

**Social degradation of women
~ a crime and a libel on Islam:**
The un-Islamic Indian-style Purdah System (hijab)
is a case of Religious Overkill!
by Marmaduke Pickthall

Edited by Syed Mumtaz Ali and Rabia Mills

Introduction

This 1925 essay was originally part of a lecture series delivered in Madras by Marmaduke Pickthall and was entitled "**The Relation of the Sexes.**" His exceptional attitude toward the position of women is fascinating. Throughout this entire lecture, the reader will be struck again and again by just how advanced Marmaduke Pickthall's thinking was. He identifies and clarifies what Muslim women's rights are, and as can be seen, those rights are arguably (even today) far more advanced than what her western counterparts have achieved so far.

Western women (i.e. in the USA and Canada and Great Britain) had still not achieved the right to vote or obtain the ownership of property - even up to World War I. However, by August, 1920, after a lengthy, intense and turbulent **suffrage movement**, women finally did achieve the right to vote in those three countries. Women had acquired the right to vote somewhat earlier in New Zealand, (1893) and they had attained this right in Australia in 1902. However women in France did not acquire that right until 1944 and then Italy and Japan in 1946 and Mexico in 1953. The **women's rights movement** broadened its scope during the 20th century in most western countries and now, today, some of the rights which are currently sought by the various feminist groups throughout the world are: the right to serve on juries; the right to retain earnings and property after marriage; the right to retain citizenship after marriage to an alien; and the right to equal pay and equal job opportunity. In the late 1960s, the so-called **women's liberation movement** was established and it became quite active. In the USA, women still have not achieved equality of rights [1] under the law (as of Feb/2001).

Therefore, considering that this lecture was given in 1925, the reader will no doubt be astonished by just how progressive this speech was concerning women's rights. Yet Pickthall was simply articulating what a woman's

Islamic rights were.

Now in terms of Pickthall's lambastment of the Indian male's treatment of women on the Indian subcontinent, unfortunately many of his concerns are still valid today. Indeed much of this lecture still applies to this day. However one must clearly understand that Pickthall does not criticize nor find any fault with the Quranic/Islamic system of veil, but rather the un-Islamic Indian-style system known as the **Purdah system** in the Urdu language. In the Quranic terminology it is referred to as **Hijab** which literally means a 'partition' or 'curtain' which veils or conceals.

As to the reason why the Indian-style of *Purdah/Hijab* is un-Islamic, one must realize and appreciate the fact that the commandment in the Qur'an in Chapter 33, verse 53, with respect to the *Hijab*, applies **only to the "Mothers of the Believers"** (the wives of the Holy Prophet, p.b.u.h.) whereas the wording of the Qur'an in Chapter 33 verse 55, applies to **all Muslim women** in general. No screen or *Hijab (Purdah)* is mentioned in this verse – it prescribes only a veil to cover the bosom and modesty in dress. Hence the unlawfulness of the practice of the Indian-style system of *Purdah* Under this system, the *Hijab* is not only imposed upon all Muslim women, but it is also quite often forced upon them in an obligatory and mandatory fashion. Even the literal reading/translation of this Quranic verse does not support the assertion that the *Hijab* is recommended for all Muslim women. The *Hijab*/screen was a special feature of honour for the Prophet's p.b.u.h. wives and it was introduced only about five or six years before his death.

The actual manner of showing respect to ladies may be different in different circumstances, but it is an essential principal in good society to show the greatest deference to them. To the "Mothers of the Believers" then, this respect was suitable in its exceptional degree. (vide footnote 756 and 3760 – The Translation and the Commentary of the Holy Qur'an by A. Yusuf Ali)

Purdah (orig. from Hindi, meaning screen or veil, in 1865) denotes a system which is distinct from the **Jalabib**, plural of **Jilab** (a sort of a cloak or overall covering from head to foot; an outer garment; a long gown covering the whole body, or a cloak covering the neck and bosom) and **Khumur** (generally translated as 'veil', but Dr. Hamidullah translates it as the veil which covers the face. In other words the Quranic term **Khumur** can be interpreted to mean either (1) a head-veil covering not only the head, but also the bosom, or (2) a head-veil which covers not only the head and the bosom **but also the face**". The second (#2) kind of veil is also generally known as **niqab**. Accordingly, some women prefer the first (#1) kind, whereas some women do not. So as far as the Quranic recommendation/injunction itself is concerned, there is no disagreement among the Muslim community (*vide* Qur'an 33:59 and 34:30-31) which is prescribed by Islamic law.

The particular *Purdah* system which Pickthall lambastes is the kind of system that is peculiar to the Indian subcontinent. It is far more severe and strict because this kind of system is practised in such a way that it induces women to become parasites. This Indian-style type of *Purdah* system not only involves covering the woman's face but also segregates her by impounding her and consequently condemning her to a life entirely within four walls. Those women are also required to cover themselves completely from head to toe when in public by not only wearing a '**burqa / jalabib**' but additionally they are required to hide behind a screen (*Purdah*/curtain) which makes them invisible by preventing the outside world from seeing them at all. It acts like a one-way mirror in that women are able to see the outside world, but the outside world cannot see them.

The tragedy for those who adhere to this Indian-style *Purdah* system is that they have deluded themselves into thinking that they are in fact following the Qur'an. They have actually fallen prey to their own over-enthusiastic religious fervour. This in turn has led to their insolent and self-righteous behaviour in their treatment of women. They don't seem to understand that by adhering to this Indian-style *Purdah* system, their actions are not only excessive but out-of-control. Sadly the irony of this system is that the men who are trying to **protect** women from men's wickedness have done just the opposite – they have **inflicted** their own wickedness upon these women through their own cruel and inhumane treatment of them. (See Appendix A for further elaboration of this point). The whole purpose of the veil was to diminish occasions

of attraction and to protect women from the wickedness of men as declared in the Qur'an. (33:59), but the Indian-style *Purdah* system is an excess which Pickthall clearly condemned. We agree.

In passing, it would be appropriate to mention that there is no legal penalty for the neglect of the Quranic recommendation relating to the legal provisions of the veil / Hijab. The point we are trying to emphasize is that there are two kinds of Divine injunctions (commandments) against particular evils: (1) those which entail sanctions and public punishment, and (2) those which entail only a warning of punishment in the Hereafter.

It should be noted that, except in cases of extraordinary gravity, the public authorities do not (or should not) take cognizance of the second type of infraction. The veil / *Hijab* or (*jalabib / khumur*) falls into the second category of Divine Injunction. Human actions are first of all divided into good and evil and are represented by orders and prohibitions.

The type of actions from which one must abstain are also divided into two broad categories:

- (1) those against which there are temporal sanctions or material punishments in addition to condemnation on the day of the Final Judgement, and
- (2) those that are condemned by Islam without providing any sanction other than that of the Hereafter. The veil commandment falls under this second category, namely the category of **recommendations only**. Hence the gravity and seriousness of this type of crime is not as heinous as in the first category.

Obviously Muslims must govern themselves accordingly and thus give the veil injunctions the appropriate weight that they deserve. The Divine scheme of things demands this much. **We must also keep in mind that the holy Prophet looked down upon and disapproved of any undue severity (*tashaddud*) in matters of religious practice such as the veil proviso.**

So without further ado what follows here is Marmaduke Pickthall's "**The Relation of the Sexes**" – Eds.

...

Today I have to speak to you about a delicate subject – the Islamic position of women – a subject which is delicate, and to me painful, only because at every turn while examining it I am reminded that I am in a country [India] where, among the Muslims, a woman is emphatically **not** in her Islamic position, and where men are generally indifferent to the wrongs done to her. The state to which the great majority of Muslim women in India are reduced today is a libel on Islam, a crime for which the Muslim community as a whole will have to suffer in increasing social degradation, in the weak and the sickly, in increasing child mortality, so long as that crime is perpetuated. An unconscious crime on the part of the majority, I know, begun in ignorance, through pursuit of an un-Islamic tradition of false pride. But ignorance of the law is no excuse for anybody to escape its penalties – least of all, in the case of the operation of natural laws can the mere plea of ignorance exempt a man from undergoing the natural consequences of transgression. The laws of the *Shari'ah* [Islamic Law] are natural laws, and the consequences of transgressing them are unavoidable, not only for Muslims, but for everyone. The fool who does not know that fire will burn him, is burnt by fire just like anybody else. And the excuse of ignorance, in the case of Muslims and the *Shari'ah*, is worse than the offence. Since they, of all mankind, should have that special knowledge which it is their mission to convey to all mankind.

Please do not, upon hearing me thus inveigh against the present pitiful condition of Muslim womanhood in India, think that I am judging it by any foreign standard for wishing to recommend foreign ways. I am judging it only by the *Shari'ah* and I wish to recommend only the way of the *Shari'ah*; and I judge the Western status of woman, as I judge her Eastern status, solely by the *Shari'ah* as I, following the most learned and enlightened Muslims of all ages, understand it.

"Thus have We set you as a middle nation that ye may bear witness against mankind and that the Messenger may bear witness against you."
[Qur'an 2:143]

Surely the Messenger of Allah (may God bless and keep him!) bears witness against you today in this matter of the status and the rights of woman. Only recall his words: **"Education is a sacred duty for every Muslim and every Muslimah."** [Muslimah = Muslim female]

I know that an influential group of men among you have decided in their mind that knowledge [*ilm*] must be taken here in the restricted "theological" sense as meaning only knowledge of a "religious" nature. The Holy Prophet and the Holy Qur'an never made a distinction between the religious and secular. For the true Muslim, the whole of life is religious and the whole of knowledge is religious. So according to the proper teaching of Islam, the man with the widest knowledge and experience of life is the man best qualified to expound religious truths to resolve the problems which arise among Muslims in connection with the practice of religion. I deny the right of men with limited knowledge and outlook to exclusive interpretation. I deny their conclusions and I also deny their premises. I say that their claim to exclusive interpretation among them to their priestly intervention between the Muslims and the Messenger [the Prophet Muhammad p.b.u.h.] whom Allah sent to them - a thing denounced in the Qur'an repeatedly as against religion and destructive to all true religion in the past. But I am willing to accept their restriction for the moment. Let us agree for the sake of argument that [*ilm*] means only what such people think it means, the knowledge which such men possess. Is every *Muslimah* [Muslim woman] in India encouraged or even allowed to seek such knowledge? Does every Muslim woman in India receive that sort of education? Does every *Muslimah* in India know even the *Fateha* [2] or even the *Kalima*? [3] Can every *Muslimah* in India say her prayers? How many *Muslimahs* in India know the passages of the Qur'an and the sayings of the Prophet which ought to govern the progressive evolution of woman's true position in the Muslim brotherhood? Let them all be given that education, in God's name! I ask no more as a beginning. All the rest will follow naturally.

Our Prophet (may God bless and keep him!) said, **"Women are the twin halves of men." "The rights of women are sacred. See that women are maintained in the rights granted to them."** Do Muslim women in India even know what their rights are? Equality with men before the law is theirs according to the *Shari'ah*. Women have the right to own their own property, have the right to claim a divorce from their husbands under certain circumstances. How many Muslim women in India know that? And who is seeing that they are maintained in the rights granted to them by the Sacred Law? In India today, women have no legal protector or defender. Where is that woman Judge, who, according to our great Imam Abu Hanifa, ought to be in every city to deal particularly with cases touching women's rights? Where is the male Judge to whom they have free right and access to appeal? The

Qadi used to be the guardian and defender of their rights. His position in India today is almost as pitifully below his true Islamic position as that of the woman herself; and one sees little reason why it should be.

Women have equal rights with men before the *Shari'ah*, and the Qur'an proclaims that they are equal with men in the sight of God. In the Holy Qur'an, God says:

"I suffer not the work of any one among you, whether male or female, to be lost. One is from the other." [Qur'an 3:195]

The heathen Arabs thought women were a separate and inferior race. The Qur'an reminds them that they are all one race, one proceeding from the other, the man from the woman and woman from the man.

There is no text in the Qur'an, no saying of our Prophet, which can possibly be held to justify the practice of depriving women of the natural benefits which Allah has decreed for all mankind (i.e. sunshine and fresh air and healthy movement). And there is no text in the Qur'an, or saying of our Prophet which justifies her life-long imprisonment in her home. This imprisonment, in turn, has led to death by consumption or anaemia to thousands of women, and God knows how many babies, every year in this country! Decency and modesty is enjoined by the Qur'an, the circle of a woman's intimate relations is prescribed by the Qur'an. The true Islamic tradition enjoins the veiling of the hair and neck, and modest conduct - that is all.

The veiling of the face by women was not originally an Islamic custom. It was prevalent in many cities of the East before the coming of Islam, but not in the cities of Arabia. The *Purdah* system, as it now exists in India, was quite undreamt of by the Muslims in the early centuries, who had adopted the face-veil and some other fashions for their women when they entered the cities of Syria, Mesopotamia, Persia and Egypt. It was once a concession to the prevailing custom and was a protection to their women from misunderstanding by peoples accustomed to associate unveiled faces with loose character. Later on it was adopted even in the cities of Arabia as a mark of [*tamaddun*] a word generally translated as 'civilization', but which in Arabic still retains a stronger flavour of its root meaning 'townsmanship' that is carried by the English word. It has never been a universal custom for Muslim women, the great majority of whom have never used it, since the majority of the Muslim women in the world are

peasants who work with their husbands and brothers in the fields. For them the face-veil would be an absurd encumbrance. The head-veil, on the other hand, is universal.

The Egyptian, Syrian, Turkish or Arabian peasant woman veiled her face only when she had to go in to town, and then it was often only a half-veil that she wore. On the other hand, when the town ladies went to their country houses, they discarded the face-veil, and with it nearly all the ceremonies which enclosed their life in towns. In no other country that I know of, besides India, do the customs which were adopted by the wealthiest townspeople for the safety and distinction of their women at a certain period (i.e., adopted by people having spacious palaces and private gardens) derive from the practice of poor people (who had only small rooms in which to confine women). This is sheer cruelty. Not everywhere did wealthy adopt those customs. Umarah tells us that among the Arabs of Al-Yaman, in the fifth Islamic century, the great independent chiefs made it a point of pride and honour never to veil the faces of the ladies of their families, because they held themselves too high and powerful for common folk to dare to look upon their women with desiring eyes. It was only the dynasty which ruled in Zabid, and represented the Khilafat of Bani'l-Abbas in Yaman which observed the *haram* system with some strictness, no doubt in imitation of the Persianised court of Baghdad.

Thus the *Purdah* system is neither of Islamic nor Arabian origin. It is of Zoroastrian Persian, and Christian Byzantine origin. It has nothing to do with the religion of Islam, and, for practical reasons, it has never been adopted by the great majority of Muslim women. So long as it was applied only to the women of great houses, who had plenty of space for exercise within their palaces and had varied interests in life. So long as it did not involve cruelty and did no harm to women, it could be regarded as unobjectionable from the standpoint as a custom of a period. But the moment it involved cruelty to women and did harm to them, it became manifestly objectionable, from the point of view of the *Shari'ah*, which enjoins kindness and fair treatment towards women, and aims at the improvement of their status. It was never applicable to every class of society and when applied to every class, as now in India, it is a positive evil, which the Sacred Law can never sanction.

The general condition of Muslim women in Turkey, Syria, Egypt and Arabia has always been emancipated as

compared with their condition now in India. For instance, the town ladies of the middle class, wearing their veils, were free to go about, doing their shopping and visiting other ladies. Indeed the world of women behind the veil was as free and full of interest as that of men, only it was separate from that of them, and largely independent of that of men. Women, duly veiled, were quite safe in the streets. Any insult offered to one of them was sufficient to rouse the whole Muslim population to avenge it. The women of the moderately well-to-do could come and go as they pleased and had no lack of social intercourse. The degree of freedom they enjoyed in diverse countries was regulated by racial temperament and local traditions rather than Islamic Law, which merely guarantees to women certain rights - and there is no law in the world so fair to women - and lays down the principle that they are always to be treated kindly and their rights held sacred. For instance, there was a difference between the Arabs and the Turks in this respect, the Turks having adopted more of the Byzantine customs. But all that I have said applies to both. In neither of those races would the women have put up with the conditions in which the majority of Indian Muslim women live today; and in neither of those races would the men have tolerated that condition for their women.

But even the condition of the Turkish woman of the past has been found to have become a cruelty in modern times. The reason for this is so curious that I must give it. When the Turks first came to Anatolia and Rumelia, they were a sallow complexioned race from Central Asia, with slanting eyes and thin black beards, as portraits of the early Sultans and their generals show. That type is found today among the peasantry around Adana, [a city in southern Turkey] but hardly anywhere else. Through centuries of intermarriage with the fair Circassians, Georgians, Syrians, Bulgars, Serbs, Albanians and other blonde races of Asia and Europe, the Turks have now become as fair as English people. The change was marked by a terrible increase in the mortality of Turkish women, particularly by an increase in the numbers of the yearly victims to consumption. So long as the Turkish woman was of a dark complexion, the languid, easy going life of the traditional Khanum Efendi did not harm her. But after she became of fair complexion, she suffered visibly from the confinement - much less than that imposed on Indian Muslim ladies, but still measure of confinement - of that life. The Turkish doctors then discovered that blondes were generally weaker constitutionally than brunettes, and required a great deal more fresh air and physical exercise. After the full significance of that discovery dawned upon

the rulers of Turkey, they then became advocates of feminine emancipation and, with the ruthless logic of their race, abolished the face-veil and other unhealthy restrictions as soon as they could.

Turkish women in the towns now dress as they have always dressed in the country, wearing the close fitting *bash urtu* (head-veil) with a longer looser head veil over it. And a long loose mantle covering her form from head to toe - a dress much less coquettish, though more healthy, than the former black *charshaf* and face veil. She is encouraged to take exercise and to play games in the open air, for which special women's clubs have been started. She is educated equally to men, though separately from them. She is allowed to do things which would have scandalized her great-grandmother. Yet it is all within the *Shari'ah*, since the changed conditions made this enlargement of the sphere of free activity absolutely necessary for women's health and happiness in these days. The changes were not revolutionary for the Turkish ladies since they had always the example of the Turkish country folk before them to prevent them from confusing the town dress and town restrictions with the Sacred Law of Islam. The Turkish peasantry are very good Muslims indeed. Nowhere does one see Islamic rules of decency more beautifully observed than in the Turkish villages of Anatolia. Yet the women in those villages and in Egyptian villages, and in Syrian villages and in Circassian villages and in Arabian villages and among the Bedawi and other wandering tribes enjoy a freedom which would stupefy an Indian Maulvi.

It is the great misfortune of the Indian Muslims that they have no peasantry; that they came into this land as conquerors, with ambitions and ideas befitting noblemen and rulers in Afghanistan and Turkistan and Persia in those days, so that now every Indian Muslim thinks it is necessary for his *Izzat* [honour/status] to treat his women in, perhaps, a wretched hut as the original *Beg* or *Khan Sahib* [people of a higher and noble social status] treated the women of his household, or as the Mughal Emperor treated the women of his palace in the vast Zenana quarters of the fort at Agra. It is the lack of a peasantry which had made them confuse the *Purdah* system of the wealthy townfolk in the past with the Sacred Law of Islam. If there had been a Muslim peasantry in India, like the Muslim peasantry of Arabia, Egypt, Syria or Anatolia as the basis of the nation, the Indian Muslims could never have fallen into the error of supposing that the *Purdah* system should be practised by the poor who dwell in hovels, and the rich would never have applied both to town

and country life. A peasantry has always common sense. It has no absurd pretensions, no false standards. The peasant judges a woman as he judges a man, by skill in work and skill in management. I have seen a woman govern an Egyptian village by sheer weight of practical good sense and character. The men obeyed her orders and were proud of her. That is no isolated instance. Yet the Egyptian *fellahin* [peasants] are ardent Muslims, and observe Islamic regulations pretty strictly.

The laws of Islam, with regard to the position of women as intended for the benefit of women, for their health and happiness and the improvement of their material and social position; and these laws are not static, they are DYNAMIC. They contemplate reasonable change as circumstances and conditions change. They can never sanction any custom that does injury or wrong to women. ***The Purdah system is not a part of the Islamic law.*** It is a custom of the court introduced after the Khilafat had degenerated from the true Islamic standard and, under Persian and Byzantine influences, had become mere Oriental despotism. It comes from the source of weakness to Islam not from the source of strength. The source of strength and of revival to Islam has always been the peasant's farm, the blacksmith's forge, the shepherd's hut, the nomad herdsman's tent. It was thence that fresh brains came to the schools, fresh blood to the throne, fresh vigour to the camp, not from the sort of people who enjoyed the *Purdah* system. Far better let the traces of a worn-out grandeur go. And if the Muslims in India happen to be poor and forced to work for a living, let them no longer feel ashamed to earn it in the way that Islam considers honourable – by cultivation of the land. No country can ever in truth be called a Muslim country of which the peasantry is non-Muslim. And Muslims settled anywhere without a peasantry are like a flower without a root – they cannot draw fresh vigour from the soil.

I do not ask for any violent or sudden change. Educate women in obedience to our Prophet's plain command, and, in the conditions of the present day, you will see this un-Islamic *Purdah* system vanquished naturally. It has nothing whatever to do with Islamic rules of modesty and decency for men and women. These will remain unshaken – nay, they will be greatly strengthened – if the education which you give to both men and women be a sound Muslim education.

The *Shari'ah* has nothing but benevolence for women – it favours their instruction and development. But it does not wish nor expect them to assimilate themselves to men.

Dr. Harry Campbell, lecturing before the Institute of Hygiene in London recently said, "Women have smaller lungs and fewer blood cells than men. In women, the vital fire does not burn so quickly. It is thus obvious that women are not adapted like men for a strenuous muscular life. Mentally, men and women differ in the realm of emotions rather than of intellect. Intellectually men and women stand somewhat upon the same footing. While genius is more common in the male sex, so also is idiocy." There is therefore spiritual and intellectual equality, and physical differences, precisely as the Islamic law recognizes. There is nothing in the *Shari'ah* to give ground for the false idea concerning women's position in Islam which had prevailed long ago and still prevails in Christendom. It is the spectacle of such a falling away from true Islamic standards like this, in India, which has led non-Muslims to declare that Muslims treat their women-folk like cattle, that Muslims hold that women have no souls.

It is true that the Western view of women and the problem of the sexes, differs radically from the Muslim view in some respects, but not in the ways that Europeans usually imagine it to differ, nor in the way in which the conduct of too many Muslims makes it seem to the superficial observer to differ. By acting against the teaching of the *Shari'ah* through ignorance - no Muslim worthy of the name would knowingly transgress the Sacred Law - we misrepresent Islam before the world; our witness against mankind becomes a false witness; and the damage to the faith is thus incalculable. Most Muslims in India seem to be utterly unaware that Islam has furnished them with high ideals and a system (with regards to relations of the sexes - i.e., ideals and a system that is well able to hold their own in argument as against the ideals and system, or lack of system) of the most modern and advanced of Western peoples. They [Muslim Indians] cling to wretched un-Islamic customs, which are both irrational and inhuman, as if Islam were left without an argument in face of the emancipation of the West. Islamic marriage is not a sacrament involving bondage of the woman to the man, but a civil contract between equals capable of being terminated at the will of either party, though more readily at the man's will for reasons which were very cogent at the time when it was instituted and still have weight today.

In India, many Muslims seem to have adopted Hindu ideals of the status of women in marriage, of widows remarrying and of inheritance, if all I hear is true. Again, I would impress on you the fact that the injunctions of the Sacred Law cannot be neglected with impunity by anyone; and

also that they are not static, but dynamic. They point the way and give the impulse in the right direction. They impose the limits which must be observed. They trace the path which must be followed, but the details at a given period must be evolved upon those lines, to suit the needs and circumstances of that period. Islam, the religion of human progress never aims at stagnation or retrogression or oppression or enslavement of the mind or body, but always at advance, at even justice, at emancipation.

It has been said that the Islamic view of woman is a man's view, while the Christian view of women is a woman's view. One might add that, seeing that Christendom was always ruled by men, the Christian view has never been translated into terms of fact, but has merely caused confusion of ideas in theory and many inconsistencies in practice. Devotees of the sentimental ideal of divine womanhood are apt to underestimate the human value of the Muslim standpoint, and to talk as if Islam had lowered the social and moral position of Eastern women, and caused their personal degradation, thus omitting altogether and taking into account the fact that a minority of Christian women are degraded to a depth which every good Mohammedan would appraise with horror while a large number are debarred from all fulfilment of their natural functions, which the Muslim regards as a great wrong.

The historical truth is that the Prophet of Islam is the greatest feminist the world has ever known. From the lowest degradation, he uplifted women to a position beyond which they can only go in theory. The Arabs of his day held woman in supreme contempt, ill-treated and defrauded them habitually, and even hated them. For we read in the Holy Qur'an:

"Ye who believe! It is not allowed you to be heirs of women against their will, not to hinder them from marrying, that you may take from them a part of that which you have given them, unless they have been guilty of evident lewdness. But deal kindly with them, for if ye hate them it may happen that ye have a thing wherein Allah hath placed much good." [Qur'an 4:19]

The pagan Arabs regarded the birth of girl babies as the very opposite of a blessing, and had the custom to bury alive such of them as they esteemed superfluous. The Qur'an peremptorily forbids that practice, along with others hardly less unjust and cruel. It assigns to women a defined and honoured status and commands mankind to

treat them with respect and kindness.

The Prophet said:

"Women are twin halves of men."

"When a woman observes the five times of prayer, and fasts the months of Ramadan, and is chaste, and is not disobedient to her husband, then tell her to enter Paradise by whichever gate she likes."

"Paradise lies at the feet of the mother."

"The rights of women are sacred. See that women are maintained in the rights granted to them."

"Whoever does good to girls (children) will be saved from hell."

"Whoever looks after two girls till they come of age will be in the next world along with me, like my two fingers close to each other."

**"A thing which is lawful, but disliked by Allah, is divorce."
"Shall I not point out to you the best of virtues? It is to treat tenderly your daughter when she is returned to you, having been divorced by her husband."**

"Whoever has a daughter and does not bury her alive, or scold her, or show partiality to his other children, Allah will bring him to Paradise."

The whole personal teaching of the Prophet is opposed to cruelty, especially towards women. He said: **"The best of you is he who is best to his wife."** Innumerable are the instances of his clemency in his recorded life. He forgave the woman who prepared a poisoned meal for him, from which one of his companions died, and he himself derived the painful, oft recurring illness which eventually led to his death. The Qur'an also on a hundred pages declares forgiveness and mercy to be better than punishment, whenever practicable. That is to say, whenever such forgiveness would not constitute a crime against humanity in the political sphere, or whenever, in the case of private individuals, the man or woman is capable of real forgiveness, banishing all malice, then is the best course, otherwise the evil would recur in aggravated form.

The Muslim view of women has been so misrepresented in the West that it is still a prevalent idea in Europe and America that Muslims think that women have no souls! In the Holy Qur'an no difference whatsoever is made between the sexes in relation to Allah; both are promised

the same reward for good, the same punishment of evil conduct.

"Verily the men who surrender (to Allah) and women who surrender, and men who believe, and women who believe, and men who obey and women who obey, and men who are sincere and women who are sincere, and men who endure and women who endure, and men who are humble and women who are humble, and men who give alms and women who give alms, and men who fast and women who fast, and men who are modest and women who are modest, and women who remember (Him), Allah hath prepared for them pardon and a great reward."
[Qur'an 33:35]

It is only in relation to each other that a difference is made - the difference which actually exists - difference of function. In a verse which must have stupefied the pagan Arabs, who regarded women as devoid of human rights, it is stated:

"They (women) have right like those (of men) against them; though men are a degree above them. Allah is Almighty, All-Knowing." [Qur'an 2:228]

In Arabia, the lot of poor widows was particularly hopeless prior to the coming of Islam. The Holy Qur'an sanctions the remarriage of widows. It legalizes divorce and marriage from another husband, thus transforming marriage from a state of bondage for the women to a civil contract between equals, terminable by the will of either party (with certain restrictions, greater in women's case for natural reasons, intended to make people reflect seriously before deciding upon separation) and by death. The Holy Prophet, when he was the sovereign of Arabia, married several widows, in order to destroy the old contempt for them and to provide for them as ruler of the State.

This brings me to the old vexing question of polygamy. All Arabia was polygamous, or rather I should say, all Arabia recognized no legal or religious limits or restrictions to the treatment of women by men before the coming of Islam. Islam imposed such limits and restrictions which transformed society. Fault is found with our religion by most Western writers because it does not enjoy strict monogamy. Also the very mission of Muhammad (may God bless and keep him!) has been

questioned merely because he had several wives. I would like to point out that there is no more brighter example of monogamous marriage in all of history than the twenty-six year happy union of our Holy Prophet with the lady Khadijah. But that happy union was exceptional, and one might even claim that a happy marriage is exceptional, and that if our Prophet had had only that one experience, his usefulness as an example to mankind would not have been less. However, not only did he furnish an example of a perfect monogamous marriage, but he also furnished an example of a perfect polygamous marriage. He provided the perfect model of behaviour to mankind. Now the vast majority of men in those days were polygamists, and I really do not know that they have ceased to be so.

People sometimes talk as if polygamy were an institution of Islam. It is no more an institution of Islam than it is of Christianity (it was the custom in Christendom for centuries after Christ) but it is still an existing human weakness to be reckoned with, and in the interests of men and women (women chiefly), to be regulated. Strict monogamy has never really been observed in Western lands, but for the sake of the fetish of monogamy, a countless multitude of women and their children have been sacrificed and made to suffer cruelly. Islam destroys all fetishes, which always tend to outcast numbers of God's creatures. In Europe, side by side with woman worship, we see the degradation and despair of women.

The Islamic system, when completely practised does away with the dangers of seduction, the horrors of prostitution and the hard fate which befalls countless women and children in the West, as the consequence of unavowed polygamy. [4] Islam's basic principle is that a man is held fully responsible for his behaviour towards every woman, and for the consequences of his behaviour. If it does away likewise with much of the romance which has been woven round the facts of sexual intercourse by Western writers, the romance is an illusion, and we need never mourn the loss of an illusion.

Take the most widely read modern European literature, and you will find the object of man's life on earth is depicted as the love of women (i.e., in the ideal form as the love of one woman, the elect, whom he discovers after trying more than one). When that one woman is discovered, the reader is led to suppose that a "union of souls" takes place between the two. And that is the goal of life. That is not common sense - it is rubbish. But it is traceably a product of the teaching of the Christian Church regarding marriage. Woman is an alluring but

forbidden creature, by nature sinful, except when a mystical union, typifying that of Christ and his Church has happened, thanks to priestly benediction.

The teaching of Islam is completely different. There is no such thing as union of two human souls, and those who spend their lives seeking it will go far astray. Sympathy, more or less and loves there may be. But every human soul is solitary from the cradle to the grave unless and until it finds its way of approach (*wasilah*) to Allah. It is free and independent of every other human soul. It has its full responsibility, must bear its own burden and find its own "way of approach" through the duties and amid the cares of life. There is no difference between a woman and a man in this respect. In marriage, there is no merging of personalities – each remains distinct and independent. They have simply entered into an engagement for the performance of certain duties towards each other, an engagement which can be hallowed and made permanent by mutual regard and love. If that regard and love is not forthcoming, the engagement should be terminated. Marriage is not a sacrament (of mystical value in itself) nor is it a bondage. It is a civil contract between one free servant of Allah and another free servant of Allah. Allah has ordained between them mutual love, has clearly defined their rights over one another, and has prescribed for their observance certain rules of honour and of decency. If they cannot feel the love and fear they may transgress the rules, then the contract should be ended. The woman retains her own complete personality, her own opinions and initiative, her own property and her and her own name, in the case of polygamous or in the case of monogamous marriage. And in the case of polygamous marriage, she can claim her own establishment. It therefore does not matter greatly from her point of view whether monogamy or polygamy be the prevailing order of society.

The quasi religious objection to the mere mention of polygamy to be met with in Europe today is owing to a preconception with regard to marriage as a sacrament, a union in which a woman makes the sacrifice of her identity. Monogamous marriage remains, as it has always been, the ideal of Islam but it is recognized as an ideal only, which it really is. In practice, strict monogamy can be the cause of much unhappiness and also of some serious social evils, which I have already mentioned. The law of Islam aims for a happy marriage, so allowances are made for known human tendencies, and divorce is made quite easy where unhappiness can be shown to be the result of a particular marriage. This facility of divorce,

which was not in the original Western code of monogamy, has now been introduced on grounds of reason and humanity in most Western countries. Often involved with this in the west is great deal of publicity and scandal as to be almost a social evil in itself. This is certainly not the case with the Islamic method of divorce. I might add that a happy marriage is not rare among Muslims like it is among the people of the West.

Polygamy is not an institution of Islam. It is an allowance made for ardent human nature. The Qur'an does not enjoin it, but recommends it in certain circumstances as better than leaving women helpless and without protectors. Permission is contained in the following verses, revealed at a time when the men of the small Muslim community had been decimated by war, and when there were many women captives, some with children clinging to them:

"Give unto the orphans their wealth. Exchange not the valuable for the worthless (in your management thereof) nor absorb their wealth in your own wealth. Verily that would be a great sin. And if ye fear that ye will not deal fairly by the orphans, then marry of the women (i.e., their mothers) who seem good to you, two or three or four; and if ye fear that you cannot do justice (to so many) then one only or (of the female captive) whom your right hand possess. That is better, that ye stray not from the path of justice. And give unto the women (whom ye marry) free gifts of their marriage portions; but if they, of their own accord, remit to you a part thereof, then ye are welcome to absorb it (in your wealth)."
[Qur'an 4:2,3]

This passage cannot by any stretch of the imagination be made to fit in with the view so often ventilated by opponents of Islam. Polygamy is little practised in the Muslim world today, but the permission remains there to witness to the truth that marriage was made for men and women, not men and women for marriage.

Islam holds a man absolutely responsible for his treatment of every woman. Responsibility and decency are the pillars of Islamic ethics, and the arch which they support admits to liberty - the utmost liberty compatible with human happiness and welfare. The freedom of the West, in this respect, seems to us Muslims to have passed the bounds of decency and this brings us to another much disputed point - the separation of the sexes.

If it is true, as life experience suggests (and the advocates of woman's rights in Europe and America are never tired of declaring that women's interests are separate from those of men) that women are really happier among themselves in daily life, and are capable of progress as a sex rather than in close subservience to men, then the Islamic rule which makes the woman the mistress in her sphere does not discord with human nature. While every provision is made for the continuation of the human race, and while the relation of a woman to her husband and near kinsfolk is just as tender and as intimate as in the West, the social life of women is among themselves. There is no 'mixed bathing,' no mixed dancing, no promiscuous flirtation, no publicity. But according to the proper teachings of Islam, there ought to be no bounds to woman's opportunities for self development and progress in her own sphere. Therefore, there is nothing to prevent women from becoming doctors, lawyers, judges, preachers and divines, but they should graduate in women's colleges and practice on behalf of women.

Women may have their own great athletes, lawyers, physicians, scientists, and theologians; and no true Muslim would withhold from them the necessary means of education in accordance with the Holy Prophet's own injunctions. But if this very hopeful precedent for human progress is to be explored successfully, there must be no mere sycophantic aping of the West, for the Western aspect of the question of feminine emancipation is quite different from the aspect which it bears among Islamic peoples. Women of the West have had to agitate for themselves in recent years for simple legal rights, such as that of married women to own property, which has always been secured for women in Islam. They have had to wage a bitter fight to bring to the intelligence of Western men the fact that women's interests are not identical with those of men (a fact for which the Sacred Law makes full allowance.) Women in the West have had to agitate in order to obtain recognition of their legal and civil existence, which was always recognized in Islam. They now have their own separate clubs, which a Turkish lady visitor described as their '*haram*' or '*Zenana*' quarters which Muslim women in the central Muslim countries have always had in fact if not in name. Therefore, they started from a totally different point from that which the Muslim women start. Their men secured the rights of women in Islam, and men will champion and secure what further rights they may require today in order to fulfil the spirit of the *Shari'ah*. In this emancipation, there will be no strife between the sexes. Therefore there is really no analogy with the case of women in the West.

An objection is occasionally raised about the Islamic system on the grounds that the parents often choose a husband for the girl, who ought to be allowed to choose for herself. That social custom is not peculiar to Islam for it is actually the custom in many European countries as well as all countries and among all peoples where, it would be agreed that, a young girl who chose a husband of whom her parents disapproved would be courting disaster. On the other hand, no Muslim parent would ask his daughter to remain with a man whom she disliked. She would be taken home again. In Turkey, for example, where the circle of a grown-up girl's male acquaintances had been enlarged so as to include relations of a marriageable degree, the daughter of a friend of mine informed her father that she wished to marry Fulan Bay. Her father said: "*Pek İyi* (all right!) but you clearly understand that if you break through one old custom, you break through all old customs which depend on it. If you marry Fulan Bay, of whom I do not approve as a husband for you (remember I know something of men that you do not) you cannot come to me in the case of a disagreement and divorce, for I shall not receive you as I should be bound by law and custom to do, if an unhappy marriage had resulted from my choice for you. Take what I can give you with my blessing, and go your way." The girl gave in, deciding to be guided by her father's knowledge and experience.

When Muslims think of feminine emancipation, the Islamic ideal must always be kept in sight or they will go astray after something which can be no guide to them. And at the same time we must remember - I say it again - that the rules laid down by the Sacred Law itself, the law of kindness, is greater than the rules laid down at any period, that woman's rights increase with her responsibilities. The Law of Islam for women as for men, is justice, the goal of Islam is universal human brotherhood, which does not exclude, but must include, the goal of universal sisterhood as well. That goal can never be attained while the position of women is what it is today in the East or West.

Appendix A

In the West, many things are done by mutual consent of the people involved despite the seriousness of the evil involved in these acts. For instance, all kinds of illicit sexual relationships are made simply with the excuse of consensual fornication and adultery. Islam is extremely repulsed by such an approach to the very serious crimes of fornication and adultery. For the consent of the parties does not attenuate its gravity. The Prophet had so greatly

succeeded in developing justice and self-criticism among his companions that they preferred the severest public punishment in this world to the one in the Hereafter; and they presented themselves voluntarily before the Prophet, to confess their sins and submit themselves cheerfully to the legal sanctions. Outside confession, it is always very difficult to prove illicit sexual relations if the parties were willing. In order to diminish the temptation, Islam has taken other precautions also: prohibition of promiscuity, of easy and unsupervised meetings between the young of opposite sexes if they are not near relatives, and even the recommendation of the veil to cover the face of the woman if she goes out in the street or meets strangers. Far from attracting the gaze of amorous strangers by her coquetry, it is the duty of a Muslim woman to reserve her beauty and her attraction only for her husband. The veil has other advantages also for the woman. One knows the great difference between the exterior of those women who work in the fields, for instance, and of those who are not exposed to the sun. One knows also the difference between the outer and inner feathers of a bird. In fact the veil preserves for a longer time the charm and freshness of the skin. One can see that plainly on comparing the skin of the face or hands with that of other parts of the body which are habitually covered. The veil does not at all signify seclusion, but it does diminish the temptation that would attract strangers. It is abusing the credulity of the simpleton to make-believe that covering the face with a veil generates tuberculosis. This disease is as prevalent among people where womenfolk never use the veil, not only in Black African, but even in the most highly developed societies from Finland to Italy, as the latest research has brought to light. In passing, it may be mentioned that there is no legal penalty for the neglect of this Quranic recommendation.

Marmaduke Pickthall was a British Muslim convert who was well-known for his highly regarded English translation of the Qur'an.

Notes

[1] Equality of Rights – The March 1972 Equal Rights Amendment reads thus: "Equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex." This Amendment was passed in Congress but has since failed to be ratified by the June 30, 1982 deadline. It had only been ratified by 35 of the 38 necessary states required by law. Consequently it has yet to become an Amendment to the American Constitution.

[2] Fateha – The *Fateha* is the first *Sura* [chapter] of the Holy Qur'an and is recited several times in all five of the daily obligatory prayers (service of worship) of a Muslim.

[3] Kalima – The *Kalima* is the Muslim Creed : "*La illaha ill Allah; Muhammad-ar-Rasul-Allah*" There is none worthy of worship, except God; Muhammad is His Messenger.

[4] Polygamy – The Western form of 'polygamy' (adultery) grants no rights to women whatsoever.