

# Islam and Women

We constantly hear about how well women are treated under Islam. Let's see what Sharia Law has to say about women. First, a little background.

Sharia Law is Islamic Sacred Law, and it is based largely on two foundations. The first is the Koran. The second foundation consists of the actions, examples, and teachings of Muhammad (the *Sunnah*).

The Muslim world is divided mainly between Sunni and Shia. The Sunni make up 80-85% of the world's Muslims, while the Shia make up 10-13%. Here are the four major Sunni schools of Sharia Law, with their percentage of adherents: **Hanafi** (45% - the oldest and most liberal school); **Shafi'i** (28%); **Maliki** (15%); **Hanbali** (2%). The major Shia school is the **Jafari**.

So what does Sharia Law tell us about women?

The major schools agree that when a woman is in the presence of a strange man (basically any male other than a family member), it is obligatory for her to cover her whole body except for her face and hands. Here are examples of Sharia-compliant dress:



The major schools also agree that while it is permissible for a man to look at the face and hands of a female stranger, it is impermissible for him to touch her, except in an emergency.

However, the Hanafi school states that shaking hands with "an old woman who has no sex appeal" is permissible "with the assurance of absence of a sexual motive" (*Encyclopedia of Islamic Law*, p. 74).

According to the four major Sunni schools, a menstruating woman is not allowed to do many things, including not being able to keep the fast or participate in the ritual prayers, not touching, reading, or reciting from the Koran, or even remaining in a mosque. This physical condition of women was considered by Muhammad to be a "deficiency" in their religion, as he stated to a group of Muslim women:

*"...Isn't it true that a woman can neither offer Salat (prayers) nor observe Saum (fasting) during her menses?" The women replied in the affirmative. He said, "This is the deficiency in her religion."*

*Sahih Al-Bukhari*, No. 304

The major schools agree that the call to the prescribed prayer (*Adhan*) is not valid if it is done by a woman. And Muhammad actually encouraged women not to go to the mosque, but rather to pray at home:

*Ibn 'Umar reported that the Messenger of Allah said: "Do not prevent your women from (going to) the Masjid [mosque]- but their houses are better for them."*

*Sunan Abu Dawud*, No. 567

## A Woman is worth half a Man

According to the four major Sunni schools, the indemnity for the death or injury of a woman is one-half of that paid for a man.

When witnesses are needed concerning property matters, it is preferable to find two men; but if you cannot find two men, then find one man and two women. The explanation for this in 2:282 of the Koran:

*...And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her...*

So two women are needed in order to remind each other! Muhammad said that this showed a deficiency in the intelligence of a woman; here is what he said to a group of Muslim women:

*"...I have not seen anyone more deficient in intelligence and religion than you. A cautious sensible man could be led astray by some of you." The women asked, "O Allah's Messenger! What is deficient in our intelligence and religion?" He said, "Is not the witness (evidence) of two women equal to the witness of one man?" They replied in the affirmative. He said, "This is the deficiency in her intelligence."*

*Sahih Al-Bukhari*, No. 304

## Women in Paradise

In terms of an after-life, women seemed to have one sure way of getting to paradise:

*It was narrated from Musawir Al-Himyari from his mother that she heard Umm Salamah say: "I heard the Messenger of Allah say: 'Any woman who dies when her husband is pleased with her, will enter Paradise.'"*

*Sunan Ibn Majah, No. 1854*

However, on another occasion Muhammad said that when dead, women had a greater chance of going to Hell:

*Narrated 'Imran bin Husain: The Prophet said, "I looked at Paradise and found poor people forming the majority of its inhabitants; and I looked at Hell and saw that the majority of its inhabitants were women."*

*Sahih Al-Bukhari, No. 3241*

And Muhammad said that women had less of an overall chance of getting into Paradise:

*Imran b. Husain reported that Allah's Messenger (may peace be upon him) said: Amongst the inmates of Paradise the women would form a minority.*

*Sahih Muslim, No. 2738*

## If you're an Apostate – be a Woman

There can be an advantage to being a woman if one is charged with apostasy for leaving Islam. Instead of facing a death sentence for apostasy, as she would with the Shafi'i, Hanbali, and Maliki schools, the liberal Hanafi school believes "that women should be forced to return to Islam by such punishment as beating or imprisonment." Her imprisonment would last until she returned to Islam or died. But under the Jafari school "she will be imprisoned and beaten at the times of the prescribed prayer until she repents or dies," or she will be "condemned to perpetual imprisonment, and is to be beaten with rods at the hours of prayer."

(For reference information about this section on apostasy, see Chapter 10, "Sharia Law and Women," in my book *Letting Islam Be Islam: Separating Truth From Myth*)

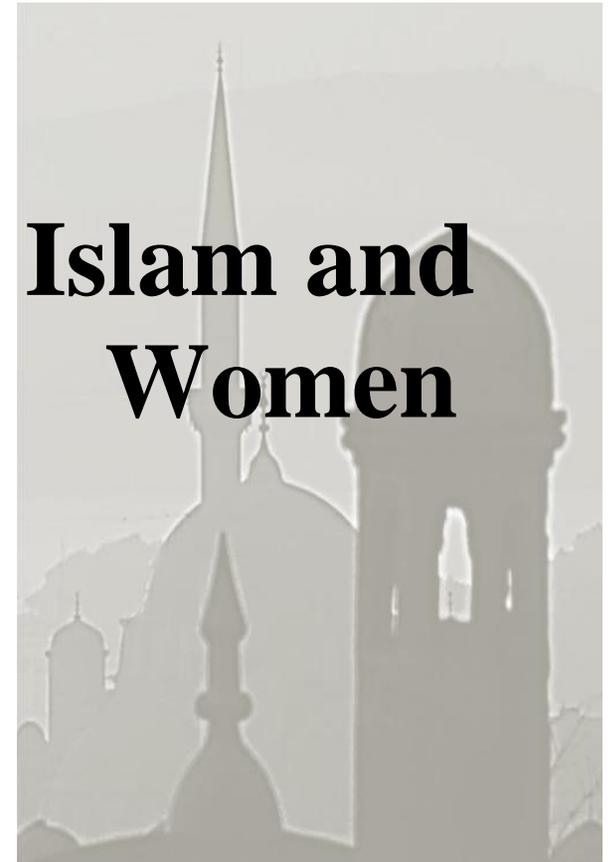
## How to Treat Women

The attitude toward, and treatment of women under Islam was succinctly summed up in a statement by Muhammad:

*Treat women well, for they are [like] domestic animals with you and do not possess anything for themselves.*

*The History of al-Tabari: The Last Years of the Prophet, p. 113*

Dr. Kirby is the author of six books on Islam. His latest book is *Islamic Doctrine versus the U.S. Constitution: The Dilemma for Muslim Public Officials*. His books are available on Amazon.com.



Part of a series on Islam

By Dr. Stephen M. Kirby

IslamSeries@gmail.com

Free copies of this brochure and others are available at:

IslamSeries.org