

THE STATUS OF MUSLIM WOMEN WITH PARTICULAR REFERENCE TO PAKISTAN

It has been rightly stated that the test of every civilization is the estimate in which the woman is held in society, and for this reason she has always remained in the limelight of human history. Religion has been the driving force in human life and acts as a basic source of information and enlightenment about woman. Islam has dealt in depth with the status of woman in society and it is an undeniable fact of history that no other religious doctrine has accorded more rights and better status to women in an organisation of human affairs, than Islam. The basis of all Islamic Law including that of the status of woman lies in the Sharia, in the Holy Quran and the Sunnah of the Holy Prophet (peace be upon him).

The reforms brought about by Islam marked a new departure in the history of eastern legislation. It conferred a wide and definite code about problems of social life. The family was declared the most respectable unit of society and all social development being subservient to it. A new social order was laid down by defining the duties and functions of the sexes, marriage came to be regarded as a social contract, divorce was abhorred as an obnoxious practice, polygamy was limited and rights and obligations of men and women were clearly laid down.

Woman had full legal capacity to contract marriage, receive divorce, and retain as well as inherit her own property as affirmed by the Quran. Furthermore, the Quran never tired of counselling men to treat their wives with fairness and kindness. In addition, the husband was required to maintain the divorced wives and the children. Rights in fact, which are willingly and under pressure being conceded by the civilized states in the twentieth century.

In the Hadith, the Holy Prophet (peace be upon him) is recorded as saying 'the world and all things in the world are precious but the most precious thing in the world is a virtuous woman' and 'that paradise lies under the feet of the woman'.

Most importantly the Quran declared woman's religious equality with man, as regards her obligations to pray and lead a virtuous life, and their equality of reward and punishment at the final day of judgement. It says that, if any do deeds of righteousness be they male or female and have faith, they will enter Heaven and not the least injustice will be done to them (IV: 24), as mentioned in the *ayat* men and women both struggle for the establishment of a just system by an awareness of the unjust and by struggling against it. In the long warfare of just and unjust, women are as free as men to bear the consequences of their choice.

Yet the Quranic approach to the issue of woman is not as a singular issue by itself, it is in context of liberation of women within the framework of the society. The Quranic chapter known as '*Nisa*' or 'Woman' deals with issues of women's relation within the society and gives guidance for overcoming oppression, and establishes a just social system where there will not be any injustice towards any member of society including women and children.

Many factors however, account for the disability and social constraints which prevent the enforcement of the rights or extracting from others their duties, because of economic and social pressures born either of ignorance or prejudice, which have ossified by the passage of time and general practice. The reinstatement of woman to a position of respect, and elimination of the disability she has suffered so long will entail moulding of public opinion through the media, meetings and seminars reforming the content and quality of education of women and about woman and continually extending its scope, influencing official and non-official institutions, lobbying different branches of government and organizing women themselves in a meaningful manner. No one can be a better champion of any group wrongfully denied the right, than the group concerned itself.

In a society that is in influx and upheaval, caught between the traditional and modern Muslim values, between alien and indigenous influence, influences of the urban and rural factors, difference between economic and social classes, between those exposed to outside influence often in their most superficial aspects, and those still living nomadic and pastoral lives that have remained unchanged for centuries. It is difficult to generalise the practices prevailing in such circumstances—as reliable facts and figures are non-existent—except to state that change and reform have become widespread throughout the Muslim world: and paradoxically desperate reactions of uncertain strength have mani-

fested themselves where modern influences have been longest at work.

Much of the change has been inspired by outside sources usually that of western sources, while the West itself has generated doubts about the direction taken by its socio-economic system, in spite of the material prosperity. The social breakdown is considered the primary economic malaise in the West today.

Howsoever that may be, it is important to identify a permanent element in the transitory system, which require adjustment from time to time in order to apply the basic principles better to a changing situation. Amongst these are the equality of men and women and the importance of the family epitomized in the inheritance laws and the Quranic references, and the relationship between parents, children and near relatives.

The equality of sexes can be elaborated by the right of woman to work. This has been there ever since the time of Hazrat Khadijah the Prophet's first wife, who was a trader and businesswoman in her own right. From then till now the right of women has existed as a principle. But yet this is not obligatory. They can engage in business, self-employed personal activities that may not take them away from the family obligations, others may work outside their homes, some may want to work when they want to and others because of economic necessity, and still others when the age of children allow her to.

Islam recognizes the importance of the economic strength of woman by conferring an (a) independent ownership of economic resources and wealth, and (b) independent obligation in economic aspects. From the early days Muslim woman is permitted to own property and wealth and is free to spend it anyway she wishes. She pays *Zakat* and *Sadaqat*, gives interest from loans, meaning that she engages in economic activities in society as well as men do. Her work inside and outside her house is regarded as valuable because she can even charge her husband for nursing her own babies. On the other hand, she has no obligation in regard to supporting another member of the family or the society.

All this is reconciled with the importance of the family, and it is here that the Quranic statement—that men 'have a degree' above woman, (2: 228) qualifies the earlier statement that men and women have equal rights with respect to each other, because in any single social unit there must be some single ultimate worldly reference of point of authority or decision making, particularly when confronted with external problems. This is manifested by the fact that the husband is more familiar with the outside world, whereas the wife, by her greater presence in the house

with the children at the most impressionable age possesses an influence which brings about real equality between husband and wife, father and mother with respect of family affairs and children.

The importance of family furthermore, finds a significant expression in inheritance laws. For the woman to inherit half as much as man is balanced by the obligation on the part of man to be the maintainer of the family (4 : 34). It is the man's duty to support his wife and children — if there is a woman in his family like a mother or a sister who has lost her male supporter, it is the man's duty to support her economically. Therefore at the end men and women end up with equal economic rights even if they do not have *similar* economic rights. Islam does not give positive or negative value to feminine and masculine characteristics.

In Pakistan the Muslim woman has been domesticated, less educated and psychologically dependent in a male dominated society.

Seen in the historical perspective female Muslim education first received serious attention at the Muslim Educational Conference at the turn of the century. Amir Ali, Begum of Bhopal and Faizi sisters devoted considerable time and talent towards the defence of women's rights.* Pioneering work was done in Punjab for feminine education by Begum Shafi and Begum Shah Din; and the Anjuman-i-Hamayyat-i-Islam, which laid a network of elementary schools.

During the Khilafat movement women entered the political arena under Bi-Amma, mother of Maulanas Muhammad Ali and Shaukat Ali. At the Round Table Conference in England between 1930-32 Begum Shah Nawaz was the first and only Muslim woman to participate. In the 1938 Patna Session of the Muslim League, the uplift of Muslim women was made the cardinal principle of the political manifesto, and after 1940 the Muslim woman actively associated herself with every move in the struggle for Pakistan. For the first time she marched through streets and fought repression.

The partition of the Subcontinent acted as a cataclysm in the role of the status of Muslim women. Massive migration weakened many traditional restraints of women, family structure and economic security was completely disrupted, the national emergency required relief and

*Amir Ali's classic work, *Spirit of Islam* included a special chapter on women, portraying a true status of women in the society. This was followed by two articles, 'The Real Status of Women' and 'Influence of Women in Islam.' Begum of Bhopal founded the All India Women's Muslim League Conference espousing the feminine cause.

rehabilitation on a massive scale and the women demonstrated their immeasurable capacity for social work. The APWA took a leading part in the rehabilitation work, and social welfare organizations.

In recognition of their rights the women demanded legislative recognition, and consequently Muslim Personal Law of the Shariat of 1948 was enacted. In 1954 the sentiments of Muslim women were outraged when the Prime Minister Muhammad Ali Bogra took a second wife against the wishes of the first. As a result of country-wide agitation the Muslim Family Ordinance was adopted in 1961.

In the 1960's and 1970's woman continued to identify herself with the national goals of organising social welfare activities and educational services. In the mid 1970's further impetus was provided by the 'International Women's Year' and demand grew for more constructive changes.

Pakistan is one of the few Third World countries that has taken up the cause of women seriously. It is being increasingly realised that the larger ideological and political objectives are unattainable without the women attaining her rightful place within the framework of society.

The present government has showed its genuine concern to develop women's potential by the creation of a Women Division in the Federal Ministry. The Division has taken creditable steps towards the release of self-awareness among women. For the first time a big step was taken recently by the Women's Division organization of a six days conference on the "Role of Women Councillors for effective participation in local bodies" and thereby associating women with the development programme and national policies, by their effective participation at the local level.

Certain legislative and administrative measures for accelerating women's direct involvement in nation building work and decision making have been made; yet this is only the beginning. A census must be made of most needy women's employment, self-employment and old age pensions, their role in education, health system, commerce and public services. There is little reliable data of employment of women in the labour force and their participation in the rural economy. Protective legislative measures must be taken as labour laws dealing with working condition of women in industry and relate to maternity, provision of nurses and midwives, care of children, simultaneous leave for husband and wife, exclusive sanitary arrangements, restricted hours of work, and protection against hazards.

Shortness of time and space prevent a broader purview of the issue. I thereby conclude the paper by a quotation of Pakistan's Architect, Quaid-i-Azam Mohammad Ali Jinnah manifesting its

significance :—

“No nation can rise to the height of glory unless its women work side by side with its men. We are victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the house as prisoners. I do not mean we should imitate the evils of eastern life. But let us try to raise the status of our women according to our own Islamic ideals and standards—”
(Quaid-i-Azam Muhammad Ali Jinnah's address to the Muslim University Union, Aligarh, March 10, 1944.)