

# Practical Depiction of Gender Equality in Fiqh ul Seerah Perspective: An Analytical Assessment

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## Abstract

“Gender equality” is certainly not another concept, this approach had been advocated in Islam, based on principles of equity and universal justice. Equality of rights are discussed in detail in shari‘ah (Islamic Law) and Holy Prophet Muhammad (ﷺ) had implemented them during his sacred era. Because the Qur'an and the Seer'ah of the Holy Prophet Hazrat Muhammad (ﷺ) is a permanent phenomenon of practice and guidance. According to the shari‘ah men and women without any discrimination are equal before Allah, and women had granted their rights in inheritance and property, social and marriage rights, not aforementioned only, women also have the right to perform civic and administrative duties. From last few decades the concept of gender equality has increased and becoming chicer and trending on the international level. This study emphasizes the equal status between men and women, described in shari‘ah (Islamic Law; based upon Qur'an and Hadith mainly). This concept has often been misunderstood by the majority of society as a direct result of ignorance on how Islam perceives this concept. Not surprisingly, throughout the history of Islam indicates the prominent role has played by Muslim women played every walk of life. Therefore, the present research has discussed the gender equality in fiqh ul seerah perspective and has provided the detailed interpretation in the light of derived Law from actions and decisions taken by the Holy Prophet (ﷺ), along this the study also sheds lights upon the implementation of these gender-based rights during most sacred prophetic era and during the period of righteous caliphate as well.

**Key Words:** shari‘ah (Islamic Law), Gender equality, equity, Women Rights

## Introduction

*Sharī‘ah* (Islamic law) provides a comprehensive legal structure that governs various aspects of a Muslim's life at both the individual and collective levels. *Ibn-e- qayyīm* states, that Allah has clearly mentioned in his *sharī‘ah* (Islamic law) that the principle objective of his *sharī‘ah* is to establishment of justice among his

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mankind, therefore, whichever path leads to injustice and unfair dealing and behavior, or would oppose the justice among his people has no part and space in the religion.<sup>1</sup> Hadith of Holy Prophet (ﷺ) holds a great place and value as it is considered to be the first step and foremost interpretation of the *Holy Qur'an*. Doubtlessly, men and women are the backbones of human civilization and both play their due roles in society. In the present era, women are found engaged in every walk of life. Their potential was appreciated in the fields of education, research and medical for long but now they have also got prominence in fields like army, politics, games, culture, economy, engineering and even avionics. Woman of the modern era is now a good mixture of a conscious wife, affectionate and educated mother and an active worker by increasing her importance and status through achievements in all walks of life.

Therefore, in Islamic history, we have numerous examples of gender equality in the sacred texts of Islam, Qur'an, and Hadith (sayings and actions of the Prophet (ﷺ)). According to the Qur'an, the creation of opposite genders is a matter of reflection and a divine scheme. The Quran says in this regard that:

وَمِنْ كُلِّ شَيْءٍ خَلَقْنَا زَوْجَيْنِ.<sup>2</sup>

In an other place, The Quran says that Good deeds and actions of all humans regardless of their gender will be rewarded:

مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ اُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ.<sup>3</sup>

The Qur'an describes women and men as a spouse are as dress or attire for each other because of their intimacy:

هُنَّ لِبَاسٌ لَّكُمْ وَأَنْتُمْ لِبَاسٌ لَّهُنَّ<sup>4</sup>

The Qur'an has given instructions to both (husband and wife) to remain kind and modest. The Quran says in this regard that:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذٰلِكَ اَزْكٰى لَهُمْ اِنَّ اللّٰهَ خَبِيرٌ بِمَا يَصْنَعُونَ. وَقُلْ لِلْمُؤْمِنٰتِ يَغْضُضْنَ مِنْ اَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِيْنَ

زِيْنَتَهُنَّ اِلَّا مَا ظَهَرَ مِنْهَا.<sup>5</sup>

These are the divine teachings that promote the concept of equal partnership between men and women. The Qur'an has declared without any discrimination of gender (male or female) the deeds of righteousness would be judged and equally rewarded and not the least injustice will be exercised with them:

وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ وَلَا يُظْلَمُونَ نَقِيرًا<sup>6</sup>

. Therefore, Men and women ant distinction enjoy the equality of rights in every domain of life. Quran says that:

لَا أُضِيعُ عَمَلَ عَامِلٍ مِّنْكُمْ<sup>7</sup>

"I shall not lose sight of the labor of any of you who labors"

Holy Qur'an has introduced a unique and dignified theory that removed all the ancient burdens of humiliation and degradation from womanhood, for instance in the above-mentioned verse clearly states that the righteous believers either they are men or women would be awarded equally regarding forgiveness without any decimation. According to the historical evidence before Islam women were treated like animals by Arab pagan, even they deprived of basic right to let alive because she would be buried alive. Now it is much surprising for them that now women are as respectful as themselves and also have similar rights which they had enjoyed and their women would now be treated equally in rewards and in divine guidance.

The Qur'an has mentioned the creation of male and the female in many verses like:

فَجَعَلَ مِنْهُ الزَّوْجَيْنِ الذَّكَرَ وَالْأُنْثَىٰ. ۚ وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَىٰ كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا<sup>8</sup>

Prophet (ﷺ) had declared during his Last Sermon that man and women have certain rights on each other, and had advised to men to treat the women well and be kind to them because women are your counterparts and loyal helpers.<sup>10</sup>

"Men, however, have an advantage over them."<sup>11</sup> In this verse, the Qur'an alludes to man's prevalence by the excellence of his duty of assurance and support of women and the satisfaction of their rights. No

doubt, nature has made the male stronger, progressively capable and more passionate with ordinary issues of life. The social structure of Islam depends on a family framework that would be secured whenever made subservient to regular order and natural discipline:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ<sup>12</sup>

“Men are guardians and managers over women.”

The “Qawwam” is an Arabic word which utilized in this Verse signifies support, supervision, and insurance as per Arabic use. Intact, the connection between rights and obligations in Islam is complementary and can't be compartmentalized. No doubt, man has been made progressively capable regarding the execution of social and financial commitments. The woman's Support is the fundamental obligation of man in Islamic Law. At no place has this obligation been put on the woman. A woman has been liberated from the responsibilities of social, political and monetary duties. In fact, they have been given more opportunities than men under specific principles and controls and the open doors for a woman to profit by them are more than those appreciated by men.

However, the woman had not burdened the financial and budgetary obligations of the family. It has soundly been set on the shoulders of man; he is dependable to guarantee the satisfaction of the privileges of a woman despite the fact that she might win herself. It isn't her obligation to hold up under the financial responsibility of a family. But with her own choice if she earns her own money to which man can't claim some authority legitimately. Nevertheless, it will be a demonstration of generosity on part of a woman she spends on the prosperity of her children to help her husband to ease his financial burden. In any case, regardless of whether she likes to earn her own money or dislikes, in both cases, she has been given the assurance of whole economic maintenance and support and man is completely responsible for it. The main issue behind this discussion about gender equality is its misinterpretation, that people consider this debate regarding religious perspective, it would not be understood under the umbrella of religion because religion had provided them all rights similar to men many centuries ago, now the fault, issue, and error falls in

cultural, economic and social system of societies which had not honestly implemented specific rules, and had deprived the women of proper provision of her rights. Therefore, it would be a class-based issue rather than it would be blamed for faith-based. Not surprisingly, if Islam would be against the gender equality then how five women would be encouraged and selected to become prime ministers in various countries of the Islamic world. Now it indicates the real face of Islam toward gender equality. In short, according to Islam women have an equal status like men. There is no difference between rights and rewards of males and female but men and women have separate responsibilities. A woman has invited roles to play. She has a share in legacy. She is free from financial earnings but can be a career woman after following some limitations. Family issues are temporary and solvable if she is careful about her responsibilities in family.

### **Social, Religious, Intellectual, Administrative and Economic activities during Prophetic Era**

It has appeared since the commencement of Islam that women participated in the First and Second Bayat al-Uqbah. Moreover, it was Mother of believers, Khadija (R.A.), the spouse of our Holy Prophet (ﷺ) who was the first to trust in, support and solace our Prophet (ﷺ). It was Sumayya (R.A.) who was among the first to be martyred maintaining Islam.<sup>13</sup> Imam Bukhari had narrated that Rabiyya (R.A.) the girl of Mu'awadh (R.A.) as saying: "We had participated in the Gazwat (battles) with the Prophet (ﷺ). We offered water to the warriors, served them, and brought the dead and injured to Medina."<sup>14</sup>

Umm Ateyya (R.A.), who belonged to Ansar, stated: "I accompanied the Messenger of Allah (ﷺ) seven times, guarding the camp, making the food, treating the wounded and caring for the sick".<sup>15</sup> Umm Sulaim (R.A.), the spouse of Abi Talha (R.A.), has narrated that she was carrying a dagger along with her during the battle of Hunain. At the point "when the Prophet (ﷺ) saw a dagger with me then asked about its purpose, then I replied to Prophet (ﷺ) that, I am carrying it for my safety purpose that I can guard myself against our enemies. The Prophet (ﷺ) did not preclude this".<sup>16</sup>

In throughout history of Islam Muslim women had not only avail the right to vote, they also had engaged in various important and administrative positions, for instance the second of Caliph of Islam Umar (R.A.) had appointed the in-charge of a bazaar to Shifa bint Abdullah (R.A.) for accountability and proper administration of markets. Shifa, (R.A.) was a sagacious and intellectually gifted woman, Umar (R.A.) always had preferred her opinion to that of others due to her wise and practical approach.<sup>17</sup> Samrah Bint Nashik Asadiyyia (R.A.) lived during the days of the Messenger (ﷺ) and was very aged. Whenever she had visited the Bazar, she advised the people to do good and refrain from every kind of evil. She also had a whip in her hand for those who would be found doing some anti-social or destructive activity.<sup>18</sup>

The third Caliph of Islam Usman (R.A.) had sent, Umme-e-Kalsum (R.A.) daughter of Hazrat Ali (R.A.) during his Caliphate on a ambassadorial visit to the court of Roman Empire in 28 A.H. When Umme-e-Kalsum (R.A.) had reached to the court with perfumes, drinks and the boxes for keeping women's stuff and with many other gifts, the Mistress of Hercules came to welcome her along the royal Roman ladies and she told to them: These gifts are from mistress of Arab's king and from their Prophet (ﷺ)'s daughter.<sup>19</sup>

No doubt, the Muslim women had significant contribution in every department of life and played a prominent role in multiple fields like art, literature, poetry, and even in political and administrative responsibilities. It is also important to highlight here that by living among the companions of Holy Prophet (ﷺ) who were much competent about religious matters and have deep knowledge of sacred texts, but many women were also an authority in that time in the narration of Traditions.<sup>20</sup> Particularly, during the sacred era of Holy Prophet (ﷺ) women played their significant part as *ḥadīth* transmitters and after Prophet (ﷺ) demise, many *saḥābīyāt* (female Companions) particularly the *ummahāt al mominīn* were viewed as vital custodians of big treasure of knowledge which they had obtained from Holy Prophet (ﷺ) also *ummahāt al mominīn* were consulted for guidance and instruction by the Companions of Prophet (ﷺ), to whom they appropriately transferred the great treasure of knowledge which they had received and derived from Prophet's (ﷺ) company, especially regarding the women related issues. They were specifically approached for facts and details concerning the

Holy Prophet (ﷺ)'s personal life after his sad demise. Nobody other than his (Prophet (ﷺ)'s wives were superior source about the aforementioned matters related to Holy Prophet (ﷺ)'s personal matters of life.

There are examples that women of the old era performed very well in the fields of trade, industry, farming, education, and the judiciary. Hazrat Sohail (R.A) quoted a woman who yielded cane in her fields. She used to serve Hazrat Sohail and other Companions of the Prophet (ﷺ) with the sweet prepared of cane whenever they used to visit her on Friday. Likewise, women asked from Holy Prophet (ﷺ) about business-related matters and also enquired guidance about other issues. Hazrat Abdullah Bin Masood (R.A.)'s wife was an artisan. Once she asked the Prophet (ﷺ) that she was an artisan and selling handicrafts through which she meets her financial requirements, as there was no other source of income of her husband and children. She sought guidance from the Prophet (ﷺ) whether she could spend her income on her family? The Holy Prophet (ﷺ) replied that whatever she would spend on them, she would be rewarded by Almighty Allah.

So, In the light of *fiqh al sīrah* it is concluded that under some unfavorable conditions, if a woman works hard in a dignified manner in order to support herself and her family instead of begging and becoming a burden on the society, it would not only be a source of pride for her but the woman will be rewarded on the day of judgment as well.

## **Women's Status Regarding Financial Responsibilities**

Islam has given the full financial status to women. She has the right, similarly that a man has availed, women can possess all types of wealth whether it is in the form of gold, silver, diamonds, assets, land or cash. *Sharī'ah* has given the right to women that they can spend her wealth anywhere (charity, to help the needy and poor, to build mosques, madrasas or hospitals, to gift her parent's relatives, etc.) according to her own will. So she can buy, sell, trade, barter, provide grants and loans, etc, and for this purpose, she is not bound to require the consent of any male either he is her father, husband, or brother. We have an important example in this regard and about foregoing discussion that *Umm al-Muminīn*, the wife of the prophet (ﷺ), *Maīmunah bint Al-Hārith* (R.A.) freed a girl born as her slave without asking for the Prophet's (ﷺ)

permission. When she referenced this to him he stated: 'In the event that you had offered her to your maternal uncle as a blessing, your reward (with Allah) would have been more noteworthy.'<sup>21</sup>

This is further emphasized in Qur'an:

وَلَا تَتَمَنَّوْا مَا فَضَّلَ اللَّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ لِّلرِّجَالِ نَصِيبٌ مِّمَّا اكْتَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا اكْتَسَبْنَ.<sup>22</sup>

“For men is a share of what they have earned, and for women is a share of what they have earned”

Foregoing discussion about women's rights, an eminent scholar *Badāwī* has argued, "it ought to be expressed first that Islam regards her role in the society as a mother and a spouse as the most sacred and fundamental." *Badāwī* has proclaimed about the role of women that it is most noble vivid and vital for shaping and formation of the future of any nation, and it is impossible for someone to deny from this reality. However, he acknowledged that there is also not a single edict inculcated in Islam which prohibited the women from looking for business or employment, "particularly in positions which fit her temperament and in which society needs her most." Then *Badāwī* has offered a list of noble professions, which incorporate nursing and educating the students,<sup>23</sup> and a woman likewise holds the situation of a judge. It must be noticed that a woman's income, as indicated by Islam, remains totally hers, regardless of whether through legacy, employment or through. Nobody including her father and her husband can make any guarantee on it. Moreover, independent of her income, it is the obligation of her husband or father to manage the cost of her own and family unit costs.

The men have been made bound to look after the financial requirements of women. Women have been given shares in the property of the father, brother, son and husband, etc. No doubt, Qur'an has declared that both men and women have some rights upon each other.<sup>24</sup> This theory represents that those rights enjoyed by men are in fact the duties of the women and the duties of men are in fact the rights of women. Therefore, both men and women are not at different levels. Both can enjoy equally to avail the opportunities in all walks of life and varying backgrounds. Ms. Susan B. Anthony, a US activist of women's

rights during the 18th century, was captured for casting a ballot 1872 during Presidential elections and was fined \$100 because in light of the fact that she didn't have the privilege of suffrage. She raised this standpoint in the light of the accompanying arrangements of the preface of the American Constitution that woman is additionally an entire individual intrinsically who ought to appreciate every protected right. Then after long heated debate and hard struggles On July 4, 1919, they were given their right.

### **Women's Participation in Political and Administrative Affairs**

US activist of women's rights Ms. Susan B. Anthony, when during the eighteen century, was punished for casting a ballot during Presidential elections in 1872, and also was fined because according the law she had no privilege of suffrage. "She raised this standpoint in the light of the accompanying arrangements of the preface of the American Constitution that woman is additionally an entire individual intrinsically who ought to appreciate every protected right. Then after a long heated debates and hard struggles On July 4, 1919, the American Congress received nineteenth Amendment Bill to the American Constitution which expressed: Article IXX: The privilege of residents of the United States to cast a ballot will not be denied or compressed by the United States or by any state by regarding gender."

Until 1920 women in the United States were not allowed to cast their vote or right of suffrage, and after some amendments into the Constitution, the women were given right of suffrage and on Feb 7, 1848, the France Government had recognized it mandatory to the provision of Education, Employment and Universal Suffrage right. But finally, after a long hundred years struggle the women had granted the right to vote in 1944. Just New Zealand is that country, which had provided the right of suffrage to women in 1893.

But in Muslims history, we have found quite opposite situation from above, particularly only by keeping continue the aforementioned debate we have found the Suffrage right to women from very early in the Islamic era, and not surprisingly its practice had started since the beginning of Islam. For example:

According to the *sīrah*, of Holy Prophet's (ﷺ) about consulting Umm-e-Salma (R.A.) during the Treaty of Hudaibiya denotes the principle of holding consultation with women of sound judgment.<sup>25</sup> The rightly guided Caliphs (R.A.) continued after this suggestion given by the Holy Prophet (ﷺ).

Once the Umar (R.A.) had accepted the opinion of women regarding amount of Mehr, according to Umar (R.A.) the amount of Mehar should be reduced because its high amount caused trouble to get married to those who are low in income then others but a woman had strongly opposed this decision, and Umar (R.A.) has no answer to argue to that woman because her argument was also according to the sacred law and Umar (R.A.) had said that a woman had argued with me and she had better understanding and perception comparatively that I had perceived.<sup>26</sup> And in another tradition, it is mentioned that Umar (R.A.) acknowledged that a woman said the right thing and the man committed a mistake.<sup>27</sup>

The marriage bond is an institution that is a complicated one. As per Islamic Law, women can't be compelled to wed anybody without their approval. It was reported by Ibn Abbas (R.A.) that a girl visited the Holy Prophet (ﷺ) and she had complained about her father that he had intention without her consent to marry her forcefully. The Prophet (ﷺ) gave decision in her favor.<sup>28</sup> In another interpretation, the young lady stated: "Really I acknowledge this marriage however I wanted to tell women that guardians have no right (to compel a husband on them)" In another interpretation, the young lady stated: "Really I acknowledge this marriage however I needed to tell ladies that guardians have no right (to compel a spouse on them)"<sup>29</sup>

### **Women's Rights Regarding Marital Affairs and Conjugal Relationship**

Moreover, according to Islamic teachings man is as responsible as woman to sustain the marital bond, for instance when *Hadrat 'Alī* (R.A.) revealed his intention to marry *Hazrat Fātima* (R.A.) the Holy Prophet said<sup>30</sup> "I marry her with you on the condition that you would behave with her in kindness", Therefore, good conduct with wives is regarded as the foundation of marital relationship for which men are advised to treat with their wives with kindness.<sup>31</sup>

There are many instances found in the very initial period of Islam when women exercised their divorce right for different reasons and Holy Prophet (ﷺ) himself approved and allowed it effective without care the consent of the husband, the authentic reasons which can pave the right to exercise *khula'* for Muslim women are described as follow:

In the light of *sharī'ah* (Islamic Law) marriage would not be

considered valid without approval and the woman's consent as well. No doubt, it is strictly forbidden and has considered injustice with the women in the light of *sharī'ah*, and that marriage will be considered substantial in the light of *sharī'ah* which passes endorsement, acknowledgment, and assent of the women. If marriage of a Muslim woman is arranged by against her will then she has given by absolute right to revoke it by exercising her divorce right as Holy Prophet (ﷺ) canceled these marriage contracts himself: For instance Abdullāh ibn Abbās has Narrated that girl has visited the Holy Prophet (ﷺ) and complained about her father who had married her forcefully, without considering her will, then Holy Prophet (ﷺ) has given a permission to her to do what she wants.<sup>32</sup> Another example in this reference is narrated by "Mujamma' bin Yazīd Al-Ansārī that a man who was called Khidam has arranged a marriage for his daughter against her daughter's will, and his daughter went to the Prophet (ﷺ) and complained about this marriage then Holy Prophet (ﷺ) has nullified the marriage *arranged by her father*".<sup>33</sup> Another quite similar example is also narrated by 'Aishāh

34

If the husband of Muslim woman is repulsive (by any reason) to her to that extent that she finds it difficult to bear and remain with him then exercising *khula'* is lawful in Islam instead of unpleasant continuity of conjugal relationship, the sacred text of such dissolution is found in fragments which are arranged as follow when wife of *Thābit bin Qayīs* (R.A.), who was among the companions, said to the Holy Prophet (ﷺ): "*O Prophet of God nothing can bring me and him together. When I raised my veil, he was coming from the front with some men. I saw that he was out of them of the shortest and ugliest. I swear by God that I do not hate him because of any defect in him, religious or moral, but I hate his ugliness. I swear by God that if it was not of fear of God I would have spit at his face when he came to me. O Prophet of God, You see how beautiful I am, and Thābit is an ugly person, I don't blame his religion or his morals but I feel heresy in Islam. On that Prophet (ﷺ) said to that woman would you return that garden given by your husband (as a Mehar)? she became agree to return that garden.*" Then Holy Prophet (ﷺ) separated them in returning the garden to *Thābit*."<sup>35</sup>

According to the sharī'ah (Islamic Law), Physical assault and torture is another authentic reason by which a Muslim woman can get rid of her husband: for instance, it has narrated by 'Aisha (R.A.), 'Ummul Mu'minīn that Thābit ibn Qayīs had tortured the Habībah (daughter of Sahl) who was his wife. So she did complain to the Holy Prophet (ﷺ) about her husband. Then Holy Prophet (ﷺ) has separated them.<sup>36</sup> According to Islamic Law, it is mandatory for the husband to fulfill the basic economic needs of his wife and if he either neglects to maintain his wife or fails to maintain his wife, she becomes entitled to dissolve the marriage. Abū Huraīrah had narrated a hadith that maintenance from husband's side to his wife is mandatory,<sup>37</sup> and On the base of Abū Huraīrah's opinion, Muslim jurists derived a principle through the reasoning that non-maintenance from husband's side entitled woman with the right to dissolve the marriage contract, if she desires.<sup>38</sup>

Impotency is another solid ground for obtaining *khula'*, a reason proved by a tradition when Abū Rukānah (R.A.) has divorced his wife and married another woman belonged to Muzayīnah tribe. She visited Holy Prophet (ﷺ) and indirectly mentioned about Abu Rukānah who was impotent with these words: He is of no utilization to me aside from that he is as helpful to me as a hair, and she took a hair from her head. So independent me from him. The Prophet wound up enraged. He approached Rukānah (R.A.) and his siblings. He at that point said to the individuals who were sitting close to him. Do you see so-thus who looks like Abdu Yazīd in regard to so-thus; thus who takes after him in regard to so-thus? They answered: Yes. The Prophet said to Abdu Yazīd: Divorce her<sup>39</sup>. It is instructive to mention here that Abū Rukānah was not impotent but prophetic (ﷺ) tradition provided us a strong reason regarding impotency that it can be a reasonable cause for demand about *Khula'*.

In the light of *Sharī'ah* (Islamic law), it has derived that man is given such status not because he is a man but for many responsibilities which are assigned him to perform and which are not laid upon women. Such phenomena cannot be comprehended until we understand an important law of nature which is described in the Holy Qur'an.<sup>40</sup> So the division of ranks is made not on the base of gender or design of creation, but on the quantity and intensity of responsibilities performed by

individuals and groups, and this is the *Qur'ānic* law of nature: 'More the Responsibility More the Status'.

## Conclusion

Islam gave the woman more recognition and freedom of choice regarding marriage, education, inheritance, etc. Islam believes in the equality of male and female and as a result in Islamic society woman has been enjoying a better status and position. In this article, a comparison of the role and status of a woman has been discussed. Relevant Hadiths and the examples from the lives of a companion of Holy Prophet (ﷺ) regarding the justification of women to work and how their rights to be protected, was discussed. The need of the hour is to create a protected environment for women to work with dignity, without the fear of harassment and abuse which will, in turn, bring higher productivity and better quality of life at work. Society would face injustice, deprivation, economic and social inequality and would encounter many other evils and issues if there is an absence of gender equality. In the life of above-detailed discussion, by the example of Prophetic era and the era of the righteous caliphate and further historical data of Muslim's world, it has proved that Islam great supporter of gender equality in whole domains of life, either it is social, economic, administrative, civic or religious.

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- <sup>13</sup> Ibn Saad, al-Tabqat al Kubra, vol, 3: 33
- <sup>14</sup> Al- Bukhari, Muhammad bin Ismael, Al-Jāmi' Al-Sahīh, Fighting for the Cause of Allah (Jihad),Chapter: The bringing back of the wounded and the killed by the women, Hadith No: 2883
- <sup>15</sup> Muslim Bin Hajaj, Al-Jāmi' Al-Sahīh The Book of Jihad and Expeditions, Chapter: Women participating in military expeditions with the men,, Hadith No: 1812
- <sup>16</sup> Ibid, Hadith No: 1804
- <sup>17</sup> Ibn Hazm, al-Mahalla, 9:429
- <sup>18</sup> Ibn Hajar al-Asqalani, 4:335.
- <sup>19</sup> Tabari, Tarikh al-Umam wal-Muluk, 2:601.
- <sup>20</sup> Ibid, 4:260; Ibn Abd al-Barr, al-Istiab in the margin of al-Isaba, 4:335.
- <sup>21</sup> 'Imām Bukhari, Al-Jāmi' Al-Sahīh, Book of Gifts, Chapter: A woman giving gifts to someone other than husband " Hadith No: 2592 Jāmi' al-bayān fi ta'wīl al-Qur'ān also known as Tafsīr al-Ṭabarī , vol. 15, p.78
- <sup>22</sup> Al-Nisa, 4: 32
- <sup>23</sup> Jāmi' al-bayān fi ta'wīl al-Qur'ān also known as Tafsīr al-Ṭabarī , vol. 15, p.78
- <sup>24</sup> Al-Baqara, 2:228
- <sup>25</sup> Ibn Hajar Asqalani, Fath al-Bari, ( Beirut: Dār al-al kutub al-'ilmiyya ,1999)6:275.
- <sup>26</sup> Abd ar-Razzaq, al-Mufannaf, ( Beirut: Dār al-Fikr,ND) 6:180 \*10420.
- <sup>27</sup> Ash-Shawkani, Nail al-Awtar , ( Egypt:Maktabah al-Safā' ,2006) 6:170.
- <sup>28</sup> Ibn Hanbal, Musnad Ahmad, Hadith No. 2469
- <sup>29</sup> Ibn Maja, The Chapters on Marriage, Hadith No. 1873
- <sup>30</sup> Muhammad Nāsir-ud-Dīn Albāni, Silsala Al-Ahād īs Al-Sahīha, (Riyādh: Maktaba Al-Mu'ārif,Lil-Nashar Wal-Tūzī' , 1995), No. 166
- <sup>31</sup> Al-Nisā' , 4:19
- <sup>32</sup> Abū Daw'ūd, Sunan 'Abī Daw'ūd,, Book of Marriage, Chapter: Regarding a Virgin Who was Married off by Her Father without Her Consent, Hadith No., 2098
- <sup>33</sup> ' Ibn Mājah, Sunan ' Ibn Mājah , Book of Marriage, Hadith No. 1873
- <sup>34</sup> 'Imām Nasā' ī, Sunan Al- Nasā' ī, Book of Marriage, Chapter: Father Marrying off a Virgin When She is Unwilling, Hadith No. 5390
- <sup>35</sup> 'Imām Bukhari, Al-Jāmi' Al-Sahīh, The Book of Divorce, Chapter: Al-Khula'' And How a Divorce is Given According to it, Hadith No. 4971
- <sup>36</sup> Abū Daw'ūd, Sunan 'Abī Daw'ūd,, Book of Divore, Chapter: Regarding Khul, Hadith No. 2230 [
- <sup>37</sup> 'Imām Bukhari, Al-Jāmi' Al-Sahīh, Book on Supporting the Family, Chapter: It is Obligatory to Spend for one's Wife and Household, Hadith No. 5040
- <sup>38</sup> Ibn Hajr , Fathul Bari Sharah Sahih Al-Bukhari. Beirut: Dār al-Fikr al-Mu'āsir, 1379Hj. Vol.9, p. 621

39 Abū Daw'ūd, Sunan 'Abī Daw'ūd., Book on Divorce, Chapter: The Abrogation of Taking Back a Wife After the Third Divorce, Hadith No.2198

40 Al-Ahzāb 33:72