
ISLAMIC GUIDELINES ON GENDER RELATIONS

■ What is the Islamic ruling on fornication and adultery?

Islam strictly forbids fornication and adultery as well as all forms of licentiousness (Q4:24, 17:32). The punishment for fornication is 100 lashes (Q24:2) while for adultery it is death (*Sunnah*, i.e., the Prophet's ruling).

■ What is the Islamic criterion of distinction between human beings?

The only criterion of distinction is *taqwa* (piety): "*Surely the most honourable of you in the sight of Allah is the most pious of you.*" (Q49:13)

■ Are there any real differences between the genders?

Yes, by virtue of the Quranic statement "*And the male is not like the female*" (Q3:36). Also, differences based on the allocated areas of responsibilities which are complementary and not competitive (due to physical, emotional and psychological differences, *fitrah* or natural disposition). Primarily, men are the family providers and women are the homemakers.

■ Is the testimony of a woman less than that of a man?

No, not if there is appropriate qualification (if not, then one qualified man equals two unqualified women, for example in business transactions Q2:282, "*in case of forgetting, one reminds the other*"). This is not due to some weakness or inherent weakness in a woman, but due to the complexity and lack of qualification in the matter being testified to.

■ Is the word of a woman equal to that of a man?

Yes, for example in the oath of condemnation (Q24:6-9; accusation of adultery, four oaths of accusation followed by an oath of condemnation).

■ Does a woman inherit less than a man?

Generally yes but not always (Q4:11). This is due to the difference in obligations between a man and a woman. A man is obligated to give a dowry, to provide for his wife and family, to provide for his relatives, while a woman has none of these obligations. In some rare cases a woman

may in fact inherit equal or even more than a man (e.g., one interpretation of the verse Q4:11 states that if a woman dies leaving a husband and her two parents, the husband gets half, her mother a third and her father a sixth).

■ Is the blood money paid for killing a woman half that of a man?

There is no authentic statement of the Prophet (s) or any consensus of the scholars that the blood money is half for a woman. In fact, the Quran gives no special status to the killing of a man ("*And whoever kills a believer by mistake, he should free a believing slave and pay blood-money...Q4:92*").

■ To whom does Islam assign guardianship?

To the man (husband) by virtue of the verse, "*Men are the supporters of women...*" (Q4:34). However, this guardianship in decision-making should be considered as an added responsibility rather than a privilege. Allah (swt) qualifies this by a prerequisite process of mutual agreement and consultation between husband and wife in a matter that may seem to us as minor, i.e. weaning a child "*... If they both decide on weaning, by mutual consent and after due consultation, there is no sin on them ...*" (Q2:233).

■ Can women take on leadership roles?

Yes, with the exception of the position of head of state and certain judicial positions (Imam Abu Hanifa allows women judges in all non-criminal matters). Also, on the condition that her primary responsibility is not sacrificed and that it is warranted through necessity. Eg, during his *khilafah* (rulership), `Umar (ra) appointed Al-Shifa Bint Abdullah (ra) as the market-place superintendent.

■ Can women imitate men and vice versa?

No. The Prophet (s) said: "Allah condemns the man who dresses like a woman and the woman who dresses like a man" (Abu Dawud). "A woman who behaves like a man will not enter *Jannah* (Paradise)" (Al-Nisa'i).

■ **Can a man look at a non-*mahram* (marriageable) woman?**

Islam commands both men and women to "*restrain their eyes*" or "*lower their gaze*" (Q24:30-31) in order to avoid the adultery of the eyes. What is prohibited is the look that serves an evil purpose. "The first look is pardonable" (several Hadith). Allowable examples: marriage, in court, teaching, etc.

■ **Does Islam prescribe a public dress code?**

Islam prescribes a decent and unrevealing code of dress (Q24:31) for both men and women. Public dress should not be transparent or tight fitting. For men the area that must be covered is between the navel and the knees. For women everything must be covered except the face and hands.

■ **How should women walk in public?**

Islam prescribes that a woman should walk in public in a way that does not reveal her charms "*And let them (women) not stamp their feet so as to reveal what they hide of their adornment*" (Q24:31).

■ **How should women speak to non-*mahram* men?**

Women should speak as commanded by Allah (swt) in the Quran: "*...speak not in an affected (alluring) tone, so that he in whose heart is a disease and may yearn, but speak honourably*" (Q33:32).

■ **Can a man be alone with a non-*mahram* woman?**

Seclusion between a woman and a non-*mahram* man must be avoided. The Prophet (s) said: "No man should be in seclusion with a woman."

■ **Are women allowed to participate in public gatherings?**

Yes, but only to the extent where it is necessary. For example, congregational

prayers, seeking knowledge, co-operation in charity, etc - on the condition that the limits of social conduct are adhered to. The Prophet's *masjid* should serve as guidance. The Prophet (s) would direct the women to form rows behind the men, and the more to the back the better (without any partition between the men and women). Due to crowding, the Prophet (s) then allocated one entrance to the women only (Abu Dawud).

■ **Can men and women wear perfume in public?**

Women are not allowed to wear perfume in public. The Prophet (s) said: "The woman who uses perfume and passes through people is promiscuous (an adulteress)" (At-Tirmidhi). Men are however encouraged to use perfume in public (Abu-Dawud).

■ **Can a man shake a non-*mahram* woman's hand?**

Shaking of hands between a man and a non-*mahram* woman is prohibited if it involves desire (*shuhwa*) and may lead to evil (*fitnah*). Cases without possible *fitnah*: old woman, etc.

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