, and survivors to educate community leaders and parents. Their efforts should be focused on collective abandonment to transform behavior.

According to UNFPA experts, FGM will only end through collective abandonment. That is when a whole community chooses to no longer engage in the practice. This requires a process of raising awareness, in which communities are educated about FGM, females' reproductive health and the consequences of the practice, etc. They should also learn that the practice is no longer accepted or tolerated. Educational establishments and media, for their part, have a duty to educate the public too. Governments must take decisive action by passing and enforcing laws that criminalize the practice of cutting female genitalia. Both the actual perpetrators as well as the initiators of FGM must be subject to the full punitive extent of the law given the seriousness of the crime. The world must work together to end FGM, every one of us has a role to fulfill in raising awareness and taking a step towards collective abandonment.

References

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Real Stories from Strong Women

Content Warning

The following article contains references to Female Genital mutilation (FGM).

Budoor

FGM Victim

12 years old



Budoor was 12 years old when she was taken to a doctor to be circumcised. She was accompanied by her sister, neighbor, and mother. Her mother left her at the clinic to buy medicine for her only to return to find her daughter dead from anesthesia overdose. (E7kkyeg, 2021)

Kareema

FGM Victim

12 years old



Kareema's father took her to be circumcised. She died from a severe haemorrhage. (E7kkyeg, 2021)

Nada

FGM Survivor

13 years old



I was still a very young girl when my father decided to have me circumcised. My sister came too as it was also her time. I will never forget the doctor's face or my fear of him. And I will certainly never forgive my family. This harrowing experience turned me into a coward. I am afraid of all men, including my own father and brother.

I would shake with fear whenever a man would sit next to me on public transport. The thought of visiting a doctor would paralyze me with fear. I always slept with my bedroom door open. And I developed a morbid fear of marriage.

I would like to tell all the families who still circumcise their daughters to have mercy. Why do they expose their daughters to this traumatic experience? Why do they allow strangers to touch their daughters' bodies and cut and mutilate them? Please, have mercy on your daughters. (E7kkyeg, 2020)

Note: Both the father and the doctor who performed the procedure were arrested.



References

E7kkyeg. (2020, 02 6). Retrieved from Instagram: https://www.instagram.com/p/B8PPGaVo4U3/?utm_medium=copy_link

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Fatwas



I am a Muslim woman. Can I marry a Christian man?

Answer

The Muslim woman is not eligible to marry a non-Muslim man because of the religious responsibility that the husband in Islam is expected to bear. In Islam the husband must respect the religion of his wife even if she does not share his religious convictions. He has no right to prevent her from her own ritual worship or deprive her from going to her houses of worship like the church or the synagogue. The husband in Islam has no right whether implicitly or explicitly to convince let alone force his non-Muslim wife to convert to Islam. All these religious responsibilities are asked

by the Muslim husband towards his non-Muslim wife and for this reason the non-Muslim woman should not be afraid of getting married to a Muslim man because he is asked by his own religion to respect her religious beliefs. Additionally, Islam as a religion believes in the divine origin of Christianity and Judaism and a lot of common values are shared among the three Abrahamic faiths. Muslims hold and revere both Moses and Jesus and believe in them as prophets of God. All this religious background that the Muslim husband has, gives immense assurance for the non-Muslim wife that her religion will remain intact without any potential jeopardy.

Your case is the total opposite. In Christianity, there is no obligation for the Christian man to respect the religion of his non-Christian wife. Christianity does not believe in Islam being a religion or in Prophet Muhammad as the final prophet of God. In other words, there is no guarantee for your religion to remain intact without any potential jeopardy.

Another important aspect is that Islam is not just simply a religion in which you are only required to fast a month in the year and pray five times a day and you are off the hook. Islam in essence is much more comprehensive. It is a life style and a paradigm of ethics and values shared between the husband and wife to build a healthy family. These bases are not naturally found when you marry a non-Muslim man.

<https://www.dar-alifta.org/Foreign/ViewFatwa.aspx?ID=7557>

Can women work in political offices and take leading positions?

In Canada the head of my province is a woman. I've read the stories of the Queen of Sheeba and instances from hadiths and practices of people during the first three generations of Islam where women took part in politics. Can a woman be a governor or the leader of a state?

Answer

The concept of a ruler has changed in today's modern state and has become subject to a set of systems and institutions. Constitutions define patterns of authority and government institutions and, as such, it is nearly impossible for any ruler to violate the constitutional rights of his people. Based on this, a person who occupies this position is tantamount to an employee who is charged with specific tasks; he is governed by the general system from which the other systems and institutions spring. Choosing a Muslim, non-Muslim, or woman for this position does not contradict the rulings of Islamic law. This is because the rule become a set of legal entities and not an individual entity.

