

**A COMPARATIVE ANALYSIS BETWEEN WOMEN'S FREEDOM,
LIBERTY AND RIGHTS IN ISLAM AND WESTERN PERCEPTIONS**

By

Dr. Mukhtar Umar Dagimun
Department of Islamic Studies,
Faculty of Arabic and Islamic studies,
Usmanu Danfodiyo University, Sokoto
Gmail: dagimu2012@gmail.com
+2348139275365

Abstract

Islam accorded women the dignity, rights, freedom, liberty, respect and raised her status and gave her human, civil, social and economic rights. Islam granted woman all what she requires that cannot be found under any system. The purpose of this paper is to examine the position of Islam on women's freedom, liberty and rights in comparison with western perception. This study shows that even the western thinkers attested to the fact that Islam has laid down important principles that guarantee the rights of women which even the so called western notion of human rights did not offer them. This research clears the misconceptions by the west about the true position of women in Islam and what obtains in the western nations. Both Historical and analytical methods were used in compiling this paper.

Introduction

This research is a comparative analysis between the Islamic and the western provisions on the women's freedom, liberty and rights. It is pertinent to note that there has been serious debate and misconceptions in the west about the rights of women in Islam. They claimed to have provided women their rights and charge Islam for violating their rights. This trend by the west has been penetrating in the Muslim world to the extent that even some Muslims have been brainwashed and have joined the game of the day. It is based on this phenomenon that this paper is built at the end of which the reader will be able to differentiate clearly, between the white and the black. To achieve this objective, the discussion is divided into four sections apart from the introduction and conclusion. Section one defined the concepts, section two explains the concept of freedom, liberty and rights in Islam, section three examines Islamic provisions on the rights of women in comparison with the

west and finally section four highlights on some challenges and measures in form of recommendations to address them.

Definition of Terms

Freedom: The equivalent Arabic word for freedom is *al-Hurriyyah* from (حر يحر) (إذا صار حراً) which literally means liberty, independence, license, deliverance and unrestraint¹

Technically, freedom is defined as a sacrifice of individuals for the development of a good society by practicing justice. In other words, freedom is a mental condition or a condition of the spirit which means self control.²

Liberty: Liberty is another synonym for the word *Hurriyah* or freedom as defined above both literally and technically.

Rights: Literally means appropriate, suitable, proper, just, fair, equitable, equal, impartial, exact, accurate, perfect, precise, correct, among others. Technically, rights are prerogatives of a person assigned to him by law. It refers to a just and equitable proportion due for a person under the law.³

Women's rights therefore refer to those prerogatives and privileges conferred upon them by the law relating to all aspects of life. Their liberty or freedom means they have choices in making decisions either in line with or against the *Shari'ah*.⁴

Concept of Liberty, Freedom and Rights in Islam

The freedom in Islam is like authority which implies responsibility and accountability and provides the justification for the Day of Judgment. This is the clear message of Islam to whole mankind and there is no compulsion in religion. The right direction is hence forth different from error. Allah says in the Qur'an:

There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path. Whoever disbelieves in *Taghut* and believes in Allah, then he has grasped the most trustworthy handhold that will never break. And Allah is All-Hearer, All-Knower.⁵

Islam has clearly and categorically forbidden the primitive practice of capturing a free man,

to make him a slave or to sell him into slavery. The Prophet (SAW) said as follows:

There are three categories of people against whom I shall myself be a plaintiff on the Day of Judgment. Of these three, one is he who enslaves a free man, then sells him and eats this money.⁶

As far as human right in Islam is concern, human being is the most excellent creation of Allah. The Islamic Model of Human Rights can be understood in the following verse of the Qur'an:

Allah commands justice, doing good, and generosity towards relatives and He forbids what is shameful, blameworthy, and oppressive. He teaches you, so that you may take heed.⁷

Human rights in Islam stem from two foundational principles: dignity and equality. Dignity is a fundamental right of every human being merely by virtue of his or her been born as a man or a woman. Allah says in the Qur'an:

We have honored the children of Adam and carried them by land and sea; 'We' have provided good sustenance for them and favored them (specially) above many of those 'We' have created.⁸

Islam as a religion of peace is of the belief that everyone (all individuals) is equal in the eyes of Allah. The segregation of humanity into many races and ethnicities is a testament to the majesty and wisdom of Allah. Therefore, racial superiority and discrimination is prohibited in Islam. The Prophet (SAW) said:

All humankind is from Adam and Adam was created from dust. An Arab has no superiority over a Non-Arab, nor does a Non-Arab have superiority over an Arab, except by piety and excellence of moral character in the eyes of Allah.⁹

Islam protects the rights of all creatures including animals, insects, trees, and whatever one can think of. It protects the right of human being to life, among others.

Islamic Provisions on the Freedom, Liberty and Rights of Women in Contrast with Western Perception

As against what obtained in *Jahiliyyah* period, Greek, Roman and western nations, Islam has given women freedom, liberty and rights and honors her above all civilizations. To appreciate how Islam raised the dignity of women, a set of comparison with the *Jahiliyyah* and the west is drawn on some sensitive rights of women as follow:

Freedom of Right to Life

In *Jahiliyyah* period, women were considered as catastrophic in the society and a shame to the family. Consequently, they were killed and buried alive. Allah says in the Qur'an:

And when the news of (the birth of) a female (child) is brought to any of them, his face becomes dark, and he is filled with inward grief. He hides himself from the people because of the evil of that whereof he has been informed. Shall he keep her with dishonour or bury her in the earth? Certainly, evil is their decision.¹⁰

In the west, they instead legalized abortion in place of physical killing. They rejected polygamy for fear of burden and responsibilities of the children. They control family size by infanticide through abortion.¹¹

In Islam, killing of women folk and burying them a live was condemned and strictly prohibited. Allah says in the Qur'an:

And kill not your children for fear of poverty. We provide for them and for you. Surely, the killing of them is a great sin.¹²

Freedom of Right to own Properties

Before the emergence of Islam, women were considered as subject matter of inheritance. They were not allowed to own property but were rather considered part of the chattel to be inherited.¹³

In the west, the historical fact shows that women were prohibited to own property. It was in 1880 that in Europe, a law was promulgated known as “married women property Act” which gives the woman rights to own some specified properties.¹⁴ This means that for over 140 years, women in the west had been denied the right to own properties.

In Islam, women have full legal right to inherit the properties of the deceased provided the conditions are met as opposed to *Jahiliyyah* practices. Allah says in the Qur'an:

There is a share for men and a share for women from what is left by parents and those nearest related, whether, the property be small or large a legal share.¹⁵

In the same vein, women are allowed to inherit in different capacities as a wife, mother, sister, aunt, grandmother, among others. Details of this is provided in Surat al-Nisa' (Qur'an 4: 11, 12 and 176).

On the ownership of properties, women in Islam have equal right to personally own properties like men without restrictions. It is a confirmed fact in the history of Islam that Khadijah (RA), the wife of the Prophet (SAW) was blessed with wealth with which she supported the religion.¹⁶ Similarly, both man and woman in Islam can acquire and possess wealth in line with the dictate of the shari'ah. Allah says in the Qur'an:

But seek, with that (wealth) which Allah has bestowed on you, the home of the Hereafter, and forget not your portion of legal enjoyment in this world, and do good as Allah has been good to you, and seek not mischief in the land. Verily, Allah likes not the Mufsidun (those who commit great crimes and sins, oppressors, tyrants, mischief-makers, corrupts).¹⁷

In the above Ayah, Islam did not differentiate between man and woman. Anyone can lawfully acquire wealth provided the commandments of the *shari'ah* are observed. This is as opposed to the western practice.

Freedom of Right to Sanctity of Chastity and Privacy

In the Jahiliyyah period, women were treated as objects of entertainment. They danced naked in public gathering and some were forced for prostitution as a means of generating income for their masters. In the western nations, the emergence of lesbianism, gay system, blue films, phonograph, whatsapp and other social media platforms, the dignity of women were destroyed. Women were used as commercial objects of advertising goods and services in order to attract customers over the media and on almost every product such as soap, books, clothes, magazines, movie posters, electronics, and furniture, among others.¹⁸

On the other hand, it is only Islam that fully protects the right of sanctity and chastity of women and her privacy fully respected. Allah says in the Qur'an:

O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the way). That will be better, that they should be known (as free respectable women) so as not to be annoyed. And Allah is Ever Oft-Forgiving, Most Merciful.¹⁹

Similarly, defamation of her chastity is met with severe punishment. Allah says:

And those who accuse chaste women, and produce not four witnesses, flog them with eighty stripes, and reject their testimony forever, they indeed are the *Fasiqun* (liars, rebellious, disobedient to Allah).²⁰

This shows clearly chastity of woman and her dignity is fully protected in Islam.

Right of Woman as a Mother, Wife or Daughter

In Islam, a woman is highly respected as a mother. She has triple rights over that of a father. This is based on the Hadith of the Prophet (SAW) in which a man asked the Prophet (SAW):

A man came to Allah's Messenger (SAW) and said, "O Allah's Messenger (SAW) Who is more entitled to be treated with the best companionship by me?" The Prophet (SAW) said, "Your mother." The man said, "Who is next?" The Prophet said, "Your mother." The man further said, "Who is next?" The Prophet (SAW) said, "Your mother." The man asked for the fourth time, "Who is next?" The Prophet (SAW) said, "Your father."²¹

Similarly, Allah says in the Qur'an:

And We have enjoined on man (to be dutiful and good) to his parents. His mother bore him in weakness and hardship upon weakness and hardship, and his weaning is in two years give thanks to Me and to your parents ,unto Me is the final destination.²²

As a wife, one of the conditions for taking her in marriage is that, the *shari'ah* has made *sadaq* as an obligatory right for her and nobody. After the marriage, she is entitled to maintenance including shelter, clothes, foods, and medical care and she is not obliged to provide for herself no matter how rich she might be.

This law applies also even during *Iddah* when she is divorced before the expiration of her period. Allah says in the Qur'an:

Lodge them (the divorced women) where you dwell, according to your means, and do not treat them in such a harmful way that they be obliged to leave. And if they are pregnant, then spend on them till they deliver. Then if they give suck to the children for you, give them their due payment, and let each of you accept the advice of the other in a just way. But if you make difficulties for one another, then some other woman may give suck for him (the father of the child. Let the rich man spend according to his means, and the man whose resources are restricted, let him spend according to what Allah has given him. Allah puts no burden on any person beyond what He has given him. Allah will grant after hardship, ease.²³

As a daughter, it is her right to be morally trained educationally and religiously by her father. Thus; Allah promised Jannah for any father who is blessed with two or more daughters, gave them religious and moral training and give them out for marriage. The Prophet (SAW) said:

Whoever has three daughters and he cares for them, he is merciful to them, and he clothes them, then paradise is certainly required for him.²⁴

In the western nations, aged mothers are considered as burden to their children. They were normally been taken to a seclusion by their children where both old men and women are usually kept so that they do not disturb their children. They usually call it home care.²⁵

The above fact simply informs one of the higher respect and dignity accorded to aged parents in Islam as against what obtains in the west.

Right to Education

Women education is given much priority in Islam. The Prophet (SAW) made search for knowledge as an obligatory duty upon both male and female.

The Prophet (SAW) said: “Search for knowledge is an obligatory duty on every Muslim”²⁶

In case of women, her right to education rest on the shoulder of her husband, father or any other guardian. A'ishah (RA), the wife of the Prophet (SAW) was the most educated. The *Sahabah* (RA) used to acquire knowledge from her and at times they used to refer their disputes to her concerning any aspect of knowledge which she resolved amicably.²⁷ This shows how women education is given priority in Islam.

In the western nations, the first university established was the University of Calgona in 1088. The second university established was the University of Paris followed by the University of Oxford established in 1167. According to the history, since the establishment of these universities, women were denied of admission to study until in 1870 when they declared that women should be allowed to university education.²⁹ This means that for more than 700 years in the west before 1870, women were denied the right to education.

From the foregoing, one is made to understand how Islam treated woman, raised her status and confers upon her essential rights that the western nations ironically denied.

Challenges Facing Muslims

This study showed that Muslims in the modern age are facing a number of challenges from the west. One of these challenges is on the issue of women's freedom, liberty and rights. For instance, the United Nations has created what they called “International Day for the Elimination of Violence against Women” which they celebrate on 25th November every year.³⁰

The actual target of this celebration is to show to the world that Islam has violated the right of women. The worse part of the matter is that, they usually employ Muslim youths during the celebrations in order to advertize their ideologies at the public gathering and over the media channels.³¹

A careful study of their campaign shows that, they are indirectly using Muslims to criticize their religion themselves. Similarly, the campaign is another means of corrupting their minds to think and behave like the west. It is also a means of showing them that rape is violence against women while they allow *Zinah*, lesbianism, homosexuality and gay system provided is based on consent between the partners.

These are some of the challenges relating to the campaign by the west on the right of women which a number of Muslims were influenced either directly or indirectly.

Way forward/Recommendations

- Muslims should not accept whatever comes to them from the west blindly but it should be subjected to objective criticism by sifting it, taking the take able and leaving the leave able.
- Muslim parents should give emphasis to the religious education of their children right from the grassroots levels so as to properly understand their religion lest they be influenced by ideologies of the western nations
- Muslim scholars should also employ the same method adopted by the west to respond against their campaign by educating and enlightening the *Ummah* concerning the Islamic provisions on the freedom, liberty and rights of women in Islam.

Conclusion

In the history of the world, there is no such religion or civilization which accorded higher respects, dignity and rights of women as Islam. This paper has outlined from the historical perspective and contemporary conditions, how women were treated in Islam and the west. It is understood in this paper that a woman in Islam receives their legal rights from child birth as a

daughter up to her marriage as a wife and mother at the same time. These rights allotted to women in Islam are unrealistic in the west. Ironically speaking however, the west continues to flag up their daily campaign that Islam violates the rights of women. Muslims are therefore alerted by these challenges in order to take appropriate measures to defend their religion and integrity against the western propagandas.

ENDNOTES

¹ M. Ibn Mandhur, *Lisan al-Arab*, Vol.4, Letter 'H', Tab'at al-Uula, Dar Sadir, Beirut, p.177

² M. Kamali, *Freedom, Equality and Justice in Islam*, Islamic Text Society, London, nd, p.198

³ Ibn Mandhur, ...

⁴ J. L. Esposito, "Human Rights in Islam", Islamic Research Institute, International Islamic University, Islamabad, Vol.14, No. 2, 1975

⁵ Qur'an 2:256

⁶ Sahih al-Bukhari, Vol.3, Kitab al-Ijarah, No.2270

⁸. Qur'an 16:90

⁸. Qur'an 17:70

⁹. M. I. Al-Tirmidhi, *Jami' Sahih Sunan al-Tirmidhi*, A. M. Shakir et-al. (Eds.), Vol.5, No.3955, Dar Ihya' al-Turath al-Arabiyy, Beirut, p.734

¹⁰. Qur'an 16:58-59

¹¹. J. C. Caldwell and B. Caldwell, "Family Size Control by Infanticide in the Great Agrarian Societies of Asia", *Journal of Family studies*, Vol.36, No.2, 2005, p.205

¹². Qur'an 17:31

¹³. A. Maududi, *Human Rights in Islam*, p.6, www.humanrightsinislam.com/islam

- ¹⁴. C. Nubert, Married Women's Property Acts 1882: A Study of Victoria Reform", M.A. Thesis, Department of History, Western Kentucky University, 1977
- ¹⁵. Qur'an 4:7
- ¹⁶. A. Maududi, Human Rights in Islam, ...
- ¹⁷. Qur'an 28:77
- ¹⁸. This is evident on various social media platforms such as youtube, instagram, whatsapp, facebook, and other online channels of communications
- ¹⁹. Qur'an 33:59
- ²⁰ Qur'an 24:4
- ²¹. Sahih al-Bukhari, Vol.8, Book 78, No.5971
- ²². Qur'an 31:14
- ²³. Qur'an 65:6-7
- ²⁴. Ibn Majah, Sunan ibn Majah, Book 33, No.3669, Vol.5, Darussalam
- ²⁵ The Guardian, "Double Standard, Islam and the West", 2009, retrieved 25th November, 2024
- ²⁶. M. Ibn Majah, Sunan Ibn Majah, Vol.6, M. F. Abdul-Baaqiy (Ed.), Dar al-Fikr, Beirut, No.224, p.81
- ²⁷. S. Goel, *The Concept of Human Rights in Islam*, Lambert Academic Publishing, Europe, 2014, p.33
- ²⁸. R. Adam, Early Universities, Women education in the west, Britanica, nd, p.3
- ²⁹. M. R. R. Pompeo, International Day for the Elimination of Violence against Women, Press Statement, November 25, 2019
- ³⁰. J. S. Maihula, "Yadda Musulunci Ya Kare Hakkin Mata" (How Islam Protects the Rights of Women) Jumu'ah Sermon, Delivered at Prof. A. A. Gwandu Mosque, Arkilla, Sokoto, on 02/04/1441AH/29th November, 2019